

Fishing Tour Operator Meeting at the Travel Lodge Mirambeena Resort Darwin

2 November 2008, 9.00pm

Draft Outcomes of Meeting

Fisheries and other NTG attendees

Heather Brayford – Executive Director Fisheries
Ian Curnow – Director Aquatic Resources
Steve Sly – Manager, Aquatic Resource Management
Phil Hall – Aquatic Resource Manager
Rachael Davies – Aquatic Resource Management Officer
Kane Dysart – Technical Officer (Rec Fishing)
Alex Ray (DPI) -
Srishailam (Sri) Srinivas (DPI) -
Sharon Johnson (Tourism NT) – Industry Standards and Accreditation
Manager

NTGFIA representative attendees

Rob Marchant – Chairman of the Northern Territory Guided Fishing Industry
Association (NTGFIA)
Graeme Williams – Vice Chairman of the NTGFIA
Lloyd Browne – Executive Officer of the NTGFIA

FTO attendees

John Maher	Russel J Trimble
Ken McNaught	Tom Kontis
Tony (Barney) Berrill	Viv Thistlethwaite
Mark Parkinson	Wayne Bishop
Bob Morris	Allan Beale
Tony Lebrun	Matt Holmes
Stephen Compain	Micky Qaiser
Mike Jones	Kurt Ostwald
Mark Sedman	Jim Bancroft
Chris Jones	Greg Trouchet
Michael Politis	Scott Bradshaw

Opening

Ian Curnow welcomed all attendees and introduced government and NTGFIA representatives, noting that the meeting's purpose was to establish agreement on the content of the draft issues paper and questionnaire before they are released for public comment.

The presentation was delivered by Phil Hall, Steve Sly, Lloyd Browne and Rob Marchant.

The following outlines the key points raised during discussions.

SAFETY – Presented by Phil Hall

VESSEL OPERATOR QUALIFICATIONS AND VESSEL SEAWORTHINESS Points Raised

- The paper proposes dingy hire and drive standards and a restricted coxswain certificate as minimum qualifications for operators of vessels under five metres.
- Restricted coxswain certificate may be more appropriate than “deckhand qualification” as the latter does not attract a certificate of competency.
- Many FTOs have boats less than 5 metres and they do not currently need a coxswain certificate or vessel survey.
- The proposals in the paper will help elevate industry standards.
- Disparity of carrying capacities between unsurveyed vessels under 5 metres and hire and drive dinghies under 5 metres. Hire and drive dinghies can carry 5 people including driver.
- Explained dingy hire and drive requirements and suggested the possibility of a phase in period if introduced.
- The majority of FTOs present supported the idea of an inshore coxswain's certificate when asked the question by the Chair of the NTGFIA.

Question 1

Should all FTOs who operate a vessel possess a vessels operator's qualification? If so, do you think an Inshore Coxswains Certificate of Competency is an appropriate minimum standard, or some other qualification?

Question 2

Should all FTO vessels be required to meet prescribed standards? Do you think hire and drive dingy standards are appropriate for unsurveyed vessels less than five metres?

It was agreed that these questions should remain in the draft paper for public comment.

INSURANCE

Points Raised

- \$5 million is inadequate. More over-arching insurance is required which covers mother ships and tenders.
- All aspects of FTO operations need to be insured.

- Because of the range and complexity of the various types of Insurance cover available to FTOs it was recommended that independent advice be obtained from an Insurance industry expert. Insurance expert could advise best FTO insurance option.
- Include definition of broad form insurance in paper.
- There was some general consensus that insurance cover should be increased. It is the NTGFIA's position that the minimum insurance cover be raised to \$10 million
- The majority of FTOs present supported the idea of broad form insurance when asked the question by the Chair of the NTGFIA.

Question 3

Should the current \$5 million minimum FTO insurance requirement be increased to \$10 million?

Question 4

Should broad form insurance policies be introduced as a minimum standard FTO licence condition?

It was agreed that these questions should remain in the draft paper for public comment.

IDENTIFYING UNLICENSED FTOS

Points Raised

- Point was raised that surveyed FTO vessels may not be used for private recreation.
- Recommended NSW requirements to display safe work method statement on vessel and brief crew and passengers at the start of the voyage.
- It was also noted that this requirement already applies to all NT businesses.
- It was raised that as of the 1 October 2009, every commercial vessel will require a safety management system.
- The majority of FTOs present supported the idea of vessels being identified when asked the question by the Chair of the NTGFIA.

Question 5

Should all FTO vessels be made readily identifiable while on commercial tours?

Question 6

If you answered yes to Question 5 above, what method of vessel marking do you consider most appropriate?

It was agreed that these questions should remain in the draft paper for public comment.

FIT AND PROPER PERSON CHECKS FOR FTOS

Points Raised

- Supported text in paper regarding legislative powers to refuse the issue or renewal of FTO licences, pending a line of appeal to enable questioning of decisions.
- It was noted that the *Fisheries Act* already provides for a review process, for decisions made in respect of grant or renewal or licences.
- It was noted that Codes of Conduct signed by constituents can be legally binding.

Question 7

Should all FTOs be subject to background checks to assess their suitability to conduct commercial tours?

Question 8

Should there be clear legislative powers to refuse the issue or renewal of FTO licences if the applicant has breached the *Fisheries Act*?

Question 9

Should compliance with the NTGFIA's Code of Conduct be a consideration when deciding the issue or renewal of FTO licences?

It was agreed that these questions should remain in the draft paper for public comment.

MANAGEMENT – Presented by Steve Sly

SPECIAL CATCH CONTROLS FOR FTOS

Points Raised

- The idea of a trip limit and that industry should demonstrate sustainability initiatives by supporting reduced limits, noting existing self imposed limits by many FTOs.
- Government should introduce lower limits and advise FTOs.
- A tiered possession limit should be considered for FTOs based on trip duration
- A question was raised regarding the dissection of fillets especially on extended trips. It was advised that fishers can dissect fillets but must remember each piece is deemed as a whole fillet and equal to half a fish so stay within possession limits.

- Consider the idea of a fillet weight limit as in Western Australia.

Question 10

Should FTO client catch limits be different from those that apply to general recreational fishers?

It was agreed that this question should remain in the draft paper for public comment, and that another question querying a possible tiered possession limit for clients on 2-3 day trips or trips of a week or more including the concept of a kilo weight of fillets should also be included.

MONITORING CATCH AND ACTIVITY THROUGH LOG RETURNS

Question 11

Should FTOs be required to complete client/catch records before any of their clients disembark their vessel or fishing platform?

It was noted that most FTOs did not support such a requirement.

Question 12

Should the grid squares used for daily log recording be reduced to represent smaller areas of 10 to 15 square nautical miles to enhance reporting accuracy of fishing areas?

Some general acknowledgement that the current grid reporting system is too large for some information purposes.

It was agreed that this question should remain in the draft paper for comment.

Question 13 (for FTOs only)

Would you be prepared to voluntarily submit GPS positions for areas fished in your future log returns?

Most FTOs did not support providing this level of information on fishing activity

Question 14

Should FTO log return sheets be amended so that records of fish caught and released can be linked to the origin of their respective clients?

It was agreed that this question would be deleted.

Question 15 (for FTOs only)

Would you be prepared to voluntarily record lengths of significant species in addition to your normal log reporting responsibilities?

It was agreed that this question would remain in the draft paper for public comment.

ESTABLISHMENT OF ENTRY/CAREER PATH FOR SCHOOL LEAVERS- Presented by Rob Marchant

Question 16

Do you see benefit in establishing a training/apprenticeship program to foster entry and help people pursue careers in the guided fishing industry?

There was general support for this proposal from the floor.

It was agreed that this question would remain in the draft paper for public comment.

LICENSING – Presented by Steve Sly

LICENSING ARRANGEMENTS FOR SHORT TERM OPERATORS

Points Raised

- It was agreed that the paper would be amended to state circumstances where use of a short term operator may apply other than in the event of sickness.

NTGFIA PROPOSAL FOR BUSINESS BASED LICENCE - Presented by Lloyd Browne

Points Raised

- FTOs should be able to operate a mother ship and dories under one licence with a separate fee structure. It was suggested that up to three tender vessels should be allowed to operate in addition to a mother ship under one licence through a tiered fee structure.

There was general support from the floor for the introduction of a business based licence

Question 17

Should a business based FTO licence framework be introduced that allows a principal licence holder to employ multiple operators under his/her licence, and what would be the advantages or disadvantages of such a scheme?

Question 18

If you answered yes to Question 17 above, how many operators should be allowed to conduct tours under each licence?

It was agreed that these questions would remain in the draft paper for public comment.

FTO licence numbers, licence limitation and transfer – Presented by Steve Sly

Points Raised

- It was noted that the Northern Land Council will be looking at limiting FTOs operating on Aboriginal land under Section 19 of the Aboriginal Land Rights Act.
- Point raised that area specific licence limitation would be good for the industry.
- Point raised that not all supported regionalising FTO activity.

FTO attendees unanimously supported the introduction of licence limitation.

FTO attendees were divided on the issue of area limitation with one licensee firmly opposed it.

Question 19

Do you think the number of FTO licences issued in the NT should be limited and why?

Question 20

Should FTO numbers be limited in specific areas? If so, in which areas?

It was agreed that these questions would remain in the draft paper for public comment.

NTGFIA PROPOSAL FOR FTO LEVY – Presented by Rob Marchant

Points Raised

- More services should be provided by the NTGFIA, such as seafood handling courses.

There was general agreement on this issue with further discussion deferred until the Association's AGM

Question 21

Should all licensed FTOs be required to pay a levy to help fund the NTGFIA's business costs?

It was agreed that these questions should remain in the draft paper for public comment.

Other Matters

- It was queried whether current FTOs access provisions remain on tidal waters overlying aboriginal land following the Blue Mud Bay court ruling.
- It was advised that the current temporary fishing licence/permit granted by the Land Council remains for a minimum of 12 months until long term access agreements are negotiated. The temporary arrangements provide permission for FTOs and their clients to enter tidal waters overlying Aboriginal land for fishing tour purposes.

Rob Marchant provided a paper to be included in the minutes. See Attachment 1.

The meeting finished at 12.30pm.