

NT GUIDED FISHING INDUSTRY ASSOCIATION INC

**GENERAL MEETING THURSDAY 16 FEBRUARY 2006
MINUTES**

PRESENT: Alan Beale, Barney Berrill, Dan Bergamo, Rod Cole, John Dagan, Grant Hatcher, Peter Herden (non member) John Hickey, Dean Jackson, C Jones, (non member) Mike Jones (associate member), Tom Kontis, Rob Marchant, Jim Metcalfe, Martin Metcalfe, Darren Nickolls, Mick Quaiser, Dennis Sten, Russel Trimble, Viv Thistlethwaite, Greg Trouchet, Mark West, Graeme Williams, Mick Winterton.

APOLOGIES: Ian Brett, Preston Higgins, John Jordan.

Meeting opened at 1915hrs.

The Chairman (Graeme Williams) welcomed members and non-members and proceeded to outline actions and initiatives which the NTGFIA had undertaken since its last meeting (September 2005). These included:-

(i)Representation on

- the Barramundi Fishery Advisory Committee
- the Darwin Harbour Charter Boat Operators Working Group
- the Bynoe Harbour Marine Park Advisory Committee
- the Kakadu Tourist Advisory Committee
- the Timor Reef Fishery Advisory Committee

(ii)Two meetings between NTGFIA Executive Committee members and Fisheries Group representatives to discuss

(a) (first meeting) interpretations of the Act and Regulations in relation to FTO licensing procedures including the Nominations Policy;and

(b) (second meeting) future directions the Association would be pursuing in accordance with resolutions taken at the September general meeting, including:

- implementation of an (optional) online system for the submission of catch returns.
- clarification and formalization in the new Act of the use of Assistant Fisherman as valid participants in FTO operations.
- a more practical and specific definition of what constitutes control of fishing operations in the new Act. Barra fishermen are currently allowed to use assistant fishermen to clear nets unsupervised (by the licence holder or his nominee) at distances of several kilometres from the mother ship but FTOs are not.
- the implementation in the new Act of more practical and commercially oriented legislative provisions which work for all stakeholders - with an emphasis on the devolution of more autonomy to FTO Corporations and multi-licence holders in the area of Licence Nominations.

- the declaration of the FTO Fishery as a Managed Fishery.

Graeme then asked the Executive Officer (Lloyd Browne) to brief the meeting on those provisions in the current Act, which would need to be amended to implement these initiatives. Lloyd said the main problem which needed to be solved was the legislative linkage between the Principal Licence Holder and his Surrogates (ie between the Licence Holder and his Nominee(s), Temporary Transferees Short Term Operators and Assistant Fishermen). The Government was committed to ensuring that the Principal Licencee was liable for any breaches committed under his licence. This was achieved in the current Act by the twin legislative mechanisms of Nominations (one per licence) and Supervision/Direct Control of Fishing Operations, -both of which appeared to have been written to facilitate enforcement rather than practical and economically efficient day to day fishing operations. (Sections 12, 13, and 14 of the Act refer).

Discussion on ways to rectify the situation included the possible introduction of assistant fishermen licences and/or boat registration/licences but the meeting was unable to reach a resolution on the matter. The matter was left in abeyance until more information/feedback from Government and Government legislative sources became available.

Lloyd then gave brief details of the proceedings of the various Committees.

The Barra Committee was examining ways to buy back up to 10 commercial barra licences and to extend areas closed to commercials. In this respect the Association's policy was identical to AFANT's.

The Darwin Harbour Charter Boat Working Group was examining the need for new berthing pontoons in the Stokes Hill area and the maintenance of existing facilities.

The Bynoe Harbour, Kakadu, and Timor Reef Committees were still in their initial stages of establishment. Greg Trouchet advised that he would be attending his first meeting of the Kakadu Tourist Advisory Committee on the 17th of February.

CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

There were no suggested amendments to the draft minutes. Proposed Dean Jackson seconded by Rob Marchant that the minutes be accepted. Passed unanimously.

INTRODUCTION OF A (Multi-Tier) "FISHING TOUR OPERATIONS LICENCE"

Graeme outlined the Association's concept of a single licence for those businesses which currently operate with more than one FTO licence. The basic principle the Association was trying to promote was a devolution of responsibility to industry in those areas currently controlled by Government, which relate

- (i) to the hiring of suitably qualified operational staff and
- (ii) to the requirement to conform to the various marine and insurance legislative prerequisites.

Graeme stressed that a Multi-Tier FTO Licence could not be implement under the current Act. The intention in discussing it at the present meeting was to obtain NTGFIA

endorsement for representations to the Minister during the public comment phase of the Fisheries Act revision.

The question of an appropriate licence fee for a “**(Multi-Tier) FISHING TOUR OPERATIONS LICENCE**” was then debated. In an attempt to frame a motion, discussion commenced with the suggestion that the fee for a “**(Multi-Tier) OPERATIONS LICENCE**” should be a multiple of the single operators fee - ie a business which currently has 5 FTO licences should pay five times the single operator’s licence fee. The proposal was opposed by Dan Bergamo (and others) who promoted the concept of a “**Business Licence**” – a licence which incurred the same fee irrespective of how many FTO operations the business was conducting.

After considerable discussion with many divergent and dissenting opinions being aired, the following three option motion was framed and formally proposed by Grant Hatcher. Seconded Greg Trouchet:

Option 1: That a Business Licence be introduced and that all Business Licences incur the same fee irrespective of whether they are single-tier licence/operational businesses or multi-tier licence/operational businesses.

Option 2: That a Business Licence be introduced with fees for a Multi Tier Operation calculated on a sliding scale . With the scale set at, say, 50%, and the fee for a single tier operation set at \$200, a three tier licence would incur a total fee of \$400 (\$200 + \$100 + \$100). Using the same settings a five tier licence would incur a fee of \$600 and so on.

Option 3: That the fee for a Multi Tier Business Licence be a direct multiple of the fee for a single tier licence, ie a five tier licence would cost five times as much as a single tier licence.

Having put the various options comprising the motion to the vote, **Option 2 was adopted** by a majority of 12 votes to 6.

OTHER BUSINESS

- (i) On Line Returns: Rob Marchant advised the meeting that an online system of catch returns was working successfully for FTOs operating on Queensland’s Gold Coast.
- (ii) Peter Herden raised the issue of whether FTO licences were necessary for businesses whose principal activity was something other than fishing (eg sailing, sightseeing etc) but which allowed its customers to fish as an adjunct to the main tour activity. Graeme said the matter had been raised by the Association at its first meeting with Fisheries and on the basis of input from the Police Enforcement Unit and standard practice in other States, had agreed with the government that a licence was required.
- (iii) Alan Beale raised the matter of access to the Adelaide River at the existing boat ramp noting that a pontoon and other maintenance was urgently needed.

- (iv) Dan Bergamo advised that he had spoken to the Minister about a plan to buy a barra licence in the Gove area and sell it back to the Government on the proviso that an (unspecified) area was closed to commercial fishing. He asked whether the Association was prepared to support his plan. The Chairman said that the Committee required more specific information on the proposal before it could reach a decision.
- (v) Jim Metcalfe said that as the main focus and activity of the Guided Fishing Industry was on tourism, it would be more appropriate if it was administered by the Tourist Commission rather than the Fisheries Group. Lloyd said that in his opinion the Government would never agree to such a proposal because FTOs were exploiting an aquatic resource – an activity which fell under Fisheries jurisdiction. However the best way to make such an approach to Government was along the lines of the need to draw ALL Tour Operators under the one Authority by drafting a specific Act for them. There still remained the problem of who would administer that Act and it was pointed out that the Tourist Commission is primarily a promotional organization so in the absence of major restructuring it was unlikely that it would get to administer (and enforce) a specific Tour Guides Act.

There being no further business, the Chairman thanked members for their attendance and closed the meeting at 2215hrs.