

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON RECREATIONAL MARINE FISHING IN TASMANIA MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART ON THURSDAY 17 JULY 2008.

Mr STUART NICHOLS, SEA CHARTER BOAT OPERATORS OF TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mr Harriss) - Stuart, you have written to us and indicated that you want to make a verbal presentation to the committee so at this stage we will hand over to you to make that presentation. In the interests of an easy flow, if there are questions which arise during your presentation would you be happy for us to interact that way rather than wait until the end?

Mr NICHOLS - Really, I was expecting to come along here and answer questions from you. As such, I do not really have a presentation, but given the brief and the correspondence that we have had I am expecting some questions about TARFish and the recreational fishing licensing system and those things.

CHAIR - Maybe for our benefit then you could give us some background on SCBOOT as an organisation, how many members it has, its involvement with TARFish in the past, if you are aware of that involvement, and where it sits at the moment with regard to TARFish and, as an organisation, what its views are with regard to the recreational fishing industry, your contribution to that as an organisation, your organisation's views about - you have seen our terms of reference - the suitability of TARFish as the peak body and whether there are matters related to the Fishwise community grants that you want to address your mind to. If there are not, that is fine. Your organisation might have a view about the socioeconomic value to the State of the recreational fishing industry and, likewise, the sustainability of the fish stocks. It is as broad as you or we want it to be. So maybe if you give us a background to SCBOOT to kick it off.

Mr NICHOLS - I am currently the President of SCBOOT, which stands for the Sea Charter Boat Operators of Tasmania. We are basically the saltwater charter operators. We have approximately 30 members at the moment. The numbers fluctuate a bit from year to year. Most of our members are not full-time charter operators, they have other businesses or interests. I guess chartering is a difficult one to make a living out of. I am a full-time operator. I am one of only a few in this State who make a living out of it solely.

The Sea Charter Boat Operators promote ourselves as fishing under the recreational fishing guidelines so all we really do is provide a platform for recreational anglers to go fishing.

I am only fairly new to the role and I am relatively new to the Charter Boat Operators, Charter Boat Owners Association as well. My dealings with TARFish have been very limited. There have been issues in the past that I am somewhat aware of. SCBOOT was one of the original founding members of TARFish. There were some issues a couple of years ago and we haven't paid our membership since then and haven't been members.

We have a charter boat owners meeting tomorrow and TARFish is one of the items on our agenda. Mark Nikolai, the CEO of TARFish, is coming to our meeting tomorrow.

Mr WILKINSON - What were the issues a couple of years ago, Stuart?

Mr NICHOLS - To be honest, I am not 100 per cent sure of the exact issues. I know there were some personality issues and issues regarding the payment of our fees. When the personality clash occurred, that I am aware of, that is when the payment of the membership became an issue.

Mr WILKINSON - You say that was more of a personality clash than TARFish not doing something or was that the cause of the personality clash? Do you know anything about that?

Mr NICHOLS - My understanding was that it wasn't an issue with something TARFish had done or not done, but I really don't know enough about the incident to go into too much detail. As the President of SCBOOT, my feeling is that we are looking to lift our profile, and my feeling is that we will rejoin TARFish in due course. As I say, that will be raised at tomorrow's meeting and I expect that there will be a motion put forward and I am positive that we will rejoin as members.

CHAIR - Stuart, if this committee concludes somewhere along the line that we need to be aware of the personality clashes or of whatever circumstances surrounded the rule changes and process changes for TARFish, who should we talk to in SCBOOT who might be able to give us the detail of the affairs at that time?

Mr NICHOLS - Probably our secretary, Dennis Bennett. He has been our secretary for a number of years and he is probably a lot more aware of the issues than I am.

CHAIR - Thank you. Just staying on that matter for the moment - and I appreciate the fact that you have already said you're not aware of the detail of the so-called personality clashes at the time - are you aware of any of the matters going back to I think about 2006, when the procedures of TARFish were changed and whether SCBOOT was a member of TARFish at that time and had voting rights?

Mr NICHOLS - I can't recall, no. I am not aware. That is probably about the same time and maybe they're related, I don't know. I cannot really comment on that, sorry.

CHAIR - Are you aware as to whether any member of SCBOOT attended that particular meeting of TARFish and voted and whether your SCBOOT member had the authority of SCBOOT to so vote at the time?

Mr NICHOLS - If we did have a member there to vote it would have been Rocky Carosi, who was our representative at the time. I am not 100 per cent sure, I am only guessing, but I imagine at that time there would have been financial members who would have had the authority to vote, but I can't be sure on that.

CHAIR - I accept that. The process of history is a matter in time. Can I put it to you that SCBOOT as an organisation at that time was in fact not a financial member of TARFish?

Mr NICHOLS - That is possible, yes - 2006. I really can't be sure on that but that was around about the time the issues were arising.

CHAIR - Are you aware whether Mr Carosi, whom you mentioned, attended the meeting, and at the meeting or just prior to the meeting commencing, paid SCBOOTs membership in order to be given voting rights but didn't have the authority of SCBOOT to so pay, and therefore so vote.

Mr NICHOLS - That is familiar, yes, and I do recall there was an issue with his paying on his own behalf and then it became an issue with SCBOOT reimbursing him.

CHAIR - So did SCBOOT reimburse him, or did SCBOOT say, 'No, that was unauthorised', or words to that effect?

Mr NICHOLS - I believe that's where it stands, yes, but he hasn't been reimbursed and SCBOOT didn't make the payment because it wasn't authorised by the committee.

CHAIR - So if that is the case then it's fair to say that if the deliberations of TARFish at that time hinged on that vote then any decision made by TARFish at that time would have been invalid - if it hinged on SCBOOT's vote.

Mr NICHOLS - I would sadly say yes.

CHAIR - That's a matter we can pursue further with Mark Nikolai from TARFish. Again he's in the difficult position, as you are, in not being there at the time. Thanks for advising the committee of those facts, that you were aware Mr Carosi was not authorised and hasn't been reimbursed. We can investigate further the matter of the validity of the vote taken by TARFish at the time - the vote or votes.

Mr WILKINSON - Can I ask how you are aware of that, Stuart? Is it just rumours going around SCBOOT, or have you spoken with people in SCBOOT who told you about that?

Mr NICHOLS - No. It was raised at a committee meeting. I have, over the years, attended the meetings. I must admit, to be honest, at the time because I wasn't president I didn't really take in all the details. I am just aware of that happening, and going through the minutes of the meetings, knowing that Rocky Carosi had paid on his own behalf and then SCBOOT committee had said, 'We didn't authorise it'.

Mr WILKINSON - There's a difference between hearsay, 'I heard it from so-and-so' evidence, as opposed to your being there when it was actually occurring. You said, as I understand it, you were part of SCBOOT then, so you were aware that that actually was the case, and that has been confirmed by going through the minutes.

Mr NICHOLS - Yes.

Mr WILKINSON - Right, thanks.

CHAIR - Are you aware, Stuart, at that time as to who the committee members were of SCBOOT? This is a really important matter for this committee to investigate as to the

validity of the decisions taken by TARFish at the time. So are you aware of who your committee members were at the time?

Mr NICHOLS - Denis Bennett would have been secretary; president was probably Chris Pratt from Launceston. Rocky Carosi would have been on the committee; I was a committee member. There would have been a couple of other committee members. I just can't recall others at the time, but they were the major ones.

CHAIR - If there is anything central about that we can check back with you and get the details of that, can't we?

Mr NICHOLS - Yes, I can look into that if you require.

CHAIR - It may not be necessary. Staying with that, then, was the committee aware as to why Mr Carosi took that action to pay just prior to the meeting commencing, and therefore being seen as eligible to vote?

Mr NICHOLS - I am not sure why that was done.

CHAIR - Was he not questioned by the committee?

Mr NICHOLS - Not that I can recall. It probably was raised, but I don't recall the outcome of it or the actual conversations.

CHAIR - Again, would you be able to find that out for us? If we decide as a committee at a later time that that is an important matter for us to be aware of, the detail and whether the committee challenged Mr Carosi and what his explanation was to your committee, is that something that you might be able to research if we were to communicate with you?

Mr NICHOLS - Certainly.

Mr WILKINSON - Can you recall what he voted on and if that was contrary to what SCBOOT was thinking at the time? Alternatively, did he vote on something which SCBOOT had spoken about and in principle agreed to? Did he then go into that committee meeting, pay the money and then vote in accordance with what the committee believed should have been the case?

Mr NICHOLS - I really cannot recall any discussion in that regard. I cannot remember that it was an issue that he voted on something that we were not in support of.

Mrs RATTRAY-WAGNER - Stuart, you indicated that Mr Carosi was the rep for TARFish at that time, and obviously had been for some time. Was he the only rep that you recall?

Mr NICHOLS - Yes.

Mrs RATTRAY-WAGNER - Okay. After each TARFish meeting would he report back to the committee?

Mr NICHOLS - He would normally give us a brief if there was something that related to our organisation.

Mrs RATTRAY-WAGNER - So there would be a record from the previous meeting before any vote was taken on the restructuring; there would be some minutes to reflect that?

Mr NICHOLS - Yes.

CHAIR - Stuart, the committee may need to communicate with you about those matters that Jim and Tania have raised with regard to Mr Carosi's actions at the time, particularly the matters that Jim raised with you as to whether Mr Carosi went to the meeting with some understanding of SCBOOT's position on certain matters or whether there were other reasons why he went to the meeting and indicated that SCBOOT's membership was being paid in order for him to vote, and whether there were other matters surrounding that issue.

Mr NICHOLS - I can certainly research that further if required.

CHAIR - Tania mentioned in her question to you that Mr Carosi was SCBOOT's representative to TARFish at an earlier time - I can only presume when you were a financial member. At this controversial meeting, if I can put it that way, it seems then - and correct me if I am wrong - that he was not SCBOOT's representative.

Mr NICHOLS - Well, I am not sure. As far as I am aware there were no other of our members who were authorised representatives. The only situation where Mr Carosi would not be a member is if we were not financial, which may or may not be the case. I am not aware of anyone else being our authorised representative to TARFish.

CHAIR - You were at one stage, as an organisation, a financial member of TARFish?

Mr NICHOLS - Yes.

CHAIR - Mr Carosi was your representative?

Mr NICHOLS - Yes.

CHAIR - So it is likely that he, as a committee member, was aware that you were not a financial member and that he then took it upon himself to attend the meeting and pay the membership in order to register a vote? I understand that you would not be in a position to answer that - I am thinking out aloud, I suppose. It is possible but I would not expect you to answer that.

Mr NICHOLS - Our committee only meets a couple of times a year. We have a very busy season which starts about Christmas and goes to about June - the summer tourist season - and we just do not get time to meet through that time of the year. So we generally have a meeting about this time of the year - once we get into June and July. We have an AGM a little later in the year and that is generally only the couple of times that we may meet. If the membership of TARFish were due in, say, April or during the busy season, it may be possible that Mr Carosi assumed that the membership would be paid and he had gone along and paid it himself. Because we hadn't had a meeting in that time frame he may have taken it on himself to make that payment, assuming that it would all be okay.

CHAIR - Is there any overarching reason SCBOOT did not continue its financial status with TARFish?

Mr NICHOLS - I am not aware of those reasons.

CHAIR - Who would be?

Mr NICHOLS - Probably our secretary, Dennis Bennett.

CHAIR - Again, Dennis might be able to advise the committee as to why you're currently not a financial member?

Mr NICHOLS - Yes.

CHAIR - Stuart, do you have any comments you'd like to make regarding the terms of reference and how they affect your organisation or likewise your organisation reflects back on those terms of reference?

Mr NICHOLS - As I said before, we fish under the recreational fishing guidelines so we just provide a boat for people to go fishing. The licensing is such that it is not really an issue for charter operators. Someone can bring their own craypot along, if they are licensed, and we can set that for them and retrieve it later in the day. The licensing arrangements aren't really a big issue for our organisation.

Mr WILKINSON - So really your organisation is just the medium to get the people out onto the water to do the fishing?

Mr NICHOLS - That's right.

Mr WILKINSON - With the licence for yourself, do you need a normal charter boat licence?

Mr NICHOLS - There is no such thing as an actual charter boat licence, our vessels have to be in charter survey and the skipper has to have the appropriate skipper's ticket. There is no actual licence as such, as there is a commercial rock lobster or a commercial abalone licence.

Mr WILKINSON - Should there be?

Mr NICHOLS - Yes, I believe so. We have pushed that path over the last couple of years through the Department of Primary Industries and they have come up with a licensing arrangement which went down the track and got to Treasury apparently and Treasury declined it as being anti-competitive. As it stands at the moment, we don't have a charter boat licence.

Mr WILKINSON - What are the benefits of it?

Mr NICHOLS - We are trying to make it a feasible occupation, if you like. As it stands at the moment, we are getting more and more charter boat operators putting more and more pressure on the fish stocks. That is one of the issues, fishing pressure.

Mr WILKINSON - If you were licensed, how do you believe it would assist with sustainability and management of the fishing stock?

Mr NICHOLS - They are the issues. Sustainability is certainly an issue; management was an issue. Initially we were hoping to restrict it to about 50 charter licences within the State but, as I say, it got so far down the track and it was declined. Hopefully we are going to re-pursue it in the next 12 months or so. Hawel Williams at Primary Industries was working on that for us.

Mr WILKINSON - With this anti-competition policy, one could argue, 'Why license taxis?'. It is the same sort of thing, isn't it?

Mr NICHOLS - That has been our argument. Why is our sector of the industry any different to rock lobster, abalone or the scale fishermen? Their response to that was, 'If we were trying to get these management plans in place now for these other sectors of the industry, we'd struggle to do that through Treasury'.

Mrs RATTRAY-WAGNER - I think you've got a pretty good argument there.

Mr NICHOLS - I'd like to think that at some point we'll be able to get a licence in place.

Mr WILKINSON - I suppose with the licensing you would also have to ensure that people were properly qualified, had their tickets et cetera and therefore were capable of carrying out the job of being a skipper of a sea charter boat?

Mr NICHOLS - Yes. Marine and Safety are pretty thorough on their licensing and vessel surveys, especially when you're carrying passengers. There is a different set of rules to carrying passengers as against a fishing vessel going to sea.

Mrs RATTRAY-WAGNER - While we are talking about licensing, there have been some suggestions to this committee that there should be a licence fee across the board for all recreational fishing people, in the interests of getting an exact number. Do you have a view or has your organisation ever discussed everyone having a licence fee attached to their being allowed to fish?

Mr NICHOLS - Our organisation has not discussed that. Personally, I have mixed thoughts on it. In some ways it is a fairer system as against now where you pay for rock lobster and grab-all nets and abalone and scallops and these things, but not -

Mrs RATTRAY-WAGNER - But not line and tackle?

Mr NICHOLS - Yes. So, I guess, in some ways it is a fairer system to do that. But at the same time, there is certainly a reluctance to bring in another fee and, as a charter boat operator, if I have someone coming down from Victoria or New South Wales who wants to go fishing for a day and if I have to charge them an extra \$20 to \$25 or whatever the fee was, that certainly adds to the cost of someone's fishing experience for the day.

Mrs RATTRAY-WAGNER - Do you, in your own personal opinion, believe that having a licence would assist in the numbers? There has always been a figure plucked out the air

about what the economic value is to Tasmania of the fishing industry. Do you think that would assist in any way, knowing what that exact figure is, or do you think it will always be a bit of an unknown?

Mr NICHOLS - It certainly would assist having some more accurate figures and, as you mentioned, the socioeconomic impact has always been a difficult one to quantify and with some of our issues that have arisen with marine parks and all these other things that we have been involved in over the last couple of years, those figures would have been very handy to say that recreational fishing is worth so many hundred million to the State per year or whatever. Those figures would be fantastic to have some idea. There have been some limited studies on it over the last 12 months. But, yes, the more information we have like that, the better in arguing our case on certain issues.

Mr WILKINSON - Do you keep records of what you catch and what you let go?

Mr NICHOLS - Yes. We have to fill out a logbook each day when we return.

Mr WILKINSON - Who looks at that?

Mr NICHOLS - The returns go off to TAFI.

Mr WILKINSON - But say I have a little speedboat I want to take out with six people fishing, I can do that. I am just looking at this licensing situation. What is the difference between your doing that, other than that you are more expert, and my doing it?

Mr NICHOLS - In what way?

Mr WILKINSON - In taking people out to fish.

Mrs RATTRAY-WAGNER - Stuart probably has a bigger boat, Mr Wilkinson.

Mr NICHOLS - As a charter operator we have different safety requirements and we do have that reporting requirement of completing a logbook each day. But other than that, there is very little difference between your taking six people in your boat and my taking six people in my boat.

Mr WILKINSON - I am looking at this licensing; prima facie, I think it is a good thing because they will know how many boats are out there in any one day, approximately, and they will also be able to ensure that the proper safety requirements are there et cetera. You have the experience to carry people who are putting their lives in your hands. To me, it is just an added safeguard for those people who want to go out there fishing, especially if they are going, as you do, a fair way out.

Mr NICHOLS - Are you talking about fishing licensing?

Mr WILKINSON - No, charter boat licensing.

Mr NICHOLS - Yes, I agree entirely.

Mr WILKINSON - You have put a recommendation that that should be the case and no doubt you have included in those recommendations why you think it should take place. Do you have those in a form where you could supply them to us? Part of our terms of reference are any other matters incidental thereto, which is the catch-all in number 6.

Mr NICHOLS - Howel Williams from the Department of Industries and Water would have a draft copy of the plan that went to Treasury. It was at the point of being in a draft format. It was reasonably well down the track.

Mr WILKINSON - Okay, thank you.

CHAIR - Stuart, can I come back to that matter of that meeting of TARFish? I thought I had a document here, and I have, and I hadn't looked at it for a while because it has been a while since the committee has been ticking over. This is correspondence from Dennis Bennett, your secretary/treasurer. He has provided us with copies of correspondence which he sent to TARFish. This is a letter he wrote to TARFish on 28 June - and I appreciate again that you might not be familiar with the detail of this, but just so we can go back to clarify some of the record on the conversation we have already had - and he talks about the unauthorised nature of Mr Carosi to vote on behalf of SCBOOT and suggests that Mr Carosi's fee should have been repaid by TARFish. That is a matter for him to have taken up at the time. The more important copy of correspondence from SCBOOT to TARFish Chairman, Cheryl Arnol, dated 23 July 2006, suggested that at the meeting to change the constitution of TARFish Mr Carosi voted by phone hook-up. How could the membership of SCBOOT been paid prior to that meeting? We will need to investigate this further; I just wanted to mention it to you for consideration. Our secretary is drawing to my attention some income dated 26 July 2006, bearing in mind that the meeting was on 19 July. So a week later SCBOOT's membership of \$200 is recorded as being received. I only mention that to you to clarify the previous conversation we have had regarding that matter. Prima facie it would seem that the committee will want to investigate that more thoroughly, so it may be that we will be in touch with you or Dennis.

Is there anything else you wanted to raise for our consideration, bearing in mind that when we report, as Jim as already said, that matter of licensing might be one that we form a recommendation about in terms of a better process going forward? If there are other matters concerning which you or your association feel it is really important that changes ought to be introduced and that we could consider as a committee for recommendation to the Government, feel free to mention any of those matters as broadly as you would like.

Mr NICHOLS - With the licensing we are trying to make it a professional organisation. We don't want the backyarders, for want of a better word -

Mrs RATTRAY-WAGNER - The Jim Wilkinsons?

Laughter.

Mr NICHOLS - To some degree there is a bit of that sort of thing going on, people do these sorts of charter on the side. They will round up a few mates and say, 'Give us \$100 each and I'll take you out fishing'. It is very difficult to stop that sort of thing. We are just

trying to stand ourselves aside from that and become a professional organisation that is well run and giving people a safe and enjoyable experience of a day's fishing.

Mrs RATTRAY-WAGNER - In that respect that would make it a more viable, sole-income operation and then that lifts the credibility even more.

Mr NICHOLS - Yes. As I say, I am one of only a few who do it as a full-time job. We are limited on how much we can charge but, because of a lot of these part-timers, they are just looking to make a few dollars on the side. They are not trying to feed their families or pay super and do all that sort of thing; they just want a bit of income on the side. It is a difficult one. Our pricing probably isn't what it should be for that reason, that we have so many part-timers out there who aren't trying to make a living out of it. They are keeping the price down and it makes it difficult for people such as me to make a living out of it.

Mrs RATTRAY-WAGNER - And to encourage people who are like-minded into the industry to give it credibility.

Mr NICHOLS - Yes, to make that investment. Boats aren't cheap to maintain and run.

Mr WILKINSON - What happens in other States?

Mr NICHOLS - There's a bit of a mixture around Australia. Licensing has certainly come into place in four States that I can think of.

Mr WILKINSON - Four, as charter boat operators. Which States are they?

Mr NICHOLS - Queensland, New South Wales, South Australia and Western Australia.

Ms RATTRAY-WAGNER - Did you know if Victoria is going down that path at all?

Mr NICHOLS - I think they're trying to, yes. It seems to become harder and harder the longer it takes to get these things in place. We modelled ourselves a little bit on the South Australian model, but that has run into a dead end at the moment.

Ms RATTRAY-WAGNER - So as an organisation you are affiliated with a national body?

Mr NICHOLS - No, there's no national body as such.

Ms RATTRAY-WAGNER - Is that something that your organisation will look at, with you as president leading the charge? A national body would actually give your whole organisation, I expect, a higher level of credibility. If there was already support from other States then that would filter through to perhaps a Victorian and Tasmanian government organisation that would say this is in line with the national concept.

Mr NICHOLS - I hadn't thought of that, to be honest, but that's certainly something worth pursuing. I will bring that up at tomorrow's meeting.

Mr WILKINSON - You would seem to be quite happy with the current licensing arrangements for recreational and marine fishing activities.

Mr NICHOLS - Yes. Like I say, it doesn't greatly affect our organisation.

Mr WILKINSON - Okay. Biomass sustainability and management: you are out there more than most so have you seen any drop-off in the catch, or is it fairly consistent or has it increased? What are your views?

Mr NICHOLS - I think things are fairly stable generally. Each season varies a little bit tuna-wise; there are a lot of variables with tuna, but their numbers seem to be at least being maintained, if not slightly improving. With regard to the more local species, striped trumpeter, flathead and so on, their numbers seem to be pretty similar. I think overall the various bag limits and restrictions that apply seem to be reasonable, maybe slightly on the generous side.

Previously we had these daily bag limits as well as possession limits, and there was an overall limit of 45 fish per day per person, which is a lot of fish. They have done away with that daily possession limit, if you like, and just gone back to individual limits on the different fish species. They seem to be working well; I don't have a problem with any of those. Their organisation hasn't got a problem with the bag limits and the numbers of fish.

Mr WILKINSON - What about seals? I understand they are increasing in number. We've had some evidence as recently as a couple of days ago where they said they had x amount of take but only four pulled in, with the seals getting the rest.

Mr NICHOLS - Seals are becoming more and more of a problem, and that's something we just have to deal with. There is no easy answer to that one.

Mr WILKINSON - Yes, but how do you deal with them?

Mr NICHOLS - As a charter operator, if I am fishing on a spot and the seal starts stealing fish off me, I move to another spot.

CHAIR - And he'll follow you.

Mr NICHOLS - Well, they do, but not straightaway. Generally I can get 15 or 20 minutes on a spot before he'll follow me to it, and then once he shows up I'll move again and get another bit of time before he shows up again. Tuna fishing is a different one again. Last year tuna fishing was very difficult with the seals. Because the tuna were congregated around Hippolyte Rocks, where the seals are, we lost a lot of fish to the seals last year.

Mr WILKINSON - On average, how many takes per trip?

Mr NICHOLS - That varies a lot, but generally last season I lost about a third of my fish to the seals. This season was not anywhere near that bad because the tuna were not so much in that area; they were scattered around a bit more.

Mr WILKINSON - Have you noticed an increase in the seals and if so, how much?

Mr NICHOLS - I would estimate between the Hippolyte Rocks and Tasman Island, which is where I do a lot of my fishing, that seal numbers have probably trebled in the last six years or so.

Mr WILKINSON - And that being the case, obviously they are out there scavenging. Do you know how much fish they take?

Mr NICHOLS - No, I don't. I do not know what they eat in regard to their body weight each day but I know they take some filling up. They can devour one 20-30 kilo tuna and they are waiting for another one.

Mr WILKINSON - Have the seals got bigger in recent times?

Mr NICHOLS - I would not say bigger in size, no.

Mr WILKINSON - We have evidence that the amount of fish they take is three times more than the total catch of fish by fishers in Tasmania.

Mr NICHOLS - I have seen various figures on it and I cannot recall what they are but it is a huge amount that they would consume in a year - between all the seals.

CHAIR - And it puts things into perspective with regard controls, if you like, on recreational or commercial fishermen, given that is happening as a natural process.

Mr NICHOLS - When I was a kid fishing, seals were scared of boats; they were probably used to getting shot at, I guess. These days they see boats as a source of food. When I was a kid the seal would run a mile but nowadays when they see a boat they come and see what its doing.

Mrs RATTRAY-WAGNER - Same as most young species, they have more gumption than in the past.

Mr WILKINSON - And you cannot restrict them to a bag limit.

Laughter.

Mr NICHOLS - Very frustrating, though; it is a difficult one, especially on a slow day. Say you get four tuna for the day and the seals get two of them or maybe even three or four of them. That really hurts on those days. If you are catching a lot of fish it does not matter so much if you lose a few, but on those tough days it is difficult to accept.

Mr WILKINSON - What about other places around Australia? Are they having the same problems or is it specifically Tasmania?

Mr NICHOLS - I think they have some problems in the southern States - Victoria and South Australia.

Mr WILKINSON - Do you know what they are doing?

Mr NICHOLS - Nothing that I am aware of. Tasmania has just allowed commercial fishermen - I am not classified as a commercial fisherman - to carry bean bag bullets. I do not really understand much about them but it is in a shotgun cartridge. You can shoot the seal with it and it hurts the seal but it does not kill it. I think they are trying to persuade them to go somewhere else for a feed. It is a tough one for the commercial fishermen; it is coming straight out of their pay packet each day. At least in my industry I get paid the same at the end of the day, regardless of how many fish I catch. If the poor old commercial fishermen loses half or a third of his day pay, that hurts.

Mr WILKINSON - But in the end if you go out there and all your fish are taken by seals you are not going to have people wanting to go out.

Mr NICHOLS - Yes, that is the other issue, they are not going to come back in a hurry.

CHAIR - It would be a shame if you mixed your cartridges up, wouldn't it?

Laughter.

Mr NICHOLS - I do not know too much about those bean bag ones. They have only just been introduced and I have not spoken to any of the fishermen who are using them to see whether they are working on the seals, whether it persuades them to move on or not.

CHAIR - Stuart, I detect that we are about done and that you are likewise. Thanks for your time. We appreciate people in private enterprise who give their time to appear before these committees. It is important when we conduct an inquiry into any issue that specific matters need to be properly inquired into, and so we appreciate your frankness. It may be that we need to correspond with Dennis, and if we do we will be in touch with him soon. We appreciate both the correspondence he has provided to us so far, and your attendance today.

THE WITNESS WITHDREW.

Mr DAVID MAYNE, MAYNES MARINE, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mr Harriss) - David, we invite you to address your mind to your written submission because it is important for the public record that we get your contribution recorded. We acknowledge that with regard to terms of reference 1, 2 and 3, there is not anything in particular that you feel that you want to contribute, as your submission suggests. Is it therefore your wish to go into matters related to the socioeconomic impact of recreational fishing or are there matters related to the other three that you want to address?

Mr MAYNE - I would like to raise on the first three items the lack of knowledge that I have as someone who is in the marine industry. I think that that is worth bringing up. When I made an inquiry about this I understood and I still believe that there was not a marine retailer in boating, as such, and I am not sure about fishing accessories or the like, that had submitted anything to the committee. I feel that the fact that I know nothing about these things would be similar to the situation of other businesses. I believe that it is worth raising, on these three issues, the lack of knowledge, understanding and communication that we do have as an industry through to the Government. That is about as much as I can say on that.

CHAIR - That then directly cuts into the matter of socioeconomic impact on the State, David, because the sale of boats, whether they be for recreational or commercial use, but specifically on this inquiry, recreational, is significant and that is why we appreciate your taking the time to make a submission and then appearing before the committee. The socioeconomic matters have never really been thoroughly researched and documented.

Mr MAYNE - No.

CHAIR - We can only guess that there is a huge contribution to our economy in particular and the social fabric of the economy as well from recreational sea fishing.

Mr MAYNE - I did highlight that in the summary at the end, which I think is relevant to those first three topics that you have raised, that the industry is calculated to be \$13.37 billion which is attributed to the marine industry, recreational boating being \$7.8 billion of that with approximately 75 000 jobs. So it is a major part of Australia's economy and 8.1 per cent of the Australian tourism market is directed at recreational boating. So there again it is quite a substantial figure. When we move on to the socioeconomic impact on the State, I feel partly responsible for the lack of knowledge within our retail industry that needs addressing so that we can open communication channels with you, so that in the event of major decisions we might have an opportunity to purport our case. I think that is important for us as businesses and also for the marine and business communities.

Mr WILKINSON - Did you know of TARFish, David?

Mr MAYNE - My understanding of these groups is very small. I have taken some time to look into TARFish and I have taken some time to speak to Mark Nikolai, and I also know Brett of course.

Mr WILKINSON - He has not bought one of your boats, has he?

CHAIR - He is thinking about it.

Laughter.

Mr MAYNE - The operation of TARFish and my understanding of it is very loose and very small. My understanding is that it is given some grants by the Government and acts as a body that can mediate through to marine outlets, businesses and all types of things. In speaking to Mark, I expressed my personal desires for TARFish or something very similar to that to be a spokesperson for the marine industry and also filter information back. I think that there is a great opportunity there to explore.

Mr WILKINSON - How you did get to know Mark? Did Mark contact you or did you contact Mark?

Mr MAYNE - Mark had been into the business and I was not there at the time. I looked up information on the Internet and I phoned him personally and he was very cooperative and very supportive.

Mr WILKINSON - Was that the first time you had had any contact at all from TARFish?

Mr MAYNE - We have had publications like this and the recent newsletter came through from TARFish. I have had other conversations with other people involved in TARFish. My lack of understanding probably says more about me than TARFish's efforts but, again, I don't think that my case would be a lot different from others in the marine boating retail community.

CHAIR - David, even if your industry were to form its own group, as you have elsewhere in Australia - Boating Industry Australia and so on - it may not be necessary for you to be formally a part of TARFish or a member of TARFish but as long as there is a good stream of information flowing through and decisions which government might be intending which impact your industry, that is all positive, isn't it?

Mr MAYNE - I think that is a great opportunity and I'd like to explore it. I have put thought into the Boating Industry Association and also I have tried to get a boating industry association of Tasmania up and running, but that met with opposition. As most industries are, they tend to get very political internally and it is difficult to coordinate a group of competitors. I feel that the amount of information that is coming through from the Government and the community needs a full-time person to collate that information and to pass it on in both directions. However united the marine industry manages to get as retailers with the BIAT, we would never be in a position to afford a full-time representative - and that leans towards TARFish or groups very similar. Grow Boating is another one. That organisation is powerhoused by the wholesalers in the marine industry. It is a copy, if you like, of Grow Boating in America and I believe it is going to have a lot of influence over the marine retail businesses in the coming years. They are struggling to maintain the offices that they have at the moment, let alone set up others in other States such as Tasmania, so I don't see BIA or Grow Boating - which would be the two major heads - ever having a full-time position in Tasmania.

Mr WILKINSON - With the socioeconomic factors, approximately over the last 10 years how much have your sales increased? Have you noticed a big increase from this year to last year and the year before?

Mr MAYNE - Not this year to last year, no. Our business would have been a business of around \$2 million and it got to \$10 million in turnover over the last decade. We sell some larger boats and regarding that \$10 million, we had a lot of that happening in one year.

Mr WILKINSON - A lot of the larger ones?

Mr MAYNE - Yes, and that can account for \$4 million to \$5 million.

Mr WILKINSON - 'Larger' being how large?

Mr MAYNE - The largest boat that we have brought into Tasmania is 51 feet, overall it is probably 60 feet - a boat costing \$2 million. One of those boats makes a lot of difference to those figures that you're talking about.

Mr WILKINSON - Obviously you don't have them sitting in your yard waiting to go. Somebody would come in and say, 'I want to get that boat, can you get it for me?' Is that how you do it?

Mr MAYNE - I have stocked smaller ones in the past, but the majority of those boats are built to order.

Mr WILKINSON - Right.

Mr MAYNE - The period before that, 14-15 years ago we sold a 36 Riviera into the State, and my understanding is that it was the first in 10 years of new boats of that nature to come into the State. We have sold one every two years, one every 18 months, one every year and built it up to two to three, and the best year was five.

Mr WILKINSON - Rivas?

Mr MAYNE - Yes, that's correct. That is in that larger end of the market. There is great opportunity in that end of the market with developments on the east coast, the barway at St Helens, places like that.

Mr WILKINSON - Maybe the marina at Triabunna.

Mr MAYNE - The marina at Triabunna. If those facilities improve we will see a lot more of that boat here; we will also see a lot more of the transient boaters over the summer period. That has increased steadily over the last three to five years, and I believe they are fairly major contributors to our smaller economy.

Mr WILKINSON - With a lot of recreational fishers, who mainly go out in the summer time or better-weather period, there seems to be a marked increase in the 16-17 foot boat to 20-25 feet.

Mr MAYNE - The boats have grown with the vehicle sizes. It will be interesting to see what happens now that changes are coming about.

Mr WILKINSON - With fuel, you mean?

Mr MAYNE - Yes; trailer boats have grown with vehicles. Marine and Safety Tasmania did a survey in 2007 of 4 500 boaters. By average, 77.16 per cent of Tasmanians used their boat to fish, 77 per cent of boaters fished in salt water and 40 per cent of Tasmanian boaters fished the Bruny bioregion.

So when you talk about socio-economic impact and legislation and things like that, that was a major concern to myself, and I think across the industry. Hence my being here today, not understanding half the questions on it and trying to open a better flow of communication.

Mr WILKINSON - So most of those 70 per cent of people who buy a boat to fish, don't buy the big boats?

Mr MAYNE - I couldn't answer that. Marine and Safety would be able to tell you that. The larger boats definitely are fishing the waters that the Bruny bioregion was targeting. For the smaller boats, the trailer boats, that Bruny bioregion in particular has - and I am being very careful in my words to make sure that they're true - I believe the safest offshore waters for trailer boats to fish in the most fishable waters of Tasmania. Places around the Hippolytes and Tasman Island, which were marked for bioregion, are sheltered waters, yet they are offshore waters. So you can fish some of those larger species from those areas. Should that legislation have gone through in its first form, the impact on the industry would have been significant.

Mr WILKINSON - What about boat safety with the marked increase in safety regulations such as wearing life jackets? Have you noticed any change as a result of that? Are people now more willing to purchase boats because they realise that the focus on safety has made the boats safer? There are also the added sales of life jackets et cetera.

Mr MAYNE - My belief is that the safety legislation has brought about a better, safer industry. It has been embraced by boaters and that could well have been one of the contributing factors to the growth of the industry over that period. There has been, in my view, a noticeable change in - I do not know if 'ethics' is the word - boating responsibility, perhaps, with the education that MAST has put in and the regulations and policing that have taken place.

CHAIR - So it could be that even without any great formal structure you could feed information to TARFish and they to you. You have suggested using BIA and so on as a conduit but you may not need the conduit.

Mr MAYNE - No.

CHAIR - From what you have already indicated, Mark Nikolai has been in to see you and I reckon that channel will open up anyway.

Mr MAYNE - We had made plans to open those channels of communication. I think it would be of great benefit to both parties.

At the Bruny bioregion committee and at Marine and Safety I mentioned a couple of things that I feel the industry and the Tasmanian Government can explore. One is artificial reefs. A place like Storm Bay, which has only one small reef structure in it, is a huge desert when it comes to structure, and because of lack of structure it is a desert for fish species. I did mention at the Bruny bioregion committee that, instead of locking down some of our most common and safest boating areas, like the Hippolytes and Tasman Island, areas such as Storm Bay could be used to create artificial reefs. To my knowledge there is very little restocking of our fish species in our local waters. If I think of how rapidly they would breed, if we could get them to a sustainable size we can have a huge impact very quickly on the amount of fish that we have. I strongly believe that there is more to be gained by doing that for our boating and retail communities, and our fish stocks, than by just locking everything down.

Mr WILKINSON - So by creating artificial reefs, and restocking over those artificial reefs, you believe that fish stocks will increase markedly?

Mr MAYNE - Yes, absolutely.

Mr WILKINSON - The artificial reefs, such as sinking ships or like when they scuttled the one just off Maria Island, is that the type of thing you're talking about or bigger than that, as seen in Storm Bay?

Mr MAYNE - I am not an expert on this. I would think that if you can create habitats where smaller fish can move in and out and have protection, that is going to allow them to survive, whereas if you just tossed them in at Storm Bay they are going to be rapidly eaten up, so it would stand to reason that this is a fairly simple process.

Mr WILKINSON - Plus it would increase your diving fraternity as well; the scuttling of the boat off Maria Island has resulted in a lot of diving.

Mr MAYNE - The possibilities of it are endless. I believe that with our research places in the Derwent and the CSIRO and the like we already have most of the infrastructure required to stock those habitats. That is one barrow that I enjoy pushing. The other one is our fishing practices and something that I have a small amount of knowledge on - and Brett has a lot more - is circle hooks and the style of fishing that we do. I believe that we can get good knowledge through TARFish and people like that on different styles of fishing and we might have better release rates.

Another fishing style is that when you pull a fish from great depths, regardless of its size, I think its survival rate is very small. Perhaps that is an opportunity that we can look at. If you're pulling fish and bring them to the surface and they are undersize, it is illegal to bring them on board your boat and keep them but if you throw them overboard they are feeding the seals. I think that there are areas there that we could explore.

Mr WILKINSON - What about the seals? That has been a bit of a bandwagon of mine the last couple of days. It seems as though the number of seals has increased markedly. They are taking a lot of the fish, not only from fishermen but also the fish stocks around

the place. Something has to be done, I think, in relation to them. I don't know what it is, but something has to be looked at.

Mr MAYNE - I did jot that down in my hand notes on the seal populations. I do not have enough information to tell you if the habitats have increased or decreased over the years, but if we are not monitoring them by now perhaps we should be.

Mrs RATTRAY-WAGNER - Another bandwagon that has been on over the last duration of the committee is licensing for every person who wants to fish. We know that we already have licences for rock lobster, scallops and the like so line and tackle have not been subject to a licensing provision. There has been some suggestion that we would get a much better handle on how many people participate in recreational fishing if there were a licence structure for everyone. Do you have a view on that?

Mr MAYNE - I am not clear on what it would achieve. If we had the information from Marine and Safety that we can come up with those sorts of figures and quite accurately I am not sure if we are going to achieve a lot more by implementing those licences. Personally I feel a bit taken back by that. It would seem a Tasmanian liberty to be able to take your children flathead fishing without a licence, so on one side I can't see what it would achieve and on the other side I think that it would meet public opposition. Retail-wise, if things become harder and harder, it has the potential to keep people out of the industry.

Mrs RATTRAY-WAGNER - Therefore it goes against competition, doesn't it? I appreciate your frankness in that. It was something that has been presented to the committee and I have been on the bandwagon just asking people for their personal opinion or their organisation's opinion, if there is one.

Mr MAYNE - I know, in comparison, that I wanted to get a motorbike for quite some time and I would think that was 10 years, if not more, that I took to get around to getting a motorbike licence. So that licence factor kept me out of that industry for well over 10 years.

Mr WILKINSON - Did that keep you out of it or did the fact that you had to go and do a course prior to getting your licence keep you out of it, or a bit of both?

Mr MAYNE - Sorry, I was using the comparison of making something more difficult to get into and the course was the thing there. The actual course and taking the time to go and do that course kept me out of that industry. So if you then apply legislation to boating licences it would have to be carefully weighed that it does not seriously affect the industry. The industry at the moment is under the pressure of the economy and if, for example, the Bruny bioregion kicked in and then boating licences kicked on top of that, I would immediately address my staff issue. I would reduce my staff.

Mr WILKINSON - With the licensing of boats, that is a reasonably new thing, isn't it, that you have to have a boat licence?

Mr MAYNE - Yes.

Mr WILKINSON - Did that affect your business at all? It is not a hard thing to do. As you know, you read a book and then go and answer questions.

Mr MAYNE - It is a difficult one to weigh. To say that it negatively or positively affected, would be difficult.

Mr WILKINSON - Have you noticed, with the tightening of the economy to some degree and some predicting a bit of a white-knuckle ride into the future, sales start to level out or drop off to any degree?

Mr MAYNE - Absolutely, and I hope that is clear enough. It is definitely having an effect on the marine industry at the moment and, again, if bioregions and other things were dumped on top of that, it would be a matter of consolidating the business and the people; how many people I employ.

CHAIR - Thank you very much, David.

THE WITNESS WITHDREW.