

Dive Council Meeting: Friday, 3rd of June 2016

The Old Woolstore Apartment Hotel

Meeting opened: 1:00 PM

Attendance:

See attendance spreadsheet.

1. Chair's opening remarks

The Chair opened the meeting by thanking everyone for their attendance.

Minutes of the previous meeting were noted and the motion to approve them as 'correct' will be deferred to a later meeting.

'One vote per diver' was discussed and all in attendance, agreed with this premise, however the proxy voting was noted and the Chair advised meeting members of the advantages of this system.

Apologies:

- Jeff Hunt
- Phil Pollard
- Ben Rex
- Scott Palmer
- Sean Larby
- Stewart Anthony

2. "Shark Man" presentation

The Chair introduced Barry Bruce, Government Department - specialist for white pointers sharks.

Refer to presentation for following discussion points. If you would like to discuss movement data, or report shark-sightings/behavior, contact Barry (see Dean Lisson for contact information).

- Background on tagging systems and methods, used for study.
- Discussion of the collected data from satellite feedback and proximity receivers. Special note: no live feeds, only indicates tagged animals.
- East-West shark population-variations.
- Discussion of migratory behavior of white sharks. Special note: shark movements are not necessarily related to prey movement and nursery movement.

- Movement data trends discussed; Sharks move south during colder months and vice versa; also there is more activity in Northern Tasmania. Special note: no data on large sharks, only 2-3m juveniles.
- White shark population was noted to be increasing, due to conservation activities.
- Shark attack cases vs estimated shark numbers/movement was discussed. Special note: no direct correlation found, but increased incidents of shark attacks noted in NSW.

'TAC shark alert SMS' was noted and a formal register were discussed. Main points include; recording Date/Time/Location of shark sightings and with dive effort (est. 27,000 dive hours per year, for the Tasmanian abalone industry).

Question-points from presentation:

- Estimated shark population. Approximately 10,000 animals.
- Shark shields and benefits of device. No guarantee of safety, but improvement to diver behavior and 'peace of mind'.
- Nursery and 'pupping' areas. High activity areas, Eastern Bass Strait and Western Great Australian Bight.
- Shark size. 5m animals are approximately 20-25 years old.
- 'Pupping' season. Estimated spring – summer.
- Shark shield and shark behavior. No evidence to support that shark shields attract or aggravate animals.
- Shark repellent. Somewhat effective for small shark species, no evidence for white sharks.

'Diver Code of Practice' recommendation:

Shark shield practicality was noted and it is the recommendation that concerned divers should be provided with the device. Mental-health benefit of the device and associated correct/calm behavior. It was also speculated that depth sounders could potentially attract extremely close sharks, due to electrical pulse of the device.

ACTION ITEM 1: TAC to present current shark tracking data to Barry Bruce,
barry.bruce@csiro.gov.au

3. FLAD Re-structuring

Meeting Chair indicated to meeting members, that the purpose of this meeting is to seek diver feedback regarding the item subject. Refer to spreadsheet provided by the meeting Chair.

FLAD Re-structure was discussed and the main points of feedback/further action points were as follows:

- TACL and Government have pressed for the adoption of a sliding fee system. This system will be drafted by a mixed panel, made up of abalone divers, quota holders and Government representatives. After discussion, the panel group should also include industry brokers.
- Re-structure timeframe, "can we get that person that can implement this before the start of next year?"
- Felmingham Report.

- State Government contribution.
- Recommendation that if possible, the facilitator should be from Tasmania and have an understanding the Industry.
- Cost free shelving of FLAD's abalone licenses.
- Recommendation that the new 'base-rate' considers the new WHS legislation and the associated costs of implementing SMS.
- Clarify with the ACCC regarding 'price fixing'.

ACTION ITEM 2: TAC to check the legality of setting or enforcing a minimum wage/base-rate.

After brief discussion, all meeting members are in agreement that there is support for an independent facilitator. Some concerns were expressed about TAC regarding the dive sector re-structure and it was specially noted that the TAC Board now has more working diver members than in the past. The meeting Chair opened to the floor to develop a motion.

MOTION 1: TACL engage a facilitator to work with industry and government to develop a sliding scale of recommended minimum dive fees by zone and to also review all options to restructure the dive sector to ensure a sustainable viable future.

Moved by Chris Pepper.

Seconded by Noel Forsyth.

Carried unanimously.

ACTION ITEM 3: TAC, in consultation with Dive Council, to draft a brief regarding the above motion.

4. Dive Code of Practice – Safety Management System

4.1 General Business Item – Letter for mandatory SMS was noted and discussed.

Tasmanian WHS legislation was noted and discussed briefly and all meeting members acknowledged that it is the responsibility of the employer to provide a safe working environment for employees. It was also noted that due to the nature of the occupation, there will always be a high-risk element associated with the job; for example, the use of knives, whilst aboard a boat.

To support the implementation of correct WHS, it was advised to meeting members that TAC will be organising information workshops. Dates TBA, contact TAC for details.

5. AMSA – Safety Management System (SMS)

Noting discussions from Agenda Item: 4, the new system is structured to bring the industry WHS standards, in-line with National Standards. As a result, it is now mandatory to construct and implement a SMS for all vessels used in the workplace. Draft SMS templates are available via the TAC website.

Meeting members were advised that further information can be found on the AMSA website and also that the SMS will be an externally audited process.

ACTION ITEM 4: SMS template to be uploaded to website and an email notification circulated to industry of the mandatory SMS requirement.

6. Zone Boundary Changes

The Chair introduced Department representative, Matt Bradshaw and the zone boundary changes to the “upper western zone” were discussed. This change is nearly for consultation and a draft is to be submitted to Minister in June.

Refer to previous FRAG meeting minutes for further information regarding item subject.

Following discussion, some meeting members were uncertain of the proposed boundary changes. This was countered with a recommendation from TAC and Department representatives that all work should continue due to the drawn-out nature of the process. It was advised that the ‘Final Consultation Process is still to occur and that industry is encouraged to provide a submission.

ACTION ITEM 5: TAC to coordinate and or generate formal submission for Western and Northern Zones.

ACTION ITEM 6: Dive Council members to officially document feedback and submit to TAC.

7. Over-Catch

Following a lengthy discussion, all meeting members were in agreement that there are problems associated with the new ‘Dive Book’ and enforcement of the ‘Over-catch Rule’. The main concerns raised during the discussion were:

- ‘New field’ in dive docket regarding catch declaration.
- Breach of privacy associated with the ‘new field’.
- New dive book availability.
- Lack of industry consultation.

Regarding the ‘Dive Book’ changes, the Department acknowledged that both industry and TAC were not consulted and that a formal apology will be provided to industry. However it was advised that this process was designed to reduce errors associated with catch declaration, specifically in dive teams. Currently the catch declaration field is not compulsory and should not be filled-out, unless divers form a dive team and have gone into over-catch.

ACTION ITEM 7: Department to clarify the Over-catch rule and provide industry with a letter of notification.

7.1 VMS letter discussed. All meeting members were advised of the letter content.

Groups of meeting members expressed concerns with the implementation of compulsory VMS devices. It was noted that this change is following recommendations made by the Marine Police on the enforcement of the rule.

Points raised to clarify with the Department were:

Is a VMS device required, if only finishing in one zone?

What are the compliance rules for the 'Freycinet 145 temporary zone'?

Is there a risk that VMS will be required for day fishing?

ACTION ITEM 8: TAC to write formal letter to Steve Withers (Dept.) regarding the implementation of the VMS system.