

CORRECTED VERSION

ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE

Inquiry into Marine Rescue Services in Victoria

Melbourne — 24 March 2014

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Boating Industry Association of Victoria

Mr Ben Scullin, Manager, Strategic Programs

The DEPUTY CHAIR — Welcome to this hearing of the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee into marine rescue services in Victoria. All evidence taken at this hearing is protected by parliamentary privilege, but any comments that you make outside the hearing are not afforded such privilege. Could you please state for the record your name and address and if you are attending in a private capacity or representing an organisation.

Mr SCULLIN — My name is Ben Scullin, [REDACTED] I am the strategic program manager with the Boating Industry Association of Victoria and I am here to represent the Boating Industry Association of Victoria.

The DEPUTY CHAIR — And you are aware that your evidence today will be taken down and will become public in due course?

Mr SCULLIN — Correct.

The DEPUTY CHAIR — I would like to invite you now to give us your submission.

Mr SCULLIN — I would just like to start with a quick run-down of who the Boating Industry Association of Victoria is. We are a not-for-profit, member-based association comprising 226 individual businesses ranging through five divisions of membership, from manufacturing to marina and services provision. Central to our objectives are the goals of promoting safe and environmentally sound recreational boating as a preferred pastime for the whole community and also providing a guide for professional dealings with other parties for our business members.

In terms of where we touch on marine rescue, obviously as mad-keen boaters we all have a need for marine rescue. Also, the boating industry association has very close links across the whole spectrum of marine search and rescue. We sit on the Australian Water Safety Council and have action items under the water safety plan, right through to promoting marine search and rescue at our boat shows and also advocating on behalf of marine search and rescue, for instance for funding and things like that.

The DEPUTY CHAIR — Does your organisation see an opportunity for greater alignment between the industry and the Victorian marine rescue services sector, such as manufacturing purpose-built boats or skills provision?

Mr SCULLIN — Yes, we do. We have an interesting discussion on the way we build boats in terms of fit for purpose and also introducing new technology into boatbuilding, new materials. I cannot remember offhand the last time a Victorian boat builder built a boat for marine search and rescue, but I believe it was Haines Hunter, one of our largest manufacturers, for the Victorian water police. But I would need to follow up on that.

The DEPUTY CHAIR — How long ago was that?

Mr SCULLIN — It was a while ago.

The DEPUTY CHAIR — You mean decades?

Mr SCULLIN — Within the last decade. Australian-made boats are all pretty much just as good.

The DEPUTY CHAIR — Recent regulatory reforms have established a national system for commercial vessel regulation in Australia. As a result, new vessel standards came into effect in 2013, with grandfathering provisions for compliance of existing vessels until 2016.

Mr SCULLIN — Yes.

The DEPUTY CHAIR — In your opinion, what are the main implications of the reforms for your organisation for marine safety and marine rescue in Victoria?

Mr SCULLIN — There has been some discussion — not so much in the building to survey requirements, that is just smart. But it only adds cost, and it is not that much. I think from the discussion I had last time with a manufacturer about how much it would cost to build a vessel to marine survey it was an extra \$20 000 on a \$100 000 boat. We have had some implications with the media being caught up in the new commercial definition, so the TV personalities filming on boats will be required to have vessels built to survey and also commercial qualifications.

The DEPUTY CHAIR — Just explain that a little bit more.

Mr SCULLIN — The definition of ‘domestic commercial vessel’ under the new Act, the national law, is going to catch or encompass our marine media, if you like. So the TV personalities and fishing shows that have a boat as part of the business of filming fishing will be required to have — —

Mr RONALDS — So what you are saying is that the definition of a commercial vessel is now broader. So if someone is doing a fishing show, they would have to — —

Mr SCULLIN — There is an argument that it already was.

Mr RONALDS — Yes, but it is more prescriptive. Is that what you are saying, in your opinion?

Mr SCULLIN — We cannot really get a straight answer at the moment because AMSA are sort of trying to deal with a more important part of what the new definition is capturing. We are just sort of waiting and seeing, but they are telling us that is probably going to mean that those guys who film and photograph with a boat as part of their business are, under the definition, commercial and are therefore required to comply.

The DEPUTY CHAIR — I guess I was looking for a different angle on this, if you like. I will go to the specific question. The committee has heard that the reforms could put some marine rescue volunteer services out of business from 2016 when they will be required to obtain a certificate of operation for vessels currently in service. What is your view on that?

Mr SCULLIN — That would be something that we would take advice from them on. We are looking at some of the operational requirements now, the new requirements, with the charter sector and the hire-drive sector. AMSA are telling us that they are going to take a risk-based approach and are therefore preparing a certificate of safe operation. It is not that onerous, we do not think.

The DEPUTY CHAIR — So you do not think it will put people out of business?

Mr SCULLIN — I am not aware of the technical aspects that the marine rescue organisations are dealing with, but I am sure we will be made aware once — —

Mr RONALDS — Most of their vessels would be in survey anyway, would they not? They would have to be in survey.

Mr SCULLIN — I would imagine, yes, and they are all qualified crew. I think the important thing that the boating industry association would want to bring is the fact that we do need these guys and we need to help them and that we think their funding is inadequate. For instance, section 312 of the *Marine Safety Act 2010* specifies that the money collected from regulated fees must be returned to a number of areas, and one of those is safety. We had a look at the allocation under the boating safety and facilities program, which is administered through the DTPLI. It is the same issue as boat ramping. Neale would grind his teeth if he was here hearing me talk about boat ramp funding, which is also part of the issue of safe boating. But the allocations to the volunteer marine rescue sector are through a competitive grants process of a grant that big.

The DEPUTY CHAIR — So a very minor grant. Just for the record, for Hansard, you are saying it is a small amount?

Mr SCULLIN — It is a poor amount is our opinion. We put a briefing to the government in 2011 that said we want to see an allocation, not a competitive grant, to the volunteer marine rescue sector so that they can generate better outcomes, if you like. I have just spent three days standing on a boat, so I am not as sharp as I should be.

The DEPUTY CHAIR — You have not got your land legs?

Mr SCULLIN — Yes.

The DEPUTY CHAIR — You just to qualify, given that the Chair is not here, you were saying that Neale would be grinding his teeth about the boat ramps. Could you explain that?

Mr SCULLIN — I speak to Neale all the time about how much money is spent on boat ramps and upgrading boat ramps. The long and the short of it is that there are some requirements in the *Marine Safety Act 2010* for the return of regulated fees for boat licensing and boat registration and the boating safety and facilities program fee. There always has been. The wording gets tweaked a little bit, but section 312 governs that now. Safety program delivery and marine safety are part of that, and we think there should be an allocation as opposed to saying to Volunteer Marine Rescue, Australian Volunteer Coast Guard and the other volunteer service delivery organisations that they have to compete neck-and-neck for this tiny amount of money to buy a new boat. There is a lot of money there. At last count there was \$28 million going in, and in the 2012 round there were \$412 000 in grants. The year before that there was \$115 000.

The DEPUTY CHAIR — Where is the rest of the money going?

Mr SCULLIN — To consolidated revenue.

The DEPUTY CHAIR — You are saying more should be directly appropriated for boat ramps and other safety measures.

Mr SCULLIN — Like the recreational fishing licence trust fund disbursement to, for instance, the peak body for fishing under a three-year funding agreement. We think that would also help with some of the other issues. It would allow for permanent employment and professional capability developments that a grant process cannot deliver.

The DEPUTY CHAIR — You are saying that with this \$28 million that went in supposedly one of the criteria — not the only criterion — was for water safety and marine safety, and you are saying that a greater proportion should be directly given, that there should be certainty and that this should be over a specified period of time.

Mr SCULLIN — Under a funding agreement of some type, yes. That is our view, and we are working on it.

Mr RONALDS — I have a couple of questions. It is interesting you bring up the \$28 million. It is not like \$27.6 million of that funding goes into consolidated revenue and \$400 000 goes into marine rescue. There are a lot of other marine bodies that come out of that. We have just heard evidence in regard to the misuse of vessels. I can tell a story about when I was at the Gippsland Lakes two weekends ago, and I saw a 14-foot tinnie going out the bar, which is clearly not the wisest thing to do. He fortunately did get back in. It brings up the issue of usage and regulation in regard to what it is made for and available for. Do you have comments to make on that?

Mr SCULLIN — The manufacturer includes an Australian builders plate — —

Mr RONALDS — Yes, but it does not require usage.

Mr SCULLIN — No. How prescriptive do you become in terms of common sense? That is an argument we grapple with. We are helping to try and roll out the hull identification number. There is a spectrum of how much we can do to help marine search and rescue maintain a correct registration database that does not have pens registered as boats right through to increasing funding. Rolling out hull

identification numbers and verification was something we discussed during the marine act review process, and we believe that would be very helpful.

Mr RONALDS — Why is that helpful?

Mr SCULLIN — It provides correct information on boat ownership and who owns the boat.

Mr RONALDS — Is that not already done through VicRoads, though?

Mr SCULLIN — It is, but there is no actual verification of the registration data that is entered, so we find we get a lot of error in the registration data.

Mr RONALDS — So a 50-footer registered as a 20-footer or whatever?

Mr SCULLIN — More to the point is if you have a white boat and it is registered as red. If someone rings and says, 'Here is the rego of the boat and it is missing', we go looking for a white boat. It is the time you can buy for someone who is in trouble as well. We look at that: providing boaters with the skills and knowledge to buy themselves some time, and also helping with the capability upgrades and delivery of the services.

Mr RONALDS — When you look at a boat being used in a situation where it is missing beyond its capabilities, what do you think is a way to make that happen less? We all understand they are going to do what they are going to do sometimes, but what we can do to lessen that?

Mr SCULLIN — Providing information is the key. Some people have imperfect information.

Mr RONALDS — Is it information or is it more about education?

Mr SCULLIN — Yes, education.

Mr RONALDS — Do you feel the current safety authority does that well?

Mr SCULLIN — Yes, TSV does it very well. Because of its limited resources, it has to target specifically. We look at its safety incident and demographic statistics that are put out, and we can help it throw education back into the boaters as well through our guys who sell the boats. That is an important role.

Mr RONALDS — That was another thing they said in their evidence today in terms of retailers' training or giving misinformation in particular with non-powered watercraft. What is your view on those sorts of things?

Mr SCULLIN — That is something that they should be bringing to our attention, which we can help with through our network. We provide free accredited training with every boat sold at our shows, and we try and promote further training. You never stop learning in boating. As to how you would stop the 14-footer going out over the bar, you would need ask: was it mirror flat?

Mr RONALDS — No.

The DEPUTY CHAIR — We have an eyewitness here.

Mr SCULLIN — That is fine.

Mr RONALDS — It was a 5 knot outgoing tide.

Mr SCULLIN — You see silly things every day in life.

Mr RONALDS — You do.

Mr SCULLIN — Sometimes I think boaters are singled out a bit too much when we look at the actual data and statistics and compare it across life. More people injure themselves dancing than they do in boating; that is not to downplay a very serious subject. The BIA's position is pretty clear, 'What can we do to help?' is what it is. It could mean discussing further regulatory reforms for 14-footers going out over bars. We get reports of some pretty silly stuff as well.

Mr RONALDS — In terms of licensing, what do you think of the current regime?

Mr SCULLIN — What was reported through the regulatory reform process, especially in the regulatory impact statement, is that 70 per cent of licence aspirants are going through a course, so 70 per cent of people who get their licences do an accredited course, which is pretty high.

Mr RONALDS — What do the other 30 per cent do?

Mr SCULLIN — Just go to VicRoads. They have received some boating information from mates is usually how it starts.

Mr RONALDS — Do you think there is a need for a practical component?

Mr SCULLIN — We do not as yet.

Mr RONALDS — Why?

Mr SCULLIN — A number of reasons. We think that practical training should be free. Under the regulated fees collective, we would like to see free training available. It would not cost that much. The Australian Volunteer Coast Guard has to charge \$170 for the basic training. Yachting Victoria charges \$395. As part of any safety initiative, we would like to see free training available to Victorian boaters. It would be a good thing.

Mr EIDEH — Perhaps you can tell us about any concession granted to marine rescue services by the boating retail and commercial sectors — for example, the manufacturing and sale of marine rescue equipment?

Mr SCULLIN — I am not aware. That is a great question.

Mr EIDEH — Are there any concessions?

Mr SCULLIN — I imagine there would be and there would be sponsorship agreements between boating industries, businesses and marine rescue. I can take that on notice if you like and get back to you because it is a good question. If there was not, I would push hard that there should be. I imagine there are motor packages where Evinrude, BRP Australia, which supply Evinrude motors, or Mercury would heavily discount or provide a cost price for marine rescue services.

The DEPUTY CHAIR — I would like to put this question to you. We have heard evidence of people saying that it is inappropriate and unsafe for a 12-year-old to be able to get a boat licence without doing a practical test. What is your view?

Mr SCULLIN — My view is that the evidence being collected does not suggest that it is inappropriate in terms of being more dangerous than not. We feel the current Act and regulations where supervision and also the limitations to operations for 12-year-olds are enough. You do not need a licence to drive a boat in Victoria as long as you are being supervised. I just do not see how a 12-year-old driving at 10 knots is any more dangerous than me.

The DEPUTY CHAIR — I will give you the full range of information relating to how it has been put to us. There are boats that are high-powered and then there is the jet ski category as well, and the way they were described to us was they can have the acceleration of a Ferrari. We are trying to get a balanced view on all of this, so that is why I am putting it to you.

Mr SCULLIN — Yes, that is good.

The DEPUTY CHAIR — There is a concern fundamentally that there is no practical test here, that you can get the licence without getting your feet wet or even seeing the water.

Mr SCULLIN — I think the industry has risen to those concerns. A good example is the learner's key on jet skis where it does govern the speed and the acceleration. The introduction of brakes on jet skis is a good one. That is a direct response to the concerns of the younger people wanting to partake. It is not driving a car; it is driving a boat. That is something we do not see as anything other than a way to encourage people to get into boating. There has not been an adverse outcome; we do not see it happening.

The DEPUTY CHAIR — We were informed of a fatality two years ago at Port Melbourne and we have received information that there is a lot of near misses that go unreported as well. You understand that we are looking from a public policy perspective at what is best for safety for the general public. The proposition is there should be some level of practical training rather than just to memorise answers and be able to fill out a form.

Mr SCULLIN — Why?

The DEPUTY CHAIR — I would have thought for the obvious, that practice and knowledge in performance is better than a 12-year-old just being able to regurgitate an answer that is rote learnt.

Mr SCULLIN — The intention behind why 12-year-olds should be getting practical licences is fine. It is just that we are not seeing 12-year-olds over-reported in the statistics. We think there are much more important safety outcomes that we should be looking at from the data for the limited resources. In comparing the benefit of restricted marine licences versus any deleterious safety outcome, we are still leaning towards the idea that getting them time on the water is more beneficial. That is how you learn.

The DEPUTY CHAIR — But do you understand what I am saying: that there should be a component of practical education before you get your licence?

Mr SCULLIN — We would encourage that they are given the option of that, and in fact they are; a 12-year-old can receive practical training now. It is available.

Mr RONALDS — I suppose even more generally — —

Mr SCULLIN — You are thinking of mandatory training.

Mr RONALDS — Yes, but we are not just talking about 12-year-old in this instance. We are asking generally is it more that you do not see any need to have a practical component of a licence test?

Mr SCULLIN — There are a whole range of issues with practical training as it is currently delivered in Victoria from a cost perspective. It costs too much. There was a cost-benefit analysis and it was a \$640 cost to impose.

Mr RONALDS — To do a practical?

Mr SCULLIN — You would make boating safer but that would be by stopping people from boating. We can go right through to the idea that we think practical training should be available at no cost.

Mr RONALDS — But not compulsory in your view?

The DEPUTY CHAIR — Just so that you have got full knowledge here, the Victorian water police and the body that is the regulator — —

Mr SCULLIN — Transport Safety Victoria, yes.

The DEPUTY CHAIR — They have both provided information that they thought there should be a practical component.

Mr SCULLIN — Yes, that is not something new we are hearing from them. We just do not think at this time that practical training should be mandated — that is for a range of reasons that we have outlined in our response to the regulatory impact statement in the marine act review — until we see some new evidence emerging or until we can bring the cost down and make it available. That was a reference to the 70 per cent of licence aspirants who are doing the course where you go and sit with the coastguard and they take you through the test. There would be a very high uptake for free practical training.

The DEPUTY CHAIR — But I take up my colleague's point, they are saying there is 30 per cent who do not do it; is that right?

Mr SCULLIN — They do not feel they need to.

The DEPUTY CHAIR — That is the issue. Your argument is if you have it, it should be free.

Mr SCULLIN — Yes.

Mr RONALDS — Would it be fair to say, though, that 30 per cent actually represent probably a better qualified group because they are the ones who have driven already?

Mr SCULLIN — Yes, they may.

Mr RONALDS — I just noticed you were getting at that before. Is that a fair way to look at it?

Mr SCULLIN — We are seeing family groups about 70 per cent of the time, so you get mum, dad and the kids doing it. As part of the activity they buy a jet ski or a ski boat.

Mr RONALDS — So they have got more skill.

Mr SCULLIN — It is a very interesting topic — the training and whether we mandate or not. We just think there are much more important safety outcomes we need to be addressing than that argument which has kind of been put to bed the moment, if you like. We just keep seeing it pop up.

Mr RONALDS — What would you say is the no. 1 thing?

Mr SCULLIN — Funding for search and rescue is the one we are on about, and looking at providing more perfect information through the retail side as well, especially in the non-powered sector. We are seeing a lot of fatalities from the non-powered sector. They are starting to worry us. Fire popped up as an emerging issue over the last 12 months, which was an interesting one. We are try to get a handle on that stuff as well without going back to the same argument. Those arguments are parked. We cannot even get a handle on how many boats are registered.

The DEPUTY CHAIR — Just before we finish, is there also a need for an insurance policy similar to that of the TAC?

Mr SCULLIN — That is an interesting one that I know higher up our board members have been discussing, and they have split views. There are some saying that it could be delivered but that its benefits would not be as high as we think they would be. I know it was not going to cost that much, but there was something stopping us from promoting it based on the outcome safety outcomes that it would not be as high and that we would prefer to encourage boaters to be insured.

The DEPUTY CHAIR — Self-insured?

Mr SCULLIN — Yes, and basically the issue there was that someone with a \$200 tinnie is not going to spend \$300 on insurance, so we had to find a mechanism to increase the self-insurance, if you like.

The DEPUTY CHAIR — Thank you. If you have other information, particularly on that insurance issue — you are saying it is still an internal debate — we would obviously be grateful if you could provide it to us. Do you understand what we are trying to do?

Mr SCULLIN — Yes.

The DEPUTY CHAIR — We are trying to get all the different views, as many as possible across the spectrum, and then weigh and measure them and work out what position we should come to. I want to thank you on behalf of the committee for your evidence today and let you know that you will receive a copy of the transcript in about a fortnight. Typing errors may be corrected, but you are not allowed to change the substance of it.

Mr SCULLIN — Thank you for having me.

Witness withdrew.