



Recreational Maritime Safety

Tabled 25 June 2014

Background

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- Almost all maritime safety incidents over the five years to 2012–13 involved recreational vessels only.
- The *Marine Safety Act 2010* and *Marine Safety Regulations 2012* aim to improve the management of marine safety risks.
- Responsibility for marine safety is shared between the state's transport safety regulator—the Director, Transport Safety (Safety Director)—waterway managers, and all parties involved.



Background – *continued*

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- The voluntary nature of the waterway manager role means the Safety Director needs to adopt a collaborative approach.
- There are 56 waterway managers responsible for 184 waterways.



Audit objective and scope

Objective

To assess the effectiveness and efficiency of the state's marine regulatory framework in minimising safety risks for recreational maritime uses.

Scope

The audit examined:

- the Safety Director, supported by Transport Safety Victoria (TSV), in his role as the state's regulator and as a waterway manager
- five other waterway managers—the Department of Environment and Primary Industries (DEPI), Parks Victoria, Goulburn Murray Rural Water Corporation (GMW), Gippsland Ports Committee of Management (GP) and Gannawarra Shire Council
- Victoria Police's related enforcement activities
- Department of Transport, Planning and Local Infrastructure's (DTPLI) role in coordinating regulatory policy and legislation advice.

Conclusions

- The state's regulatory framework is not being effectively and efficiently implemented.
- While it depends on the Safety Director's effective coordination with key agencies, this is not being achieved.
- TSV has no arrangements for reliably evaluating:
 - the effectiveness of its regulatory approach
 - the competency and ongoing suitability of waterway managers
 - if the state's longstanding safety rules remain fit for purpose.
- Consequently, TSV cannot assure its approach to regulating marine safety is working.
- Ongoing concerns over funding means the adequacy of resourcing for the framework needs to be reviewed.

Findings – system-wide monitoring is inadequate

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10–12

- TSV's monitoring arrangements do not enable the Safety Director to assess if his functions are being effectively carried out.
- No performance targets or arrangements for assessing the effectiveness of the wider marine safety system.
- TSV therefore lacks the information needed to effectively target its regulatory activities.



Findings – system-wide monitoring is inadequate – *continued*

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12–18

- Shortcomings found by this audit highlight a pressing need for TSV to address this situation.
- TSV and waterway managers have longstanding concerns regarding the lack of funding that have yet to be satisfactorily resolved.



Findings – risk management is deficient

8

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19–26

- Little evidence that TSV and waterway managers effectively manage safety risks.
- TSV has developed a conceptually sound risk assessment tool, but its implementation is compromised.
- None of the examined waterway managers monitor safety risks on all waters under their control.
- Neither TSV nor waterway managers systematically review the ongoing appropriateness of longstanding waterway rules.



Findings – education and enforcement

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28–31

- TSV promotes marine safety but has yet to evaluate its impact on improving voluntary compliance.
- TSV has no arrangements to share risk information, coordinate enforcement strategies and evaluate their impact.



Findings – education and enforcement – *continued*

10

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32–36

- Most waterway managers do not exercise their option to enforce marine safety laws because of their limited resources.
- TSV's audits of waterway managers do not assess how effectively they manage local safety risks.



Findings – support to waterway managers is limited

11

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38–44

- TSV cannot be certain it is effectively supporting waterway managers.
- TSV has limited insight into the capability gaps of current waterway managers, or if they should be continuing in the role.
- TSV's training and guidance for waterway managers has been reactive and limited.





Recommendations

		Accept
That the Safety Director:		
1.	develops arrangements to assess and report on the effectiveness of Victoria's marine safety system	✓
2.	reviews TSV's management of financial resources to assure funds are effectively and efficiently used.	✓
7.	strengthens TSV's waterway risk assessment practices.	✓

Recommendations – *continued*

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		Accept
That the Safety Director:		
8.	periodically assesses the impact of TSV's communication and education activities	✓
9.	periodically assesses the effectiveness of enforcement activities— including discretionary involvement of waterway managers	✓
10.	broadens TSV's audits of waterway managers to provide insights into the effectiveness of their risk management practices	In - principle
11.	periodically follows up on audits of waterway managers to assure that safety issues have been addressed.	✓

Recommendations – *continued*

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		Accept
That DTPLI:		
3.	reviews the adequacy of current resourcing arrangements for the regulatory framework	✓
4.	investigates options for the effective and efficient use of all existing revenues from the marine sector to improve marine safety management	✓
5.	reports publicly on the collection and use of revenue from prescribed fees it administers for boating safety and facilities to acquit the requirements of the <i>Marine Safety Act 2010</i> .	✓

Recommendations – *continued*

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		Accept
That waterway managers, in consultation with the Safety Director:		
6.	establish effective arrangements to systematically identify, assess and monitor safety risks.	✓
That the Safety Director, in consultation with DTPLI:		
12.	defines the minimum competencies and capabilities of waterway managers	✓
13.	implements a waterway manager capability framework to inform support to waterway managers	✓
14.	uses the insights to advise the Minister for Ports on the appointment and/or re-appointment of waterway managers.	✓



Contact details

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