

EMERGENCY SERVICES — NATIONAL TRAINING AND VESSEL CLASSIFICATION

Grievance

MS M.M. QUIRK (Girrawheen) [9.07 am]: My grievance is to the Minister for Emergency Services and relates to the potential adverse impact that national training and vessel classification standards will have on emergency volunteers. There is considerable uncertainty, and emergency volunteers seek assurances that the Department of Fire and Emergency Services has a framework to address these concerns and issues in a timely and comprehensive manner.

Both issues arise out of moves for consistency nationally. The first example I use is national reforms for commercial vessels. A Council of Australian Governments agreement led to the establishment of the Australian Maritime Safety Authority as the national regulator to ensure that there is one set of national rules governing commercial vessel construction standards, operation and seafarer certification. The rationale for this was to make moving around the country easier for vessels and crew that comply with nationally agreed standards. Any vessel that was operating before the commencement of the national rules that is not currently in survey will not need to be in survey under the national system. The grandfathering provisions allow the existing arrangements for vessels operating before the commencement of the national law to continue, provided that the vessels do not significantly change their current operations; for example, by moving jurisdiction, changing to a new operating class and so on. The same grandfathering arrangements apply to crew qualifications and crewing requirements. The problem arises, however, as various volunteer marine rescue groups are scheduled for significant vessel refit or to obtain a new vessel. When that happens, the new national rules will apply to the vessel, which is likely to be classified as a survey class. That has certain ramifications for crew qualifications. For a vessel in 2C survey, which is restricted offshore to within 30 nautical miles of a safe haven, there is a requirement for the vessel to have a master class 5 on board in order to travel to the 30 nautical mile limit. If the vessel has a coxswain on board then the limit of operation is either sheltered waters or inshore operations to 15 nautical miles. A coxswain qualification requires 12 months of qualifying sea service and a master class 5 requires 30 months of sea service. At this point, very few volunteer marine rescue groups in Western Australia would have volunteer crew who would meet these commercial requirements.

I am advised that it is extremely unlikely that a volunteer would be able to achieve the qualifying sea service requirements of either a master class 5 or a coxswain. We must be mindful of the nature of volunteering and the onus of training that the commercial requirements put on an individual volunteer. Being a crew member or a skipper of a volunteer marine rescue vessel is not a full-time or paid position. Volunteers give their spare time to provide a community service—this is not a chosen career path for the majority of volunteers—and there is only so much personal time that a volunteer can give to a role in a volunteer organisation. If this commercial crew classification stands, it is a real concern that a significant number of volunteers will leave. The majority of volunteers are early to late retirees who are not interested in a new career path; fly in, fly out personnel who do not have the extra time to offer; and self-employed volunteers who will find it difficult to give any extra time.

The minister was asked a question in the Legislative Council earlier in the week to which he replied —

- (1) The Department of Fire and Emergency Services, the Department of Transport, Marine Safety WA, and the Volunteer Marine Rescue Association of WA are working on this proposed legislation and are in discussions with the Australian Maritime Safety Authority.

I urge the minister to conclude those representations and discussions in a manner that is mindful of the volunteers' issues. In the complementary state legislation that the Minister for Transport may need to introduce, or in negotiations with AMSA, I request that the minister make representations to his fellow minister so that he is mindful of this issue and ensures that VMR vessels owned by volunteer organisations can be registered as recreational vessels and staffed by volunteers. Alternatively, a third class of vessel could be established in this regime that is defined as —

Operations where the vessels are owned by a volunteer organisation (a registered not-for-profit organisation) registered as a recreational vessel and staffed by volunteers.

In this context, there are also concerns that flood rescue vessels operated by the State Emergency Service will also be subject to these changes and will experience similar problems and issues.

This brings me to the second matter on training that has been triggered by the desire to have consistent emergency training across all states. The report “National Inquiry on Bushfire Mitigation and Management” commissioned by the Council of Australian Governments initiated this change. An outcome has been various iterations of a public safety training package. The rationale behind this is that when bushfire and emergency volunteers are working interstate, there can be a common standard of training and everyone in the incident team will be aware of the skills and capabilities that those working with them have. There are concerns amongst SES

personnel that the various competencies that volunteers need to acquire under this training package are overly time consuming for volunteers. For example, currently an SES member would do a weekend's training to acquire storm damage competency, with various refreshers throughout the year, whereas under the national system, they will need to spend 60 hours on training, with a practical component on top of that. This is an onerous time commitment for volunteers, especially with the need to complete a number of these competencies, such as flood rescue, vertical rescue, communications, first aid and so on. As many SES volunteers are regionally based, there is the question of the capacity of the Department of Fire and Emergency Services to deliver the additional training and there are limits to how much of this can be delivered online. I would be grateful for an indication, given the budget constraints, how this additional impost of training can be delivered to the 33 000 emergency volunteers in Western Australia.

Likewise, there seems to be almost universal concerns amongst all the services as to the capacity of the Department of Fire and Emergency Services to deliver and have in place sufficient trainer-assessors so that local unit personnel can receive training, have it assessed, obtain a certification that is nationally recognised and then, in turn, train their own unit members. This is a major logistical exercise and I am anxious to hear how a critical mass of certified trainers can be achieved within DFES within a time that will allow regular and up-to-date training.

MR J.M. FRANCIS (Jandakot — Minister for Emergency Services) [9.15 am]: I thank the member for her grievance and I understand that she is genuinely concerned about these kinds of issues. I think it is absolutely appropriate that we try to shed as much light as possible on this issue for those who regularly give up their time and volunteer in a number of capacities, in particular this morning, those who are in the Volunteer Marine Rescue Association of WA. As the member knows, there are 1 200 volunteers across the state from Kununurra to Esperance and out to Christmas Island and the Cocos Keeling Islands. There are 39 facilities throughout the state with 1 200 personnel who will be well and truly impacted by any change in the competency standards that are required as a result of either federal government legislation or complementary state government legislation or regulations.

These 1 200 people have one common aim, and rightly so—which is to protect and save lives at sea. It is very noble. As someone who has spent much of his life at sea, I think it is great that people go out and volunteer their time and help people in distress, because it is a daunting experience to be out there in a big ocean with no support. I promise members, without going into details, it is a very worthwhile thing when someone appears over the horizon to help someone out when they are in distress.

Obviously, the volunteer marine sea rescue groups work very closely with Western Australia Police in carrying out their tasks. Many times when a boat is in distress, the first port of call is 000, where the call goes through to police assistance and they also help out with the tasking operations along with fire and emergency services. The range of skills that these people require is diverse: from marine navigation—as a qualified navigator, I know it is a fair bit of work to get that ticket—to boating skills and first aid; radio communications; search patterns when looking for people who are lost at sea; and chasing the last known datum for a man lost overboard. A lot of skills are involved for these volunteers who put in this time and there are already a lot of competencies that they are required to achieve.

As the minister pointed out, the federal government has passed the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 and the state government is yet to introduce any mirroring legislation. The new national law is designed to replace eight existing federal, state and territory laws with a single law for the safety of all commercial vessels and their crew within Australian waters. Its intention is to introduce a new national law for maritime safety that establishes the Australian Maritime Safety Authority as the national maritime regulator to provide for the consistent regulation of domestic shipping. I have had a quick look at the federal Parliament *Hansard* and I do not think there was any intention whatsoever by the federal Parliament, when it went through this process last year, to catch up volunteer marine sea rescue crew as well, but, obviously, when a lot of legislation is passed through Parliament very quickly, things probably go through to the keeper.

The aim of the law is to set a national standard for commercial vessels and domestic commercial vessels to ensure that people operate vessels equally amongst the states and with equal qualifications. The regulations will prescribe the kinds of community groups whose vessels will not be considered domestic commercial vessels, subject to prescribed restrictions on purposes and activities for use of the vessels. Obviously, one could argue that volunteer sea rescue group vessels and their crew are well and truly in the category that should be exempted. Exemptions from certain elements of the national law are provided when it is unreasonable to require full compliance, and I think this is a very good case in which it can be said that it is unreasonable for them to provide full compliance. At the moment, the Western Australian government, through the Department of Fire and Emergency Services, the Department of Transport and the Volunteer Marine Rescue Association of WA, are working with the federal government and the national regulator, AMSA, on future state legislation. The

Department of Fire and Emergency Services is also represented on the National Volunteer Marine Search and Rescue Committee, which has already discussed the legislation. The discussions and consultations are focused on all the measures and outcomes of this reform that will directly impact on volunteer marine sea rescue services. I think that is very important to note. Any requirement for a marine rescue competency qualification has yet to be decided. I know that concerns have been raised with other groups impacted by this, and I expect that the Australian Maritime Safety Authority will work constructively with these organisations to ensure that a positive outcome is reached. At the end of the day, we do not want to make it any harder for volunteers to volunteer. “A Guide to the Regulations and Marine Orders under the National Law”—the title of the proposed regulations—clearly states that the definition of a domestic commercial vessel excludes vessels owned by community groups. It is expected that community group vessels will not be subject to regulation under the national law. Only those community group vessels used for a commercial purpose or to undertake commercial activities will be regulated.

Current discussions are part of an ongoing process. In November 2013, relevant state government agencies from around Australia will meet with AMSA in Canberra to work on details concerning the needs of volunteers nationally. This will include representatives from the Department of Fire and Emergency Services, the Department of Transport and volunteer marine rescue organisations. Marine volunteers are part of a very strong network of committed people who should enjoy renewed investment in facilities and resources through increased funding throughout the state of Western Australia, and I am happy to be part of that process. As an example, the Exmouth volunteer sea rescue group, which was recently involved in the rescue of two people from a vessel that had been swamped by a wave, will receive \$700 000 in funding for a new base for its vessel. So, a lot is happening in this area. I just repeat that the government has no intention whatsoever to make it any harder for volunteers to volunteer, and I am happy to keep the member informed about the progress of the conversations in November.