

5 September 2017

Our ref: DOC/17/408652
Your ref: COR 2015 005121 & 5123

Ms Leyla Stefano
Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Ms Stefano

**INVESTIGATION INTO THE DEATH OF RONALD KOLODY AND GEOFFREY MCINNES
FINDING WITHOUT INQUEST – TSV RESPONSE TO RECOMMENDATIONS
CASE NUMBER – COR 2015 004121 & 5213**

On behalf of Transport Safety Victoria's (TSV's) Maritime Safety branch, I write in response to your letter of 14 June 2017 and the Coroner's findings without inquest following the investigation into the death of Ronald Kolody and Geoffrey McInnes, and the recommendations below.

- 1. If it has not already done so, Maritime Safety Victoria should conduct a systematic review of existing safety markings of Victorian coastal reefs to assess their adequacy and where necessary to provide additional signage and cardinal markers.*
- 2. The legislation regarding the use of PFDs should be reviewed, in particular as to the adequacy of the definition of 'heightened risk' and whether it should include boating in coastal reef areas and adverse weather or water conditions other than the ones currently specified.*
- 3. Maritime Safety Victoria produce and disseminate educational information about the dangers of coastal reefs and the advisability of wearing PFDs at all times, particularly given the unpredictability of the weather and water conditions.*

Response:

TSV supports recommendation 1.

The Maritime Safety Branch of TSV will explore the feasibility of conducting a review of safety markings along Victoria's coastal reefs and will explore whether it is possible to provide additional signage and cardinal markers. We are however mindful of the difficulties and costs associated with marking the many hundreds of kilometres of coastal reefs along the coast of Victoria. Accordingly, we will focus our attention on popular boating destinations.

TSV will also consider other ways of managing the risks to safety posed by Victoria's extensive reefs more directly, which will include undertaking an analysis of fatalities and serious incidents which have occurred on Victoria's reefs and considering providing additional signage and cardinal markers at reefs where there has been a higher number of incidents over the past several years.

If this is not possible, TSV will consider other ways of managing the risks such as the Director, Transport Safety declaring a reef area to be a hazardous area pursuant to the *Marine Safety Regulations 2012* (Vic), which would make wearing lifejackets compulsory in these areas.

TSV notes recommendation 2.

TSV is not responsible for legislative policy development, which is a role of the Department of Economic Development, Jobs, Transport and Resources.

As previously advised in correspondence to the Court on 22 March 2016 and 25 May 2016, TSV is currently producing new educational material for recreational vessel operators focussing on providing practical guidance to recreational boaters about which situations constitute 'heightened risk', including an updated *Recreational Boating Safety Handbook* and *Skippers Manual*. This material will be distributed widely prior to the next boating season. Additionally practical guidance on 'heightened risk' will continue to be a feature of the summer boating safety education officer program providing on the-spot information to boaters at boat ramps across the State.

TSV supports recommendation 3.

Other means of educating recreational vessel operators about the risks posed by reefs will be considered, including variable messaging on portable screens set up at boat ramps, the provision of information through our social media channels and radio advertising, including dedicated marine channels.

TSV has previously identified low lifejacket wearing rates as one of the most serious issues affecting the safety of recreational vessel operators. We will continue to address these issues through education and enforcement activities.

If you require any further information, please contact Jane Wright, Policy Adviser, on (03) 9655 1022.

Yours sincerely



PETER CORCORAN
Director, Maritime Safety