




Speech By
Bart Mellish

MEMBER FOR ASPLEY

Record of Proceedings, 18 February 2025

**TRANSPORT OPERATIONS (MARINE SAFETY) LEGISLATION AMENDMENT
REGULATION**

Disallowance of Statutory Instrument

 **Mr MELLISH** (Aspley—ALP) (5.18 pm): This subordinate legislation or regulation is about a few things but, as has been mentioned, it is primarily about life jackets and personal flotation devices. Specifically, it is about requiring mariners and their passengers to wear life jackets when involved in certain heightened risk boating activities such as crossing coastal bars and boating alone, at night or with children. Of course, it aims to improve marine safety and reduce the loss of lives in marine incidents.

I can understand the concerns of members of the Katter's Australian Party about the incremental regulation, about more red tape and about not wanting to introduce regulations that are not going to be followed out there in the wider world because what would be the point of them. What got me across the line was the statistic that MSQ quoted: of the 68 fatalities on our waterways in the last five years, only five people were wearing a life jacket. Five of 68 is a pretty telling statistic, from my point of view.

In relation to a few of the specific matters, it was mentioned in the committee meetings that, over the three years 2021 to 2023, there were 65 reported incidents around coastal bars in Queensland. Of those, 40 were reported as a capsizing, swamping, flooding or person overboard incident, resulting in 14 injuries, including two hospital admissions. Boating at night creates a heightened risk, and the statistic quoted was, in 2023, approximately 92 of the 292—around a third—of reported marine incidents happened between 6 pm and 9 am on the following day. Further examples of heightened risk activities, of course, were offered through the consultation process and through the committee hearings, such as boating with children and also boating alone. I will not go into the other matters, such as Lake Wivenhoe and the personal flotation devices, as they are broadly supported.

In relation to the consultation on these particular regulations, which happened some time ago, some of the stakeholder feedback about the proposed changes included suggestions to extend the requirements to ships over 4.8 metres and to change the boating alone requirements whether the boat is underway or not. There was different feedback from different representative bodies, such as the Queensland Recreational Boating Council and the Boating Industry Association. Stakeholders were largely supportive of most of the measures, although there were some differing opinions in relation to whether a boat is underway or not as well as some other aspects.

In terms of the public briefing that we conducted not too long ago, the departmental officers explained that the provisions in circumstances where a life jacket must be worn were aimed at improving safety in those heightened risk situations. Those are: boating alone; boating at night; crossing coastal bars, which are primarily in South-East Queensland; and when there are children under 12 in boats. Wearing a life jacket will increase the chances of someone's survival if they unexpectedly end up overboard in any stretch of water across the state.

In terms of the rolling out of the laws, it was pleasing to hear that there is a comprehensive educational program. The department reiterated that MSQ—Maritime Safety Queensland—has undertaken an education communication program through stakeholder and industry engagement, social media and other methods to ensure the public understands the changes in relation to all of the amendments. It further advised that the education program was focused on local activities at present, including providing information at boat ramps, boat shows, fishing events and education days, with a comprehensive program rolling out throughout 2025.

I will not go too much further, but I do note the concerns of the Katter's Australian Party about further red tape and further regulations. I reiterate the point about life jackets being the seatbelt of the sea and the fatality statistic in recent years which was overwhelmingly those people who were not wearing life jackets. That information got me across the line. That information got some people in the industry across the line. I am happy to leave it there. We are happy to oppose the disallowance motion.