



27 January 2023

The Independent Review Panel
Domestic Commercial Vessel Safety Legislation
Department of Infrastructure, Transport, Regional Development, Communications
and the Arts
GPO Box 594
CANBERRA ACT 2601

Email - DCVSafetyReview@infrastructure.gov.au

Dear Madam/Sir,

**Review of Domestic Commercial Vessel Safety Legislation
Phase 2 – Costs and Charging Arrangements**

Outdoors Queensland is the peak body for the outdoor recreation sector in Queensland. We represent outdoor recreation organisations and individuals in Queensland, consisting of a range of outdoor industry stakeholders, including local governments, schools with outdoor education programs, small businesses and commercial operators, activity-focused peak bodies, clubs and community organisations.

The mission of Outdoors Queensland is to provide a united voice to ensure everyone has opportunity and access to outdoor activities while protecting our environment and Indigenous cultures. Our vision is that everyone can enjoy the health and well-being benefits of Queensland's outdoors.

Outdoors Queensland is pleased to make a submission to the Review of Domestic Commercial Vessel Safety Legislation and costs and charging arrangements that is currently underway. We understand that the purpose of this review is to consider whether Australia's legal framework for the safety of domestic commercial vessels (DCVs) is fit for purpose, whether the framework is being delivered efficiently and effectively, and options for future funding arrangements for the National System.

We have serious concerns regarding the potential imposition of fees or levies for commercial outdoor operators, especially in relation to paddlecraft. Many outdoor operators who conduct commercial activities already have effective safety management systems. It is difficult to understand how being required to pay fees to the Federal government for a kayak or canoe will enhance the safety culture of an organisation or improve the safe operation of the paddlecraft in question.

We are concerned about the scope of the imposition of any proposed fees or levies, and the potential impacts that could have on organisations who instruct clients on safe operation of various craft, with that instruction later applied when those people paddle their own recreational craft.



If fees were imposed per paddlecraft, that would have immediate and dramatic effects on financial viability for many businesses, resulting in business closures.

The imposition of fees per vessel could have the unintended consequence that organisations that have a fleet of multiple paddlecraft would be subsidising organisations which operate larger vessels. The flow on effect would be that some organisations stop providing instruction to people around safe operation of these types of vessels. The outcome of that would be that a levy which is supposed to contribute to maritime safety could have a detrimental effect on community safety on the water.

The potential loss of professional instruction could also result in fewer people engaging in paddling as a recreational activity. This would mean that an outdoor activity which offers physical and mental health benefits to adults and children alike would be detrimentally affected. That would be an awful outcome at a time when efforts are being made to improve the physical and mental health of Australians.

The imposition of fees would also detrimentally affect the outdoor and environmental education sector. We understand that schools which maintain their own fleets of vessels are exempt from this system. Schools which do not have their own vessels would need to engage external organisations to undertake paddling activities. If fees were imposed on each paddlecraft, then those fees would need to be passed on to schools by the commercial operators, making paddling activities more expensive for Australian schools who do not have their own craft. That could impact most on lower socio-economic schools without resources to maintain a fleet of paddlecraft and may also affect delivery of paddling by independent outdoor and environmental education centres.

We note that the Australian Government Charging Policy specifically states as follows:

The application of charging should not, however, adversely impact disadvantaged Australians.

The activities being conducted by outdoor operators contribute broader public benefits to the community by encouraging more people to get outdoors and active. We submit that the physical, mental and social benefits associated with participation in these activities, particularly in accordance with quality instruction from commercial operators, should outweigh the drive for full cost recovery.

This issue has been raised by outdoor organisations in the past, especially when issues regarding the potential levying of fees were being discussed prior to the introduction of the national system for domestic commercial vessel safety.

The Policy Statement released in 2018 by then Deputy Prime Minister and Minister for Infrastructure and Transport, The Hon. Michael McCormack MP, regarding arrangements from 1 July 2018 for the National System for Domestic Commercial Vessel Safety, included the following statement:



Unpowered vessels used in commercial hire and drive operations such as canoes and kayaks will be exempt from the levy, and remain exempt from the levy.

The Policy Statement did not say remain exempt from the levy *“until further reviewed by the department...”* or other such proviso. It is a very clear statement that unpowered vessels used commercially will remain exempt from the levy.

We understand that the Hon. Catherine King MP is now the Minister for Infrastructure, Transport, Regional Development and Local Government. We urge Minister King to honour the statement of former Minister McCormack, and the policy intent behind that statement.

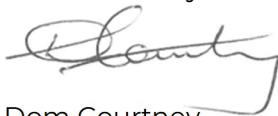
We urge the Independent Review Panel to exempt unpowered vessels from the levy.

We note that the consultation period for Phase 2 of this process ran from 28th November 2022 to 27th January 2023. This consultation period aligns with the busiest time of year for some outdoor operators (for example, tourism operators) and the time when others are on holidays (especially those involved in education). Outdoors Queensland only became aware of this opportunity to contribute to the process in late January 2023, so was not in a position to publicise this review to our stakeholders.

Outdoors Queensland would be willing to assist the Independent Review Panel to engage with the Queensland outdoor sector and help avoid any unintended negative consequences that might otherwise be associated with this review. Please contact our Executive Officer, Dom Courtney by email on eo@outdoorsqueensland.com.au to discuss opportunities related to engagement.

Outdoors Queensland understands that this submission may be published as part of the consultation process. Outdoors Queensland looks forward to ongoing involvement in this process, and trusts that the outcomes will be positive. We welcome discussion on any points raised in this submission.

Yours sincerely



Dom Courtney
Executive Officer

