

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 3741/09

Inquest into the Death of THEAM HENG CHHENG

Delivered On:	20 April, 2011
Delivered At:	Coroners Court of Victoria Level 11, 222 Exhibition Street, Melbourne, Victoria 3000
Hearing Dates:	10 and 11 November 2010
Findings of:	CORONER HEATHER SPOONER
Place of death/ Suspected death:	In the sea off rocks at the end of Punchbowl Road, San Remo, Victoria 3925
PCSU:	Leading Senior Constable King Taylor

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 3741/09

In the Coroners Court of Victoria at Melbourne

I, HEATHER SPOONER, Coroner

having investigated the death of:

Details of deceased:

Surname: CHHENG
First name: THEAM
Address: 17 Altair Street, Springvale South, Victoria 3171

AND having held an inquest in relation to this death on 10th and 11th November 2010 at Melbourne

find that the identity of the deceased was THEAM HENG CHHENG and death occurred on 1st August, 2009

at In the sea off rocks at the end of Punchbowl Road,
San Remo, Victoria 3925

from
1a. DROWNING

In the following circumstances:

1. Mr Chheng was aged 41 when he died. He was Cambodian and apparently spoke very little English. Mr Chheng worked in a food-processing factory. He lived with his Godson and friends at 17 Altair Street, Springvale South. Mr Chheng was apparently healthy and had some swimming ability prior to his demise.

Circumstances Surrounding Death

2. A police investigation was conducted into the circumstances surrounding the death and Senior Constable Cantwell prepared the brief and summary.

"At about 6.00am on Saturday 1/8/09 Theam Heng CHHENG, 41 years, a food process worker from Springvale South, arrived at Punchbowl car park, San Remo, to fish from the rocks at the bottom of Punchbowl Road. With him were four companions from his work place. The five men are of Cambodian descent and speak limited, if any, English. CHHENG was the most experienced fisherman of the group and the lead of the expedition. He had been fishing at the location on several previous occasions, the other men being less experienced both at fishing in general and with less experience at this particular location. Mr CHHENG was not wearing any personal floatation devices.

The five men walked to the Punchbowl Lookout, passing several large and conspicuous signs warning of the dangers in the area, particularly the danger of large waves. The signs are written in English and it is unlikely that Mr CHHENG or his companions were able to read the written warnings. One of the warning signs is a photograph which attempts to overcome the language barrier of the written signs, this photograph shows a large wave washing over rocks where a fisherman had previously been.

The fishermen climbed over the barrier at the Punchbowl Lookout and followed a narrow path down to the rocky shore on the west side of the lookout. The path has been made by fishermen gaining access to the water below and is not maintained. It is steep and difficult to traverse.

The five men gained a rock ledge where CHHENG had fished before and commenced fishing an outgoing tide. They fished for some time without incident and without success. It was windy and at times waves washed onto the rocks where they were standing. They were not caused any undue difficulty by these waves.

After some time the fish began to bite and CHHENG and his companions started paying more attention to their lines. At about 10.45am a larger than normal wave broke on their rock and CHHENG and some of the other men were knocked from their feet. While the other men were able to hold on to rocks CHHENG was apparently unable to do so and was washed into the sea some distance from the shore. He began swimming and removed his shoes and coat. There are no "Angel Rings" or other life saving devices at this location. Mr CHHENG's companions tried to assist him by throwing a bait bucket with lid to him, and tried to reach him with their fishing tackle but were unsuccessful.

As CHHENG continued to swim it was clear he could not regain the safety of the rocks. His companions rang 000 but none of them knew the actual name of the area. Due to their limited knowledge of English they also had difficulty describing their location. Police units were initially despatched to Cowes jetty, and also to Kilcunda and Punchbowl, and rescue helicopters were despatched from Melbourne. About 15 minutes

after entering the water CHHENG stopped struggling and was seen floating face down in the water. His companions then lost sight of him.

At about 11.45am D24 was able to confirm the location and Police met the remainder of the fishing party at Punchbowl Lookout. He was winched into one of the helicopters and conveyed to land where he was examined by ambulance officers, however, there were no signs of life present."

3. The tide was high at 8.00am according to Senior Constable Cantwell. His searches of the surrounding area had revealed an angel ring to the east but nothing to the west.

A statement from an ambulance paramedic who attended the scene included the following observations:

"I witnessed the patient to be floating face down in the water east of where he had been fishing about 50-100 metres off shore. Thirty-seven minutes had passed from our arrival on scene until patient was retrieved from water by rescue helicopter. One hour in total had passed between the time call was received to time at patient. Helicopter landed in nearby paddock with patient. Arriving at patient no CPR in progress. Myself and partner applied cardiac monitor which revealed Asystole in leads I, II and III. We observed fixed and dilated pupils and copious amounts of frothy fluid coming from patients airway. GCS-3 and unrecordable blood pressure nil palpable pulse. Patient cold to touch rigor mortis evident."

Evidence at Inquest

4. The inquest heard evidence from Mr Chheng's four fishing companions and his Godson.

Witness accounts:

Mr Li Bunron Hai told the inquest that he had lived in Australia for about 10 years. He indicated that Chheng had talked about previous rockfishing trips to Punchbowl with his mates at work. He had told them that the place was "full of fish" and he organised for them to go fishing together. The mood was jovial. They were all laughing and eager to go fishing and to see who could catch the most. He told the Inquest that once he got down onto the rocks it was obvious that they would need to be cautious. The walking track down was quite dangerous and he stated that if you slipped you could break your neck. He felt that where they were standing on the rocks was quite safe and they never expected to be confronted by a big wave. They each had their individual fishing gear but nobody had a personal floatation device. Mr Hai told the Inquest that Mr Sin and Mr Chua had also been there on two prior occasions. It was quite dark when they arrived at the car park so they did not see the warning signs. He had however seen signs previously

but could not really understand what they meant and felt that had they been in his language that would have helped. When referred to the international signage symbols, he did not completely understand them. Mr Hai did later concede however, that he did have some knowledge and could read English and did understand two of the top symbols however, he "did not expect it to be like that as it was quiet".

Mr Hai told the Inquest that the waves were small at first and that he remained at a higher level than the others. When he called to them that a big wave was coming it was too late and the noise of the wave and the wind overpowered his voice. Mr Chheng was standing the furthest away and closest to the water. Even at the higher level the wave hit Mr Hai around his knees and waist. It caused him to lose his balance, although it did not knock him over. When the wave that hit retreated, Mr Hai observed Mr Chheng already washed out on the back of the wave. Afterwards it was a fairly chaotic scene with the remaining fishermen throwing out lines and buckets and anything else they could think of to try and help rescue Mr Chheng. As Mr Hai spoke the best English of the group, he was tasked to seek higher ground and call the police. His difficulty was that whilst he knew he was near Philip Island, he had no idea of the exact location. After ringing the police, he rang a friend who suggested that Mr Hai should check his iPhone to determine his location and this process correctly identified Punchbowl Road. By the time police arrived Mr Chheng's body had washed away.

When asked about the potential benefits of wearing a personal floatation device, Mr Hai believed that Mr Chheng would have died anyway because it was too cold. Mr Hai had some difficulty locating a phone number to call on the signs, "all I know is 000". He felt that signage in his language would have been helpful and warnings in booklets at fishing shops would be an advantage. He did not listen to community Cambodian language radio stations and was unaware that other rock fishers had died at that location.

Mr Chieu Hua Chua told the inquest that he had been rock fishing at the Punchbowl Road area on prior occasions with Mr Chheng and had experienced wet, cold and windy conditions with big waves however, he had not considered it a dangerous activity until this incident occurred. He was not concerned that the waves appeared larger on the day of the incident. Neither he nor his friends had worn any safety gear or taken any safety equipment. Mr Chua was asked to look at photos of some of the warning signs and symbols that were displayed at the Punchbowl on the day of the incident, but he maintained that he did not know what they meant. He conceded that he was in the area of the signage but just didn't take any notice, "you know I never taken any notice that we would have a serious accident". On this occasion, Mr Chua had been knocked over by the wave and fell down on his backside, but held on despite water being everywhere.

Mr Sinh Huy had been to the Punchbowl to fish on four or five occasions previous to this incident and had never thought of the possibility of an accident or serious incident. He had never considered or discussed the wearing of any safety equipment. He told the inquest that Mr Chheng had a good understanding of rock fishing, of baits and how to lay the lines. He would check on when the water was rising and the fish were likely to bite. He described the size of the waves on the day of the incident as "really, really big". He stated that they hadn't fished straight away but put the lines in and stepped back 2-3 metres and up 2 metres to have a chat. When they saw the fish biting Mr Huy went down to his rod and wound it in when he heard Mr Hai scream "big wave coming". He was hit by the wave and had he not grabbed onto a rock he could have drowned as well. He had nothing to throw to try and save Mr Chheng. He did cast his line out but could not reach him. Mr Huy told the inquest that it was a little bit dark to see the signage and though he had seen some at a distance he did not go up close to the signs, as he could not read English. Since this fatality, he had realised the importance of safety equipment whilst rock fishing.

Mr Vong Chea had never fished in the sea prior to coming to Australia. He had been rock fishing at least three times prior to the incident but had not thought of it as dangerous as there had been hardly any waves or wind. The "challenge of fishing" in that area was that the fish were larger and more plentiful. On this occasion however, the waves were bigger and it was windy and they had waited for the waves to settle before going back down the rocks after putting their lines in the water. Mr Hai had been knocked over by an earlier wave and then he went up to a higher rock. Mr Chea didn't think about leaving at that point because the waves were calming down. Later he was hit by the wave and heard Mr Hai call out. He held onto a rock and when the wave retreated he heard Mr Hai again call out that one of them had fallen into the water. Mr Chheng had been swept out too far and could not swim back to shore.

Mr Chea had never taken any notice of the signage as he didn't read English and he had never asked his fishing companions about them.

Mr Leang Meng Ouch was Mr Chheng's Godson. He knew little about his Godfather's fishing trip, save that he was picked up by work mates who were going to Phillip Island or San Remo. He received a phone call on the day of the incident to the effect that his Godfather had fallen into the water. On his way to the scene, he received a call from police directing him where to go. He told the Inquest that although his uncle understood very little English he expected that he would have understood the photo warning sign 'Gone Fishing' as it was 'pretty straightforward.' Sometime after the incident Mr Ouch had heard from another relative that Mr Chheng had been aware of the danger at Punchbowl because 'the ground is too close to the wave' however, he enjoyed rock fishing with his friends and found it exciting.

Post Mortem Examination

5. The Coroner granted an application objecting to an autopsy. An inspection an external examination was performed by Dr Linda Iles, Forensic Pathologist at the Victorian Institute of Forensic Medicine. She formulated the cause of death and made the following comments:

"After examining the body of Theam Heng Chheng, aged 41 years, given the circumstances surrounding his witnessed fall into the water whilst fishing and the lack of any significant injuries on external examination or post-mortem CT scan, and his family's objection to autopsy, it appears reasonable to ascribe his cause of death as drowning.

In the absence of a full post mortem examination, medicolegal issues that may arise at a further date may be unable to be addressed.

I have examined the post mortem CT scan to the best of my abilities. I am not, however, a trained radiologist.

Post mortem toxicological studies show no evidence of alcohol or other common drugs or poisons."

Rock Fishing Warning

6. Following this and a further two rock fisher deaths¹, the Coroner issued a media release on 8 January 2010 urging caution whilst rock fishing. A copy of that press release is attached and marked with the letter 'A'.²

Safety Management Meetings

7. The Coroners Prevention Unit (CPU)³, were requested to prepare information regarding the three rock fisher deaths in 2009. They were also asked to co-ordinate and organise a fresh round of Rock Fishing Safety Management meetings that were convened by the Coroner on 14 April and 20 July 2010. Several key agencies participated.

8. A historical perspective was provided, which included the 2005 Detailed Proposal for Water Safety for Rock Fishers and the Angel Ring Pilot Project that was developed in response to earlier rock fisher deaths.⁴

¹Coroners Cases Nos: 5959/09 and 6036/09.

²'A' Media release, Coroners Court of Victoria.

³The Coroners Prevention Unit is a specialist service for coroners created to strengthen their prevention role and provide them with professional assistance on issues pertaining to public health and safety.

⁴Coroners Findings Nos: 1565/05, 4203/05, 4751/05, 0015/06 and 1697/06.

9. It was apparent that this proposal should be updated with the assistance of the CPU. Following further discussions and submissions, a new Safety Management Plan for Rock Fishing has been prepared and this is attached and marked with the letter 'B'.⁵ With the support of the key stakeholders this Plan will hopefully guide future preventive strategies surrounding rock fishers.

10. The involvement and contribution of all participants, together with the CPU, in the development of this Plan is very much appreciated

Findings

I find that this unfortunate death occurred when Mr Chheng was washed off the rocks whilst rock fishing with work mates.

There were several signs with symbols and a photographic image warning of the dangers of rock fishing at the Punchbowl location where this incident occurred.

I find that although Mr Chheng probably had an awareness of the risk involved he proceeded unheeded.

Mr Chheng was probably inappropriately attired and he failed to take any or adequate safety measures or equipment for rock fishing.

I find that had he been wearing a life jacket or buoyancy vest he may have survived.

⁵'B' Safety Management Plan for Rock Fishing dated 20 April 2011.

COMMENTS AND RECOMMENDATION

Pursuant to sections 67(3) and 72(2) of the Coroners Act 2008, I make the following Comments and Recommendation:

1. The three deaths of rock fishers in 2009⁶ were entirely preventable. They have once again highlighted the particular vulnerability of culturally and linguistically diverse (CALD) communities, who are grossly over represented in rock fisher fatalities.
2. Appropriate signage is essential and the revised Safety Management Plan for Rock Fishing has highlighted several key safety factors for all those rock fishers who wish to participate in this extremely high risk sport. Foremost among them is wearing a personal floatation device (PFD), educating CALD communities, overcoming difficulties and delays in communicating with emergency services and locating and responding to rock fishing emergencies that occur in regional and/or remote locations.
3. I recommend that the Safety Management Plan for Rock Fishing be adopted by those agencies who participated in the safety management process including; Parks Victoria, Fisheries Victoria, Life Saving Victoria (LSV), VRFish, Australian National Sportfishing Association Limited (ANSA) and the Bass Coast Shire Council.

Signature:



HEATHER SPOONER
CORONER



20th April, 2011

⁶Coroners Case Nos: 3741/09, 5959/09 and 6036/09.

Distribution list:

For Information of:

The Hon Mr Robert Clark, Attorney General

The Hon Mr Nicholas Kotsiras, Minister for Multicultural Affairs and Citizenship

The Hon Mr Michael O'Brien, Minister for Energy and Resources

Mr Rob Spence, Chief Executive Officer, Municipal Association of Victoria

Mr Hakan Akyol, Interim Chairperson, Victorian Multicultural Commission

Mr Neil Foster, Emergency Services Telecommunications Authority

Recommendation for response from the following:

Mr Michael Hodder, Director Field Services, Fisheries Victoria

Mr Dennis Ward, Risk Manager, Parks Victoria

Mr Nigel Taylor, Chief Executive Officer, Life Saving Victoria

Mr Christopher Collins, Executive Officer, VRFish

Mr Brian Hayes, President, Australian National Sportfish Association (Victorian Branch)

Mr Allan Bawden, Chief Executive Officer, Bass Coast Shire Council

Dr Michael Kennedy OAM, Chief Executive Officer, Mornington Peninsula Shire Council

Mr Ian Nicklen, Acting Director, Department of Justice, Emergency Services Policy and Support

ATTACHMENT 'A'

MEDIA RELEASE

CORONER URGES CAUTION FOR ROCK FISHERS

Coroner Heather Spooner has today urged people to be vigilant by the sea after rock fishing claimed two Victorian lives in one week.

Coroner Spooner issued the public warning in a bid to prevent similar deaths as more people flock to popular rock fishing spots during the warmer summer months.

"Rock fishing is a popular activity that many people enjoy for fun and relaxation, but which can too often end in the tragic loss of life," she said.

On Christmas Day 2009, a 33-year-old Box Hill man died after rock fishing off Cape Schanck.

Just five days later on 30 December, a 43-year-old Kew man drowned after being washed in at San Remo.

Rock fishing also claimed the life of a third Victorian man, a 41-year-old from Springvale on 1 August 2009. He too had been rock fishing at San Remo.

According to national figures nine people died whilst rock fishing from July 2008 to June 2009.

In this financial year rock fishing has already claimed the lives of eight people across the country.

Coroner Spooner said in many cases these deaths could be prevented, providing people take the proper precautions.

"Fishing should not end in fatality and I would strongly encourage those planning to go rock fishing to take a few simple precautions and ensure they have the proper equipment," she said.

Coroner Spooner said the dangers associated with rock fishing could be reduced by;

- Always wearing a life jacket or buoyancy vest to help keep you afloat in the event of a fall or wash in
- Fishing at a location that has angel rings. Angel rings are life buoys installed at some popular fishing locations
- Using safety equipment such as ropes and other buoyant items
- Wearing appropriate footwear to reduce the chance of slipping or falling
- Ensuring you fish in a group. If someone is washed in, one person can stay and help while the other raises the alarm
- Wearing light clothing that does not restrict your ability to swim in the event that you do get washed in

She urged people to follow Royal Life Saving Australia advice in the event of a fall or wash in by;

- Swimming away from the rocks, and;
- Looking for a safe place to come ashore, or staying afloat until help arrives

Coroner Spooner said people should also pay close attention to the fishing environment before deciding whether to rock fish at a particular location in the first place.

"Rock fishing can be extremely dangerous and carry an unnecessary risk.

"Anybody contemplating rock fishing should do a thorough assessment of their fishing spot and be aware of unpredictable wind and tide changes which can affect the safety of their fishing spot in a short period of time," Coroner Spooner said.

For further information about rock fishing and water safety visit the Royal Life Saving Australia website at www.royallifesaving.com.au.

For further information about weather conditions and tidal changes visit the Bureau of Meteorology website at www.bom.com.au.

Sheree Argento
Publications and Communications Office
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ATTACHMENT 'B'

SAFETY MANAGEMENT PLAN FOR ROCK FISHING

Prepared by Coroners Prevention Unit
20 April 2011

1. Background

Coroner Heather Spooner requested the Coroners Prevention Unit (CPU) to prepare information on the deaths in 2009 of three rock-fishermen in Victoria. Coroner Spooner had previously overseen the development of a rock fishing safety strategy in conjunction with Government and community stakeholders.

The CPU on behalf of the Coroner has been involved in a new round of safety management meetings which were convened to review the existing strategy, and to explore additional measures to address rock fishing safety. This revised Safety Management Plan is a synthesis of submissions received by the Coroner from stakeholders in this process. It identifies the key risks associated with rock fishing in Victoria, and puts forward measures to manage those risks. It is envisaged that this plan can be used to assist stakeholders with priority setting and strategic planning for rock fishing safety in the years ahead.

2. Safety Management Meetings

On 8 April 2010, Coroner Heather Spooner was accompanied by staff from CPU and Victoria Police members from the Police Coronial Support Unit (PSCU) and San Remo Police Station to view both the Punchbowl and Potters Hill Road rock outcrops in preparation of the Safety Management Meetings.

Coroner Spooner convened Safety Management meetings on 14 April 2010 and 20 July 2010. The participants who attended were representatives from Life Saving Victoria (LSV), Parks Victoria, peak fishing bodies VRFish and the Australian National Sportfishing Association (ANSA) Victorian branch, Victoria Police members from San Remo Police Station, the Victorian Multicultural Commission, Fisheries Victoria and the CPU. Bass Coast Shire Council was also invited to make submissions.

Participants provided Coroner Spooner with an update on rock fishing safety initiatives undertaken since the last safety management process. A collaborative process was then undertaken to examine options for additional initiatives to address the key rock fishing safety risks.

Participants were invited to make submissions that addressed the following key safety issues that were identified by the Coroner, including any proposed strategies or actions which could be undertaken:

1. The wearing of a personal floatation device (PFD) when rock fishing;
2. Signage, access and placement of safety devices such as "Angel Rings";
3. Education and awareness raising of Culturally and Linguistically Diverse (CALD) communities regarding rock fishing and water safety; and
4. Processes to review and evaluate these arrangements into the future.

Following the stakeholder meetings, CPU became aware that LSV and Surf Life Saving Australia (SLSA) had received funding through the Federal Government's "Coastal Blackspot" program to install emergency alarms and camera surveillance at Punchbowl and the Potters Hill Road beach.⁷ This funding was allocated during a limited window of opportunity following the stakeholder meetings, and therefore the project was not able to be considered by the participants, or included in the LSV submission to the Coroner.

The funding was directed towards operational projects in areas where drowning deaths had occurred. LSV and SLSA proposed the trial placement of remote emergency alarms and cameras to be installed at the Punchbowl area and Potters Hill Road Beach due to the lack of mobile phone or radio coverage and because of delays in notification of incidents to emergency services. The alarms are intended to be a push button system directly linked to "000" and cameras will be available to access by Victoria Police and lifesavers. The funding will also provide for a jet ski as a fast response vessel based at the nearby Woolamai Surf Lifesaving Club. It is proposed that these systems will be a trial with the view to future evaluation and consideration of placement at additional coastal sites.

LSV is in the process of consulting and engaging with relevant stakeholders in the first stage of their proposal and have undertaken to include the CPU in this course of action. The CPU will continue to participate with LSV in their stakeholder engagement to further the development of this initiative.

⁷Council of Lifesaving Operations; 2009/10 Annual Report.

The LSV submission noted their support for the Emergency Services Telecommunications Authority (ESTA) emergency marker program to replace existing coastal numbering identification arrangements. CPU met with ESTA representatives to scope the nature of the project, and its applicability to rock fishing safety in Victoria. CPU concluded that the ESTA emergency marker project had substantial merit in regards to incident location by emergency services (see Rock Fishing Key Safety Factors).

3. Rock Fishing Key Safety Factors

Four key safety factors were identified by participants during the meetings;

The wearing of Personal Floatation Devices (PFDs):

All participants supported the wearing of PFDs whilst rock-fishing. A wide range of issues regarding PFDs were discussed, including whether to mandate their use, how to increase their availability/acceptability to rock fishers and additional advice to prevent subsequent injury on rock shelves when afloat amongst large waves.

CALD communities:

Individuals from CALD communities are strongly overrepresented in rock fishing fatalities in Victoria and other jurisdictions. Effective engagement with these communities is critical to promote rock fishing safety, and water safety awareness generally.

Contacting emergency services:

Contact with Emergency Services has been problematic due to limitations with language, mobile telephone coverage and open space location identification difficulties.

Locating an incident for emergency response:

Rock fishing deaths tend to occur in regional locations where the fishermen have travelled from elsewhere in the state and may not be familiar with their exact location. There have been numerous instances where the emergency services response has been delayed through the difficulty in determining the location of the incident. The timely dispatch of emergency services to the location of an incident is critical when dealing with rock fishing immersions.

4. Specifying Safety Priorities

Safety Priority - Personal Floatation Device (PFD)

Rationale:

The ability to remain buoyant after being washed into the ocean from a rock platform is a critical life-saving measure. The wearing of a PFD was considered to be a primary communication message to rock fishermen, and steps should be taken to increase the uptake and use of these safety devices.

Actions:

All stakeholders should ensure that the wearing of a PFD while rock-fishing is a prominent communication focus in all messaging, images and education activities.

Stakeholders are encouraged to explore further ways to encourage the wearing of PFDs during high risk aquatic pastimes. This can be encouraged through rock fishing seminars, making PFDs available at reduced cost through fishing equipment retailers or making PFDs a rental option from retailers in close proximity to known rock-fishing locations, such as San Remo.

Safety Priority - CALD community education

Rationale:

The CPU research showed individuals from CALD communities were over represented in rock fishing related fatalities. Engagement with CALD communities involves a range of challenges and opportunities which will require a collaborative approach by stakeholders.

Actions:

A substantial program of CALD community engagement should be undertaken by LSV in collaboration with the peak fishing bodies VRFish and ANSA to promote rock fishing safety. The use of rock fishing educational programs and demonstrations, cultural ambassadors and messaging in cultural-specific media should be explored. The establishment of agreed communication strategies at various times of the year, such as prior to summer may also assist in promoting rock fishing safety.

While specific funding for these activities are not currently available, stakeholders may wish to investigate funding sources such as Fisheries Victoria Recreational Fishing Grants Program,⁸ grants from the Multicultural Commission, and the Victorian Government's "Watch Around Water" campaign.

Safety Priority - Emergency Response Alarm Pilot Project

Rationale:

LSV and SLSA obtained funding from the Federal "Coastal Black-spot Funding" program for the trial placement of remote emergency alarms and cameras at known high risk rockfishing locations in order to gauge their effectiveness in reducing the incidence of fatalities.

⁸<http://new.dpi.vic.gov.au/fisheries/recreational-fishing/fishing-grants-program>

Actions:

LSV and SLSA will coordinate the project, which will initially involve stakeholder consultation and the development of functional specifications for the system. Remote emergency alarms and cameras will be installed as a trial in the Punchbowl area and Potters Hill Road Beach at San Remo. These sites were selected due to the lack of mobile phone or radio coverage and because of delays in notification of incidents to emergency services. The alarms are intended to provide for a push button alarm directly linked to "000" and cameras available to emergency services and lifesavers. The remote alarm system would be complementary to ESTA's Emergency Marker project.

The cameras may also be used by researchers to investigate the patronage at rock fishing sites and the behaviour of rock fishers, including the frequency of wearing safety equipment and PFDs.

The funding also provides for the use of a jet ski as a fast response vessel to be based at the Woolamai Surf Life Saving Club.

It is envisaged that this trial will be evaluated by LSV with input from stakeholders, including those from the Coroner's Safety Management process. Should the trial be considered as effective in increasing rock fishing safety, further opportunities may be explored to expand the program to other high risk areas.

Safety Priority - Emergency Services Telecommunication Authority (ESTA) Emergency Markers
ESTA is a statutory authority with the responsibility to coordinate all "000" services in Victoria. These services will be centralised by 2012 for all emergency agencies.

Rationale:

CPU undertook enquiries in regards to the ESTA Emergency Marker project following the submission from LSV which noted their support for the project, and were seeking to assist in its implementation in coastal areas.

ESTA Emergency Markers are an open space location signage system which are managed centrally by ESTA and linked to their Computer-aided Dispatch (CAD) system. Each marker code is unique, and when provided by callers to "000" can instantly identify the exact location for the emergency services response, and also information regarding the directions to the site. Emergency Markers can be placed on the boundary of an open space (such as a car park) and also within the environment (i.e. at a rock platform or along a path).

The ability to identify the exact location of an emergency was considered a critical factor by the Safety Management Group. The responses to previous rock fishing incidents have been delayed due to difficulties in determining location. The use of local landmarks to identify location (such as the "Big Pink House" at the Punchbowl) will soon no longer be of use due to changes in Victoria's "000" arrangements. Regional police communications centres (D24's) will be discontinued by 2012,⁹ with all "000" calls directed to ESTA communications centres in several locations in the State. It is likely that ESTA operators will not be familiar with local landmarks at remote locations.

The current arrangement of beach location numbering used by coastal Victorian municipalities is considered limited. Each Council maintains a proprietary system of numbering, which is not integrated into the main ESTA CAD system.

Participation in the Emergency Markers program carries little cost and only requires land managers to provide ESTA with spatial co-ordinates from Geographic Positioning Systems (GPS) for the locations of the markers and some brief directions information. The Emergency Markers can be incorporated into existing signage designs or feature in a range of standardised formats.

According to ESTA, community understanding of the Emergency Marker program is currently limited, and further efforts need to be undertaken to promote the use of these systems in the event of emergencies in open space areas.

Actions:

Coastal land managers, including local Councils and Parks Victoria, should begin to implement the ESTA Emergency Markers program for coastal sites used for rock fishing. The current beach location numbering system should be superseded with this new state-wide approach. Signage will also need to be amended in line with the implementation of the program.

ESTA should seek to increase awareness of the Emergency Markers program amongst the Victorian community, including specific campaigns directed towards CALD communities and international visitors.

⁹ESTA 2010-2015, 5 Year Corporate Plan

Safety Priority -- Signage

Rationale:

High risk locations need appropriate signage detailing the potential hazards and risk associated with entry to that location by fishermen and others. Given that individuals from CALD communities are at increased risk from rock fishing, signage should be sufficient to communicate safety messages to those from different language/cultural backgrounds.

Actions:

Land managers, including Parks Victoria and local councils, should consider placement of appropriate signage in locations used for rock fishing at both the boundary and, where possible, inside the environment. Parks Victoria have already upgraded signage at the Punchbowl site at the commencement of the George Bass Coastal Walk and also within the area leading to the rock shelves.

A new Australian/New Zealand Standard specific to water safety signs and beach safety flags was introduced in December 2010.¹⁰ LSV have provided the following advice to land managers for the implementation of the new signage as it relates to aquatic waterways, both inland and coastal:¹¹

- New safety signage should be reflective of the symbol set outlined in the Standard
- Regardless of symbol set, the application should be consistent and ensure that the selected symbol/s is representative of the message being delivered and any ambiguity should be supplemented with textual wording.
- A widely accepted and recognised risk management process should be used in terms of aggregating the level of risk for open aquatic environments in order to aid with the design and installation of the safety signage program.
- Quantity, layout and overall style of composite signs should follow the principles laid out in the Standard. The National Aquatic and Recreational Signage Style Manual (NARSSM) is referred to in the Standard and is an accepted layout approach.
- Consideration may need to be given to amending viewing distance requirements regardless of symbol set selected and or environment type.

¹⁰AS/NZS 2416:2010

¹¹Newsletter Life Saving Victoria; March 2011 Edition

5. On-going Safety Actions

Angel Rings

The Safety Management Group considered that the placement of angel rings should continue at known rock fishing locations in conjunction with other safety messages. Issues relating to occupational health and safety will need to be considered with placement of angel rings at certain locations which are recognised as hazardous. Agencies tasked with placing angel rings at these locations should not expose their people to undesirable risks. Angel rings remain an accepted safety tool; however the messages should place wearing PFDs at the forefront of personal safety.

Coastal Risk Assessment

LSV should continue with their coastal risk assessment program and examine further funding opportunities as they arise for additional safety initiatives.

6. Alignment with Water Safety Strategies

This Safety Management Plan aligns closely with the majority of strategic goals of the Australian Water Safety Strategy 2008-2011¹² (the Strategy) which seeks to reduce drowning deaths by 50% by 2020. The Strategy was developed by the Australian Water Safety Council which comprises representatives from State and Territory aquatic life saving agencies, aquatic recreation groups, safety organisations, other associated agencies and is supported by the Australian Government Department of Health and Ageing.

The Safety Management Plan aligns specifically to 8 of the 14 strategic goals noted in the Australian Water Safety Strategy (Appendix A).

¹²<http://www.watersafety.com.au/20082011Strategy/tabid/81/Default.aspx>

Appendices

Appendix A: Water Safety Strategic Goals

Goal 4 - Reduce rural and remote drowning deaths

The rate of drowning in rural and remote areas is more than double that of metropolitan or inner regional areas. Rock fishing deaths in Victoria have occurred exclusively in rural and remote locations.

Goal 7 - Reduce drowning deaths attributed to high risk recreational activities

Coastal rock fishing is identified in the Strategy as a high risk recreational activity. The Strategy and the Safety Management Plan both identify the need to increase access to drowning prevention education and skills for recreational fishermen.

Goal 8 - Reduce drowning deaths in high risk populations

The Strategy identifies CALD communities as being at increased risk of drowning and aquatic injury. Both the Strategy and the Safety Management Plan identify the need to have programs addressing drowning risk in CALD communities through a community development approach.

Goal 10 - Build systems to support safe aquatic recreation venues

The strategy recognises that many aquatic locations have safety issues, and promotes programs to minimise risk and research to understand the contribution of safe environments to drowning prevention. The Safety Management Plan seeks to enhance the safety of coastal areas used for rock fishing, and supports further research to better understand the role of countermeasures in the context of this activity.

Goal 11 - Strengthen the skills, standards and contribution of our drowning prevention people

Both the Strategy and the Safety Management Plan seek to strengthen the Australian culture of water safety through the promotion of water safety education to vulnerable groups in the community.

Goal 12 - Strengthen policies, legislation and standards related to water safety

The Safety Management Plan seeks to reduce the risk of drowning. It is intended that stakeholders can consider the Plan when reviewing the existing water safety arrangements and advocate for improved policy, legislation and standards where appropriate.

Goal 13 - Foster collaborative approaches to drowning prevention

Water safety is a broad issue that overlaps many areas of interest and jurisdiction. The Safety Management process used to produce the Plan has involved collaboration between the Coroners Court, State and Local Government agencies, and recreational interest groups towards a common goal.

Goal 14 - Extend the drowning prevention evidence base

The implementation of the Safety Management Plan presents the opportunity for further research into rock fishing safety. Ongoing monitoring at two rock fishing sites by the Remote Alarm Pilot Study will, for the first time, allow researchers to investigate the frequency of rock fishing, and the adoption of safety measures by rock fishermen.