

## 11 Petrie and Paynter Creeks

Petrie Creek is a feeder tributary to the Maroochy River. It meanders from its source in the Blackall Range near Hunchy and joins the river approximately 1.7 kilometres upstream of the Sunshine Motorway Bridge at Maroochydore. Paynter Creek flows into Petrie Creek approximately two kilometres from Petrie Creek's confluence with the Maroochy River.

Land uses along the banks of Petrie Creek are predominantly agriculture and small areas of rural residential development, with some commercial development towards the Bruce Highway near Nambour. Most riparian vegetation has been cleared from the creek's banks, except for narrow strips of about 20 metres to less than five metres in width. There are no conservation areas along the banks of Petrie Creek. The downstream section of the creek forms part of the Maroochy fish habitat area under fisheries legislation.

The Reference Group is not aware of any environmental issues, such as erosion or bank instability, which may present a problem within Petrie Creek.

The waters of Petrie Creek to the unnamed road bridge on David Low Way at Diddillibah are navigable by shallow draught ships up to 12 metres in length, depending on the stage of the tide. The clearance height for the road bridge is about three metres at highest astronomical tide. The depth of navigable water is less than two metres at lowest astronomical tide. The width of navigable water in this section of the creek varies from approximately 30 to 60 metres.

Upstream of Petrie Creek's confluence with Paynter Creek, the waterway meanders at angles of 90° or less, and becomes very narrow and shallow. Just downstream of the Bruce Highway at Rosemount, the width of the waterway is less than 10 metres. Anecdotal reports from canoeists suggest the presence of rock bars and other submerged hazards in the creek's upper reach.

Paynter Creek flows into Petrie Creek near the Dusty Rhodes Bridge at Diddillibah, which has a clearance height of about three metres. Paynter Creek is an extremely narrow and shallow waterway that meanders from its source at West Woombye. The waters of the creek are navigable by only the smallest of ships, such as dinghies, kayaks and canoes.

Water skiing activities are prohibited on waters of Petrie Creek and Paynter Creek.

There are no aids to navigation in either creek, but there are two water skiing signs erected near the mouth of Petrie Creek.

There is an informal public boat ramp for Petrie Creek off Petrie Creek Road at Diddillibah at the creek's confluence with Paynter Creek.

Maritime Safety Queensland does not conduct regular hydrographic surveys of Petrie Creek. The most recent survey was conducted during February 2001, and then only to just within the entrance of the creek.

### 11.1.1 Waterway users and issues

The user density for Petrie and Paynter Creeks ranges from low to very low, even during weekends, public holidays and school holidays.

The waterway user of Petrie and Paynter Creeks are mainly:

- dinghies and speed boats engaged in recreational fishing
- occasional fast moving personal watercraft
- occasional slow moving passive craft, like kayaks and canoes
- shore-based recreational fishers.

The Reference Group identified two waterway issues for Petrie and Paynter Creeks:

- the natural features of both creeks (for example, underwater obstructions and the meandering channels), which mean that ships cannot navigate safely at high speed
- effects of wash from high-speed ship operations generally.

Maritime Safety Queensland has not received any reports of marine incidents on Petrie or Paynter Creeks since July 2000.

### 11.1.2 Existing legislative requirements

A general smooth water speed limit of 40 knots applies to all ships on Petrie and Paynter Creeks because no other speed limit has been fixed for these waterways. The general speed limit was fixed by gazette notice on 21 May 2004.

A speed limit of 30 knots or less applies to all personal watercraft used for hire and drive operations, following recommendations from a coronial report in March 2010. The speed limit was fixed by gazette notice on 27 May 2011.

The operational speed limits provided by sections 127, 127A and 128 of the *Transport Operations (Marine Safety) Regulation 2004* apply.

The freestyling restriction provided by section 127B of the *Transport Operations (Marine Safety) Regulation 2004* may also apply.

All waters of Petrie and Paynter Creeks are stated by gazette notice as waters where water skiing is an activity that endangers marine safety. The gazette notice was published on 28 February 1997.

Maritime Safety Queensland has not received any complaints regarding contraventions of marine safety legislation on Petrie Creek or Paynter Creek, since at least January 2007.

### 11.1.3 Recommendations

Petrie Creek is a narrow, meandering waterway subject to low levels of ship traffic, even on weekends, public holidays and school holidays.

Paynter Creek is a very narrow and shallow meandering waterway.

The Reference Group believes the existing water skiing prohibition achieves an acceptable level of marine safety and should be maintained.

The Reference Group believes that high-speed ship operations on Petrie Creek from the creek's confluence with the Maroochy River to the bridge on David Low Way endanger marine safety, because of the creek's natural features. The group contends that a ship's master navigating these waters at high speed is unable to comply with the operational speed limits of the *Transport Operations (Marine Safety) Regulation 2004* and rules 6, 8 and 9 of the Collision Regulations.

Importantly, the Reference Group acknowledges that a contravention of any one of these legislative requirements may cause a marine incident, which in turn, may be evidence of a contravention of the general safety obligation imposed by section 43 of the *Transport Operations (Marine Safety) Act 1994*.

The Reference Group also believes that high-speed operations on Paynter Creek are unsafe, because of the creek's natural features.

Consequently, the Reference Group believes that the existing regulatory regime for Petrie and Paynter Creeks should be expanded to provide a better marine safety system, and therefore makes the following recommendations:

### **General recommendations**

- 1 – Enforcement presence
- 3 – Existing water skiing prohibition for creeks and waterways flowing into Maroochy River
- 4 – New speed signs
- 5 – New water skiing signs
- 6 – Update Beacon to Beacon
- 7 – Review of new speed limits and water skiing prohibitions by December 2012

### **Specific recommendations**

#### **45 – Petrie and Paynter Creeks – new speed limits of 20 knots and 6 knots**

*That the General Manager should fix by gazette notice a new speed limit of 20 knots for all ships on waters of Petrie Creek from the creek's confluence with Maroochy River to the bridge across the creek on David Low Way at Diddillibah; in conjunction with*

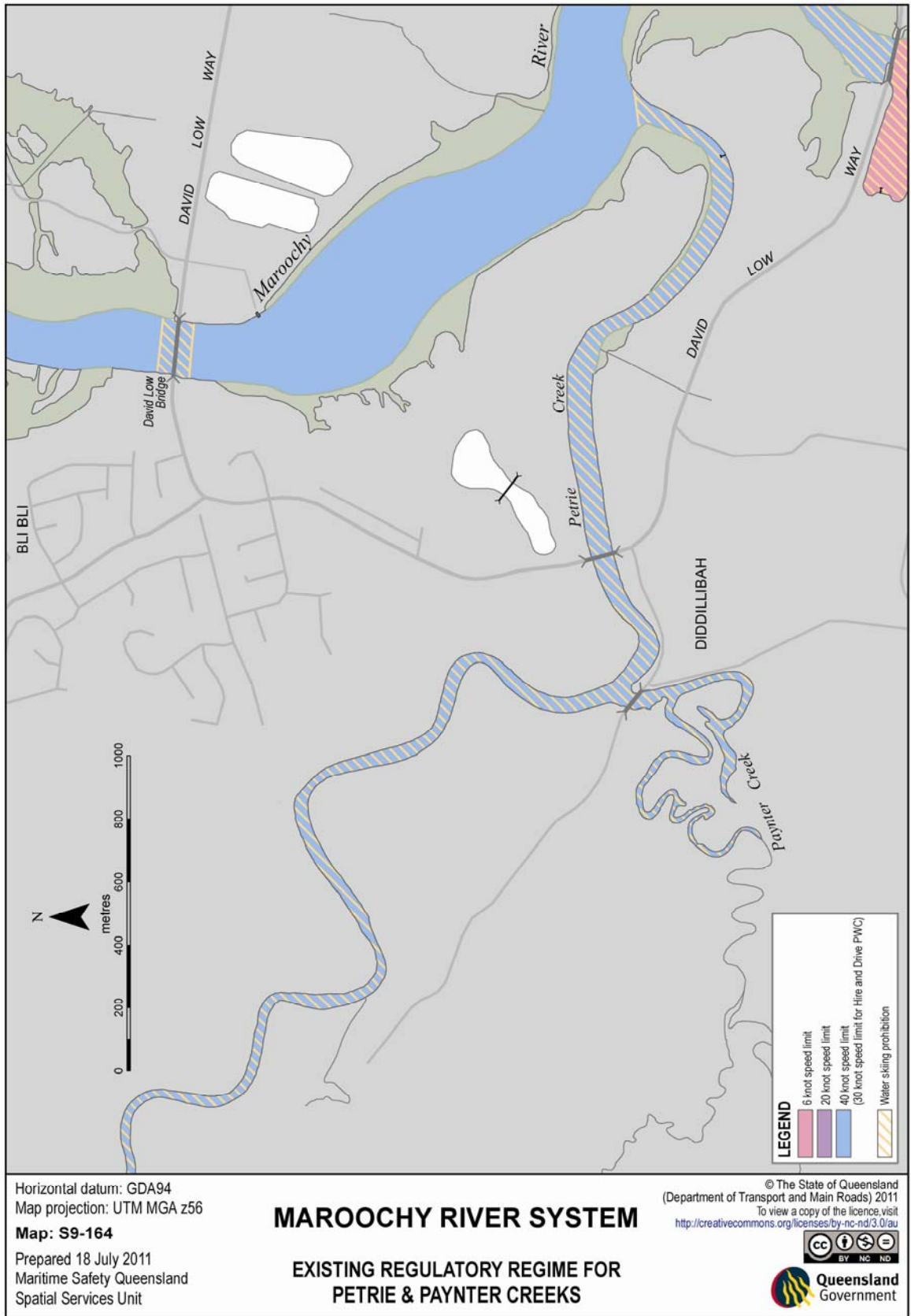
*That the General Manager should fix by gazette notice a new speed limit of 6 knots for all ships on waters of Petrie Creek upstream from the bridge across the creek on David Low Way at Diddillibah, including all creeks and waterways flowing into Petrie Creek upstream of the bridge.*

#### **46 – Petrie Creek – new warning sign**

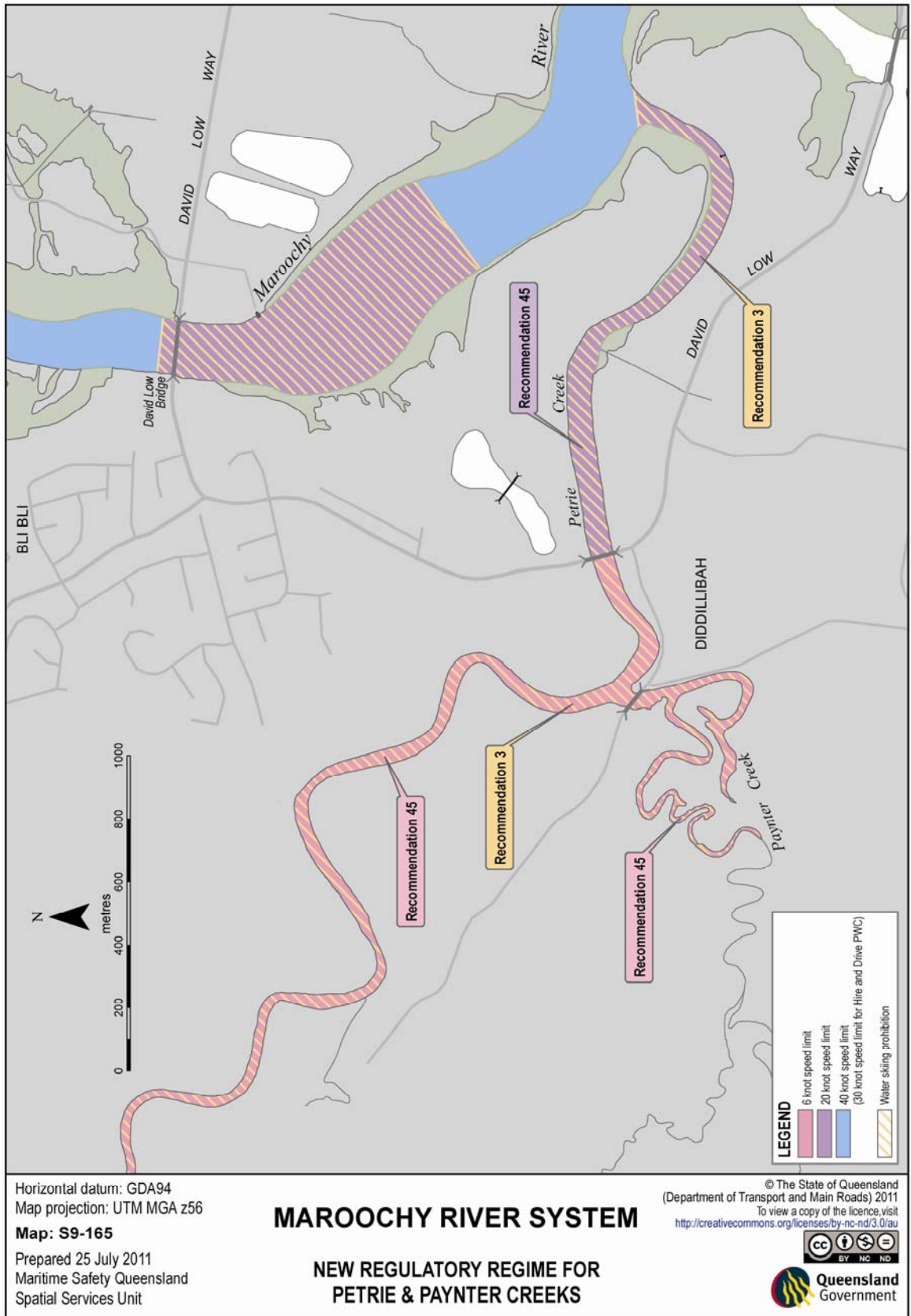
*That Maritime Safety Queensland should erect one new warning sign at the entrance to Petrie Creek – POTENTIAL OBSTRUCTIONS / NAVIGATE WITH CAUTION.*

The Reference Group did not identify any unresolved issues for Petrie or Paynter Creeks.

Maps that depict the existing regulatory regime and the new regime recommended by the Reference Group can be found on pages 91 and 92.



**Map S9-164 – Existing regulatory regime for Petrie and Paynter Creeks**



**Map S9-165 – New regulatory regime for Petrie and Paynter Creeks**