

## 9.6 Area 6 – David Low Bridge to upstream of Sunshine Motorway Bridge

Area 6 of the Maroochy River is the section of the river from the David Low Bridge at Bli Bli to 500 metres upstream of the Sunshine Motorway Bridge at Maroochydore, and includes some small drains. This section of the river is approximately 2.9 kilometres in length. It is very popular for all types of ship operations and activities, including speed boats, dinghies, personal watercraft, passive craft and water skiing.

Land uses along the banks of Area 6 are predominantly native vegetation, agriculture, a small amount of commercial development, and a very small amount of rural and urban residential development – there are fewer than 50 dwelling houses within 100 metres of the river's banks. The western bank retains most of its riparian vegetation to the mouth of Eudlo Creek. The eastern bank also retains most of its riparian vegetation, except for two sections: along the shore of Muller Park immediately downstream of the David Low Bridge; and a section approximately one kilometre in length, which is adjacent to the urban and rural developments. Area 6 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 Area 6.

The waters of Area 6 are navigable for small powered ships up to 12 metres in length. The depth of navigable water varies from about one metre at lowest astronomical tide to more than four metres at lowest astronomical tide. The width of navigable water is not less than 100 metres, except where the main channel narrows to less than 60 metres between sand banks approximately 500 metres to one kilometre downstream of the David Low Bridge. A series of aids to navigation mark navigable waters of the main channel through this area.

The waters of the small drains flowing into this section of the river are very narrow and shallow. They are navigable by only the smallest of ships, such as dinghies, kayaks and canoes.

Water skiing activities are currently permitted on certain waters of Area 6, namely from 50 metres downstream of the David Low Bridge to 500 metres upstream of the Sunshine Motorway Bridge. The water skiing area is approximately 2.8 kilometres in length. There are water skiing signs near the David Low Bridge, the mouth of Petrie Creek, the mouth of Eudlo Creek and approximately 500 metres upstream of the Sunshine Motorway Bridge. Information from shipping inspectors suggest that most ships towing water skiers do not attempt to navigate the area where the main channel narrows between the sand banks.

The Reference Group examined the features of the main channel within one kilometre downstream of the David Low Bridge. In addition to the sand banks and the aids to navigation, there is an oyster area adjacent to the river's western bank near the most upstream starboard lateral beacon. The Reference Group noted that

these features represent a significant hazard to the navigation of ships engaged in water skiing activities.

For at least 11 years, the water skiing signs supposed to mark the boundary of the water skiing prohibition 500 metres upstream of the Sunshine Motorway Bridge were positioned approximately 250 metres upstream of the bridge. Maritime Safety Queensland repositioned these signs to the location stated in the relevant gazette notice on 21 October 2008. The width of navigable water near this boundary begins to narrow approximately 200 metres upstream of the Sunshine Motorway Bridge. Section 9.7 of the report discusses this issue in more detail.

There are two public boat ramps for Area 6: the Muller Park public boat ramp off David Low Way at Bli Bli; and the public boat ramp commonly called the Cod Hole boat ramp off Bradman Avenue at Maroochydore.

Maritime Safety Queensland does not conduct regular hydrographic surveys of Area 6. The most recent survey was conducted during February 2001.

### **9.6.1 Waterway users and issues**

The user density for Area 6 ranges from low to very high during weekends, public holidays and school holidays, depending on the time of day.

The waterway users of Area 6 are predominantly:

- dinghies and speed boats engaged in recreational fishing
- slower moving motor boats
- passenger vessels conducting environmental tours
- fast moving speed boats and personal watercraft towing water skiers and wake boarders
- fast moving speed boats and personal watercraft
- slow moving passive craft, like small sailing boats, kayaks and canoes
- shore-based recreational fishers.

Water skiing and wake boarding activities are very popular on Area 6, where not prohibited.

The *Sunshine Coast Vessel Activity Survey 2009* reported 236 observations of ships on Area 6 during a 12 hour period on 11 April 2009. This number included 149 recreational speed boats, 27 recreational personal watercraft and 27 paddle craft, which represented about 20 ship movements per hour. The total number of ships also represented a 45% decrease from the total number of ships observed during the survey in 2008. The number of ships was consistent with the surveys from 1998 to 2002.

The Reference Group identified a number of waterway issues in Area 6:

- interaction and congestion of different types of ships during weekends and holidays
- passing and operating distances by some powered ships near launching areas, anchored boats and slow moving craft – contraventions of operational speed limits

- frustration amongst waterways users due to the mixed nature of activities within the area
- loss of direction for ship navigation due to the broad nature of the area's lower section
- contraventions of the freestyling restriction by recreational personal watercraft
- minor conflict between water skiers and recreational fishers in anchored boats.

Maritime Safety Queensland has received 12 reports of marine incidents in Area 6 since July 2000. Two of these events resulted in serious injuries to two people who required hospitalisation.

### 9.6.2 Existing legislative requirements

A general smooth water speed limit of 40 knots applies to all ships on Area 6 (and all creeks and drains flowing into it) because no other speed limit has been fixed for this section of the Maroochy River. 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.

The waters of Area 6 within 50 metres (upstream and downstream) of the David Low Bridge at Bli Bli 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.

The waters of all watercourses and canals flowing into Area 6, except for certain waters of Eudlo Creek, are also 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 as well.

Reports from shipping inspectors suggest that some speed boats and personal watercraft in Area 6 regularly contravene the personal flotation device and observer requirements for water skiing activities.

Maritime Safety Queensland has also received anecdotal reports that some speed boats towing water skiers commence their water skiing activities near the mouth of Eudlo Creek and then navigate at high speed from Area 6 to Area 5 beneath the David Low Bridge.

### 9.6.3 Recommendations

Area 6 of the Maroochy River is a broad waterway often subject to very high levels of ship traffic on weekends, public holidays and school holidays.

The sand banks marked by the aids to navigation approximately 500 metres to one kilometre downstream of the David Low Bridge represent a significant hazard to navigation for ships travelling at high speed and towing water skiers.

The small drains that flow into Area 6 are very narrow and shallow.

The Reference Group recognises the importance and popularity of Area 6 for all types of boating activities, particularly water skiing and wake boarding.

However, the Reference Group believes that high-speed ship operations and water skiing activities near and around the sand banks and the aids to navigation within 1,000 metres downstream of the David Low Bridge (as well as the oyster area) endanger marine safety, because of the nature of these hazards. The group contends that a ship's master navigating these waters at high speed and towing a water skier is unable to satisfy the general safety obligation imposed by section 43 of the *Transport Operations (Marine Safety) Act 1994*.

The Reference Group also believes that high-speed ship operations on waters of the small drains that flow into Area 6 are unsafe.

Consequently, the Reference Group believes that the existing regulatory regime for Area 6 should be expanded to provide a better marine safety system, and therefore makes the following recommendations:

### **General recommendations**

- 1 – Enforcement presence
- 2 – New speed limit of 6 knots for creeks and waterways flowing into Maroochy River
- 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**

#### **32 – Maroochy River (Area 6) – existing speed limit of 40 knots**

*That the General Manager should maintain the existing speed limit of 40 knots for all ships on waters of Maroochy River from 1,000 metres downstream of David Low Bridge at Bli Bli to 200 metres upstream of Sunshine Motorway Bridge at Maroochydore.*

### **33 – Maroochy River (Area 6) – new speed limit of 20 knots**

*That the General Manager should fix by gazette notice a new speed limit of 20 knots for all ships on waters of Maroochy River from 50 metres upstream of David Low Bridge at Bli Bli to 1,000 metres downstream of David Low Bridge at Bli Bli.*

### **34 – Maroochy River (Area 6) – new water skiing prohibition**

*That the General Manager should state by gazette notice a new water skiing prohibition for waters of Maroochy River from 50 metres upstream of David Low Bridge at Bli Bli to 1,000 metres downstream of David Low Bridge at Bli Bli.*

### **35 – Maroochy River (Area 6) – new warning signs**

*That Maritime Safety Queensland should erect five new warning signs at strategic locations in Area 6 to warn waterway users about obstructions and hazardous conditions that affect navigation:*

- *at the public boat ramps at Muller Park, Fishermans Road and Cod Hole – three warning signs (one at each location) – BUSY WATERWAY (with graphical symbols for powered ship, personal watercraft, water skiing, sailing ship and paddle craft) NAVIGATE TO CONDITIONS*
- *between David Low Bridge and Sunshine Motorway Bridge – two warning signs – SAND BANKS / NAVIGATE WITH CAUTION.*

### **53 – Maroochy River (Areas 6 and 7) and Eudlo Creek – new education campaign**

*That Maritime Safety Queensland should develop and implement a new recreational boating education campaign for Maroochy River and Eudlo Creek to raise community awareness about:*

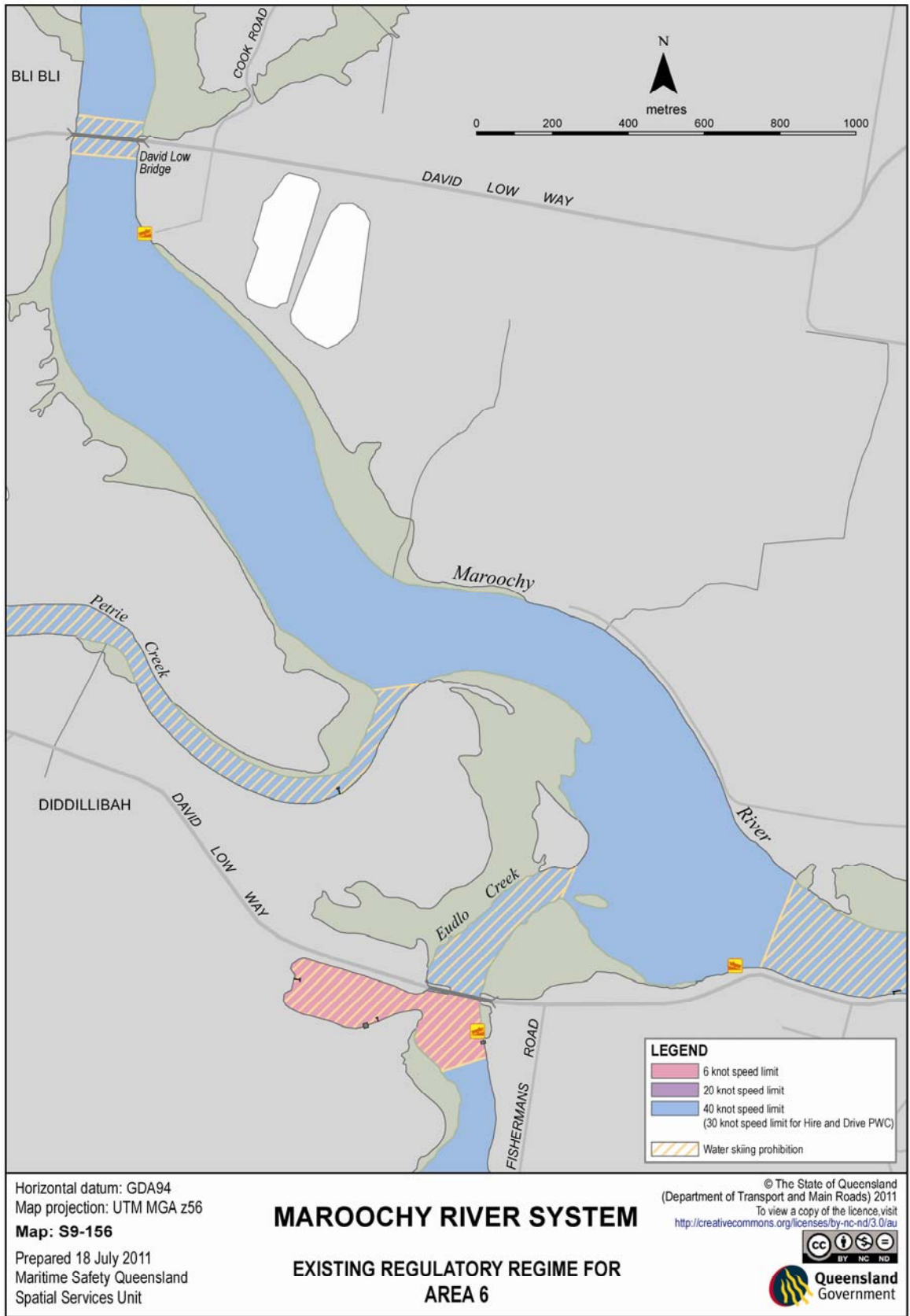
- *different types of ship operations and activities reasonably expected between Bli Bli and Maroochydore*
- *water skiing on Eudlo Creek (subject to recommendations 49A or 49B)*
- *freestyling restriction for personal watercraft*
- *operational speed limits for ships and personal watercraft.*

The education campaign could include:

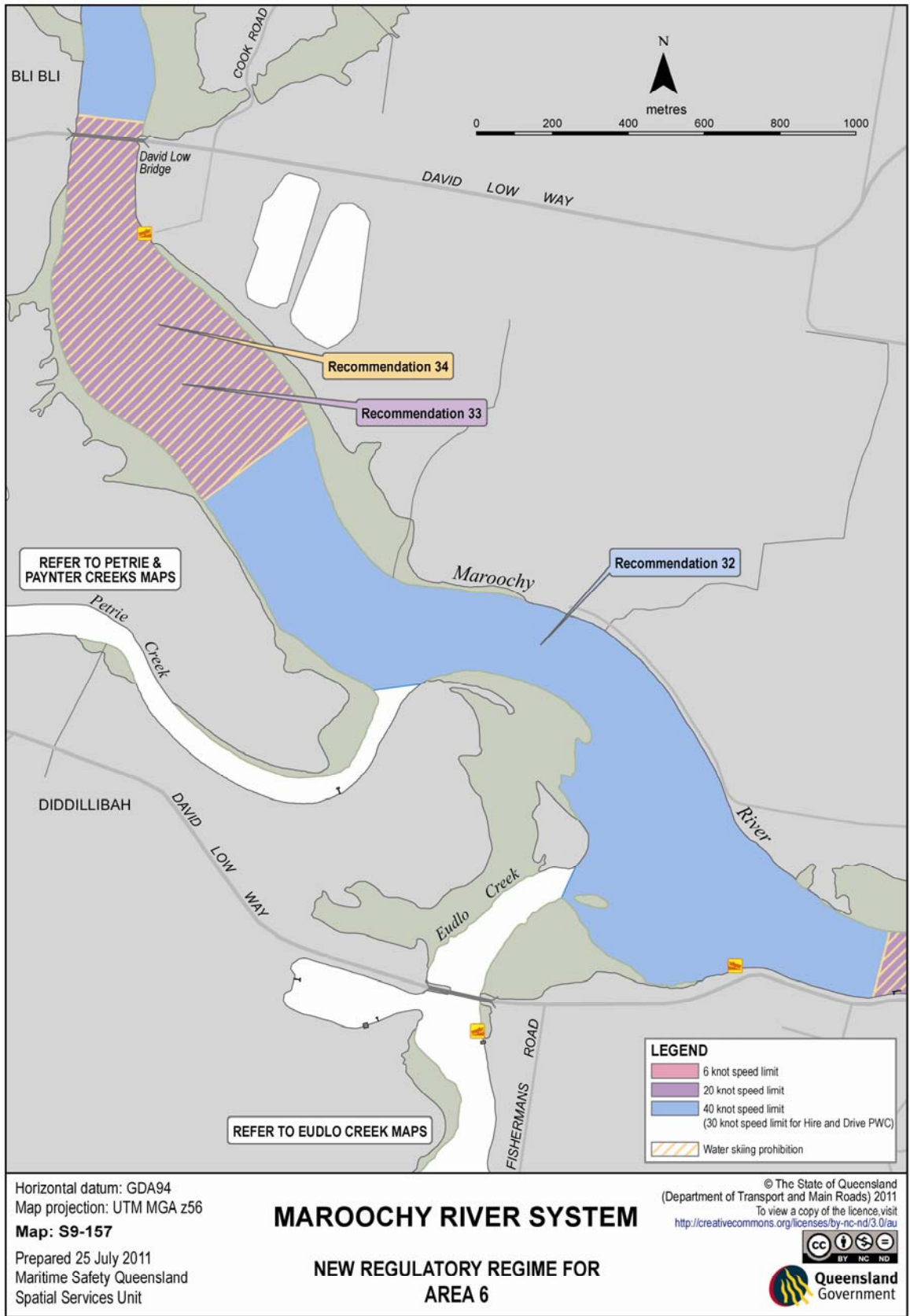
- information packs
- information on Maritime Safety Queensland's website
- information on Department Transport and Main Road's Facebook and Twitter pages
- links from Maritime Safety Queensland's website to other government websites
- links from websites owned by external entities to Maritime Safety Queensland's website (subject to approval where necessary)
- articles in Maritime Safety Queensland's publication *Seascope*
- notices to mariners.

The Reference Group did not identify any unresolved issues for Area 6.

Maps that depict the existing regulatory regime and the new regime recommended by the Reference Group can be found on pages 68 and 69.



**Map S9-156 – Existing regulatory regime for Area 6**



**Map S9-157 – New regulatory regime for Area 6**