

9.3 Area 3 – Near Dunethin Rock to the cane train bridge

Area 3 of the Maroochy River is the section of the river downstream from the small unnamed creek immediately downstream of Dunethin Rock to 50 metres downstream of the disused cane train bridge at the suburb of Maroochy River, which is approximately two kilometres downstream of Dunethin Rock. Area 3 is approximately 1.3 kilometres in length.

Land use along the banks of Area 3 is predominantly agriculture, with only a few dwelling houses within 100 metres of the river's banks. Except for narrow strips of 15 metres or less in width, most riparian vegetation has been cleared from the river's banks.

Some sections of the river's banks in Area 3 are suffering from erosion and severe instability. The bank instability is probably attributable to vegetation clearance, wave action and rainwater runoff. There are no conservation parks along this section of the Maroochy River.

The waters of Area 3 are navigable for small powered ships up to seven metres in length, like dinghies, speed boats, motor boats and personal watercraft; and passive craft, like kayaks and canoes. The depth of navigable water varies from about two metres to five metres at lowest astronomical tide. The width of navigable water varies from:

- approximately 55 metres at a bend just downstream of the small unnamed creek
- less than 65 metres at the next bend further downstream of the small unnamed creek
- approximately 80 metres near the disused cane train bridge.

The small unnamed creek immediately downstream of Dunethin Rock is extremely narrow and shallow. The creek is navigable by only the smallest of ships, like dinghies, kayaks and canoes.

With the exception of slow moving passive craft, such as kayaks and canoes, all ships travelling upstream of the cane train bridge must navigate beneath a raised span of the bridge, which is less than 10 metres wide. The clearance height for the cane train bridge is 3.5 metres at highest astronomical tide. Except for some small blue reflectors on the downstream side, there are no other reflectors or lights on the cane train bridge to assist night-time navigation. It is common for shore-based recreational fishers to fish from the cane train bridge during the day and night.

Water skiing activities are currently permitted on waters of Area 3, except for 50 metres upstream and downstream of the cane train bridge. The length of the water skiing area is approximately 1.2 kilometres. There is a 90° bend in the river approximately 480 metres downstream of the small unnamed creek immediately downstream of Dunethin Rock. The width of navigable water at this bend is less than 65 metres.

There is an overhead cable just upstream of the cane train bridge. This represents a hazard to navigation and is identified by a sign.

There are no aids to navigation in Area 3, but there are water skiing signs near the small unnamed creek and the cane train bridge.

There are no public boat ramps for Area 3.

Maritime Safety Queensland does not conduct regular hydrographic surveys of Area 3. The most recent survey was conducted during February 2001.

9.3.1 Waterway users and issues

The user density for Area 3 ranges from very low to medium during weekends, public holidays and school holidays, depending on the time of day.

The waterway users of Area 3 are predominantly:

- dinghies and speed boats engaged in recreational fishing
- slower moving motor boats
- 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 kayaks and canoes
- occasional shore fishers and swimmers.

The Reference Group identified two waterway issues in Area 3:

- conflict between speed boats navigating the cane train bridge and recreational fishers fishing from the bridge
- interaction of fast moving speed boats and personal watercraft towing water skiers and wake boarders with recreational fishers in dinghies and speed boats setting crabs pots.

Maritime Safety Queensland has not received any reports of marine incidents in Area 3, since at least July 2000.

9.3.2 Existing legislative requirements

A general smooth water speed limit of 40 knots applies to all ships on Area 3 (including small the unnamed creek) 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 3 within 50 metres upstream and downstream of the cane train bridge 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 3 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.

Maritime Safety Queensland has not received any complaints regarding contraventions of marine safety legislation in Area 3, since at least January 2007.

9.3.3 Recommendations

Area 3 of the Maroochy River is a relatively narrow waterway subject to low to medium levels of ship traffic on weekends, public holidays and school holidays. The cane train bridge is a significant hazard to navigation.

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

However, the Reference Group believes that high-speed ship operations near the cane train bridge endanger marine safety, because of the nature of this hazard. The group contends that a ship's master navigating near and beneath the bridge at high speed 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 the small unnamed creek flowing into Area 3 are unsafe.

Consequently, the Reference Group believes that the existing regulatory regime for Area 3 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

18 – Maroochy River (Area 3) – new speed limit of 6 knots

That the General Manager should fix by gazette notice a new speed limit of 6 knots for all ships on waters of Maroochy River within 50 metres upstream and downstream of the cane train bridge at the suburb of Maroochy River.

19 – Maroochy River (Area 3) – existing water skiing prohibition

That the General Manager should maintain the existing water skiing prohibition for waters of Maroochy River within 50 metres upstream and downstream of the cane train bridge at the suburb of Maroochy River.

20 – Maroochy River (Area 3) – new reflectors for the cane train bridge

To assist night time navigation, that Sunshine Coast Regional Council should fix suitable reflectors to the cane train bridge across Maroochy River at the suburb of Maroochy River.

The Reference Group identified some unresolved issues in Area 3:

- extensive shoreline damage
- wash generation by certain types of speed boats used for wake boarding
- land management practices that contribute to bank erosion.

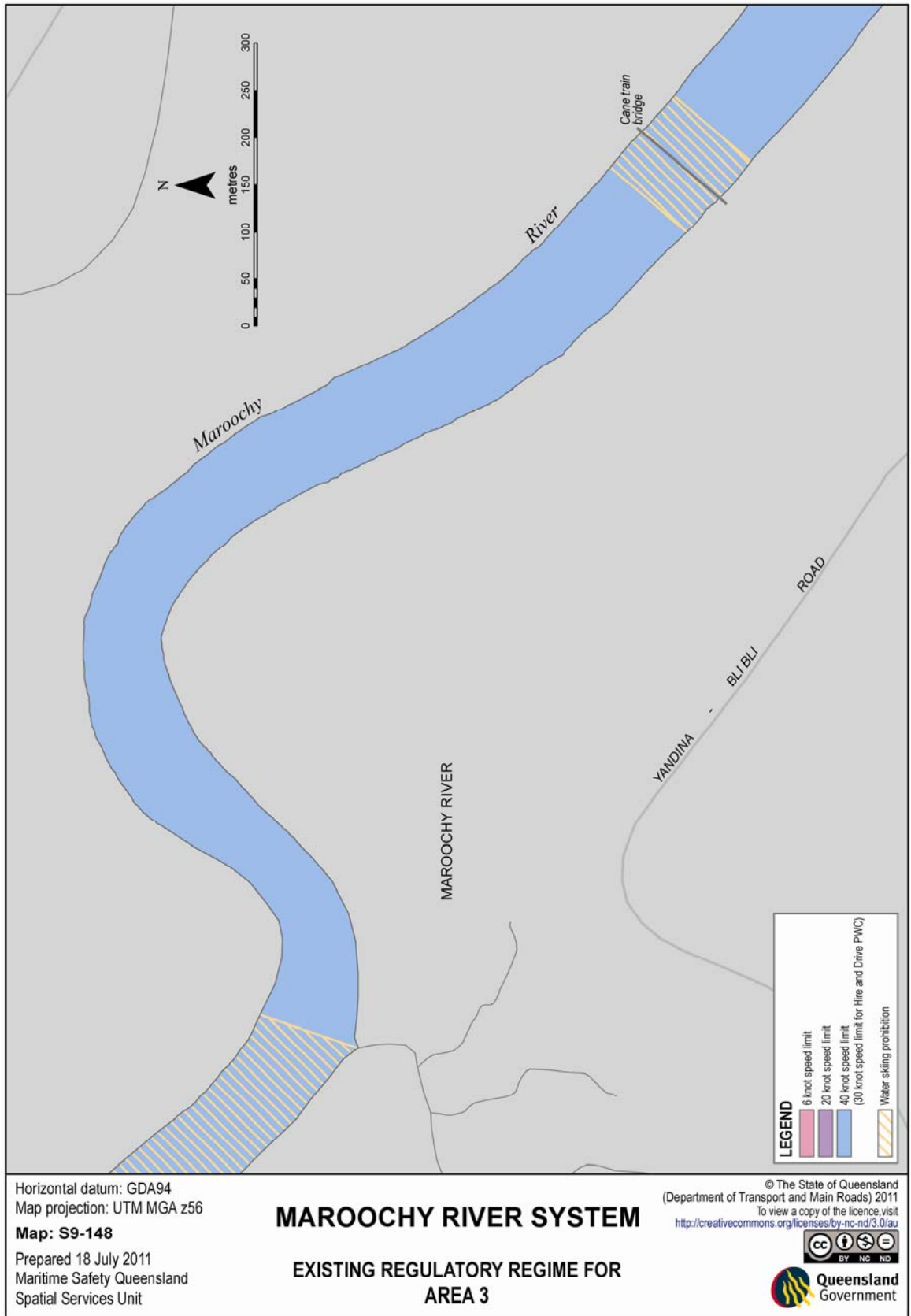
As mentioned in section 9.2.3, the Maroochy River Water Ski Association presented a document to the Reference Group that mentioned speed boats more than 6.1 metres in length, which are specifically designed for wash enhancement during wake boarding activities. The Reference Group acknowledges that a ship's wash is directly related to the ship's waterline length, and that wash is capable of causing damage to the shoreline.

Consequently, the Reference Group also makes the following recommendation:

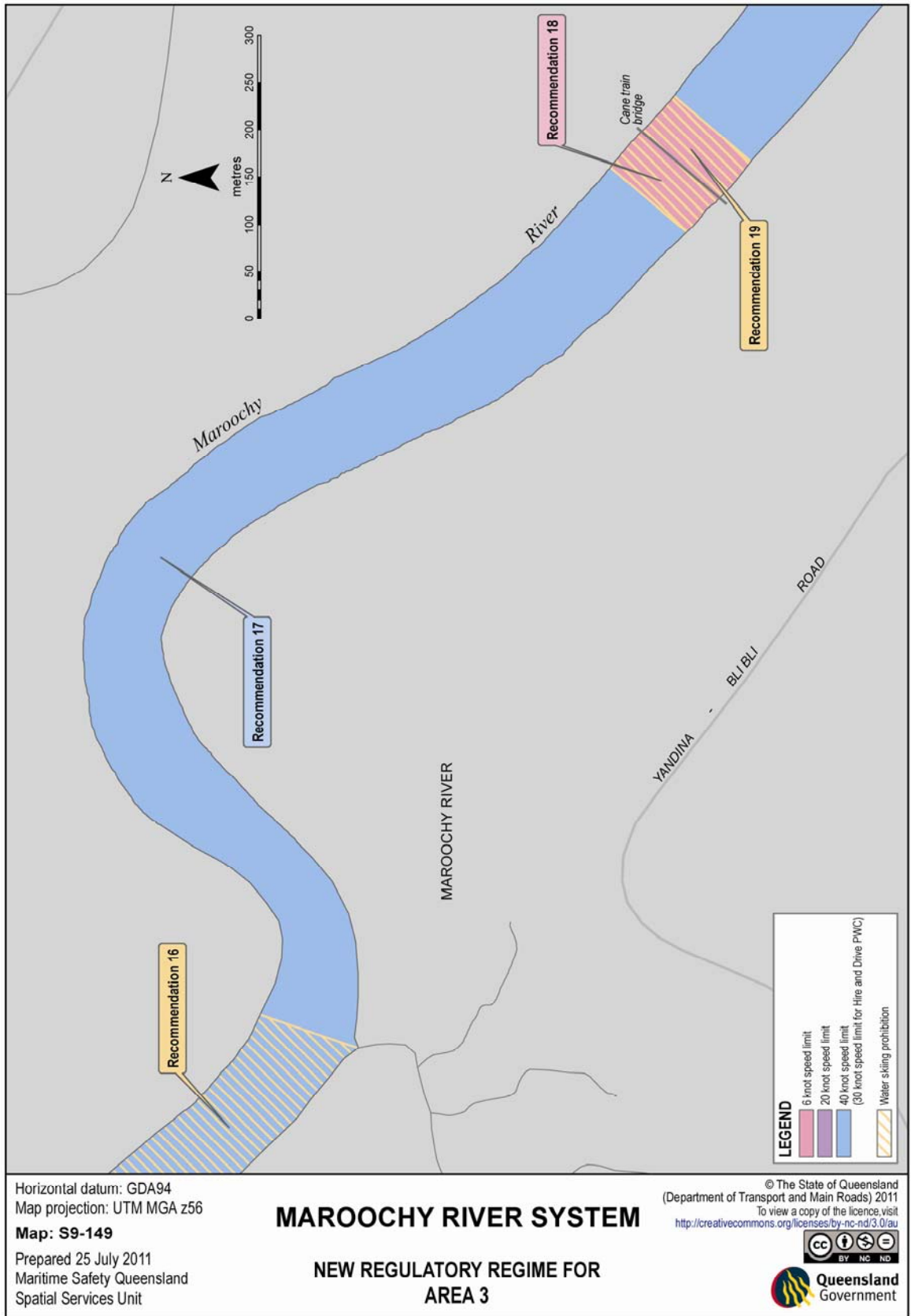
8 – Maroochy River system – proposal for a marine zone

That Sunshine Coast Regional Council should consider a proposal for a marine zone as envisaged by part 9A of the Transport Operations (Marine Safety) Regulation 2004 to manage wash capable of causing damage to the shoreline by a requirement that a ship more than 6.1 metres in length must not be operated in the marine zone for wake boarding.

Maps that depict the existing regulatory regime and the new regime recommended by the Reference Group can be found on pages 42 and 43.



Map S9-148 – Existing regulatory regime for Area 3



Map S9-149 – New regulatory regime for Area 3