

# Marine Zone Proposal for Lake Wivenhoe Public Consultation Paper

Consultation Paper Not Government Policy

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# Have Your Say

As a branch of the Department of Transport and Main Roads (TMR), Maritime Safety Queensland (MSQ) is undertaking a consultation process in relation to Seqwater's proposal to implement a marine zone on Lake Wivenhoe. It is important MSQ receives feedback to allow for any advantages, issues or considerations associated with the proposed marine zone to be identified, analysed and assessed.

MSQ is seeking public comment on the questions at **Appendix A** at the end of this consultation paper regarding Seqwater's proposed Lake Wivenhoe marine zone including, but not limited to:

- whether the marine zone should be implemented on Lake Wivenhoe
- whether the proposed marine zone conditions are reasonable and relevant, which include:
  - 6 knot speed limit
  - Low emission 4 stroke or direct injection 2 stroke engines only
  - No overnight stays
  - No towing
  - No entering dam wall restricted areas.

MSQ invites you to provide any feedback you may have on this proposal by no later than **16 October 2023**. Please provide any questions you may have relating to this proposal to [consultation@msq.qld.gov.au](mailto:consultation@msq.qld.gov.au) or visit <https://www.getinvolved.qld.gov.au/> to complete the survey.

## Introduction

Seqwater is responsible for providing a safe and secure water supply across Southeast Queensland. In addition to providing flood mitigation and irrigation water for farmers, Seqwater is responsible for providing clean water to over 3.2 million people in Queensland. Seqwater manages Lake Wivenhoe, which is an open water catchment, allowing the community to access and enjoy the lake and catchment land for recreational activities. Access to the lake for recreational activities is balanced with maintaining the quality of the water supply for the region. Seqwater has proposed a marine zone for Lake Wivenhoe to allow safety risks to be effectively managed by legislating specific conditions of use. MSQ is requesting feedback on the proposal to ensure an understanding of the impacts, positive and negative, on Lake Wivenhoe users and residents of South East Queensland.

## Privacy

TMR is collecting feedback in relation to the proposal to introduce a marine zone on Lake Wivenhoe. TMR abides by the Information Privacy Act when managing personal information. Your responses may be submitted anonymously however, in the event you do provide information that may be considered personal, TMR will manage this securely and will not use or disclose this information for another purpose without consent unless authorised or required to by law.

# Marine zones

## What is a marine zone?

A marine zone is an area of a main waterway separated by imaginary boundary lines drawn between a set of coordinates. Marine zones have rules (known as conditions) about what can and cannot occur within the marine zone. These conditions are regulated under [Schedule 5](#) of the [Transport Operations \(Marine Safety\) Regulation 2016](#). Marine zone conditions are enforced and if a condition is contravened, fines can be issued by Queensland Water Police, MSQ and authorised shipping inspectors employed by the local government or government entity.

## Why implement a marine zone?

Marine zones are required when a local government or other government entity need to manage certain activities on their waterway and no other suitable options exist that can achieve the same result.

## Other marine zone in Queensland

There are currently two other marine zones in Queensland. These include:

### Tallebudgera Creek

The [marine zone at Tallebudgera Creek](#) prohibits personal watercraft use in the marine zone.

### Noosa River

The [marine zone at the Noosa River](#) has various conditions that are applicable to different sections of the river. Conditions currently associated with the Noosa River include:

- Prohibition of hovercraft, airboats and sea planes in the river
- Location restrictions on recreational and commercial personal watercraft use; and
- Location and time restrictions for water skiers.

# Public consultation

## Seqwater public consultation

Seqwater undertook public consultation from 21 February to 1 April 2022 with 19 responses in total, 16 of which were positive or neutral. Most feedback was in relation to the existing 6 knot speed zone with six requests for it to be increased in some areas of the Lake. Some respondents requested the current site rule prohibiting personal watercraft (also known as jetskis) be reconsidered. Seqwater and MSQ have reconsidered the site rule and propose to allow personal watercraft, provided they are restricted to 6 knots.

## Maritime Safety Queensland Public Consultation

Before considering any change to its laws, it must undertake public consultation. Public consultation assists in maintaining Queensland Government best practices by ensuring the public and industry have opportunities to provide feedback and information on proposed amendments. Further, MSQ can conduct an analysis to determine the impact the marine zone may have.

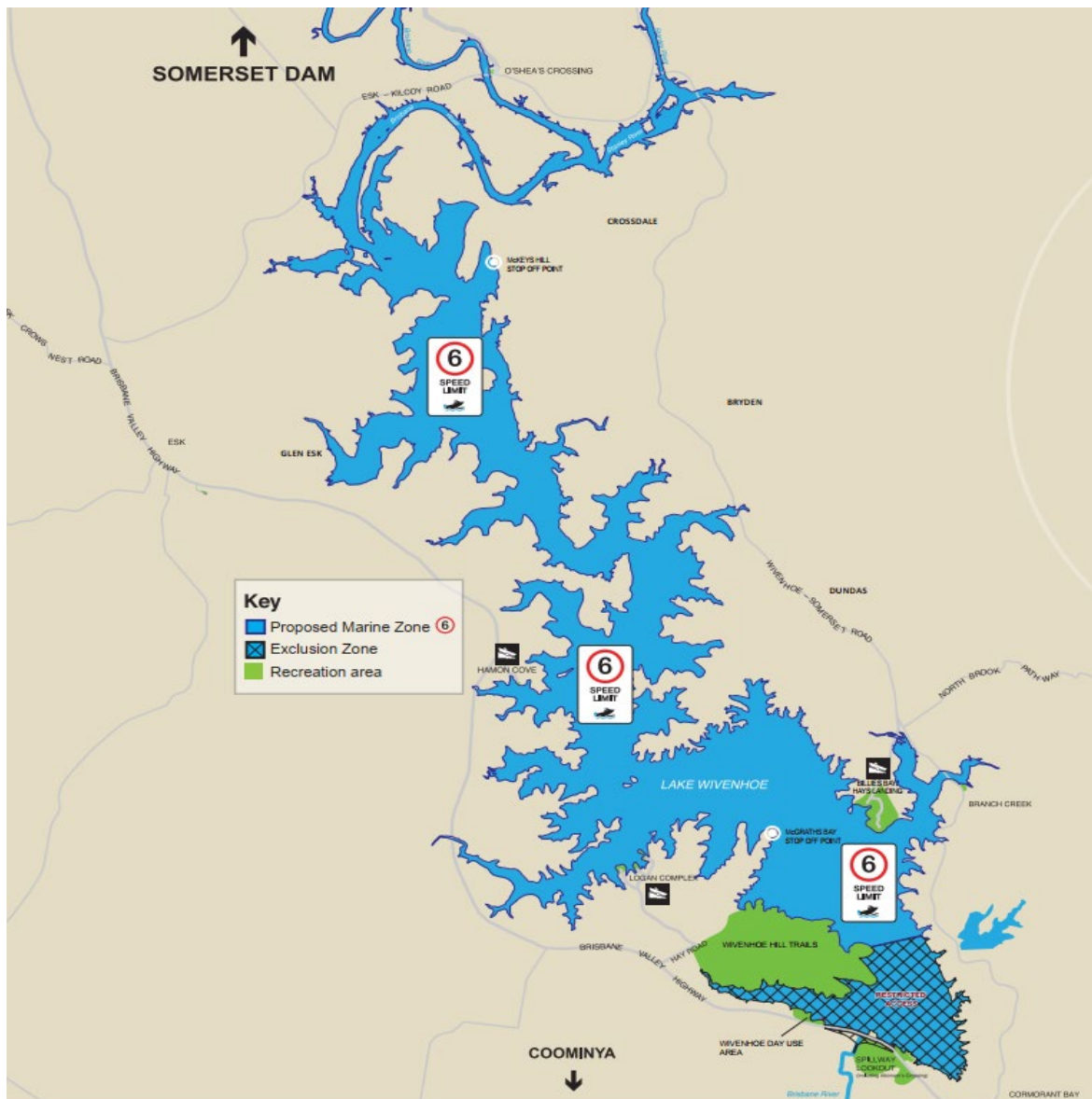
# Current and proposed rules

## Current rules for using a vessel on Lake Wivenhoe

The site rules for vessel use on Lake Wivenhoe have been implemented to maintain a balance between preservation of the local environment, the natural amenity of the area recreational boating activities. Site rules currently include:

- 6 knot speed limit for all vessels on the lake
- Using passive craft or vessels with low emission engines
- Prohibition of personal watercraft
- Prohibition of overnight stays on any type of vessel
- Prohibition of skiing or towing activities.

The proposed area is outlined in the map below:



## Proposed marine zone conditions for using a vessel on Lake Wivenhoe

Seqwater's marine zone application for Lake Wivenhoe has proposed the following conditions be legislated under the *Transport Operations (Marine Safety) Regulation 2016*:

- 6 knot speed limit for all petrol and electric powered vessels (passive craft are exempt from the 6-knot limit)
- Petrol powered vessels must be direct injection 2 stroke or low emission 4 stroke engines
- Prohibit overnight stays on any vessel on the Lake
- Prohibit skiing and towing activities on the Lake
- Prohibit all vessels passing through the dam wall restricted area buoy line at coordinates -27.373 152.611, -27.370 152.624

It should be noted that Seqwater and other approved vessels will be exempt from the 6-knot limit and entering the dam wall restricted area.

### 6 knot Speed Limit

A 6-knot limit will be applied for all petrol and electric powered vessels. Passive craft are exempt from the 6-knot limit.

#### Rationale

Lake Wivenhoe caters for more passive recreational pursuits. Lakes Somerset and Atkinson are both closely located to Wivenhoe and cater for high-speed watercraft and activities, such as water skiing, jet skiing and tubing.

Seqwater is also endeavouring to enhance lake safety, amenity, and local environment by limiting motorised and electric vessels to a 6-knot speed limit. By limiting vessel speed, Seqwater aim to:

- Mitigate vessel and personnel damage from submerged hazards (dead wood and fence lines)
- Reduce the amount of vessel groundings, recoveries, and vessel sourced pollutants
- Improve the natural amenity and ambience of the area through noise control and speed management
- Limit shoreline wave scarring and sediment mobilisation to protect the habitats of plants and animals.

#### Benefits

Speed has been a contributing factor in previous marine incidents on Lake Wivenhoe. Further, in areas where natural wave formation is lower, such as lakes, higher vessel speeds may produce higher waves that erode the banks, exposing the roots of vegetation and causing the banks to collapse. Wake impact and prop wash can also degrade the aquatic environment for plants and animals.

Limiting motorised vessel speed to 6 knots mitigates the risk of serious marine incidents from occurring and further, minimises erosion damage and sediment disturbance resultant from vessel wake.

#### Drawbacks

Given the size of Lake Wivenhoe, it can take a considerable amount of time for vessels travelling at 6 knots to get to their destination. For reference, a return trip from the Hays Landing boat ramp to the Hamon Cove boat ramp will take approximately two hours to complete.

## Low Emission 4 Stroke or Direct Injection 2 Stroke

Petrol powered vessels must be low emission 4 stroke engines or direct injection 2 stroke.

### Rationale

Research has indicated that traditional, carburetted 2 stroke outboard engines can release up to 25% of the unburned petrol/oil mix into the water, due to the fuel delivery occurring in the same engine cycle as the exhaust stroke. This results in unburnt fuel being pushed out of the 2 stroke engines exhaust port and into the waterway.

By comparison, 4 stroke engines produce up to 10 times less emissions. 4 stroke engines have separate intake and exhaust cycles, resulting in a more complete combustion process. Direct injection 2 stroke engines are also more emissions friendly than carburetted 2 stroke engines by injecting fuel after the exhaust port is closed, preventing unburnt fuel from being released into the water.

### Benefits

As Lake Wivenhoe is a popular fishing destination and is also the primary water source for residents living in Brisbane, Ipswich, Logan, Gold Coast, Beaudesert, Esk, Gatton, Laidley, Kilcoy, Nanango and surrounding areas, utilising emission efficient outboards on the Lake works towards maintaining cleaner water for fish stocks and less contaminants to process at Seqwater water treatment plants.

### Drawbacks

Recreational boat owners with traditional 2 stroke outboards may not be able to justify or afford the purchase, maintenance and repair costs associated with direct injection 2 stroke and 4 stroke outboards, precluding them from undertaking on-water activities at the Lake.

## No Overnight Stays on the Lake

Overnight stays on any vessel on the Lake are prohibited.

### Rationale

Lake Wivenhoe is more than 50 kilometres in length. Many hazards exist in Lake Wivenhoe and anyone operating at night and requiring assistance create additional risks to rescue crews, with minimal to no navigation lighting currently installed at boat ramps or marking safe channels. Overnight stays increases the potential for vessel operators to inadvertently camp in unauthorised areas or anchor at private properties.

### Benefits

Prohibiting overnight stays on the Lake mitigates marine incidents from occurring due to unseen hazards and minimal to no lighting at boat ramps and channel markers. Further, if a marine incident were to occur, there are limited avenues for assistance as certain areas of the Lake have no mobile phone reception.

Prohibiting overnight stays also ensures vessel owners are not introducing any grey water and wastewater from their vessels holding tanks into the regions drinking water supply. Prohibiting overnight stays assist in maintaining boat ramp accessibility by preventing larger vessels (such as a houseboat) utilising 2 boat ramp lanes for extended periods of time.

### Drawbacks

Boaters who would like to do multi day fishing trips without needing to head back to the boat ramp are unable to do so.



## No Towed Activities

Skiing and towing activities on the Lake are prohibited.

### Rationale

Towing activities are restricted on Lake Wivenhoe to maintain amenity in the area and to mitigate people being towed being struck by submerged objects. High speed water sports are allowed on Lakes Somerset and Atkinson. Note that most towing activities are not possible when abiding by a 6 knot speed limit.

### Benefits

Restricting towed activities in a Lake known to have submerged objects reduces risk of serious injury. Lakes Somerset and Atkinson are safer for recreational boaters to undertake water skiing and other towed activities.

### Drawbacks

Restricting water skiing and towing activities to other lakes increases high speed activities in those areas, increasing the chance of an incident elsewhere.

## No Entering Dam Wall Restricted Area

All vessels are prohibited from passing through the dam wall restricted area buoy line at coordinates -27.373 152.611 to -27.370 152.624.

### Rationale

For operational reasons, vessels cannot be taken approximately three kilometres upstream of the dam wall.

### Benefits

Prohibiting recreational boaters from getting too close to the dam wall and spillway keeps boaters safe. Recreational boaters may not know about planned or unplanned gated releases. The currents associated with a gated release may be strong enough to draw in a vessel, resulting in serious injury or death.

### Drawbacks

No drawbacks have been identified.

## Personal watercraft use

Currently, site rules prohibit the use of personal watercraft on the Lake. It is currently proposed to remove this as a condition of the marine zone, and allow personal watercraft on the Lake, provided they are operated within the other conditions mentioned above.

### Rationale

Seqwater has noted several instances of undesirable personal watercraft use that affect the amenity and environment on the Lake. To date, Seqwater has reserved personal watercraft use for other nearby lakes and has prohibited use from Lake Wivenhoe. MSQ considers that personal watercraft use is similar to that of any other powered vessel provided their use is within conditions of the marine zone outlined above.

### Benefits

Allowing use of personal watercraft on Lake Wivenhoe will allow many people to enjoy the Lake for its natural environment, and allow them to engage in activities enjoyed by other powered vessel users on the Lake, such

as fishing. MSQ notes public feedback in Seqwater's initial consultation raised concern over the prohibition of personal watercraft. MSQ notes an increase in personal watercraft use in lieu of other powered vessels due to their ease of purchase, use and manoeuvrability. Provided they are used within conditions above, MSQ considers personal watercraft are appropriate for Lake Wivenhoe.

### **Drawbacks**

There is the possibility that personal watercraft may be used in undesirable ways, which would include freestyling and other behaviour that impacts the Lake's amenity and environment. MSQ considers that this behaviour would also need to be conjunction with breaching the 6-knot speed zone in place.

## **Education and Enforcement**

### **Public Education of the Lake Wivenhoe Marine Zone Conditions**

If supported, education about the marine zone conditions is proposed to be available through various communication mediums including:

- updated signage at the Lake Wivenhoe boat ramps
- marine Zone information on tear off site maps
- Seqwater's website and social media sites will house copies of the recreation guide for Lake Wivenhoe to assist in ensuring comprehensive and consistent education for all Lake users
- ongoing engagement with the community via direct enquiries, social media and website updates
- Seqwater's existing 'Play it Safe' campaign providing additional messaging and education about the Marine Zone to the public.

### **Enforcement on Lake Wivenhoe**

Lake Wivenhoe currently has shipping inspectors patrolling the Lake. If the proposal for a marine zone is introduced, the Lake will be monitored by shipping inspectors as well as routine patrols conducted by Queensland Police Service and MSQ's Maritime Enforcement Team. Enforcement would range from formal warnings through to the issuing of Marine Infringement Notices for non-compliant behaviour.

## **Amenity and environment**

### **Water quality**

Site rules on Lake Wivenhoe already exist that limit vessel speed and the type of vessel and engines that can operate on the Lake. As such, the implementation of a marine zone on Lake Wivenhoe is not expected to have any impact on water quality.

### **Environmental and cultural protection**

Lake Wivenhoe provides habitat and foraging grounds for native animals protected under Commonwealth and State Legislation. The Commonwealth Government lists several Matters of National Environmental Significance species that live in or on Lake Wivenhoe, including birds, fish, mammals and a protected area of land.

Whilst uncommon, reported bird strikes are known to occur on Lake Wivenhoe and can pose a serious impact to species already under significant threat. Noise from boat motors can disturb water birds, and impact their breeding. Sedimentation, erosion and turbidity from boat wake is a significant threat to fauna and flora species impacting habitat, foraging grounds, health of aquatic plants and ground dwelling bird species.

Sedimentation and issues from boat wake pose a threat to land, protected areas and Indigenous cultural heritage. Part of protecting the significant cultural resources of the land includes protecting several sites of Indigenous cultural heritage directly adjacent to or within the water's edge, which can also be disturbed and/or impacted by boat wake and noise.

The 6-knot limit for motorised craft aims to limit noise and erosion impacts, whilst minimising the disturbance of native animal habitats and sensitive areas around Lake Wivenhoe.

## **Amenity of the Area**

Existing site rules at Lake Wivenhoe limit motorised craft speed to 6 knots and prohibit overnight stays. As such, implementation of a marine zone on Lake Wivenhoe is not expected to have any impact on existing amenity.

## **Next Steps**

Once the consultation period closes, MSQ will collate and analyse the feedback provided and make recommendations to the Minister of the Department of Transport and Main Roads whether to implement the marine zone, and if so, what conditions should be applied. If the Minister does not approve the marine zone, no further action will be taken. If the Minister approves the Marine Zone, the Queensland government regulatory amendment process will commence to amend Schedule 5 of the *Transport Operations (Marine Safety) Regulation 2016*.

## Appendix A - Questions

<b>Marine Zone</b>
Question 1: Should there be a marine zone on Lake Wivenhoe?
Question 1a: If yes: Why should there be a marine zone on Lake Wivenhoe?
Question 1b: If no: Why shouldn't Lake Wivenhoe be a marine zone?
<b>6 knot speed limit</b>
Question 2: As part of the marine zone, should Lake Wivenhoe have a 6 knot speed limit?
Question 2a: If no: Why shouldn't Lake Wivenhoe have a 6 knot speed limit? Can you provide an alternative suggestion?
Question 3: Do you consider that MSQ identified the positive and negative impacts of a 6 knot speed limit on Lake Wivenhoe?
Question 3a: If not: What are the impacts MSQ did not identify?
<b>Low emission 4 stroke or direct injection 2 stroke engine</b>
Question 4: As part of the marine zone, should Lake Wivenhoe restrict powered vessels to low emission 4 stroke engines or direct injection 2 stroke engines?
Question 4a: If no: Why shouldn't Lake Wivenhoe restrict powered vessels to low emission 4 stroke engines or direct injection 2 stroke engines? Can you provide an alternative suggestion?
Question 5: Do you consider that MSQ identified the positive and negative impacts of restricting powered vessels to low emission 4 stroke engines or direct injection 2 stroke engines?
Question 5a: If not: What are the impacts MSQ did not identify?
<b>No overnights stays</b>
Question 6: As part of the marine zone, should Lake Wivenhoe prohibit overnight stays?
Question 6a: If no: Why shouldn't Lake Wivenhoe prohibit overnight stays? Can you provide an alternative suggestion?
Question 7: Do you consider that MSQ identified the positive and negative impacts of prohibiting overnight stays?
Question 7a: If not: What are the impacts MSQ did not identify?
<b>No towing</b>
Question 8: As part of the marine zone, should Lake Wivenhoe prohibit towing?
Question 8a: If no: Why shouldn't Lake Wivenhoe prohibit towing? Can you provide an alternative suggestion?
Question 9: Do you consider that MSQ identified the positive and negative impacts of prohibiting towing?

Question 9a: If not: What are the impacts MSQ did not identify?

**No entering dam wall restricted area**

Question 10: As part of the marine zone, should Lake Wivenhoe prohibit entering the dam wall restricted area?

Question 10a: If no: Why shouldn't Lake Wivenhoe prohibit entering the dam wall restricted area? Can you provide an alternative suggestion?

Question 11: Do you consider that MSQ identified the positive and negative impacts of prohibiting entering the dam wall restricted area?

Question 11a: If not: What are the impacts MSQ did not identify?

**Personal watercraft**

Question 12: Seqwater's current site rules include a prohibition on personal watercraft (commonly known as a jetski) use. Do you agree that personal watercraft should be prohibited from Lake Wivenhoe?

Question 12a: If yes: why should personal watercraft be prohibited from Lake Wivenhoe?

Question 13: Do you consider that MSQ identified the positive and negative impacts of allowing personal watercraft?

Question 13a: If not: What are the impacts MSQ did not identify?

**Conditions**

Question 14: Has Seqwater identified relevant conditions to be included as part of the marine zone on Lake Wivenhoe?

Question 14a: If no: What other conditions should be considered?

**Other**

Is there anything else related to the use of Lake Wivenhoe you would like to mention? Please note if you want MSQ to contact you, you will need to provide your personal contact information that MSQ will use to contact you for this matter only.