



PORT PHILLIP CONSERVATION COUNCIL INC.

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20th January 2009

Mr Wayne Hill
Regional Manager
Parks Victoria
Hinton Street
ROSEBUD VIC 3939

Dear Mr Hill,

Re: Boating Zone Review and use of Jet Skis in Port Phillip Bay

Port Phillip Conservation Council Inc. (PPCC) is an umbrella group of fourteen community and conservation associations around the Bay who work towards the protection of Port Phillip Bay and its coastline. At our most recent meeting, the issue of Jet Ski use on Port Phillip Bay was discussed, and it was resolved that we would correspond with Parks Victoria (PV) with a view to it undertaking comprehensive changes to the present proposals in its Boating Zone Review.

The use of Jet Skis at the popular swimming and general recreation beaches particularly on the eastern side of Port Phillip Bay contribute greatly to a loss of amenity and safety to the vast majority of beach users - who do not use Jet Skis. You would probably be aware of the deaths of three people involved in Jet Ski accidents - two being Jet Ski users and one child killed by a Jet Ski whilst swimming. No doubt there are many more injuries to Jet Skiers and other bay users, so it is entirely appropriate that greater restrictions be placed on Jet Ski use. Furthermore, the noise characteristics invariably produced by Jet Skis is abhorrent to the wider community, beach goers and nearby residents. The noise issue *per se* is compounded by the behaviour which most often accompanies Jet Ski use, notably:

- Riders staying close to the shoreline
- Disregard for speed limits close to shore
- Riders engaging in repetitive activities such as "doughnuts" close to shore
- "Drag racing" between two or more Jet Skis close to shore
- Riders driving recklessly through dinghy fleets destabilising boats with their bow wave

It is largely for these reasons that the NSW government banned the use of Jet Skis in Sydney Harbour and its waterways many years ago.

On the more populated parts of Port Phillip and Corio bays beach visitor numbers probably rival and may even exceed that of Sydney Harbour, so it is appropriate that the Victorian government should apply a similar rationale to the use of Jet Skis in our most popular waterway, Port Phillip Bay. Jet Ski use and behaviour is already a fraught issue, which will only worsen as Jet Ski and recreational beach users increase with population increase.

Although PPCC would much prefer to see the Victorian government take the same commendable stand shown in NSW, we would agree to a more comprehensive restriction to Jet Ski use, along with legislation requiring reduced noise levels generated by the craft. Noise reduction could be achieved by requiring modifications to the exhaust or engine of any Jet Ski intended for use in Victorian waterways. Hence, PPCC proposes that PV seeks expert advice on noise reduction at the source (i.e. the craft's propulsion and exhaust mechanism) and then drafts appropriate legislative changes for Jet Ski manufacture or modification.

Further, we propose that Jet Ski use be confined to the Western shoreline of Port Phillip Bay. This area of the coastline would be more suitable for a number of reasons including:

- The coastline is less densely populated, with vast areas having little or no coastal residences, hence Jet Ski noise would affect less residents
- Those beaches that do exist are less popular for swimming, off the beach sailing and general recreation
- Conflicts and incidents between beach users and Jet Ski users would consequently be less likely to occur

We suggest that a large area well offshore from the western shoreline of the Bay could even be allocated for the exclusive use of Jet Skis

The Boating Zone Review in its present form fails to provide any satisfactory solution to the wide general dislike for the intrusions that Jet Skis are making into the amenity of most Bay users. Indeed, the Review serves to weaken restrictions on Jet Skis, entrenching the present practices and behaviours which accompany Jet Ski use, and setting the scene for more conflict between the minority Jet Ski users and the majority of beachgoers and coastal residents.

The Review proposes few rules for Jet Ski users to observe, relying heavily on the “self regulation” model so popular in the 20th Century, and now emerging in the 21st Century as a general catastrophic failure. There is ample current and historical evidence throughout the community of the disastrous failure of self or light-handed regulation. If indeed PV is committed to managing the existing and future conflicts between the interest group which is Jet Ski users and the wider public, then a clearly articulated regulatory framework is necessary, accompanied by adequate resourcing for enforcement activities. Although we understand from personal communications with your office that PV has some enforcement activities planned, this is not outlined clearly in the Review document, and we are concerned that, as is often the case, well crafted and well intentioned policy will be rendered ineffectual by inadequate funding for enforcement. Accordingly, we request details of the funding and personnel arrangements that PV intends to commit to enforcement.

Sadly, and likely due to considerable pressure from vested interests, many government instrumentalities have acquired the unenviable and unsustainable task of merely upholding the *status quo* rather than sustaining the environment and community for the benefit of all. However, countless distinguished scientists, commentators and concerned citizens agree that we can no longer apply a *laissez-faire* attitude to the management of precious irreplaceable assets – including our rivers, catchment areas, bays, oceans and coast – and that we must further restrict access to and exploitation of what is already fast dwindling. We believe the majority is looking to government to provide a new direction and leadership, rather than merely presiding over what will otherwise be an unavoidable irreversible decline in our own quality of life and that of all other species.

We therefore implore you to accept the great challenge of reversing the harmful impacts of our present practices by firstly comprehensively reviewing and rewriting your Boating Zone Review. It could be the first step in a new direction - for the sake of the planet – which you and we know must be achieved urgently in first decades of the 21st Century.

Yours sincerely,



Len Warfe
President