



1 March 2022

Draft Australian Capital Territory National Land (Lake) Ordinance

Thank you for the opportunity to comment on this Draft Ordinance. The Traditional Boat Squadron of Australia (TBSA) is a community group based in Canberra. Our objective is to encourage the enjoyment, use, building and maintenance of traditional boats. For more than 30 years we have regularly held boat outings on Lake Burley Griffin (LBG) and most boats have a Permit Category 3C for 'special interest boats'. This category includes steam or petrol-powered traditional boats which can support a case for access on aesthetic grounds by adding an element of interest because of their special character.

The TBSA welcomes the development of a Draft Lake Ordinance. However, we are disappointed that public consultation was limited to only 8 days, a time period that was unrealistic. This was insufficient time for community groups to give adequate consideration to a document of 99 pages, and provide a well thought submission. Is it not possible to simply roll-over the current ordinance for a short period to allow adequate consultation?

Generally, the Draft Lake Ordinance is comprehensive and appears to bring the regulation of boating activities into line with regulations in other states. However, there are some sections of concern to TBSA.

Page 14. Section 15 (a) General restrictions on boats

Part (1)(a) restricts launching of boats in areas that by Section 14 may not be prescribed as launching areas. The general intention of this part is unclear, especially as it would apply to canoes and kayaks and stand-up paddle boards. These lightweight craft can be launched from almost any part of a lake, and restricting launching these craft to areas prescribed as launching areas seems unnecessary and inconvenient to users.

Page 16, Section 21 Speed Limits; and Page 22, Section 31 (1)(a) Power boats operated at under 10 knots, Section 56, Minimum distance requirements

Together, these sections are confusing. The first creates a power to set speed limits, while the second seems to set a speed limit of 10 knots. The third creates an offence if operating at 10 knots or more near people or infrastructure. A speed limit of 10 knots is too high. LBG is used by many different types of watercraft, and people swimming in open water. Ten knots is 18.5 km/hr, and while this may be a sensible speed for road vehicles in crowded conditions, road vehicles have brakes that can be used to rapidly stop a vehicle, but boats do not have the same ability. A powerboat doing 10 knots through a fleet of sailing boats or rowing boats on a calm day, or approaching a beach, jetty or launching ramp would be totally unsafe and unacceptable.

Many powerboats that could be expected to use LBG under this new Draft Lake Ordinance will be the private fishing boat or 'tinny'. These boats have hulls that are designed for planing at greater than 10 knots, and at close to 10 knots these hulls create a greater wake. This wake and subsequent wash will be very unpleasant for many boats, especially rowers in craft designed for smooth water and kayaks. On LBG wash from boats reflects from the walls to create confused waves, and causes erosion to the shore.

In coastal waters, speed limits of 4 knots are common in places close to swimmers, or near launch ramps, and 6 knot limits are also posted in places. The TBSA suggests that a speed limit of 6 knots should apply for all recreational boats using the lake.

Page 31. Section 54 Speed limit when people under 18 years old on boat

This section creates an offence if a boat is operated with a speed in excess of 60 knots and a person under 18 years old is on the boat. This section is totally unnecessary for LBG or any other lake in on National Land in Canberra. TBSA can not envisage any time that a boat on LBG should be able to exceed 60 knots. If a special event such as boat racing is ever proposed, the event conditions could control the age of people that were on such racing boats. Having this section in the Lake Ordinance may suggest to some people that speeds of 60+ knots will sometimes be possible.

Page 37, Section 69

This makes reference to the '...transom attached to the power boat.' The transom is structural part of the boat; it is not an attachment like a swim ladder or swim platform.

Page 43, Section 75

The requirement for a rowing boat or canoe to have two all-round white lights - fore and aft - seems onerous and can be unsafe. One would be sufficient. Having a white light on the bow at night degrades night vision, creating an unsafe condition.

We are puzzled by the apparent absence of hyphens or spaces in the draft text, which creates confusion in understanding. For example: use off-the-shore, no one or no-one (instead of "noone", Section 71), close-hauled, all-round, stern-light, and light-emitting.

Regards

John Brickhill
Secretary, TBSA