

## Acknowledgement of Country

Transport for NSW acknowledges the traditional custodians of the land on which we work and live.

We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of NSW.

Many of the transport routes we use today – from rail lines, to roads, to water crossings – follow the traditional Songlines, trade routes and ceremonial paths in Country that our nation's First Peoples followed for tens of thousands of years.

Transport for NSW is committed to honouring Aboriginal peoples' cultural and spiritual connections to the lands, waters and seas and their rich contribution to society.

# 1. Introduction

Following a successful trial of this type of business model in the Hawkesbury River, Transport for NSW Maritime will enable businesses to conduct supervised personal watercraft (PWC) hire and drive tour operations on NSW waterways, when approved via application up until April 2023. Supervised PWC hire and drive operations will allow people new to PWCs to experience driving a PWC without a licence, under strictly controlled conditions and with qualified tour guides.

Initially, approvals will be given by issuing exemptions to the Marine Safety Regulation and requiring compliance with a Direction Notice. A robust regulatory framework for these operations will be introduced in 2023 and the exemptions will be formalised in the new framework.

By enabling this type of activity, Maritime's intention is to increase the education available to PWC users and ensure key commercial operators assist with growing a safer PWC community that is more aware of their on-water impact and other NSW waterways users.

Education on safe behaviours and safety will be a key component of any tours, while speed and conditions of operation will be restricted and monitored by Maritime. Operators will be required to demonstrate that they have assessed the risks of their proposed business and all necessary safety and control measures implemented to manage the activity within the area of operation.

## 2. Proposals to conduct supervised PWC hire and drive tour operations

You can submit your proposal to conduct a supervised PWC hire and drive tour operation to NSW Maritime for assessment. Your proposal will need to include:

- Details of the proposed tour operation including:
  - Details of your business (including ACN or document of incorporation, ASIC verifications) and nominated representative for communications.
  - Proposed area of operation.
  - Proposed tour routes and tour durations/timings.
  - Number of PWCs and participants - Suggested maximum of six hire and drive PWCs per tour accompanied by a minimum of two tour guides. Total numbers in use will also be required.
  - Details on proposed tour guides including proposed ratios to participants, experience/training, guide PWCs and any other support vessels to be used.
  - Information on your businesses record keeping and administration.
- Documentation detailing how your business will manage the tour and tour participants in a range of situations that may be encountered on the waterway e.g. controlling speed, controlling safe distance, breakdown, loss of control, irregular riding, accident/incident, emergency communications etc.
- Documentation detailing your businesses focus on education and improving PWC behaviours including:
  - Education (theory and practical) materials (see Appendix A)
  - Facilities/areas for education components
  - Assessments for theory and practical components.

- Details on your business's compliance with Australian Maritime Safety Authority requirements (or ability to obtain) including documentation for the proposed operation:
  - Certificate of Operation
  - Safety Management System
  - Risk Assessments.
- Evidence of landowner consent where a land-based component is required for the proposed operation e.g. Marina operator, local Council etc.
- Evidence of stakeholder consultation for the proposed area of operation including any feedback or objections.
- Evidence of other authority approvals relevant to the proposed area of operation e.g. Local Council, Marine Parks, Port Authority of NSW, WaterNSW etc.
- Evidence of appropriate business insurances including Public Liability insurance (\$20 million minimum) and Workers Compensation (required by Law).

### 3. Submitting proposals

Send your application to [psaql@transport.nsw.gov.au](mailto:psaql@transport.nsw.gov.au) with all relevant information and accompanying documentation and evidence as detailed above.

Enquiries can also be submitted through to this email. To assist Maritime in referring your enquiry on to the most relevant contact, please include details of the proposed tour operation and waterway details.

### 4. Assessment

Applications will be assessed up until April 2023 on a case-by-case basis. These assessments will focus on potential impacts of the proposal on the safety of all waterway users, the amenity of the waterway and the environment. In addition, your proposal will also need to demonstrate the education focus of the operation in growing a safer PWC community.

Tour activities must integrate into the waterway user profile and no activities that require exclusive use areas will be considered.

# Appendix A – Theory and practical guidelines

The education component is a crucial part of any supervised PWC hire and drive tour operation and aims to increase the knowledge of customers and awareness of safe PWC use on NSW waterways.

Theory and practical education are to be included with any briefing / induction prior to conducting a tour, with a record of customer completion maintained. This includes those unable to operate the PWC and therefore not to participate in the tour as an operator.

As a guide, theory and practical are to include (as a minimum) the following:

## Theory

1. Details of the tour including tour routes, activities and any requirements e.g. speed and irregular riding, communications etc.
2. Responsibilities of PWC operators
3. Emergency procedures for during the tour including breakdown, incident, injury etc.
4. Details on operating PWCs including controls, turning, speed, going ahead and astern, falling off and getting back on, righting a PWC and awareness of the jet nozzle / bucket.
5. Details on restricted areas such as swimming or surf zones, speed zones and minimise wash zones (suitable for the area of operation)
6. Information on IALA buoyage system A (suitable for the area of operation)
7. Information on collision prevention regulations including side of channel, overtaking, give way etc. (suitable for the area of operation)
8. Distance off and potential hazards on the waterway (suitable for the area of operation)
9. Details on alcohol and drug requirements
10. Environmental considerations including noise, marine pollution and sensitive areas.

## Practical

1. Lifejacket wear, fit and donning
2. Boarding and reboarding the PWC
3. Steering, controls, visual and audible alarms
4. Kill-switch and its importance
5. Maintaining a straight line or turning to port and starboard
6. Maintaining adequate throttle at all the times including around bends or when turning
7. Reversing (going astern)
8. Stopping the PWC
9. Stability and body weight e.g. swapping seats.

**Note:** Customers must demonstrate they are able to operate the PWC adequately in order to participate in a tour.