

PUBLIC NOTICE
DECLARATION OF BOATING ACTIVITY EXEMPTION
Marine Safety Act 2010 (Vic)

I, Cameron Toy, Director, Maritime Safety and delegate of Safe Transport Victoria, make the following declaration under section 203(3) of the *Marine Safety Act 2010 (Vic)*.

For the purposes of boating activity conducted by Life Saving Victoria on coastal waters, persons and vessels involved in the LSV Summer Carnivals 2022 are exempt from the following requirements:

State Rules made under the Marine Act 1988

1. Clause 2(a) – must not exceed 5 knots within 50 metres of a person in the water
2. Clause 2(c) – must not exceed 5 knots within 50 metres of another vessel
3. Clause 4(a) – must not exceed 5 knots within 200 metres of the water's edge

Waterway Rules made under the Marine Safety Act 2010 / Marine Act 1988

4. *Clause 11.1 of Schedule 11 Torquay – 5 knot speed restriction - Horseshoe Bend Rd to Rocky Point within 200m.
5. *Clause 11.2(a) of Schedule 11 Torquay - Area prohibited to vessels - Fishermans Beach
6. *Clause 11.2(b) of Schedule 11 Torquay - Area prohibited to vessels - Cosy Corner Beach
7. *Clause 11.3 of Schedule 11 - Exclusive Use & Special Purpose Area for sail only - Fishermans Beach
8. *Clause 148.1 of Schedule 148 Warrnambool – area prohibited to vessels with engines - Lady Bay, 1 Nov to 30 Apr

Marine Safety Regulations 2012

9. Regulation 96(2) – Master must not operate unless vessel equipped with items specified (PFDs for persons onboard & being towed).
10. Regulation 100(1) – person must wear a PFD of type specified at all times when underway on coastal waters
11. Regulation 104(1) – master must ensure all occupants of vessel wear a PFD.

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from items 1 to 3 when undertaking a rescue operation to retrieve persons in distress, provide for their initial medical or other needs and deliver them to a place of safety on shore, and items *4 - 8 for the duration of events at that location.
- Masters of competing vessels are exempt from items 1 to 3 for all events and items *4 - 8 for the duration of events at that location.
- Masters of PWC rescue vessels are only exempt from items 9 & 11 for the duration of the events when retrieving or rescuing a person without a PFD from the water.
- Masters of IRB and PWC rescue vessels involved with the event must wear a personal floatation device at all times during the event.
- Surf boat competitors are only exempt from 9 - 11 above for the duration of each event, provided the Surf Hazard Rating (SHR) is of a value no greater than 12. If the SHR is 13 or higher, the exemptions will apply subject to the following conditions:
 - (i) Competitors must wear helmets;
 - (ii) There must be two IRBs operating to follow the surf boats the entire length of the course;
 - (iii) Each IRB must be equipped with rescue tubes;

- (iv) There must be officials on the shore to monitor the event and communicate with the IRBs via radio; and
- (v) LSV must carry out a SHR assessment for each event.
- Operators and occupants of vessels propelled by paddle or oar are exempt from PFD wearing requirements and the carriage of specified safety equipment whilst within visual range of a staffed lifesaving facility or flagged area, as per the Exemptions for Life Saving Victoria vessels in Exemption Notice 1.
- Masters of mechanically powered LSV vessels up to and including 4.8 metres in length (other than personal watercraft) are exempt from the carriage of specified safety equipment whilst within visual range of a staffed lifesaving facility or flagged area, as per the Exemptions for Life Saving Victoria vessels in Exemption Notice 1.
- Should vessels or persons not involved in the event enter the exclusion zone, the exemptions will be automatically suspended until the vessel or person has moved outside of the area.
- The above exemptions apply between 6:00am to 5:00pm on the dates and locations as specified in Table 1 below.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

Table 1: LSV Summer Carnivals 2022

Date	Day	Location	Back up Location(s)
22 October	Saturday	*Cosy Corner / Fishermans Beach, Torquay	
6 November	Sunday	Apollo Bay SLSC	
16 November	Wednesday	*Cosy Corner	
13 November	Sunday	Jan Juc SLSC	*Cosy Corner / Fishermans Beach, Torquay
27 November	Sunday	Lorne SLSC	
3 - 4 December	Saturday - Sunday	Ocean Grove SLSC	*Cosy Corner / Fishermans Beach, Torquay
18 December	Sunday	Ocean Grove SLSC	
6 January 2023	Friday	*Cosy Corner	*Fishermans Beach, Torquay
15 January 2023	Sunday	Anglesea SLSC	*Cosy Corner / Fishermans Beach, Torquay
15 January 2023	Sunday	Fairhaven SLSC	*Fishermans Beach
21 January 2023	Saturday	Waratah Beach SLSC	
29 January 2023	Sunday	Anglesea SLSC	
11-12 February	Saturday - Sunday	Lorne SLSC	*Cosy Corner
18-19 February 2023	Saturday - Sunday	Anglesea SLSC	*Cosy Corner
24-26 February 2023	Friday – Sunday	Ocean Grove SLSC	Lorne SLSC / *Cosy Corner
10-12 March 2023	Friday – Sunday	*Warrnambool SLSC	*Lady Bay

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CAMERON TOY
 Director, Maritime Safety
 Delegate of Safe Transport Victoria

20/10/2022