

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

I, Cameron Toy, Director, Maritime Safety (delegate of the Chief Executive - 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 2022 LSV Winter Surf Series Carnivals detailed in Table 1, 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(b) of Schedule 11 Torquay – area prohibited to vessels – Cosy Corner Beach

Marine Safety Regulations 2012

6. Regulation 96(2) – vessel master must not operate on coastal waters unless vessel equipped with PFD for each person onboard
7. Regulation 100(1) - person must wear a PFD of type specified at all times when vessel underway on coastal waters
8. Regulation 104(1) – vessel master must not operate the vessel unless persons onboard when underway wear a PFD.

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from items 1 to 3 (and 4* if at Cosy Corner) 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.
- Masters of competing vessels are only exempt from items 1 to 3 (and 4* if at Cosy Corner) for the duration of each event.
- *Masters of all vessels (competing & rescue) are only exempt from item 5 during events, if held at back up location Cosy Corner Beach.
- Masters of PWC rescue vessels are only exempt from items 6 & 8 for the duration of the events when retrieving or rescuing a person without a PFD from the water, and person being retrieved is exempt from item 7.
- Masters of IRB and PWC rescue vessels involved with the event must wear a personal floatation device at all times during the event.
- Should vessels or persons not involved in the event come within 50 metres of the Exclusion Zone, the exemptions will be automatically suspended until the vessel or person has moved outside of the area.

- Mechanically powered LSV vessels are exempt from the carriage of specified safety equipment as per the Exemptions for Life Saving Victoria vessels in Exemption Notice 1, whilst operating within visual range of a staffed lifesaving facility.
- 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.
- 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:

Date	Day	Location	Back up Location(s)
27 August	Saturday	Bancoora SLSC	Cosy Corner, Torquay
3 September	Saturday	Wye River SLSC	Lorne SLSC/Cosy Corner, Torquay
1 October	Saturday	Jan Juc SLSC	Cosy Corner, Torquay

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CAMERON TOY
 Director, Maritime Safety
 Delegate of the Chief Executive
 21/08/2022