

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

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

For the purposes of boating activity conducted by the Big Wave Risk Assessment Group on the waters of Fishermans Beach Torquay, persons and vessels involved in the Big Wave Risk Assessment Group Level 1 & 2 training course 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 meters of another vessel.
3. Clause 4(a) – must not exceed 5 knots within 200 of the water's edge.

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

4. Clause 11.2(a) of Schedule 11 – Vessels Prohibited Zone

Marine Safety Regulations 2012

5. Regulation 96(2) – vessel master must not operate vessel (PWC) unless vessel equipped with items specified (PFD for all persons onboard).
6. Regulation 100(1) – person must wear PFD on certain vessels (PWC) when vessel underway in coastal waters.
7. Regulation 104(1) – vessel master must not operate recreational vessel (PWC) unless person onboard complies with regulation 100.

Subject to the conditions detailed below:

- The masters of the rescue vessels are only exempt from items 1-3 when demonstrating and participating in a rescue training activity or scenario.
- All participants on vessels involved with the event must wear a personal flotation device at all times during the event and vessels must have all prescribed safety equipment unless exempt.
- Only persons in the water for purpose of a training rescue are exempt from item 5.
- The above exemptions apply from 7.00 am to 5.00 pm on Sunday 14 April 2019 and from 7.00 am to 5.00 pm on Monday 15 April 2019 for participants of the Big Wave Risk Assessment Group Level 1 & 2 training course only.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

Ref: 787-2019-BAE


CAMERON TOY
Acting Director, Maritime Safety
Delegate of the Director, Transport Safety

21/04/2019

Marine Safety Act 2010
Section 208(1)
NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

I, Cameron Toy, Acting Director, Maritime Safety (as delegate of the Director, Transport Safety), hereby give notice under section 208(1) of the *Marine Safety Act 2010 (Vic)* that all persons and vessels not registered to take part in the Big Wave Risk Assessment Group Level 1 & 2 are prohibited from entering and remaining in the following State waters.

Waters of Zeally Bay, Torquay – extending 100 metres along Fisherman’s Beach lateral to the shoreline from the “No Boating” sign at the southern end of the ‘No Boating Zone’ adjacent to the boat ramp towards the Sailing Club, and extending 100 metres into the water.

The exclusion zone will be in effect from 7.00 am to 5.00 pm on Sunday 14 April 2019 and from 7.00 am to 5.00 pm on Monday 15 April 2019.

Ref: 787-2019-BAE

Dated: 01 / 04 /2019



CAMERON TOY
Acting Director, Maritime Safety
Delegate of the Director, Transport Safety
Maritime Safety Victoria