

PUBLIC NOTICE

DECLARATION OF BOATING ACTIVITY EXEMPTION

Marine Safety Act 2010 (Vic)

Safe Transport Victoria makes the following declaration under section 203(3) of the *Marine Safety Act 2010 (Vic)*.

For the purposes of boating activity conducted by Torquay Surf Life Saving Club on the waters of Torquay (Cosy Corner back-up location), persons and vessels involved in the Jim Wall Iron Event 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 - area prohibited to vessels - Cosy Corner Beach
6. *Clause 11.2(c) of Schedule 11 – area prohibited to vessels – Torquay SLSC

Marine Safety Regulations 2023

7. Regulation 61(2) – master requirement to carry lifejacket on vessel on coastal waters for each person onboard
8. Regulation 66(1) – person must wear a lifejacket of type specified at all times when underway on coastal waters
9. Regulation 70(1) – master must ensure all occupants wear a lifejacket

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from items 1 to 4 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 must adhere to speed and distance rules at all other times, and item *5 or *6 for the duration of event at that location.
- Masters of competing vessels propelled by paddle or oar are exempt from items 1 to *5 or *6 for the duration of event at that location.
- Masters of rescue vessels are only exempt from items 7 to 9 for the duration of the event when retrieving or rescuing a person without a lifejacket from the water.
- Masters and occupants of IRB rescue vessels involved with the event must wear a lifejacket at all times during the event.
- Operators and occupants of vessels propelled by paddle or oar are exempt from lifejacket 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 event will be stopped until the vessel or person has moved outside of the area.

- The above exemptions apply from 8:00am to 4:00pm on Sunday 5 January 2025 to the persons and vessels involved in the Jim Wall Iron Event within the exclusion zone waters – Torquay Surf Beach and Cosy Corner (back-up location), clearly marked by signs and flags on the shore, and in the water by buoys extending up to 400 metres from shore.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

Ref: 1451-2024-BAE



TIM PULLYBLANK
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Delegate of Safe Transport Victoria
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