

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

I, CAMERON TOY, 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 Surfing Victoria on the waters of Bells Beach, Torquay, persons and vessels involved in the 50 Year Storm Invitational 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 meters of 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;
4. Clause 19(a) – an observer must be used when towing a person.

Marine Safety Regulations 2012

5. Regulation 95(a) – vessel master must not engage in towing unless an observer is on board;
6. Regulation 96(2) – vessel master must not operate unless vessel equipped with items specified (PFDs for persons onboard & being towed);
7. Regulation 100(1) – person must wear a PFD on certain vessels (PWC) when vessel underway;
8. Regulation 103 – person being towed by a vessel must wear a PFD;
9. Regulation 104 – vessel master must not operate the vessel unless persons on board when underway or being towed wear a PFD.

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from 1 to 6 and 9 in the above list for the duration of the events.
- Competitors are only exempt from 7 and 8 in the above list for the duration of the event.
- The exemptions will be automatically suspended for any periods when swimmers or other vessels not associated with the event enter within 50 metres of the event area.
- All PWC operators must wear a PFD at all times.
- The exemptions apply between 6:30 am to 6:30 pm between 1 June 2020 and 31 August 2020 on competition days only, to the persons and PWC vessels participating in the 50 Year Storm Invitational at Bells Beach, provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

Ref: 910-2020-BAE

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

24/3/2020