

Ref: 1444-2024-BAE

PO Box 2392,  
Melbourne Vic 3001  
T 1800 638 802

**Catherine Johnston**  
**Customer Support Officer**  
**Parks Victoria**  
**Level 1, 65 Church Street**  
**MORWELL VIC 3840**

Dear Catherine

### **PROPOSED DECLARATION TO EXEMPT BOATING ACTIVITY**

I refer to the application received by Parks Victoria (PV) under section 203(1) of the *Marine Safety Act 2010* (Vic) (**Marine Safety Act**) for an exemption from the application of the Marine Safety Act, and the waterway rules, to boating activity conducted by Surfing Victoria (SV) on Western Port Bay.

I have considered the application and your proposed declaration.

### **DIRECTION UNDER SECTION 204(2) OF THE MARINE SAFETY ACT**

You are directed to amend the proposed draft declaration in the manner set out in the **attached** document. The draft declaration requires amendment to remove non-applicable clauses and reword conditions and adjust layout.

Please note that under section 204(4) of the Marine Safety Act PV is required to comply with this direction.

### **PUBLISHING OF DECLARATION**

Section 203(6) of the Marine Safety Act requires that:

- A declaration under subsection (3) must be published—*
- (a) on the applicable regulatory entity's Internet site; and*
  - (b) in some other way that gives notice of the declaration to persons affected by the declaration.*

I am hereby satisfied that PV has complied with section 203(6) of the Act, provided that PV:

- Publishes the Declaration on their Internet site;
- Publishes a Notice to Mariners prior to the event;
- Ensures SV publishes the Declaration on their website/social media platforms and circulates to all participants; and
- Ensures SV places signage of Declaration and on boards/boat ramps at access points in event locations.

If you have any questions in relation to this matter, please contact Marzena (Marz) Krawczak on 0439 725 675 or [marz.krawczak@safetransport.vic.gov.au](mailto:marz.krawczak@safetransport.vic.gov.au).

Yours sincerely

*Geoff Swanton*

**GEOFFREY SWANTON**

A/Manager Waterway Safety and Compliance  
Delegate of Safe Transport Victoria

29/01/2024

**PUBLIC NOTICE  
DECLARATION OF BOATING ACTIVITY EXEMPTION**

Parks Victoria as the declared waterway manager for Western Port Bay, makes the following declaration under section 203(3) of the *Marine Safety Act 2010* (Vic).

For the purposes of boating activity conducted by Surfing Victoria, persons and vessels involved in the Victorian Stand Up Paddleboard Titles Distance Paddle and Technical Race 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
4. Clause 4(b) – must not exceed 5 knots within 50 metres of a wharf, jetty, slipway, diving platform or boat ramp

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

5. Clause 5.3 (a)(i) of Schedule 5 – 5 knot speed restriction area – West Head to Somers

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from items 1 to 5 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 vessels are only exempt from items 1 to 5 for the duration of the events.
- All occupants of mechanically powered vessels (including PWCs) involved with the event must wear a lifejacket at all times during the event and all rescue vessels must carry prescribed safety equipment.
- The exemptions apply from 8:00am to 12:00pm on Saturday 10 February 2024 and Sunday 11 February 2024 within the events' waters detailed 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: Surfing Victoria Stand Up Paddleboard Titles Distance Paddle and Technical Race**

Date	Day	Event	Location
10 February 2024	Saturday	Surfing Victoria Stand Up Paddleboard Titles Distance Paddle	Western Port Bay: Direct line between Point Leo (adjacent to Point Leo Boat Club) and Somers (adjacent to Somers Yacht Club), between approximate locations 38°25.3644'S, 145°4.6211'E and 38°23.6626'S, 145°9.5296'E.
11 February 2024	Sunday	Surfing Victoria Stand Up Paddleboard Titles Technical Race	Western Port Bay: 100 metres North West of the Point Leo Boat Club Jetty at approximate location 38°25.3167'S, 145°4.6333'E.

**[Waterway Manager Sign Off]**

Dated: [Click or tap to enter a date.](#)