

PUBLIC NOTICE
DECLARATION OF BOATING ACTIVITY EXEMPTION

Gippsland Ports Committee of Management Inc. as the declared waterway manager for waters of the Local Port of Gippsland Lakes, makes the following declaration under section 203(3) of the *Marine Safety Act 2010* (Vic).

For the purposes of boating activity conducted by Victorian Outboard Club (VOC), persons and vessels involved in the Paynesville Race Weekend 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

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

3. Clause 104.2(h) of Schedule 104 – 5 knot speed restriction zone at northern end of McMillans Strait.

Marine Safety Regulations 2012

4. Regulation 44(2)(b) – condition of restricted marine licence holders not operating at a speed exceeding 10 knots or more

Modification

For the purpose of boating activity conducted by VOC “Schedule 1- Types of Personal Floatation Devices”, of the Marine Safety Regulations 2012 (MSR) is modified to include a personal floatation device (PFD) is a PFD Type 1, 2 or 3 if it complies with the current standard outlined in the APBA Rulebook.

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from 1 to 3 in the above list while 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.
- All persons on course official and rescue vessels involved with the event must wear a PFD at all times during the event and vessels must have all prescribed safety equipment.
- Occupants of competing vessels must wear PFDs that comply with Rule 801 of the current APBA Rulebook.
- Masters of competing vessels are only exempt from 2 and 3 in the above list for the duration of the event.
- Masters of Formula Future class vessels holding a Restricted Marine Licence are only exempt from item 4, Regulation 44(2)(b) provided they have completed the training required by APBA Victoria as detailed in the Formula Future Safety Management Plan and hold the appropriate APBA Formula Future licence, and must not exceed the following speeds:
 - i. J1 class – 19 knots
 - ii. J2 class – 33 knots
 - iii. J3 class – 40 knots
 - iv. 25hp class – 47 knots
 - v. F4 class – 60 knots.
- All interstate vessel masters in Formula Future classes must hold the appropriate APBA Formula Future licence and have documented proof they have competed in at least 3 events (9 races) in their home State prior to competing at an event in Victoria.

Should they not provide this proof they must complete the training required by APBA Victoria as detailed in the Formula Future Safety Management Plan.

- In the event of any injuries which result in hospitalisation, a fatality or an incident involving a person or vessel not involved in the event, these must be immediately reported to Victorian Police and Safe Transport Victoria (ST-Vic). In the case of all other incidents ST-Vic requires an incident report within seven days and a finalised report within 30 days.
- The exemptions apply from 8:00am to 6:00pm on Saturday 13 May 2023 on the waters of Lake King within the exclusion zone, provided the stated safety controls and undertakings detailed in the VOC Event Application, APBA Rule Book and associated documents are adhered to.

David Talko-Nicholas – Assistant Harbour Master

By order of Gippsland Ports Committee of Management Inc

Dated: 1/05/2023