

Ref: 1334-2023-BAE

PO Box 2392,  
Melbourne Vic 3001  
T 1800 638 802

Mr. Paul Bazalicki  
Senior Port Officer  
Barwon Coast Committee of Management Inc.  
7 Ewing Blyth Drive  
**BARWON HEADS VIC 3227**

Dear Paul

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

I refer to the application received by Barwon Coast Committee of Management Inc. (BC) 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 Barwon Heads Sailing Association (BHSA) on Local Port of Barwon Heads, north of Barwon Heads Bridge.

I have considered the application and note that you have not provided a draft declaration. We have taken the liberty of preparing one for you on this occasion. Please keep this declaration as a basis for any future applications for exemptions received by BC for submitting to Safe Transport Victoria (ST Vic).

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

You are directed to make the declaration in the manner set out in the attached document.

Please note that under section 204(4) of the Marine Safety Act BC 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 BC has complied with section 203(6) of the Act, provided that BC:

- Publishes the declaration on their Internet site.
- Publishes a Notice to Mariners prior to the Events; and
- Ensures BHSA publishes the Declaration on their website/social media platforms and circulates the Declaration to all participants.

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

**GEOFFREY SWANTON**

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

31/07/2023

**PUBLIC NOTICE  
DECLARATION OF BOATING ACTIVITY EXEMPTION**

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

For the purposes of boating activity conducted by Barwon Heads Sailing Association (BHSA), persons and vessels involved in the Barwon Heads Sailing Association 2023-2024 Race Schedule are exempt from the following requirements:

**State Rules made under the *Marine Act 1988***

1. Clause 2(c) – must not exceed 5 knots within 50 metres of another vessel
2. Clause 4(a) – must not exceed 5 knots within 200 metres of water’s edge
3. 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***

4. Clause 10.1 of Schedule 10 – 5 knot speed restriction area on the waters of the Local Port of Barwon Heads

Subject to the conditions detailed below:

- Masters of competing vessels are only exempt from 2 to 4 in the above list when competing in the event, and 1 only when operating within 50 metres of another competing vessel. Competing vessels are those noted on a current membership list maintained by Barwon Heads Sailing Association (BHSA).
- Masters of rescue vessels are only exempt from 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.
- All participants involved with the event must wear a lifejacket at all times during the event and vessels must have all prescribed safety equipment.
- The exemptions apply for Barwon Heads Sailing Association Race Schedule as outlined in the table below, between 1 October 2023 and 12 May 2024.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation, including the Racing Rules of Sailing, are adhered to.

**Barwon Heads Sailing Association Race Schedule 2023-2024**

<b>ICEBERG 2023</b>	<b>SUMMER 2023 / 2024</b>		<b>RIVERSHOLME / EASTER 2024</b>
<b>Date</b>	<b>Date</b>	<b>Date</b>	<b>Date</b>
Sun 01/10/23	Tue 26/12/23	Fri 12/01/24	Sun 11/02/24
Sun 15/10/23	Wed 27/12/23	Sat 13/01/24	Sun 25/02/24
Sun 29/10/23	Thu 28/12/23	Sun 14/01/24	Sun 10/03/24
Sun 12/11/23	Fri 29/12/23	Mon 15/01/24	Sun 24/03/24
Sun 26/11/23	Sat 30/12/23	Tue 16/01/24	Fri 29/03/24
Sun 10/12/23	Sun 31/12/23	Wed 17/01/24	Sat 30/03/24
Sun 17/12/23	Mon 01/01/24	Thu 18/01/24	Sun 31/03/24
Sun 24/12/23	Tue 02/01/24	Fri 19/1/2024	Mon 01/04/24
	Wed 03/01/24	Mon 22/01/24	Sun 07/04/24
		Tue 23/01/24	

Thu 04/01/24	Wed 24/01/24	Sun 14/04/24
Mon 08/01/24	Thu 25/01/24	Sun 21/04/24
Tue 09/01/24	Fri 26/01/24	Sun 28/04/24
Wed 10/01/24	Sat 27/01/24	Sun 12/05/24
Thu 11/01/24	Sun 28/01/24	

**Barwon Coast Committee of Management Inc.**  
Dated: 11/01/2024