## Exemptions/modifications for waterway rules/equipment:

**Vessel operating and zoning rules**

1. Are you applying for exemptions or modifications to the State waterway rules or specific Scheduled waterway rules as detailed in the
Vessel Operating & Zoning Rules for the waterway?

☐ No

☐ Yes 🡪 In the table below specify the exemptions or modifications sought, the reason why you are requesting them and what control measure(s) you will put in place to mitigate the hazards or risks to safety that may be presented by the granting of the exemption or modification. To do this you will need to undertake a risk assessment.

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| Exemption/modification sought  | Reason(s) for exemption/modification | \*Control measure(s) to mitigate hazards/safety risk |
| **State Waterway Rules** |
| **Vessels travelling at speeds greater than 5 knots:**☐ within 50m of a person in water (cl 2a)☐ within 50m of another vessel (cl 2c) | Reason for exceeding 5kts/50m of a person. Reason for exceeding 5kts/50m of another vessel. | Control measures for exceeding 5kts/50m of a person Control measures for exceeding 5kts/50m of another vessel |
| Inland waters☐ within 50m of the water’s edge (cl 3a)☐ within 50m of a fixed or floating structure (cl 3b) | Reason for exceeding 5kts/50m of the water’s edge. Reason for exceeding 5kts/50m of a fixed/floating structure. | Control measures for exceeding 5kts/50m of the water’s edge Control measures for exceeding 5kts/50m of a fixed/floating structure |
| Coastal waters/ enclosed waters☐ within 200m of water’s edge (cl 4a)☐ within 50m of wharf, jetty, slipway, diving platform or boat ramp (cl 4b) | Reason for exceeding 5kts/200m of the water’s edge. Reason for exceeding 5kts/50m of a wharf, jetty, slipway, diving platform or boat ramp. | Control measures for exceeding 5kts/200m of the water’s edge Control measures for exceeding 5kts/50m of a wharf, jetty, slipway, diving platform or boat ramp |
| **Vessels towing a person:**☐ without an observer (cl 19a, reg 60)☐ more than 3 persons (cl 19b)☐ 1hr after sunset & 1hr before sunrise (cl 19c) | Reason for towing without an observer. Reason for towing more than 3 persons.Reason for towing 1hr after sunset or 1hr before sunrise.  | Control measures for towing without an observer Control measures for towing more than 3 personsControl measures for towing 1hr after sunset or 1hr before sunrise |
| ☐ **Other (please specify)**      | Click or tap here to enter text. | Click or tap here to enter text. |
| **Scheduled Waterway Rules (at the waterway where activity is being held)** |
| ☐ **Schedule No.** ##Specify clauses/rules/zones for exemption:(e.g. Clause #.# – area restricted to 5 knot speed limit)##.##. | Click or tap here to enter text.Click or tap here to enter text. Click or tap here to enter text. | Click or tap here to enter text.Click or tap here to enter text.Click or tap here to enter text. |

\* List control measures for each exemption/modification sought, these must be detailed, specific and relevant to each exemption.

**Safety equipment**

1. Are you applying for exemptions or modifications for recreational vessel safety equipment requirements?
The equipment you need on Victorian waters varies according to the type of vessel you are operating and the type of waterway you are on.
For safety equipment carriage & wear requirements refer to the Victorian Recreational Boating Safety Handbook or Safe Transport Victoria’s website: [Safety equipment | Transport Safety Victoria](https://transportsafety.vic.gov.au/maritime-safety/recreational-boating/trip-preparation/safety-equipment)

☐ No

☐ Yes 🡪 In the table below specify the exemptions or modifications sought, the reason why you are requesting them and what control measure(s) you will put in place to mitigate the hazards or risks to safety that may be presented by the granting of the exemption or modification.

|  |  |  |
| --- | --- | --- |
| Exemption/modification sought | Reason(s) for exemption | \*Control measure(s) to mitigate hazards/ safety risk |
| **Lifejackets** |
| ☐ Requirement to **carry** a lifejackets for each person onboard and being towed.  | Reason for not **carrying** a lifejacket | Control measures for not **carrying** a lifejacket |
| ☐ Requirement to **wear** a lifejacket for persons onboard and being towed | Reason for not **wearing** a lifejacket | Control measures for not **wearing** a lifejacket |
| ☐ Lifejacket does not meet specified standardModification required:  | Reason for differing standard lifejackets. eg superseded Australian Standards lifejackets worn by competitors |  Control measures for differing standard lifejackets |
| **Minimum safety equipment** |
| Inland, enclosed & all coastal waters |
| ☐ Waterproof torch | Reason for not carrying a waterproof torch. | Control measures for not carrying a waterproof torch. |
| ☐ Bailer | Reason for not carrying a bailer. | Control measures for not carrying a bailer. |
| ☐ Bucket with lanyard  | Reason for not carrying a bucket with lanyard. | Control measures for not carrying a bucket with lanyard. |
| ☐ Fire extinguisher (if carrying fuel) | Reason for not carrying a fire extinguisher. | Control measures for not carrying a fire extinguisher. |
| ☐ Oars (vessels up to 4.8m only) | Reason for not carrying oars. | Control measures for not carrying oars. |
| Other (please specify)  |
| * EPIRB, PLB, Flares or VHF Radio (enclosed waters).
* Flares (coastal waters <2nm)
* EPIRB, VHF Radio, Distress Rocket/Flares, Compass (Coastal waters >2 nm)
* Lifebuoys (vessels >8 m)
* Anchor (enclosed & all coastal waters)

☐ Item: List item(s). | Click or tap here to enter text.Click or tap here to enter text. | Click or tap here to enter text.Click or tap here to enter text. |

\* List control measures for each exemption/modification sought, these must be detailed, specific and relevant to each exemption

**Other legislation**

1. Are you seeking any other exemptions or modifications besides the vessel operating and zoning rules and safety equipment, such as *Marine Safety Act 2010* (Vic), *Marine Safety Regulations 2023* (Vic) or regulations made under the *Port Management Act 1995* (Vic)?

☐ No

☐ Yes 🡪 In the table below specify the exemptions or modifications sought, the reason why you are requesting them and what control measure(s) you will put in place to mitigate the hazards or risks to safety that may be presented by the granting of the exemption or modification.

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| --- | --- | --- |
| Exemption/modification sought | Reason(s) for exemption | \*Control measure(s) to mitigate hazard/safety risk |
| ☐ **Marine Safety Act 2010**Specify clauses for exemption:Click or tap here to enter text. | Reason for exemption. | Control measures for exemption. |
| ☐ Vessel registration☐ Marine licence☐ Marine licence conditions | Reason for exemption. | Control measures for exemption. |
| ☐ **Marine Safety Regulations 2023**Specify clauses for exemption:Click or tap here to enter text. | Reason for exemption. | Control measures for exemption. |
| ☐ Regulations made under the **Port Management Act 1995** Specify clauses for exemption:Click or tap here to enter text. | Reason for exemption. | Control measures for exemption. |

1. Detailed description of boating activity/event. This is a requirement of the Marine Safety Act and assists in determining what exemptions may be required. Include details of*:*
* *Activity type (e.g. display, competition, regatta, racing)*
* *style of competition/racing (e.g. time trial, head-to-head, laps)*
* *length of course, how many per race/display*
* *starting method (e.g. wave start, gate start)*
* *level of participants expertise (e.g. novice, elite, amateur, professional)*
* *types/classes of vessels involved*

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| --- | --- | --- | --- |
| Expected number of participants: | # Ppl | Max. number vessels on the water at any one time: | # Vessels |
| Activity type (e.g. display, competition, regatta, racing)Style of competition/racing (e.g. time trial, head-to-head, laps)Length of course, how many per race/displayStarting method (e.g. wave start, gate start)Level of participants expertise (e.g. novice, elite, amateur, professional)Types/classes of vessels involvedTypes of rescue vessels. |

## Risk assessment

1. **Risk assessment**

The key steps of a risk assessment process and the matrix below provide a basic framework for identifying and measuring risk.

* Identify and consider each of the hazards/risks associated with the activity/event. What can happen, how it can happen given a number of different circumstances, or in conjunction with another hazard?
* Identify the Likelihood of each hazard/risk occurring. Is it Almost Certain, Likely, Moderate, Unlikely or Rare?

Identify what the Consequence would be. Would it be Insignificant, Minor, Moderate, Major or Catastrophic?

* Match the Likelihood score and the Consequence score to determine the Risk Rating. Is it High, Significant, Moderate or Low?

Any identified Risk Rating in the Moderate, Significant or High categories require some form of control measure to reduce the risk.

* Identify and record the control measures that are already in place to reduce the level of risk associated with the hazard and determine if any additional controls are required to reduce the risk to an acceptable level. Include both preventative controls (to prevent a hazard from occurring) and mitigating controls (to reduce the degree of harm in the event of a hazard or incident occurring). Ensure that the number and effectiveness of controls reflect the level of risk.
* Re-assess the risk rating for each identified hazard/risk taking into account the specified control measures.

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| Risk assessment matrix | Consequence (C) |
| InsignificantFirst aid | MinorMedical treatment | ModerateHospitalisation | MajorSingle death/ multiple injuries | CatastrophicMultiple deaths |
| **Likelihood (L)** |  | 1 | 2 | 3 | 4 | 5 |
| Almost CertainEvent expected to occur | 5 | Moderate5 | Significant10 | High15 | High20 | High25 |
| LikelyEvent may occur | 4 | Low4 | Moderate8 | Significant12 | High16 | High20 |
| Moderate - Event may occur once in 3 events | 3 | Low3 | Moderate6 | Moderate9 | Significant12 | High15 |
| Unlikely - Event may occur once in 10 events | 2 | Low2 | Low4 | Moderate6 | Moderate8 | Significant10 |
| Rare - Event occurs only in exceptional circumstance | 1 | Low1 | Low2 | Low3 | Low4 | Moderate5 |

*Examples of some of the risks may include:*

* **Collision**: Collision between: vessel/vessel, vessel/structure, vessel/bank, vessel/person, fixed or floating object, overhead obstruction/wires, submerged object.
* Person overboard.
* Capsize/swamping.
* Vessel Failure: Catastrophic failure, (loss of steering or power) that may result in harm to occupants of vessel, other vessels or onlookers – consider speed of vessels.
* Fire: Vessels and water infrastructure.
* Propeller Injury: Injury to a participant from a vessel’s propeller.
* Debris in water causing hazard to other participants, users or vessels.
* Low light restricted visibility: Event to be conducted in low light/visibility, twilight or dark. Consider requirement for navigation lights, impact on rescue.
* Black water restricted visibility: Consider potential that the water turbidity, colour or available daylight might prevent seeing someone in the water or under the surface.
* Delay to event causing impact on exclusion zone/event area: Consider potential that the event may be delayed or run overtime, be late to start, or be required to pause for unanticipated activities. Consider the likely impact on safety of the event.
* Unregistered vessels or unlicensed operators: The potential that unregistered vessels or unlicensed operators of powered vessels will be present.
* Un-official Vessels/swimmers: Large crowds expected on the banks/waters edge Vessels or swimmers/spectators not involved in the event to enter the area where the event is to be held.

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| **Hazard/Risk:** Identify, record and assess the hazards and risks to safety specific to this activity/event | Initial L | Initial C | Initial Risk Rating(LxC) | **Preventative controls**List control measures in place to prevent a hazard from occurring and reduce the risks to safety identified | Revised L | Revised C | Revised Risk Rating(LxC) | **Mitigating controls**List control measures to reduce the degree of harm in the event of an incident occurring |
| *Example**Collision between two competing vessels operating at high speed* | *4* | *4* | *16* | *Racing boats travelling in same direction around circuit.**Racing rules in place regarding holding your lane, overtaking and minimum distances.**Maximum of 8 vessels per race.**Vessel drivers are experienced.**All competitors must attend briefing.* | *2* | *4* | *8* | *Rescue boats on course at all times when racing.**Paramedic stationed on a rescue boat.**Personal protective equipment worn by occupants of competing vessels (lifejacket, helmet, race suit).* |
| Hazard/Risk. | # | # | # | Preventative Controls. | # | # | # | Mitigating controls. |
| Hazard/Risk. | # | # | # | Preventative Controls. | # | # | # | Mitigating controls. |
| Hazard/Risk. | # | # | # | Preventative Controls. | # | # | # | Mitigating controls. |
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