

Ref: 1590-2024-BAE

Lisa Bolger
Customer Permits & Agreements Team Leader
Parks Victoria
Level 1, 65 Church St
MORWELL VIC 3840

PO Box 1716,
Melbourne Vic 3001
T 1800 638 802

Dear Lisa

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 Paddle Victoria on 15 February 2025 (back-up date Sunday 16 February 2025).

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 conditions to include further event locations.

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—

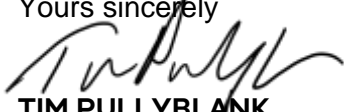
- (a) on the applicable regulatory entity's Internet site; and*
- (b) in some other way that gives notice of the declaration to persons affected by the declaration.*

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

- Publishes the Declaration on their Internet site
- Ensures Paddle Vic publishes the Declaration on their website/social media platforms
- Ensures Paddle Vic circulates the Declaration to all participants
- Ensures Paddle Vic places signage of event details at access points in event location, once confirmed
- Ensures Paddle Vic reports an incident in relation to the exemptions should it occur, by way of notifying Parks Victoria (PV) and Safe Transport Victoria (ST Vic) as soon as possible by email and completing an incident report sent to PV and ST Vic within seven (7) days.

If you have any questions in relation to this matter, please contact Amanda Judd on 0436 915 136 or amanda.judd@safetransport.vic.gov.au.

Yours sincerely



TIM PULLYBLANK

Manager Safety Assurance
Safe Transport Victoria

24/12/2024

PUBLIC NOTICE
DECLARATION OF BOATING ACTIVITY EXEMPTION

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

For the purposes of boating activity conducted by Paddle Victoria, persons and vessels involved in the Peninsula Downwind Classic 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 1.2.9(b) of Schedule 1 – areas prohibited to vessels at Mordialloc
6. *Clause 1.2.9(g) of Schedule 1 – areas prohibited to vessels at Carrum
7. *Clause 1.2.9(k) of Schedule 1 – areas prohibited to vessels at Frankston
8. *Clause 1.3.9(a) of Schedule 1 – areas prohibited to vessels at Safety Beach
9. *Clause 1.3.9(c) of Schedule 1 – areas prohibited to vessels at Rosebud
10. *Clause 1.3.9(d) of Schedule 1 – areas prohibited to vessels at Rye

Subject to the conditions detailed below:

- Masters of rescue vessels are only exempt from items 1 - 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 on shore and items *5 - 10 for the duration of the event at that location.
- Competitors are only exempt from items 2 - 4 when competing in the events and items *5 - 10 when competing in the event at that location.
- All participants involved with the event must wear a lifejacket at all times during the event.
- All occupants of IRB rescue vessels 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 from 2.30pm to 4.30pm on Saturday 15 February 2025 (back-up date Sunday 16 February 2025) to the persons and vessels involved in the Peninsula Downwind Classic 2025.
- 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 Victoria Police and Safe Transport Victoria (ST Vic). In the case of all other incidents ST Vic requires incident reports within seven (7) days and a finalised report within 30 days.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

By order of Parks Victoria

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