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## PUBLIC NOTICE DECLARATION OF BOATING ACTIVITY EXEMPTION

Parks Victoria as the declared waterway manager for the Yarra River upstream of the port waters of the Port of Melbourne, makes the following declaration under section 203(3) of the *Marine Safety Act 2010* (Vic).

For the purposes of boating activity conducted by City of Melbourne, persons and vessels involved in the 2024 Moomba Festival 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 3(a) – must not exceed 5 knots within 50 metres of the water's edge
4. Clause 3(b) – must not exceed 5 knots within 50 metres of a fixed or floating structure
5. Clause 14(a) – vessels must travel in an anti-clockwise direction on inland waters;
6. Clause 19(b) – the master of a vessel must not tow more than 3 persons;
7. Clause 19(c) – the master of a vessel must not tow a person between one hour after sunset and one hour before sunrise

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

8. Clause 3.1 of Schedule 3 – 5 knot speed restriction on waters of the Yarra River;
9. Clause 3.3(a) of Schedule 3 – Prohibition of swimmers on the waters of the Yarra River upstream of port waters of the Port of Melbourne.
10. Clause 3.3 (b) of Schedule 3 – Prohibition of personal watercraft on the waters of the Yarra River upstream of port waters of the Port of Melbourne
11. Clause 3.3(c)(i) of Schedule 3 – Areas of the Yarra River upstream of port waters of the Port of Melbourne to Dight's Falls where berthing and mooring is prohibited.

### ***Marine Safety Regulations 2023***

12. Regulation 60 – Master must not engage in towing unless an observer is on board
13. Regulation 61(5) – Master requirement to carry listed safety equipment on vessel on inland waters (waterproof buoyant torch)
14. Regulation 61(6) – Master requirement to carry lifejacket on vessel on inland waters for each person onboard (or being towed)
15. Regulation 66(3) – persons on vessels must wear a lifejacket of type specified at all times when underway on inland waters
16. Regulation 69 – a person being towed must wear a lifejacket.
17. Regulation 70(1) – vessel master must not operate the vessel unless persons on board when underway or being towed wear a lifejacket
18. Regulation 70(2) – vessel master must not tow person unless wearing lifejacket

### ***Marine Safety Regulations 2023 Modification***

19. A lifejacket of a type described in Part 4 & 7 of "Schedule 1 - Types of Lifejackets", of the Marine Safety Regulations 2023 (MSRs) is modified to include a lifejacket is deemed a Level 50S lifejacket or a Type 3 lifejacket if it is a purpose designed wetsuit with impact protection and built-in buoyancy to float the wearer as per International Waterski & Wakeboard Federation rules.

Subject to the conditions detailed below:

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- Masters of rescue vessels are exempt from items 1-5 and item 8 in the above list only when undertaking a rescue operation to retrieve persons in distress and provide for their initial medical or other needs and deliver them to a place of safety, and item 11 for the duration of the event.
- Masters of course vessels are **only** exempt from item 11 in the above list. At all times course vessels must adhere to state and scheduled waterway rules, including 5knot speed restrictions - unless in a rescue situation
- Masters of tournament/ski vessels are exempt from items 2 - 5, 8, 11 & 13 in the above list only when actively involved in 2023 Moomba Masters events.
- Masters of tournament/ski vessels are exempt from item 7 in the above list on condition that all competitors involved in 2024 Moomba Masters night competition, or ski show events wear an approved light.
- Masters of tournament/ski vessels are only exempt from items 6, 14, 17 & 18 when towing and retrieving water skiers who are participating in trick skiing events and exempt from items 15 & 16 in accordance with these conditions.
- Only skiers participating in the following trick skiing activities are exempt from items 15 & 16 during the below events, provided they wear an approved light and bright coloured clothing:
  - A 3-person high pyramid on the second or third tier;
  - The rope held by the toe manoeuvres
  - Swivel acts; and
  - Double couple acts.
- Competitors involved in 2024 Moomba Masters events are exempt from item 9 in the above list during competition only.
- Competitors involved in 2024 Birdman Rally are exempt from item 9 in the above list on condition that a lifejacket and protective helmet are worn.
- Masters of PWC vessels are only exempt from item 5 & 10 during the Birdman Rally Jet Pack Shows event times and transiting to or from the site. All PWCs must adhere to state and scheduled waterway rules at all times, including 5knot speed restrictions - unless in a rescue situation.
- Masters of Jet Pack Show PWC vessels are only exempt from item 12 during the Jet Pack Shows.
- Ski Show participants being towed must wear a flotation device that complies with item 19 Modification that is a purpose designed wetsuit with impact protection and built-in buoyancy to float the wearer as per International Waterski & Wakeboard Federation rules.
- All persons on vessels and skiers associated with these events must wear a lifejacket (unless exempt from items 15 & 16 in accordance with these conditions), and vessels must have all prescribed safety equipment, including rescue vessels.
- The exemptions only apply within the exclusion zones for the time, date and location as specified in **Table 1** and **2**, attached.
- The exemptions apply provided the stated safety controls and undertakings detailed in the application form and associated documentation are adhered to.

**Table 1** Yarra River Closure Schedule for 2024 Moomba Festival

Date	Time	Event	Closure Area See Table 2
Wednesday 28 February 2024	9:00am - 12:00pm 1:00pm - 4:00pm	Yarra River Course Set Up	A
Thursday 29 February 2024	9:00am - 12:00pm	Yarra River Course Set Up	A

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	1:00pm - 4:00pm		
Monday 4 March 2024	9:00am- 12:00pm 1:00pm-4:00pm	Yarra River Course Set up	A
Tuesday 5 March 2024	9:00am - 12:00pm 1:00pm - 4:00pm	Yarra River Course Set Up	A
Wednesday 6 March 2024	9:00am - 12:00pm 1:00pm - 4:00pm	Yarra River Course Set Up	A
Thursday 7 March 2024	7:00am - 1:00pm 1:10pm - 2:00pm 2:10pm- 4:00pm 4:10pm- 5:00pm 5:10pm- 10pm	Moomba Masters Event	B
Friday 8 March 2024	7:00am - 1:00pm 1:10pm - 2:00pm 2:10pm- 4:00pm 4:10pm- 5:00pm 5:10pm- 10:00pm	Moomba Masters Event	B
	4:15pm- 5:00pm	Jet Pack Rehearsal	D
Saturday 9 March 2024	8:00am - 1:10pm 1:10pm - 2:00pm 2:10pm- 4:00pm 4:10pm- 5:30pm 5:40pm-10:00pm	Moomba Masters Event	B
	2:30pm- 2:45pm 6:00pm- 6:15pm 8:30pm- 8:45pm	Jet Pack Show	D
Sunday 10 March 2024	8:00am - 4.00pm 4:10pm- 5:00pm 5:10pm-10:00pm	Moomba Masters Event	B
	10:00am -1:00pm	<b>Birdman Rally</b>	C
	2:30pm- 2:45pm 6:00pm- 6:15pm 8:30pm- 8:45pm	Jet Pack Show	D
Monday 11 March 2024	9:00am - 1:00pm 1:10pm - 2:00pm 2:10pm- 4:00pm 4:10pm- 5:00pm 5:10pm- 10:00pm	Moomba Masters Event	B
	2:30pm- 2:45pm 6:00pm- 6:15pm 8:30pm- 8:45pm	Jet Pack Show	D
Tuesday 12 March 2024	11:00am – 5:00pm	PWC Transit time	No Closure

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**Table 2: Yarra River Closure Areas for 2024 Moomba Festival**

Area A	The waters of the Yarra River between the upstream edge of the VRA Landing and Swan St Bridge.
Area B	The waters of the Yarra River between the upstream edge of the VRA Landing and Morell Bridge.
Area C	The waters of the Yarra River between an imaginary line running from the downstream edge of the VRA Landing to the upstream edge of Federation Wharf and the upstream edge of the Sea Wall.
Area D	The waters of the Yarra River between the downstream edge of VRA landing to the upstream edge of Federation Wharf in a straight line to number 5 boathouse drive

**By Order of Parks Victoria**

Dated: 1/03/2024

## Marine Safety Act 2010

### Section 208(2)

#### **NOTICE OF BOATING ACTIVITY EXCLUSION ZONE**

Parks Victoria as the declared waterway manager for Yarra River upstream of port waters of the Port of Melbourne, hereby gives notice under section 208(2) of the Marine Safety Act 2010 (Vic) that all persons and vessels not registered to take part in the Moomba Festival 2024 are prohibited from entering and remaining in the following waters.

Waters as detailed in Table 2

The exclusion zone will be in effect for the times and durations as detailed in Table 1

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