

PUBLIC NOTICE

DECLARATION OF BOATING ACTIVITY EXEMPTION

Parks Victoria as the declared waterway manager for the Yarra River upstream of port waters of the Port of Melbourne under the *Marine Safety Act 2010* (Act) makes the following declaration under section 203(3) of the Act. For the purposes of boating activity by the City of Melbourne, all vessels and persons involved in the 2017 Moomba Festival are exempt from:

1. The requirements of Clause 3.1 of Schedule 3 - 5 knot speed restriction on the waters of the Yarra River upstream of port waters of the Port of Melbourne.
2. The requirements of 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.
3. The requirements of Clause 3.3(c)(i) - area of the Yarra River upstream of port waters of the Port of Melbourne to Dight's Falls where berthing and mooring is prohibited.
4. The requirements of Clause 14(a) - Vessels to travel in an anti-clockwise direction on inland waters.
5. The requirements of Clause 19(c) – The master of a vessel must not cause or allow a vessel to be operated when towing a person between one hour after sunset and one hour before sunrise.
6. The following clauses of the Notice under Section 15(2) of the Marine Act 1988 (Vic) in respect to the requirement to operate a vessel at a speed not exceeding 5 knots within:
 - 50 metres of a person in the water – Clause 2(a)
 - 50 metres of another vessel – Clause 2(c)
 - 50 metres of the waters' edge – Clause 3(a)
 - 50 metres of a fixed or floating structure on inland waters – Clause 3(b)
7. The requirements of regulation 103 of the *Marine Safety Regulations 2012* – All persons being towed by a vessel must wear a Personal Flotation Device.
8. The requirements of regulation 104(2) of the *Marine Safety Regulations 2012* – The master of a vessel must not tow a person unless the person is wearing a Personal Flotation Device.

Subject to the conditions detailed below.

EXEMPTION CONDITIONS

1. The masters of course, rescue and tournament/ski vessels are exempt from 3.3(c)(i) and 14(a).
2. The masters of rescue vessels are exempt from Clause 3.1 and the clauses detailed in Point 6 above 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.
3. The masters of tournament/ski vessels are exempt from Clause 3.1 and the clauses detailed in Point 6 above only when involved in 2017 Moomba Masters events.
4. The masters of tournament/ski vessels are exempt from Clause 19(c) on condition that all competitors involved in night competition of 2017 Moomba Masters events wear an approved light.
5. Only competitors involved in the trick skiing component of 2017 Moomba Masters events are exempt from Regulation 103.
6. The masters of tournament/ski vessels are exempt from Regulation 104(2) only when towing trick skiers.

7. All competitors involved in 2017 Moomba Masters events are exempt from Clause 3.3(a).
8. All competitors of the Birdman Rally are exempt from Clause 3.3(a) on condition that a PFD Type 2 and protective helmet are worn.
9. Occupants of all powered vessels, including rescue vessels used in conjunction with this event must at all times wear a Personal Flotation Device of the required type.
10. Vessels used in conjunction with this event, including rescue vessels, must be equipped with the type and number of safety equipment prescribed by the Act.

The exemptions apply for the dates, times, events and areas detailed in **Table 1** and **Table 2** from 9:00 am Wednesday 1 March 2017 to 10.00 pm Monday 13 March 2017, provided the stated safety controls and undertakings detailed in the Event Applications, Sub Risk Assessments and associated documentation are adhered to.

By Order of Parks Victoria
Date:

Table 1: Yarra River Events for 2017 Moomba Festival

Date	Time	Event	Closure Area
Wednesday 1 March 2017	9:00am - 12noon 1:00pm - 4:30pm	Yarra River Course Set Up	A
Thursday 2 March 2017	9:00am - 12noon 1:00pm - 4:30pm	Yarra River Course Set Up	A
Monday 6 March 2017	9:00am - 12noon 1:00pm - 4:30pm	Yarra River Course Set Up	A
Tuesday 7 March 2017	9:00am - 12noon 1:00pm - 4:30pm	Yarra River Course Set Up	A
Wednesday 8 March 2017	8:00am - 11:30am 12:30pm - 6:00pm 6:30pm - 7:40pm	Moomba Masters Event	B
Thursday 9 March 2017	8:00am - 11:30am 12:30pm - 6:00pm 6:30pm - 8:30pm	Moomba Masters Event	B
Friday 10 March 2017	10:15am - 7:00pm 7:30pm - 10:30pm	Moomba Masters Event	B
Saturday 11 March 2017	7:00am - 9:00am 10:00am - 6:30pm 6:45pm - 9:15pm 9:30pm - 11:00pm	Moomba Masters Event	B
Sunday 12 March 2017	08:00am - 6:20pm 6:35pm - 10:50pm	Moomba Masters Event	B
	10:00am - 1:00pm	Birdman Rally	C
Monday 13 March 2017	9:30am - 12:00pm 12:20pm - 7:30pm 08:00pm - 10:00pm	Moomba Masters Event	B

Table 2: Yarra River Closure Areas for 2017 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.