

(WAMA – 2019 – 203307)

Approval and exemption from certain provisions of the *Navigable Waters Regulations 1958* and the *Western Australian Marine Act 1982* for certain vessels in the Swan Canning Riverpark

I, **Raymond Buchholz**, General Manager Marine Safety, Department of Transport ("DoT"), delegate of the Chief Executive Officer, DoT, acting pursuant to the powers in section 115A of the *Western Australian Marine Act 1982* ("the Act") and regulation 48(a) of the *Navigable Waters Regulations 1958* ("the Regulations"), hereby make the exemptions and approval set out below, in relation to motorised vessels under the control of a bona fide member or event official of Rowing WA, Rowing Australia, the Western Australian Institute of Sport or associated rowing club ("Rowing Club Vessels") whilst operating within the following areas only:

- a. Coffee Point on the Canning River to Riverton Bridge; and
- b. Fremantle Traffic Bridge to Reid Highway Bridge on the Swan River.

Exemptions

Pursuant to section 115A of the Act, Rowing Club Vessels are **exempt** from compliance with:

- a. regulations 19A, 48(b) 48(c), 48(d) and 48(e) of the Regulations; and
- b. notices made under section 67 of the Act once 10 months have elapsed from the time the notice was published in the Gazette.

Approval

Pursuant to regulation 48(a) of the Regulations, Rowing Club Vessels are **granted approval** to operate in exceedance of 8 knots in water less than 3 metres in depth and within 50 metres of a river bank or water's edge.

Conditions

The exemptions and approval will only apply if:

1. Exceedance of the speed limit is only to the extent as is reasonably necessary to effectively undertake either:
 - a) safety, coaching or umpiring activities during an aquatic event as listed in the Rowing WA calendar; or
 - b) organised training.
2. The speed at which Rowing Club Vessels are operated shall not exceed 12 knots above the specified speed limit.
3. DoT is in receipt of risk management plan(s), which covers all events listed in a calendar of events involving rowing that is maintained by Rowing WA, and which addresses the following:
 - a) conducting events in areas of high traffic density; and
 - b) the provision of appropriate training for vessel operators and crew to ensure that they are suitably experienced in navigating whilst operating at high speed (including when undertaking emergency response), and they take reasonable care in all circumstances.
4. All aspects of the risk management plan(s) referred to at condition 3 are adhered to at all times.
5. A copy of the risk management plan(s) referred to at condition 3 are produced to DoT upon request.
6. The Rowing Club Vessels display the word 'Safety' in letters at least 200mm high and 20mm thick, either on both sides of the hull, or on a white flag in red writing positioned on the vessel so that it is visible to other vessels.
7. A copy of this instrument is produced to DoT within 24 hours upon request.

Western Australian Marine Act 1982

This instrument is to be known as WAMA-2019-203307 and is valid from the date it is signed until 1 August 2021 inclusive unless revoked sooner. This instrument revokes the previous instrument
WAMA-2017-202127.

A handwritten signature in black ink, appearing to read 'R Buchholz', with a stylized flourish at the end.

Raymond Buchholz

General Manager Marine Safety

| August 2019