

26 August 2009

NSW Rowing Association
Att: Georgina Lee
PO Box 265
CONCORD WEST NSW 2138

Dear Ms Lee

**RE: AQUATIC LICENCE FOR
ROWING REGATTA 19/09/09 TO 15/08/10**

Your Aquatic Licence has been processed and Aquatic Licence number **106.094** has been issued under the Water Traffic Regulations – NSW in respect of the above event.

Approval is given subject to strict compliance with the NSW Maritime Authority Regulations and the conditions printed on the Licence. I would also like to bring to your attention the specific conditions attached to your licence. Please ensure you are aware of these conditions.

Please call on the listed telephone number if you require any further assistance in relation to this application or any other Aquatic matter.

Yours sincerely



Lachlan Mercer
A/ Customer Service Coordinator

AQUATIC LICENCE

NEW SOUTH WALES ROWING ASSOCIATION INC
PO BOX 265
CONCORD WEST NSW 2138

LICENCE No

106.094

Special Conditions

I acknowledge that I have read and understood NSW Maritime brochure entitled "Proof Of Identity and the Use of Personal Information under the Privacy Act - 1998" and agree that my personal information may be disclosed to the persons/agencies listed in the brochure.

Type of Activity: ROWING REGATTA

Event Date(s)/Period:

19 Sep 2009 to 15 Aug 2010,

* In accordance with the application

Time : 06:00 to 17:00

CONDITIONS:

01 02 03 04 05 06 07 08 09 10 11 12 13 14 16 17 22 23 25 26 82 83

AREAS:

B042AJ KISSING PT BAY, BRAYS BAY

B043AI KENDALL BAY TO MORT LAKE FERRY

B042AI GLADES BAY AND MORRISONS BAY

B043AH HEN AND CHICKEN BAY, FRANCE BAY, EXILE BAY

B042AH NORTH SIDE PARRAMATTA RIVER FROM HENLEY TO GLADES BAY

B043AE IRON COVE

B042AC LANE COVE FROM VICTORIA ROAD BRIDGE TO LONGUEVILLE

B042AD LANE COVE RIVER TO WOODFORD BAY

B042AK UPPER PARRAMATTA RIVER

Subject to your agreement and compliance with all conditions listed above, a licence is hereby granted in respect of the events indicated on the programme of events submitted with the application for this licence. Unless specified, this licence does not grant any person the exclusive use of any area of water.

REGIONAL MANAGER

Date: 26/08/2009

CONDITIONS FOR AQUATIC LICENCE

LICENCE NUMBER 106.094

CODE DESCRIPTION

- 01 Where the licence is no longer required the Licensee is to advise the NSW Maritime's Regional Office. Note that the licence automatically expires at the conclusion of the final event/race referred to in the application.
- 02 The Licensee is to ensure that the written permission of the owner/occupier of the land(including government and local government authorities), which is intended to be used as departure or arrival points, has been obtained.
- 03 The licensee is to provide a designated liaison officer to deal with complaints from members of the public.
- 04 Aquatic licence activities must be confined within the area shown on the plan that accompanied your application.
- 05 There is a responsibility on the Licensee to postpone or call-off an aquatic licenced event if the conditions under which the event is to be conducted, including weather and water/sea conditions, are or become unstable.
- 06 The Licensee must, at all times ensure compliance with all applicable provisions of the rules or regulations under which the event is conducted.
- 07 Course, track or rounding buoys or marks shall not be placed down before sunrise or moved contrary to the directions of an officer of NSW Maritime, and must be removed completely from the enclosed water before sunset on any day except where the application discloses that the race/event will start or continue between sunset and sunrise, or written approval to the contrary has been given by NSW Maritime.
- 08 Any direction given by an Authorised Officer to the Licensee or designated person, involving the navigation of any vessel, the temporary or complete cessation of any event or activity or the provision of safety control measures involving non-participating vessels, shall be complied with.
- 09 The Licensee is to advise all vessel charter or hire firms in the area of the details of the event, and of control arrangements.
- 10 The Licensee is to inform competitors that compliance with the Marine Safety (General) Regulation 2009 in terms of safety equipment, is required, where the rules under which the event is to be conducted do not specify alternative equipment.
- 11 A written record, detailing the reasoning behind and the result of the investigation of each incident involving a fatality, serious injury and/or damage where such is considered significant having regard to the types of vessels involved, is to be maintained for a minimum period of 6 months. Such record is to be made available to an

Date: 26/08/2009

CONDITIONS FOR AQUATIC LICENCE

LICENCE NUMBER 106.094

CODE DESCRIPTION

Authorised Officer on demand.

- 12 The Licensee must comply with the "Policy for handling incidents occurring in Aquatic events".
- 13 The Licensee is to arrange for adequate, suitable and appropriate emergency services (including first aid) for the event.
- 14 Appropriate power driven vessels shall be in attendance to act as support vessels and to warn approaching vessels that an event is in progress.
- 16 All debris resulting from the event, or other waste material, is to be removed.
- 17 The Licensee is to ensure that vessel noise emission, including that from a public address system, is effectively managed in accordance with the Protection of the Environment Operations (Noise Control) Regulation 2008.
- 22 This licence is granted on the basis that the licensee expressly and unreservedly indemnifies NSW Maritime from all liability associated with the aquatic licence event and releases NSW Maritime from any actions, of whatsoever nature, that may be instituted in relation to the event. Acceptance of this licence constitutes irrevocable acceptance of this condition.
- 23 The Licensee is to ensure that adequate safety briefings are given to all competitors prior to the commencement of an event.
- 25 The Licensee must clearly advise all participants in the Aquatic Event associated with the Licence whether or not they are covered by the Licensee's Insurance should they sustain injury or loss as a result of participating in the Event. This advice must be provided prior to the participation in the Event.
- 26 A written warning must be given to all participants by the Licensee in relation to the particular risks associated with participating in the Event. The warning can be included on the Application Form completed by the participant.
- 82 All event officials, organisers and controllers must wear appropriate official identifying clothing or clearly display official identification.
- 83 The licence holder must comply with any requirements of NSW Maritime, either written or verbal, in relation to the safe conduct of an Event.

POLICY FOR HANDLING INCIDENTS OCCURRING IN AQUATIC EVENTS

PRINCIPLES

1. The NSW Maritime will leave the management of incidents occurring under an Aquatic Licence largely to participating Clubs or Governing Bodies/Organisations. In general, all race participants compete under governing body regulations, are aware of the risks involved, and are (mostly) covered by Third Party Public Liability insurance.
2. The NSW Maritime will generally intervene only where it is clear that the issue is a significant one and action by the Club or Governing Body/Organisation appears to have been inappropriate or incomplete and/or there has been a significant disregard of the marine legislation.

POLICY FOR HANDLING INCIDENTS OCCURRING UNDER AQUATIC LICENCES INVOLVING SAIL, POWER AND PASSIVE (NOT DRIVEN BY EITHER MECHANICAL POWER OR SAIL) VESSELS

1. The NSW Maritime expects that the organising Club will investigate incidents between vessels racing in licensed events on the basis of the rules under which the vessels were competing or racing.
2. The *Navigation (Collision) Regulations - NSW* will always prevail where racing and non-racing vessels interact and when vessels are racing under different governing body regulations.
3. The Organiser (Club) of an approved aquatic activity must report all incidents involving a fatality, serious injury and/or damage where such is considered significant having regard to the types of vessels involved, to the nearest NSW Water Police or NSW Police station immediately. The Organiser must also report the incident to NSW Maritime in writing within 48 hours of occurrence and report the results of findings of an inquiry in writing to NSW Maritime within 28 days of the incident.
4. The NSW Maritime reserves the right to investigate any incident at any time and will ALWAYS investigate when significant disregard of marine legislation occurs.

Note:

1. *Serious injury* is defined as requiring hospitalisation other than for treatment of minor injury or for observation only
2. *Significant damage* is determined having regard to the types of vessels involved and would generally be in excess of a \$ value which is appropriate to the overall value of the vessel (eg \$500 quantum could be appropriate for small boats - Sabots, skiffs etc but is insignificant for a Maxi)