

22 August 2011

Avalon Sailing Club Ltd
Attention: Ian Craig
PO Box 59
AVALON NSW 2107

Dear Mr Craig

Re: Aquatic Licence no. AQL30617

Please find enclosed Aquatic Licence No AQL30617. This licence is issued under *Marine Safety (General) Regulation 2009*, regarding sailing events being held on Pittwater. This licence is issued for the period of 11 September 2011 to 19 August 2012.

The approval given in connection to this licence is subject to strict compliance with NSW Maritime's Regulations and the conditions printed on the licence.

Yours sincerely



Renee Emery
Customer Service Officer
Hornsby Office
NSW Maritime

NSW MARITIME

4 Bridge Road,
Hornsby NSW 2077

PO Box 797,
Hornsby NSW 1630

TELEPHONE: (02) 9477 6600
FACSIMILE: (02) 9477 3418

www.maritime.nsw.gov.au
ABN 21 220 712 305

AQUATIC LICENCE

Ian Craig
AVALON SAILING CLUB LTD
PO BOX 59
AVALON NSW 2107

LICENCE No

AQL30617

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 in the brochure.

Type of Activity: Sail races

Event Date(s) /Period:

11/09/2011 to 19/08/2012

* In Accordance with the Application

Time: 8:00 AM to 6:00 PM

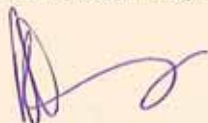
CONDITIONS:

01 02 03 04 05 06 07 08 09 10 11 12 14 17 22 23 25 26 82 83 100

AREAS:

Please see the attached sheet

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 *for*

Date: 22/08/2011

CONDITIONS FOR AQUATIC LICENCE - AQL30617

STANDARD CONDITIONS

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 Boating (Safety Equipment) Regulations 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 of 6 months. Such record is to be made available to an Authorised Officer on demand.
12	The Licensee must comply with the "Policy for handling incidents occurring in Aquatic events".
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.
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.

ADDITIONAL CONDITIONS

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.

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 Act and (Noise Control) Regulation 2008.

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.

100 - Emergency Moorings off Avalon Sailing Club are not to be used unless in an emergency.

Date: 22/08/2011

AREAS FOR AQUATIC LICENCE

LICENCE NUMBER: AQL30617

AREA DESCRIPTION

B038AB	PITTWATER - CLAREVILLE
B038AC	PITTWATER - SAND POINT TO STOKES POINT INCLUDES CAREEL BAY
B038AD	PITTWATER - BARRENJOEY TO SAND POINT
B039AB	PITTWATER - AREA AROUND WEST SCOTLAND IS NTH TO WOODY PT
B039AC	PITTWATER - MORNING BAY AND NORTH TO SOLDIERS POINT
B039AD	PITTWATER - COASTERS RETREAT AND NORTH TO WEST HEAD
B039AE	EAST SCOTLAND ISLAND
B039CA	COASTAL - ENTRANCE TO BROKEN BAY (JUNO PT,BARRENJOEY,BOX HEAD)

POLICY FOR HANDLING INCIDENTS OCCURRING IN AQUATIC EVENTS

PRINCIPLES

1. NSW Maritime will leave the investigation and management of incidents under an Aquatic Licence largely to participating Clubs or governing Bodies/Organisations. In general, all race participants competing under governing body regulations must be aware of the risks involved, and should (mostly) hold appropriate Third Party Public Liability insurance.
2. NSW Maritime will generally intervene only where it is clear that the incident is significant, 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. NSW Maritime requires the organising Club to investigate incidents between vessels racing in licensed events on the basis of the applicable rules under which the vessels were competing or racing.
2. The Marine Legislation will always prevail where racing and non-racing vessels interact and when vessels competing in separate events 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 significant damage where such is considered significant having regard to the types of vessels involved, to NSW Maritime within 48 hours of occurrence. The Organiser must then report, in writing, the results of findings of an inquiry to NSW Maritime within 28 days of the incident.
4. NSW Maritime may investigate any marine incident particularly where an apparent breach of marine legislation has occurred.

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 \$500.00 quantum could be appropriate for small boats-Sabots, skiffs etc but is insignificant for a "Maxi"), or in excess of \$5,000.00 in all cases.*