

APPLICATION FOR PERMIT

For visitors to the Fleurieu Reef (the former HMAS Hobart)

Issued under section 15 of the Historic shipwrecks act 1981

PROVISION OF PERMIT

By notices made under Sections 5 and 7 of the Historic Shipwrecks Act 1981 and published in the Gazette on 19 December 2002 the Minister for Environment and Conservation declared the remains of HMAS Hobart located at the intersection of latitude 35o 28.9'south and longitude 138o 09.5" east to be an historic shipwreck ("Wreck") and the area within a 550 metre radius of the Wreck to be a protected zone ("Protected Zone").

This Permit to enter the Protected Zone is issued by the Minister of Tourism ("the Minister") acting under delegation from the Minister for Environment and Conservation provided that this Permit is only issued if the permit holder has first accepted the terms and conditions set out below without modification by duly signing the first page of this application form.

This Permit is revocable at will by the Minister at any time. The permission to enter the Protected Zone conferred by this Permit is for the period shown in the table on the first page unless either earlier revoked by the Minister or terminated by operation of the next paragraph (the "Authorised Period").

The authorisation conferred by this Permit is subject to the Permit Holder complying at all times with the conditions of this Permit, the Code of Practice attached to this Permit, and all applicable laws ("Conditions"). A breach by the Permit Holder of any of the Conditions operates to immediately terminate the authorisation conferred by this Permit and the Permit Holder must immediately leave the Protected Zone.

During the Authorised Period, the Permit Holder is authorised to enter (both at and below surface level) the waters within the Protected Zone for the sole purpose of accessing the Wreck as a scuba-diving site (the "Authorised Use").

This Permit is a general, non-exclusive licence and is not transferable.

TERMS AND CONDITIONS OF PERMIT

I understand the hazards of scuba and skin-diving, and of visiting the Fleurieu Reef, which include, but are not limited to, injury or death as a result of drowning, decompression or air expansion (if diving), slipping or falling while on board or while getting on or off the boat, being struck by a boat while in the water, contact with dive moorings or the wreck, attack by shark or other marine fauna, or other perils of the sea.

I also understand that the Fleurieu Reef is located in unprotected waters which are relatively remote from recompression facilities that may be needed to treat hyperbaric injuries. I acknowledge, therefore, that I will be diving in unprotected waters and regardless of the lack of such facilities in close proximity to the dive site. [Non-diving passengers delete this paragraph]

I will be using a boat which is registered, and suitable for use in unprotected waters in connection with diving. The registered number of the boat is listed on the first page of this application form.

By signing this document, I certify that I expressly assume all risks, whether foreseen or unforeseen, for any harm, injury or damage that may befall me visiting the Fleurieu Reef.

I declare that I am in good mental and physical health and that, on the day(s) of diving, I will not be under the influence of alcohol or any drugs that are contra indicatory for diving. If taking any medication, I declare that I have the approval of a physician to dive while under the influence of the medication. [Non-diving passengers delete this paragraph]

I have read and understand the 'Fleurieu Reef Code of Practice' and associated site controls under the Historic Shipwrecks Act and the Harbors and Navigation Act. I agree to comply fully with the code of practice and abide by the relevant site regulations.

I further state that I am over the age of eighteen and legally competent to sign this document.

I also understand that the terms herein are contractual and not mere recital, that this document is legally binding and that I have signed of my own free will.

I understand and agree that neither the Minister, the Crown in right of the State of South Australia, the South Australian Tourism Commission nor their respective officers, employees, contractors, agents, or assigns (or any of them) ("Released Parties") may be held liable or responsible in any way for any occurrence on this visit/dive trip which may result in personal injury, property damage, wrongful death or other damage to me or my family, heirs, or assigns that may occur as a result of my participation in this boat trip and scuba dive(s) or as a result of the negligence of any party, including the Released Parties, whether passive or active. I agree to indemnify and forever hold harmless the Released Parties from and against all and any actions claims demands losses damages costs and expenses for which the Released Parties are or may become liable in respect of or arising out of any loss, damage, death or injury whether personal or in respect of property suffered by any person in on or about the Wreck or the waters of the Protected Zone however caused, including but not limited to, product liability or the negligence of the Released Parties, whether passive or active.

I acknowledge that I have read this document, fully understand the potential dangers incidental to engaging in this boat trip, scuba dive(s) and visit, am fully aware of the legal consequences of signing this Instrument, and that I understand and agree that upon signing this document that this document is legally binding and will preclude me from recovering monetary damages from the Released Parties, whether specifically named or not, for personal injury, property damage or wrongful death caused by product liability or the negligence of the Released Parties, whether passive or active.

I make application for a permit to be issued to me by the South Australian Tourism Commission on the terms and conditions contained herein and agree to carry the permit issued to me at all times while visiting the reef and to produce it to any authorised officer if requested to do so.

I understand the permit to be issued allows me to visit on the approved date and times only and the right to visit may be revoked forthwith for any breach of the permit, the Fleurieu Reef Code of Practice, or any applicable laws.

CODE OF PRACTICE

In this Code the “Protected Zone” means that portion of the waters of Gulf St Vincent bounded by a circle having a radius of 550 meters and centered on the intersection of latitude 35° 28.9” south and longitude 138° 09.5” east that has been declared a protected zone under the *Historic Shipwrecks Act 1981*. In addition, a larger area, extending half a nautical mile from the Reef has been established as an Restricted Area under the *Harbors and Navigation Act 1993*. A reference in this Code of Practice to the “Protected Zone” is to be taken to include the Restricted Area.

Application

To whom does the code apply?

This code applies to the operators of any vessel that enters the Protected Zone and surrounding area. It also applies to any employer, self-employed person, employee, diver or passenger on such vessels, as well as other members of the general public in the vicinity of the Protected Zone.

Compliance

Agreeing to comply fully with this code is a pre-condition to access. Operators of vessels entering the Protected Zone must ensure that, prior to entering the Protected Zone, each of its passengers has signed SATC’s application and risk indemnity form, has a permit to enter the Protected Zone and has read and agreed to comply with the “Individual’s Code of Practice” for entering the Protected Zone.

MOORINGS

Availability

A person must not moor a vessel in the Protected Zone unless that person has received permission to do so from SATC or an operator with authority from SATC to grant such permission. A person must only moor a vessel in the Protected Zone at the particular mooring specified by SATC and in accordance with the terms of the permission to use that mooring granted to that person by SATC or an operator with authority from SATC to grant such permission.

Use of the moorings

The following applies in relation to the use of the moorings:

- Check weather forecasts and only use the moorings if safe to do so.
- Vessels should not be under power when attached to the moorings, if it is unnecessary for the vessel to be under power.
- The rope from the moorings to the mooring block should not cause any damage to the Reef.
- A vessel must not drop anchor anywhere within the Protected Zone.
- A vessel must not carry more than the number of passengers specified by the vessel’s compliance plate.

SITE CONTROLS

The following recreational activities are not permitted within the Protected Zone:

- fishing;
- swimming;
- recreational boating;
- skiing;
- aquaplaning;
- kayaking; or
- canoeing.

Persons under the age of 18 are not permitted to dive the Reef.

All persons entering the Protected Zone must comply with all legislative requirements at all times. The legislative requirements are subject to addition and/or amendment from time to time but include the following:

- A person must not (unless previously approved in writing by SATC):
 - Operate a vessel at a speed in excess of 4 knots or in a planing attitude.
 - Ski, aquaplane or be towed in any other manner by a vessel.
 - Swim or bathe except for purposes connected with scuba diving or snorkeling.
- Remove, interfere with, or dispose of a wreck or any part of the wreck or a historic relic.
- Damage or destroy the shipwreck or a historic relic; or
- Bring into the Protected Zone -
- Equipment constructed or adapted for the purposes of salvage or recovery operations; or
- Explosives, instruments or tools, the use of which would be likely to damage or interfere with the shipwreck or a historic relic situated within the Protected Zone.
- Use within the Protected Zone any such equipment, explosives, instruments or tools.
- Cause a ship carrying such equipment, explosives, instruments or tools to enter, or remain within, the Protected Zone.
- Trawl, dive or engage in any other underwater activity, within the Protected Zone.
- Moor or use ships within the Protected Zone.
- Fish within 0.5 of a nautical mile from the Reef.

The master or operator of a vessel that is over 10 metres in length must, at all times while a diver is operating from the vessel, display in a conspicuous position on the vessel the International Code Flag A.

The master or operator of a vessel that is 10 metres or less in length must, at all times while a diver is operating from the vessel, display in a conspicuous position on the vessel a rigid replica of International Code Flag A, at least 750 millimetres by 600 millimetres in size.

The master or operator of a vessel navigating in the vicinity of a vessel, float or buoy displaying an International Code Flag A or a replica of that flag, must navigate so as to avoid injury to the diver or interference with the vessel, float or buoy.

Where it is a requirement that an International Code Flag A or a replica must be displayed, then the person who is required to display the flag or replica must ensure that it is illuminated during the hours of darkness.

In addition, the following procedures are recommended practices to be observed by vessels, their operators and divers:

- Vessels must be in good order, with the prescribed safety equipment, including spare air cylinders for decompression or safety stops, oxygen therapy equipment and a first aid kit.
- A person must not operate a vessel in the specified area without a lookout in place.
- A vessel must take the most direct route to its intended mooring but must not maneuver through the inside of the buoyed area.
- Vessels are not permitted to drift through or tie off other moored vessels in the specified area.
- Vessels waiting for a mooring to become available must remain at least 50 metres distant on the perimeter side of the intended mooring or anchored outside the specified area.
- A person with a certificate of competency appropriate to the particular class of vessel must remain on the vessel as a lookout at any time that divers and/or snorkellers are in the water.
- It is not permissible to drop divers and/or snorkellers near a mooring and then move the vessel away from the mooring or outside the Protected Zone. The vessel must remain attached to the mooring whenever divers and/or snorkellers are in the water.
- Vessels must have a blue-and-white ‘alpha flag’ hoisted at all times that divers and/or snorkellers are in the water. The flag must be taken down when all divers and/or snorkellers have reboarded.

- A detailed manifest must be maintained of divers and/or snorkellers operating from the vessel including the names of persons on the vessel and persons diving together with details of the time of entering and exiting the water.
- Check and record tank pressures upon entering and exiting water.
- Check equipment before entering water to verify that the diver has all necessary equipment and that it is operational.
- Any damage or unsafe wear to the moorings or wreck should be reported to the SATC.
- Check weather forecasts and only enter the Protected Zone if safe.

All persons entering the Protected Zone must comply with the Australian Standard AS 2299:3 (Occupational Diving Operations: Recreational Industry Diving and Snorkelling Operations) and the Occupational Health, Safety and Welfare Act 1986 and the Occupational Health, Safety and Welfare Regulations 1995.

These legislative requirements will be policed periodically by SA Water Police, Transport SA, Fisheries SA personnel and other persons who have been appointed Inspectors under the Historic Shipwrecks Act 1981. Anyone located within the Protected Zone must not hinder the work of Inspectors. Inspectors have a number of powers under the Historic Shipwrecks Act 1981 including the power to search vessels, seize vessels and equipment used in the commission of an offence and arresting without a warrant.

Failure to adhere to these legislative requirements may result in penalties under the Harbours and Navigation Act, the Historic Shipwrecks Act and/or a permit being revoked and/or bans imposed on the issue of further permits. Penalties up to \$5000 and/or 5 years imprisonment can apply to offences committed under the Historic Shipwrecks Act 1981.

DIVER COMPLIANCE AND GUIDANCE

General

Operators of vessels entering the Protected Zone should ensure that its passengers only dive to their level of training and depth limitations imposed by the diver's training organization.

All commercial operators must undertake a risk assessment for all hazardous diving in accordance with the Occupational Health, Safety and Welfare Regulations 1995 and AS 2299:3.

While the site is intended primarily for divers, it may also be used by snorkellers. Divers need to be made aware, therefore, that others – perhaps with little understanding of their method of operating – may be visiting the site at the same time.

This is not a site suitable for divers with little or no post-course experience, unless supervised by an in-water guide. Operators

should ensure that anyone new to the site gains the services of a suitably-qualified in-water dive guide to escort them on preliminary dives. It is recommended that all charter vessels offer escorted dives.

It is recommended that all divers conduct orientation dives before venturing into any overhead sections, regardless of their level of experience and qualifications. Operators of vessels entering the Protected Zone should understand and comply with, and ensure that its passengers understand and comply with:

- The recommended equipment requirements as set out in Attachment 1.
- The safety considerations for diving in the Protected Zone as set out in Attachment 2.
- The guidelines for avoiding decompression illness as set out in Attachment 3.

Snorkellers

Snorkellers may swim within a ten (10) metre radius of the mooring being used by their vessel. They are not permitted to swim within ten (10) metres of any other mooring or vessel, nor swim into the inner area bounded by the buoy moorings. They need to be made aware that a medium current at times runs across the site. They may dive towards the wreck but are not permitted to touch or enter any section of the wreck.

Open water diver

Open water divers may swim over the outside of the wreck but should not enter any section of the wreck that does not allow direct vertical access to the surface. They should also restrict their dive to a maximum depth of 18 metres, dive well within no-decompression limits and carry out a safety stop at the end of every dive.

Advanced open water diver

Advanced open water divers may swim over the outside of the wreck but should not enter any section of the wreck that does not allow direct vertical access to the surface. They should also restrict their dive to a maximum depth of 30 metres, dive well within no-decompression limits and carry out a safety stop at the end of every dive. They should restrict their penetration to a level commensurate to their training and experience.

Wreck diver (recreational agency trained)

Wreck-certified divers may swim over the outside of the wreck and may enter sections of the wreck that do not allow direct vertical access to the surface, providing they stay within the light zone. No entry of the wreck should be attempted during hours of darkness. They should also restrict their dive to a depth commensurate with their training and experience, stay well within no-decompression limits and carry out a safety stop at the end of every dive.

Wreck diver (technical diving agency trained)

Wreck-certified divers who have successfully undertaken a wreck-diver program that

specifically teaches the techniques of wreck penetration may penetrate all areas of the wreck, providing they are properly equipped and have made adequate preliminary orientation dives on the site. They should restrict their penetration to a level commensurate with their training and experience and limit their decompression times.

Cave/penetration diver (technical diving agency trained)

Cave or penetration-certified divers who have successfully undertaken a basic wreck diver program or have equivalent experience in wreck diving may penetrate all areas of the wreck, providing they are properly equipped and have made adequate preliminary orientation dives on the site. They should restrict their penetration to a level commensurate with their training and experience and limit their decompression times.

Note: For those undertaking decompression dives, adequate decompression gas should be available at deco stop for use during safety stops or planned decompression dives.

Attachment 1: RECOMMENDED DIVE EQUIPMENT REQUIREMENTS

All persons must comply with Australian Standard AS 2299:3 (Occupational Diving Operations: Recreational Industry Diving and Snorkelling Operations) as the minimum level.

Semi-penetration dives (light zone factor)

It is recommended that each diver undertaking dives within the light zone in the Protected Zone be equipped with the following minimum equipment:

- Mask and snorkel
- Fins
- Suitable thermal protection – either wet or dry suit
- Gloves
- Buoyancy compensator (scuba fed)
- Cylinder of appropriate capacity for the planned dive
- Regulator consisting of one first stage, two second stages, cylinder contents gauge and a low pressure inflator hose
- Depth and timing device capable of recording maximum depth and elapsed time
- One light source (if not entering wreck)
- Two light sources (if entering light zones of wreck)
- Knife
- Safety sausage (diver inflatable signal device) and whistle.

The additional following items are not essential but are recommended by SATC:

- Reel and guideline (for any dives where direct vertical access to surface is not possible)
- A redundant air supply (for any dives where direct vertical access to surface is not possible)

- The use of mixed gas rebreathers
- Dive computer or slate with pencil.

Consideration should be given to decompression diving requirements particularly those undertaking technical diving requiring staged compression in accordance with AS 2299:3

Penetration dives

It is recommended that each diver undertaking penetration dives on Fleurieu Reef be equipped with the following minimum equipment:

- Mask and snorkel
- Fins
- Suitable thermal protection – either wet or dry suit
- Gloves
- Buoyancy compensator of suitable design for application
- Redundant air source, twin system or bailout system
- One depth and timing device capable of recording maximum depth and elapsed time
- One primary and two back-up light sources
- Two knives or other devices capable of cutting line etc (preferably stored on upper body)
- Compass
- Slate and pencil
- Decompression tables
- Primary reel line
- Safety reel (for lost line searches etc). Note that access warning signs have been placed at various places on the reef without the certification level specified “one not to penetrate further into the wreck at those points.”
- Dive computer
- Safety sausage (diver inflatable signal device) and whistle.

Attachment 2: SAFETY CONSIDERATIONS FOR DIVING ON THE REEF

Strong tidal currents may be experienced in this area. To minimise the effects of tidal currents divers should plan their dives around a 30-40 minute window either side of the turning tide.

Swimming against even a slight current can quickly cause fatigue. Divers should ensure that they are physically and medically fit prior to commencing any SCUBA diving activities. If they have any concerns about their diving fitness, prior to conducting any dives they should consult their Doctor or the Hyperbaric Medicine Unit at the Royal Adelaide Hospital for a list of Doctors specifically trained in diving medicine.

Increased physical output coincides with increased use of air resources. Divers should regularly check their cylinder contents gauges and plan their dives to allow necessary reserves.

On descending to and ascending from the wreck divers should remain in contact with the buoy line to minimise the risk of drifting off. Observers on board vessels should keep a

good lookout for divers that may surface away from buoy lines and have a plan to effect their immediate recovery.

Divers should carry a torch to assist in illuminating interior parts of the wreck to decrease the possibility of disorientation. Divers should only access parts of the wreck that they are qualified to.

Divers that return to the surface and find that they have drifted off of the wreck should try and attract attention of surface vessels by waving their arms and blowing a whistle or inflating some kind of signal device such as a Safety Sausage or similar.

If it becomes obvious that they will not be immediately recovered they should ensure that their vest is inflated and consider removing their weight belt to assist maintaining positive buoyancy. Remain calm. Unless it is possible to reach a vessel or land avoid swimming or physical exertion and huddle into a ball to minimise the potential for hypothermia.

Vessel crews becoming aware of the possibility of a diver not returning to the surface or drifting away should contact Police at their earliest opportunity so that search and rescue measures can be instigated.

A thorough briefing should be delivered prior to commencing any dives so that all members of the party including vessel crew are aware of the proposed dive profile and safety actions.

Attachment 3 : GUIDELINES FOR AVOIDING DECOMPRESSION ILLNESS

Avoiding ‘the bends’

The incidence of decompression illness can be greatly reduced if you follow these guidelines:

- Get sufficient rest the night before your dive.
- Excessive alcohol consumption the night before must be avoided as this causes dehydration.
- Ensure you are well hydrated before and after you dive - avoid coffee and tea (caffeine).
- Pack your SCUBA gear the day before in preparation for a relaxed, stress free dive.
- A thorough pre-dive check must be performed before each dive including mask and fin straps.
- Listen carefully to your pre-dive briefing and follow the plan prepared at this briefing during your dive.
- Take special care during your buddy check.
- On ascent to the surface after a ‘non decompression dive’, do your safety stop as discussed in your dive briefing.
- Do not fly for 24 hours post dive.

Know the symptoms

Muscle pain (‘pulled muscle’), pain/discomfort around the joints, a feeling of malaise (feeling unwell), lethargy (extreme fatigue), headaches, numbness, tingling sensations, chest pain, occurring within 24 hours of the

dive are some of the symptoms which have to be treated as suspect symptoms.

If still on a vessel, report any symptoms to the crew. If in the Marina St Vincent area, report to the office so they can contact Divers Emergency Service (DES) Australia. Otherwise phone DES on 1800 088 200 toll free.

Symptoms can appear the next day so, remember, if you are in doubt about some aspect of your health seek medical advice.

You can do everything ‘right’ and still get a decompression injury. The important thing is to report the problem quickly so that medical advice can be obtained without delay.

A diving emergency while on the Reef

If a diving emergency or any medical emergency occurs while diving on the Reef the following procedures should be **STRICTLY** adhered to:

1. Retrieve the injured diver to the boat.
2. Attention to the ‘ABC’ of First Aid response.
3. The diver **MUST** be kept in the HORIZONTAL position and given 100% oxygen. An appropriately trained oxygen provider must be on all commercially operated boats, and all commercially operated boats **MUST** have an oxygen supply. The trained oxygen provider must not dive on that dive. It is recommended that all other boats have an appropriately trained oxygen provider and carry an oxygen supply.
4. The Divers Emergency Service (1800 088 200) number is to be contacted as soon as possible. This phone is answered initially by the SA Ambulance Service who will contact the on call diving doctor and initiate the emergency retrieval (local ambulance service and retrieval helicopter).
State: “This is a diving emergency, **we are diving on the HMAS Hobart**.” Stay on line and await instructions. Keep lines of communication open at all times.
5. The boat is to proceed to the Marina St Vincent where the ambulance will meet them. **The diver is to stay on the boat in the horizontal position.** The ambulance crew will then lift the diver (keeping the diver flat) onto the wharf and into the ambulance.

CONTACTS

Divers Emergency Service (DES) Australia
1800 088 200

For permits and information about the Reef and further information about visiting South Australia:

South Australian Tourism Commission
1300 655 276
www.southaustralia.com

Note: Commercial Diving Operators must notify Workplace Services on 1300 365 255 within 24 hours of a dangerous occurrence. This is a requirement under Division 6 of the *Occupational Health, Safety and Welfare Regulations 1995*.

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Please read this document carefully and fill in the blanks before signing

Name

Address

.....

..... Postcode.....

Telephone..... Mobile.....

I affirm that I am a:

[tick if appropriate]

- certified scuba diver, or
- snorkel diver, or
- non-diving passenger on a vessel

Details of my certification as a scuba diver are:

(a) Level of certification held:

.....

(b) Training organisation:

.....

(c) Certification/registration number:

.....

Authorised boat details

Name of boat:

.....

Boat registration number:

.....

Authorised period of dive

Commencement date:

End date:

Commencement time:

End time:

I, the abovenamed Permit Holder, hereby declare that I have read and understood the Terms and Conditions of Permit attached and accept its conditions.

Signed (applicant): Date

Witness: Date