

**VICTORIA RACING CLUB LIMITED
CONDITIONS OF USE FOR ON-SITE TRANSPORT
(MOTOR VEHICLE, GOLF CARTS, MOTOR CYCLES, MOTOR SCOOTERS AND BICYCLES)**

Victoria Racing Club Limited (ACN 119 214 078) requires all persons (including a company, partnership, trust and or any other form of organisation) who wish to use or have their employees use any motor vehicle, golf cart, motor cycle, motor scooter, or bicycle ("vehicle") on Flemington Racecourse for the purpose of transportation on the Racecourse to comply with the Conditions of Use set out below of otherwise specified by the Racecourse Manager.

CONDITIONS OF USE

DEFINITIONS

In these Conditions of Use:

"Accreditation" refers to one of the following permits granted by the Melbourne Cup Carnival Site Office to an Operator allowing to the Flemington Race Course.

- (a) Service Vehicle;
- (b) Restricted Race Day; and
- (c) Non Race Day
- (d) Transit Pass

"Help Desk" means the help desk office located at Flemington Racecourse which can be contacted on 9371 7194 or extension 91.

"Non Race Day Access Vehicle" means any Vehicle Accredited as a Non Race Day Vehicle.

"Operator" means a person granted approval to bring onto and use a Vehicle at Flemington Racecourse for the purpose of Transportation on the Racecourse.

"Person" includes any individual person any company, partnership, trust and any other form of organisation, incorporated or unincorporated.

"Racecourse Manager" means the manager of Flemington Racecourse and any person or persons to who are responsible for administration of the Conditions of Use may be delegated from time to time.

"Race Day" includes any day on which a race meeting is held at Flemington Racecourse during the Melbourne Cup Carnival.

"Restricted Race Day Access Vehicle" means any Vehicle Accredited as a Restricted Race Day Access Vehicle.

"Service Vehicle" means any Vehicle Accredited as a Service Vehicle.

"Transit Pass" means a temporary vehicle pass given to Vehicles who need to make deliveries or access Flemington Racecourse for short periods of time during the Melbourne Cup Carnival lockdown period

"Vehicle" means any motor vehicle, golf cart, motorcycle, motor scooter or bicycle.

"Melbourne Cup Carnival lock down period" means the period from Monday 26 October 2009 to Wednesday 11 November 2009 inclusive.

"Melbourne Cup Carnival Site Office" means the office located on Flemington Drive before the Nursery Car Park where all event related operations operate from.

1. APPROVAL AND ACCREDITATION OF MOTORISED VEHICLES

1.1 Application

Any person wishing to use any Vehicle at Flemington Racecourse must make an application for Accreditation to the Melbourne Cup Carnival Site Office, and may not use any Vehicle at Flemington Racecourse until the Accreditation is granted and then upon the terms and conditions of the grant of Accreditation, including but not necessarily limited to these Conditions of Use.

1.2 Accreditation of Vehicles

A Vehicle must not be used at Flemington Racecourse for transportation purposes unless the Vehicle:

- (a) is accredited by the Melbourne Cup Carnival Site Office;
- (b) displays an accreditation pass issued by the Melbourne Cup Carnival Site Office in respect of the Vehicle; and
- (c) entering the Flemington Racecourse must carry a current registration sticker/label and be used in accordance with the manufacturers' intention.

2. OBLIGATION OF THE OPERATOR

The operator must at all times:

- (a) comply with these conditions of use; and
- (b) ensure that all persons who use the Vehicle comply with these Conditions of Use.

3. LIMITATIONS ON AREAS AND TIMES OF USE

3.1 Designation of area and times

The Vehicle must be used only in such areas and at such times specified by the Melbourne Cup Carnival Site Office.

3.2 Limitations at Certain Times

Without limiting clause 3.1 Vehicles may not be used at Flemington Racecourse before 7:30am without the special written approval of the Racecourse Manager.

3.3 Hill Road Restrictions

Hill Road will be closed to all Vehicles on Race Day during the period between 9.30am to 8:00pm. Emergency Vehicles and emergency bicycles will have full access to Hill Road as required.

4. ON SITE CONDITIONS

4.1 Right of Way

All vehicles at Flemington Racecourse must at all times:

- (a) Give pedestrians right of way;
- (b) Give horses right of way; and
- (c) Adhere to designated speed limits.

4.2 Service Vehicle Access

The operators of all Service Vehicles at Flemington Racecourse must:

- (a) ensure that the Service Vehicle is parked in a designated parking area on all Race Days; and
- (b) ensure that the Service Vehicle is not used to ferry people in and around the Flemington Racecourse.

4.3 Restricted Race Day Access Vehicle

The Operators of Restricted Raceday Vehicles can not access Flemington Racecourse between 9.30am and 7.00pm.

5. USE BY AUTHORISED PERSONS ONLY

5.1 Authorised User

No person other than a person to whom the Accreditation is granted by the Melbourne Cup Carnival Site Office or that person's authorised employees may be in possession, drive, ride or otherwise use the Vehicle at any time (other than as a passenger).

5.2 License required

Motor vehicles, motorcycles and motor scooters may be ridden only by a person holding a current license valid for that type of vehicle.

6. SAFETY

6.1 Helmets to be worn

A helmet must be worn at all times by every rider of a motor cycle, motor scooter or bicycle.

6.2 Use in a safe manner

A vehicle must be driven or ridden in a safe manner (including but not only a safe speed) at all times, particularly in crowded areas. Flemington Racecourse has a speed limit of 30 km/h (reduced to 20 km/h during the Melbourne Cup Carnival lockdown period). Vehicles must slow to 10 km/h when passing horses. Horses have right of way at all times.

6.3 Carriage of Passengers

The driver of a golf cart must ensure that the golf cart carries at any time only the number of passengers for which seats are available, and that no passengers ride in the tray.

6.4 No towing

A Vehicle must not be used to tow or propel any other Vehicle, object or person.

6.5 Towing of Vehicles

An Operator of a Vehicle found to be in breach of the issued Accreditation will be given 15 minutes notice to remove the Vehicle from Flemington Racecourse. If the Operator fails to comply with the instruction to remove the Vehicle, VRC will arrange for the Vehicle to be towed to a designated location at the expense of the Operator. Details of the location of the towed Vehicle will be available through the Help desk.

6.6 No Driving or Riding by Intoxicated persons

The Operator of a Vehicle must:

- (a) Ensure that the Vehicle is not driven by any person under the influence of any drug or alcohol or has passengers under the influence of any drugs or alcohol; and
- (b) Ensure that in the event that intoxicated persons attempt to access the Vehicle; the operator immediately contact the Helpdesk.

7. NOTIFICATION OF INCIDENTS

The Operator and any person using a vehicle must immediately notify the Help Desk on 9371 7194 or extension 91 of any damage to any person or property (including to the vehicle and any user or passenger) and complete an incident report and any other paperwork required by any representative of the VRC. Incident Report Forms are available from the Melbourne Cup Carnival Site Office.

8. INDEMNITY

The Operator hereby indemnifies and shall keep indemnified the VRC and holds and will continue to hold the VRC harmless against all claims, actions or proceedings that may be incurred in respect of the death of or personal injury to any person (including the user or passenger of a Vehicle) and all loss, damage or destruction to any property (including the Vehicle) arising directly or indirectly from the possession, use or operation of the Vehicle by any person on Flemington Racecourse.