



## RSYS Mooring/ Hardstand/ Dinghy Racking

<b>Purpose</b>	To explain RSYS Mooring/ Hardstand/Dinghy Racking Policy
<b>Who should read this</b>	Members renting, or applying to rent a mooring, Hardstand space or dinghy rack
<b>Before you begin</b>	Read the Frequently Asked Questions on RSYS Mooring/ Hardstand/Dinghy Racking Policy



### Overview

- The Club's policy for storing vessels in its facilities has been developed to ensure the fair and equitable use of the Club's facilities amongst its Members.
- The Waterfront Committee in accordance with this policy determines applications for storage facilities.
- The Club may change its policy concerning the terms and conditions on which storage facilities are applied for and held may terminate the allocation of any storage facility without giving a reason (on reasonable notice) in its absolute discretion at any time.



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### Definitions

Term	Definition
<b>Storage facilities</b>	Moorings, hardstand spaces and dinghy racks are collectively called storage facilities in this document.
<b>Annual review</b>	For the purposes of this policy a year shall commence on 1st September in each and every year.
<b>Financial Member</b>	A Member's House Account is overdue if any amount has remained outstanding for a period of more than 90 days.
<b>Payment of Membership Subscriptions</b>	A Member having the use of a Club storage facility must pay the Membership subscription fees applicable to a full Metropolitan Member regardless of the category of Membership held unless that Member is a Senior, Life or 50 year Member, Intermediate Member or was a Country Member as at 1 November 2013.
<b>RMS</b>	Roads and Maritime Services NSW



### What is the policy?

- **General**

A vessel stored on Club storage facility whether on a permanent or temporary basis;

- a) Must be capable of taking a voyage of at least 5 nautical miles under its own power within Sydney Harbour upon reasonable request to do so; and
- b) Must have current public liability insurance cover for at least \$10,000,000 and must produce documentary evidence of the current of this insurance within 7 days of written request.
- c) Members must comply with any requirements of the Club; and be registered on the Club Register. The acceptance by a Member of the allocation of a storage facility authorizes the Club to place the vessel concerned on the Squadron Yacht Register.
- d) The Waterfront Committee may substitute a Member's current storage facility for another at any time without giving a reason.
- e) A Member's right to use a storage facility lapses on any determination of the Waterfront Committee or the General Committee that the Member's vessel is to be removed from the storage facility, the Member ceasing to use the facility, Member's House Account being overdue or for other reasons such as the death/incapacity of the Member.
- f) Disputes concerning allocation, occupation of, use of and termination of storage facilities are determined by the Waterfront Committee in accordance with this policy. The Waterfront Committee may refer a dispute to the General Committee and it may act on its own volition in relation to issues arising from applications for and use of storage facilities. Determinations of the General Committee concerning storage space issues are final and binding on a Member.



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- **Roads and Maritime Services NSW (RMS) Requirements**

All vessels stored on Club storage facility whether on a permanent or temporary basis;

- a) Must comply with all laws and regulations in force at any time in respect of marine safety and the regulation of recreational and commercial boating on Sydney Harbour; and
- b) If required to be registered with Roads and maritime NSW, or any authority which replaces it, be so registered; and

A vessel which does not comply with any requirements relating to Maritime safety and/or the regulation of recreational and commercial boating within New South Wales or any requirements of the club must remedy the non-compliance within 28 days of receiving a notice advising non-compliance whether from RMS, the Club and if it fails to do so must be removed from the Club's storage facility immediately upon request

A Member who receives notice from RMS regarding the seaworthiness of a vessel must provide the CEO with a copy within seven days of receipt by the Member.

- **Application procedures and requirements**

1. A financial ordinary Member may apply for allocation of a storage facility and must do so in whatever manner is prescribed by the Club for doing so from time to time.
2. The Club CEO must maintain a list for all outstanding applications for storage spaces containing at least the following particulars;-
  - a. Date on which the application is made.
  - b. Members name and House Account number.
  - c. The Member's current residential address, mailing address, email address and contact phone number.
  - d. As accurate a description as possible of the vessel to occupy the storage space.
  - e. Members are responsible for updating these particulars with the Club if they change whilst the application is outstanding.
3. A Member to whom a storage facility is allocated must commence permanent use of that facility within two months of the Club receiving written acceptance from the applicant of the facility being allocated.

### **Applications for Moorings**

- a. Generally no more than 15% of vessels on Club moorings will be vessels other than yachts.
- b. When a Member becomes third in line for allocation of a mooring the CEO will advise that Member in writing that there will be an upcoming offer of a storage space.

### **Applications for Hardstand**

- a. Members may apply for hardstand spaces for the storage of vessels in such classes as are approved by the Waterfront Committee for hardstand storage from time to time.
- b. A Member may have only one vessel in which he or she has an interest on the hardstand and one on a mooring at the same time.
- c. Hardstand storage spaces will generally be allocated on basis of the chronological order in which applications were made. In determining any offer for storage the Waterfront Committee may allocate hardstand spaces on the basis of class of yacht based on the numbers of yachts in each class participating in Squadron events at the time and the mix of classes and the number of particular class boats offered over the previous 2 spaces. The determination of the offer will also be undertaken in consultation with the Waterfront Committee. All allocations are at the absolute discretion of the Waterfront Committee. For example, the Waterfront Committee, in conjunction with Divisional Representatives, may decide to offer the next position to an alternative approved class (which may not be necessarily be the next in line chronologically on the overall waiting list but are in that chronologically position at the top of their class list), if two previous spaces had been offered to different a class.



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### **Applications for Dinghy Racking**

- a. A Member may apply for a dinghy rack provided that the dinghy to be stored in the rack is intended for use by the Member or a Member or Members of the Member's family in the Club's Youth Sailing Program.
- b. Members must relinquish their dinghy racks and remove the dinghy from the storage facility if a family Member is not actively participating in the Club's Youth Sailing Program.
- c. Participants in the Youth Sailing Program have priority over non Youth Sailing Program Members in the case of non-Youth Sailing Program vessels such as canoes or dinghies not used in the Youth program. The Waterfront Committee has the discretion to allocate spaces to non-Youth Sailing Program Members for recreational craft at the nominated terms and conditions at any time.

- **Vessels Owned in Partnership**

A Member who owns a vessel in partnership with a Member who has been allocated the use of a Club storage space may take over the usage of that space if the original Member ceases to use it provided that the parties owned the vessel in partnership at the time the original application was made and the fact of that partnership was disclosed with the application and that the parties have remained in partnership continuously in the ownership of a vessel or succession of vessels which have been stored on or in the storage facility since the facility was originally allocated. This rule continues to apply if the constitution of the partnership changes during the duration of the partnership but only permits storage facilities to be taken over by a Member who was a partner at the time the application for the storage facility was made.

- **Participation**

All vessels moored on or stored in a Club storage facility must be used regularly in events conducted by or supported by the Club or generally in accordance with the general objects of the squadron to the reasonable satisfaction of the Waterfront Committee.

General guidelines;

- (a) All racing yachts entered in one of the Clubs racing programs must participate in a minimum of 25 % of the Club's races conducted in the program over the period for which the program is conducted;
- (b) Vessels moored on Club moorings not in a racing program conducted by or supported by the Club must leave the mooring for genuine recreational use for a minimum of at least 12 times in each year under their own power;
- (c) All one design class vessels on the hardstand must be entered in at least one season event conducted by the RSYS (eg Mini regattas, spring and/or summer point score or twilight weekly season) and participate in events conducted by the Club for hard stand yachts on at least 25 % of the days on which races are conducted by the Club for that class in every year.; and
- (d) All dinghies stored in racks must be entered and participate in 25 % of the events conducted by the Club for dinghies of that class in each year.
- (e) The onus of establishing the requisite amount of usage is on the Member by sworn declaration issued at the end of each sailing season.

- **Temporary availability**

If a storage facility is to become vacant on a temporary basis the Member concerned must notify the CEO in writing. The Club may authorise another Member to use that facility whilst the facility is vacant. The CEO will decide in conjunction with the holder of the storage facility and the Waterfront Committee as to whom it is allocated. The Member granted temporary use must be on or near the top of the waiting list for the type of space that it will occupy and must be recognised by the Club to be an active Member (and/or should it say the vessel is used regularly in Club events). The Member to whom a temporary allocation is made must comply with all the Club requirements for storage of that type including insurance and payment of all relevant fees. A temporary occupier must vacate the storage



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facility within two weeks of written request by the Club. The maximum length a storage facility may be left vacant or occupied on a temporary basis is six months

- **Death/Incapacity of mooring holders**

1. In the case of: –
  - a. A Member who holds a mooring at the time of his or her death and had held that mooring for a minimum of 10 continuous years prior to his or her death; or
  - b. A Member who has held a mooring for a minimum period of 10 continuous years and whilst holding the mooring suffers ill health such that the Member is no longer able to meet the Club's participation requirements for holding a storage facility;

The Member or in the case of a deceased Member someone who was in a close personal relationship with the deceased Member at the time of the Member's death may apply to the Waterfront Committee for the allocation of the Members mooring to a Member of the Members family or other person who is in a close personal relationship with that Member subject to the absolute discretion of the Waterfront Committee.

2. Generally persons who will be considered as appropriate persons for the reallocation of the mooring will be spouses and defacto spouses of more than ten years duration, siblings and children of the Member and other persons had been in a close personal relationship with the Member for at least 10 years. The person to whom the mooring is being reallocated must have been a Member of the Squadron for a period of ten continuous years at the time the application is made and must have been person who was a partner who would fairly have been regarded as having a substantial interest in the vessel at the time the application was made and has been in the same situation continuously since.

- **Financial**

1. A Member having the use of a Club storage facility must pay the Membership subscription fees applicable to a full Metropolitan Member regardless of the category of Membership held unless that Member is a Senior, Life or 50 year Member, Intermediate Member or was a Country Member as at 1 November 2013.
2. A Member holding a storage facility whose House Account is overdue will be required to show cause to the General Committee as to why his or her vessel should not be removed from the storage facility forthwith. That Member must remove his or her vessel within the time stipulated by the General Committee unless the Member's House Account is in order at the time the General Committee considers the matter and the General Committee is satisfied the Member has provided a satisfactory explanation. Members whose House Accounts are regularly overdue are not allowed to remain on a Club storage facility as determined by General Committee.
3. The application of a Member on storage facilities allocation list whose House Account is overdue will be referred to the General Committee to show cause as to why their name should not be removed from the waiting list. The Members name will be removed from the waiting list unless the Member's House Account is in order at the time the General Committee considers the Members show cause application and is satisfied as to the explanation given by the Member. If the General Committee is not so satisfied the Members name will be removed from the list and the Member will not be entitled to apply for a storage facility allocation until their House Account has been within limits for four consecutive months.
4. The allocation of a storage facility lapses on any determination of the Waterfront Committee or the General Committee that the Members vessel is to be removed from the storage facility, the Member ceasing to use the facility, Member ceasing to be a Member, the Member's House Account being out of order as provided for herein or the death/incapacity of the Member.
5. In accepting an allocation of a storage facility a Member authorises the Club remove a vessel from a storage facility if this policy has not been complied with. The Club is authorised to remove, store or dispose of the vessel from its storage facilities as it sees fit and to recover all charges and expenses incurred from the Member as a liquidated debt from the disposal of the vessel if appropriate.



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6. The Club may communicate with the Member concerned and with the Divisional Representatives, Youth Sailing Committee and youth coaches in determining whether or not a particular vessel has met the participation requirements continued use of a storage facility in addition to the statutory declaration signed by the Member at the end of each sailing season. A Member whose vessel fails to meet these participation guidelines will be required to provide an explanation for his or her failure to meet them. Each division and the Youth Committee may make recommendations to Waterfront Committee as to whether or not that vessel should be removed from its storage space. Boats will be removed from moorings and the hardstand in the absolute discretion of the Waterfront and General Committee which are not required to give reasons.



### Who is responsible?

Position	Responsibility
Chief Executive Officer (CEO)	<ul style="list-style-type: none"><li>• An accurate register of all vessels currently stored in one of the Club's facilities will be maintained by the Club.</li><li>• Maintain list for all outstanding applications for storage spaces.</li></ul>
Members	<ul style="list-style-type: none"><li>• It is the responsibility of any Member utilizing storage facilities to inform the Club of any change in vessel, ownership of vessel or the Members contact details forthwith.</li><li>• Member's are responsible for updating particulars of storage application with the Club if they change whilst the application is outstanding.</li></ul>
Waterfront Committee	<ul style="list-style-type: none"><li>• Disputes concerning allocation, occupation of, use and termination of storage facilities are determined by the Waterfront Committee in accordance with this policy.</li></ul>
General Committee	<ul style="list-style-type: none"><li>• Disputes referred by the Waterfront Committee and it may act on its own volition in relation to issues arising from applications for and use of storage facilities. Determinations of the General Committee concerning storage space issues are final and binding on a Member.</li></ul>



### What is the procedure?

#### Club storage facility application:

- Must be a financial ordinary Member
- Obtain a Waitlist Application Form from the Club website:  
<http://www.rsys.com.au/waterfront/yacht-storage-services> or by contacting Club Secretary's Office ph 9017 0157 / [baeza@rsys.com.au](mailto:baeza@rsys.com.au)
- Complete either a Hardstand or Mooring Wait List Application Form providing an accurate as possible description of the vessel to occupy the storage space.
- Return the completed Waitlist Application Form to the RSYS Club Secretary's Office by Fax: 02 9959 3135, Email: [baeza@rsys.com.au](mailto:baeza@rsys.com.au) or Post: PO Box 484, Milsons Point NSW 1565



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- Advise Club if personal particulars and information provided on application change whilst application is outstanding.



### Other useful materials

Available on the Club website [www.rsys.com.au](http://www.rsys.com.au)

- Hardstand Waiting List Application Form and Procedure
- Mooring Waiting List Application Form and Procedure
- Pond Usage Policy
- RSYS Constitution
- RSYS By-Laws



### FAQs

**Q: Who does this RSYS Mooring/Hardstand/Dinghy Racking Policy apply to?**

**A:** This Policy applies to all RSYS Members.

**Q: Who may apply for a RSYS storage facility?**

**A:** A financial ordinary Member may apply for allocation of a storage facility and must do so in whatever manner is prescribed by the Club for doing so from time to time.

**Q: I am currently an Absentee/Country/Senior/Life or 50 Year Member/Intermediate Member, will I be able to continue on with my current rate of subscription fees if I am allocated and accept a Club storage facility?**

**A:** A Member having the use of a Club storage facility must pay the Membership subscription fees applicable to a full ordinary Member regardless of the category of Membership held unless that Member is a senior, life or 50 year Member, intermediate Member or was a country Member as at 1 November 2013.

**Q: Upon accepting a storage facility offer and once a position is allocated, when must I commence usage of this facility?**

**A:** A Member to whom a storage facility is allocated must commence permanent use of that facility within two months of the Club receiving written acceptance from the applicant of the facility being allocated.

**Q: Who decides what classes of vessels are permitted to be stored on the hardstand?**

**A:** The Waterfront Committee determine and approve the classes of vessels stored on the hardstand.

**Q: How many vessels am I able to store at any one time on the Club storage facilities?**

**A:** A Member may have only one vessel in which he or she has an interest on the hardstand and one on a mooring at the same time.



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**Q: How active must my vessel stored in a Club storage facility be?**

**A:** All vessels moored on or stored in a Club storage facility must be used regularly in events conducted by or supported by the Club or generally in accordance with the general objects of the Squadron to the reasonable satisfaction of the Waterfront Committee.

**Q: Is it possible to continue storing my child's Optimist/Laser at the Squadron even though he or she no longer sails?**

**A:** Members must relinquish their dinghy racks and remove dinghy from the storage facility if a family Member is not actively participating in the Club's Youth Sailing Program.

**Q: What is the maximum length of stay on a temporary storage facility?**

**A:** The maximum length of a storage facility may be left vacant or occupied on a temporary basis is six months.

**Q: What happens to the allocated mooring in the event of my death/incapacity?**

**A:** The Member or in the case of a deceased Member someone who was in a close personal relationship with the deceased Member at the time of the Member's death may apply to the Waterfront Committee for the allocation of the Members mooring to a Member of the Members family or other person who is in a close personal relationship with that Member subject to the absolute discretion of the Waterfront Committee.

**Q. What if I disagree with a determination by the Waterfront Committee that my vessel no longer meets the requirements of use for a Storage facility?**

**A:** Disputes concerning allocation, occupation of, use of and termination of storage facilities are determined by the Waterfront Committee in accordance with the RSYS Mooring/Hardstand/Dinghy Racking Policy. The Waterfront Committee may refer a dispute to the General Committee and it may act on its own volition in relation to issues arising from applications for and use of storage facilities. Determination of the General Committee concerning storage space issues are final and binding on a Member.