



Royal Queensland Yacht Squadron

MARINA RULES & REGULATIONS

Updated
June 2019

Marina Rules & Regulations

The Squadron's Marina comprises 594 floating marina berths to accommodate vessels up to 33.5 metres loa. The marina is owned and operated by RQYS Marina Limited and RQYS Nominees Pty Ltd, companies limited by guarantee, which hold leases from the Department of Transport & Main Roads over part of the Manly Boat Harbour and the adjoining land. Flowing from the Head Lease are sub-leases, which give the berth holders their rights to occupy the berths under the sub-lease terms and conditions. The berth holders own vessels occupy most of the marina berths, but some are available for rent if the berth owner does not require the berth for his own vessel. Rental arrangements are made through the Marina Office, as are re-sales of marina berth leases.

Day to day administration of the Marina and the associated facilities is by the Marina Manager.

The Squadron also owns and operates boat maintenance and slipping facilities, utilising a 35-tonne capacity Marine Travelift, a concrete hardstand/service area and the associated machinery and equipment. Marina staff operate the Travelift and by arrangement will take your vessel from the water, pressure wash the hull underwater area, and set the vessel in hardstand frames ready for maintenance works to be carried out. Slipping of multihulls is available by arrangement in order to avail yourself of this facility you will need to contact the marina office for details of how this can be arranged. The scale of charges for these and other marina services are available upon request from the Marina office.

For the control of the marina and the slipping facilities these Rules and Regulations have been developed to ensure that members, their guests and any tradesmen working in the marina area comply with our standards of safety, cleanliness, consideration for others, and environmental awareness.

RULES AND REGULATIONS

The Authority for these Rules and Regulations is Clause 20 of the Sub Lease.

The Directors of the Royal Queensland Yacht Squadron Limited, the RQYS Marina Limited and RQYS Nominees Pty Ltd have unanimously resolved to adopt these Rules and Regulations, as amended from time to time, for the conduct of the RQYS Marina at Manly Boat Harbour Brisbane, they are hereby and shall at all times remain binding upon all Sub Lessees and occupiers of berths in the Marina and all persons who come on to or visit for any reason whatsoever the Marina whether as an invitee, licensee or guest of any Sub Lessee or occupier.

All Sub Lessees and occupiers of berths shall inform themselves of the details of these Rules and Regulations and the Tenancy Agreement before occupying any berth in the Marina and their occupancy shall be deemed to be evidence that they are aware of same and their agreement to be bound hereby both for themselves and their invitees, licencees and guests.

1. HEAD LEASE

All occupiers of berths and their invitees' licencees and guests shall at all times be bound by and observe the Head Lease as existing and as amended from time to time.

2. MANAGEMENT

Occupiers of berths shall at all times observe directions given to them by the Directors of the Royal Queensland Yacht Squadron Limited, the Directors of RQYS Marina Limited, Directors of RQYS Nominees Pty Ltd or the Marina Manager for the proper and safe conduct of the Marina.

3. BERTHING AND SUBLETTING

- a. Sub Lessee or any person deriving title from him may at all times occupy his own allocated berth but shall not without the permission of the Marina Manager occupy or use any other berth or berths.
- b. Provided that the permission of the Marina Manager is first obtained for the purpose of confirming the size of the vessel to be berthed and that the contents of these Rules and Regulations are known a Sub Lessee shall be entitled to sublet or lease his berth to any current member of the Royal Queensland Yacht Squadron.
- c. During the period of any such subletting or leasing the Sub Lessee shall be and remain responsible for the payment of all levies and charges made and assessed under the Sub Lease and for the performance and observance of the terms of the Sub Lease.

4. SAFETY

- a. All vessels shall be maintained in such a condition that they are not unsightly or dilapidated and maintained in accordance with seamanlike practice and as required by law. Particular attention should be paid to firefighting equipment.
- b. Occupiers of berths are required to lodge a set of main door/hatch and ignition keys with the Marina Manager. The vessel will only be entered by the Marina staff for emergency inspections or with the specific authority of the owner.
- c. In the event of an emergency the Marina Manager may at his discretion move vessels at the risk and expense of the owner thereof or the occupier of the berth as the case may be using such assistance as may be necessary and all due care.
- d. Walkways shall be kept clear of gear and mooring lines at all times.
- e. The speed limit within the Marina is 4 knots provided that less than 4 knots shall be maintained if necessary to avoid inconvenience to others or damage to any vessel or pontoon.
- f. Refuelling at other than designated refuelling jetties is strictly prohibited.
- g. Young children should be accompanied by an adult for safety reasons.
- h. No vessel shall be moored so that any part or parts thereof and particularly the anchor bowsprit or davits overhang or obstructs any walkway or pontoon or so that any part of the vessel is outside the berth area.

5. CARE AND CLEANLINESS

- a. It is the responsibility of occupiers to keep their berth area clean and tidy at all times. This includes gear and dinghies which shall not be left in the water or on the marina structure.
- b. All vessels shall be maintained in such a condition that they are not unsightly or dilapidated or reflect unfavourably on the general appearance of the Marina.
- c. All vessels shall be kept free and clear of trash, bottles, papers or other unsightly materials.
- d. Legislation introduced on 1st January 2004 has made it illegal for discharge of toilet waste of any kind to be discharged within marinas, boat harbours, canals and designated areas. The discharge of any contaminated bilge contents is strictly prohibited within the Marina under any circumstances.
- e. Dogs are permitted ONLY if kept on a leash. They must not be allowed to foul the Marina area or create a disturbance. Dog owners are required to collect any droppings and dispose of them in the rubbish bin. Under no circumstances should this be hosed into the water.
- f. Noise should be kept to a minimum. Please use discretion when playing radios and musical instruments and keep loose halyards tied back to prevent "slapping".

6. REPAIRS AND MAINTENANCE

- a. Major repairs or refitting in Marina berths is prohibited. Minor repairs are permitted. The Marina Manager should be consulted before commencement of any work if clarification is required.
- b. No "outside" contractors, service organisations or individuals shall be permitted to work on vessels in the Marina without the prior approval of the Marina Manager. All tradesmen working on the Marina must hold the required insurance policies.

7. MARKETING/BROKERAGE

- a. No vessel shall be advertised or offered for sale from the Marina without prior approval of the Marina Manager.
- b. Subject to the provisions of the Constitution of the Royal Queensland Yacht Squadron & Tenancy Agreement the Marina shall not be used in connection with the commercial working of any vessel or for any commercial enterprise.

8. GENERAL

- a. Fishing within the Marina area is prohibited.
- b. Laundry or any item of a personal nature shall not be hung to dry or air, in public view, aboard any vessel or from any berth.
- c. Occupiers shall provide lines to moor their vessel and shall be responsible for the sufficiency and condition of same at all times.
- d. No occupier shall alter change or vary the cleats for the mooring of vessels in berths without the approval of the Marina Manager. This is essential for safety reasons.
- e. Riding of bicycles/scooters etc on the Marina structure is strictly prohibited.
- f. All vessels are required to carry comprehensive insurance which includes public liability.

9. VIOLATIONS

Violation of these Rules & Regulations, disorderly behaviour or unacceptable conduct by any occupier or his guests will be dealt with under the RQYS Constitution.

10. STORAGE OF INFLAMMABLE MATERIALS

No fuel, paint or other inflammable materials shall at any time be stored in the lockers on the pontoons.

11. LIVING ON BOARD

No occupier of any berth shall himself or permit any other person or persons to live on board a vessel while moored in the Marina without the specific approval of the Marina Manager. Any such approval by the Marina Manager shall be dependent upon and subject to the Head Lease Department of Transport and Main Roads. Permission to use vessels as places of permanent residency could not be guaranteed. All persons (over the age of six years) must be members of the Royal Queensland Yacht Squadron.

12. GOODS TROLLEYS

No trolley which is used for the movement of goods or supplies shall at any time be left upon any walkway or pontoon in the Marina. After the use of the trolleys provided by the Squadron they shall be returned to the storage area so that they will be available for use by other persons.

13. MEASUREMENT

No vessel shall be moored in a berth if its overall length or breadth exceeds the designated length and breadth of the berth. For the purpose of these Rules and Regulations overall length of a vessel shall be determined by measuring in a straight line the distance between its forward and aft extremities. The forward extremity shall be the bow or the end of the bowsprit or the end of the anchor if one is usually or permanently stored on the bowsprit or the forward most protrusion of the vessel and the aft extremity shall be the stern or duckboard on the side of the dinghy if one is usually or permanently stored or hung on davits or the aftermost protrusion of the vessel. For the purpose of these Rules and Regulations the breadth of a vessel shall be determined by measuring in a straight line the distance at its point of maximum width or overhang. Booms, derricks or any other lifting gear on the side of a vessel shall be measured in order to determine its breadth.

14. INDEMNITIES

A vessel is and always shall be moored in a berth at the risk of the occupier of the berth and or other owner of the vessel and such person or persons as the case may be shall enter upon the Marina and moor a vessel in a berth subject always to the following indemnities existing:-

- a. The occupier of the berth and the owner of the vessel do hereby indemnify and agree to keep indemnified the Royal Queensland Yacht Squadron Limited, RQYS Marina Limited & RQYS Nominees Pty Ltd against all loss or damage howsoever arising from the operation or movement of a vessel in about or adjacent to the Marina or the general Marina area including (but without limiting the generality of the foregoing) loss or damage caused by the operation or movement of the vessel by any person not so authorised by the occupier and the owner.
- b. RQYS Marina Limited shall not either directly or vicariously nor shall any of its servants agents or invitees be liable in negligence or otherwise for any injury loss or damage sustained or suffered by the occupier or the owner or any invitee licensee or guest of the occupier or the owner in or about or while crossing over or going through any other property for the purpose of gaining access to the Marina or the berth and the occupier and the owner hereby indemnify and agree to keep the Royal Queensland Yacht Squadron Limited, the RQYS Marina Limited & RQYS Nominees Pty Ltd indemnified from claims arising from any such injury loss or damage.
- c. In the event of the occupier and or the owner of a vessel requesting or requiring any servant agent or invitee of the Royal Queensland Yacht Squadron Limited, the RQYS Marina Limited or RQYS Nominees Pty Ltd to move or remove a vessel or to perform any works thereon then and in all such cases the person or persons concerned shall be the servant agent or invitee of the occupier and or owner for the purpose of such movement or removal or the performance of such works.

15. DEFINITION OF OCCUPIER

For the purpose of these Rules and Regulations the Sub-Lessee or any person deriving Title from him whether by Transfer Sub-Letting or otherwise or any Assignee or Successor in Title of the Sub-Lessee or any person or persons temporarily occupying a berth with the consent and approval of the Marina Manager shall be defined as and deemed to be the occupier.

16. EMERGENCY PROCEDURES

The Marina Manager must be notified of all emergencies during office hours on 3393 3554 or after hours on 0455 103 817.

Every emergency situation differs and will need to be assessed 'on the spot'. Whenever possible Marina staff or others trained in the specific type of emergency should be involved.

Although it is not possible to generalise, most emergencies will require 000 be called. Advise the appropriate service -Police/Fire /Ambulance - that the emergency is at the Royal Queensland Yacht Squadron Marina at Manly Boat Harbour. Some past emergencies within the harbour have resulted in the emergency service going to the incorrect location, as not all callers are aware that there are four different marinas within the harbour. The location within the Marina - berth number, marina row, boat ramp, fuel pontoon, car or trailer boat park - should be described as accurately as possible. Describe the nature of the emergency and what actions to cope with it are already in progress. Ensure that the emergency service vehicles have clear access to the scene - open the main access gates, remove vehicles from near fire hydrants, as appropriate. If the emergency is not of a life-threatening nature, for example a vessel apparently sinking and likely to cause a navigational hazard or perhaps pollution from fuel tanks or engine oil release, Coastguard may be the most effective response organisation.

17. OPERATING TIMES

The Marina office is staffed from 0900 to 1600 hours Monday to Friday. A Marina Attendant will be on duty from 0900 to 1400 hours Saturday and Sunday and can be contacted via the marina office during this time. Closed public holidays. The Travelift operates 0730 to 1600 weekdays only.