



Townsville Yacht Club

MARINA RULES & REGULATIONS

1. Marina Management

- 1.1 The Townsville Yacht Club's Marina comprises 150 floating marina berths to accommodate vessels up to 19 metres length overall with visitation facilities for larger vessels. The marina is owned and operated by Townsville Motor Boat & Yacht Club Limited, which hold leases from the Department of Natural Resources, Mines and Energy, Queensland over part of the Townsville Ross Creek 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 Club owns and operates the infrastructure and fixed assets within the head lease in its entirety. 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 TYC Office. Day to day administration of the Marina and the associated facilities is by the TYC Manager.
- 1.2 The Authority for these Rules and Regulations is Clause 20 of the Head Lease which states:
 - 10 Marina Rules
 - 10.1 Sub-lessor may make Marina Rules.
- 1.3 The Directors of the Townsville Yacht Club have unanimously resolved to adopt these Rules and Regulations, as amended from time to time, for the conduct of the TYC Marina at Townsville, 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, guest or tradesperson of any Sub Lessee or occupier.
- 1.4 All Sub Lessees and occupiers of berths shall inform themselves of the details of these Rules and Regulations and the Berth Rental 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, licensees and guests.
- 1.5 All persons who come onto the marina do so at their own risk and agree to abide by these regulations and indemnify the Club for any loss caused to the Club by that person.
- 1.6 All vessels which come into the marina do so at their owner's risk and their owner agrees to abide by these regulations and indemnify the Club for any loss caused to the Club by that vessel.

- 1.7 The TYC Manager's decision on all matters is final but subject to review by the TYC Board. The TYC Manager can act through a representative.
- 1.8 All persons on the marina and the owners of all vessels or other property within the marina shall observe all directions given to them by the TYC Manager.
- 1.9 The TYC Manager can direct any person to leave the marina and any person who fails to comply with such a direction shall be treated as a trespasser on the marina.
- 1.10 No vessel shall be moored within the marina without the express permission of the TYC Manager and then shall only moor where directed by the TYC Manager. No change of mooring shall be made without the express permission of the TYC Manager.
- 1.11 The Club accepts no responsibility for the care or safety of any person or vessel or other property in or on the marina.
- 1.12 The TYC Manager can direct that any boat or other item of property be removed from the marina and the owner or other person responsible for that vessel or item of property shall forthwith remove that vessel or item of property from the marina.
- 1.13 Any vessel not removed as directed can be removed by the TYC Manager and placed at anchor in a public waterway at the owner's risk. Any item of property not removed as directed can be removed by the TYC Manager at his discretion and at the owner's risk and disposed of at public auction if in the opinion of the TYC Manager the property has sufficient value for sale and otherwise disposed of by dumping.

2. Insurance

- 2.1 All vessels within the marina must have current public liability insurance against liability for any loss or damage to property and for the death or injury to any person caused by, through or in connection with the vessel to at least \$10,000,000.00 and comprehensive insurance to the replacement value of the vessel which includes full salvage cost and environmental clean-up with an insurer approved by the TYC Manager. A copy of that insurance policy shall be lodged with the TYC Manager, and each year a copy of the renewal of that policy shall be lodged with the TYC Manager.
Note: All insurance policies are to be with an APRA accredited insurer.

3. Safety

- 3.1 The TYC Manager must be notified at the earliest opportunity, and in writing, of any injury to any person on the marina or to the marina or any significant damage to any vessel or property within the marina.
- 3.2 All vessels in the marina must be seaworthy and capable of making way, and maintained in a clean, neat and tidy state.

- 3.3 All electrical cables between a vessel and shore power provided on the marina shall comply with Electrical Safety Standards AS/NZS 3004.2:2014, AS/NZS 3000 and AS/NZS 3760. Electrical cables must not run across a pontoon.
- 3.4 It is recommended that all electrical cables need to be at least IP66 and fitted with compatible screw locking plugs. This is to maintain the safe and long-term integrity of the power connection at pole outlet.
- 3.5 All vessels connected to the marina electricity supply must ensure that they do not leak electricity into the marina or adversely impact on the marina electricity supply. Direct transformer automotive battery chargers are prohibited because of their safety and electrolysis risk. **No induction of current into the water is permitted.**
- 3.6 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 protruding outside the berth area into the fairways.
- 3.7 Stabilizers must not be in the water when a vessel with stabilizers is moored in the marina and stabilizers must be kept inboard of the vessel.
- 3.8 The marina walkways must not be obstructed.
- 3.9 No fuel, paint or other inflammable materials shall at any time be stored on the pontoons.
- 3.10 For safety reasons, swimming, fishing and crabbing are not permitted on or from the marina.

4. Berthing and Subletting

- 4.1 The berth owner, or if the berth is owned by a corporate nominee of a member, then that member, or his/her corporate nominee, must be the registered owner of any vessel which he/she places in the marina berth and a berth owner cannot allow any other person to occupy the marina berth. **No commercial subletting is permitted. Any vessels other than the berth holders nominated vessel will require prior approval from the TYC manager and have appropriate insurances and details in place.**
- 4.2 In the event of a berth owner moving their vessel away from TYC for a period greater than a month they can subject to the TYC Manager's approval put their berth into the marina pool to be rented/leased out by TYC.
- 4.3 All vessels moored within the marina shall be registered and equipped with all necessary equipment as required by law, and be seaworthy at all times.
- 4.4 All boats in the marina must have dimensions appropriate to the berth and fit within their berth area leaving no less than 0.5m between the vessel when secured and the

boundary of any adjoining berth area and no anchor or bow sprit or davit or duck-board can extend over a pontoon or outside the boundary of the berth.

- 4.5** Tenders must be stored either onboard their vessel or completely within the confines of the marina berth and 0.5m from the boundary of the marina berth. Tenders must be secured so that they do not rub on the pontoon substructure nor create an obstruction to a neighbouring berth.
- 4.6** All vessels shall observe a NO WASH (4 knot maximum) speed limit within the marina
- 4.7** All boats in the marina shall provide their own mooring lines which shall be appropriate for the vessel and prevailing and expected weather conditions. Mooring lines must not be shackled to pontoon cleats.
- 4.8** All “boat bags” and similar pen devices and anti-foul devices are prohibited without the specific prior approval of the TYC Manager. Approval will not be given for any device:
- (i) which is not entirely contained within the berth sublease area,
 - (ii) which has a 240 volt wire into the seawater,
 - (iii) which elevates the vessel,
 - (iv) which is filled with fresh water,
 - (v) which releases toxins into the seawater when opened.
 - (vi) which cannot be secured such that they do not interact at all with the marina, particularly the black plastic supporting the pontoon in any weather conditions.
- 4.9** Any power (12V or 240V) to operate pumps is only to be turned on during operation to fill or empty the “boat bag”. Pumps in operation are not to be left unattended.

5. Care and Cleanliness

- 5.1** Persons on the marina must behave in an orderly manner being conscious of the amenity of other marina users. No loud music shall be played on any vessel within the marina. Offensive language shall not be used on the marina. Boat owners are responsible for the behaviour of their crew and guests whilst they are on the marina.
- 5.2** 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.
- 5.3** 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 on the marina structure.
- 5.4** All vessels shall be kept free and clear of trash, bottles, papers or other unsightly materials.
- 5.5** No laundry or clothing shall be hung to dry on or from the vessel.

6. Repairs and Maintenance

- 6.1** Only minor maintenance and repair work can be conducted on a vessel in the marina; no spray painting, sanding, grinding or other activity that creates an annoyance to other berth occupiers or is adverse to the environment is permitted. If in doubt as to the activity consult the Manager who may specify mitigating conditions.
- 6.2** All persons conducting commercial maintenance on vessels in the marina must report to and be approved by the TYC Manager. Activities that have ANY potential to adversely impact the marina infrastructure or other berth holders will require a management plan to be lodged and adhered to.
- 6.3** All vessels connected to the marina electricity supply must ensure that they do not leak electricity into the marina or adversely impact on the marina electricity supply. Direct transformer automotive battery chargers are prohibited because of their safety and electrolysis risk. No induction of current into the water is permitted.

7. Live Aboards

- 7.1** No person can reside on a boat within the marina, whether permanently or casually, unless permitted to do so by the TYC Manager. A person who spends three (3) or more nights in any week aboard a vessel is deemed to be residing on that vessel. Persons permitted to reside on a vessel shall pay the "Live Aboard Levy" set by the Club.
- 7.2** Marina occupants must not rent their vessel for residential purposes to any other person nor have boarders whilst living aboard themselves.
- 7.3** Any vessel used for living aboard must have a holding tank.

8. Environmental

- 8.1** The owner of any vessel moored in the marina shall comply with the provisions of the Transport Operations (Marine Safety) Act Regulations 1994 and the Transport Operations (Marine Pollution) Act Regulations 1995.
- 8.2** The Marina has a pump-out facility, The lessee must not; while the Boat is in the Marina or Berth, permit any person to use the any toilet on the Boat unless the toilet is connected to a holding tank complying with statutory requirements so that there is no discharge into the waters of the Marina. The discharge of any contaminated bilge contents is strictly prohibited within the Marina under any circumstances.
- 8.3** Fish cannot be cleaned in the marina.
- 8.4** Waste oils and/or batteries must not be left on the pontoons or in the vicinity of the marina or Club and must be disposed of at a proper disposal/recycle centre. Such items are prohibited by state law from being dumped in the Clubs waste bin. The Club

reserves the right to on-charge the responsible person for any costs associated with dumping such items.

- 8.5** Hull scraping in the marina is prohibited by marine regulatory authorities. Hand washing the hull below the waterline is permissible if it does not disturb the anti-fouling.

9. General

- 9.1** The hardware of the marina complex is not to be interfered with in any way. The Club reserves the right to seek restitution from the responsible person for any damage and/or unauthorized alterations to the marina.
- 9.2** Exhaust or salty bilge water must not be permitted to spray onto marina walkways.
- 9.3** No commercial activity can be conducted from any vessel moored within the marina without the express permission in writing of the TYC Manager and the TYC Manager may impose such conditions as he deems appropriate. Permission must be sought annually.
- 9.4** Any dog or cat cannot be brought onto the marina or kept on board a vessel moored in the marina without the express permission of the TYC Manager.
- 9.5** Permission will not be granted for a dog or cat to be kept aboard a vessel on a long term or live aboard basis. Any dog brought onto the marina shall be kept on a leash while on the pontoon and if the animal should foul a pontoon with faeces then the person in control of that animal shall immediately remove the faeces from the marina in a plastic bag to a waste disposal bin off the Club's premises and appropriately wash the pontoon.
- 9.6** Trolleys are provided for use by Club members and marina guests. Trolleys should be returned to the trolley bay after use and cleaned if necessary.
- 9.7** Fire hoses are not to be used for washing down any vessel.
- 9.8** Domestic water from the tap on the marina is not to be used for running appliances on vessels i.e. refrigeration, air conditioning cooling or for filling boat bags. If the vessel owner is found to be using domestic water for this purpose they will be directed to stop and the cost of the water used will be charged to the vessel owner.
- 9.9** Motor bikes, bicycles, skateboards and scooters are not to be used on the marina. Any transport aids need supporting doctor's certification and TYC Manager approval before use on the marina.
- 9.10** Wind generators must be disengaged so that they do not "spin" whilst the vessel is in the marina.

- 9.11** Halyards must be secured so that they do not “slap”.
- 9.12** Engines must not be run in the marina other than in the normal use of the vessel in arriving and departing the marina, or to charge batteries; and then for not more than 2 hours in any 12 hour period.
- 9.13** Vessel owners will be issued a security fob for the security gates; additional fobs are available to boat owners at their request. Security Gates must not be left “open”.
- 9.14** All devices that induce any current (whether AC or DC) into the water are strictly prohibited. The marina is fitted with Electrolysis Blockers that assist in protecting boats from shore power and inter-boat electrical interactions. The marina infrastructure is routinely checked electrically as a precaution, noting that most electrolysis is caused by faults on the subject boat or its immediate neighbours. Any unusual electrolysis reactions should be immediately reported to the TYC Manager.

10. Violations

- 10.1** Violation of these Rules & Regulations, disorderly behaviour or unacceptable conduct by any occupier or their guests will be dealt with under the TYC Constitution.

The Club has the above rules in place as it seeks to provide a safe and secure marina which can be enjoyed by all owners and occupiers of marina berths as well as visitors to the marina; ultimately please be considerate to others in your behaviour in the marina.

Townsville Yacht Club Marina Committee

Regulations approved by TYC Board 16/02/2021