



Hillarys Yacht Club Inc.
Marina Facilities Section Bylaws
26 September 2017

1.0 INTRODUCTION

- 1.1 These Bylaws have been compiled by the Management Committee of Hillarys Yacht Club Inc as a set of minimum marina compliance rule requirements. The adoption of which conform to a certificate of marina compliance for all vessels occupying pens in the Club or alongside any wharf or jetty within the Club leasehold.
- No vessel shall be permitted to use the Club premises unless they comply with these rules. All vessels that are fitted with a combustion engine, electrical equipment, gas or liquid fuelled appliances, shall have a current marina certificate indicating their compliance.
- 1.2 These Bylaws should not be construed as providing a full set of marina compliance standards as the compliance and safety of each vessel and its occupants is the ultimate responsibility of its owner or his nominated agent. Further, each owner and/or vessel is subject to all the relevant laws and regulations of the State and Commonwealth of Australia.
- 1.3 These rules do not replace but rather supplement those of government authorities.
- 1.4 The issuing of a marina compliance sticker enables HYC vessels to berth in sister yacht clubs' pens and moorings.
- 1.5 If any member feels that they are being unfairly penalised through the interpretation of any of these Bylaws by an authorised officer, they may appeal against the interpretation only (and not the requirement) and the Management Committee shall decide the matter.
- 1.6 Vessel owners are responsible for any damage caused by their breach or non-observance of these Bylaws.
- 1.7 Reference documents are detailed in Annexure 2 attached hereto.

2.0 DEFINITIONS

- 2.1 'Shall' and 'must' are mandatory, 'preferred', 'recommended' and 'should' are permissive but strongly advised.
- 2.2 'Accessible' means within reach and permitting convenient visual inspections.
- 2.3 'Current' means in date and in force.
- 2.4 A member of Marina Facilities Section shall be deemed an 'Officer of the Club'.

3.0 COMPLIANCE

- 3.1 Every vessel owner shall supply documents (a), (b), (c) and (d) as listed below to the Club prior to occupying a pen. If documents (d) are not available, they shall be supplied within and no later than 30 days of occupying the pen.
- (a) A completed 'Boat Particulars Form' of the vessel
 - (b) Current Department of Transport (DoT) vessel registration
 - (c) Current certificate of insurance
 - (d) Applicable compliance certificates, ie. electrical and gas as defined under clause 3.4 below.
- 3.2 A marina compliance inspection of every vessel is required where possible prior to occupation of a pen or within and no later than 30 days of occupying the pen. An inspected vessel complying with these Bylaws will be issued with a marina compliance sticker by the Club, which shall be affixed to the vessel in a position visible from a main or finger jetty.
- 3.3 Exemptions or variation to Bylaw 3.2 may only be granted under special circumstances and can only be approved by the Management Committee.
- 3.4 Compliance with these Bylaws shall require a vessel inspection every five years. Vessel owners shall provide to the Club on each inspection, all the documents as described below. All vessels shall be inspected in accordance with these Bylaws.
- (a) A completed 'Boat Particulars Form' of the vessel
 - (b) Current DoT vessel registration
 - (c) Current certificate of insurance
 - (d) Applicable compliance certificates, ie. electrical and gas. A requirement of DoT from the year 2010 on and subject to the following.
- 3.4.1 Gas and electrical compliance certificates are normally issued for life and generally would be attached to the vessel when constructed and once sighted by the inspecting officer, shall be deemed acceptable. Should the original certificates not be attached to the vessel and not available in paper form, then new documentation will have to be obtained from the relevant trades. However, such certification only needs to be based on the standards that were applicable when the vessel was manufactured.
- 3.4.2 Any subsequent gas or electrical change or modification shall require a vessel to be reassessed for compliance to the Department of Energy and Safety Regulations as supported by the Bylaws. All such modifications shall be notified in writing to the Club with copies of applicable compliance certificates and may result in a further inspection of the vessel. It should be noted that, general speaking, only the modification has to comply with the current applicable standards and not to the whole system.

- 3.5 Members selling their vessel to another Club member and the new owner either:
- a) keeps the vessel in the existing pen
 - or
 - b) moves the vessel to another Club pen
- shall, on presentation of all necessary documentation as required by these Bylaws, have the PEN inspected for compliance with all of section 5.0 JETTIES AND PENS and where appropriate section 7.0 POWER (240VAC) USAGE IN PENS.
- 3.6 A vessel's fuel tanks, fuel lines, electrical systems and gas installations shall comply with the Australian Standard (AS) in force at the time the vessel was constructed. However, all new work shall comply with the AS that was current when such work was undertaken and will require recertification of the vessel.
- 3.7 If a vessel fails an inspection a maximum of 30 days will be granted for the vessel to be brought up to standard. Failure to comply within 30 days may result in the vessel being removed from the Club premises forthwith. Removal is the responsibility of the owner, failing which, removal from the Club premises shall be by whatever means the General Manager or Management Committee deems suitable and at the owner's expense.
- 3.8 **INSURANCE**
- 3.8.1 Vessel owners in addition to insuring their vessels are required to carry public liability insurance of not less than ten million dollars (\$10,000,000) or such greater amount as the Club may require. A current copy of the receipted insurance document (cover note unacceptable) must be lodged with the Club prior to the owners' vessel entering the Club's leasehold premises ie. pen, jetty, mooring or hard standing area. A copy of each year's subsequent receipted insurance renewal notice shall be provided to the Club at time of payment of the pen maintenance fee or annual rent invoice renewal, whichever applicable, for the purpose of updating the Club's data base with policy expiry dates.
- 3.8.2 Vessel owners are also required to ensure that contractors engaged to carry out works on their vessel are insured for public liability of not less than ten million dollars (\$10,000,000) or such greater amount as the Club may require from time to time. The vessel owner shall produce to the Club, a current copy of the relevant policy or policies of insurance and premium receipt thereof if so requested by the Club.

4.0 ACCESS

- 4.1 A member of the Management or Marina Facilities Section Committee, or an authorised representative of such committee has the right to board any vessel within the pen mooring area to inspect and adjust mooring lines as necessary and, may move such vessel if in the opinion of such person the vessel is likely to be in peril or is so situated so as to interfere or obstruct other members in their normal utilisation of Club facilities.

- 4.2 Forced access by any Club member to deal with fire or other emergency and the movement of a vessel to eliminate a danger to itself or other vessels shall be accepted by the owner without recourse to the member concerned or the Club. Such action is accountable only to the Management Committee.

5.0 JETTIES, PENS and DINGHY STORAGE

- 5.1 Members who are allowed to rent or lease a marina pen are not allowed to occupy more than one annual rental pen and/or one leased (including sublet) pen at any one time. In the event a member purchases a second vessel occupying another pen, the member must transfer, by vessel sale or waitlist application, the original pen within three (3) months of purchase of the second vessel. Hillarys Yacht Club supports a policy of one (1) membership equals one (1) pen.
- 5.2 Vessel owners are responsible for the maintenance and security of their own and the Club's pens and jetties equipment and to ensure that they be maintained in good order and condition. All shackles are to be safety wired. Items such as eyebolts, shackles and sliders need to be greased on a regular basis to prevent premature wear and wind blown rust flakes staining the fibreglass of vessels.
- 5.3 Owners are requested to regularly inspect all ringbolts and nuts, which are to be securely tightened. Any problems with these items should be referred to the Club's General Manager or the respective jetty, Marina Facilities Section representative, for follow up maintenance.
- 5.4 Every penned vessel shall be located within its respective pen in accordance with the Club's 'Pen Containment Policy.' Any projection of the vessel will be at the sole discretion of the Management Committee.
- 5.5 Jetty security gates shall be kept shut and locked at all times. Upon departing the jetty, gates are to be securely closed. After hours the main gates shall be kept locked.
- 5.6 A Club member who holds a security key card to the 'Club pen system' is not permitted to provide any person, not being a Club member, with that key card or have cause to have that key card copied or duplicated in any way.
- 5.7 No member shall allow obstruction across a jetty so as to cause interference or injury to any other person.
- 5.8 No member shall modify, improve or alter any jetty or pen without prior written approval from the Management Committee.

- 5.9 All moored vessels shall be tied fore and aft with lines in accordance with Clause 5.12 and using weights to act as springs or alternatively incorporate an approved mooring compensator. The minimum weight on each mooring line, shall be as follows:
- (a) Vessels up to 9m a minimum of 40 kg for each dry weight
 - (b) Vessels 9.1m-10.5m a minimum of 45kg for each dry weight
 - (c) Vessels over 10.5m a minimum of 50kg for each dry weight
- 5.10 All spliced ropes to have a minimum of five tucks and shall be of the correct length so that a vessel is moored to cover minimum tidal surge and be in a safe position for all possible occasions.
- 5.11 All splices in contact with shackles must include a metal thimble, whereas soft splices in contact with bollards or cleats should be protected from chafing.
- 5.12 Mooring lines (minimum standard, polyethylene staple silver rope) shall be fitted immediately a vessel occupies a pen and shall be in accordance with the following specifications:
- (a) Vessels up to 6m not less than 14mm (BS 1350kg)
 - (b) Vessels 6m – 9m not less than 16mm (BS 1850kg)
 - (c) Vessels 9m – 12m not less than 22mm (BS 3200kg)
 - (d) Vessels 12 – 15m not less than 24mm (BS 3700kg)
 - (e) Vessels over 15m not less than 28mm (BS 5100kg)

If ropes other than silver are fitted, rope sizes must maintain and be of similar breaking strain (BS) to silver rope as above.

- 5.13 If side springs are required to be used to stop fore and aft movement of a moored vessel, then the spring must be attached to the weighted chains and be of the same breaking strain as the fore and aft mooring lines. It is strictly prohibited to attach any rope, mooring or spring line direct from an eyebolt to the vessel, unless an approved proprietary mooring compensator is incorporated in the line.

Note: for mooring diagram refer to Annexure 1 attached to these Bylaws.

- 5.14 Prior to any change of details relating to pen occupancy, such as:

Sale of existing vessel
 Purchase of a new or replacement vessel
 Change of vessel ownership such as in a partnership
 Casual lease of the pen (must be to an existing Club member) or
 Use of the pen by a visiting vessel.

Notification must be supplied in advance of the pending change to the Club's General Manager for approval and alteration to the administration records.

- 5.15 Dinghies must not be stored on finger jetties, moored under jetty or impede into any fairway.

- 5.16 Members are not permitted to carry out any sanding, grinding welding or painting work in the pen without the expressed approval of the General Manager who may request the vessel to be removed to another location to carry out any such work.
- 5.17.1 Dinghies stored in outside bays ie. overwater bays, laser racks and on trailers should be secured to their trailers by at least one appropriate tie down.
- 5.17.2 Trailers stored in overwater bays must be secured by at least one appropriate tie down at all times, dinghies should have bungs removed and venturis (if fitted) open.
- 5.17.3 When winds in excess of 20 knots are forecast, owners of dinghies in exposed positions should check their tie down arrangements. In the case of HYC owned vessels, a responsible staff member, nominated by the General Manager, should personally inspect the vessels.
- 5.17.4 Registers of the dinghy storage areas should be maintained by the Moorings Officer, displayed on the Dinghy Shed Notice Board and confirmed by Marina Facilities representatives during their monthly jetty walks.

6.0 FUEL AND FUELLING SYSTEMS

- 6.1 The refuelling of vessels in pens is strictly prohibited except in an extreme emergency and then must be approved by the Management Committee or General Manager.
- 6.2 Closed containers of fuel may be taken on or off vessels but can only be decanted outside of the Club's leasehold area or marina.
- 6.3 Fuel shall not be carried or stored on board a vessel in plastic containers, except that approved under Australian Standard AS 1533 and then only as portable tanks.
- 6.4 The discharge of any flammable liquid such as diesel, petrol, oil etc or any contaminated or pollutant liquids is strictly prohibited from being discharged or thrown into the waters of the marina or leasehold areas of the Club.
- 6.5 Bilges shall be clean and free of any contaminates such as diesels, petrol, oil, grease, dirty water or contaminated rags.
- 6.6 Automatic bilge pumps (those capable of operating when all other ship's power is turned off and are therefore capable of running when no one is on board) shall only be set up to operate in an emergency situation. The pump(s) shall be positioned in a low part of the bilge but the sender switch(s) shall:
 - 6.6.1 If of the electronic type which will shutdown on detecting hydrocarbons (eg. a Product Innovators Bilge Buddy) be positioned low in the boat.
 - 6.6.2 If of any other type be positioned above the level that the pumps would be able to pump any fuel out even if all the boat's fuel has leaked into the bilge.

- 6.6.3 It is recommended that an oil removal filter (eg. a Liberty Bay System) be fitted between any automatic bilge pump and its outflow to prevent oil from being pumped into the marina.
- 6.7 All inboard spark ignition engines shall be fitted with a flame arrester at each carburettor, or induction air intake in the case of fuel injected petrol engines. Engines not fitted with downdraft type carburettors if not fitted with a leakage by-pass tube, must be fitted with a non-corroding receptacle to contain any dripping fuel.
- 6.8 Both petrol and diesel engines shall have the fuel tank and all metal components in the fuel supply system such as filters, pumps etc, earthed to the engine with an insulated wire of not less than 2.5mm and maintain electrical continuity.
- 6.9 All metallic type deck filler nozzles shall be bonded to the fuel tank by a bridging metallic strip such as fuel and fire resistant hose with an embedded copper earthing wire in its wall, or an insulated wire of not less than 2.5mm.
- 6.10 Fuel shut off valves shall be fitted as close as possible to the fuel tanks for all fuel draw off, fuel return and sight gauge lines, except where it is not possible for fuel to escape or siphon from the tank should the fuel line rupture. Electronic/solenoid type shut off valves as well as ball and diaphragm cocks are acceptable for both petrol and diesel engines. Gate valves are acceptable for diesel but not for petrol. Petcocks are not allowed under any circumstances.
- 6.11 Sight gauges shall be of nylon braided clear plastic hose secured by two screw action stainless steel hose clamps at each end, and located in such a place as to minimise the risk of accidental damage.
- 6.12 Fuel lines (including return lines) for both petrol and diesel engines shall be of proprietary flexible fuel and fire hose with positive end fittings, or metal pipes with flared or coned end fittings and be positively secured with plastic or metal saddles. Where fuel lines are attached to a bayonet style fitting, they shall be secured by two-screw action stainless steel hose clamps.
- 6.13 Connection of metal fuel pipes to or from an engine that is not hard mounted, shall be by an approved flexible hose of minimum 150mm length with flared or screwed end fittings.
- 6.14 It is recommended that diesel powered vessels fitted with a single fuel tank have a shut off valve installed at the tank end of the return line. However, where return lines are directed to twin or multi fuel tank installations, it is mandatory to have shut off valves fitted to each fuel tank.
- 6.15 Outboard motor remote (below floor level) fuel tanks and flexible fuel lines shall be as supplied by the manufacturer for that purpose and conform to Australian Standards and providing the tank is below the fuel delivery system, do not require fuel shut off valves affixed to the petrol fuel tank.
- 6.16 Outboard engine fuel hoses shall terminate at the engine with a fitting to match the quick release self sealing coupling. Fuel hoses must be accessible and supported clear of any hazards.

- 6.17 Portable or auxiliary fuel tanks shall be constructed of metal or such other Australian Standards approved materials. Under no circumstances is fuel to be carried in non-approved plastic containers.
- 6.18 Fuel tanks and systems shall comply with AS1799.3 section 9 (1985) whilst all fuel fittings are to meet the requirements of the Department of Transport's Australian Standards AS 2117.
- 6.19 No vessel shall be left unattended with an engine running (including gen-sets and portable power supplies) or any gas appliance lit whilst in the Club leasehold premises, ie. pen, jetty, mooring or hard standing area.
- 6.20 Where it is necessary to decant a vessel's fuel tanks in order to carry out maintenance, it shall be mandatory that the vessel be removed from the pen and relocated to the 'Lifers Yard' and removed from the water for decanting to take place for reasons of vessel stability and environmental safety.

7.0 POWER (240VAC) USAGE IN PENS

7.1 CONNECTING TO POWER OUTLETS

- 7.1.1 The supply voltage is 240V 50HZ 15 amp and is covered under regulations governed by Australian Standards AS3000 and AS/NZ 3004:2 Section 2 Marina Electrical Installations. Whereas connection to pleasure vessels is covered under section 4. This is mandatory and requires the following:
 - (a) A power cord, minimum of 15 amps 2.5mm² and must be heavy duty flexible, of a continuous length, not exceeding 25 metres and comply with AS/NZS3191 or AS/NZS5000.1
 - (b) Power cord shore socket plug Clipsal 56CS315 or similar
 - (c) Power cord vessel connection plug Clipsal 56P315 or similar
 - (d) Vessel inlet sockets Clipsal 56A1315 or similar
 - (e) Supply leads must be tested and tagged on an annual basis by a qualified person.
- 7.1.2 The power cord shall be attached to the vessel and jetty in such a manner that no chafing or rubbing can occur at any point along its entire length and shall be a minimum of 50mm above the water.
- 7.1.3 Vessel owners must ensure that the connecting power cord cannot sag or fall into the water and take particular care to avoid either end of the power cord falling into the water at times of disconnection. Special attention is required during periods of rough weather in preventing damage to the power cord.
- 7.1.4 Only one vessel's supply power cord shall be connected to any one GPO. The use of double adapters and 'piggy back' plugs in jetty power sockets is strictly prohibited.

7.2 DISCONNECTING FROM 240VAC POWER OUTLETS

- 7.2.1 Ensure that the supply is switched off at both the vessel's master switch and the jetty, prior to disconnecting the power cord. Make certain that when placing the cord on the jetty, that it is coiled and not likely to fall or be kicked into the marina.
- 7.2.2 To prevent any electrical accident the power cord should first be disconnected from the jetty GPO, before removing from the boat inlet-socket.

7.3 REMOVAL OF NON-COMPLIANT SHORE POWER LEADS

- 7.3.1 All unattended non-compliant shore power leads found connected to shore power outlets **WILL BE REMOVED** and made available for collection from the office. The Club will not be responsible for any loss of perishables or other issues arising from the removal of non-compliant shore power leads.
- 7.3.2 If compliant shore power leads are found to be damaged, making them non-compliant, then the pen occupant will be advised to repair/replace the shore power lead within seven days, after which time the Club will replace the damaged lead and charge the cost to the pen occupant.

8.0 BATTERY CHARGING

- 8.1 AC powered battery chargers connected directly to the Club's power mains may be left unattended under the following conditions:
 - (a) The connecting power cord must comply with the requirements of Clause 7.1 above.
 - (b) The battery charging equipment when being used on the vessel must be checked at maximum 24-hour periods.
 - (c) In addition to the above, the following rules under Clause 8.2 also apply.
- 8.2 AC powered battery chargers connected to the vessels 240 VAC electrical power supply may be left unattended under the following conditions:
 - (a) The Battery Charger must have automatic voltage cut out and be fitted with a suitable fuse on the AC power side of the charger.
 - (b) Chargers shall be mounted and fixed on a non-flammable base so they cannot be dislodged or moved in rough weather.
 - (c) Chargers shall have adequate rated cables connecting them into the vessel's battery system, being fixed and secured to the relevant Australian Standards.

- (d) Appropriate rated fuses must be installed in both positive and negative low voltage cables connecting to the batteries.
- (e) Battery chargers shall be adequately ventilated and mounted away from batteries to ensure good disposal of generated heat.
- (f) All vessels' battery compartments shall be adequately ventilated to ensure the dispersal of any hydrogen built up during the charging process.
- (g) An earth leakage circuit breaker or residual current device (RCD) must be installed between vessel mains power connection and the GPO into which the battery charger is connected.
- (h) Portable battery charges shall not be operated on a vessel without first disconnecting both the positive and negative battery terminals from the vessel's power circuit unless an isolating transformer is fitted.
- (i) Battery installations of vessels constructed from 2008 onwards must comply with Australian Standard AS/NZS3004.2:2008.

9.0 VESSEL ELECTRICAL POWER SUPPLIES

9.1 ELECTRICITY (12V/24V DC)

- 9.1.1 Low voltage (less than 32VDC) electrical installations shall comply with AS1799.3 section 8 (1985) and subsequent amendments except that Clause 8.3.4 (cable identification) is recommended. The following additional clauses shall also apply:
 - (a) Batteries shall be fastened securely against movement and should be installed in a ventilated acid resistant compartment capable of containing the battery(s) and its liquid contents.
 - (b) A fully enclosed master switch capable of breaking the full current load of the electrical system shall be fitted in an accessible position as close to the batteries as possible, but not inside the battery enclosure.
 - (c) All electrical circuits should be provided with a separate fuse or automatic circuit breaker and an enclosed master switch.
 - (d) Automatic electric bilge pumps shall be on a separate circuit protected by a fuse of appropriate size. Also refer Clause 6.6.
 - (e) Generators, alternators, starter motors if not of the fully enclosed type, shall have open-end bells with fine (90 – 110) bronze gauze mesh and together with regulators, relays and all other electrical equipment, shall be suitable for marine applications.

- (f) All extra low voltage socket outlets shall have their voltage rating eg. 12 or 24VDC marked along side and shall not be capable of accepting 240VAC plugs so as to prevent short circuiting of the system.

9.2 ELECTRICITY (240VAC)

- 9.2.1 All vessel owners or their agents bringing a vessel into the Club for the first time and that vessel has AC power, shall provide a 240VAC electrical compliance certificate.
However,
 - a) Should the certificate not be available and not evident on the vessel, owners of Australian built vessels may provide in lieu of an electrical contractor's certificate, an extract from the vessel manufacturer's manual
or
 - b) If a compliance certificate is affixed to the vessel, the sighting of same by a Marina Facilities Section officer will be acceptable evidence that the vessel complies.
- 9.2.2 Australian built vessels with voltages above 50VAC shall conform to a combination of AS/NZS 3000 and AS3004:2 that was applicable to the year of construction
- 9.2.3 Vessels built overseas that don't comply to AS/NZS 3000 and AS3004:2 shall provide from the Australian Maritime Safety Authority (AMSA), a current certificate of survey to prove compliance where appropriate to AS3004.2 and can be connected to the Club's AC electrical supply system, providing the shore power connection meets or exceeds AS3004:2.
- 9.2.4 Any subsequent additions or modifications to the vessel must be carried out in accordance with the latest update to standard AS/NZS 3004:2 and will require re-certification of the vessel from a licensed electrical contractor. A copy of the certification document to be supplied to the Manager of the Hillarys Yacht Club.
- 9.2.5 Pleasure craft 240VAC power installations is regulated by Standard AS/NZ 3000 & 3004.2 and where that code applies, (in other words the vessel was built to a version of the code that applied in the year of construction) the following, unless otherwise stated, is mandatory and requires amongst other things, vessels to be fitted with:
 - (a) Either double pole GPO's so that both the active and neutral wires are broken when switching off or the installation of a reverse polarity device.

- (b) An earth leakage circuit breaker or residual current devices (RCD) is mandatory for all vessels built from 2008 onwards and strongly recommended for all vessels built prior to this time, and is mandatory regardless of year built where on board generators are installed.
- (c) Vessels fitted with generators and/or inverters in addition to shore power, shall have switching to prevent energising by more than one power source at a time.
- (d) Each sub-circuit of the electrical system shall be protected by a separate over current circuit breaker located in a flame retardant switchboard or enclosure.
- (e) A mains power on/off switch shall be provided in an accessible position, although where vessels have only a single circuit, an earth leakage circuit breaker or RCD will suffice, which must be mounted in an easily accessible position.
- (f) All metallic pipes and conduits shall be bonded to earth.
- (g) All exterior mounted sockets shall comply to AS 1939 with a minimum protection of IPX5.
- (h) The installation of either an electrolysis blocker or an isolating transformer is strongly recommended. However, the installation must comply with Standard AS/NZ 3000 & 3004:2 earthing and bonding.

10.0 GAS LPG

- 10.1 All owners of vessels with gas appliances on board must initially provide to the Club, a copy of the vessel's gas compliance certificate, completed by a licensed installer in accordance with Gas Standards Act 1972, the Office of Energy gas regulations of 1999, Australian Standard AS5601-2004 and subsequent updates. The sighting of an approved compliance label (providing one is attached to the vessel) by a Marina Facilities Section officer is acceptable. Otherwise new compliance certificates must be obtained by the vessel owner.
- 10.2 Any subsequent alterations or additions to the LP gas system must be carried out by a licensed gas fitter. A new gas compliance certificate shall be provided to the Club.
- 10.3 Where gas compliance certificates are approaching 5 years from date of issue, the inspection by a Marina Facilities Section officer shall observe the following:
 - (a) Age and condition of gas bottles, firmly secured
 - (b) Location and storage of gas bottles, adequate protection against weather

- (c) Air tight gas bottle storage compartment with external vessel vent of not less than a 19mm hole
 - (d) Emergency shut off valve to all appliances
 - (e) Ensure refrigerators are in a sealed cupboard or enclosure and vented to the outside
 - (f) In vessels with step down galley arrangement, the fitting of gas sniffers and detector. All in working order
 - (g) Insulated gas supply pipe work
 - (h) Adequate warning and compliance labels.
- 10.4 When in use, portable gas bottles which might be used for barbecues or similar appliances are not to be left unattended on the vessel. And, where portable bottles are stored on the vessel, they must do so in accordance with 'Gas Safety Regulations,' that is, appropriately secured in a ventilated locker or cupboard with adequate protection from the weather.
- 10.5 Where a vessel owner/operator does not obtain a gas compliance certificate and has no desire to do so, then the LPG gas bottles should be removed together with connecting valves and fittings and pipe work disabled in such a way the system cannot be reused without being upgraded by a registered professional gas fitter.

11.0 SAFETY OF THE VESSEL AND CREW AT SEA

- 11.1 The safety of a boat and her crew is the sole and inescapable responsibility of the owner, or owner's representative who must ensure that the boat is fully found thoroughly seaworthy and manned by an experienced crew who are physically fit to face bad weather. They must be satisfied as to the soundness of hull, engine and/or spars, rigging and sails and all other gear. They must ensure that all safety equipment is properly maintained and stowed and that the crew know where it is kept and how it is to be used.
- 11.2 All boats must carry the minimum safety equipment (refer below) required by the Department of Transport (Marine Division) per Navigable Waters Regulations. Racing sailing boats must comply with the appropriate Category of the YA Special Regulations (as modified by YWA) for the race in which they are competing.
- (a) Anchor(s), chain & rope
 - (b) Life jackets
 - (c) Flares, handheld & parachute. Refer clause 11.10 below
 - (d) Fire extinguisher(s). Refer clauses 11.3 to 11.9 below for additional information
 - (e) First aid kit

- (f) EPIRB required once vessel exceeds two nautical miles off shore (effective from 1 January 2014)
- (g) Two way radio either VHF or 27 Meg.

Additional information on the above safety items etc. can be found in the publication ‘The Official Western Australian Boating Guide.’

- 11.3 Fire extinguishers shall be located and where possible, mounted in conspicuous readily accessible places and in suitable and different parts of the boat. Where they are not conspicuous, their position shall be clearly indicated by a sign.
- 11.4 Only fire extinguishers complying with AS1841.5 (2007) for dry chemical type and AS1841.6 (2007) for CO2 type are acceptable. Note that the mass of an extinguisher does not determine its B (E) rating.
- 11.5 The minimum number of fire extinguishers for vessels penned at HYC or moored/racked at Hillarys Marina Lifting Services is set out below:

LOA	CONDITIONS	MINIMUM REQUIREMENT
Under 8.5m	Carries petrol or LPG below deck	2 x 10 B(E) and a Fire Blanket
8.5m and over	Carries petrol or LPG below deck	3 x 10 B(E) and a Fire Blanket
Under 8.5m	Any form of engine or naked flame from other than LPG	1 x 10 B(E) a Fire Blanket is recommended
8.5m and under 12m	Any form of engine or naked flame from other than LPG	2 x 10 B(E) a Fire Blanket is recommended
12m and over	Any form of engine or naked flame from other than LPG	3 x 10 B(E) or the equivalent and a Fire Blanket is recommended
Open Boat	Any form of inboard engine or naked flame	1 x 10 B(E)

- 11.6 An automatic fire extinguishing system in a machinery space shall be counted as one fire extinguisher.
- 11.7 It is recommended an automatic fire extinguishing system be fitted to the machinery spaces of all boats.
- 11.8 All fire extinguishers shall be serviced/tested/replaced at the time interval specified by the manufacturer and the Australian Standards AS1851-2012. The owner shall undertake a check every six months that includes the following:
 - (a) Check that the extinguisher has not been discharged
 - (b) Check the extinguisher for damage and corrosion
 - (c) Check operating pressure. Gauge pointer should be in green zone
 - (d) Check that the nozzle is not blocked
 - (e) Check cylinder date stamp. If it is over five years old, it will require a pressure test/refilling or replacing.
- 11.9 It is strongly recommended to install smoke detectors to all sleeping areas within the vessel.

- 11.10 It is a government (DoT) requirement that all vessels proceeding outside of protected waters must carry flares for both inshore (within five nautical miles from the mainland or within one nautical mile from an island situated more than five nautical miles from the mainland) and offshore, (more than five nautical miles from the mainland or more than one nautical mile from an island situated more than five nautical miles from the mainland) locations.
- 11.10.1 The minimum requirement for inshore shall be two red parachute flares or one hand held red flare and two hand held orange smoke flares or one orange smoke canister.
- 11.10.2 The minimum requirement for offshore shall be two red parachute flares and two hand held orange smoke flares or one orange smoke canister.
- 10.10.3 Flares must be stored away from direct sunlight in a waterproof buoyant container and be readily accessible in an emergency.
- 11.10.4 Flares must be maintained in a serviceable condition at all times. A service life span, recommended by the manufacturer is stamped on the flare and is usually three years and must be in date at all times, including at the time of the HYC marina compliance inspection.

12.0 LIVE ONBOARD

12.1 POLICY

- 12.1.1 HYC allows a limited number of financial ordinary members to live onboard to protect the amenity, environment and improve the security of the Club precinct.
- 12.1.2 The limited number is as agreed to by the Management Committee and each application is determined on a case-by-case basis.
- 12.1.3 The right to living on board is a privilege and not a right of membership and can be removed by the Management Committee at any time without any form of retribution.
- 12.1.4 The lifestyle and privacy of living on board must co-exist with all normal club member social and sporting activities.
- 12.1.5 Additional live onboard applications will be considered for bona fide boat travellers, casual or visiting situations, temporary visitor, extended visitor and short-term periods due to changes to accommodation or housing circumstances.

12.2 DEFINITIONS

- 12.2.1 A member who stays on board in excess of six consecutive days and or over ten calendar days per month is deemed to be living on board.
- 12.2.2 The term ‘live onboard’ replaces the term ‘live aboard’ and any other references to persons living on a vessel within the Club precinct.

12.3 APPLICATIONS

- 12.3.1 An application to live onboard must be completed and forwarded with the required documentation to the General Manager for approval by the Management Committee.
- 12.3.2 The required documentation will consist of the ‘live onboard’ application form, police clearance, references including previous live onboard references, current insurance policy, skipper’s ticket and any additional documentation that may be required by the General Manager or Management Committee.

12.4 DURATION

- 12.4.1 An application for living on board will not exceed 12 months and includes a probationary period of three months.
- 12.4.2 Further extensions may be granted based on compliance to the policy and reviews as deemed necessary under the policy.
- 12.4.3 The Management Committee has the right to revoke this policy dependent on any directives, policy or legislative changes that may occur in the future.

12.5 COSTS

- 12.5.1 Additional charges as deemed appropriate and approved by the Management Committee will be incurred.
- 12.5.2 The additional charges will take into consideration the utilities and additional costs that are likely to impact on the Club due to living on board versus the additional protection to the amenity, environment and improvement of security of the Club precinct.
- 12.5.3 Current daily charges will be available once an application is received.

12.6 NOTICES TO COMPLY

- 12.6.1 If a member receives a written or verbal notice for failing to comply with the policy and or agreement and no action is made or received within seven days, then it will result in the termination of the agreement.
- 12.6.2 A member who is subject to more than three validated complaints will be advised of the circumstances and a written or verbal notice issued that any further complaints, once validated, will result in the termination of the agreement.

12.7 INDEMNITY

- 12.7.1 The member indemnifies the DoT and HYC against any loss, expense, legal liability, claims and costs incurred by the DoT and HYC arising as a result of the applicant's acts or omissions, or acts or omissions of others to which the applicant has contributed, or the acts or omission of any person invited to the marina by the occupant.
- 12.7.2 HYC is indemnified against any loss, expense, legal liability, claims or costs incurred by the member if the permanent live onboard agreement is terminated or the policy is amended.

12.8 INSURANCE

- 12.8.1 The member shall at all times maintain a current comprehensive and third party/property insurance for a minimum of ten million dollars, a copy which must be submitted with the application. The policy shall include the live onboard disclosure or option as required by the insurance provider.

12.9 CLUB PARTICIPATION

- 12.9.1 The member must participate in or be an active volunteer supporting Club marine/section activity.

12.10 RESPONSIBILITIES

- 12.10.1 It is the responsibility of the member for the behaviour of visiting guests and late night activity that is likely to disturb other occupants or bring the Club in disrepute.
- 12.10.2 Members are to make themselves familiar with all rules, regulations and bylaws to ensure compliance.

- 12.10.3 The onus is on the member to be aware of best practices to reduce the impact on the environment as updated from time to time by the Club and government authorities.

12.11 GRIEVANCES

- 12.11.1 Due process can be undertaken in line with the Hillarys Yacht Club (Inc.) Constitution.
- 12.11.2 A member who is aggrieved by a decision made under this policy may lodge a notice of appeal.
- 12.11.3 The notice of appeal must be submitted in writing to the Management Committee within 28 days of the member receiving a written or verbal notice and must state all of the grounds on which the member intends to rely on and set out all of such grounds in detail.

13.0 NON COMPLIANCE, PENALTIES AND FINES

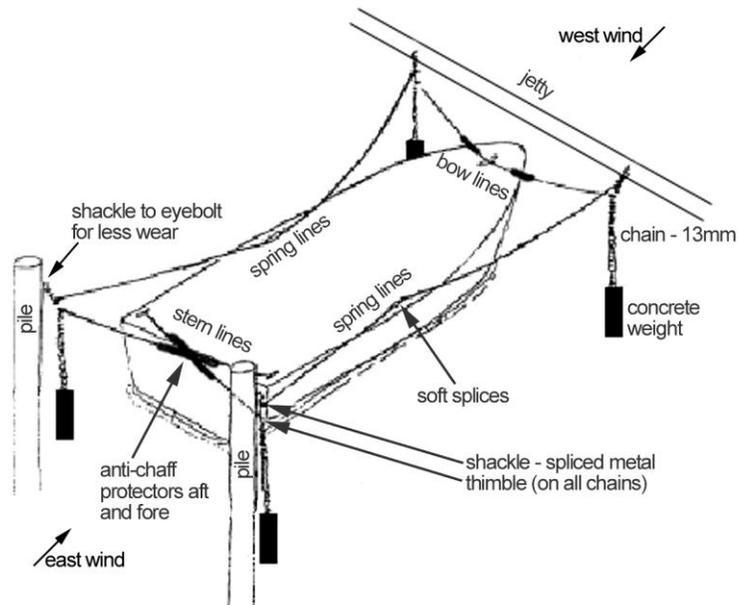
- 13.1 Unless suitable reason or justification can be provided by the owner or agent to the Management Committee for non-compliance in respect to these Bylaws, the Management Committee may arrange for an appropriate licensed person, or authority, to remove the vessel or hull or structure at the owner's expense,

Or
- 13.2 Members who fail to comply with these Bylaws within thirty (30) days of the date of inspection, or as requested by an officer of the Club, will have the matter referred to the Management Committee for further action. Penalties may apply.
- 13.3 In the opinion of an officer of the Club, any member who has committed a minor breach of these Bylaws shall have the matter referred to the General Manager, who shall issue a written caution to the member with an explanation of the Bylaw breach. Any member who does not conform to the notice within 14 days of the date of the notice shall have the matter dealt with as per clause 13.4 below.
- 13.4 Where in the opinion of an officer of the Club, a member has committed a more serious breach of these Bylaws, the matter shall be referred to the Management Committee who may invoke a fine suitable to the offence, or refer the matter to the Protocol Committee for their recommendation under provisions within the Club's Constitution.
- 13.5 Any member who does not provide, within the specified time limit, the necessary documentation required under any clauses of these Bylaws, shall be fined \$100 or the Management Committee may determine such other amount as deemed appropriate. If a further 30 days has elapsed and the member has still not complied with the request, the matter will become a Clause 13.4 breach and be dealt with accordingly. No fine, once issued, shall be credited without the expressed approval of the Management Committee.

- 13.6 Where a work order has been issued relating to a vessel inspection, a member shall be given a maximum of 30 days or such period of time considered reasonable to comply, after which the member shall be subject to a non-refundable \$100 fine. If a further 30 days has elapsed and the work order requirements still have not been met, then the matter will become a clause 13.4 breach and be dealt with accordingly.

ANNEXURE 1

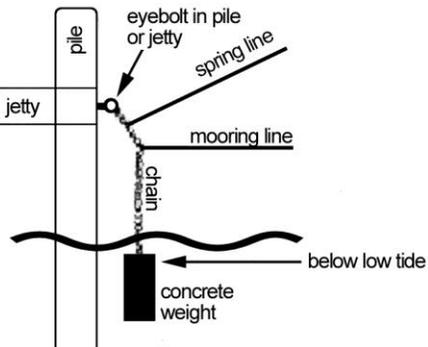
Diagrams showing the approved method of securing a vessel in a pen and detailing the mooring and spring rope connections to the weighted chain arrangement:



Diagrams reversed for craft on west side of main jetty.

No ropes to be attached to eye bolts, except running ropes is permitted.

Remember: Fine tune your craft for low and high tide so fore and aft movement is to a minimum.



ANNEXURE 2

These documents are listed in order to provide more details where the Club rules require enlarging or refined definition.

1. AUTHORITIES

- Australian Communications & Media Authority (Licensing of Marine Radios)
- Australian Maritime Safety Authority
- Australian Sailing
- Department of Fisheries
- Department of Transport (Marine Division)
- National Maritime Safety Committee
- Yachting Western Australia (YWA)

2. AUSTRALIA STANDARDS (AS)

- AS 1512: Life Jackets
- AS 2906: Fuel Containers
- AS 1799: Small Pleasure Boats Code, Section 8 Low Voltage (less than 50VAC) and section 9 Fuel Tanks and Fuel Systems.
- AS 1841.1: Fire Extinguishers, Section 5 Dry Chemical Type, Section 6 CO2 Type
- AS 2444: for Portable Fire Extinguishers
- AS 1851: Testing of Fire Extinguishers Section 1
- AS 2117 Fuel Fittings
- AS 3000 & AS 3004: 2, Code for Electrical Installation of Boats and Boating Marinas.
- AS 5601.1: & AS5601.2: Gas Installations

3. GOVERNMENT ACTS & STATUTES

- Gas Standards Act 1972
- Gas Standards Regulations 1999 (Gas Fitting and Consumers Gas Installations)
- Gas Standards Regulations (Gas Supply and System Safety) 2000
- Marine & Harbours Act 1981
- Marine & Harbours Regulations 1985 (Fuelling)
- Marine & Harbours Regulations 1998 (Departmental Areas)
- Marine Navigational Aids Act 1973
- Marine Navigational Aids Regulations 1985
- Navigable Waters Regulations 1958

4. PUBLICATIONS, LEAFLETS, RULES ETC.

- The Constitution of the Hillarys Yacht Club
- The Official Western Australian Boating Guide (last published 2003)
- Using Gas Safely in Marine Craft (Energy Safety – Department of Commerce)
- Yacht Racing, including the prescriptions and safety regulations of Australian Sailing.