



MARINA BERTH ALLOCATION POLICY

Policy #:	CYCA:MAR1	Version:	008
Drafted by:	David Jacobs	Approved by Board on:	26 May 2020
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Responsibility:	Operations Manager	Scheduled review date:	22 September 2021
Related Policies:	Marina Berthing Policy Berthing Licence CYCA By-Law 21		

PURPOSE

This policy defines the conditions, rules and procedures that apply to CYCA marina berth allocations to:

- Describe the processes in relation to marina berth allocation to ensure transparency and consistency
- Optimise marina revenue as a sourcing of funding for the Club's activities

SCOPE

This policy relates to the allocation of marina berths at the Cruising Yacht Club of Australia.

AUTHORISATION

Marina berth allocation must be approved by the CYCA Premises Committee where required by the Policy.

POLICY

1. Background

The role of the CYCA's marina is to

- Provide safe and accessible berthing for members who actively use their yacht
- Provide occasional berthing to Club members and visitors
- Optimise marina revenue as a sourcing of funding for the Club's activities

To achieve this outcome the following types of berthing are available on the CYCA marina:

- 3 Year License (formerly called "Permanent Licence")
- Quarterly Licence (formerly called "casual")
- Visitors Licence (for short stays of days or a few weeks).

In addition, the current Board direction is that the berths are split approximately 80% 3 Year Licences, 10% Quarterly Licences and 10% Visitor Licences. These percentage splits are intended as long-term averages but may vary from time to time depending on demand and racing regatta activity.

The 3 Year Licences and Quarterly Licences are only available for Full Members, Life Members and Country Members of the CYCA. If the yacht is owned/leased/chartered by a syndicate, then all



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members of the syndicate must be Full Members. The terms of the berthing licence are set out in a licence agreement to be signed by the Member(s) and the By-Laws of the Club.

Visitor berthing is available to both Members and non-members for short term berthing. Short term is any berthing of less than 3 months. The terms of the berthing are as set out in a Visitor Yacht Registration Form which must be signed by the visitor. No licence or security deposit is required for Visitor berthing, however payment must be made in advance.

2. Allocation of berths

2.1 All berths, with the exception of visitor berths, will be allocated by the Premises Committee with reference to:

- the Marina Berth waiting list. The list is maintained by the marina manager and in order of date of receipt of the application form, prescribed on the website, and all relevant information, including whether they are interested in a 3 Year Licence, a Quarterly Licence or both forms of licence.
- Whether an existing Quarterly License holder
- the yacht's usage and
- the matrix rating (as reviewed and updated from time to time)

2.2 A Member may apply for a berth notwithstanding that the Member at that time does not have a yacht. In the application, such a Member must specify the proposed overall length, width and draft of his/her proposed yacht. At the time of application, the Member must pay a non-refundable application fee of \$500, which will be offset against the security deposit should a licence be offered and accepted by the Member.

2.3 The website and application form must make it clear that there are several factors taken into consideration in the allocation of berths (broadly outlining what they are) and generally priority is given to those yachts that have the highest satisfaction of those factors.

2.4 When a berth becomes available, the marina manager shall consider whether the berth should be a 3 Year Licence, Quarterly Licence or Visitor Licence and to which yacht it should be offered, having regard to 2.1.

All allocations of 3 Year Licences and Quarterly Licences must be recommended by the marina manager with supporting documentation based on the criteria in 2.1 and approved by the Premises Committee or a sub-committee.

Where an application for an available licence is received that does not meet some of the criteria in 2.1 but, in the opinion of the marina manager, warrants further consideration, the marina manager should present the application to the Premises Committee for approval.

2.5 If approved, the marina manager will then approach the Member to advise that a berth is available. If the Member wants to proceed with the licence, the marina manager will get the relevant Licence signed, provide copies of the By-Laws and Berthing Policy. The Member must sign the licence agreement and pay the security deposit (equal to one quarter's berthing fees) and the first quarter's berthing fees within [1] month of the offer. If this condition is not met, the offer will lapse unless the Premises Committee grants an extension.

If the Member does not want a licence at that time, the marina will repeat the process in relation to the next best application.



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- 2.6 Where a Member has expressed an interest in a Quarterly Licence on their initial application and has been offered a Quarterly Licence which they reject, it will be assumed they are only interested in a 3 Year Licence going forward, unless otherwise advised.
 - 2.7 If a Member has been offered a 3 Year License three times and rejects it each time, the Member's application will lapse on the third rejection and he/she will be removed from the wait list. The member may re-apply but it will be regarded as a fresh application.
 - 2.8 It is a fundamental principle of the Clubs Marina berthing policy that no Member may berth more than one boat on the marina at any time, unless the Board gives its approval for a licensee to have an interest in one other Vessel, which must only be given in exceptional circumstances (examples of what may constitute exception circumstances are given in the Board minutes of its meeting of 26 May 2020 - to accommodate a short-term transitional need or to utilise space on the marina that cannot be used for yacht berthing).
3. Renewal of licences
 - 3.1 The 3 Year Licences must be renewed every three years. Before renewal, the marina manager must ensure all information is up to date and that the licence holder is still a suitable and fit person to hold the licence. Any decision to or not to renew should be affirmed by the Premises Committee.
 - 3.2 The Quarterly Licences must be reviewed every year. On review, the marina manager must ensure all information is up to date and that the licence holder is still a suitable and fit person to hold the licence. Any decision to or not to renew should be affirmed by the Premises Committee.
 - 3.3 Upon renewal the security deposit must be updated and a new licence prepared.
 4. Payment of fees
 - 4.1 Fees are due and payable on the 1st days of the calendar quarters beginning January, April, July and October.
 - 4.2 The first invoice for any licence commenced between these dates, will be pro-rated for the remaining days in the current quarter.
 - 4.3 If the fees are outstanding, after follow up by both accounts-rendered and phone calls, for more than 60 days, in the absence of extenuating circumstances, a 14-day notice will be issued advising that the licence will be terminated unless payment is received within that 14 days.
 - 4.4 Member's free night

Members are granted 1 (one) night at no charge under the following conditions:

 - If the vessel has been booked in advance with the marina manager
 - If the Member's account is not in arrears
 - If the Member has not berthed a vessel with-in the previous 7 days
 - If the Member does not have a 3 year Licence or Quarterly Licence
 - 4.5 Members and Non-members will be required to pay for their visitor berthing fees no later than on arrival at the CYCA marina.



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5. Sub-Committee

The Premises Committee may appoint a sub-committee to discharge any of the Premises Committee's duties and responsibilities under this policy.

6. Cancellation of Licences

Licences may be cancelled for:

- 6.1 Non-payment of fees in accordance with clause 4.3
- 6.2 Failure to comply with CYCA By-law 21
- 6.3 Failure to comply with the terms of a berthing licence
- 6.4 Failure to comply with Marina's operating requirements
- 6.5 Where a Member's membership has been suspended or cancelled for any reason.