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PITTWATER AQUATIC CLUB CO-OP LIMITED

BY- LAWS 1997

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The By-laws of the Pittwater Aquatic Club Cooperative Limited are prepared and modified by the Board from time to time as authorised by Rule 58(4) of the Rules of the Pittwater Aquatic Club Co-operative Limited.
A current version of the By-laws can be found on the PAC website www.paqclub.com.au

BY- LAW NO. 1 - MEMBERSHIP

The Board shall limit the number of Club Members to a figure compatible with the physical and administrative capacities of the Club's property and management.
Total: The limit as at 26 July 1996 will be 400 financial Members, excluding life Members.

Membership vacancies will be offered by the Board to new member applicants in accordance with the date of their application. In the event of a place being offered to an applicant who then refuses it or where the applicant has not maintained contact with the Club, the applicant's name will be removed from the membership waitlist.

Life membership may be granted to a Member at a General Meeting providing the Member has rendered outstanding service over a number of years to the Club. Please refer to the Club's website for procedure.

A Member with a vessel must complete a Member Vessel Detail (MVD) form for each Vessel that they have an ownership interest in while a Member of the Club. This MVD form must be accompanied by a copy of the Vessels Registration and Insurance documents and includes completion of the Ownership Declaration. Each year the member's payment of annual invoice is a declaration that these details are still current or advise of changes in vessel details by completing an MVD form

On cessation of membership, for any reason, member's equity will be treated as a donation to the Co-operative.

It is the Members responsibility to notify the Secretary of any change in vessel or contact, including email, details.

BY- LAW NO. 2 - SLIP USERS

Each Member wishing to use one of the cradles to slip their boat shall make application to the Secretary for registration of their boat.
The Board will maintain separate registers for boats granted use of the No.1 slip or No.2 slip and will allocate the slip to be used by the individual boat.
Vessels are slipped at the PAC at the Members' risk and only vessels for which the appropriate slip charge has been paid are eligible to use the PAC slips. Any exceptions require Board approval.

BY -LAW NO. 3 - SLIP DAYS

Each boat registered for No. 1 slip will be eligible for up to three (3) days and for the No. 2 slip four (4) days on their respective slip each financial year ending 31st March without additional charge. Due to high level of demand for No. 1 slip access during the months of September, October and November a maximum of two days in total may be booked. At the discretion of the Slip Master Members may be allowed additional time on the slip. Additional days booked must be paid for at the time of booking. Additional time will be charged at the rate approved by the Board. A slip day for No. 1 slip, for the purpose of slip bookings, is the 24 hour period commencing at 0900 hours. For the No. 2 slip, tide dependent, a slip day is calculated as the interval between corresponding high tides on consecutive days.

BY-LAW NO. 4 - BOOKING OF THE SLIP

Booking for each slip is made through the 'PAC Booking System' which can be found on the Club's website with relevant instructions on how to book and/or remove booking. Each Member may have only one (1) booking at a time. All days booked may be deducted from the Members slip days eligibility (refer By-Law 3), whether or not such days are used unless at least four (4) weeks' notice of cancellation is given to the Slip Master. Wet weather days will however be made up if possible at the discretion of the Slip Master. Members booking the slip agree to all conditions of use or stipulated by the Certified Operator.

BY-LAW NO. 5 - OPERATION OF THE WINCH

Only those persons approved by the Board may operate the slip winches. Certified Operators approved to operate each winch are listed on the Club's website.

BY-LAW NO. 5A – MEMBERS RESPONSIBILITIES

The Member shall be responsible for preparing the slip in readiness for their vessel, this includes the fitting of keel stands and bearers as required, positioning the cradle arms, positioning their vessel in the slip cradle, determining the need for and attaching slings as required and fastening of cradle arms in the proper position to adequately secure the vessel.
While working on Club Premises Members must work safely, power leads must be suspended on cable stands provided, ladders must be secured, tools that create dust, when used for extended periods, must have dust extraction systems fitted. Ground floor toilets and showers are to be used by people working on their boats, to maintain the cleanliness of the Clubhouse amenities.
Bilge water or fluids are not to be released when on the slipway or hard stand area. No paint is to be poured down drains and all waste is to be placed in bins. A charge may be incurred if the work area is not cleaned.
In any emergency it is the Members responsibility to contact the Slip Master.
Undercover car parking spaces are reserved for the cars of those members working on the slips.

BY-LAW NO. 6A - HIGH PRESSURE WATER EQUIPMENT

This equipment must be used with considerable care. The water jet operates at very high pressure and is capable of causing serious injury. It is not to be used on the decks of boats on the slip, must be properly held in both hands and may only be operated from the ground by Members wearing enclosed shoes and safety eyewear. Inconvenience/danger to other persons/property is to be avoided, with attention also to be given to minimising exposure to overspray. Sand filled pollution retaining bags and where applicable, stern overhang drop sheet are to be erected prior to commencing use of the water jet. It is the Members responsibility to ensure that no pollutants or discoloured water reaches the waterways. Where overspray curtains are provided, they are to be in place when the high pressure water equipment is being used. In the interest of saving water and minimising noise, Members are requested to limit the use of this equipment to a maximum of 30 minutes per slipping. Before turning on the power to the high pressure wand ensure the hose is fully extended off the reel and on completion of use, after releasing the pressure in the hose, the hose and wand are to be safely secured and locked in the cabinet provided.

BY-LAW NO. 6B - SLIP & SUMP CLEANING

Prior to re-launching, Members are to clean anti fouling overspray from the slip area, including safety railings and cabinet, sweep and remove all slipping debris and waste from the slip ramp, clean sump screens and drains and dispose of it in the waste collection bin. After relaunching, the removal of any additional blocking from the cradle and restoring the cradle and slip area to the standard set up. Where provision exists to lock up or store the equipment, it must be so secured.

BY-LAW NO. 6C – NOISE

Members should be aware at all times that the Club is located in a residential area. When Members are working on Club premises, on their boats, on the slips, and or work berth the following applies:

1. Activities generating noise can only be performed during the hours 8am to 5pm Monday to Friday and 9am to 1pm Saturday, Sunday and Public Holidays.
2. Prolonged intermittent (on/off) use of water blaster is not allowed.
3. Constant power tools noise is not permitted after 1:00 pm, Saturday, Sunday or public holidays.
4. Excessive noise is unacceptable

BY-LAW NO. 7 - SPRAY PAINTING

Spray painting is not permitted on the slip or elsewhere on Club property, except touch up from a proprietary spray can.

BY-LAW NO. 8 - SANDBLASTING

Sandblasting is not permitted on the slip or elsewhere on Club property.

BY-LAW NO. 9 - MOORING BUOYS

The slip moorings, which lie immediately off the slipway, are allocated for the use of vessels which are next on or just off either slip. No other Member may use either buoy without the express permission of the appropriate owner of the above vessels. The buoys are marked slip mooring only.
PAC recreational moorings are available for the use by all members. As a guideline moorings are intended for single vessels up to 14 metres in length. Temporary raft up is allowed when weather conditions permit and vessel owners agree. Listing and location of recreational moorings are maintained on the Clubs website. Member's vessels must fly the Club burgee when on a Club recreational mooring.

BY-LAW NO. 10 - RAMP

Ramp users are required to: -
1. Ensure that boats are ready to launch before entering the ramp area.
2. Launch or recover boats as quickly as possible.
3. Park vehicles and trailers within the designated car and trailer spaces in the parking area. During weekends and public holidays, yard occupants are not permitted to leave their trailers in the parking area. They must return their trailers to the yard sites and park their vehicles in the single car spaces in the parking area. Washing of craft on the ramp will not be allowed in daylight hours during weekends and public holidays. At other times, washing is permitted provided that no other Member is inconvenienced.

BY- LAW NO. 11 - OTHER FACILITIES

Marina berths, moorings, yard spaces, runabout and dinghy storage will be available only with the approval of the Board and upon payment of the relevant facility charge. Members occupying or about to occupy these facilities will complete a 'Member's Vessel(s) Details' form as required by the Board.
A Member's Vessel Details form must be completed with supporting documents attached, and approved by the Board, or its delegate, prior to the allocation of a club facility to a Member. This form indicates Member's details, details of vessel to occupy the club facility, proof of insurance, registration and declaration of ownership and any payments due. Any changes to these details require the Member to notify the Secretary.
Vessels on the marina or moorings must be at least 5.5 metres in length. Vessels in excess of 11.0 metres Length Over All (LOA) will not be eligible for Club rental moorings in Winnererremy Bay. Vessels in the marina must be of a size commensurate with the limitations of the allocated berth and occupiers of marina storage are responsible for providing and maintaining a minimum of four 14 mm mooring lines to secure their vessels. Some yard spaces up to 12 metres in length may be available, but generally 9 metres is the limit. Dinghies less than 2.5 metres in length are stored in racks in the Clubhouse grounds and Runabouts, defined as a boat greater than 2.5metres but limited to 3.6 metres, are stored in a rack in the Yard area.
Vacancies on these facilities will be offered to the Member and their Principal Vessel described in the MVD form by the Board, or its delegate, in accordance with the date of their applications to the Secretary, who will maintain and display respective waiting lists setting out the applications received. No Member already occupying a facility may be offered a second facility (runabout and dinghy storage excepted) while there is a waiting list for both facilities, unless they relinquish their first facility. The Board's priorities are to first minimise revenue loss for the Club and secondly, service facility waiting lists as efficiently as is practical. Waiting lists are maintained in respect of the Member's Principal vessel not second vessel. Until a Member, in an allocated facility, releases their facility they are not able to add their name to the waiting list for that facility. A Member's name must not appear more than once on the same facility waitlist.
Members without boats, or whose boats are not suited to the available facility may decline, without losing their waitlist position. Members on the waitlists can be marked as Not Eligible (NE). A Member on a waitlist with a status of NE will not be allocated any future vacancy until after that Member advises the Club of a change in their status requesting the removal of NE. To be clear the onus is on the Member to request the removal of the NE status. A member who accepts a facility will, in appropriate circumstances, be allowed reasonable time (maximum of three months) to obtain a suitable vessel if he does not have one, provided the member commits to pay for the facility from the date offered.
For a Member to be allocated a club facility they must be the sole owner of the vessel or own at least an equal share with no more than two other shareholders in the vessel. Other shareholders in the vessel occupying a club facility shall be Members of the Club, except where one shareholder in the vessel (over 18 years) is a spouse or sibling of the Member. Or such other person as the Board in its absolute discretion shall

deem to be owner or part owner.
Only PAC Members can apply or be on a facility waiting list. A waitlist charge of $100 is payable with each request for registration on the waiting list for marina, mooring and yard places. A waitlist charge of $50 is payable with each request for registration on the waiting list for a runabout or a dinghy rack position. Waitlist charges will be deducted from the initial facility charge when a place is allocated and taken up. Upon notification to the Board that the application is no longer required, the applicants name will be removed from the waitlist and the waitlist charge forfeited.

BY- LAW NO. 11A– CANCELLATION OF PAC STORAGE FACILITIES

The Club or Member occupying a marina berths, moorings, yard spaces runabout and/or dinghy storage facility can cease occupancy of such facility with 28 days written notice given by either party or the Club can terminate forthwith on the happening of any of the following events:

1. any breach by the Member or any shareholders in the vessel of these By-laws or the Rules of the Club;
2. if the facility in the opinion of the Club becomes unserviceable;
3. in the event of any conduct by the Member, the shareholders in the vessel, agents, servants, contractors, employees, visitors or invitees which may in the opinion of the Board be prejudicial to the interests of the Club or the proprietors or occupiers of any neighbouring premises to that of the Club or to other persons using the facilities;
4. if the vessel is absent from the facility granted for a period exceeding 30 consecutive days without the approval of the Board
5. the occupier of the facility cease to be a Member of the Club
6. the occupier's share in the relevant vessel be at any time reduced below that defined in By-law 11C;

A member may be removed from an allocated waitlisted facility and or suspended from the use of other club facilities, by resolution of the board to the effect that the member has been guilty of conduct detrimental to the co-operative. The member will be afforded an opportunity of being heard by the directors, prior to this decision. Removal would be absolute. Suspension will be for a period not exceeding twelve months.
No refunds will be given to members vacating facilities of the club.

BY-LAW NO. 11B - VESSELS OCCUPYING PAC STORAGE FACILITIES

Members' vessels occupying the club marina or mooring facilities, including the work berths and recreational moorings, must conform to current Statutory Authority conditions for occupational licences.
Boats and trailers occupying yard sites must be maintained so that they will not cause offence to the neighbourhood. Halyards and covers must be secured so as not to cause noise in windy conditions and trailers must be kept registered and readily moveable at all times.
Members allocated a PAC marina berth are responsible for the providing and maintenance of the dock lines that secure their vessel. At least three-strand floating dock lines, with a minimum 14 mm diameter are to be used. Dock lines are to be crossed at bow and stern where possible, to ensure the vessel remains within the confines of the berth at all times.
PAC Members using club storage facilities (Marina Berth, Moorings, Yard Spaces, Dinghy Racks or Runabout Racks) may be required to relocate to an alternative position if directed by the Board.
Members who intend removing their vessel from an allocated facility for more than thirty consecutive days should notify the Secretary of their intentions and obtain approval to ensure the continuation of their rights. In the case of extended absence, the Board or its delegate may offer the vacant facility to eligible members on a casual basis, at rates determined by the Board. A Member wishing to be advised of a casual vacancy on a club facility should contact the Secretary and make this known.

BY-LAW NO. 11C - INSURANCE AND OWNERSHIP

Members with a vessel must complete a Member Vessel(s) Details (MVD) form on joining the Club, on purchase or change of vessel or at any time as requested by the Board or its delegate. The MVD with attached maritime registration, proof of insurance documents and ownership declaration completed must be returned to the Club Secretary and be approved by the Club's delegated officer, prior to using PAC facilities (slip and recreational moorings, ramps, marina, loading and unloading pontoons, work berths, boat storage yard, slips etc.). All Member vessel(s) are required to have comprehensive insurance, with a minimum of $10,000,000 public liability. Member(s) who are owners of the vessel must be noted as a named 'insured'

or as an interested party on the relevant policy.
A declaration that there has been no change in the details provided on your MVD is required annually by the Member when membership is renewed. This declaration is made through the process of the Member making payment for renewal of membership and is declared the date payment is received by the Club. If your vessel details have changed then a new MVD form will be required. Members may be asked at any time to produce proof of ownership, registration and currency of insurance. Member ownership is defined as at least 50% of the vessel, though exceptions occur for example when two members each own 33% of a vessel.
Notwithstanding the foregoing the Member undertakes to and hereby does keep the Club indemnified against all loss and damage to their own and any other neighbouring vessel, equipment or other property for which the Club may be held liable or responsible, but only where such damage arises out of the default, act or omission on the part of the Member, the shareholders in the vessel, agents, servants, employees, contractors, visitors or invitees.
When member's vessels are jointly owned, By-law 14 does preclude the use of such vessels on Club premises or facilities by any non-member owner unless the Member is also present. Where the vessel is owned by a company, trust or other structured entity and not individual people, Board approval must be received prior to accessing any of the club's facilities. Such approval would normally be communicated on receipt and review of MVD form. Further information about the structure of the entity may be supplied when completing or requested after submitting the MVD form. To be clear no commercially operated vessel is permitted to access or use any club facility.
Members who are on a club storage facility or a facility waitlist should note that vessels occupying a PAC storage facility (marina, mooring and yard) must meet specific ownership requirements, whereby the occupier is the sole owner of the vessel, or has a controlling-interest shareholder with another Member of the Club and/or an adult Member of the occupier's immediate family.

BY-LAW NO. 11D – CHANGE TO VESSEL OCCUPYING PAC STORAGE FACILITY

On change of vessel or ownership the PAC storage facility is released, except if, in advance of the change, the Member has gained Board, or its delegate, approval to reoccupy the Club storage facility. Approval would normally be received where the replacement vessel is of the same dimensions and fits in the existing allocated facility and or ownership change is in compliance with By-law 11C. In all other circumstances the PAC storage facility is released and will be allocated per By-law No. 11. The released Member can then choose to re-join the waitlist as at the date of payment of the appropriate waitlist application fee.

BY-LAW NO. 11E – RELOCATION OF VESSEL OCCUPYING PAC STORAGE FACILITY

Only PAC Members in an existing Allocated Storage Facility can apply or be on the facility relocation waiting list. A waitlist charge of $100 is payable with each request, in writing to the Secretary, for registration on the facility relocation waiting list for marina, mooring and yard places. This fee is non-refundable and will not be applied against the facility cost on reallocation. Each time a facility is released, in accordance with By-law No. 11, the Member and Vessel on the top of the waitlist will be evaluated to determine if suitable for the vacant PAC storage facility, if not the relocation waitlist will be reviewed to see if a relocation will enable the member at the top of the waiting list to be moved into a Club Allocated storage facility. If relocation does not achieve this, this process will be repeated, for the next member's vessel on the waiting list, until the released space is allocated.

BY-LAW NO. 12 – DELETED

BY-LAW NO. 13 – MARINA AND PONTOONS

Both the northern and southern inner pontoons are designated for loading, unloading, embarking or disembarking. Boats must not be left unattended in these locations. (See PAC Marina map below)
Dinghies may not be left unattended on the marina. PAC dinghies must be returned to the designated PAC dinghy area and secured parallel to the pontoon. (See PAC Marina map below) This area is restricted to PAC dinghies only (ie dinghies provided by the PAC for the casual use of Members and is not for Members' private dinghies).
Members whose vessels are on the slip may secure their dinghies near the shore on the northern work berth pontoon, or on the slip ramp. Members whose vessels are on the work berth(s) should secure their dinghies to their vessel or near the shore on the work berth pontoon.

BY-LAW NO. 13A - WORK BERTHS

The work berths are located on the northern arm of the northern marina (see PAC Marina map below). These berths provide Members with access to power and water for carrying out maintenance on their vessels. Each work berth must first be booked by the Member to gain access. Booking of a work berth is made through the 'PAC Booking System' which can be found on the Club's website. Either berth can only be booked for a maximum of two (2) days at any one time. The work berth day is from 7:00 am and 5:00 pm.
Members who need to leave vessel while on work berth must ensure this is not an inconvenience and advise or check with other work berth vessel member. If no other member on work berth contact details and time of return can be left with slip user on the day.

No Member is to book more than one weekend per month on the work berths. Owners of smaller vessels should book the inner berth (WB 2) where possible, to enable flexible access to the outer berth (WB 1) for larger vessels. Owners of long vessels must book for both work berths to ensure compliance. Current rates and restrictions on vessel size can be found on the Clubs website with charges payable at the completion of the booking, using the Casual Revenue envelopes available from the slip booking room.
Users of the work berths are to exercise care to avoid soiling or damaging adjacent vessels. This is especially the case when sanding, painting, grinding or drilling in windy conditions. (For example, hot filings from grinding can become embedded in the gel coat, creating rust marks which become apparent some days later). Also at all times, safe practices must be exercised with the use of power with users ensuring that the shore power supply lead shall comply with the Australian New Zealand Standard AS/NZS3760 which ensures any socket connection is secured in a way that it cannot fall into the water and care must be taken to avoid polluting the waterways with paints, resins, oils, etc.

BY-LAW NO. 14 - CONDUCT OF MEMBERS AND GUESTS

Members and their guests will at all times behave in a reasonable manner. Members will be responsible for the conduct of their guests, and must not allow their guests to remain on Club premises unless in the company of a Member.
Members are reminded that any member brought to the attention of the Board for bad behaviour, like the use of offensive language or socially unacceptable behaviour will be asked, with their complainant, to appear before the Board to explain. Penalty could be a warning, fine or loss of access to facilities.
Reputable professional contractors with current Public Liability insurance and Worker's Compensation insurance are allowed to work on Members' boats, either in the main yard or on the marina but not in the trailer boat yard, without the Member being present, subject to:
1. The Slip Master's approval being gained 48 hours before work commences;
2. PAC keys, or the like not being made available to the contractors; and
3. The contractors furnishing an acceptable Safe Work Method Statement.

BY-LAW NO. 15 - CLUB PROPERTY

All Club property must be used in a proper manner with due care and must not be removed from the Club's premises without the permission of the Board.

BY-LAW NO. 16 - CLUB PREMISES

Members using Club premises must keep them in a clean and tidy condition. These premises may be used for functions in which Members are involved, subject to the approval of the Board. The upstairs clubhouse is available for hire by a Member for functions subject to the approval of the Board and payment of relevant charges, provided that Member is in attendance during the function and accepts responsibility for the actions of non-members present. The Member will also be responsible to ensure that the premises are left in a clean and tidy condition.
Safety of Members and guests at these functions is of utmost importance. For this reason guests are not permitted to access other parts of the Club, including the marina, slipways, ramp, boat storage yard and

BBQ area, all of which can be in use by other Members at any time and can be dangerous work areas or pose safety issues like along the waterfront and Marina area. Children are to be supervised at all times to ensure compliance and their safety.
Members are not to use the Club premises for commercial purposes.

BY-LAW NO. 17 - PARKING AREA AND YARDS

A maximum speed of 10 KPH applies in the yards and the car park.
Each Member is entitled to an electronic key tag (Key tag), which will open the Clubhouse, the slip office, the parking area gate, the lunchroom and the attached showers and toilets. This Key tag is issued to all members on induction into the Club. If an electronic Key tag is broken or faulty a replacement key tag will be issued on return of the old Key tag. If the Key tag is lost a replacement can be purchased at the current key replacement rate. Members can purchase an 'extra Key tag' at the current rate. Members are not allowed to loan their Key tag to anyone unless the member is also present at the club while it is being used. Specifically, it would not be acceptable to leave the Key tag with a family member or friend while the member is not in attendance at the club. The Key tag supplied on induction to the ramp/slip Members will also operate these respective facilities. A Key tag can have facilities added and remove from it electronically through the payment or not of annual facility fees. Members with Yard access will receive an additional key (Yard key). There is no deposit on a Yard key and only one Yard key is allocated to a Member. If a Yard key is lost a replacement key will be provided on payment of the current replacement key rate. Members using locked areas will be responsible for ensuring that they are left closed and locked, specifically Yard and ramp boom gate after each use. All electronic key tags and Yard keys must be returned to the Club on resignation. No refund is paid on return of any Yard key or an entitled Key tag.

BY-LAW NO. 18 - FISH CLEANING

Members who use the fish cleaning facilities will be responsible for cleaning the tables and nearby area. Fish offal must not be left on the shore above the low water mark.

BY-LAW NO. 19 - BURGEE

Members may fly a PAC club burgee on their boats when in use. The club burgee must be flown when using club recreational moorings. Where a vessel is shared with a non-member, the non-member does not have access to the club recreational moorings.

BY-LAW NO. 20 – COMMODORE AND PRESIDENTS

The Chairman of the Board will be the Commodore of the Club and President of the Co-operative and at the first Board Meeting after the Annual General Meeting the Board will elect one of themselves to hold the position of Vice President, until the close of the next Annual General Meeting.

BY- LAW NO. 21 - DELETED

BY-LAW NO. 22 - DELETED.

BY-LAW NO. 23 – FACILITY CHARGES

All increases in or new Facility Charges must be approved by the members at a General Meeting, except the annual CPI increase or increases no greater than 5% which are determined by the Board.
Facility Charges are payable in advance or at such times as stipulated by the By-laws.

BY-LAW NO. 24 - STANDING ORDERS AT MEETINGS

The chair of the meeting will ask that members do not over speak when a question or answer is being

delivered and the chair may set a time limit on any discussion. As a volunteer organisation members are asked to respect the chair and ensure the chair is not required to enforce such standing order during the meeting.

BY-LAW NO. 25 - LIMITATIONS ON FACILITIES

The slip cradles, rails, winches, cables and associated equipment are subject to Safe Working Load (SWL) and/or vessel dimension limits. The maximum load for the No. 1 slip is **17 tonne**, and for the No. 2 slip is **6 tonne**. Boats over 40' (12 metres) designed to be lifted by a 'travel lift' will not be able to access the No. 1 slip. These limits and other conditions will be set from time to time in a manner determined by the Board. A Certified Operator may refuse to slip any vessel if in the opinion of the operator, an unsafe situation exists, either with the equipment or the vessel or By-law 6B has not been complied with.

BY-LAW NO. 26 - SAFETY

Members are requested to think safety at all times, particularly while on Club premises. Our Members come from all walks of life, a wide group of ages and possess widely varying skills. There may at any time be non-member guests, including children, who are unfamiliar with the hazards associated with an active "DIY" Club like the PAC. It is up to each of us to practice safety consciousness and vigilance while on Club premises. It may be easy to overlook such things in an environment which fosters fun and enjoyment, but the costs of an entirely avoidable serious accident can be devastating.