

**1. PURPOSE**

- 1.1. The purpose of these Marina Rules is to apply consistent operating standards for access and utilisation of the Docklands Areas adjacent to the Berth.
- 1.2. Activities not listed in these Marina Rules are considered Not Permitted unless written permission is granted by City of Melbourne (CoM).
- 1.3. With reference to Council's *Activities Local Law 2019* ("Local Law"), a person must not, without a permit, moor any vessel on or along any body of water in the City of Melbourne. The following rules and regulations apply to any such permit AND any person engaging in such activity in the Marina.

**2. DEFINITIONS**

In these Marina Rules, the singular includes the plural and vice versa, and:

'Berth' means a specified location for the purpose of mooring of a vessel.

'Council' means City of Melbourne and includes any delegate of the Council.

'Docklands Area' means the Docklands Area as defined in the *Docklands Act 1991*.

'Marina' means any public harbour, marina, berths, or other facility in the Docklands area for mooring a vessel, including Melbourne City Marina, Yarra's Edge Marina.

'Marina manager' means Council staff of the Recreation and Waterways branch, and includes any delegate of the Council.

'Marina user' means the person in charge or control of a Vessel and includes the berthing permit holder as owner of a Vessel, charterer, master or agent of the Vessel owner (other than Council).

'Passengers' means the maximum number of passengers your vessel is allow to carry as specified on the Certificate of Survey issued by the responsible authority.

'Vessel' means a craft designed to navigate on water including fittings, fixtures, contents and equipment on, in or connected to the vessel.

**3. WASTE DISPOSAL**

- 3.1. No garbage, batteries or other waste materials are to be placed or left on the marina infrastructure.
- 3.2. All garbage and waste materials must be disposed of in the bins provided or as directed by the Marina manager. Bins area must be kept neat and tidy. Disposal of general waste and recyclables only. Disposal of hard rubbish, batteries and hazardous substances are prohibited.
- 3.3. Marina users or contractors must take large waste items offsite for proper disposal if they do not fit into bins provided. All reasonable efforts to separate recyclables must be taken.

**4. POWER, WATER AND SEWER PUMP-OUT**

- 4.1. Marina users may reasonably use water, power, sewerage pump-out and other facilities provided by marina manager however the Marina manager does not warrant that such utilities will be available, including in emergencies.

- 4.2. The Marina user is required to use a matching electrical plug that screws into the marina's outlet. Leads should not be allowed to hang in the water or obstruct access to other Vessels. The Marina manager reserves the right to remove damaged leads, and will inform the Marina user of any issues.
- 4.3. Report an interruption to either power or water by contacting the Marina manager.

**5. WEIGHT LOADINGS**

- 5.1. Wharf areas in the Docklands have varying weight restrictions. Access to wharf areas are restricted. Signs are provided on wharves to advise users.

**6. VESSEL FUELLING**

- 6.1. The refuelling of vessels at the Marina by any means whatsoever is not permitted.
- 6.2. Vessel fuelling is restricted to daylight hours only at designated areas. Prior approval and permit must be obtained from the Marina manager before undertaking refuelling in the Docklands.

**7. PASSENGER TRANSFER**

- 7.1. Any vessel with a passenger carrying capacity over 100 must embark and disembark all charters at the designated terminal located at Yanonung Quay in Victoria Harbour, with prior notice to the Marina Manager.
- 7.2. No pick-up and drop-off of passengers are permitted at Australian Wharf East, and Yarra's Edge Marina.

**8. VEHICLES PARKING**

- 8.1. No parking on pontoons, wharf and esplanade areas. Emergency services and approved contractors are exempted.

**9. GENERAL**

- 9.1. Marina users are required to read and understand the Marina Emergency Response Plan issued by the Marina manager.
- 9.2. Nothing in these Marina Rules will be construed to alter, in any way, provisions of the permit or Licence to occupy a Berth issued by Council.
- 9.3. Vessels must be Seaworthy, and must not be in derelict condition or in a state of disrepair. Marina users must comply with all laws including Council's Local Law.
- 9.4. Vessels must be moored so as to be fully within the approved Berth boundaries. For the purpose of berthing, the length of a Vessel is the maximum measurement from the forward extremity to the after extremity, including all protrusions and overhangs.
- 9.5. The Berths may not be sub-licenced except (or unless) with the permission of the Marina manager and only one Vessel may occupy any one Berth at all times.
- 9.6. All authority and statutory regulations governing the navigation and movement of vessels will apply in the Marina and adjacent waterways.
- 9.7. Vessels using the marina and adjacent waterways must not create wave wash and must remain within the maximum speed limit of 5 knots.

- 9.8. Air-docks, boat lifts and the like are not permitted to be used except (or unless) with prior approval from the Marina manager.
- 9.9. Living aboard Vessels at the Marina is not permitted. Exemptions for short term visitors may be granted by the Marina manager.
- 9.10. No vessel is to operate commercially from the Marina except (or unless) with prior acknowledgement of the Marina manager. Conditions will also apply for to domestic commercial vessels.
- 9.11. Children under the age of 10 years must be accompanied or supervised by an adult at all times.
- 9.12. Animals are not permitted to be on the Marina unless on a leash and under the control of an adult. Fouling of Marina facilities by animals is also prohibited.
- 9.13. The night lighting of Vessels at the Marina is to be shielded so as to be contained within the Vessel and its mooring area, unless for the disembarking of passengers and crew. The use of spotlights is not permitted except in an emergency.
- 9.14. Security alarms fitted to vessels at the marina must be adjusted for a cut-off period of five minutes or less.
- 9.15. Items of Vessels such as fittings or equipment, supplies, stores or the like are prohibited from being left upon pontoons, jetties and all other Marina facilities.
- 9.16. All lines, rigging, halyards and loose fittings on Vessels must be properly secured at all times so as to prevent noise and disturbance to the amenity of the precinct.
- 9.17. Vessel owners must ensure that mooring lines, fenders and boarding equipment are of adequate quality and maintained in good workable condition.
- 9.18. Tenders must be stored either on-board or completely within the Berth. Tenders must be secured so that they do not run on the Marina pontoon substructure or create an obstruction to a neighbouring Berth.
- 9.19. The tying up, or fastening of Vessels to power and water pedestals, piles, light bollards or gangways is prohibited.
- 9.20. Where applicable, Marina users must report lost or stolen access passes to the Marina manager. Where a replacement card is required, the Marina user will be charged a fee for replacement.

### 10. BEHAVIOUR

- 10.1. Marina users and patrons are required to preserve the amenity of the precinct by restricting noise emanating from Vessels. Public address systems, loud or amplified music and the like are not permitted to be used.
- 10.2. The excessive running of engines, motors and generators whilst at the Marina is not permitted.
- 10.3. Offensive language or behaviour within the Marina and general precinct will not be tolerated. Offenders

- may be requested to leave the Marina by the Marina manager.
- 10.4. Consumption of alcohol is not permitted on the Marina and must be confined to a Vessel.
- 10.5. Marina users must not moor, sail nor manoeuvre any Vessel so as to create a danger, obstacle, impediment or inconvenience to other Marina or precinct users.
- 10.6. The hanging of washing, clothing and articles of a personal nature from the rigging or superstructure of Vessels at the Marina is not permitted.
- 10.7. Swimming, diving and underwater activities are not permitted within the Marina and its adjacent waterways except with written authorisations from the Marina manager.

### 11. POLLUTION PREVENTION

- 11.1. Anti-pollution regulations apply within the Marina which is a 'No Discharge' zone. The use of vessel toilets, sinks and showers which discharge through the Vessel hull is prohibited. The discharge of polluted effluent from manual and automatic bilge pumps is also prohibited within the marina.
- 11.2. A 24/7 dedicated sewage pump-out facility is provided in the Marina and throughout the Docklands. Marina users must observe the operating instructions for the sewage pump-out facility.
- 11.3. Washing or hosing down of Vessel topsides is permitted using water from the service pedestal only. Any detergents used must be biodegradable and environmentally friendly.
- 11.4. The bottom scraping of Vessels whilst at the Marina is not permitted.
- 11.5. Antifouling paints containing tributyltin tin, organo tin or other hazardous compounds are pollutants and degrade water quality are prohibited.
- 11.6. The cleaning of fish within the Marina infrastructure or adjacent waterways is prohibited.

### 12. SAFETY AND WASTE MANAGEMENT

- 12.1. The storage or transportation of fuels, oils and other flammable and dangerous goods or substances is prohibited at all times.
- 12.2. Lifesaving equipment, lifebuoys and ladders are located throughout the marina and are not to be used except in an emergency.
- 12.3. The marina fire hose reels and fire extinguishers must not be used for any purpose other than during an emergency.
- 12.4. Welding, oxy cutting and other such hot work must not be carried out on the Marina or on any Vessel at berth.
- 12.5. Marina users and patrons if necessary must immediately report any collision or damage to the Marina, any leakage or spills of fuels, oils and other hazardous substances, fire, explosion or combustible incidents to the Marina manager.
- 12.6. Any debris within the Marina and surrounds which is considered to be hazardous to safe navigation must be reported to the Marina manager.

- 12.7. Marina users must exercise caution and adopt procedures for the safe use of electrical equipment near the water.
- 12.8. As part of biosecurity measures, all vessels and guests must remain clear of any berth that is signed as under quarantine control, or any vessel displaying quarantine flags (yellow Quebec flag &/or yellow and black Lima flag). Crew, passengers and all goods arriving into Melbourne as a First Point of Entry into Australia must remain on their vessel until cleared by quarantine officials.

### 13. MAINTENANCE

- 13.1. All damage caused to the Marina, the Marina surrounds or other Vessels must be reported to the Marina manager immediately.
- 13.2. All defects in or malfunctions of the mooring equipment or Marina infrastructure must be reported to the Marina manager immediately.
- 13.3. Marina users must keep and maintain the Berth and any Vessel in a clean and tidy condition and in good repair.
- 13.4. Major repairs of vessels are prohibited such as sanding, grinding, painting or refitting of vessels at the marina.
- 13.5. Minor repairs, mechanical adjustments and electrical work within the vessels are permitted between the hours of 07:00 and 19:00.
- 13.6. Vessel owners are responsible for appointed contractors for works on their vessel. Contractors must arrange access by contacting the marina manager, and to provide to the marina manager evidence of insurance, relevant licensing requirements to perform the works, and a summary of works being undertaken.

### 14. INSURANCE

- 14.1. Vessels must be insured as well as all Marina users, crew, agents, visitors, patrons and subcontractors, third parties and their property against all loss and damage caused or associated with the Vessel for a sum of not less than \$20,000,000 in respect of each accident or damage together with adequate salvage insurance.
- 14.2. A Certificate of Registration or Certificate of Survey for the Vessel must be valid and maintained. The

Vessel owner and Marina user must produce the policy or policies to Council if requested by Council.

### 15. INDEMNITY

- 15.1. Marina users entering and using the Marina acknowledge that they do so at their own risk and the risk of their crew, agents, visitors, patrons and subcontractors. All risk in the Vessel, and responsibility for its loss, theft, damage, and all other risks remain with the Marina user at all times.
- 15.2. Marina users agree to be responsible for and to indemnify the Council against all loss, damage, costs, claims or proceedings incurred by or instituted against the Council or its servants or agents which may be caused by the Vessel or by the Marina user, their servants, agents, crew, patrons or subcontractors except to the extent that such loss, damage, costs, claims or proceedings is caused by the negligence or wilful act of the Council.

### 16. COUNCIL'S POWERS

- 16.1. Council may amend these Marina Rules in any way without notice, and Marina users agree to be bound by such amended Marina Rules.
- 16.2. Marina users and patrons must comply with all reasonable directions of the Council including a direction to relocate a Vessel to another Berth or remove it from the Marina. If the direction is refused, the Marina user authorises the Council to effect the direction and the Marina user is liable for all cost incurred and imposed by the Council, including in circumstances where Council is required to relocate and impound a Vessel. Marina users also authorise Council to move or relocate a Vessel where it is necessary or expedient including, without limitation, emergencies, events, and upon expiry or termination of a permit. Council's powers are in addition to any other powers it has including those under its Local Law.
- 16.3. Council has the right to exercise a general lien upon a Vessel while in the Marina until such time as any money due to the Council in respect of the Vessel and/or use of the Marina is paid including berthing, storage, commission, access or other fees and charge.