

# *Elwood Sailing Club*

## **Club By-Laws**

**Date: 9 August 2023**

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## **GLOSSARY**

<b>Associate Member</b>	A person who is an Honorary, Crew, Junior, Affiliate, Social or temporary SailPass member of the Association (refer page 6)
<b>ESC</b> (or Club, or Association)	Elwood Sailing Club Incorporated
<b>Flag Officer</b>	A person holding the position of Commodore, Vice Commodore, or Rear Commodore
<b>Guest</b>	A guest of a Member or Associate Member
<b>Member</b> (or Full Member)	A person who is a Senior Member, Senior Member in a Family Membership, Senior Student or Life member of the Association (refer page 5)
<b>Rules</b>	Rules of the Elwood Sailing Club Incorporated. The key governance and process document for the Club. Derived from the Model Rules under the Associations Incorporation Reform Act 2012
<b>AS Visitor</b>	A visitor to the Club who is a current full member (not an associate member) from another Australian Sailing affiliated club

## **1. INTRODUCTION**

By-laws are the internal rules of the Elwood Sailing Club.

In managing the business of the Club, and in the interests of the Club, the General Committee has the power to make, repeal and amend any by-laws, except those that the Rules or the Act require to be exercised by general meetings of the Members, or where the by-law is inconsistent with any legislation.

The General Committee may alter or amend these by-laws at any time.

Nothing in these by-laws shall prevent or limit any powers of the Flag Officers and the General Committee under the Rules of the Elwood Sailing Club.

The by-laws are binding on all members, guests, and visitors.

## SECTION 2: MEMBERSHIP

### Club Vision and Purpose

ESC's vision is to be the off-the-beach sailing club of choice in the Bayside area. Our purpose is to provide competitive, family-friendly sailing for all skill levels.

We seek to continually improve the skills of our members to sail, windsurf and SUP safely and enjoyably, while respecting the enjoyment of others.

We will continue to be fully engaged with our local community.

### Code of Conduct

Membership of ESC is a privilege and carries with it a responsibility to uphold our reputation at every opportunity.

ESC members have a duty to ensure they cause no adverse impact on any other members, or the public because of their actions within the Club or to the wider environment surrounding the Club.

Examples of desired and prohibited behaviours are set out in the Club's Code of Conduct statement. A copy of the statement can be found on the Club's website.

All members are required to read and comply with the Club's Code of Conduct statement.

### Membership Grades and Classes

ESC has two membership grades, Members (**"Members"** or **"Full Members"**) and Associate Members (**"Associate Members"**). Within each grade there are a number of different classes of membership.

#### Members (known as Full Members)

Full Members can participate in the range of on-water and social activities offered by the Club, with some limitations set out in these by-laws. There are four classes of Full Membership:

- *Senior* - the default membership class for those who want to participate in on-water activities. Senior members are afforded the full benefits and privileges of the Club
- *Family* - a family membership class for a Senior (full) member, their partner, and their children should they be eligible for Junior membership
- *Senior Student* - a discounted membership class for a full-time student over 21 and less than 26 years old (as of 1 July in the membership year)
- *Life* - a membership class awarded to members who have provided special service to ESC over many years, as approved by Members at a General Meeting of the Association

### Associate Members

Associate Members can participate in a limited range of on-water and social activities. They cannot hold office or vote. Except for Honorary members, access to the clubhouse is limited to race days and social events. There are six classes of Associate Membership:

- *Crew* - a limited sailing membership class for people who only want to race as a crew member in someone else's boat
- *Junior* - a limited sailing membership class for persons under 18 or if a full-time student under 21 years old (as of 1 July in the membership year)
- *SailPass* - a form of temporary day membership for non-members (primarily guests of Full Members) who wish to participate in on-water activities, including sailing, windsurfing and SUP boarding. Non-members can register for a maximum of 4 Sail Passes per season
- *Social* - a limited membership class for those interested in participating in the social life of the club, but take no part in on-water activities
- *Affiliate* - a limited sailing membership class for current full members (not associate members) of an Australia Sailing affiliated club
- *Honorary* - an honorary membership class. Honorary Members are appointed by the Committee for no more than one year

### **Working with Children Check – Requirement for Sailing Members**

ESC is committed to child safety.

It is the policy of ESC that all members who are expected, or volunteer, to participate in race management duties, or who volunteer for a role in other events where children may be present, or who nominate for General Committee or other positions within the club are required to have a current WWC card if not legally exempt.

All members are required to read the Club's '**Statement of Commitment to Child Safety**' and supporting guidelines. These documents can be found on the Club's website.

### **Membership Fees**

Fees for each grade of membership shall be set by the General Committee prior to the commencement of the sailing season.

A schedule of current membership fees can be found on the ESC website.

### **Membership Privileges and Benefits**

Privileges and benefits vary depending on the grade and class of membership held.

For further details, please refer to '*Policies and Procedures – Membership*', and '*Rules of the Elwood Sailing Club*'. Both documents can be found on the ESC website

MEMBERS RIGHTS SUMMARY (Refer to Rules and Bylaws for full rights and requirements)	General Note	FULL MEMBERS					
		Senior (over 18)	Family			Senior Student (Full-time, under 25)	Life
			Senior (over 18)	Partner	Children Eligible for Junior		
Entitled to vote		Y	Y	Y	N	Y	Y
Become a committee member, attend General Meetings		Y	Y	Y	N	Y	Y
Boat, board storage	Note 1	Y	Y	Y	Note 2	Y	Y
Club Racing		Y	Y	Y	Y	Y	Y
Perform Race Duty or volunteer	Note 3	Y	Y	Y	Y	Y	Y
Training participation		Y	Y	Y	Y	Y	Y
Use of Club SUPs and Windsurfers	Note 4	Y	Y	Y	Y	Y	Y
Use of Club Training Boats	Note 4,5	Y	Y	Y	Y	Y	Y
Use of Club test sail boats	Note 4,5	Y	Y	Y	Y	Y	Y
Key Fob	Note 7	Y	Y	Y	N	Y	Y
Club Room access 6:00am - 11:00pm except hire events		Y	Y	Y	Note 6	Y	Y
Ground Floor 24 hr Access every day		Y	Y	Y	Note 6	Y	Y
Club social events		Y	Y	Y	Note 6	Y	Y

MEMBERS RIGHTS	General Note	ASSOCIATE MEMBERS					
		Honorary	Junior (Under 18 or under 21 with full time study)	Social (Over 18)	Affiliate (Full members of other AS clubs)	Crew	SailPass Temporary Day Membership
Entitled to vote		N	N	N	N	N	N
Become a committee member, attend General Meetings		N	N	N	N	N	N
Boat, board storage	Note 1	Y	Note 2	N	N	N	N
Club Racing		Y	Y	N	Y	Note 8	Note 9
Perform Race Duty or volunteer	Note 3	Y	Y	Y	Y	Y	Y
Training participation		Y	Y	Y	Y	Y	Y
Use of Club SUPs and Windsurfers	Note 4	Y	Y	N	N	N	Y
Use of Club Training Boats	Note 4,5	Y	Y	Y	Y	Y	Y
Use of Club test sail boats	Note 4,5	Y	Y	N	N	N	Y
Key Fob	Note 7	Y	N	N	N	N	N
Club Room access 6:00am - 11:00pm except hire events		Y	Note 6	Y	Y	Y	Y
Ground Floor 24 hr Access every day		Y	Note 6	N	N	N	N
Club social events		Y	Y	Y	Y	Y	Y

MEMBERS RIGHTS	General Note	NON-MEMBERS
		Guests and AS Visitors Without SailPass
Entitled to vote		N
Become a committee member, attend General Meetings		N
Boat, board storage	Note 1	N
Club Racing		N
Perform Race Duty or volunteer	Note 3	N
Training participation		N
Use of Club Training Boats	Note 4,5	N
Use of Club SUPs and Windsurfers	Note 4	N
Use of Club test sail boats	Note 4,5	N
Key Fob	Note 7	N
Club Room access 6:00am - 11:00pm except hire events		Note 10
Ground Floor 24 hr Access every day		Note 10
Club social events		Note 10

**Notes:**

- (1) Subject to ESC boat and board storage allocation system and payment of fee
- (2) Boat storage available for juniors including family children at the discretion of the Committee
- (3) Members who race or store their boat at ESC are required to do race duty. Non-racing members, and members' guests and AS visitors who have a sailpass, may volunteer.
- (4) Persons under 18 must be supervised by an adult Member when using club boats, SUPs and windsurfers
- (5) Club test sail boats and training boats can only be used on limited occasions and approved and supervised by Class Reps/Training leader as appropriate
- (6) Persons under the age of 18 who are in the company of a responsible adult are permitted to be on the licensed premises within the licensed hours. Persons under the age of 18 who are not in the company of a responsible adult are permitted in the licensed premises during the licensed hours (but no later than 10pm on any day) ONLY in relation to preparation for, and participation in, sporting activities. This approval includes attendance for presentation functions but does not include social activities
- (7) FOBs only issued to adult Members and Honorary Members. One FOB issued to senior member in Family Membership
- (8) As a crew member, not skipper
- (9) Members' Guests and AS Visitors who obtain a Sailpass may race for a maximum of 4 days in a season
- (10) Guests and AS Visitors must be signed in by a Member at all times except when participating in an organised regatta or for pre-booked functions including pre-and post-race functions and ESC presentations

### **3. CLUBHOUSE, GROUNDS AND GENERAL REQUIREMENTS**

#### **Clubhouse Access**

Full Members and Honorary Associate Members have access to the Clubhouse during the hours of 6:00am - 11:00pm, but not to any upstairs area (including the outside decks, the tower, and the committee room) when the hall is hired out for any activity. A schedule of hall bookings is published in the Club's weekly newsletter

Associate Members can enjoy the upstairs area of the clubhouse on ESC race days and during organised Club social events, or when accompanied by a Full Member.

Children must always be accompanied by a responsible adult member. Children should not be left unsupervised in the clubhouse. The Liquor Licence has specific requirements that relate to supervision of children: refer to Section 3.

All guests need to be signed-in by their host member before accessing the clubhouse on all occasions except for pre-booked functions. Pre-booked functions include non-member and member booked functions, ESC presentations, and racing including the pre-race, and post-race functions. The visitor's book is in the foyer.

AS Visitors who are members of another Australian Sailing affiliated club are welcome at the clubhouse during race days and to attend organised social events.

#### **Change Room Access / Reception Area**

Access to the change rooms is via the boatshed door. Walking through the reception area in your wetsuits or wet clothes is not permitted.

#### **Guest Limitation**

Adult members, excluding temporary SailPass members, may introduce guests to the Club to enjoy the clubhouse facilities. A member introducing a guest needs to ensure their guest signs the visitor's book in the foyer, other than for pre-booked functions as described in 'Clubhouse Access'.

Eligible members may sign-in up to a maximum of 6 guests on any one day without the prior approval of the Club Manager. This restriction also applies to a Family membership group.

No person shall be introduced as a guest to the clubhouse and its environs more than 5 times in a membership year except for the immediate family of a Full Member.

A member who introduces a guest remains responsible for the conduct of that guest while the guest remains on Club premises, for any damage to Club property by the guest and may be subject to disciplinary action for any misconduct or inappropriate behaviour by that guest. The members must remain on the premises with their guests.

To participate in on-water activities, members' guests and AS visitors will require a SailPass. AS Visitors participating in an organised regatta do not require a SailPass for that event: (refer Section 5).



## **Restricted Areas**

The Club has several areas where access is restricted for safety, security and/or regulatory reasons. The restricted areas are:

- Bar (behind the bar and adjoining storage room)
- Fuel storage cage
- Boat shed workshop and storeroom
- Training shed
- IT locker (adjoining the Committee Room)

Entry to these areas is restricted to authorised personnel only. Members must not enter these areas unless authorised to do so by the Club Manager.

## **Committee Room**

The Committee Room is reserved for use by the General Committee and its sub-Committees. When not in use, the room may also be used by Club management and race management personnel.

## **Electronic Key / FOB Access**

Full Members and Honorary Associate Members are issued with an electronic key / FOB to access clubhouse facilities.

Each FOB has a unique number. When a FOB is used, entry information is recorded by the Club's security system.

Members must not lend or give their FOBs to other members (other than their family partner member), guests or AS visitors. Members are encouraged to always carry their FOBs with them on non-race days, including when out on the water.

If you lose your FOB, you must promptly advise the Club Manager.

## **Security Obligations - Doors and Gates**

Each member has an obligation to fellow members to close any doors or gates they open. Security of the Club is the responsibility of all members.

The roller doors to the boatshed are a major security risk for the Club and must be closed if a member is not in attendance. Before leaving the boatshed area, whether to go to the club room area or the change rooms, or to leave the club premises including to go sailing, check that another member is in attendance and remind them of the need to lock up when they leave. If no other member is in attendance, make sure both roller doors are closed. Do not leave the doors open for members in the change rooms, out on the water, or upstairs waiting for their boats/equipment to dry.

The gate to the outside storage yard must be closed and locked when unattended. If you are the last to leave the upstairs area, please check to make sure the doors to the outside decks are closed and bolted.

## **BBQs, Kitchen, Hall Area**

Subject to the clubhouse access rules for different membership grades (refer Section 2), members are encouraged to use the Club's BBQs, upstairs hall, and kitchen (when not staffed):

- *BBQs* - Please clean the BBQs and close the lids after use. Cleaning equipment can be found under the outside sink. Please do not squirt the BBQs with the deck hose
- *Kitchen* - Tea and coffee is provided free to members, guests, and AS visitors. Miniature milks are in the fridge. Please clean up as you go, wash your dishes, and return clean crockery to the cupboard
- *Hall* - To reduce the preparation time for hall hires, the floor area is usually kept free of tables and chairs. If you take any chairs or tables from the storeroom, please return them when you have finished

## **Use of Communal Changing Rooms and Showers (Child Safety)**

To reduce risk and vulnerability, best practice is that adults do not change or shower in communal changing rooms at the same time as children under the age of 17. This generally is not practical at Elwood Sailing Club and the following guidelines therefore apply:

- Children should be accompanied by an adult carer when using the changing rooms with adults. If this is not possible the club must have consent from parents or guardian that their child/children can share the changing room with adults without supervision
- Children not supervised by an adult carer are encouraged to shower at home and only change at the club
- Children under the age of 8 must be always supervised by an adult carer or by 2 members of the training staff
- If children are uncomfortable changing or showering at the club no pressure should be put on them to do so. Instead, it is suggested they change and shower at home.
- Males are not permitted in the female changing rooms and females are not permitted in the male changing rooms regardless of age
- The use of mobile phones or cameras is strictly prohibited in the changing rooms

## **Gatherings at the Club**

Large gatherings at the Club are managed to protect the right of all members to socialise and enjoy our clubhouse facilities.

If you are planning a gathering of more than 20 people at the Club (e.g. a BYO function for members sailing a particular class of boat, or a preplanned multi-family BBQ), you are required to contact the Club Manager to check the availability of the hall and to discuss arrangements. Once confirmed, your gathering will be added to the list of forthcoming events in the Club's newsletter.

It is important to note that gatherings do not have exclusive use of the clubhouse. As such, the organiser(s) of a gathering need to ensure that other members who wish to access the clubhouse can do so and are made to feel welcomed.

## **Private Hall Hire**

The upstairs hall at the Club is an ideal venue to host private events such as extended family gatherings and birthday parties.

Please contact the Club Manager for the current member rates.

## **Removal of Rubbish and Recyclables**

Members using clubhouse facilities on non-race days shall place any rubbish and recyclables they generate in the outside wheelie bins. Leaving food scraps in the canteen bins overnight encourages rodents and is a health risk.

## **Audiovisual Equipment**

The Club's Audiovisual Equipment is not available for general use by Members. Please do not touch the operating panel or other controls.

Should you wish to use the audiovisual equipment for Club meetings or race briefings, please contact the Club Manager.

## **Heaters, Lights and Fans**

Airconditioning in the upstairs hall area needs to be used sparingly. The hall is a big space and takes a lot of energy and time to heat up or cool down. Please turn the A/C off when you leave.

If you are the last to leave the clubhouse or an area of the clubhouse (boatshed or change rooms), please turn off the ceiling lights and exhaust fans.

## **Car Parking**

Members shall not park illegally in an unauthorised or reserved car park. Except for the 4 parking bays reserved only for the Flag Officers and the Club Manager, the entire area around the clubhouse is a no parking zone, and vehicles may be fined by the Council.

Members are encouraged to secure an annual car park permit for the council car park next to the Club. The application form for a 'foreshore club permit' can be downloaded from the City of Port Phillip website and will need to be stamped and signed by the Club Manager before it is submitted to council. Once acquired, the permit can be used to access a number of other City of Port Phillip foreshore car parks.

## **Bicycle Parking**

Members may park their bicycles in the boatshed during the day and evening, but not overnight. Members are requested not to park their bicycles elsewhere in the clubhouse.

Bicycles parked in the boatshed shall be kept away from stored boats, lockers, access ways and doors.

## **Liquor License Compliance & BYO**

Compliance with the requirements of the Liquor License is required by all users and the Club to maintain the Licence which supports social activities and vital hire events.

- The ESC licensed area is the entire upstairs area of the clubhouse
- ESC license hours are 1pm-midnight Monday to Saturday, and 1pm to 11pm on Sunday

The Liquor Licence requirements for persons under the age of 18 include:

- Liquor must not be supplied to, or consumed by, a person under the age of 18.
- Persons under the age of 18 who are in the company of a responsible adult are permitted to be on the licensed premises within the licensed hours (Sunday 1:00 pm- 11:00 pm, any other day 1:00 pm- midnight).
- Persons under the age of 18 who are not in the company of a responsible adult are permitted in the licensed premises during the licensed hours (but no later than 10pm on any day) ONLY in relation to preparation for, and participation in, sporting activities. This approval includes attendance for presentation functions but does not include social activities.

The Liquor Licence defines a responsible adult as a person who is over 18 years and who is:

- 'The younger person's parent, stepparent, guardian, or grandparent
- The younger person's spouse
- A person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the younger person.'

At booked events where alcohol will be consumed, and the event is not an ESC presentation for sailing sporting activities, all persons under 18 years must be accompanied by a responsible adult who will be their guardian for the event. The guardian is required to complete the club's Register of Guardians of Persons Under 18.

Members are not permitted to consume alcohol on the premises outside of club liquor licensing hours.

Members may bring and consume their own alcohol during ESC licensed hours, but only when the bar is closed.

Alcohol, either supplied by the Club or BYO, can only be consumed upstairs in the licensed area. The consumption of alcohol in the boatshed, clubhouse forecourt and rigging areas is strictly prohibited.

Alcohol supplied by the Club shall not be removed from the upstairs licensed area.

## **Responsible Consumption of Alcohol**

ESC supports the responsible consumption of alcohol and takes seriously any inappropriate or at-risk behaviour that results from excessive drinking.

Whilst engaging in Club activities, members, and guests:

- Will accept responsibility for their own behaviour, take a responsible approach and use good judgement when alcohol is available
- Will encourage and assist others to use good judgement when alcohol is available.
- Will not officiate on-water Club events after drinking alcohol (zero blood alcohol concentration)
- Will not launch, operate, or crew a Club powerboat after drinking alcohol (zero blood alcohol concentration)
- Will not use Club windsurfers, SUPs, boats, and other Club equipment after drinking alcohol (zero blood alcohol concentration)
- Will not compete in Club events if affected by alcohol (0.5 blood alcohol concentration)

If a person becomes intoxicated, they must not be served or offered more alcohol. Members socialising with the intoxicated person should consider and offer safe transport options (e.g. taxi) and, if considered necessary, ask bar staff to assist the person down the stairs on their departure from the Club. Drunk or intoxicated people are not allowed to remain on the club premises after appropriate safe transport options have been offered.

### **Safe Transport to and from Club Events and BYO Gatherings**

Alcohol is a major factor in road deaths in Victoria. Each year about one quarter of drivers killed in road crashes in Victoria had a blood alcohol concentration over the legal limit.

As part of ESCs duty of care obligation, we encourage members to plan safe transport home from Club activities and events. Our bar staff are available to assist any member or guest make alternative transport arrangements to get home if intoxicated or at risk of exceeding the legal limit.

Members who bring their own alcohol to the Club shall be mindful of the need to make, or assist others to make, alternative transport arrangements to get home safely.

### **Smoking**

ESC recognises that passive smoking is hazardous to health and non-smoking members have the right to be protected from exposure to tobacco smoke.

Members, guests, and visitors shall not smoke inside or around the Club, including on the upstairs deck and the two grassed rigging areas.

The Club has two designated smoking areas: the trailer parking lot (under the pine trees to the south of the clubhouse); and near the gate to the outside storage yard.

### **Illegal Drugs**

The possession, use or supply of any illegal drugs at the Club's premises, or at a function/event organised by the Club is strictly prohibited.

## **Dogs**

Dogs are permitted at the Club on weekdays but must not be taken upstairs or left unattended. Members shall not bring their dogs to the Club on weekends. Dogs must be always under effective control.

Trained guide/assistance dogs are exempt from this by-law.

## **Troubleshooting, Maintenance and Repairs - Clubhouse**

Members should report all clubhouse maintenance and repair issues to the Manager.

Members shall not troubleshoot faults or undertake maintenance / repair work on the clubhouse or contained equipment without the express permission of the Club Manager or Vice Commodore.

Members are prohibited from undertaking any maintenance or repair work to the clubhouse that requires them to work at heights of >1.5m off the ground without fall protection safeguards (e.g., a scaffold with safety rails fitted). Under no circumstance should a member or an employee of the Club climb a ladder to change a light bulb.

## **4. BOATSHED AND OUTSIDE STORAGE YARD**

### **Allocation of Boat Storage Spots**

Boat storage is available for Full Members on an annual basis with boat storage preference given under the following priorities:

1. Sponsored Classes - a class of boat regularly racing at ESC with an average racing fleet of 10 boats or 10 members, or a class of boat designated by the General Committee that has the capability to grow to average fleet of 10 boats or 10 members
2. Potential Sponsored Classes – a class of boat with more than 3 boats regularly sailing at ESC, or a boat designated by the General Committee that has the capability to grow to 9 boats
3. Growing Class – a class of boat with 2 boats regularly sailing at ESC
4. Sole boat

A list of Sponsored, Potentially Sponsored and Growing class boats may be found on the Club's website.

Members who have not paid for yacht storage inside may store their boat outside for a reduced fee and subject to room, at the Storage Officer's discretion.

After boat storage applications have been received and the available space required/available per class decided by General Committee in consultation with the Storage Officer, boat storage racks will be allocated to qualifying Full Members based on a storage points system, ratified by the Storage Officer annually, as follows:

- 1 point – Attending a race day in the last 3 seasons, either as helm or crew
- 2 points – Doing rostered duty on a race day in the last 3 seasons
- minus 5 points – Not attending for duty when rostered
- minus 5 points – Breaching storage by-laws after receiving a formal warning from the Storage Officer

Storage points will be calculated using information retrieved from the "My Sailor" app. ESC sailing protocol requires sign-on and sign-off (using the My Sailor app) on race days. This electronic acknowledgement of participation records relevant data – including the duty roster.

Junior Member boat storage is also available and will be granted at the discretion of the General Committee. Junior boat storage will be ongoing provided the junior sails & races regularly, and storage priority will be based on the storage points system.

Special short- or medium-term storage for craft may be considered by the General Committee on application.

To apply for boat storage at ESC please download the Storage Agreement form from the Club's website.

### **Allocation of Stand-up paddleboard (SUP) Storage Spots**

Board storage for SUPs is available for Full Members.

After board storage applications have been received, board storage lockers and racks will be allocated to qualifying members based on:

- Prior season's board usage
- Prior season's storage allocation
- Member's participation in Club and association events

Members who have paid for SUP Storage may store their board inside on the racks or in the outside under-stair room. SUP storage spots will be managed by the SUP Class Representative.

SUP members who have not paid for inside storage may store their boards in the outside storage area for a reduced fee subject to space, and at the Storage Officer's discretion.

To apply for board storage at ESC please download the Storage Agreement form from the Club's website.

### **Allocation of Windsurfer storage spots**

The main windsurfer cage storage is in the annex at the rear of the club building. Some secondary horizontal storage lockers remain within the boatshed.

Members who have paid for windsurfer storage may be allocated a cage in the new cage-room, or a locker inside the boatshed. Occupancy of both requires payment for both. Allocation of windsurfer storage positions will be managed by the windsurfer Class Representative.

To apply for windsurfer storage at ESC please download the Storage Agreement form from the Club's website.

### **Boatshed and Outside Storage Yard Requirements**

The Storage Officer will allocate storage spots for boats and masts. Members shall only store their equipment in the storage spaces allocated to them.

The temporary or permanent use of another members storage space or an unallocated storage space is prohibited without the prior written approval of the Storage Officer.

Boats and / or trolleys must not be left on the floor (outside their allocated storage location) without the prior approval of the Storage Officer. In the interests of maintaining reasonable access for other members, such approval may be granted for an agreed period- generally not longer than 1 week.

Members shall not climb on the storage racks.

Boat owners who have paid for a boat storage spot within the boatshed may store a board/windsurfer on their boat subject to the following:

- Board to be owned by them.
- Only one board and associated rigging permitted.
- Board and associated rigging are not longer than the boat on which it rests.
- Any such additional equipment must not interfere with the storage space of other members



Boat trolleys shall be stored under or on their boats. Sailing equipment should be stored in a tidy manner and, where necessary, secured to prevent it falling off the boat. For safety reasons, trolleys and other equipment must not be left on the floor.

A-class catamaran beach wheels to be stored on their host boats unless used for ground level storage.

Where practical, A-class boats stored at ground level are to have their rudders removed whilst boats are in their storage spots.

These storage requirements are designed to provide maximum convenience to all members and to provide a fair and reasonable organizational structure to the use of the boatshed area. Please respect your fellow members with how you store your boat and your gear.

All boats/boards stored within ESC shall have public liability insurance cover of no less than \$10 million (refer Section 7 and Sailing Instructions). All boats/boards are stored within ESC at the owner's risk.

In the event of a breach of any storage by-law, the Storage Officer may issue a written warning and rectification notice to the offending member. If the member fails to promptly rectify the breach, or incurs a subsequent breach in the same season, the Storage Officer may impose a 5-point storage penalty at his or her sole discretion or remove offending boats/equipment to the outside storage area pending resolution.

### **Abandoned Boats and Equipment**

With the approval of the General Committee, the Club may retain, exchange, sell or dispose of any boat, equipment, or personal effects ("goods") which in the view of the General Committee have been abandoned, provided:

- The Club has written to the last known owner of the goods at his or her last known email address and place of abode, or if the person is deceased to his or her personal representative, advising of the Club's intention to retain, exchange, sell or dispose of the goods within 3 months; and
- The Club has telephoned the last known owner of the goods at his or her last known number and, if possible, has left a message advising of the Club's intention to retain, exchange, sell or dispose of the goods within 3 months.

### **Storage of Club Rigid-hulled inflatable boats (RHIBs)**

Club rescue RHIBs are stored on their trailers in the boatshed.

Members shall take care when moving the RHIBs to access stored boats. Any damage caused by moving the RHIBs (either to the RHIBs or to private boats) must be immediately reported to the Storage Officer.

If the RHIBs are moved outside the boatshed, they shall not be left unattended. If a member pushes a RHIB outside on non-race days to access their boat, they shall return it to the boatshed before leaving the immediate area (e.g., to get changed or to go sailing).

Parked RHIBs must never limit or block the emergency exit door to the Managers Office.

**Wash-down Area / Hose.**

After using a wash-down hose, members shall either:

1. Hand the hose to another member waiting to wash their equipment, or
2. Turn the tap off at the wall and coil up the hose.

## **5. ON-WATER ACTIVITIES**

### **Duty for Race Management**

All members who race or store their boat at the club must perform duty. This includes all skippers and the regular crews of double-handed boats

### **SailPass**

*A SailPass is a quick and easy way for Guests of Full Members and AS Visitors (current full members of another Australian Sailing affiliated club) to obtain temporary ESC membership, thereby allowing them to participate in on-water activities.*

*A SailPass can be obtained with the help of the host member via the SailPass button on the Club's website.*

*The SailPass registration process ensures the Club has adequate information to provide the correct response if an emergency was to occur. SailPass also satisfies several compliance requirements for the Club, including Australian Sailing Racing Rules and insurance requirements.*

*Under the supervision of their host member, a SailPass registered Guest or AS Visitor can participate in on-water activities including crewing on the host members boat, SUP boarding, and windsurfing. SailPass registered Guests and AS Visitors are welcome to sail their own boat when participating in a club race or club social day (i.e., safety boat supported activities). All guests and AS visitors must sign-on and off for races in accordance with the Notice of Race (NOR) and Sailing Instructions (SI).*

*Guests of Full Members and AS Visitors can apply for a maximum of 4 SailPass memberships per season.*

*AS Visitors do not need to register for a SailPass when participating in an organised regatta at ESC where personal details including next of kin contact details are registered.*

### **Compliance with Boating Regulations**

The Australian Maritime Safety Authority (AMSA) is Australia's national agency responsible for maritime safety.

Transport Safety Victoria (TSV) is the State regulator responsible for safe marine and marine recreation activities in Victoria. Marine Safety Victoria (MSV) is a sub-branch of TSV. The Marine Safety Act 2010 (Vic) and Marine Safety Regulations 2012 (Vic) provide for safe marine operations in Victoria.

Section 25A of the Marine Safety Act imposes a duty on employers and self-employed persons ("duty holders") who manage boating activity events to, so as far as is reasonably practicable, ensure the safety of participants in an event or persons effected by the event. To help duty holders comply with the Act, a Code of Practice for Yacht Clubs has been developed and approved by the responsible Minister. The Code identifies good practice that should be followed to provide assurance that safety risks are being managed effectively. A copy of the Code can be found on the Club's website.

Members shall make themselves familiar with the ***Victorian Recreational Boating Safety Handbook*** (published by TSV). The handbook contains guidance and safety information for recreational boaters, sailors, and SUP boarders. Topics covered, include:

- Lifejacket requirements
- Emergency procedures
- Trip planning

A copy of the handbook can be found on the Club's website.

### **Compliance with Sailing Rules and Regulations**

Australian Sailing is the national sporting organisation for sailing and manages safety rules and regulations, which all sailors competing in club races must be aware of and follow, including:

- ***Australian Sailing Racing Rules of Sailing***
- ***Special Regulations Part 2 for Off the Beach (OTB) Boats***

Copies of these documents can be found on the Club's website.

Special Regulations Part 2 for OTB Boats set a uniform minimum equipment, behavioural and qualification standards for OTB boats whilst racing, proceeding to and from the racecourse and while training. These regulations are also directly applicable to social sailing.

As set out in the Special Regulations Part 2, the safety of a boat and her crew is the sole and inescapable responsibility of the person in charge who must do their best to ensure that the boat is structurally sound, thoroughly seaworthy and manned by a crew who are physically fit to face expected conditions.

ESC requires all members who sail on OTB boats (either in a race or socially) to be familiar with the Special Regulations Part 2.

To help members comply with the Special Regulations Part 2, ESC officers may conduct audits on OTB boats sailing out of the Club. These audits will generally take place at the start of the season but may also be conducted on an ad-hoc basis during the season. A copy of the boat audit checklist and skipper's declaration form can be found on the Club's website.

### **Use of Club Stand-up Paddle Boards (SUPs)**

The Club owns a number of SUPs.

Full Members and their SailPass registered guests may use the Club SUPs, with some limitations:

- Children must be supervised by an adult member when using club SUPs
- ESC strongly encourages SUP boarders to paddle with a buddy and/or have a friend spot from the beach

- Club SUPs must not be taken out if the wind is blowing offshore, or blowing more than 12 knots (22km/hr.) in any direction
- Users of Club SUP boards shall keep within 200m of the shore, or within 400m if wearing an approved PFD
- Club SUP boards shall not be taken/paddled beyond the Brighton marina or Point Ormond (i.e. must stay within sight of the ESC control tower)
- Leg ropes / leashes must be securely attached to the rider's ankle on the water
- Boards should only be placed down on grass, sand or water. Please be careful when taking boards in and out of the locker as relatively small knocks can cause significant damage to the boards.
- Club SUP boards must be rinsed with fresh water (the hoses are situated either side of the main boatshed door). Please turn off the tap at the wall when finished.
- Club paddles should be loosened and pulled out to full extension to rinse them, if left salty they will corrode.
- Both SUP Locker and the boatshed door should be left locked while you are on the water, return the locker key and take your fob with you, for access on your return.
- Please turn off the locker light before you lock up.

### **Use of Club Windsurfers**

The Club owns several beginner windsurfers – high volume boards with small rigs.

When not being used for training purposes, Full Members and their SailPass registered guests may use these boards, with some limitations:

- Children must be supervised by an adult member when using club windsurfers
- ESC strongly encourages all windsurfers to sail with a buddy and/or have a friend spot from the beach
- The Club windsurfers must not be taken out if the wind is blowing offshore, or blowing more than 15 knots (28km/hr.) in any direction
- An approved PFD must always be worn when using a Club windsurfer

### **Use of Club Test Sail Boats**

The Club owns several sailboats for members and potential members to test sail and potentially buy. These boats are typically from an ESC Sponsored Class or Potentially Sponsored Class (e.g., Sabre, Laser, Paper Tiger, or National E).

An ESC class representative manages each of the club boats according to a set of usage guidelines, including:

- Use subject to experience level of the test sailor, weather conditions and sea state
- Maximum of 3 test sails per Member or prospective member
- If not racing, test sails must be supervised by the class representative with a rescue boat and crew on standby and ready to assist if required. When racing, rescue boat crews to monitor
- Children must be supervised by an adult member when using club SUPs
- Guests must secure SailPass before taking out a Club boat

A Full Member, following the approval of the General Committee, may purchase a club boat.

### **Use of Club Training Boats**

The Club owns a number of Pacer training boats which may be made available for a Member to use. The Training Boats are managed by the Training Officer who manages the use of the boats according to a set of usage guidelines, including:

- The boat is not being used as part of a formal ESC training course,
- The boat will be sailed at ESC (controlled activity, rescue boat supported), and
- The boat will be used to introduce a person to sailing, or to further develop the sailing skills of someone who is new to the sport or has not raced before.
- Children must be supervised by an adult member when using club SUPs
  
- Use subject to experience level of the sailors, weather conditions and sea state
- Maximum of 3 test sails per Member
- If not racing the sail must be supervised by the Training Officer or delegate, with a rescue boat and crew on standby and ready to assist if required. When racing rescue boat crews to monitor.
- A member may organise formal training by an approved trainer at ESC. Safety requirements to be defined and implemented by the Trainer.

Any Full Member wishing to race a Training Pacer must first secure the approval of both the Commodore and Training Officer.

### **Use of Club Powerboats**

ESC rescue boats (RIBs and hard sides) are essential assets of the Club. The boats can only be used for Club activities with the approval of the Rear Commodore.

Only ESC authorised operators may launch and take out a rescue boat. This always applies, even in the case of an emergency.

Names of authorised rescue boat skippers are recorded in a list kept in the Control Tower. A copy is also available on the club's website.

For further details, please refer to ESC ***On-Water Procedures and Safety Manual***.

### **Troubleshooting, Maintenance and Repairs – Club Powerboats**

Members should report all powerboat maintenance and repair issues to the Club Manager or Rear Commodore.

Members shall not troubleshoot faults or undertake maintenance / repair work on the Club's powerboats without the express permission of the Club Manager or Rear Commodore.

## SECTION 6: RISK MANAGEMENT AND INCIDENT REPORTING

### Risk Management Plan

The activities undertaken by ESC naturally incur risks and the Club is very mindful of the need to understand, manage and mitigate these risks with a view to providing a safer sporting and social environment and experience for sailing and other members and well as members of the community at large.

Risk Management is the process of systematically eliminating or minimising the adverse impact of all activities which may lead to injury or loss of life, dangerous situations, or loss of physical and intellectual property. This requires a framework within which risk exposure can be measured, monitored, and controlled.

The Club's Risk Management Plan sets out our approach and processes for risk management. Most importantly, the Plan lists key risks and associated controls across four separate areas of activity – on-water activities, pre and post on-water activities, clubhouse environment, and finance and club sustainability.

Members are strongly encouraged to read the Club's ***Risk Management Plan***. A copy can be found on the Club's website (under the 'documents' tab).

### Risk Registers

The top safety risks for the Club are summarised on two risk registers:

- ***Key Risks - On-water Activities***
- ***Key Risks - Clubhouse Activities***

It is important for Members to be familiar with these documents and the key safety risks at the Club. Copies can be found on the website (under the 'documents' tab). Copies of the risk registers are also posted on noticeboards around the Club.

### Incident Reporting

Reporting of hazards and incidents is a critical part of the Club's safety and risk management framework. Reporting helps ensure prompt action is taken to minimise the risk of injury or ill health, or the recurrence of an incident.

Members, employees, guests, and visitors are required to promptly report hazards and incidents to the Club Manager, a Flag Officer, or General Committee member. As soon as practicable, an initial report should be completed and submitted to the Club Manager using one of the following forms:

- ***Injury report***
- ***Near miss report***
- ***Property and environmental damage report***
- ***Hazard report***

These forms can be downloaded from the Club's website (under 'documents' tab) or can be made available by the Club Manager.

## **SECTION 7: GENERAL**

### **Insurance and Indemnity**

At all times when a boat is on Club premises and/or involved in Club activities, its owner or skipper shall insure against:

- Loss or damage of any kind to other persons or other privately owned property or Club owned property caused by the use of the privately owned property
- Any legal liability whatsoever for damage to property or personal injury to any person whomsoever caused by the use by the member or any person of the privately owned property for an amount not less than ten million dollars (\$10,000,000)

Prior to entering a boat onto Club premises or participating in Club events, the Club may request the owner / operator of the boat to show proof of insurance.

Each member and guest utilising Club facilities and/or participating in Club events shall indemnify and keep indemnified at all times the Club, its servants, agents and officers acting in good faith against or in respect to all claims, actions, suits or demands whatsoever and howsoever arising by virtue of the use of Club facilities, or participation in Club events including but not limited to injury or loss to him/herself, his/her boat, injury or loss to any person on such boat or boarding or alighting there from and injury, loss or damage to any person arising in any way.

### **Authority to Spend Club Funds or Otherwise Commit the Club**

Rules for the expenditure of Club funds, sale of Club assets and signing of Club contracts are set out in the Club Rules. No one can spend ESC funds or otherwise commit the Club without the prior approval of the General Committee or a general meeting of the Association.



## ATTACHMENT 1 – Index of Club Documents

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<b>Strategy and Leadership</b>	<ul style="list-style-type: none"><li>• Strategy on a Page – ‘We are ESC’</li><li>• Plan on a Page – ‘Our Plan for the Future’</li><li>• Leadership Team, Roles, and Accountabilities</li></ul>
<b>Rules of Association, By-laws, and Policies</b>	<ul style="list-style-type: none"><li>• Rules of the Elwood Sailing Club Incorporated</li><li>• Club By-laws</li><li>• Code of Conduct</li><li>• Membership Policy</li><li>• Statement of Commitment to Child Safety<ul style="list-style-type: none"><li>– Guidelines for Interacting with Children</li><li>– Guidelines for Use of Communal Change Rooms</li></ul></li></ul>
<b>Plans and Procedures</b>	<ul style="list-style-type: none"><li>• Race Management Procedures and Safety Manual</li><li>• Training Operations and Safety Manual</li><li>• Risk Management Plan<ul style="list-style-type: none"><li>– Risk Register for On-Water Activities</li><li>– Risk Register for Clubhouse Activities</li></ul></li><li>• Clubhouse Emergency Response Plan</li></ul>
<b>Sailing Rules, Instructions and NOR</b>	<ul style="list-style-type: none"><li>• AS Racing Rules of Sailing</li><li>• AS Special Regulations Part 2 – Off-the-Beach Boats</li><li>• Notice of Race</li><li>• Sailing Instructions</li></ul>
<b>Race Management Checklists</b>	<ul style="list-style-type: none"><li>• Rescue Boat Safety Equipment Checklist</li><li>• On-Water Emergency Response 1-Pager</li><li>• Equipment Audit and Skipper Declaration (OTB Boats)</li></ul>
<b>Forms</b>	<ul style="list-style-type: none"><li>• Hazard Report</li><li>• Incident Report – Injury</li><li>• Incident Report – Near Miss</li><li>• Incident Report – Damage to Environment &amp; Property</li><li>• New Membership Application</li><li>• General Committee Nomination</li><li>• Boat/Board Storage</li></ul>
<b>Schedules</b>	<ul style="list-style-type: none"><li>• Sponsored Classes</li><li>• Membership and Storage Fees</li></ul>
<b>Authorised Operators</b>	<ul style="list-style-type: none"><li>• Rescue Boats and Hard-sides – Authorised Operators</li></ul>
<b>Restricted Documents</b>	<ul style="list-style-type: none"><li>• Register of Members</li><li>• Register of Boats</li></ul>
<b>Other</b>	<ul style="list-style-type: none"><li>• Code of Practice for Yacht Clubs (Marine Safety Act)</li><li>• Victorian Recreation Boating Safety Handbook</li><li>• Basic Sailboat Racing Rules</li><li>• AS Race Signals Guide</li></ul>

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