

MARINA POLICY

1. Background

This policy provides the framework governing management of the marina, occupational licenses on the marina (marina licenses) and use of the marina by members and visitors.

The marina is a valuable asset, which will continue to be developed and maintained for the benefit of Derwent Sailing Squadron (DSS) members and visiting yachts. It occupies Crown land under the provisions of a Crown Land Lease (the Head Lease) and the DSS is constrained by the provisions of that lease.

2. Purpose

To provide marina services for members in support of recreational boating.

3. Objectives

- i. To provide an appropriate balance of long term, short term and casual berths for the benefit of the DSS Members and visitors.
- ii. To provide for the long-term maintenance and servicing of the marina to ensure the asset is maintained and improved.
- iii. To provide appropriate best practice ancillary services.
- iv. To ensure legal and financial arrangements are in place to secure the financial future of the DSS and effective management of the facility.
- v. To provide for sustainable management of the Marina in the best long-term interests of the membership.

4. Principles

- i. **Equity and Fairness:** All stakeholders are to be treated fairly and, whilst members are to be given preference over non-members in the allocation of berths, they are otherwise to be treated equally.
- ii. **Efficiency and Effectiveness:** Administrative arrangements, management practices and compliance obligations will be designed to minimize costs whilst maintaining maximal effectiveness.
- iii. **Respect:** All users of the Marina should respect the right of others to the quiet enjoyment of the marina free from unreasonable disturbance.
- iv. **User Pays:** Fees and charges are to be structured, in so far as is possible, to ensure payments are proportional to services provided.

5. Occupational Licenses:

- i. The DSS provides a mix of long term (up to the tenure of the Head Lease), short term and casual marina licenses to occupy berths in the marina. The balance of this mix is to be determined by management based on the financial management requirements, availability of berths of appropriate dimensions and demand.

- ii. The License will provide for the allocation of a berth, appropriate for the vessel, and details of conditions necessary for implementation of this policy.

6. Allocation of Marina Licenses:

- i. Licenses for long term and short-term marina berths will only be issued to full members (or equivalent) of the DSS. They will generally be allocated in the order of receipt of applications for berths of appropriate dimensions.
- ii. Members will be given preference for access to casual berths.

7. Marina License Fees

- i. Management will maintain a schedule of license fees, approved by the Board, which will reflect the size of the vessel, space occupied in the marina and services provided.
- ii. License fees will generally be structured to reflect the cost of maintaining and developing the marina and supporting services. The Board may take into account competition from other service providers.
- iii. Casual license fees will be at higher rate so as to provide members with a return on their investment and taking account of the demand and prevailing market.

8. Living Aboard

- i. Consistent with the DSS Constitution, the opportunity to live aboard is offered to members for the primary purpose of recreational boating. This does not include living aboard for the primary purpose of providing low-cost housing.
- ii. Up to a maximum of 10% of all marina berths will be available for members wanting to live aboard.
- iii. The definition of Living Aboard for the purposes of this policy is continuous occupation for a period of 5 days or more or more than 10 nights in any given month.
- iv. Only members can live aboard, noting that visitors occupying casual berths may be deemed or granted casual membership for the duration of their stay.
- v. Prior approval to live aboard is required from DSS management.
- vi. Approval to live aboard shall be for a maximum of one year subject to further application from the Board.
- vii. An applicant for permission to live aboard must be able to comply with the Marina Rules.

9. Political Advertising

- i. The DSS is a non-partisan community organization. Whilst respecting the views of individual members, the DSS will not permit political advertising or signage on its property, which may imply a position being taken by the DSS or offend other members with alternative views.

10. Commercial Activities

- i. The operation of a commercial activity from the DSS marina is subject to Board approval and an appropriate lease or license.
- ii. Only activities consistent with the provision of boating services will be considered.

- iii. Advertising on the marina or vessels moored at the marina will be subject to rules designed to protect the interests of the DSS's commercial sponsors, race sponsors and rights of members to enjoy the facility without undue advertising pressure.

11. Transition Provisions

- i. Pre-existing marina leases or licenses, containing provisions that are at odds with the above policy, shall remain in force subject to renewal or renegotiation between the parties.
- ii. Where existing leases/licenses are silent on an issue then this policy prevails.

12. Related Documents

Endorsed by

The Governance Committee

Signature: 

Name: Heather McCallum

Date: 27 September 2022

Approved by

The Board

Signature: 

Name: Nick Connor

Date: 27 September 2022

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