

Meeting of Chain Mooring Licensees

This was held at the Clubhouse on 14 October, 1998. There were present the Commodore, 25 Members and 2 guests. (There are about 140 Members with vessels on chain moorings.)

The Commodore explained that the meeting was called because of the increasing need for a formal agreement between the Squadron and those Members who licensed chain moorings. Both parties must be clear as to the rights and privileges involved. The draft document sets out in plain English the rights and obligations of a chain mooring licensee and the Squadron. It complements the Marina Berth Licence Agreement to ensure that no one has more or less rights than the other.

In the Definitions section of the draft, 'Marina' means the whole of the land and water referred to in Recital A [briefly, the area leased to the Squadron until 31 December, 2030], together with all improvements thereon, and all property of RSAYS and its agents and contractors used in connection therewith, and includes the Berth [the space licensed to a Member to moor a vessel].

'marina' means floating concrete walkways, fingers and boat berths.

The potential confusion between these two usages of the same word, according to upper or lower case, was pointed out.

The document refers to 'non-exclusive licence'. This means that the Squadron cannot grant to Members a licence which is greater than what the Squadron itself has.

Some clauses in the draft were discussed sequentially.

The major problem with transfer of moorings dated from a decision of the General Committee in 1992, which purported to give Members the right to 'sell' their moorings. This is considered to be both unlawful in terms of the Associations Incorporation Act and in breach of Clause 3.2 of the Squadron Constitution. The situation was different at CYCSA, which is a unit trust, and at the North Haven Marina, where there are strata titles. The changes in 1992 in effect attempted to give Members a 'gift' of their berths, when the Squadron had no power to do so. A Member who profited from such a trade would possibly be in breach of the Act, which was a matter that could be decided only by a court action. Clarification from the Commissioner for Corporate Affairs will be sought.

Those Members who were present expressed appreciation for the work that had gone into the draft, and the final document will be produced when the Management Committee has considered the queries raised. SQ

We welcome –

New Members

William Becker

John Brooks

Rex Davis

John Edwards

Tony Fairweather

Christopher Gaffney

John Hetzel

Gary Knott

Hakeem Lawal

Brian and Christine

Lawrie

Mark Lawrie

Robyn Lawrie

Stephen & Karen Lombe

Alastair McDowall

David McLaren

Olivia Maselli

Michael Mayrhofer

Stephen Moffatt

Walter Popiel-

Machnicki

Gregory Russell

Simon Robertson

Robyn Sherry

Colin Simpson

Peter Staszuk

Tony Sorrenti

Peter Thomas

Albert Watson

New Vessels on the Squadron Register

Elysium

Fifi IV

Marionette IV

Nauti-Buoy

Shiraz

Doug Nairn

Brian & Chris Lawrie

Roger and Marion Holden

Stephen Moffatt

Alastair McDowall &

Robyn Sherry

Southern Cross

Spellbound

Touch of Blue

Un-named EB525

Un-named RX185

Youanmi

Warren Cossgrave

Chris Gaffney

Des Buckley

Charles & Jennifer Cimicky

Pat Sorrenti

Stephen and Karen Lombe

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