



## **Avoiding dangerous situations during racing**

The MHYC Sailing Program aims to provide enjoyable racing with series that focus on both the competitive and social aspects of the sport. One of the key aims of race management is to ensure racing is conducted in a safe manner and considerations include:

- If the weather is suitable for racing or likely to change during the race
- The type of boats and experience of the crews to manage the conditions
- Presence and schedules of commercial shipping
- Interaction with recreational boating traffic and other clubs' racing fleets
- Availability of rescue resources

We also need to be aware that our use of the harbour is a privilege which we need to safeguard. The rights of other harbour users, both recreational and commercial, need to be considered and we are subject to oversight from the authorities, specifically NSW Maritime.

Even with thorough preparation, situations may arise during the race that have not been anticipated. The aim of this article is to suggest ways that boats can respond to safety incidents as they become apparent. We use two real incidents as examples and conclude with some recommendations.

**MHYC Sailing Committee**

May 2026

# Incident 1

## Description of Incident

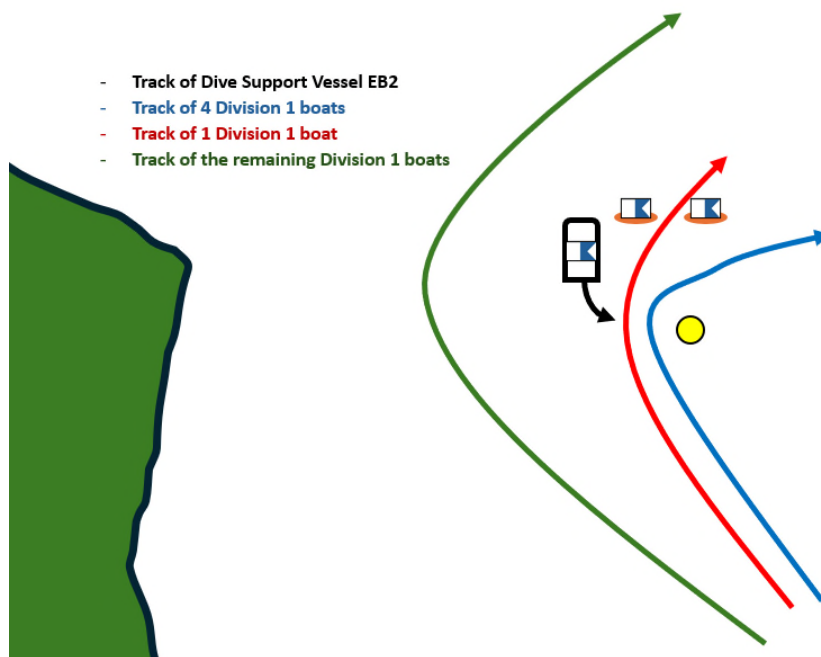
On Wednesday 18 September 2024 at approximately 1405hrs during a Wednesday Non-Spinnaker Pursuit Race, the Division 1 fleet was approaching the Australian Sailing Chowder Bay South (CBS) Mark from Neilsen Park. Wind was easterly about 10-11kts with most Division 1 boats approaching CBS at around 7kts on a starboard broad reach

At this time, the 11m pontoon barge EB2 was conducting a commercial diving operation on the 20m contour line adjacent to the CBS Mark. Positioned to the West of CBS (possibly 50m), the EB2 was displaying an Alpha flag and there were also two floats displaying Alpha flags to the North and North-West of CBS at a similar distance (divers were retrieving an airbag).

As it became apparent that boats may be rounding between EB2 and CBS and could potentially run over the divers in the water, EB2 reversed back to close the distance to CBS to encourage boats to pass outside of EB2.

Five Division 1 boats passed to the north-west of EB2 (outside) while another five boats passed inside, between EB2 and the Mark. Some of these boats turned sharply to avoid the floats displaying Alpha flags, while one boat continued in a more northerly direction sailing over the area where there were floats displaying Alpha flags and bubbles rising to the surface.

While there was no contact with the divers below or between any vessels, this incident is considered a near miss with the potentially for significant injury or death.



## Rules & regulations that applied

- Racing Rules of Sailing - The Sailing Instructions required boats to pass CBS to starboard. All boats complied with this requirement.
- The NSW Marine Safety Regulations 2016 - In this particular instance Regulation 40 - Minimum distances to be maintained:  
*The operator of any vessel must ensure that the vessel and any towing equipment and any person being towed by the vessel maintains—*  
*(b) a distance of not less than 60 metres from the location of a dive flag on the surface of the water or, if that is not practicable, a safe distance and speed.*  
Only the boats which passed to the north-west of EB2, giving the mark, dive boat and divers' floats a wide berth, complied with this regulation.

## Possible actions by competitors

- Passing to the north-west of EB2, giving the mark, dive boat and divers' floats a wide berth, was the safest option.
- If boats were unable to take this path due to boats to leeward, they could tack inside the mark, bear away when possible, round the CBS Mark outside of EB2 and lodge a Request for Redress within the protest time limit in accordance with NOR 24. In such a case, it would be helpful to record the time (in minutes and seconds) that the boat tacked inside the mark and when it rounded the mark.
- If boats were also unable to round the CBS Mark outside of EB2 for some safety reason, they could continue racing after tacking inside the mark and, within the protest time limit, report that the boat had not sailed the course (attracting a score of NSC) and lodge a Request for Redress in accordance with NOR 24.
- When the first boats could determine the hazard at CBS that the following boats would encounter, they could use their VHF radio to inform other competitors.

## Incident 2

### Description of Incident

On Thursday 6 November 2025, fresh to strong north-easterly breezes were forecast for Race 6 of the Twilight Non-Spinnaker Pursuit. Course 5 was chosen but with the finish line to be positioned south-west of Sow & Pigs Reef. A Notice to Competitors was posted at 2.45pm and communicated via email and text advising competitors of the change to finish location.

The Race Committee (RC) aboard *Jack Stening* laid the finish pin approximately 150m East of Wedding Cake West (Western Channel Port Lateral Mark).

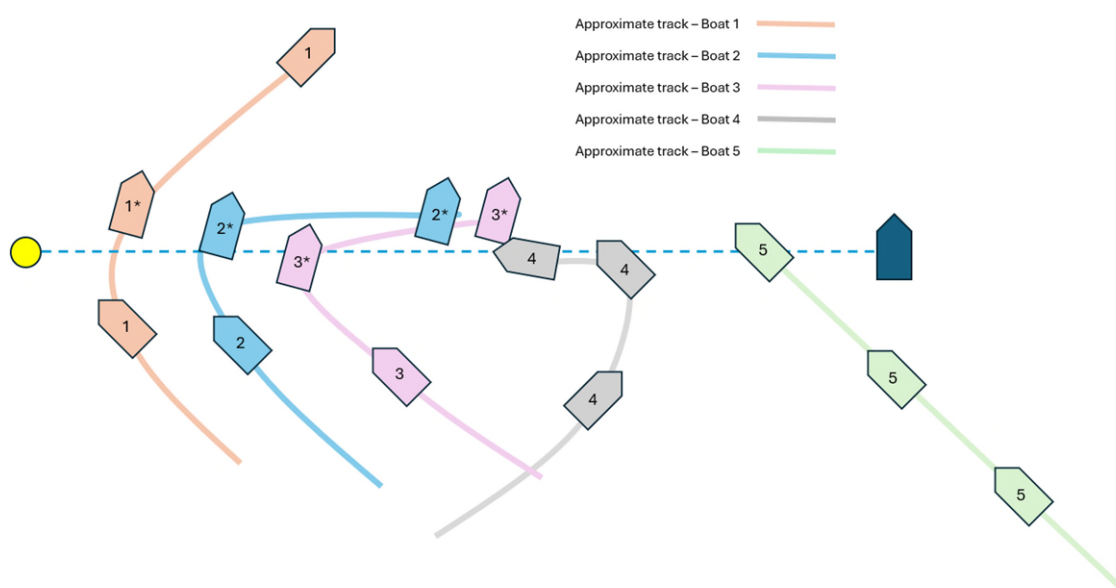
Following two unsuccessful attempts to anchor, the failure of the electric windlass and the imminent arrival of the first finishers, the RC held station on a transit until all boats had finished. The finish line length was maintained at approximately 100 – 120 metres. Base wind strength recorded at Wedding Cake West was 26 knots at 6.50pm when the first boats were finishing.

A series of events culminated in the collision of two boats, resulting in the lodging of two protests. From the view of the RC aboard *Jack Stening*, it appeared that initially one boat tacked onto port to clear the finish pin and then stalled. A second boat approaching on starboard was forced to tack at the finish line to avoid the first boat and they became stalled. This had a similar flow-on impact on a third boat with Boats 2 and 3 close together and almost stationary.

A fourth boat approached on port tack toward the boat end to avoid boats 2 and 3 which were in the middle of the finish line. At the same time, a fifth boat was approaching at pace on starboard tack. Boat 4 tacked away to avoid Boat 5 but was unable to bear away and collided with the stern of Boat 3.

Two boats observing the congestion at the finish line and considering the strong conditions, chose not to finish the race but neither boat lodged a request for redress.

Boats 2 and 3 lodged protests against each other as a result of the collision. A protest hearing found that neither of the protests were valid and there was not serious damage.



## Possible actions by competitors

Any boats which chose to avoid the danger of the finish line congestion could have noted their own finish time in minutes and seconds at an extension of the finish line and lodged a Request for Redress within the protest time limit in accordance with NOR 24.

## Recommendations

Check the Club Noticeboard each race day for:

- Forecast Wind and Tide
- Notices to Competitors
- Shipping Movements

Monitor the Race Management Frequency VHF 72:

- Before and at all times while racing
- Ensure the radio can be heard within the cockpit, even when there is lots of ambient noise

If you observe any present or potential hazards:

- Advise the Race Committee via VHF when they are present on the water or, at other times, by calling the Club on 9969 1244
- Advise fellow competitors via VHF

Avoid hazardous situations wherever possible:

- Sail well clear of known hazards (marked and unmarked reefs etc) and avoid sailing close to lee shores
- Be alert to anchored recreational fishing boats which may have long (possibly floating) anchor lines
- When approaching to round or pass an Australian Sailing fixed mark, be aware that yachts from different clubs / fleets may be approaching and leaving the mark on different courses
- When approaching any congested areas (mark roundings, start lines, finish lines etc), remain mindful of other yachts variable manoeuvrability, rules knowledge and awareness of the other boats around them

Redress may be available to individual or multiple competitors under RRS 61.4(b) including:

- For time lost while giving assistance to someone in danger (RRS 1.1)
- For an improper action or omission by the Race Committee or Organising Authority
- For the action/s of a vessel not racing that was required to keep clear or is at fault under the COLREGs