

DECISION

Request No.: 01

Request for Redress

Heard Jointly With Number(s): 02

Event: 2025 Cock of the Bay Race Number: 1

Hearing Schedule: 2026-01-17

PARTIES AND WITNESSES

Request No.: 01: 1 - AUS49005 - Phoenix 49 - Brenton Carnell

Race Committee - ORCV

Request No.: 02: Sm700 - Belle - Richard Taylor

Race Committee - ORCV

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. The hearing was conducted with two PC members online.
2. Parties were invited to provide pre-hearing tracker/GPS/AIS data to facilitate understanding of the hearing request.
3. Hearing No.1 was heard together with hearing No.2 in accordance with RRS 63.2 since both hearings arose from the same incident.
4. Kylie Balharriely, co-owner of Belle, attended the hearing as an observer.
5. Patrick de Koster attended the hearing online as a witness for Phoenix.
6. Phoenix was represented by Brenton Carnell.
7. Belle was represented by Richard Taylor.
8. The Race Committee was represented by Simon Dryden.
9. The RC confirmed that both requests were submitted in accordance with SI 9 and met the requirements of RRS 60.3(a).

FACTS FOUND

1. 15 – 17 knots, good visibility.

2. SI D1.2 described the race finish offshore of Schnapper Point, Mornington

as: *The Finishing Line will be on an approximate bearing of 065°T from the "Finish Approach" mark, within 1 NM of it.*

3. The course, SI C1, required boats to pass the Finish Approach mark to port and cross a laid finish line.

4. Sailing in a southerly direction, Phoenix with Belle five minutes plus astern were the leading boats in the race.

5. The Race Committee acknowledged that they were not in the finish area as Phoenix and Belle approached.

6. Provided AIS data showed the finish boat, Siesta, south of the Finish Approach mark, motoring North at a slower speed than Phoenix and Belle were approaching from the North.

7. The Finish Approach mark had not been laid when Phoenix and Belle reached the mark's coordinates described in SI C2. 8. Phoenix was advised by Siesta via VHF radio to round the SI C2 coordinates of the Finish Approach Mark and record their own finish time when abeam of Mornington Pier.

9. Phoenix complied with Siesta's instructions, recorded their finish time, and proceeded West to return to Geelong.

10. Phoenix provided Expedition data at the hearing showing they had passed the Finish Approach mark to port and sailed to the finish line position.

11. Belle headed to the Finish Approach mark coordinates described in SI C2 but did not round the position.

12. Belle witnessed the Finish Approach mark being laid approximately 1NM NW of the coordinates described in SI C2.

13. Belle altered course and sailed to the newly laid Finish Approach mark, performed a 360-degree turn passing the mark to port and proceeded to the laid finish line and finished.

14. Belle had to backtrack to round the laid Finish Approach mark and finish, which increased their elapsed race time.

15. Phoenix was scored NSC in the race.

Diagram: Endorsed by Protest Committee

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS C and D; 61.4(b)(1)

1. Both vessels' positions in the race were made significantly worse, through no fault of their own, by the improper action of the Race Committee not laying the Finish Approach mark and finish line in time and at the location described in SI C2.
2. Therefore the requirements for redress in RRS 61.4(b)(1) have been met

DECISION

Date & Time: 2026-01-21 16:11 AEDT

1. Redress granted to Phoenix and Belle.
2. Phoenix is to be scored in the race with a finish time of 13:56:05 on both line honours and in the handicap divisions in which she was entered.

3. Belle's elapsed time for the race is to be reduced by seven (7) minutes, and her results are to be rescored on the adjusted elapsed time.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Mark Gallagher (AU)

Committee Members: Darren Eger (AUS), Simon Hunter (AU)

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