

Ture ā-Rohe Urungi Āhuru 2021

Navigation Bylaw 2021

(as at DD month 2021)

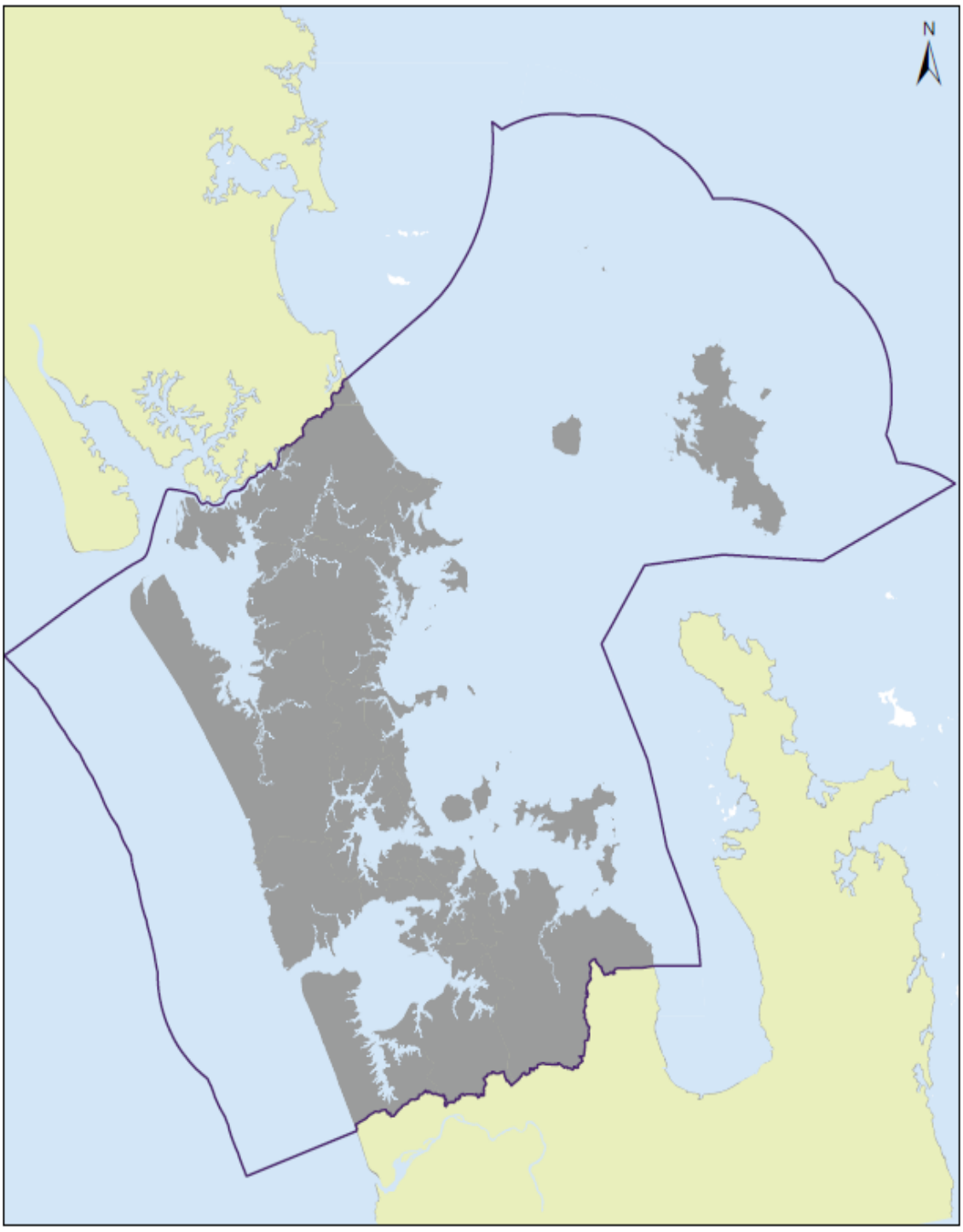
made by the Governing Body of Auckland Council

in resolution GB/2020/##

on DD month 2021

Bylaw made under section 145 of the Local Government Act 2002 and section 33M of the Maritime Transport Act 1994.

The Auckland Region



Summary

This summary is not part of the Bylaw but explains its general effects.

The purpose of this Bylaw is to help minimise the risk of fatalities, injuries, nuisance, accidents, collisions and damage on Auckland's navigable water.

The Bylaw seeks to achieve this in Part 2 by specifying general responsibilities of persons within navigable waters and the following specific responsibilities about –

- the carriage and wearing of personal flotation devices on recreational vessels
- how to undertake certain activities
- the use of restricted areas, access lanes, prohibited and restricted anchorages, reserved areas and special reserved areas
- when near large vessels, vessels carrying explosive substances or bulk oil, or Explosive Safety Zones
- ensuring vessels are seaworthy, identifiable and having appropriate equipment
- the need to register personal water craft
- the need to get a licence for and to maintain moorings
- operating a large vessel
- operating a vessel carrying explosive substances or bulk oil, or undertaking bunkering or hot works operations
- pilot and pilot exempt master operations.

Other parts of this Bylaw assist with its administration by –

- stating the name of this Bylaw, when it comes into force and where it applies in clauses 1, 2 and 3
- stating the purpose of this Bylaw and defining terms in clauses 4 and 5
- providing transparency about how council makes controls and the approval process in Part 3
- referencing council's powers to enforce this Bylaw, including powers to remove vessels and to seek monetary and imprisonment penalties in Part 4
- ensuring relevant controls and approvals under Te Kaunihera o Tamaki Makaurau Ture ā-Rohe Urungi Āhuru 2014/ the Auckland Council Navigation Safety Bylaw 2014 continue to apply in Part 5.

The Bylaw is part of a wider maritime legislative framework. The Bylaw does not seek to duplicate or be inconsistent with these regulations which includes –

- rules about the speed of vessels around marine life addressed in the Marine Mammals Protection Act 1978. This Act is enforced by the Department of Conservation who can be contacted by phone at 0800 DOC HOT (0800 362 468)
- rules about the licensing of commercial vessels for hire or reward addressed in the Health and Safety at Work (Adventure Activities) Regulations 2016
- rules about environmental protection addressed in the Resource Management Act 1991 and Auckland Unitary Plan.

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1 Title

(1) This Bylaw is the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021.

2 Commencement

(1) Clauses 1, 2 and 3 and Part 5 of this Bylaw comes into force on 31 July 2021.

(2) Parts 1, 2, 3 and 4 comes into force 90 days after the date on which regulations specifying which breaches of the Bylaw are infringement offences under section 33O of the Maritime Transport Act 1994 come into force.

3 Application

(1) This Bylaw applies to Auckland.

Part 1
Preliminary provisions

4 Purpose

(1) The purpose of this bylaw is to help minimise the risk of fatalities, injuries, nuisance, accidents, collisions and damage on Auckland's navigable waters.

5 Interpretation

(1) In this bylaw, unless the context otherwise requires:

Aircraft means any machine (except an unmanned aerial vehicle (UAV)) that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.

> **Related information about UAVs**
> UAVs include drones and model aircraft. Within navigable waters UAVs must comply with Part 101 and 102 of the Civil Aviation rules.

Anchor/anchoring/anchored means the temporary securing of a vessel to the bed of navigable water by means of an anchor, cable or other device that is removed with the vessel when it leaves the site or anchorage.

Anchorage in relation to vessels, means a place (enclosed or otherwise) normally used for the anchoring of vessels to the bed of navigable water, whether the place is reserved for such purposes by the Harbourmaster or not.

Auckland has the meaning given by section 4(1) of the Local Government (Auckland Council) Act 2009.

> **Related information**
> The Local Government (Auckland Council) Act 2009 enabled the Local Government Commission to determine Auckland's boundaries in a map titled LGC-Ak-R1. The boundaries were formally adopted by Order in Council on 15 March 2010, and came into effect on 1 November 2010.

Automatic Identification Systems (AIS) means an operational transceiver of class A or class B that complies with the requirements of the International Maritime Organisation.

Beach means the foreshore (including the inter-tidal zone above the mean low water spring) and any adjacent area that can reasonably be considered part of the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation and includes the adjacent coastal marine area.

Board sports means any board sport, including windsurfing, sailboarding, kiteboarding, stand up paddle boarding, knee boarding, body boarding, surfing and foiling where the means of propulsion is by wind, waves or other natural forces, or where no mechanical or electrical means of propulsion is used.

Buoy means a float secured to the seabed serving as an aid to navigation or locational mark, or to indicate a mooring, reef or other hazard.

Bunkering operation means any transfer of liquid hydrocarbons, other than cargo, from or to a vessel and includes the transfer of lubricating oil, oily waste water and sludge.

Council means the governing body of the Auckland Council or any person delegated or authorised to act on its behalf.

Emergency response vessel means any vessel approved by the Harbourmaster for use in emergency response and may include police, customs, Harbourmaster, naval, port company, coastguard and surf lifesaving vessels, and club patrol or rescue vessels (when supervising club activities).

Fast vessel means a power-driven vessel capable of exceeding a proper speed of 25 knots.

Foreshore means any land covered and uncovered by the ebb and flow of the tide at mean spring tides and, in relation to any such land that forms part of the bed of a river, does not include any area that is not part of the coastal marine area.

Harbourmaster, for the purposes of this Bylaw, means the person appointed in section 33D of the Maritime Transport Act 1994 or any person delegated or authorised to act on their behalf (including enforcement officer and honorary enforcement officer).

Hot work operations includes activities such as welding, grinding, soldering, or other work involving flames or generating sparks.

Impede the passage means to cause a vessel or aircraft, whether by action or inaction on the part of another vessel or person, to alter course, alter speed or stop, or to prepare to do something that would not otherwise be done.

Large vessel means any vessel of 500 gross tonnage or greater, and any vessel of 40 metres length overall or greater. A tug and tow is considered a composite unit.

Manoeuvring equipment means any equipment used in the manoeuvring of a vessel. It includes, but is not limited to, propellers, rudders or thrusters and other steering equipment and any equipment to which a tug may be made fast.

Moor/moored means:

(a) the securing of any vessel alongside a wharf, quay, jetty or pontoon or similar structure by means of suitable mooring ropes, or

(b) the securing of any vessel to a mooring or anchor, but excludes the temporary anchoring of a vessel.

Mooring means any weight or article (for example a swing or pile mooring) laid in or on the foreshore, seabed or the bed of a waterway for the purpose of securing a vessel and includes any chain, wire, rope, buoy, or other device attached or connected to the weight but excludes an anchor that is removed with the vessel when it leaves the site or anchorage.

Mooring site means the area designated by the Harbourmaster within a mooring zone for use by a mooring licence holder, and includes the swing area around the mooring.

Mooring zone means an area defined by the council as a mooring zone under the Auckland Unitary Plan where vessel moorings are laid but does not include an anchorage.

Navigable waters mean any waters in Auckland whether coastal or inland which are able to be navigated.

Navigational equipment means any equipment used in the navigation of a vessel. It includes but is not limited to any one or combination of the following – navigational charts, radar, global positioning system receiver, electronic charting equipment, VHF radios.

Obstruction means an object, equipment, structure, vessel or person, positioned, whether in the water or not, so as to restrict or prevent navigation of a vessel or cause a hazard to people.

Passenger ferry means a ferry operating or en route to operate a scheduled service registered with Auckland Transport.

Person in charge of a vessel means –

(a) the master, skipper or kaihāutu of the vessel;
(b) in the absence of a person in (a), the owner of the vessel that is on board or the person steering the vessel; and
(c) In the absence of a person in (a) or (b), the owner of the vessel.

Personal Floatation Device means any buoyancy aid that is designed to be worn on the body that meets:

(a) a standard in NZS 5823:2005 Specification for buoyancy aids and marine safety harnesses and lines applicable to such buoyancy aids:
(b) a national or international standard that the Director is satisfied substantially complies with a standard in NZS 5823:2005 Specification for buoyancy aids and marine safety harnesses and lines applicable to such buoyancy aids.

Power-driven vessel means any vessel propelled by machinery or batteries (not wind or waves). Non-power-driven vessel has the opposite meaning.

Recreational vessel has the same meaning as defined in Maritime Rules Part 91: Navigation Safety Rules and as pleasure craft as defined in the Act.

Related information about recreational vessels

Under Maritime Rule 91 **pleasure craft** means a vessel that is used exclusively for the owner's pleasure or as the owner's residence, and is not offered or used for hire or reward; but does not include—

(a) a vessel that is provided for the transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business:
(b) a vessel that is used on any voyage for pleasure if it is normally used or intended to be normally used as fishing vessel or for the carriage of passengers or cargo for hire or reward:

Seaworthy in relation to a vessel means a vessel that the Harbourmaster considers is in a fit condition of readiness to safely undertake a voyage. **Unseaworthy** has the opposite meaning.

Sheltered waters are waters within 200 metres of the shore which are protected from any wind, currents or waves that could cause the vessel to be blown or swept out into open waters or into danger or being swamped.

Shore when referring to distance from shore, means the water's edge.

Structure means:

(a) any building, equipment, device, or other facility, fixed to land or bed of a waterbody; and
(b) includes slipways, jetties, pile moorings, swing moorings, pontoons, wharves, marine farms, and other objects whether or not these are above or below the waterline of the foreshore; but
(c) does not include navigation aids.

Sunrise/sunset has the same meaning as stated in the New Zealand Nautical Almanac, NZ204.

Support vessel means any vessel used for coaching, marshalling and rescue attendance for a sporting event, training activity, ceremonial or other authorised customary event.

Surfboard means any type of board that is used for surf riding.

Tanker means a vessel with a compartment or compartments that are specially constructed for bulk carriage of oil products or noxious liquid substances and

(a) has oil products or noxious liquid substances on board; or
(b) is not rendered or certified gas-free.

Towing for the purpose of this bylaw means the towing of a person or object behind a vessel but does not include the towing of a vessel by another vessel.

Underway means any vessel that is not at anchor, moored, made fast to a structure or the shore, or aground.

Vessel means every description of a ship, boat or a craft used in navigation on the water, whether or not it has any means of propulsion; and includes a:

(a) barge, lighter, or other like vessel;
(b) hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;
(c) submarine or other submersible;
(d) seaplane while on the surface of the water;
(e) personal watercraft (for example a jet ski);
(f) raft;
(g) paddle craft;
(h) any board used for board sports.

(2) Unless the context requires another meaning, a term or expression that is defined in the Maritime Transport Act 1994 or Maritime Rule and used in this Bylaw, but not defined, has the meaning given by the Act or Rule.

(3) Related information and links to webpages do not form part of this Bylaw and may be inserted, changed or removed without any formality.

(4) The Interpretation Act 1999 applies to this bylaw.

(5) To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law (for example Maritime Rules).

Part 2
Responsibilities of persons within Auckland's navigable waters

Subpart 1 – General responsibilities of persons within navigable waters

6 The person in charge of a vessel must be responsible

(1) A person on board must be nominated as the person in charge of the vessel before undertaking a voyage.

(2) The person in charge is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel (for example the carriage and wearing of personal floatation devices).

(3) The person in charge must not be under the influence of alcohol or a drug, or both, to such an extent that the person is incapable of having proper control of the vessel.

7 A person must be at least 15 years old to operate a power-driven vessel

(1) The owner of a power-driven vessel able to exceed a proper speed of 10 knots must not allow a person under the age of 15 years to operate the vessel.

(2) Any person 15 years or older on board a vessel in (1) must not allow a person under the age of 15 years to operate the vessel.

(3) A person under the age of 15 years must not operate a vessel in (1).

(4) However, this clause does not apply if –

(a) that person is under the direct supervision of another person who is –

(i) 15 years of age or older;

(ii) in immediate reach of the controls; and

(iii) not the person responsible for observing another person being towed.

(b) the person has obtained an approval from the Harbourmaster or Director (for example to allow the person to participate in an organised event).

8 Vessels must not exceed certain speed limits

(1) A person must not operate a vessel at a proper speed exceeding 5 knots within:

(a) 50 metres of any other vessel or person in the water;

(b) 200 metres of the shore or of any structure;

(c) 200 metres of any vessel that is displaying Flag A (diver flag);



(d) any specific area made under clause 60(1)(a) (for example a restricted area) as having a 5 knot speed limit; or

(e) any mooring zone.

(2) A person must not operate a vessel at a speed exceeding 5 knots while another person has any portion of their body extending over the fore part, bow or side of that vessel.

(3) However, the speed limits in (1)(a) does not apply to –

(a) a large vessel that cannot be safely navigated at that speed;

(b) a vessel powered by sail in relation to any other vessel powered by sail, while the vessels are participating in a yacht race or training administered by –

(i) a club affiliated to Yachting New Zealand; or

(ii) a non-profit organisation involved in sail training or racing;

(c) a vessel training for or participating in competitive rowing, paddling or surf lifesaving;

(d) a support vessel for rowing or paddling in 3(c) if the vessel's duties cannot be performed at that speed;

(e) a tug, pilot vessel, Harbourmaster vessel, emergency response vessel or police vessel if the vessel's duties cannot be performed at that speed; or

(f) a vessel operating in a specific area made under clause 60(1)(a) (for example a reserved area) that allows for a higher speed limit.

(4) However, the speed limits in (1)(b) does not apply to –

(a) a vessel operating in a specific area made under clause 60(1)(a) (for example an access lane, restricted area or reserved area) that allows for a higher speed limit.

(b) any board sport carried out with due regard for the safety of other water or beach users, and in accordance with the accepted safe practices of the individual sport; or

(c) a vessel in 3(a), (c), (d), (e) and (f).

Related information about speeds around marine mammals

- rules about the speed of vessels around marine life addressed in the Marine Mammals Protection Act 1978. This Act is enforced by the Department of Conservation who can be contacted by phone at 0800 DOC HOT (0800 362 468).

9 The person operating a vessel must comply with collision prevention regulations

(1) A person operating a vessel must comply with all Maritime Rules about collision prevention (for example Maritime Rule Part 22: Collision Prevention).

10 Accidents or incidents must be reported

(1) The owner or person in charge of a vessel must provide a report if the vessel is involved in an accident or incident on navigable water that results or could result in –

(a) damage to another vessel, a navigation aid or any structure;

(b) a vessel to be sunk or grounded;

(c) a vessel to become unseaworthy; or

(d) injury to any person.

(2) The report in (1) must be provided to the Director and Harbourmaster –

(a) verbally as soon as possible; and

(b) in writing as soon as practicable.

(3) The report in (1) must include –

(a) the name and contact details of the person in charge of every vessel involved;

(b) the name and contact details of any person injured;

(c) a full description of any injury to any person;

(d) a full description of any damage to any vessel, navigation aid or structure; and

(e) any other details requested by the Director or Harbourmaster.

Related information about reporting collisions and accidents

- The Director of Maritime New Zealand can be contacted by email: enquiries@maritimenz.govt.nz
- The Harbourmaster can be contacted by phone 09 362 0397 or email harbourmaster@at.govt.nz.

11 Berthing, mooring, anchoring or leaving vessels requires approval in certain circumstances

(1) The owner or person in charge of a vessel must obtain prior approval of –

(a) the facility owner to leave the vessel unattended at any structure (for example a wharf, ramp or pontoon);

(b) the Harbourmaster in relation to using a mooring in clause 38;

(c) the Harbourmaster to anchor the vessel overnight in the same bay or within one nautical mile of the previous overnight anchorage for longer than 14 days in a 28 day period; or

(d) the Harbourmaster to leave a vessel on the foreshore (for example between mean high and low water springs), unless the vessel is six metres or less in length overall and left on the foreshore for a period of 48 hours or less.

Related information about leaving vessels on a beach

- The Auckland Council Public Safety and Nuisance Bylaw also requires that a person must not leave a boat (including dinghy and tender) on a beach above mean low water springs in a Council controlled public place unless –
  - the boat is left temporarily for the purposes of accessing land provided the boat does not cause a safety risk, nuisance, damage, obstruction, disturbance, or interference to any person in their use or enjoyment of that public place; or
  - Council has given prior written approval.

12 Vessels must be adequately secured when not underway

(1) The owner or person in charge of a vessel not underway must –

(a) ensure the vessel is securely berthed, anchored or moored; and

(b) maintain a person on board to keep watch if notified by the Harbourmaster and in accordance with any requirements on the notice.

13 Unoccupied vessels must not cause a danger or risk to public safety

(1) The owner of a vessel must ensure that vessel does not cause a danger or risk to public safety when unoccupied on any navigable water (for example by breaking free from or dragging its mooring, obstructing or endangering another vessel, becoming unseaworthy or sinking).

14 A person must not cause an obstruction or hazard

(1) A person must not –

(a) obstruct the navigation of any navigable waters (for example the passage of vessel or approach of a vessel to a wharf, pier, quay, jetty, pontoon, landing place, boat ramp, slipway, navigation channel or mooring);

(b) cut, break, destroy, or unlawfully detach a vessel from its anchor, mooring or securing to a wharf, quay, jetty or pontoon or similar structure; or

(c) impede the passage of an aircraft in the process of landing or taking off on navigable waters.

(2) However, (1)(a) does not apply if the Harbourmaster has given prior written approval.

(3) A person must not cause or allow any thing to be placed, left behind, dropped or discharged in, over or near any navigable waters (for example an anchored or moored vessel, stabilizers, booms, cranes, davits, cargo, fishing apparatus, equipment, material or matter) that may –

(a) restrict or cause a danger to the navigation of any vessel;

(b) create a hazard to any vessel at anchor or on a mooring;

(c) cause injury or death to any person;

(d) cause damage to any vessel or any property; or

(e) restrict the use of any lawfully established mooring (for example in this Bylaw or under the Resource Management Act 1991).

15 Wake of recreational vessel or thing towed must not cause a hazard

(1) The person in charge of a recreational vessel must ensure the wake from the vessel or from any person or object being towed does not –

(a) prevent other people from safely using the navigable water;

(b) cause danger or risk of damage to other vessels, structures, or navigation aids; or

(c) cause any risk of harm to any other person.

16 Use of propulsion system at berthing structures and ramps must not cause a hazard

(1) The person in charge of a vessel at a wharf, quay, jetty, pontoon, similar structure, or ramp must not operate that vessel's propulsion system in a way that may:

(a) damage any vessel, structure, property, or navigational aid;

(b) scour the bed of a navigable water in a way that affects navigation safety;

(c) affect the navigation of any other vessel; or

(d) harm any person.

(2) However, (1) does not prevent use of the propulsion system for the safe berthing or departure of the vessel.

(3) If the operation of a large vessel's propulsion system is a test, the person in charge must also ensure that a crew member:

(a) is stationed both forward and aft on the vessel prior to and during the testing of the propulsion system; and

(b) warns all persons or vessel's in the immediate vicinity about the test.

17 A person must not erect, interfere with or tie a vessel to a navigational aid

(1) A person must not –

(a) erect a navigation aid (for example a beacon, navigation mark, buoy or light);

(b) erect a light or structure that may be mistaken as a navigation aid;

(c) damage, remove, deface or otherwise interfere with a navigation aid; or

(d) tie a vessel to any navigation aid.

(2) However, (1) does not apply if –

(a) the Harbourmaster or Director has given prior written approval; or

(b) the Harbourmaster requires a person to erect or maintain a navigation aid.

Subpart 2 – Responsibilities for carriage and wearing of personal flotation devices on recreational vessels

18 Personal floatation devices must be carried

(1) The person in charge of a recreational vessel must, at the time of use, have sufficient personal floatation devices for each person on board that are –

(a) in a readily accessible location;

(b) of an appropriate size for each person on board; and

(c) in good working condition.

(2) However, a personal floatation device is not required if –

(a) the vessel is a stand-up paddle board being used to ride breaking waves and the person is attached by a leg rope or leash;

(b) the vessel is a sailboard (for example a windsurfer, kite board or similar vessel that is propelled by a sail and operated by a person standing upright on a board) and that person is wearing a wetsuit; or

(c) an exception applies under Maritime Rules.

Related Information about Maritime Rule exemptions for personal floatation devices

Maritime Rule exemptions to the carriage of floatation devices on recreational vessels apply to:

- any surfboard or similar unpowered craft
- recreational diving from a vessel of 6 metres or less in length overall within five miles of the shore when wearing a full body wetsuit
- training or participating in a sporting event supervised under a safety system approved by the Director of Maritime New Zealand
- a foreign water sports team carrying or wearing a personal flotation device approved in their country
- a commercial raft
- sporting event, training activity or ceremonial event, or other organised recreational activity where a support vessel is carrying enough personal flotation devices or buoyancy aids or where the Harbourmaster has given its written approval.

19 Personal floatation devices must be worn in times of heightened risk

(1) The person in charge of a recreational vessel must ensure every person on board is wearing a properly secured personal floatation device of an appropriate size for that person when:

(a) tides, river flows, visibility, rough seas, adverse weather, emergencies or other situations cause danger or a risk to the safety of person on board; and

(b) crossing a bar (for example at the entrance to the Manukau Harbour).

20 Personal floatation devices must be worn on recreational vessels six metres or less in length

(1) A person on a recreational vessel of six metres or less in length overall must at all times wear a properly secured personal floatation device of an appropriate size for that person.

(2) However, (1) does not apply if the person in charge of the vessel specifically states that the device does not need to be worn after –

(a) considering all relevant circumstances; and

(b) determining that there would be no reduction in safety to any person on board.

(3) However, (1) will reapply if directed by the Harbourmaster.

21 Personal floatation devices must be worn when being towed

(1) The person in charge of a vessel towing any person must ensure the person being towed is wearing a properly secured personal flotation device of an appropriate size for that person.

(2) The person being towed by a vessel must wear a properly secured personal flotation device of an appropriate size for that person.

(3) However, a person being towed is not required to wear a personal flotation device if an exception applies under Maritime Rules.

Related Information about exemptions in Maritime Rules

Maritime Rule exemptions to wearing of personal floatation devices when being towed apply to:

- training for any trick water skiing element of a sporting event of an approved national sporting organisation
- participating in a sporting event of an approved national sporting organisation
- towing at a speed of less than 5 knots.

Subpart 3 – Responsibilities of persons undertaking certain activities

22 A person must not swim, jump or dive in certain areas

(1) A person must not swim, jump or dive –

(a) from or within 50 metres of a wharf, quay, jetty, pontoon, boat ramp or similar structure when a vessel is approaching manoeuvring alongside or departing;

(b) within any navigational channel (for example a marked channel) leading to a wharf, quay, jetty; or

(c) in any area specified by the Harbourmaster (for example in a restricted area or a special reserved area in clause 31).

23 Area between Surf Life Saving flags is for bathing, swimming or body boarding

(1) A person within navigable waters between red and yellow Surf Life Saving New Zealand patrol flags and 200 metres of the shore may only bathe, swim or body board.

(2) However, this does not apply to any vessel operated by Surf Life Saving New Zealand.

(3) A person must be authorised by Surf Life Saving New Zealand to place patrol flags on a beach.

24 Paddle craft must be visible when used beyond sheltered waters

(1) A person using a paddle craft of six meters or less in length overall (for example kayak, stand up paddle board or waka) beyond sheltered waters, must ensure the craft is clearly visible to any other water user more than 200 metres away (for example by using high visibility equipment, flags or lights).

25 Duties when towing a person or being towed for recreational purposes

(1) The person in charge of a vessel that is towing another person on water skis, wake board, sea biscuit, surfboard, or similar object, or who is barefoot skiing, or who is on a paraglider or similar object, must –

(a) have at least one other person on board who is 10 years of age or older who is responsible for immediately notifying the person in charge of every mishap that occurs to the person being towed;

(b) not tow that person when required to not exceed a speed of 5 knots in clause 14(1) (for example within 50 metres of another vessel);

(c) not tow that person or object between sunset and sunrise; and

(d) immediately recover any object that has been dropped.

(2) However, a dropped object does not need to be immediately recovered if the object –

(a) does not cause a danger to any other person or vessel; or

(b) is clearly visible to any other person or vessel in the vicinity.

(3) A person must not allow themselves to be towed except in the circumstances described in (1) and (2).

26 Dive operations must display Flag A



(1) A person diving (for example scuba diving, free diving or spear fishing) must ensure Flag A (diver flag) is displayed.

(2) The person in charge of a vessel from which a person is diving must ensure Flag A is displayed.

(3) Where the person is diving without a vessel, the flag must be displayed on a buoy in close proximity to that person.

(4) The flag must be no less than 600 millimetres wide by 600 millimetres high.

(5) The flag must be able to be clearly identified more than 200 metres away by the person in charge of a vessel or the person responsible for keeping watch on a vessel.

27 Support vessels must remain in the immediate vicinity

(1) The person responsible for providing support vessels for rowing or paddling must ensure at least one support vessel that is capable of providing adequate assistance in the event of an emergency is in the immediate vicinity of an individual rower or paddler at all times

(2) The person in charge of a support vessel for rowing or paddling must remain in the immediate vicinity of the rowers or paddlers at all times.

28 Events, training and other organised water activities may require approval

(1) This clause applies to a person who intends to conduct a sporting, ceremonial or customary event, training activity or other organised water activity within navigable waters.

(2) A person in (1) must obtain an approval from the Harbourmaster if –

(a) the activity requires temporary suspension of any clause in this Bylaw (for example a speed limit);

(b) the activity requires temporary installation of course markers or similar structures in the water;

(c) the person wants or the Harbourmaster requires the activity to be subject to a special reserved area control;

(d) the person or Harbourmaster considers the activity is likely to affect the normal operation of another vessel or person.

Related information about approvals for certain organised water activities

- Other approvals may be required. The Harbourmaster approval focusses on navigation safety while other approvals may focus on [insert].
- Information about approvals for events (for example the New Zealand Ocean Swim series) is available from council's website.
- For other organised water activities contact Harbourmaster by email harbourmaster@at.govt.nz.

29 Aircraft must obtain approval to take off or land from or on navigable waters, vessels and structures in the coastal marine area

(1) A person in charge of an aircraft (for example a seaplane or helicopter) must obtain the approval of Harbourmaster to take off or land that aircraft or attempt to do either, from or on any –

(a) navigable water;

(b) vessel; or

(c) wharf, quay, jetty or pontoon or structure within the coastal marine area.

(2) However, this clause does not apply in an emergency.

30 Activities must comply with prohibitions or restrictions

(1) A person must comply with any prohibitions or restrictions made in clause 60(1)(c) for an activity (for example use of a new type of vessel to ensure adequate precautions are taken to protect public safety or to avoid damage).

Subpart 4 - Use of restricted areas, access lanes, prohibited and restricted anchorages, reserved areas and special reserved areas

31 Use of specific areas must comply with conditions of use

(1) A person (including a person operating a vessel) must comply with all conditions of use to enter, remain or use any of the following specific areas in this table –

Type of specific area	Example
(a) restricted area	• an area in which vessels or persons may use subject to compliance with any conditions; • an area allocated to the anchorage for vessels carrying explosive substances or bulk oil; or • an area in which large vessels are restricted from entering.
(b) access lane	• an area allocated to persons being towed or vessels to land or depart from the shore.
(c) prohibited anchorage	• an area in which vessels must not anchor.
(d) restricted anchorage	• an area in which vessels may anchor provided they are ready for immediate departure.
(e) reserved area	• an area allocated to a specific activity such as water skiing or swimming.
(f) special reserved area	• an area allocated to sporting events, training activity, ceremonial or customary events or other organised water activity.

Related information about specific areas and conditions of use

- The Harbourmaster has defined 13 restricted areas, 24 access lanes, six prohibited anchorages, one restricted anchorage, and 14 reserved areas.
- A full list, maps and conditions of use of specific areas are attached after the Bylaw as related information.

Subpart 5 – Responsibilities to ensure the vessel is seaworthy, identifiable and have appropriate equipment on board

32 Vessel must be seaworthy

(1) A person in charge of a vessel that is anchored or moored within navigable waters must ensure the vessel is seaworthy at all times.

(2) A person must not operate an unseaworthy vessel within navigable waters.

(3) However, (1) and (2) does not apply if –

(a) the Harbourmaster has given prior written approval;

(b) the Harbourmaster has directed that vessel be moved or removed from navigable waters; or

(c) in an emergency or following an accident or incident to –

(i) to clear a main navigation channel;

(ii) to prevent further damage; or

(iii) to position the vessel in a safe anchorage or mooring.

33 Vessel identification must be clearly displayed

(1) The person in charge of a vessel must ensure appropriate identification is displayed on that vessel.

(2) For power-driven vessels four metres or more in length overall and non-power-driven vessels six metres of more in length overall, the identification must –

(a) be displayed when on any navigable waters;

(b) be displayed above the waterline on each side of the vessel;

(c) be unique to the vessel;

(d) not be the brand, make or model of the vessel;

(e) use letters from the English alphabet, numbers or a combination of both;

(f) ensure all characters in (f) are 90 millimetres or more in height; and

(g) be legible by day from a distance of at least 50 metres.

(3) For personal water craft (for example a jet ski), the identification must –

(a) be the number issued by the Harbourmaster or local authority in clause 36; and

(b) displayed on a prominent place on the craft above the waterline.

(4) For all other vessels (for example non-power-driven vessels less than six metres in length overall), the identification must include the name and contacts details of the owner displayed somewhere on the vessel.

34 Vessel must have appropriate navigational and communication equipment

(1) The person in charge of a vessel must ensure appropriate equipment is on board for the duration of any intended voyage to –

(a) navigate safely; and

(b) communicate using two independent forms of communication at any time with a land-based person from any area where the vessel is intended to be operated.

Examples

- A kayaker paddling near the shore may use their voice and a mobile phone in a floating dry case.
- A powerboat fishing on the Hauraki Gulf may use a mobile phone and a VHF radio.

(2) The equipment in (1) must be in good working condition.

(3) However, (1) does not apply to a person participating in a sporting event or training activity if there is a support vessel present that complies with (1).

35 Lights, sirens and sounds must only be used for intended purpose

(1) A person must only use a light, siren or other sound prescribed in a Maritime Rule for the purpose prescribed in that rule unless –

(a) it is being tested for the purpose prescribed in a Maritime Rule;

(b) it is a blue light or siren operated by police, customs or Harbourmaster

(c) it is a purple flashing light used for the minimum time possible to actively respond to an accident or incident;

(d) it is used for a sporting or celebration event in locations where there will be no confusion to any other person about the navigation safety signal; or

(e) the Harbourmaster has given prior written approval.

(2) A person using a purple flashing light in (1)(c) must comply with all applicable laws the same as any other member of the public.

(3) The person in charge of a fast passenger ferry must display an orange flashing light on a prominent place of the vessel where it can best be seen from all directions when the vessel is making way.

Subpart 6 – Responsibilities of a person in relation to personal watercraft

36 Personal watercraft must be registered and display identification prior to use

(1) The owner of a personal watercraft (for example a jet ski) must register the craft with –

(a) the Harbourmaster; or

(b) another local authority in New Zealand that issues an identification to be displayed on the craft.

(2) A person must not operate a personal watercraft on navigable waters unless it displays a current identification.

37 The Harbourmaster must be notified of any change in ownership

(1) The registered owner of a personal watercraft must notify the Harbourmaster within 14 days of the craft being sold or disposed of.

Related information about personal watercraft, registration and change in ownership

- Information on how to register and change ownership details with the Harbourmaster can be viewed at at.govt.nz/boating-marine/jetskis-personal-watercraft/.
- A personal water craft is defined by the Maritime Transport Act as a power-driven ship that has a fully enclosed hull, does not take on water if capsized and is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it.

Subpart 7 - Responsibilities of a person in relation to moorings

38 Approval required to lay, use or to leave unoccupied any mooring

(1) A person must obtain an approval from the Harbourmaster before –

(a) **laying a mooring**;

(b) **using a mooring** for a vessel;

(c) **using the mooring for another vessel** not included in the approval;

(d) **transferring the approval** to another person; and

(e) **leaving the mooring unoccupied** for more than six months within any 12 month period.

(2) However, (1) does not apply if the mooring has a resource consent.

Related information about approvals related to moorings

- More information about moorings (including the location of mooring zones and application forms for a mooring licence) can be viewed at at.govt.nz/boating-marine/moorings/.
- New pile moorings in a mooring zone and moorings outside of a mooring zone are regulated under the Auckland Unitary Plan through the resource consents process and not this Bylaw.

39 Moorings must be maintained and certified to be in good condition

(1) The person that has an approval or resource consent to use a mooring must –

(a) ensure that mooring is maintained in good condition to the satisfaction of the Harbourmaster;

(b) ensure that mooring complies with any controls made in clause 60(1)(b) about the construction and maintenance of moorings;

(c) carryout any maintenance required by and within a period specified by the Harbourmaster; and

(d) ensure that mooring has a current mooring inspection certificate from a mooring service provider approved by the Harbourmaster.

(2) The person in (1) must pay for any costs associated with maintenance of the mooring in this clause (for example inspection and replacement of components).

Related information about maintenance of moorings

A list of approved mooring service providers can be viewed on the Harbourmasters website.

40 Mooring must be removed if approval cancelled

(1) The person whose approval to lay or use a mooring has been cancelled under clause 69(2)(b), must remove the mooring if notified by the Harbourmaster and within a period specified in the notice.

Subpart 8 - Responsibilities of a person in charge of a large vessel

41 Automatic Identification System to be installed and used in certain circumstances

(1) The owner of a commercial fast vessel must install an Automatic Identification System on the vessel if notified by the Harbourmaster.

(2) The system in (1) must be installed within the timeframe specified in the notification.

(3) A person in charge of a commercial fast vessel must have on board and use a fitted and operational Automatic Identification System within a pilotage area during times of restricted visibility (for example fog or heavy rain).

(4) A person in charge of a large vessel must have on board a fitted and operational Automatic Identification System at all times.

42 Inoperative equipment must be notified to the Harbourmaster

(1) The person in charge of a large vessel must notify the Harbourmaster of any inoperative or faulty navigational or manoeuvring equipment –

(a) at least 24 hours or if this is not possible as soon as practicable, before the vessel enters any navigable waters in Auckland or departs from any berth or anchorage in Auckland; and

(b) as soon as practicable after identifying the equipment as inoperative or faulty if the vessel is moving within any navigable waters in Auckland.

(2) Notification must be in a manner required by the Harbourmaster.

43 Operating with inoperative equipment in a pilotage area requires approval

(1) The person in charge of a large vessel with inoperative or faulty navigational or manoeuvring equipment must obtain the approval of the Harbourmaster before the vessel navigates within a pilotage area.

Related information about how to contact the Harbourmaster for clauses 42 and 43

- Notification and requests for approval for:
  - departing vessels may be made to "Auckland Harbour Control" on VHF channel 12
  - inbound vessels may be made by email to harbourcontrol@poal.co.nz.

44 Commercial fast vessels may require a Navigation Safety Operating Plan

(1) The person in charge of a commercial fast vessel must operate in accordance with a Navigation Safety Operating Plan if required by the Harbourmaster.

(2) The Navigation Safety Operating Plan must be approved by the Harbourmaster.

(3) The person must not operate the vessel without an approved plan.

45 Vessel must not transit the Manukau Harbour bar at night

(1) The person in charge of a large vessel must not allow that vessel to transit the Manukau Harbour bar between sunset and sunrise.

46 Approval required to enter certain areas and to anchor

(1) The person in charge of a large vessel must obtain the approval of the Harbourmaster before the vessel –

(a) enters a restricted area made under clause 31 that limits the access of large vessels; and

(b) anchors in any navigable waters in Auckland.

Related information about areas where large vessels are restricted

- Restricted areas are in Kawau, Whangaparapara, Fitzroy and Mahurangi Estuary.
- Maps of these areas are attached after the Bylaw as related information.

Subpart 9 - Responsibilities of a person in charge of a vessel carrying explosive substances or bulk oil, or undertaking bunkering or hot works operations

47 Vessels must provide notice of pending arrival

(1) The person in charge of a vessel that has on board an explosive substance or bulk oil must notify the berth operator and the Harbourmaster at least 48 hours prior to the vessels expected arrival at the pilot boarding station.

(2) The notification must include full details of all explosive substance or bulk oil on board (for example the hazard classification, net quantity, packing group, stowage position) and whether the substance or oil is for discharge or transit.

Related information about notification

- The Harbourmaster may be notified by telephone 09 362 0397 or email harbourmaster@at.govt.nz.

48 Vessels must display signals

(1) The person in charge of a vessel that has on board, or who intends to load or discharge an explosive substance, bulk oil or an empty receptacle that contained an explosive substance or bulk oil, must –


Flag B

(a) display code Flag B (taking on or discharging explosive substance) on a prominent place of the vessel where it can best be seen from all directions between sunrise to sunset; and

(b) display an all-round red light at the masthead or where it can best be seen from all directions between sunset and sunrise.

49 Vessels must maintain a safe distance from other vessels

(1) The person in charge of a vessel carrying an explosive substance must not allow that vessel to approach within 200 metres of any other vessel.

(2) The person in charge of a tanker must not allow that vessel to be berthed within 30 metres of any other vessel.

(3) However, the vessel may be closer to another vessel–

(a) to bunker;

(b) with the written approval of the Harbourmaster; or

(c) to assist that other vessel in an emergency.

50 Vessels must berth or anchor at approved locations

(1) The person in charge of a vessel that has on board, or who intends to load or discharge an explosive substance must:

(a) berth the vessel at a facility that complies with relevant legislation and regulations; or

(b) anchor the vessel in an Explosives Safety Zone made under clause 60(1)(a); and

(c) comply with any directions of the Harbourmaster in relation to the movement and placement of the vessel.

(2) The person in charge of a tanker must obtain an approval from the Harbourmaster to berth or anchor the vessel.

Related information about Explosive Safety Zones

- Examples of berthing facilities include locations at the ports of Auckland and Onehunga.
- Explosive Safety Zones are located in the Auckland Outer Harbour (Motuihe Explosives Anchorage) area, Auckland Inner Harbour (No.6 inner harbour anchorage) area and Kauri Point Wharf area.
- Maps of the Explosive Safety Zones are attached after the Bylaw as related information.

51 Duties of person in charge of the tanker when in port

(1) A person in charge of a tanker must –

(a) comply with relevant legislation, regulations, codes and guides;

(b) berth or anchor the vessel at locations specified in clause 50;

(c) ensure any tanks containing products are closed, except when opened for loading or discharging; and

(d) ensure sufficient motive power and minimum safe manning to enable the vessel to be moved immediately from the berth in case of fire or other emergency.

Related information about tankers

- Examples of relevant legislation, regulations, codes and guides may include the current edition of the International Safety Guide for Oil Tankers and Terminals (ISGOTT), and ICS Tanker Safety Guide Chemicals.

52 Bunkering operations must be carried out safely

(1) A person conducting bunkering operations to or from a vessel must –

(a) notify the Harbourmaster at least 24 hours before the commencement of the operations; and

(b) comply with relevant Maritime Rules and Plans.

(2) The person must not commence or must stop bunkering operations if required by the Harbourmaster due to safety concerns.

(3) The person in (2) must obtain an approval from the Harbourmaster before commencing or recommencing operations.

Related information about bunkering operations

- The form and contact details to notify the Harbourmaster of any bunkering operation may be viewed on the Harbourmaster's website.
- Examples of relevant plans in (1)(b) may include the vessel's Shipboard Oil Pollution Emergency Plan or the bunkering supplier's Tier 1 Transfer Plan.

53 Hot works operations must be carried out safely

(1) This clause applies to –

(a) the person in charge of a vessel on which hot works operations are to be carried out; and

(b) the person who intends to conduct hot works operations on a vessel.

(2) A person in (1) must before the commencement of the operations –

(a) obtain the written approval of the owner or manager of the berth at which the operations are to be conducted;

(b) ensure the operations do not occur at the same time as any bunkering operations involving the vessel; and

(c) ensure all precautions have been taken to detect, prevent, and extinguish fire that could result from the operations on the vessel or elsewhere until the operations are complete.

(3) A person conducting hot work operations on a vessel must comply with relevant codes of practice.

Related information about hot works operations

- Examples of relevant codes in clause 53(2) may include the current edition of the Code of Safe Working Practices for Merchant Seafarers.

Subpart 10 - Responsibilities of a person near large vessels, vessels carrying explosive substances or bulk oil, or Explosive Safety Zones

54 Vessels must not impede a large vessel in a pilotage area

(1) The person in charge of a vessel under 500 gross tonnage in a pilotage area must not allow that vessel to impede the navigation of any vessel of 500 gross tonnage or more.

(2) The person in charge of a vessel must not navigate the vessel within the moving prohibited zone of a large vessel that is in a pilotage area.

(3) A moving prohibited zone is an area of navigable water around a large vessel that –

(a) extends 100 metres to each side or the width of the marked channel, whichever is the lessor distance; and

(b) continues at the width in (a) to 100 metres astern and 500 metres ahead of the vessel; and

(c) follows the line of the marked or buoyed channel when changing course.

(4) However, (2) does not apply to the pilotage area within the Tamaki River.

Related information about pilotage areas

- Pilotage areas are defined in Maritime Rule 90 and apply to Auckland and Manukau.

55 Vessels must be a safe distance from vessels with an explosive substance

(1) The person in charge of a vessel must not allow that vessel to approach within 200 metres of any other vessel carrying, loading or discharging an explosive substance.

(2) However, the vessel may be closer than 200 metres –

(a) to load or discharge that other vessel, including transhipment;

(b) with the written approval of the Harbourmaster; or

(c) to assist that other vessel in an emergency.

56 Vessels restricted from entering Explosive Safety Zones



(1) The person in charge of a vessel must obtain the written approval of the Harbourmaster before the vessel enters an Explosives Safety Zone if –

(a) there is a vessel anchored or berthed in the zone; and

(b) that vessel is displaying code Flag B (taking on or discharging explosive substance) or an all-round red light.

Subpart 11- Responsibilities of pilot and pilot exempt master operations

57 Navigation must be within marked channels in a pilotage area

(1) The person in charge of a large vessel must navigate the vessel within marked channels in a pilotage area.

58 Passage plan must be used and safely carried out in a pilotage area

(1) A pilot or pilot exempt master must use a passage plan for every intended voyage and vessel movement.

(2) The person in charge of a large vessel within a pilotage area must ensure the bridge team (for example the number and composition of crew members on the bridge) is sufficient to safely carry out the passage plan.

(3) When determining the bridge team, the person in (2) must have due regard to the need to steer, operate manoeuvring equipment, visually monitor progress and position of the vessel, and use all available aids to navigation.

59 Log of transits in a pilotage area

(1) A pilot or pilot exempt master must keep a log of each time they conducted a vessel in a pilotage area between 1 April and 31 March of every year.

(2) The log must be in a form and manner required by the Harbourmaster.

(3) The log must be provided for the year ending 31 March to the Harbourmaster by the 30 April every year.

Part 3
Controls and Approvals

Subpart 1 Controls

60 The Harbourmaster may make controls about navigation safety

(1) The Harbourmaster may make a control for one or more of the following purposes –

(a) to identify one or more of the specific areas in clause 31 and specify conditions of use;

(b) to prescribe the construction and maintenance of any type of mooring (for example the weight, size and length of mooring components); and

(c) to prohibit or restrict any activity to ensure adequate precautions are taken to achieve the purpose of this Bylaw.

(2) A control in (1) may –

(a) prohibit, restrict, allow or control any matter or thing generally, for any specific category of case, or in a particular case;

(b) apply to all activities or to any specified category of activity;

(c) apply to Auckland or to a specified part of Auckland;

(d) apply at all times or at any specified time or period of time.

Related information about controls

- The Harbourmaster has identified # restricted areas, # access lanes, # prohibited anchorages, # restricted anchorages and # reserved areas.
- A list, maps and conditions of use of these areas are attached after the Bylaw as related information.
- In making a control, the Harbourmaster must comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002.

Subpart 2 Approvals

61 This subpart applies to people who must obtain an approval

(1) This subpart applies to a person who –

(a) must obtain a form of approval for any matter specified in this Bylaw;

(b) wants to obtain the prior written approval of the Harbourmaster; or

(c) wants an exemption from any requirements of this Bylaw.

(2) For the purposes of (1)(b), this subpart applies with all necessary modifications as if that renewal or review was an application for an approval.

62 Applications for an approval must include required information and fees

(1) A person to whom this subpart applies must make an application that complies with the requirements of the Harbourmaster, including –

(a) the form and manner of the application;

(b) the information in the application or any further information; and

(c) being accompanied by any fee.

(2) Without limiting (1), the Harbourmaster may require an application to include information on one or more of the following matters in this table.

Placing moorings	
(a)	Description of the mooring location and features.
(b)	Specifications of the mooring.
Use of mooring for another vessel	
(c)	Vessel name, type, length overall, size and owner contact details.

63 Applications are considered against relevant matters

(1) The Harbourmaster when considering an application for an approval –

(a) will have regard to any matter it considers relevant and reasonably necessary to determine the application in relation to the purpose of this Bylaw; and

(b) may inspect vessels or locations related to the application for the purposes for which the approval is given.

(2) Without limiting subclause (1), the Harbourmaster may consider an application for an approval against one or more of the following matters in this table.

Placing and using moorings	
(a)	Suitability of the applicant.
(b)	If there is adequate space at the mooring site for the proposed mooring and vessel.
(c)	If the mooring is of adequate specifications to accommodate the proposed vessel to be moored.
(d)	If the vessel is over 15 metres in length overall (vessels over 15 metres are likely to exceed standard mooring design specifications and create additional risks).
(e)	If the vessel can be safely navigated to and from the mooring site.
(f)	If the mooring site, mooring or its use may cause a public health or safety risk (for example to other activities in the surrounding area, congestion or from jostling for position or other unsafe practices between vessels).
Transfer of mooring approval to another person	
(g)	If all fees (including any transfer fee) are fully paid.
(h)	If the mooring has a current inspection certificate required in this Bylaw.
(i)	If the mooring specification and design are adequate to accommodate the vessel to be moored.
(j)	If the person applying agrees to the terms and conditions specified in the original approval.
Exemptions	
(k)	The effects of the exemption on public health and safety.

64 Applications may be granted or declined

(1) The Harbourmaster may grant or decline an application for an approval having regard to the matters in clause 63.

(2) Applications for approval under clause 38 to use a mooring for vessels over 15 metres in length overall will only be approved in exceptional circumstances.

65 Conditions may be imposed if an application is granted

(1) If an application is granted, the Harbourmaster may impose any conditions considered appropriate to achieve the purpose of the Bylaw.

(2) Without limiting subclause (1), the Harbourmaster may impose any one or more of the conditions in this table.

Placing and using moorings	
(a)	The location and construction of the mooring, including compliance with any controls made in clause 60(1)(b).
(b)	The specific vessel that may be attached to the mooring.
(c)	The type, size and length overall of vessel that may be attached to the mooring.
(d)	The design and specifications of the mooring.
(e)	Specific conditions applying to vessels over 15 metres in length overall (for example insurance, inspection and maintenance checks of vessel and mooring, mooring design specifications).
(f)	The type of buoy or float to mark the location of the mooring when a vessel is not attached.
(g)	Payment of an annual fee (for example by 30 June each year).
Placing and using moorings (maintenance)	
(h)	The maintenance of the mooring, including compliance with any controls made in clause 60(1)(c).
(i)	The inspection of the mooring, including payment of any associated fees.
(j)	Having a current mooring inspection certificate.

Events, training and other organised water activities	
(k)	The payment of any costs associated with the any special reserved area (for example costs associated with the demarcation of the area).

66 Duration of an approval is no more than 12 months

(1) The duration of an approval is for a period up to 12 months or for a shorter duration if associated with a single instance or specified in the approval.

67 Transfer of approvals not allowed

(1) An approval under this Bylaw applies only to the person who obtained it and is not transferable to any other person unless the approval expressly provides otherwise.

68 Approval holder must carry and comply with conditions of the approval

(1) A person who has obtained an approval in this subpart must –

(a) be carried on the person or on board the vessel;

(b) be able to produce the approval immediately at the request of the Harbourmaster or police officer; and

(c) ensure compliance with the approval and any conditions of the approval.

Part 4
Enforcement powers, offences and penalties

69 The Harbourmaster may take action for failure to comply with an approval

(1) This clause applies to a person who has been granted an approval that –

(a) fails to comply with the approval;

(b) fails to comply with any condition of the approval;

(c) in relation to a mooring approval –

(i) fails to carry out maintenance within the period specified by the Harbourmaster; or

(ii) does not have a current mooring inspection certificate;

(d) provided inaccurate information on any application which materially influenced the decision made on the application; or

(e) the Harbourmaster has reason to believe public health or safety has, or may be, adversely affected.

(2) The Harbourmaster may take one or more of the following actions against the person to whom this clause applies –

(a) issue a written warning which may be considered as evidence of prior breach of this Bylaw during any subsequent review of the approval;

(b) a review, suspension or cancellation of the approval;

(c) use of statutory powers in Part 5; and

(d) use of statutory penalties in Part 5.

70 Statutory powers may be used to enforce this Bylaw

(1) The Harbourmaster may use its powers under the Maritime Transport Act 1994, Maritime Rules, and Local Government Act 2002 to enforce this bylaw.

Related information about maintenance of enforcement powers

The Harbourmaster has the power to –

- direct any vessel or person to take any action to ensure compliance with this bylaw
- move or remove a vessel that is unseaworthy or causing a hazard
- cause any floating, submerged, or stranded object to be moored, unmoored, anchored, secured, unsecured, placed, or removed
- cause a ship to be moored, unmoored, anchored, secured, unsecured, placed, or removed, or to weigh anchor
- seize a vessel using a mooring for which a mooring licence has been cancelled (including where the annual licence fee has not been paid)
- seize an unoccupied vessel that has broken free from or dragging its mooring, obstructing or endangering another vessel, becoming unseaworthy or sinking
- sell or dispose of a vessel and recover any costs if the owner fails comply with the Bylaw and pay any costs associated with the seizure, impoundment, transport and storage.

(section 33F(1)(e) Maritime Transport Act 1994 and sections 164, 167 to 168 Local Government Act 2002)

71 Removal of construction

(1) The Harbourmaster may under section 163 of the Local Government Act 2002 –

(a) remove or alter a work or thing that has been constructed in breach of this Bylaw (for example when an approval to lay or use the mooring has not been obtained or has been cancelled, or when a mooring does not have a current mooring inspection certificate); and

(b) recover any costs of removal or alteration from the person who committed the breach.

72 A person can be penalised for not complying with this Bylaw

(1) A person who fails to comply with this Bylaw commits an offence and is liable to a penalty under the Maritime Transport Act 1994 or Local Government Act 2002.

(2) However, a person does not commit an offence if the person proves that the failure to comply was due to compliance with the directions of the Harbourmaster, or a police officer.

Related information about penalties

A person who is convicted of an offence against a bylaw is liable to a fine not exceeding:

- $1000 for any infringement offence specified under Maritime Transport Act 1994.
- $20,000 under section 242 of the Local Government Act 2002 (as reprinted on 1 July 2018).

73 The Harbourmaster and Council are not liable for damage to vessels

(1) The Harbourmaster and Council is not liable for any damage or loss that may arise to any vessel or other property caused by –

(a) the Harbourmaster securing a vessel to a mooring;

(b) the Harbourmaster seizing or storing a vessel;

(c) a vessel that has not been securely moored; or

(d) a third party; a natural disaster or event, natural processes, or any other cause to a vessel that has been securely moored.

Part 5
Savings and transitional provisions

74 The Auckland Council Navigation Safety Bylaw 2014 continues to apply

(1) This clause relates to Te Kaunihera o Tamaki Makaurau Ture ā-Rohe Urungi Āhuru 2014/ the Auckland Council Navigation Safety Bylaw 2014.

(2) The bylaw in (1) continues to apply in its entirety until Parts 1, 2, 3 and 4 comes into force.

(3) Controls made using the bylaw in (1) (for example the Motuihe Channel fast passenger ferry lane) continue to apply in their entirety until the date when Parts 1, 2, 3 and 4 of this Bylaw comes into force or the date the control is amended, replaced or revoked by the Harbourmaster.

(4) Any approval (for example, licence or exemption) made using the bylaw in (1) continues to apply until the expiration date in that approval or until it is reviewed, suspended, withdrawn or revoked by the Harbourmaster.

(5) Any compliance or enforcement action by council under the bylaw in (1) that was not completed prior to when Parts 1, 2, 3 and 4 of this Bylaw comes into force will continue to be actioned under the bylaw in (1) as if it were still in force and as if this Bylaw had not been made.

75 Applications for approval to be processed under this Bylaw

(1) Any application for a licence, consent, permit, dispensation, permission or other form of decision under the bylaw in clause 74(1) that was not approved or declined before the date when Parts 1, 2, 3 and 4 of this Bylaw comes into force, will continue to be processed as if it had been applied for under this Bylaw.

Related information, Bylaw history

Date	Description
1 November 2010	**Made** legacy bylaws about navigation safety (Section 62 Local Government (Auckland Transitional Provisions) Act 2010)
1 November 2010	**Commencement** of legacy bylaws about navigation safety (Section 62 Local Government (Auckland Transitional Provisions) Act 2010)
03 December 2013	**Review** of legacy bylaws about navigation safety completed (RBC/2013/8)
19 December 2013	**Proposal** to make new bylaw about navigation safety and to revoke legacy bylaws (GB/2013/159)
31 July 2014	**Made** the Auckland Council Navigation Safety Bylaw 2014 / Ture ā-Rohe Urungi Āhuru 2014 (GB/2014/66)
October 2014	**Public notice** of making of the Auckland Council Navigation Safety Bylaw 2014 / Ture ā-Rohe Urungi Āhuru 2014 and revocation of legacy bylaws
25 October 2014	**Commencement** of Auckland Council Navigation Safety Bylaw 2014 / Ture ā-Rohe Urungi Āhuru 2014 and revocation of legacy bylaws (GB/2014/66)
17 March 2020	**Review** of Auckland Council Navigation Safety Bylaw 2014 / Ture ā-Rohe Urungi Āhuru 2014 completed (REG/2020/16)
29 October 2020	**Proposal** to make a new bylaw about navigation safety (GB/2020/##)
dd Month 2021	**Made** the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021 (GB/2020/##)
dd Month 2021	**Public notice** of making of the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021
31 July 2021	**Commencement** of the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021 (GB/2021/##) and revocation of the Auckland Council Navigation Safety Bylaw 2014 / Ture ā-Rohe Urungi Āhuru 2014 (section 160A Local Government Act 2002)

Related information, next bylaw review

This Bylaw must be reviewed by dd Month 2026. If not reviewed by this date, the Bylaw will expire on dd Month 2028.

Find out more: **phone 09 301 0101**
Or visit at.govt.nz/boating-marine

Auckland Council
Te Kaunihera o Tāmaki Makaurau



Auckland Council Navigation Bylaw (Specific Areas and Conditions of Use) Control 2021

(as at DD month 2021)

made by the Harbourmaster

on DD month 2021

Controls made under clause 60 of the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021.

1 Title

(1) This control is the Auckland Council Navigation Bylaw (Specific Areas and Conditions of Use) Control 2021.

2 Issuing authority

(1) This control is made under clause 60 of the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Bylaw 2021.

3 Commencement

(1) This control comes into force comes into force on the same date as Part 3 of the Bylaw.

4 Application

(1) This control applies to Auckland.

5 Purpose

(1) This control identifies specific areas and specifies the conditions of use in those areas.

6 Interpretation

(1) In this control, unless the context otherwise requires:

Bylaw means the Te Kaunihera o Tāmaki Makaurau Ture ā-Rohe Urungi Āhuru 2021 / Auckland Council Navigation Safety Bylaw 2021.

Markers means buoys, posts or signs used to indicate a demarcated area.

(2) Unless the context requires another meaning, a term or expression that is defined in the Bylaw and is used, but not defined, in this control has the meaning given by the Bylaw.

7 Use of specific areas within navigable waters in Auckland

(1) In accordance with clause 60(1)(a) of the Bylaw, the Harbourmaster identifies and specifies the conditions of use of areas in Table 1.0 and associated maps.

(2) The areas identified in (1) may be demarcated through the placement of markers.

(3) If markers have been placed –

(a) the maps associated with Table 1.0 are indicative only; and

(b) if there is any inconsistency between the markers and maps, the markers prevail.

Table 1.0 Specified Areas and Conditions of Use

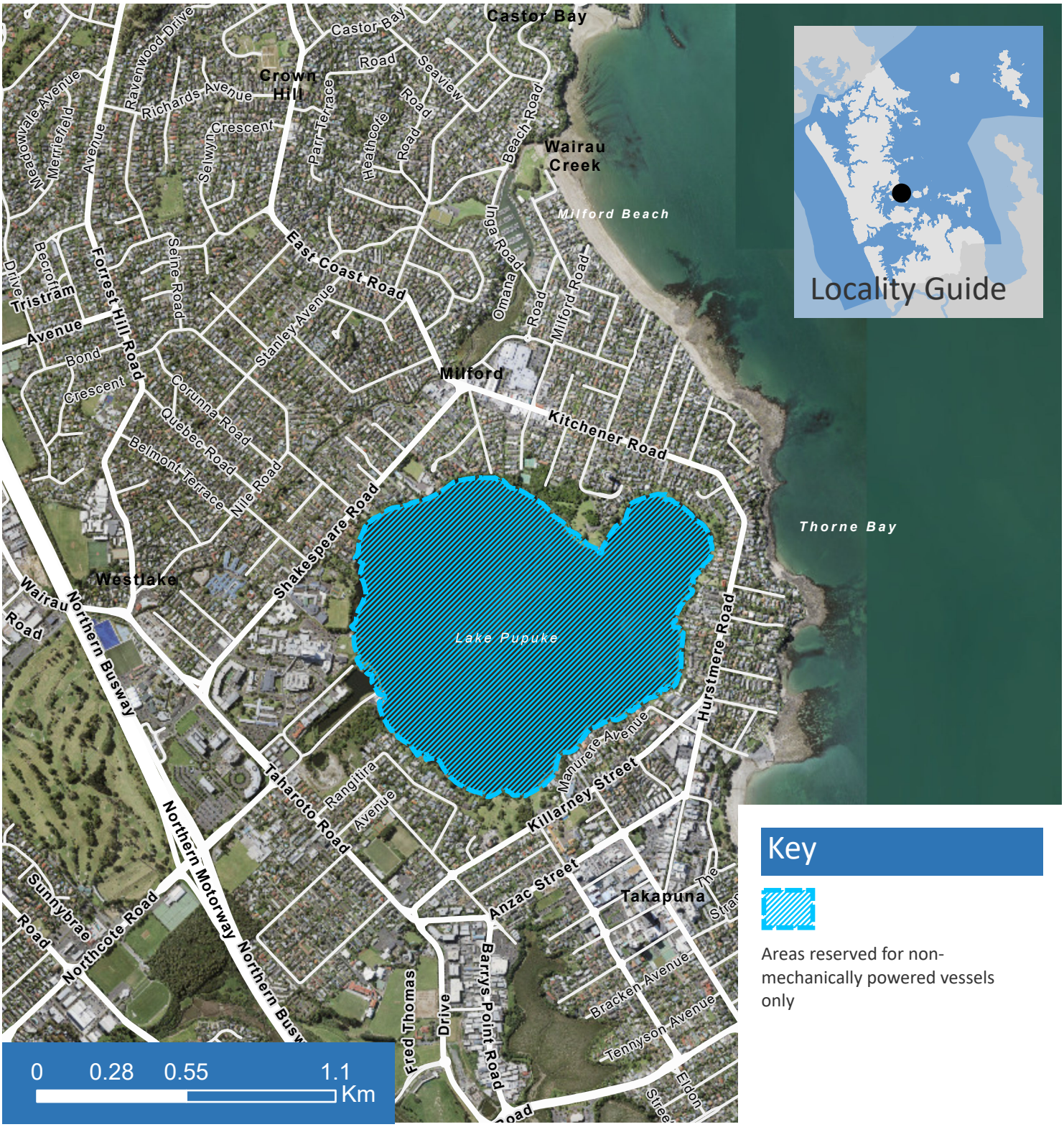
Type (purpose) of area	Location	Map	Page
Reserved area for non-power-driven vessels	Lake Pupuke	1.0	1
	Panmure Basin	1.1	2
Reserved area for swimmers and non-power-driven vessels	Point Chevalier	1.2	3
	Hellyers Creek	1.3	4
	Judges Bay	1.4	5
Reserved area for swimmers	St Heliers Beach	1.5	6
	Kohimarama	1.6	7
Reserved area for vessels towing water skiers, wake boards or sea biscuits	Panmure Basin	1.7	8
	Paremoremo Creek	1.8	9
	Henderson Creek	1.9	10
Reserved area for vessels towing water-skiers, or other motorised water sports Reserved area for swimmers and non-power-driven vessels	Lake Tomarata	1.10	11
Reserved area for vessels towing water skiers and by non-power-driven vessels	**Orākei Basin**		
	Reserved Area A	1.11	12
	Reserved Area B	1.12	13
Access lanes for the purpose of allowing power-driven vessels and power-driven vessels towing water-skiers, wake boards or sea biscuits to navigate from a beach or launching area	**WAITEMATĀ HARBOUR AND HAURAKI GULF**		
	Rodney		
	Scotts Landing	2.11	18
	Martins Bay	2.12	19
	Algies Bay	2.13	20
	Snells Beach	2.14	21
	Tamatea Drive (Snells Beach)	2.15	22

Type (purpose) of area	Location	Map	Page
	Sandspit	2.16	23
	Campbells Beach	2.17	24
	Hibiscus and Bays		
	Browns Bay	2.0	15
	Matakatia Bay	2.7	36
	Stanmore Bay	2.8	37
	Manly Beach	2.9	38
	Orewa Beach	2.10	17
	Waiheke Island		
	Surfdale	2.5	34
	Onetangi	2.6	35
	Motuihe Island		
	Ocean Beach	2.1	16
	Wharf Bay	2.2	27
	Howick		
	Eastern Beach	2.3	32
	Maraetai		
	Magazine Bay	2.4	33
	MANUKAU HARBOUR		
	Cornwallis Beach	2.18	25
	Little Huia	2.19	26
	Grahams Beach	2.20	28
	Hudsons Beach	2.21	29
	Kauritutahi Beach	2.22	30
	Glenbrook Beach	2.23	31
Prohibited anchorage	Hauraki Gulf	3.0	39

Type (purpose) of area	Location	Map	Page
	Waiheke Island	3.1	40
	Devonport (Naval Base)	3.2	41
	Kauri Point (Naval Base)	3.3	42
	Palmers Beach ? Great Barrier LB: request the inclusion of the anchorage site at the naval base by Palmers Beach.		
	Tāmaki River	3.5	44
Prohibited anchorage near underwater cables and pipelines	Manukau Harbour, Waitemata Harbour, Hauraki Gulf, Kaipara Harbour, Great Barrier Island	-	-
Restricted anchorage	Waitematā Harbour	3.4	43
Explosives safety zone	Auckland Outer Harbour (Motuihe Explosives Anchorage)	4.0	45
	Auckland Inner Harbour (No.6 inner harbour anchorage)	4.1	46
	Kauri Point Wharf	4.2	47
Restricted area for limiting the access of large vessels	Kawau	5.0	48
	Whangaparapara	5.1	49
	Fitzroy	5.2	50
	Mahurangi Estuary	5.3	51

Type (purpose) of area	Location	Map	Page
Restricted area for Kawau Island Restricted Speed Area	Kawau Island, Bon Accord Harbour	6.0	52
Restricted area for Waitematā Harbour Restricted Speed Zone	Waitematā Harbour	7.0	53
Restricted area for Auckland Ferry Terminal Basin	Auckland Ferry Terminal Basin	8.0	54
Restricted area for Commercial Port	Commercial Port Area	11.0	57
Restricted area for Motuihe Channel Fast Passenger Ferry Lane	Motuihe Channel	9.0	55
Restricted area for Harbour Bridge Precautionary Area	Auckland Harbour Bridge	10.0	56

Lake Pupuke
Map 1.0



Key

Areas reserved for non-mechanically powered vessels only

Conditions of use

All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Panmure Basin
Map 1.1



Key

Areas reserved for non-mechanically powered vessels only

Conditions of use

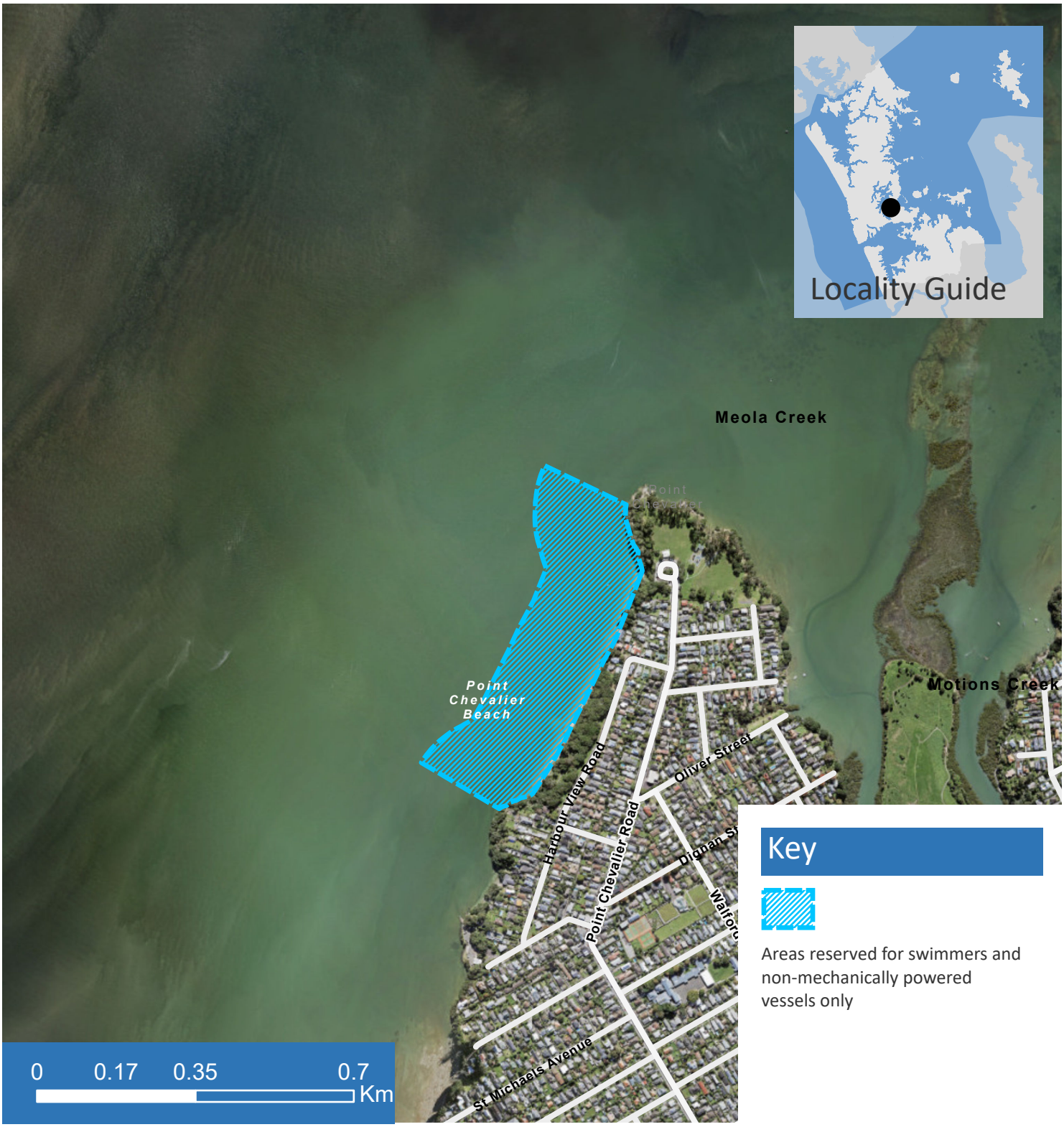
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Note 1: The reserved area can be identified by –

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- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Point Chevalier
Map 1.2



Key

Areas reserved for swimmers and non-mechanically powered vessels only

Conditions of use

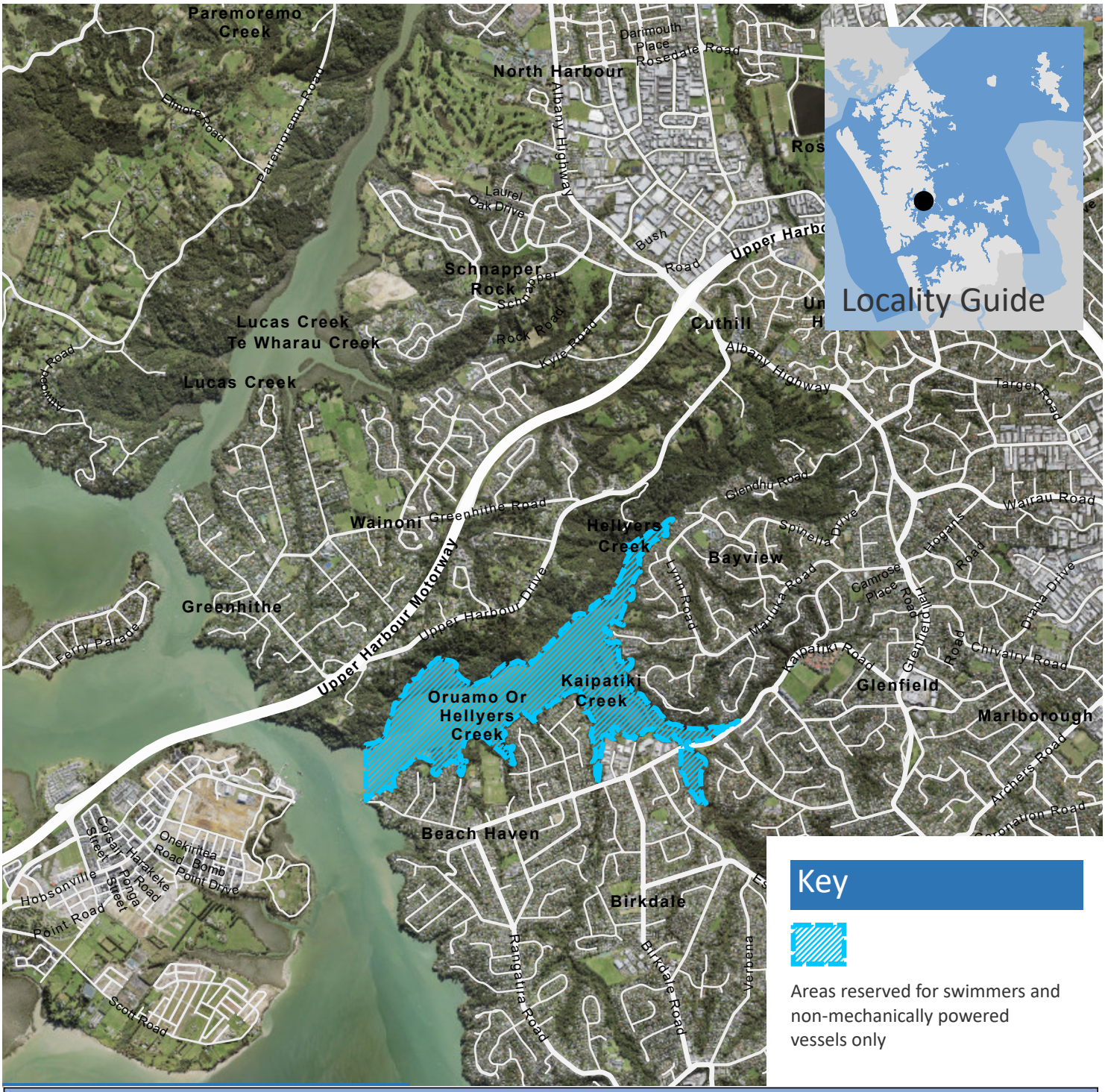
All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Hellyers Creek
Map 1.3



Key

Areas reserved for swimmers and non-mechanically powered vessels only

Conditions of use

1) Only activities stated in the purpose are allowed in the area.
2) However, 1) does not apply –
   a) to a person in charge of a power-driven vessel navigating at 5 knots or less to pass through the area provided that the vessel does so by the most direct route and does not remain within the area.
   b) if the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Judges Bay
Map 1.4



Key

Areas reserved for swimmers and non-mechanically powered vessels only

Conditions of use

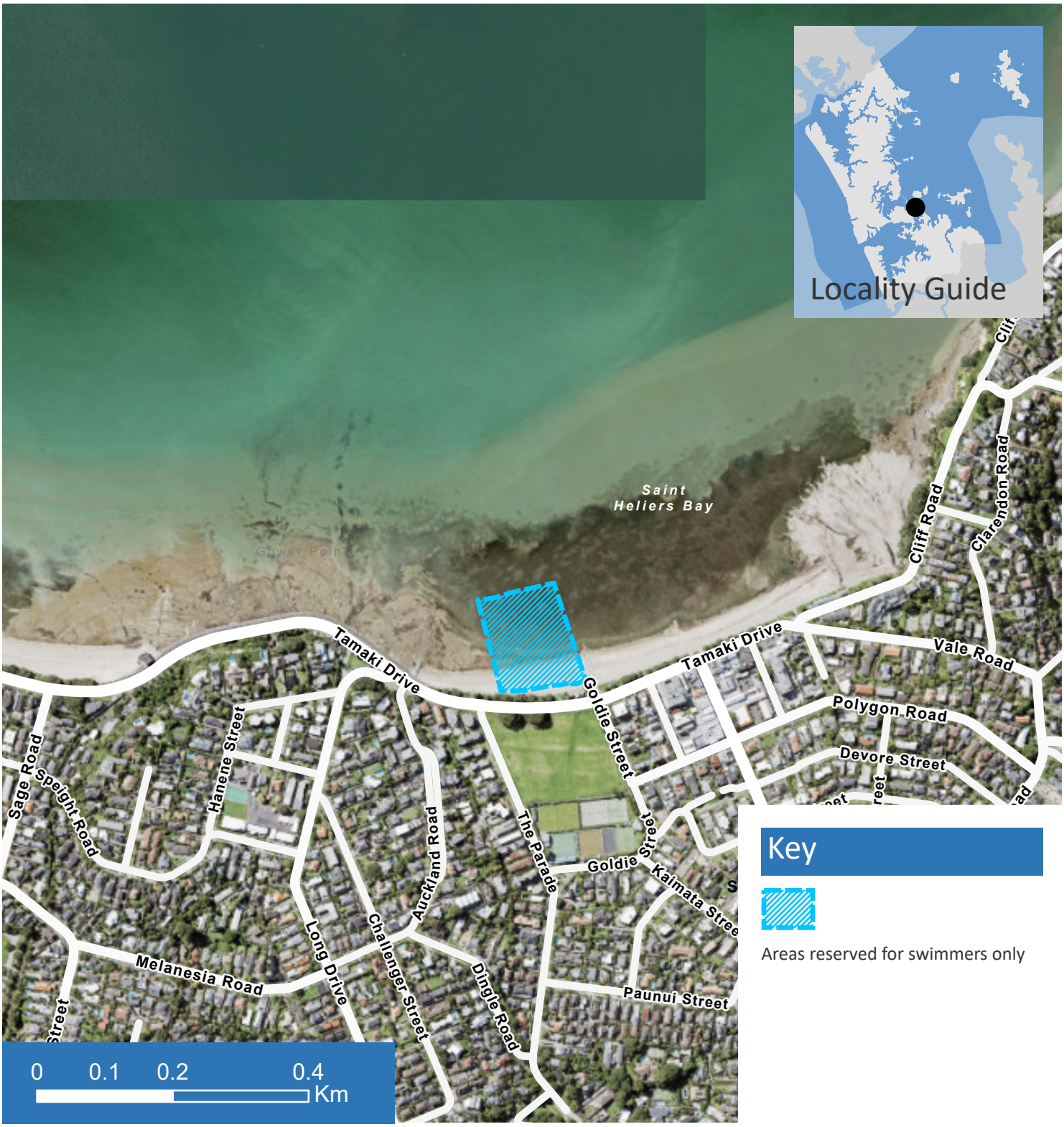
All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

St Heliers Beach
Map 1.5



Conditions of use

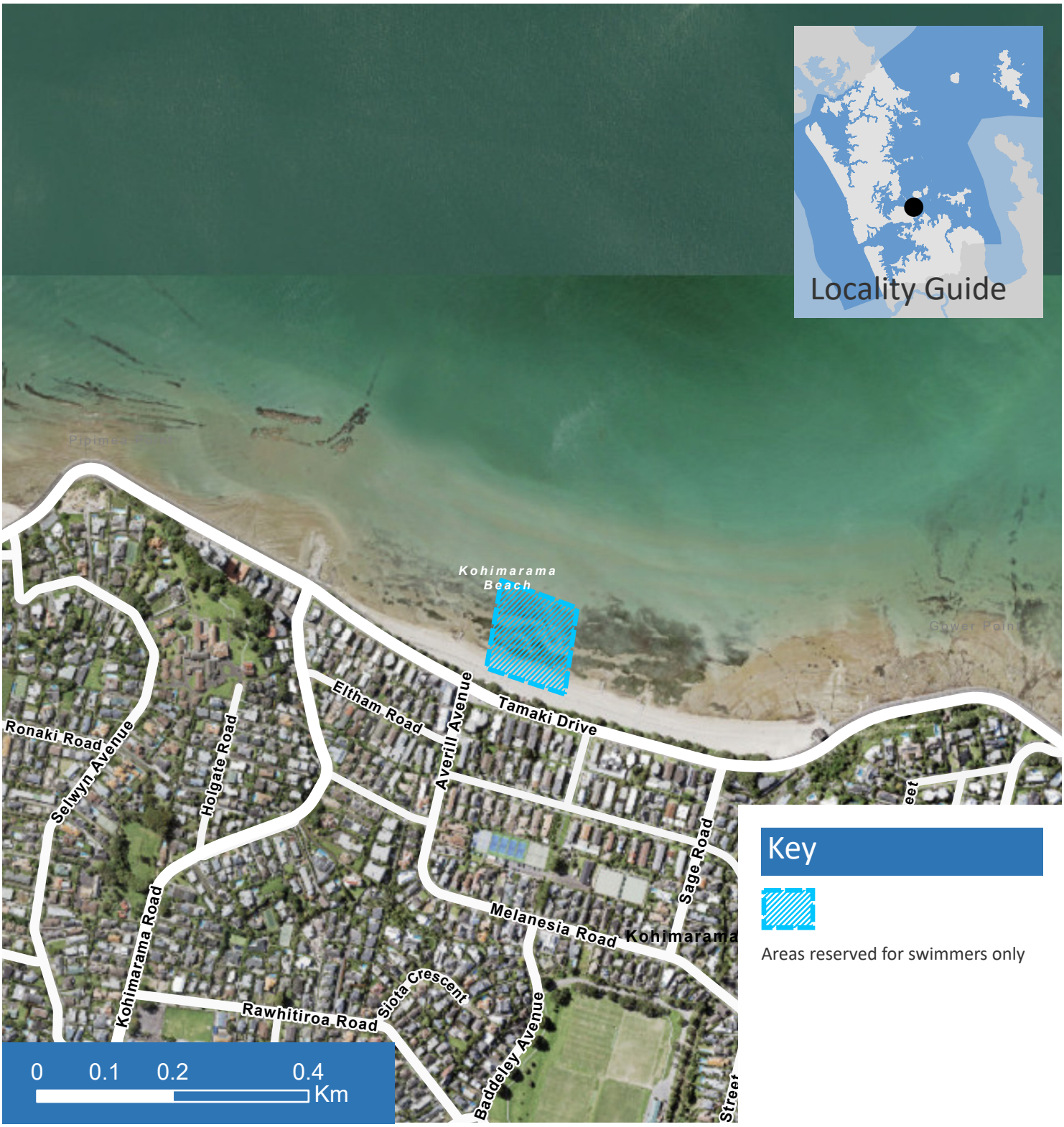
All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Kohimarama
Map 1.6



Key

Areas reserved for swimmers only

Conditions of use

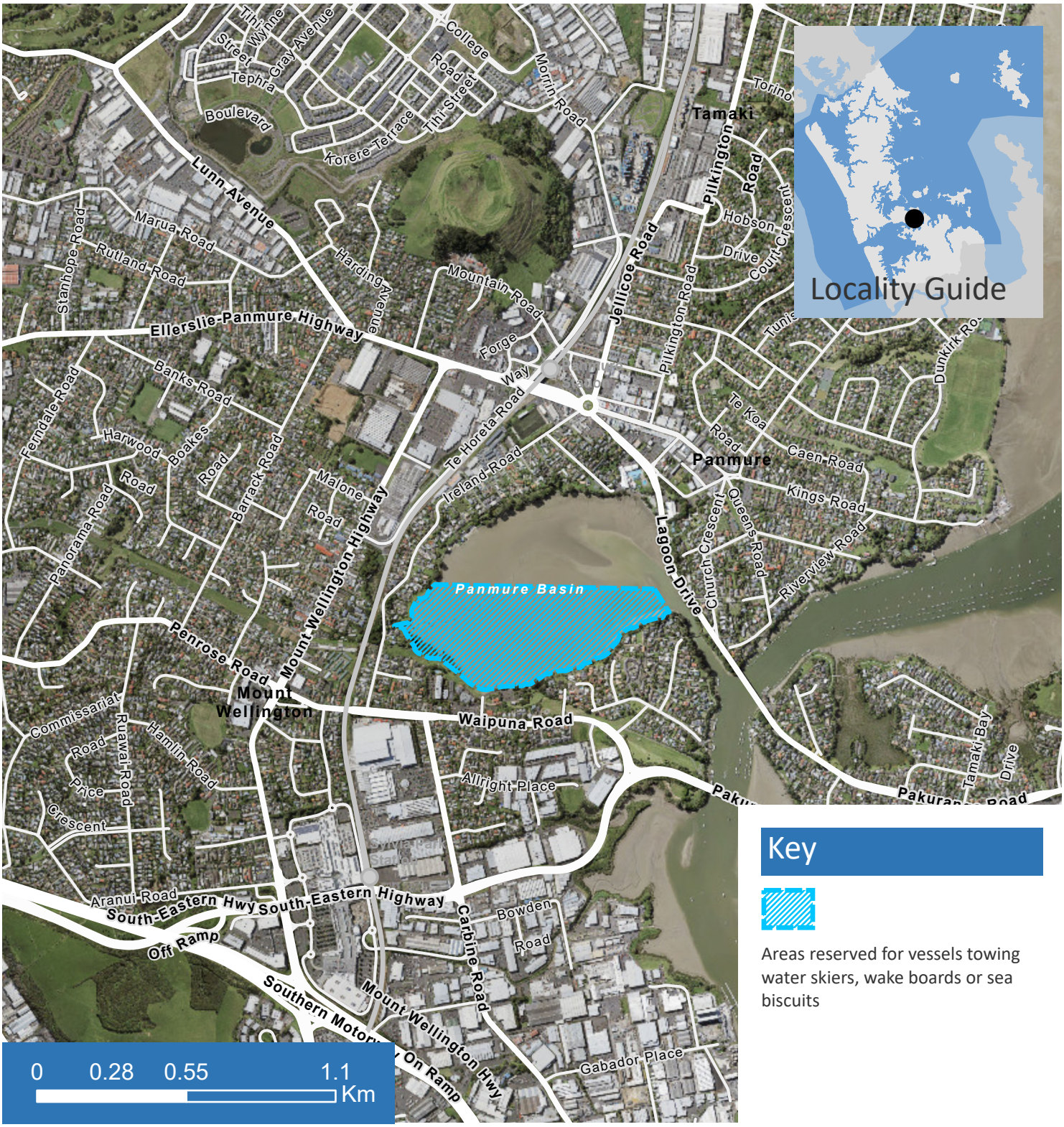
All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Panmure Basin
Map 1.7



Key

Areas reserved for vessels towing water skiers, wake boards or sea biscuits

Conditions of use

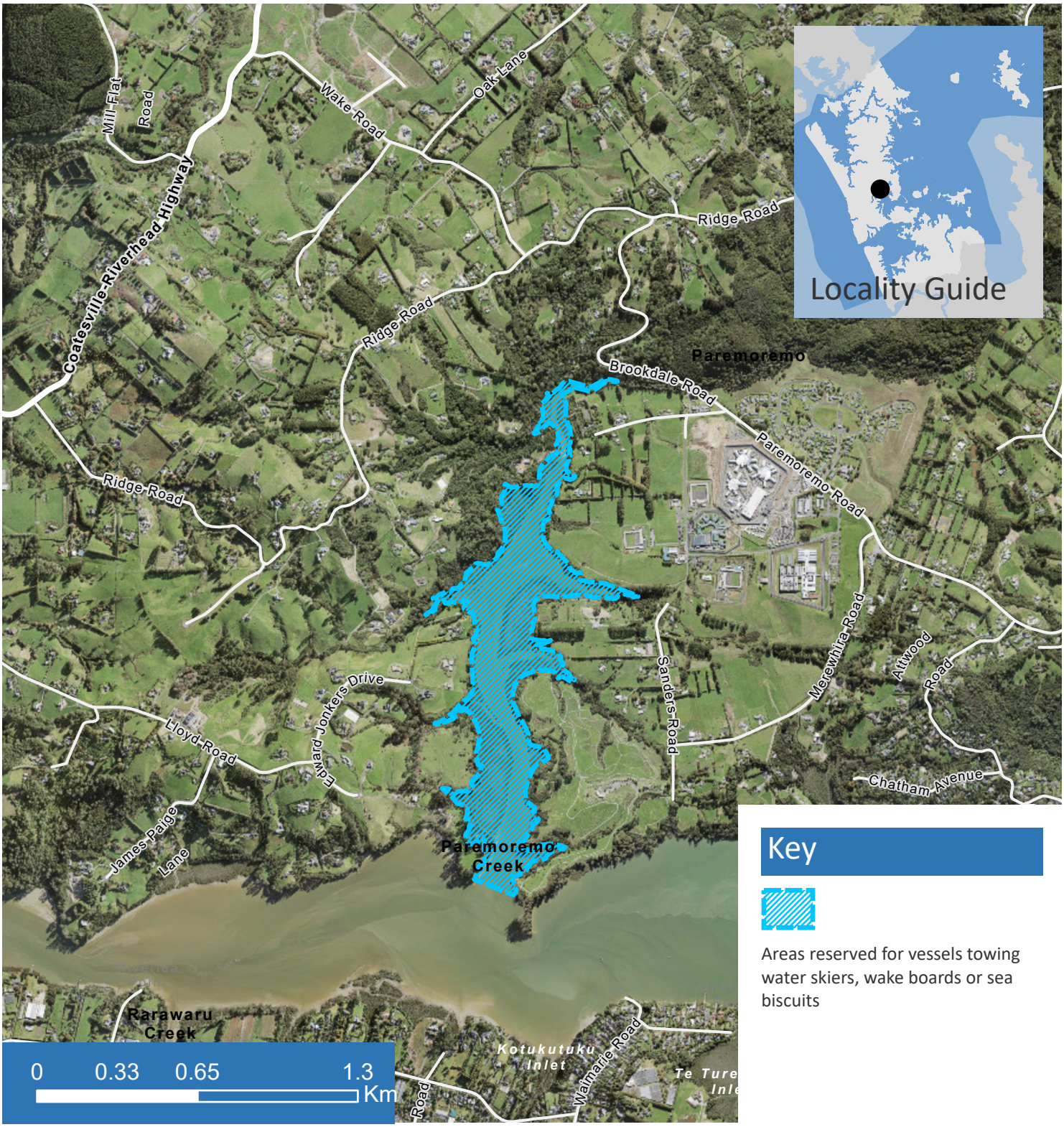
All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Paremoremo Creek
Map 1.8



Key

Areas reserved for vessels towing water skiers, wake boards or sea biscuits

Conditions of use

All areas unless stated

1) Only activities stated in the purpose are allowed in the area unless the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Henderson Creek
Map 1.9



Key

Areas reserved for vessels towing water skiers, wake boards or sea biscuits

Conditions of use

1) Only activities stated in the purpose are allowed in the area.
2) However, 1) does not apply –
   a) to a person in charge of a power-driven vessel navigating at 5 knots or less to pass through the area provided that the vessel does so by the most direct route and does not remain within the area.
   b) if the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Lake Tomarata
Map 1.10



Key

Area reserved for vessels towing water-skiers, or other motorised water sports

Conditions of use

1) Only vessels towing water-skiers or other motorised water sports activities allowed in the majority area marked on the map.
2) Only swimmers and non-mechanically powered vessels allowed in the small northern portion of Lake Tomarata marked on the map.
3) However, 1) and 2) does not apply if the Harbourmaster has given prior written approval.

Note 1: The reserved area can be identified by –

- signs in the immediate vicinity of the reserved area that clearly define the area and purpose
- black posts with white horizontal bands if the reserved area is marked on shore
- black buoys with white bands if the reserved area is marked at sea.

Orakei Basin - Reserved Area A

Map 1.11



Key

Areas reserved for use of the Orakei Basin

Conditions of use

Located on page 14

Orakei Basin - Reserved Area B

Map 1.12



Key

Areas reserved for use of the Orakei Basin

Conditions of use
Located on page 14

Conditions of use for Orākei Basin Reserved Areas A and B

Main purpose is for water skiing and use of non-power-driven vessels

1) A person must not use any vessel or undertake any activity within navigable water at Ōrākei Basin unless –
   a) it is a power-driven vessel being used to tow a person on water skis;
   b) it is a non-power-driven vessel; or
   c) the council has given prior written approval.
2) Examples of activities that require approval in 1) include –
   a) swimming;
   b) fishing or placing of fishing apparatus;
   c) any commercial purpose (for example vessel hire);
   d) anchoring a vessel;
   e) exclusive use of particular types of vessels;
   f) events; and
   g) placing any mooring, buoy or structure.
3) However, a person must not enter any area the council has given approval for exclusive use or an event unless that person is participating in that use or event.

Power-driven and non-power-driven vessels to use separate areas

4) A person in charge of a power-driven vessel towing a water skier has priority in Reserved Area A.
5) However, a person in charge of a non-power-driven vessel may enter Reserved Area A when it is not being used by any power-driven vessel towing a water skier.
6) A person in charge of a non-power-driven vessel have priority in Reserved Area B.
7) However, a person in charge of a power-driven vessel towing a water skier may enter Reserved Area B when it is not being used by any non-power-driven vessels.

Activities must be undertaken safely

8) A person water skiing must not ski within five metres of any buoy or ski jump unless approved by the Auckland Water Ski Club.
9) The person in charge of a power-driven vessel must –
   a) not exceed a speed of 5 knots –
      i) within 20 metres of any jetty or boat ramp;
      ii) within 10 metres of the shoreline except when the vessel is using an area reserved for an event approved by the council; or
      iii) within 50 metres of any vessel or person in or on the water; and
   b) not exceed a speed of 35 knots (65km/h) in all other situations.

Power-driven vessels must operate in a particular way

10) The person in charge of a vessel towing a water skier must –
   (a) travel in an anticlockwise direction if there is more than one power-driven vessel on the water; and
   (b) not operate the vessel from sunset to –
      (i) 7am on Monday to Friday inclusive;
      (ii) 8am on Saturdays and public holidays except Good Friday and Christmas Day; and
      (iii) 9am on Sundays, Good Friday and Christmas Day.

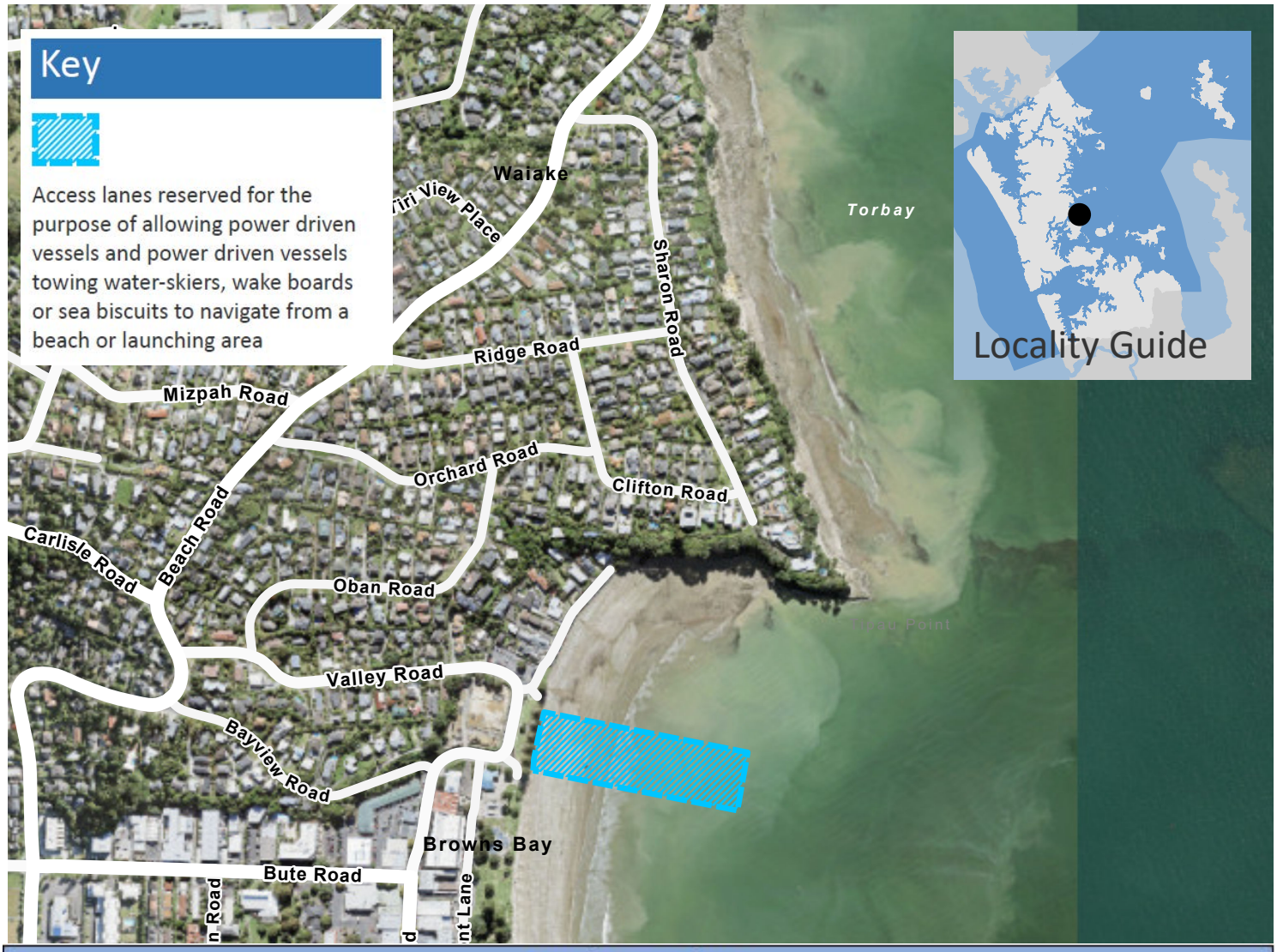
All other applicable Navigation Safety Bylaw and Maritime Rules apply unless there is a conflict

11) A person using Ōrākei Basin must comply with any applicable Navigation Safety Bylaw and Maritime Rules (for example in relation to personal flotation devices, 5 knot speed limit when any part of a person is extending over the edge of the vessel, and having a lookout when towing a water skier).
12) However, if a rule in (1) conflicts with a condition of use in this reserved area, the condition of use applies (prevails).

Vessels to come to shore when requested

The person in charge of a vessel on Ōrākei Basin must propel the vessel to shore when requested by the council.

Browns Bay
Map 2.0



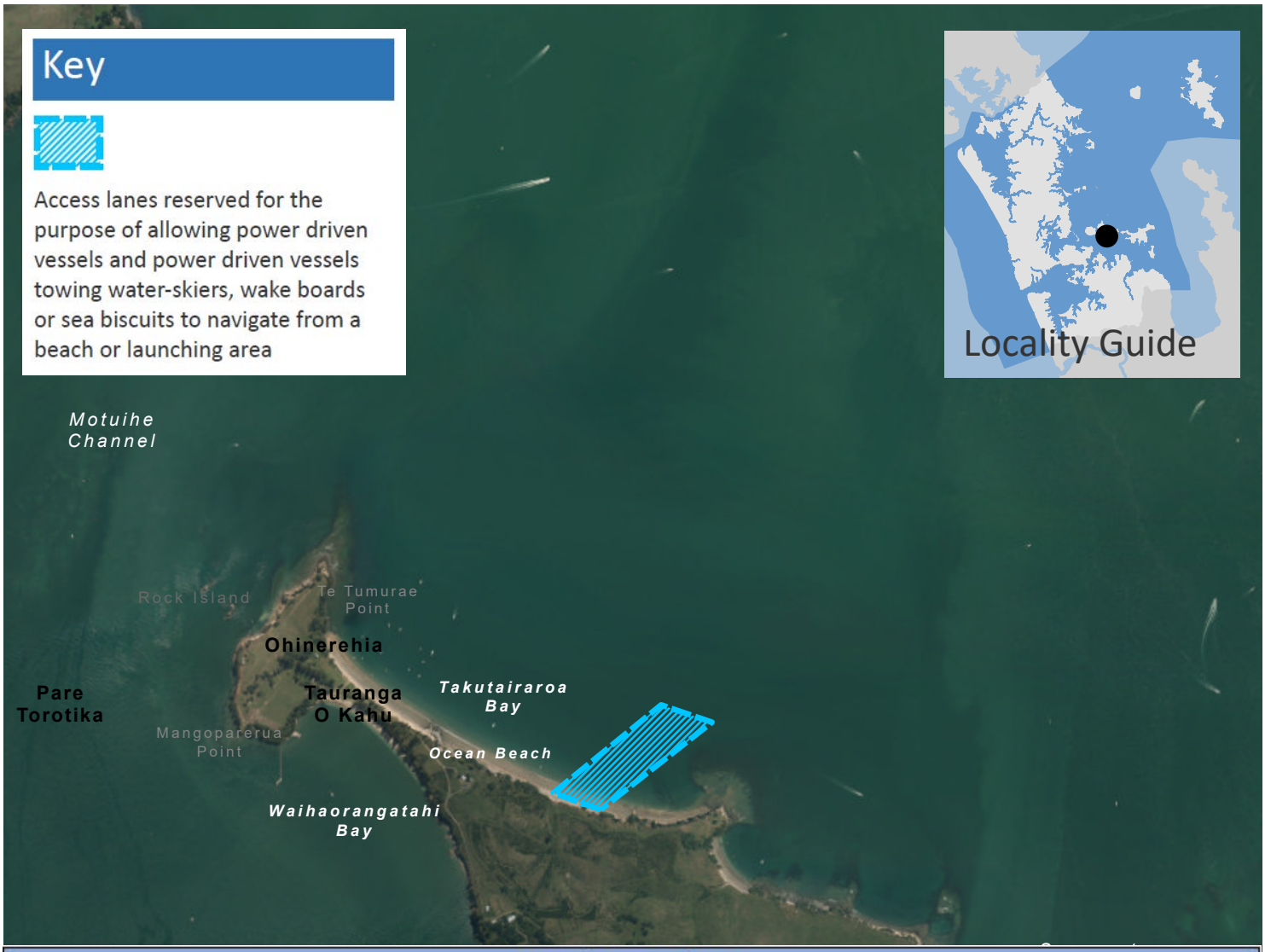
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Motuihe Island - Ocean Beach
Map 2.1



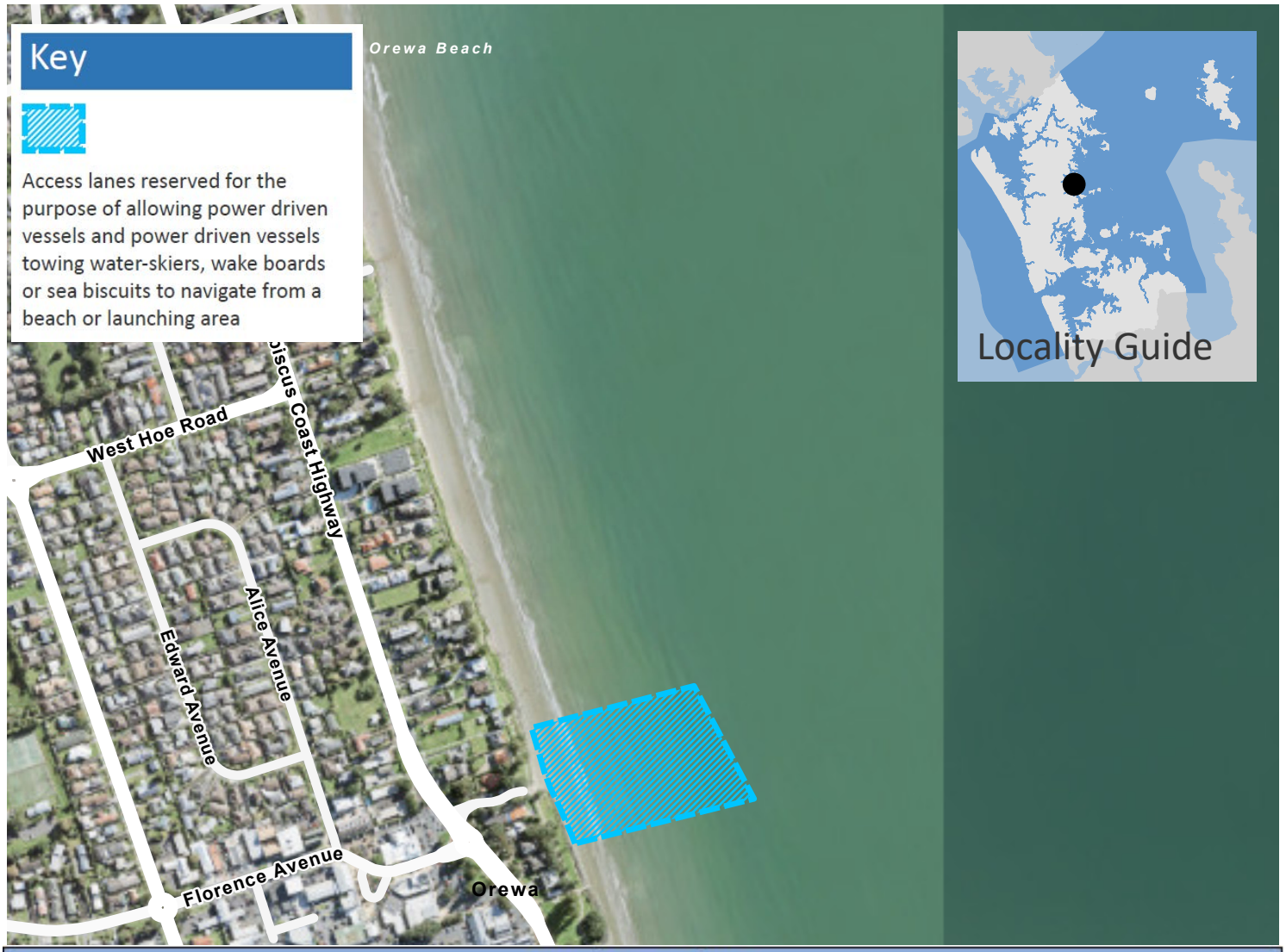
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
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2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
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3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Orewa Beach
Map 2.10



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Scotts Landing
Map 2.11



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Martins Bay
Map 2.12



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Algies Bay
Map 2.13



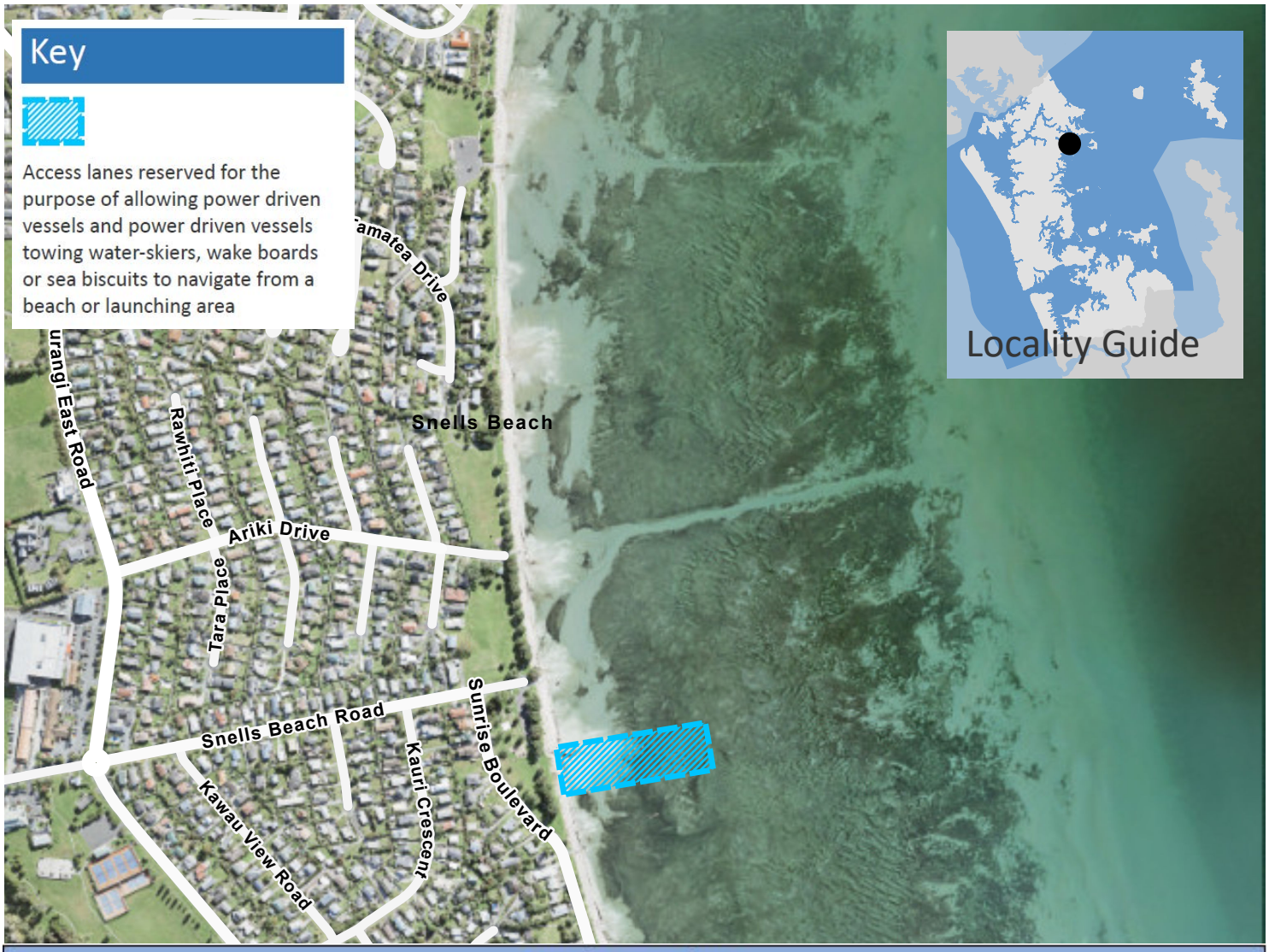
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Snells Beach
Map 2.14



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

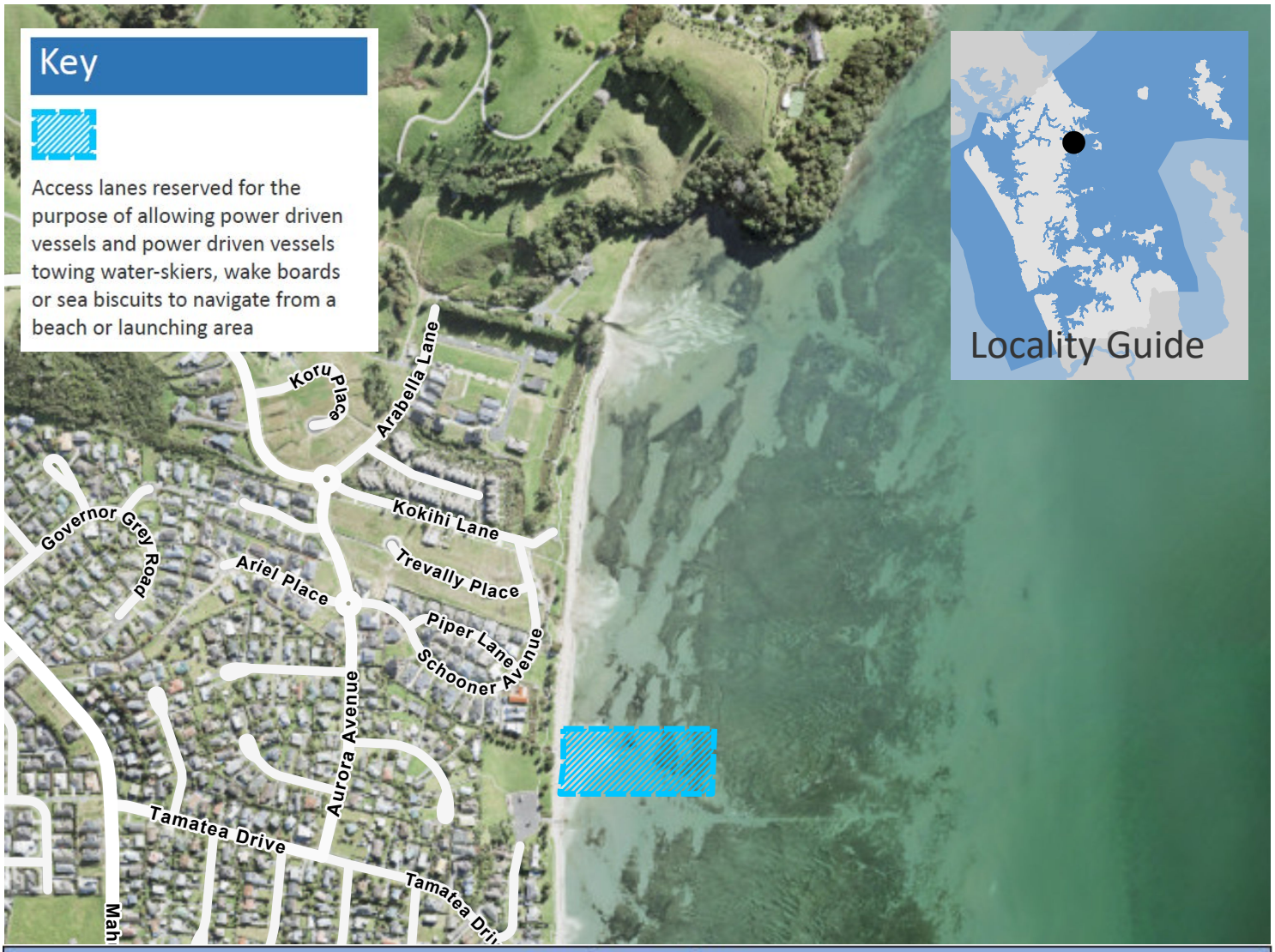
2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Tamatea Drive (Snells Beach)
Map 2.15



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Sandspit
Map 2.16



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Campbells Beach
Map 2.17



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Cornwallis Beach
Map 2.18



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Little Huia

Map 2.19



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Motuihe Island - Wharf Bay
Map 2.2



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Grahams Beach
Map 2.20



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Hudsons Beach
Map 2.21



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Kauritutahi Beach
Map 2.22



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Glenbrook Beach
Map 2.23



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

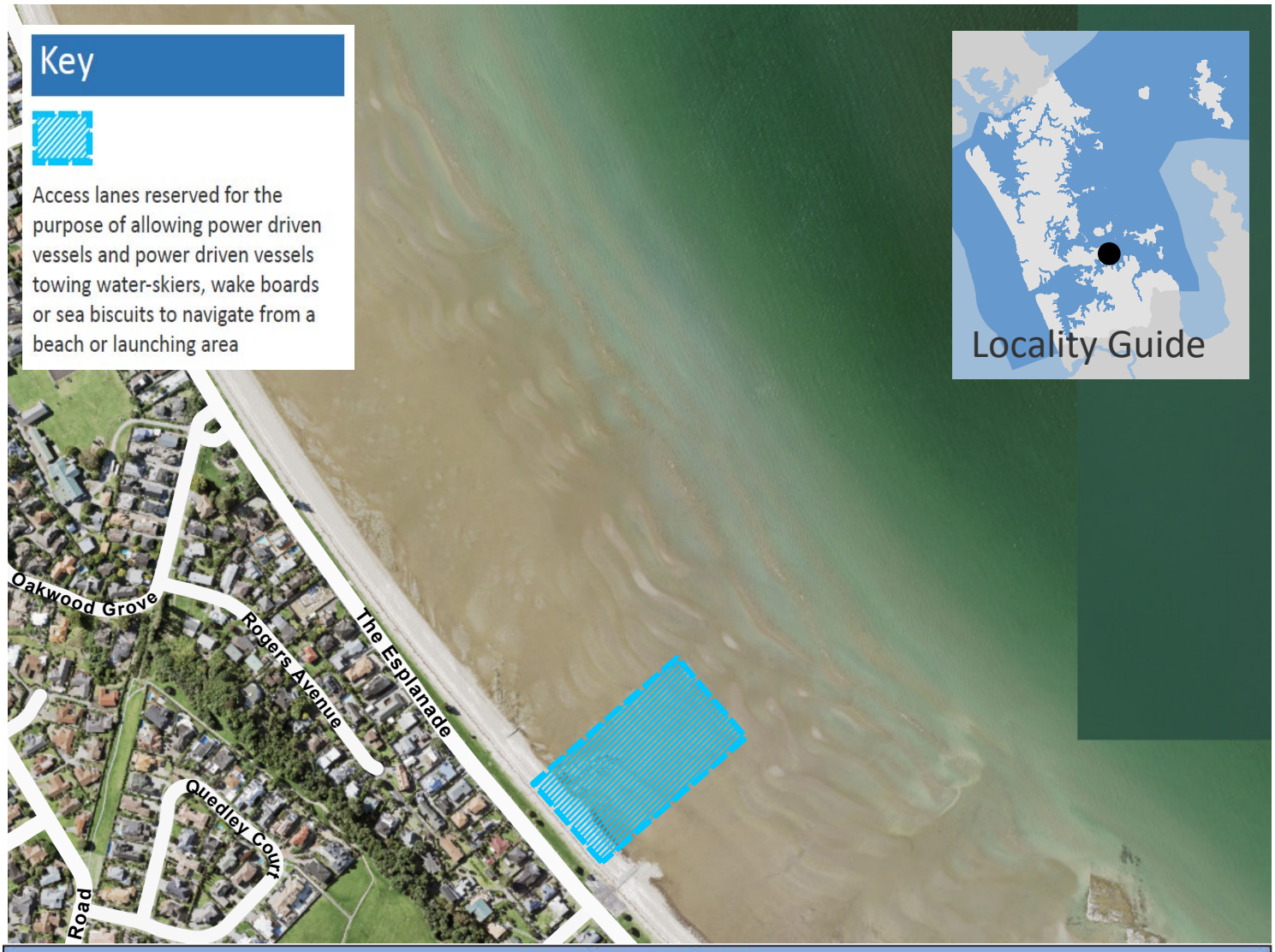
2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Eastern Beach
Map 2.3



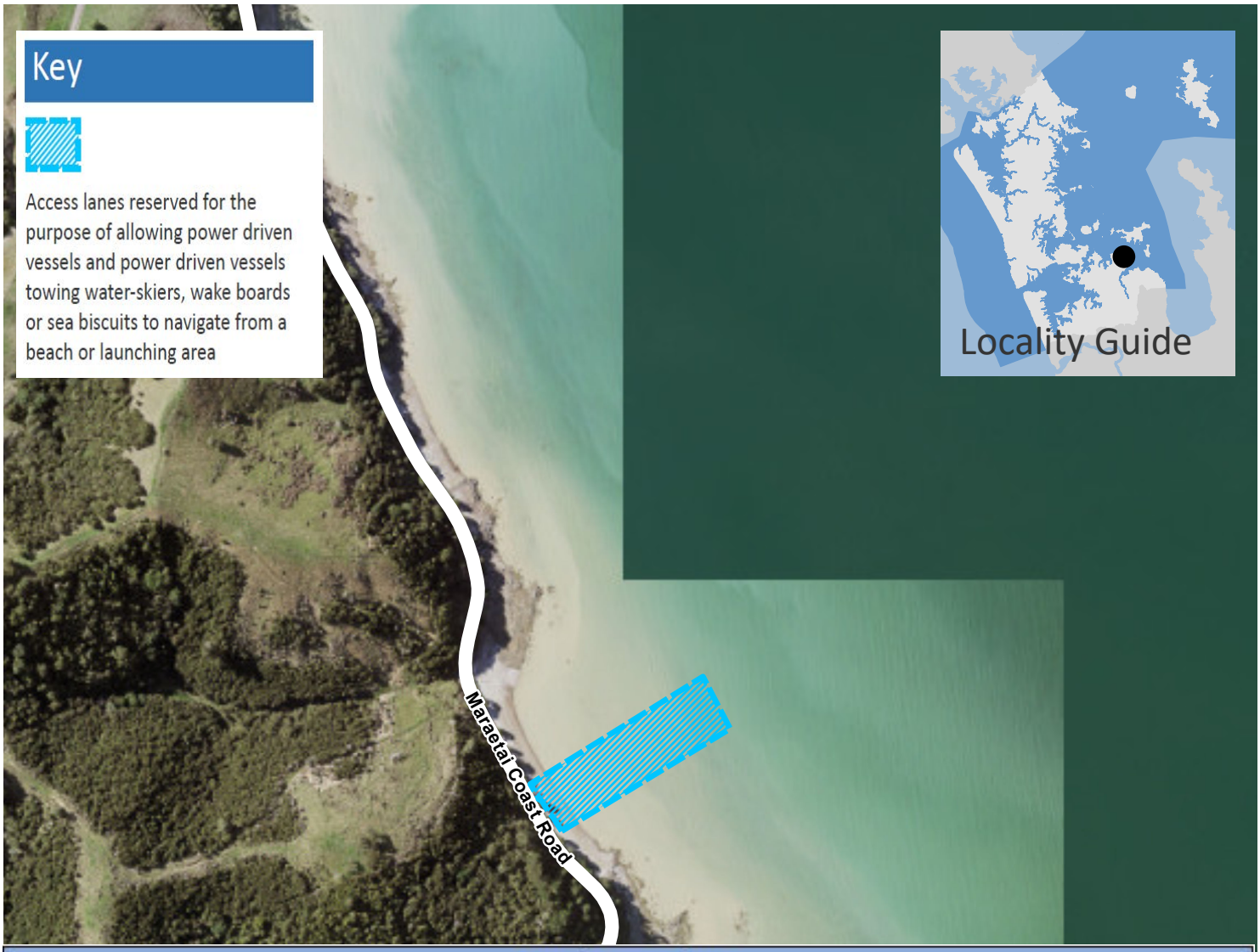
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Magazine Bay
Map 2.4



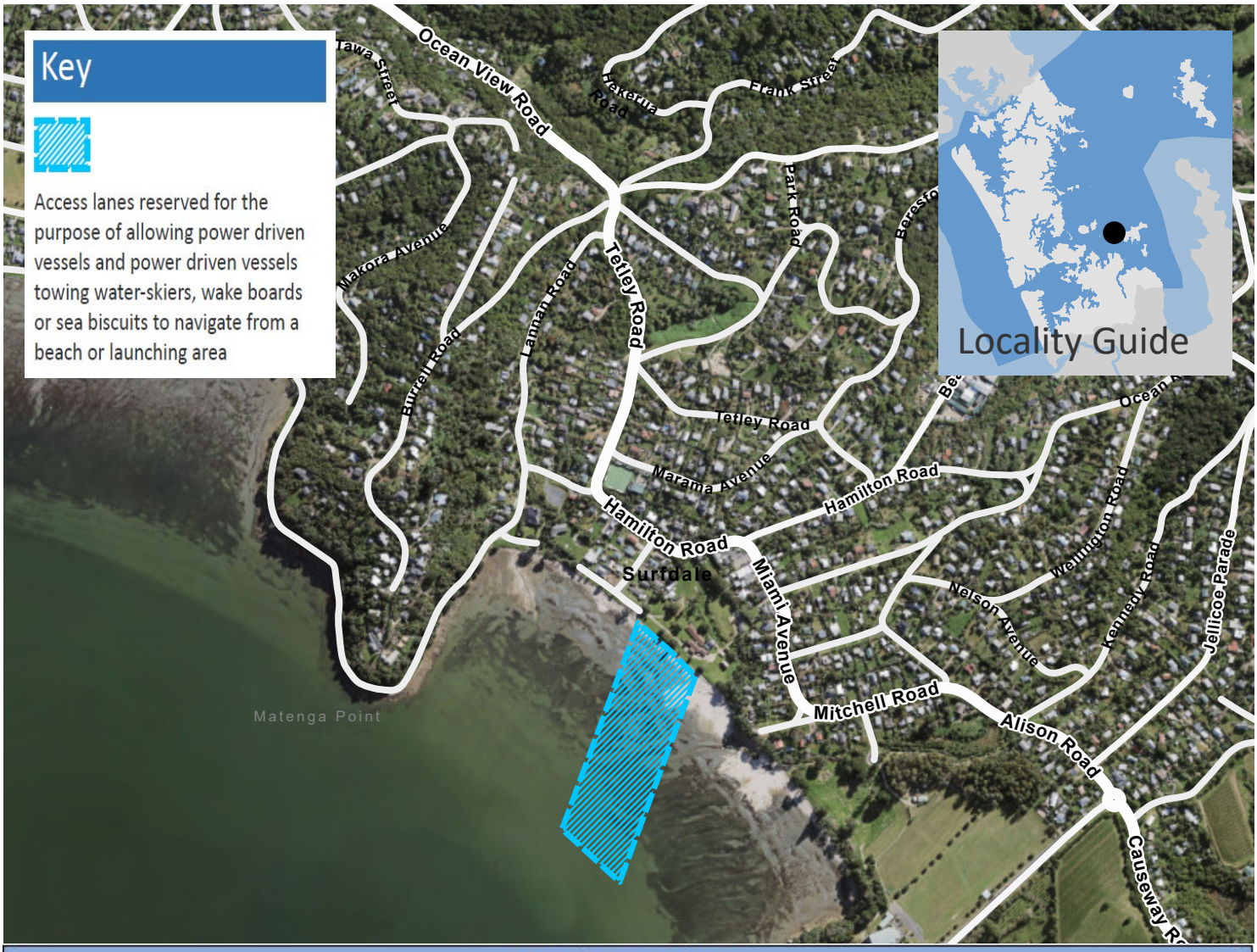
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Waiheke Island - Surfdale
Map 2.5



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

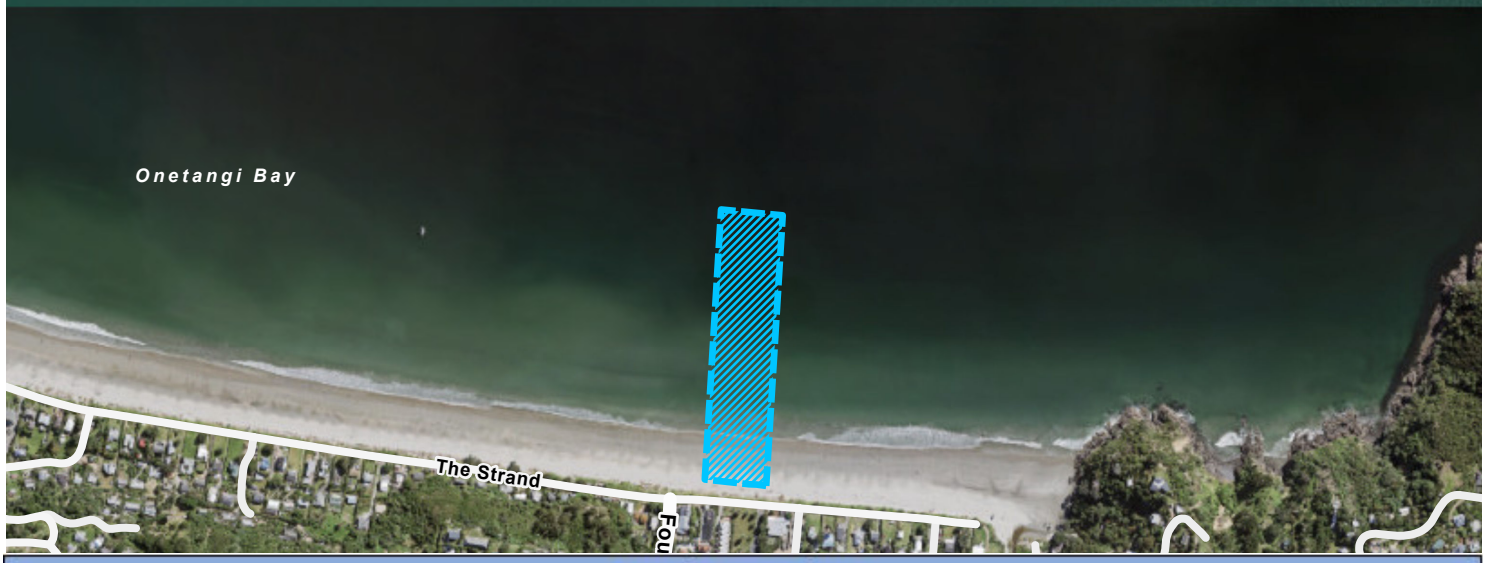
Waiheke Island - Onetangi
Map 2.6

N

Key

Access lanes reserved for the purpose of allowing power driven vessels and power driven vessels towing water-skiers, wake boards or sea biscuits to navigate from a beach or launching area





Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Matakatia Bay
Map 2.7



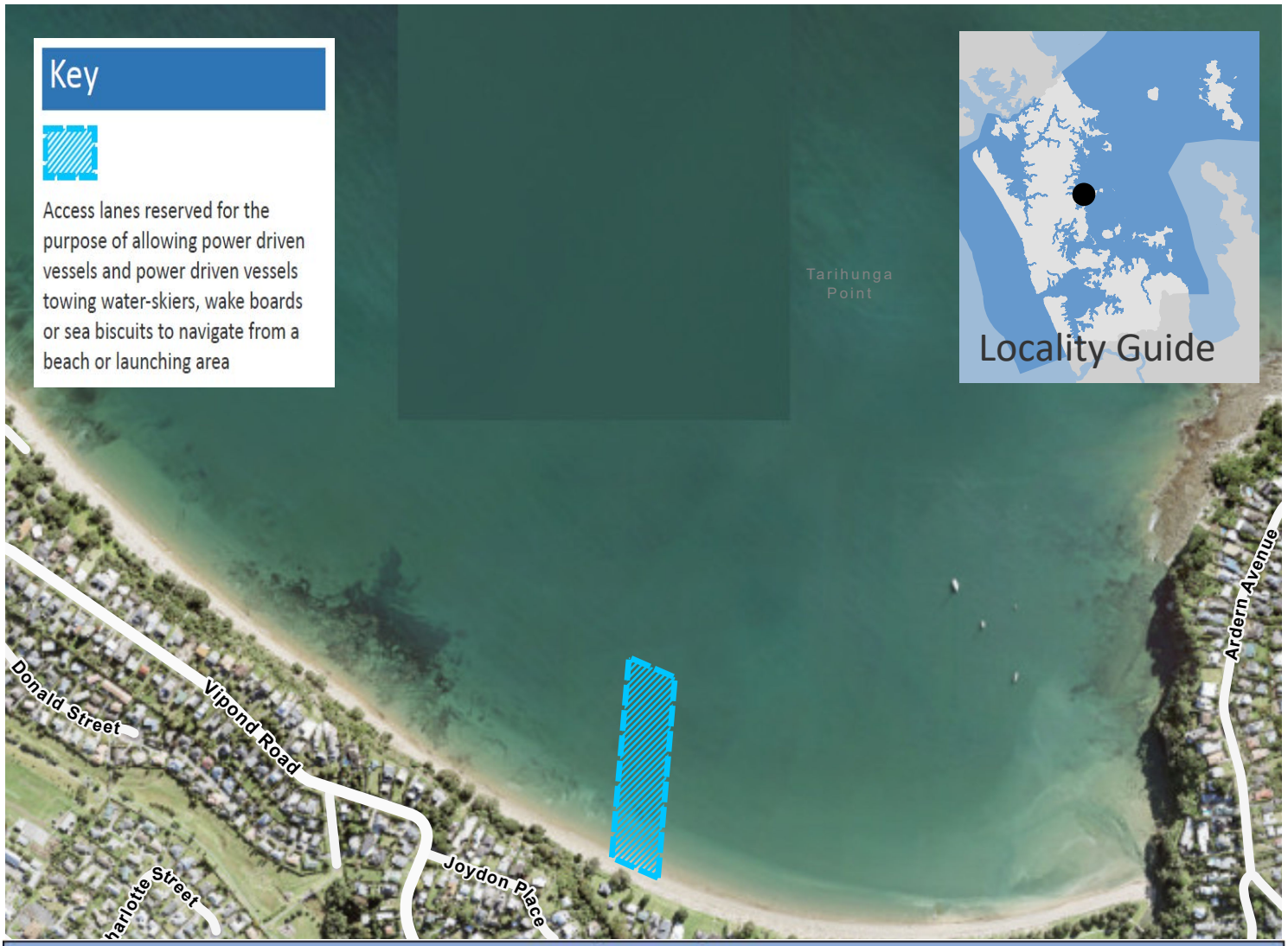
Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Stanmore Bay
Map 2.8



Conditions of use

1) The person in charge of a vessel –
   - a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   - b) must only enter, remain in or use the access lane for its intended purpose;
   - c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   - d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   - e) must not obstruct any other vessel or other person in the access lane; and
   - f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.

2) any person being towed –
   - a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   - b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   - c) must not obstruct any other vessel or other person in the access lane.

3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   - a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   - b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Manly Beach
Map 2.9



Conditions of use

1) The person in charge of a vessel –
   a) may exceed a proper speed of 5 knots within 200 metres of the shore;
   b) must only enter, remain in or use the access lane for its intended purpose;
   c) must ensure the vessel and any person or object being towed proceeds by the most direct route through the access lane on that side of the access lane that lies to the starboard (right) side of the vessel;
   d) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane;
   e) must not obstruct any other vessel or other person in the access lane; and
   f) must not anchor or moor the vessel in the access lane unless the Harbourmaster has given prior written approval.
2) any person being towed –
   a) must ensure they and any object on which they are being towed, travel by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel;
   b) must not proceed in a manner that is dangerous to any other vessel or other person in the access lane; and
   c) must not obstruct any other vessel or other person in the access lane.
3) any person not in charge or on board a vessel in (1) or being towed in (2) –
   a) must not enter, remain in or use the access lane (for example to swim) when it is being used for its intended purpose; and
   b) must not obstruct any vessel or other person using the access lane for its intended purpose (for example in the way of water skier landing on the shore).

Note: Access lanes can be identified by –

- orange posts with horizontal black bands on shore
- orange buoys with black bands at its outer edge
- a sign or signs in the vicinity of the access lane that state its purpose

Prohibited Anchorage Area - Hauraki Gulf

Map 3.0



Conditions of use

1) A person in charge of a vessel must not anchor or moor a vessel in a prohibited anchorage unless –
   a) the Harbourmaster has given prior written approval; or
   b) in an emergency.

Note: There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational charts NZ 532 - Approaches to Auckland, NZ 5322 - Auckland Harbour East and NZ 5323 - Auckland Harbour West.

Prohibited Anchorage Area - Waiheke Island
Map 3.1



Key

Areas reserved as prohibited anchorage areas

Conditions of use

1) A person in charge of a vessel must not anchor or moor a vessel in a prohibited anchorage unless –
   a) the Harbourmaster has given prior written approval; or
   b) in an emergency.

The prohibited anchorage area is that sea area in Matiatia Bay between the lines described as follows:

(i) from the northern edge of the boat ramp located to the north of the old Matiatia Wharf to the headland (Mokemoke Point) on the northern side of the entrance to the bay;

(ii) from the southern edge of the boat ramp located to the south of the new Matiatia Wharf to the headland (Te Whetumatarau Point), on the southern side of the entrance to the bay.

Prohibited Anchorage Area - Devonport (Naval Base)
Map 3.2



Key

Areas reserved as prohibited anchorage areas

Conditions of use
1) A person in charge of a vessel must not anchor or moor a vessel in a prohibited anchorage unless – a) the Harbourmaster has given prior written approval; or b) in an emergency. There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational chart NZ 5322 - Auckland Harbour East.

Prohibited Anchorage Area - Kauri Point (Naval Base)
Map 3.3



Key

Areas reserved as prohibited anchorage areas

Conditions of use

1) A person in charge of a vessel must not anchor or moor a vessel in a prohibited anchorage unless –
   a) the Harbourmaster has given prior written approval; or
   b) in an emergency.

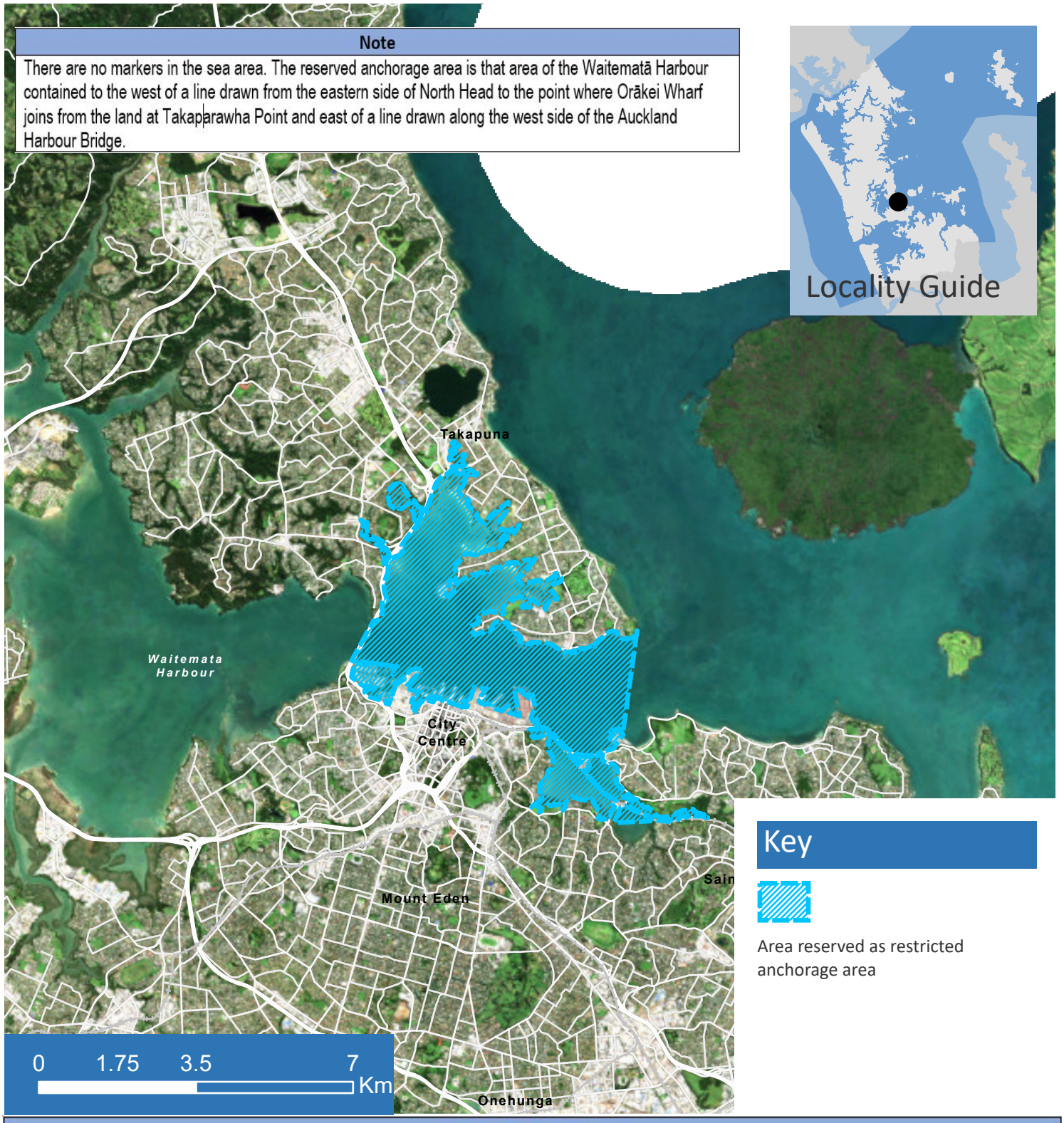
There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational chart NZ 5323 - Auckland Harbour West.

Restricted Anchorage Area - Waitemata Harbour
Map 3.4

N

Note

There are no markers in the sea area. The reserved anchorage area is that area of the Waitematā Harbour contained to the west of a line drawn from the eastern side of North Head to the point where Orākei Wharf joins from the land at Takaparawha Point and east of a line drawn along the west side of the Auckland Harbour Bridge.



Key

Area reserved as restricted anchorage area

Conditions of use

1) The person in charge of a vessel must not anchor or moor a vessel within the area unless –
   a) the vessel is kept ready to make immediate departure and an anchor watch on board the vessel is maintained at all times; or
   b) the Harbourmaster has directed a commercial vessel to anchor or moor in the area; or
   c) the Harbourmaster has given prior written approval to anchor or moor in the area for commercial, engineering, construction, or scientific purposes; or
   d) in an emergency.

Tamaki Entrance
Map 3.5



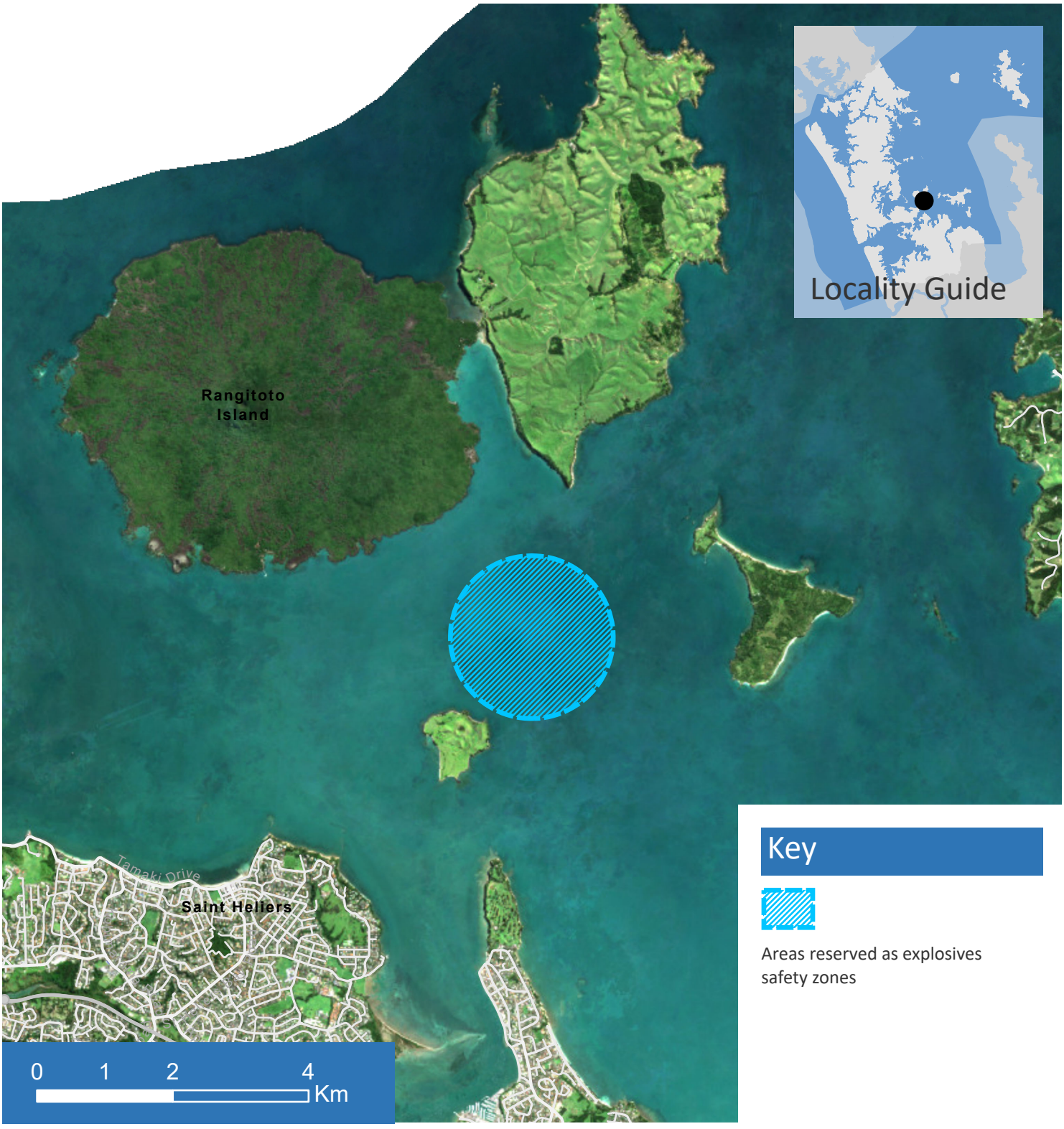
Key

Prohibited anchorage area

Conditions of use
1) A person in charge of a vessel must not anchor or moor a vessel in a prohibited anchorage unless – a) the Harbourmaster has given prior written approval; or b) in an emergency.

Explosives Safety Zone - Auckland outer harbour

Map 4.0



Conditions of use

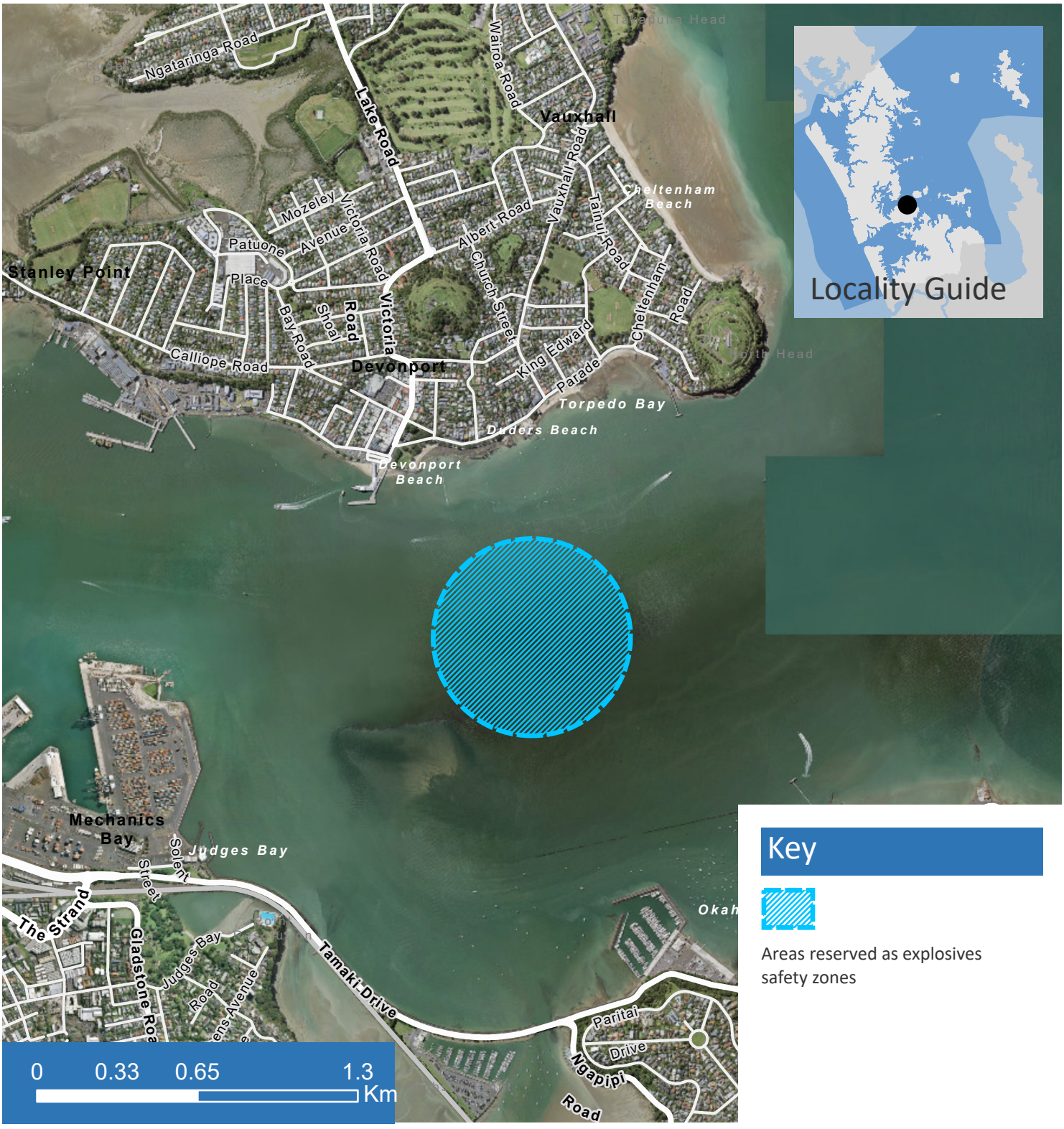
1) The person in charge of a vessel must obtain the written approval of the Harbourmaster before entering an Explosives Safety Zone in that vessel.
2) However, even with approval, that person must not enter if there is a vessel anchored or berthed in the zone displaying code Flag B (taking on or discharging explosive substance) or an all-round red light.


Flag B

Note: There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational chart: NZ 5324 - Tamaki Strait & Approaches including Waiheke Island.

Explosives Safety Zone - Auckland inner harbour

Map 4.1



Key

Areas reserved as explosives safety zones

Conditions of use

1) The person in charge of a vessel must obtain the written approval of the Harbourmaster before entering an Explosives Safety Zone in that vessel.
2) However, even with approval, that person must not enter if there is a vessel anchored or berthed in the zone displaying code Flag B (taking on or discharging explosive substance) or an all-round red light.



Flag B

Note: There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational chart: NZ 5322 - Auckland Harbour East.

Explosives Safety Zone - Kauri Point Wharf
Map 4.2



Key

Areas reserved as explosives safety zones

Conditions of use

1) The person in charge of a vessel must obtain the written approval of the Harbourmaster before entering an Explosives Safety Zone in that vessel.
2) However, even with approval, that person must not enter if there is a vessel anchored or berthed in the zone displaying code Flag B (taking on or discharging explosive substance) or an all-round red light.

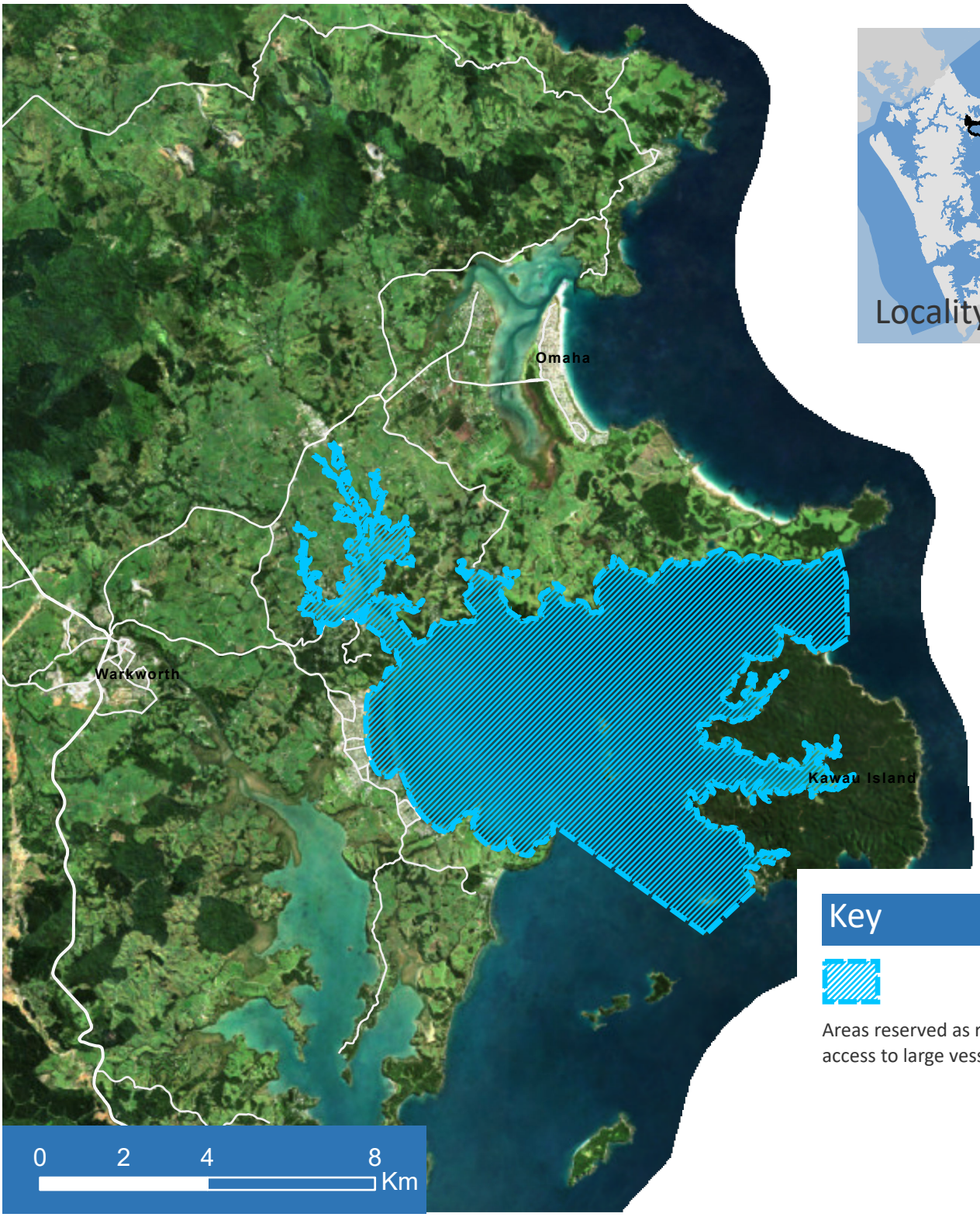


Flag B

Note: There are no markers in the sea area. The exact area is defined by the following Land Information New Zealand (LINZ) navigational chart: NZ 5323 - Auckland Harbour West.

Restricted Access to Large Vessels - Kawau

Map 5.0





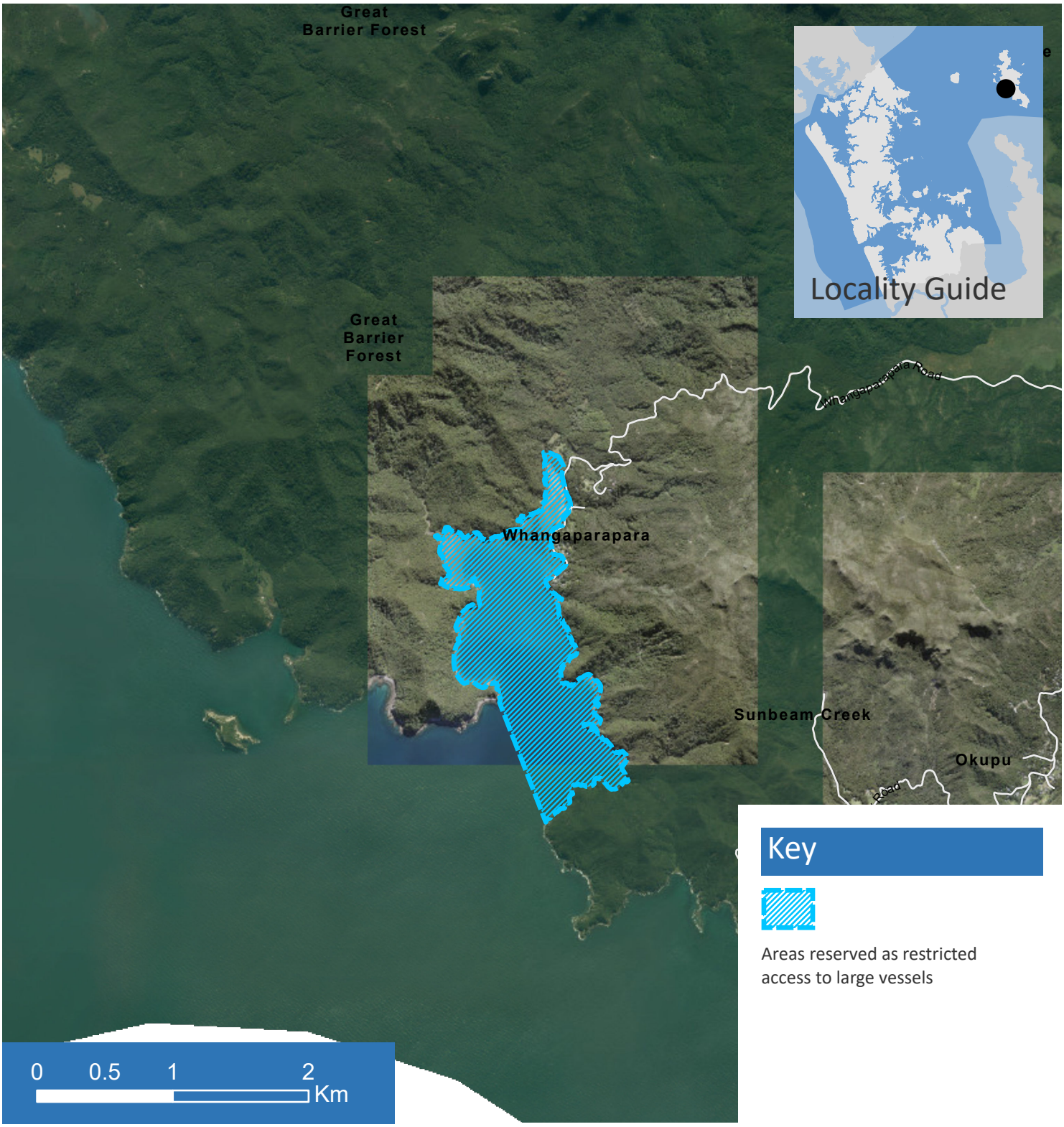
Key

Areas reserved as restricted access to large vessels

Conditions of use
As required in clause 46, the person in charge of a large vessel must obtain the approval of the Harbourmaster before the vessel enters the restricted area.

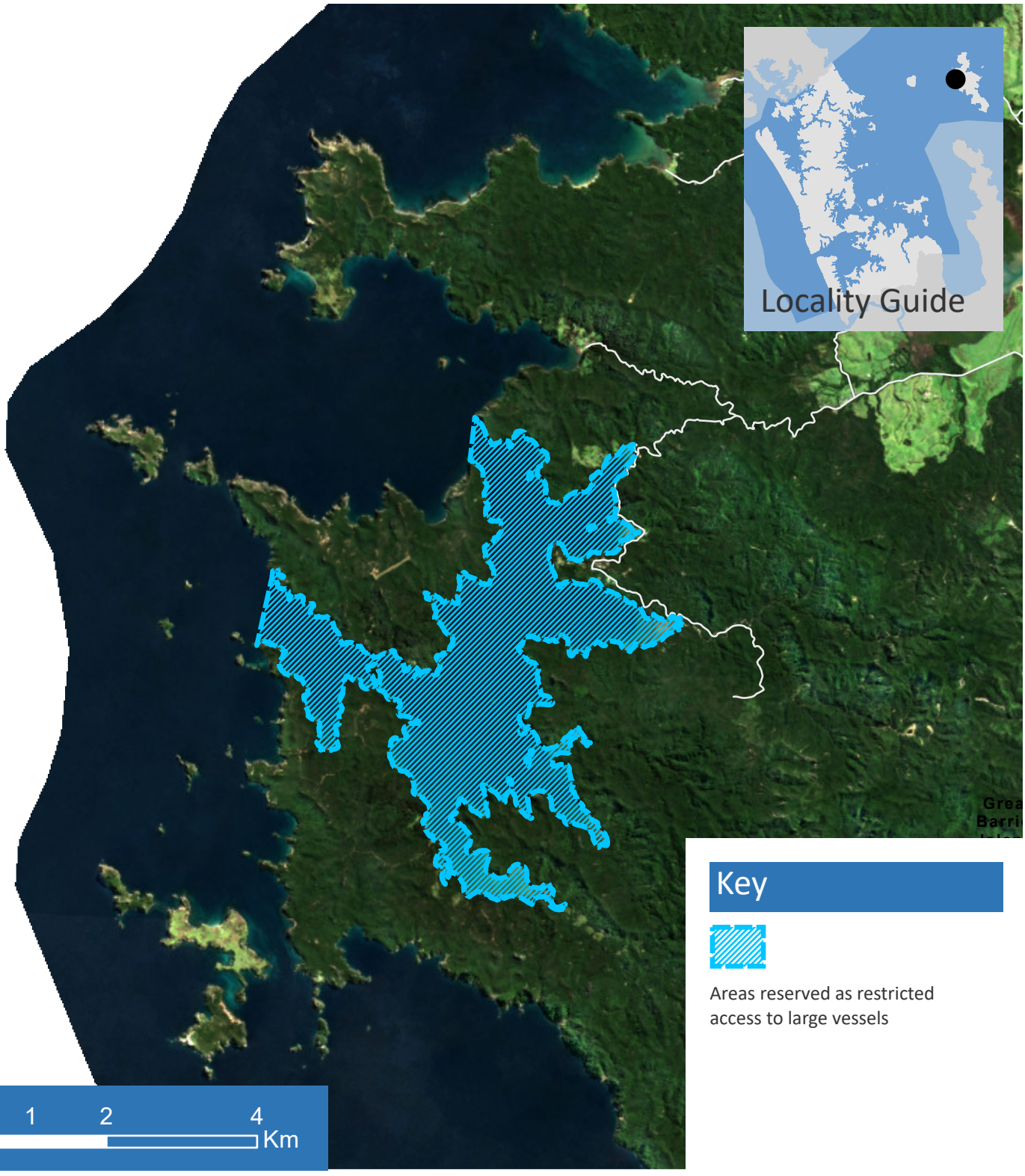
Restricted Access to Large Vessels - Whangaparapara

Map 5.1



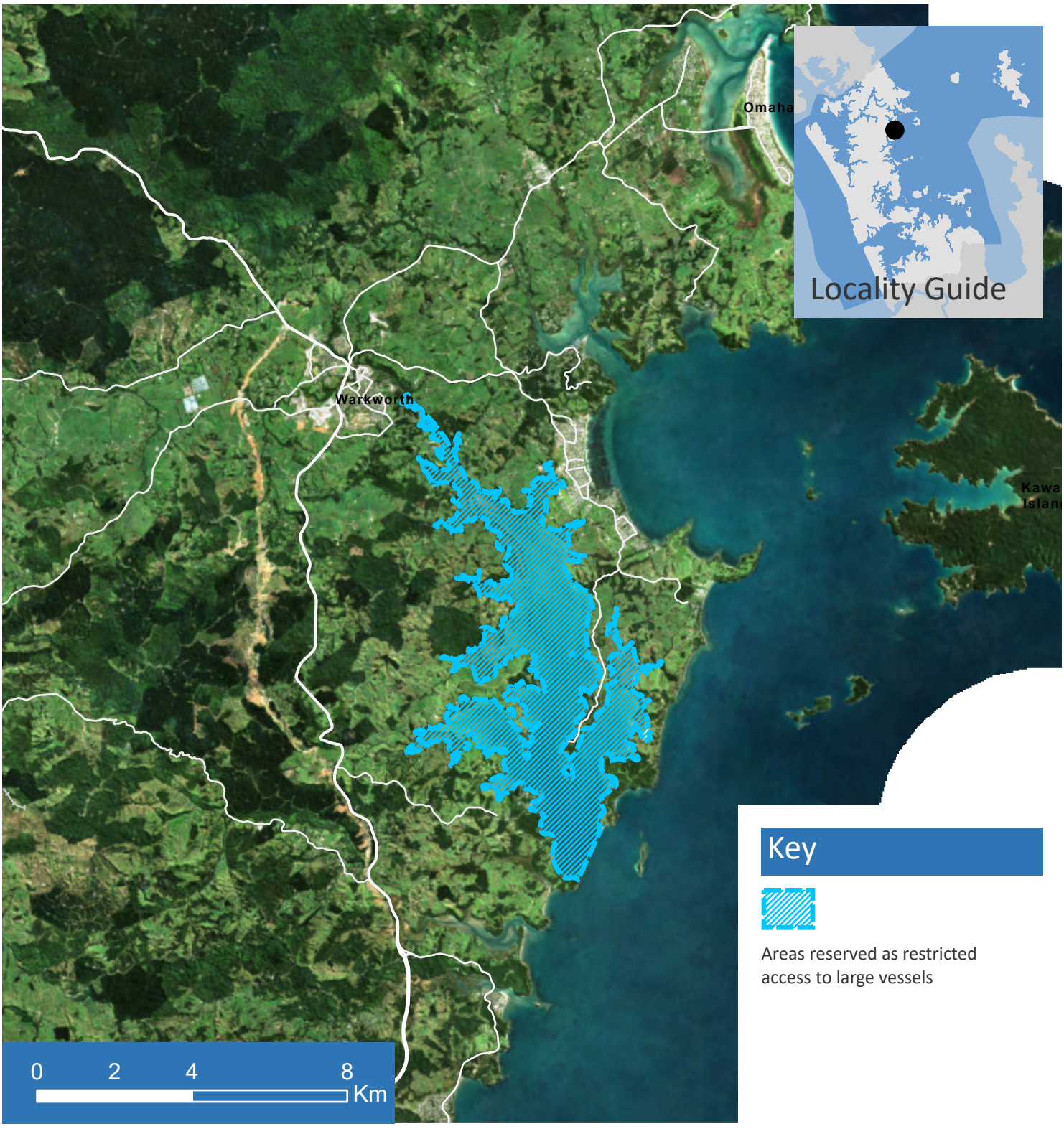
Conditions of use
As required in clause 46, the person in charge of a large vessel must obtain the approval of the Harbourmaster before the vessel enters the restricted area.

Restricted Access to Large Vessels - Fitzroy
Map 5.2



Conditions of use
As required in clause 46, the person in charge of a large vessel must obtain the approval of the Harbourmaster before the vessel enters the restricted area.

Restricted Access to Large Vessels - Mahurangi Estuary
Map 5.3



Conditions of use
As required in clause 46, the person in charge of a large vessel must obtain the approval of the Harbourmaster before the vessel enters the restricted area.

Restricted Speed Area - Kawau Island, Bon Accord Harbour
Map 6.0



Key

Area reserved as the Kawau Island Restricted Speed Area

Conditions of use
The person in charge of a vessel within the Kawau Island restricted speed area must ensure that vessel does not exceed a proper speed of 5 knots.

Waitemata Harbour Restricted Zone
Map 7.0

Note: There are no markers in the sea area. The exact area is defined by the coordinates below

Lat. South	Long. East		Lat. South	Long. East
1) 36.49.69	174.48.83 (North Head) to,	11) 36.50.10	174.44.57 (Harbour Bridge South) to;
2) 36.49.92	174.49.11 (No.17 Light by) to,	12) 36.49.81	174.44.76 (Harbour Bridge Pillar) to;
3) 36.50.01	174.49.19 (Mid Channel) to,	13) 36.49.92	174.46.00 (off Bayswater Marina) to,
4) 36.50.16	174.48.99 (Anchorage B) to,	14) 36.49.72	174.46.00 (off Bayswater Marina) to,
5) 36.50.29	174.48.61 (Anchorage 7) to,	15) 36.49.70	174.44.85 (Harbour Bridge North) then along the shoreline) to,
6) 36.50.37	174.47.25 (off Ferguson) to,	16) 36.49.63	174.44.90 (Harbour Bridge North) then along the shoreline to,
7) 36.50.62	174.47.60 (Resolution Yellow By) to,	17) 36.49.03	174.45.06 (Cable Marker) to,
8) 36.50.58	174.48.44 (No.20 Light By) to,	18) 36.49.11	174.46.06 (Bayswater Cable Marker) to,
9) 36.50.41	174.49.36 (Bastion Yellow By) to,	19) 36.49.76	174.46.37 (Stanley Point) then along the shoreline to,
10) 36.50.63	174.49.44 (Bastion Point) then along the shoreline to,	20) 36.49.69	174.48.83 (North Head).



Key

Area reserved as the Waitemata Harbour Restricted Zone (18 knot speed zone)

Conditions of use

1) A power-driven vessel within the Waitematā Harbour restricted zone must not –
   a) exceed a proper speed of 5 knots within 200 metres of the shore;
   b) exceed a proper speed of 18 knots when more than 200 metres of the shore; or
   c) use an automatic steering device.
2) However, (1) does not apply to –
   a) vessels operated by the police, customs, the Harbourmaster or other vessels approved by the Harbourmaster that are used during the performance of official duties in circumstances where persons on board are unable to undertake their duties without exceeding 18 knots; or
   b) emergency response vessels responding to an accident or incident where there is grave and imminent danger to life or property; or
   c) fast passenger ferries for which the Harbourmaster has granted written exemption on a scheduled passage and visibly displaying flashing orange lights.

Auckland Ferry Terminal
Map 8.0



Key

Area reserved as the Auckland Ferry Terminal

Conditions of use
1) The person in charge of a vessel must not allow the vessel to enter into the Auckland Ferry Terminal Basin restricted area.
2) However, (1) does not apply to – a) passenger ferries; b) vessels authorised by the owner of a facility within the basin; or c) an emergency response vessel.
3) No person may swim in the Auckland ferry terminal basin.

Motuihe Channel Fast Passenger Ferry Lane
Map 9.0



Conditions of use

1) The person in charge of a vessel within the lane must ensure that vessel or any person on the vessel does not –
   a) fish, set or lay any fishing apparatus;
   b) anchor; or
   c) impede the passage of a fast passenger ferry.
2) However, (1)(c) does not apply to any pilot or pilot exempt master when conducting the vessel (unless the vessel is a passenger ferry) or a warship.
3) The person in charge of a fast passenger ferry passing through the Motuihe Channel –
   a) must use the lane at all times;
   b) may exceed a proper speed of 5 knots within 200 metres of the shore when in the lane;
   c) must navigate as close as safely and practicably to the edge of the lane on the starboard side of the vessel to allow safe port to port passing; and
   d) must proceed along the fast passenger ferry lane either from Emu Point to Otahuhu point in a north-easterly or south-westerly direction.

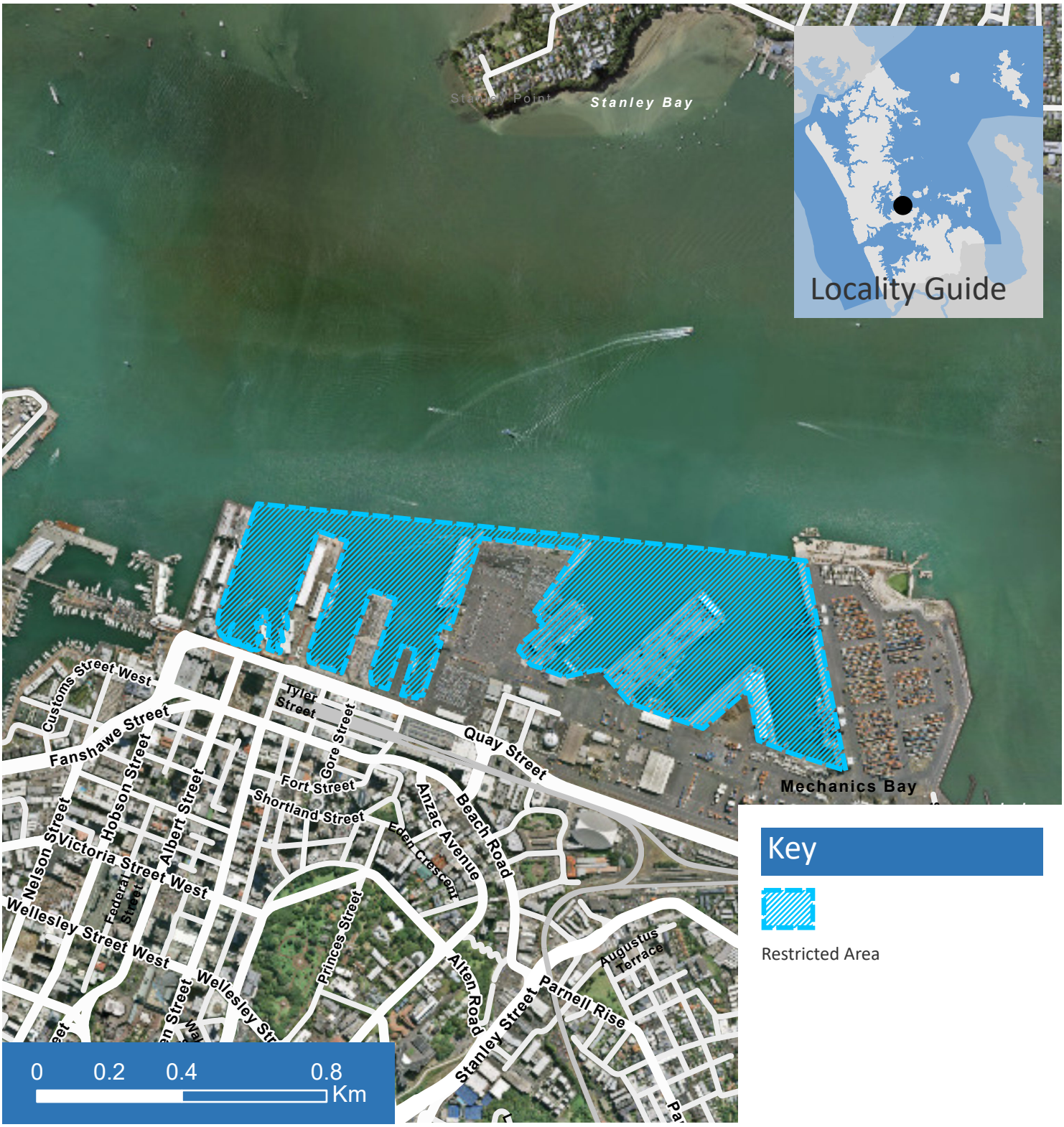
Harbour Bridge Precautionary Area
Map 10.0



Conditions of use

1) The person in charge of a vessel within the Auckland Harbour Bridge precautionary area must ensure their vessel or any person on their vessel does not –
   a) impede the passage of a warship;
   b) impede the passage of a passenger ferry;
   c) impede the passage of a large vessel;
   d) moor or anchor;
   e) engage in fishing, set or lay any fishing apparatus.
2) The person in charge of a fast passenger ferry may exceed a proper speed of 5 knots within 200 metres of the shore when in the Auckland Harbour Bridge precautionary area.

Commercial Port Area
Map 11.0



Conditions of use
1) The person in charge of a vessel must not allow the vessel to enter into the Commercial Port restricted area
2) However, (1) does not apply to –
a) a vessel authorised by Harbour Control; or
b) an emergency response vessel.
3) No person may swim in the Commercial Port restricted area.
Note: Harbour Control can be contacted on VHF channel 12 or by email at harbourcontrol@poal.co.nz.