

WELLINGTON REGIONAL NAVIGATION SAFETY BYLAWS 2021

WELLINGTON REGION



Purpose: These Bylaws are made for the purpose of ensuring maritime safety in the Wellington Region.



DON'T RELY ON A MESSAGE IN A BOTTLE

“ *I don't just take a fully charged mobile
to take selfies with the catch of the day.
It could be a lifesaver* ”

Corina Naus - Island Bay



Distance from shore can catch you out.
Always carry two forms of communication
on board, wear one, carry one.
If you can't be heard you can't be helped.

Find out more at www.gw.govt.nz/boatingsafety

Wellington Regional Navigation Safety Bylaws 2021

Wellington Region

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These Bylaws are made for the purpose of ensuring maritime safety in the Wellington Region.

for further information

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1. Preliminary provisions

1.1 Title and commencement

These Bylaws are the Wellington Regional Navigation Safety Bylaws 2021.

These Bylaws come into force 1 July 2021.

(Explanation: These Bylaws replace the Wellington Regional Navigation and Safety Bylaws 2009.)

1.2 Areas within which these Bylaws apply

These Bylaws apply to the waters within the Region.

1.3 Definition of terms

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

In these Bylaws, unless the context otherwise requires:

Access lane	means those areas defined by words and maps in part A of Schedule 3 to these Bylaws.
Act	means the Maritime Transport Act 1994.
AIS	Automatic Identification Systems (AIS) means an operational transceiver of class A or class B that complies with the requirements of the International Maritime Organisation.
Anchorage	in relation to vessels, means a place (enclosed or otherwise) used for the anchoring of vessels to the bed of waters, whether the place is reserved for such purposes by the Council or not.
Anchoring	means the securing of a vessel to the bed of waters by means of an anchor, cable or other device, that is normally removed with the vessel when it leaves the anchorage.
Beacon	means a light or mark set up as a navigation mark or a warning to vessels.
Body board	also known as a boogie board. Means a short foam board usually ridden in a prone or kneeling position and not designed to be ridden standing up.

Buoy	means an anchored float serving as a navigation or locational mark, or to indicate a mooring, reef or other hazard.
Buoyancy aid	means anything that complies with NZ Standard 5823:2005 or a buoyancy aid that the Director of Maritime Safety is satisfied substantially complies with the Standard and that provides a minimum of 53 newtons of buoyancy.
Class 3 packing Group I oil products	means oil having an initial boiling point less than or equal to 35 degrees centigrade.
Class 3 packing Group II oil products	means oil having a flashpoint of less than 23 degrees centigrade and an initial boiling point greater than 35 degrees centigrade.
Class 3 packing group III oil products	means oil having a flashpoint equal to or greater than 23 degrees centigrade up to and including 61 degrees centigrade and an initial boiling point greater than 35 degrees centigrade.
Commercial vessel	has the same meaning as commercial ship in section 2 of the Maritime Transport Act 1994.
Council	means the Wellington Regional Council as constituted under the Local Government (Wellington Region) Reorganisation Order 1989.
Crew	means the persons employed or engaged in any capacity on board a vessel, but does not include the master, a pilot, or a person temporarily employed on the vessel while in a harbour.
Dangerous Goods	has the same meaning as in the International Maritime Dangerous Goods (IMDG) Code.
Distress signal	means a distress signal as prescribed in Maritime Rule 23 Appendix 3.
Diver's marker float	means any float that can be deployed on or before surfacing by a SCUBA diver, and can include a safety sausage or surface marker buoy.
Double banking	means mooring one (or more) vessels moored alongside another vessel with mooring lines going between the vessels. This applies to vessels alongside at a berth or at anchor.
Explosive	has the same meaning as in the Hazardous Substances and New Organisms Act 1996.
Flag A	means flag A of the International Code of Signals, a burgee (swallow-tailed) flag coloured in white and blue with white to the mast, or a rigid equivalent.

Flag B	means flag B of the International Code of Signals, a burgee (swallow-tailed) flag coloured in red, or a rigid equivalent.
Free diving	means diving that relies on breath holding until resurfacing.
Harbour	means: (a) Wellington Harbour; and (b) Porirua Harbour as defined by Order in Council, dated 24 March 1969, New Zealand Gazette, 2 April 1969, page 609 (Schedule 1 to these Bylaws).
Hours of darkness	Means the time between sunset and sunrise as published in the NZ Nautical Almanac, NZ 204.
In writing	includes communication by email
Kite surfer	has the same meaning as sailboard.
Length	in relation to a vessel, means overall length.
Lifejacket	means a serviceable personal floatation device that meets NZ Standard 5823:2005 or a national or international standard that the Director of Maritime Safety is satisfied substantially complies with that Standard.
Master	means any person having command or charge of a vessel, but does not include a pilot.
Mean high water spring	means the average of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately 14 days), when the range of tides is the greatest.
Mooring	means any weight or article placed in or on the sea bed or lake bed for the purpose of securing a vessel or floating structure; and (a) includes any wire, chain, rope, buoy or other device attached or connected to the weight; but (b) does not include an anchor that is removed with the vessel or floating structure when it leaves an anchorage.
Mooring area	means any area described as a mooring area in the NRP maps 36-41.
Natural Resources Plan (NRP)	means the - Council's Natural Resources Plan made under the Resource Management Act 1991 and includes the current version as at 2021 that is the Proposed Natural Resources Plan with some sections currently under appeal.

Navigate	means the act or process of managing or directing the course of a vessel on, through, over or under the water.
Owner	includes: (a) in relation to a vessel, the agent of the owner and also a charterer; and (b) in relation to any dock, wharf quay or slipway, includes a lessee of the dock, wharf, quay or slipway.
Paddle craft	means a vessel powered only by the vessel's occupant(s) by use of a single or double bladed paddle as a lever without the aid of a fulcrum provided by rowlocks, thole pins, crutches or like arrangements. This includes Stand up paddleboards and also includes any hydro foiling variation of the above. This includes waka ama.
Person in charge of a vessel	means the master.
Pilot	In relation to any vessel means any person not being the master or a member of the crew of the vessel who has the conduct of the vessel.
Porirua Harbour	as defined in Schedule 1 to these Bylaws.
Powered vessel	means any vessel that is not solely powered manually or by sail.
Proper speed	means speed through the water.
Public notice	means published on the Council website and a notice published in a newspaper circulating generally in the area adjacent to the waters to which the subject matter of the notice relates.
Region	means the Wellington Region as constituted under the Local Government (Wellington Region) Reorganisation Order 1989.
Restricted visibility	has the meaning given to this term in Maritime Rule Part 22.
Reserved area	means those areas defined by words and maps in part B of Schedule 3 to these Bylaws.
Reward	means the payment to, or for the benefit of, the owner or master of a vessel, of a contribution towards the expenses of a voyage by, or on behalf of, persons; but does not include payment of any contributions by part owners of the vessel or by persons engaged as bona fide crew members.

Sailboard	means any type of board that is propelled by a detachable sail apparatus and operated by a person standing on the board. This includes windsurfers, wing sailors and kite surfers. This includes any hydro foiling variations of the above.
Seaplane	means a flying boat or any other aircraft designed to manoeuvre on the water.
Shore	when referring to distance from shore, means distance from the water's edge.
Shore SCUBA diver	means a diver using breathing apparatus that enters and exits the water from shore and not a vessel.
Structure	means any building, equipment, device or other facility which is fixed to land; and <ul style="list-style-type: none"> (a) includes slipways, jetties, pile moorings, swing moorings, rafts, wharves, marine farms and other objects whether or not these are above or below the waterline; but (b) does not include buoys, beacons or anchored floats.
Surfboard	means any type of board that is designed to be used for surf riding and includes hydro foiling variations.
Tanker	means any vessel which: <ul style="list-style-type: none"> (a) is constructed, or has a compartment constructed, for the carriage in bulk of any Class 3 oil products; and (b) either: <ul style="list-style-type: none"> (i) has on board, or is about to take on board, a cargo the whole or any part of which consists of any Class 3 oil products in bulk; or (ii) has discharged any cargo consisting of any such oil products in bulk, but the holds, tanks and compartments of which have not been rendered and certified gas-free; and (iii) includes any tanker designed for carriage of bulk liquid harmful substances.
Underway	has the meaning given to this term in Maritime Rule Part 22.
Unseaworthy	means, in the opinion of the harbourmaster not being in a fit condition or readiness to navigate safely on the water.

Vessel	has the same meaning as ship in Section 2 of the Maritime Transport Act 1994, and shall include a seaplane when operating on waters.
Waters	<p>means all that area of:</p> <p>(a) seawater in estuaries, fiords, inlets or harbours, the outer boundary being three nautical miles from the shore of the Region and the inner boundary being the water's edge, except where that line crosses a river, in which case the boundary is a straight line representing the continuation of the line of mean high water spring on each side of the river at the outlet ; and</p> <p>(b) Lake Wairarapa, the more or less continuous area of water commonly known as Lake Wairarapa, including the Ruamahanga Cut-off, in South Wairarapa and extending as far downstream as the barrage gates; and</p> <p>(c) Lake Onoke, (Lake Ferry) The more or less continuous area of water commonly known as Lake Onoke or Lake Ferry, locate in South Wairarapa and extending between the mouth of the Ruamahanga river as the landward boundary through to Palliser Bay (when the entrance is open).</p>
Wellington Harbour	means Wellington Harbour as defined by Order in Council, dated 17 January 1985 and amended 1 April 1985, New Zealand Gazette 14 February 1985, page 524 (Schedule 1 to these Bylaws).
Wellington Harbour Radio	Also known as 'Beacon Hill,' this is the Council's Harbour communication station, and is staffed 24 hours a day 365 days a year. The station can be contacted by marine VHF on channels 04 (East Coast approach to Wellington) 14, (Wellington Harbour) 16, International Distress and calling channel) and 62 (Western side of Cook Strait and Porirua, Mana and Kapiti areas). Telephone numbers include 04 388 1911, 04 388 5470, Fax 04 388 4319, e-mail: beaconhill@gw.govt.nz. The station is located at 41°19.8S 174°49.7.

2. General matters

2.1 Lifejackets

- 2.1.1 No person in charge of a pleasure craft may use it or allow it to be used unless it carries, at the time of use, in a readily accessible location, lifejackets of an appropriate size for each person on board.
- 2.1.2 The person in charge of any recreational craft that is 6 metres or less in length overall must ensure that every person on board is wearing a properly secured lifejacket of an appropriate size for that person while the craft is underway.
- 2.1.3 When not underway, the person in charge of any recreational craft that is 6 metres or less in length overall shall ensure that every person shall wear a properly secured lifejacket unless:
- (a) the person in charge of that craft has expressly given permission for lifejackets not to be worn; and
 - (b) the person in charge of that craft considers that conditions are such that there is no significant reduction in safety if they allow any person to remove their lifejacket.
- 2.1.4 Subclauses 2.1.1 and 2.1.2 and 2.1.3 shall not apply to:
- (a) any surfboard or similar unpowered craft being used to ride breaking waves; and
 - (b) any sailboarder if a wetsuit is worn at all times; and
 - (c) a diver on a boat of six metres or less in length overall that is used for recreational diving within five nautical miles (approximately 9.2km) of shore, if a full body dive suit is worn at all times; and
 - (d) a person training for or participating in a sporting event, if the training or the event is supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime Safety under Maritime Rule 91.4(3); and
- 2.1.5 Subclause 2.1.2 shall not apply to any paddle craft, body board or surfboard, not covered by 2.1.4 (a), provided:
- (a) a leash is used as appropriate for the conditions, and
 - (b) it is being used within 200 metres of the shore.
- 2.1.6 In respect of any sporting event, training activity, ceremonial event or other organised recreational activity, subclauses 2.1.1 and 2.1.2 shall not apply if a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the pleasure craft and the support vessel carries lifejackets or buoyancy aids of an appropriate size for each person on board the support vessel and the pleasure craft.

- 2.1.7 In respect of any sporting event, training activity or other organised recreational activity, the organising body may, where it is not practical to meet the requirements of subclause 2.1.6, apply for a written exemption to subclauses 2.1.1. and 2.1.2 the Harbourmaster may grant an exemption for a specified time period, provided that the Harbourmaster is satisfied that adequate safety precautions are made for rescuing any persons participating in the event or activity.
- 2.1.8 No person in charge of a vessel may use it to tow any person and no person may cause himself or herself to be towed by any vessel, unless the person being towed wears a properly secured lifejacket of an appropriate size for that person.
- 2.1.9 Subclause 2.1.8 does not apply to a person:
- (a) training for any trick water skiing element of a sporting event administered by a national sporting organisation approved under Maritime Rule 91.4(3); or
 - (b) participating in a sporting event that is administered by a national sporting organisation approved under Maritime Rule 91.4(3).
- 2.1.10 No person in charge of a pleasure craft may use that craft or allow it to be used in circumstances where:
- (a) tides, river flows, rough seas; or
 - (b) adverse weather, adverse visibility or emergencies
- cause a danger or a reduction in safety for the persons on board, unless each person on board is wearing a lifejacket of an appropriate size.

2.2 Persons to avoid swimming or diving around wharves

- 2.2.1 Without the permission of the Harbourmaster no person may dive (using breathing apparatus) or swim within 50 metres of:
- (a) any structure in the commercial port area as defined in the NRP; or
 - (b) any other wharf, boat ramp or designated boat launching area when a vessel is manoeuvring within 50 metres of the wharf, boat ramp or designated launching area.
- 2.2.2 Any person given permission to dive under subclause 2.2.1 must display flag A and meet any other conditions as required by the Harbourmaster

2.3 Use of vessel engine around wharves, ramps

No person may operate the propulsion system of a vessel while it is lying at any wharf, or while it is loaded to or from a boat trailer at any ramp or designated launching area, in such a way that it may damage any property, scour the bed of the waters, or injure any person. However, this subclause does not preclude the

use of the propulsion system for the safe berthing or unberthing of any vessel at a wharf.

2.4 Vessels to be serviceable or removed

- 2.4.1 The master and the owner of any vessel anchored or moored in any waters must keep the vessel in a seaworthy condition at all times, unless the Harbourmaster has given prior written approval for it to be anchored or moored in an unseaworthy condition and subject to such conditions that the Harbourmaster may determine appropriate to ensure navigation safety.
- 2.4.2 If any vessel is a hazard to navigation by reason of it being unseaworthy:
- (a) the Harbourmaster may give a written direction to the owner and/or the master of the vessel to move the vessel to an alternative location or to remove it from the waters within a reasonable time as specified in the direction; and
 - (b) the owner and master are jointly and severally responsible for ensuring the direction is complied with.
- 2.4.3 If the owner or master of the vessel fails to move the vessel in accordance with a direction given under subclause 2.4.2, the Harbourmaster may move that vessel to a position where it is no longer a hazard to navigation, or remove it from the water. The costs incurred may be recovered from the owner, master or agent of the vessel in any court of competent jurisdiction as a debt due to the Council.
- 2.4.4 No person may operate any unseaworthy vessel except to comply with the directions, under these Bylaws, of the Harbourmaster or an Enforcement Officer to move the vessel to an alternative location.

2.5 Seaplanes

No person navigating a vessel may impede a seaplane in the process of landing or taking off.

2.6 Anchoring and mooring

- 2.6.1 No person may anchor a vessel so as to:
- (a) obstruct the passage of other vessels or obstruct the approach to any wharf, pier or jetty; or
 - (b) create a hazard to other vessels at anchor, or
 - (c) leave the vessel unattended for more than 24 hours without prior permission of the Harbourmaster.

- 2.6.2 Except in an emergency involving danger to life or property, no person may cut, break, destroy or unlawfully detach:
- (a) the mooring of any vessel; or
 - (b) the fastening securing any vessel lying in, at or near a wharf, dock or at or near any wharf or landing place.
- 2.6.3 When a vessel is moored in, at or alongside a wharf or dock or other landing place, the owner or master must ensure that adequate and safe means of access to the vessel is provided, properly installed, secured and adjusted to suit all tidal conditions.
- 2.6.4 The owner or master of a vessel berthed at a wharf must ensure that it is securely fastened at all times and, if required by the Harbourmaster, maintain a person on board to keep watch.
- 2.6.5 No person may moor to a public wharf for more than 8 hours without permission of the wharf owner. This does not preclude the wharf owner from restricting berthage to a shorter time.
- 2.6.6 A vessel must not be anchored within the same or proximate location for longer than 14 consecutive days without the prior permission of the Harbourmaster.
- 2.6.7 Any person intending to live on board a vessel at anchor or on a mooring for more than five consecutive nights shall inform the Harbourmaster of where the vessel will be anchored or moored and the expected duration of their living on board.
- 2.6.8 No vessel may use a mooring without the mooring owner's permission.

2.7 Prohibited anchorages

No person may anchor or moor any vessel within any prohibited anchorage as defined by words in Schedule 2 to these Bylaws.

2.8 Obstructions

- 2.8.1 No person may obstruct the access from seaward to any wharf, landing place, boat ramp, designated launching area, slipway or mooring.
- 2.8.2 No person may place any obstruction, including any fishing apparatus, in any waters that is liable to:
- (a) restrict navigation; or
 - (b) cause loss of life or injury to any person; or
 - (c) cause damage to any vessel or any property.

2.9 Collision prevention

No person shall operate any vessel in breach of Part 22 of the Maritime Rules (Collision Prevention), made under the Maritime Transport Act 1994

2.10 Notification of collisions or accidents

2.10.1 The master of any vessel that:

- (a) has been involved in a collision with any vessel, person or property, or has been sunk or grounded or become stranded in any waters; or
- (b) by reason of accident, fire, defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to any person, other vessels or property; or
- (c) in any manner gives rise to an obstruction; or
- (d) causes any damage to any navigation aid or structure, or to anything on the structure;

must, as well as complying with any accident reporting requirements of the Maritime Transport Act 1994, as soon as is practicable or at least within 48 hours notify the occurrence to the Harbourmaster.

2.10.2 A notification under subclause 2.10.1 must include:

- (a) a full description of any injury to persons, and their names and their addresses; and
- (b) a full description of any damage to vessels, navigation aids or structures; and
- (c) the names and addresses of persons in charge of the vessel; and
- (d) the time and date of the occurrence; and
- (e) an outline of events relating to the occurrence.

2.10.3 If an incident described in subclause 2.10.1 involves damage to a vessel that affects, or is likely to affect, its seaworthiness, the master may not move the vessel except:

- (a) to prevent the vessel from creating a hazard to navigation; or
- (b) in accordance with the directions of the Harbourmaster or an Enforcement Officer.

2.10.4 Nothing in subclause 2.10.1(a) shall apply to any pleasure craft involved in organised racing if there are no serious injuries sustained.

2.10.5 The Harbourmaster may require further information from the master or owner of a vessel following a notification under subclause 2.10.1, which must be

provided within 48 hours (or such longer timeframe as the Harbourmaster may permit).

2.11 Damage to buoys

- 2.11.1 No person may tie a vessel to any buoy, beacon or other device or structure erected as a navigation aid, warning marker or sign without the prior written permission of the Harbourmaster.
- 2.11.2 No person may damage, remove, deface or otherwise interfere with any buoy, beacon or other device or structure erected as a navigation aid, warning marker or sign.
- 2.11.3 No person may erect, maintain or display any beacon, buoy or other device, which may be used as, or mistaken for, a recognised navigation aid, without the written permission of the Harbourmaster and the Director of Maritime Safety.

2.12 Flashing lights and sound signals

- 2.12.1 No person shall use any flashing lights, sirens or other sound or light signals not prescribed in a Maritime Rule for that vessel, without the permission of the Harbourmaster.
- 2.12.2 The use of blue flashing lights and/or sirens is restricted to Police, Customs, Harbourmaster or other enforcement vessels authorised by the Harbourmaster.
- 2.12.3 A vessel authorised to use purple flashing lights by the Harbourmaster shall only display them when:
 - (a) The use is required to assist the location of a vessel or person in need of assistance.
 - (b) The use is required to assist the identification of the vessel to an aircraft involved in an incident.
 - (c) Is otherwise directed to do so by the Police or Harbourmaster.

The lights imply no status or privilege to that vessel.

2.13 Vessels making sound signals

No person may blow or sound, or cause to be blown or sounded, the whistle, siren or horn of a vessel, within any harbour, except as a navigation safety signal or with permission of the Harbourmaster. However, nothing in these Bylaws precludes the testing of such a whistle, siren or horn before the vessel leaves any wharf or use of the same as part of a vessel safety exercise.

2.14 Use of distress signals

- 2.14.1 A person must not make a distress signal, or cause or permit a distress signal to be made, unless that person is satisfied that:
- (a) the vessel that is on the water (or any person from that vessel) to which the person belongs is in serious and imminent danger and requires immediate assistance; or
 - (b) another vessel (or any person from that vessel) is in serious and imminent danger and cannot itself make the signal and requires immediate assistance.
- 2.14.2 A person must not use signals which may be confused with the distress signals unless in distress.
- 2.14.3 The Director of Maritime Safety may, for the purpose of allowing instruction in the use of distress signals, authorise in writing the making of distress signals at such times and places, and subject to such other conditions, as the Director thinks fit.

2.15 Means of communication

- 2.15.1 Every person in charge of a vessel must ensure that at least two appropriate means of communication is carried on board the vessel that:
- (a) provides the ability to communicate with land based and/or seaborne parties from any point within the area the vessel will be operated; and
 - (b) in the case of vessels under 6 metres in length, is able to be operated following submersion in sea water; and
 - (c) is adequate to provide communications for the duration of the voyage.
- 2.15.2 Despite subclause 2.15.1, a person in charge of a non-powered vessel being operated within a harbour, or within 1000 metres of the coast, must ensure that one waterproof means of communication is carried on board the vessel.

3. Operating requirements

3.1 Minimum age for operating powered vessels

- 3.1.1 No person under the age of 15 years shall be in charge of, or propel or navigate, a power-driven vessel that is capable of a proper speed exceeding 10 knots unless he or she is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- 3.1.2 The owner of a powered vessel that is capable of a proper speed exceeding 10 knots (about 18km/hr) must not allow any person who is under the age of 15 years to propel or navigate that vessel in contravention of subclause 3.1.1.
- 3.1.3 Subclause 3.1.1 does not apply to any person who has a written exemption from the Harbourmaster. Written exemptions may be given for training, competitions or other sporting events, and the Harbourmaster, when considering whether or not to grant such an exemption, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

3.2 Speed of vessels

- 3.2.1 No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or some object) at a proper speed exceeding 5 knots (about 9km/hr):
- (a) within 50 metres of any other vessel, floating structure or person in the water; or
 - (b) either within 200 metres of the shore or of any structure, or on the inshore side of any buoy(s) demarcating that distance from the shore or structure; or
 - (c) within 200 metres of any vessel or floating structure that is flying flag A; or
 - (d) when knowingly or deliberately approaching within 200 metres of a marine mammal.
- 3.2.2 No person may propel or navigate a powered vessel at a proper speed exceeding 5 knots while any person has any portion of his or her body extending over the fore part, bow or side of that vessel.
- 3.2.3 No person may cause or allow himself or herself to be towed by a vessel or any other means (whether or not on a water ski, aquaplane or other towed object) at a proper speed exceeding 5 knots in any circumstances specified in any of paragraphs (a) to (c) of subclause 3.2.1.
- 3.2.4 No person in charge of a vessel may permit the vessel to continue onwards, after any person being towed by that vessel has dropped (whether accidentally or otherwise) any water ski which may cause danger to any other person or vessel,

without taking appropriate action to recover that water ski or take measures to ensure that the water ski is visible to other water users.

3.2.5 No person in charge of a vessel shall navigate that vessel in a manner that causes a nuisance to others.

3.2.6 Subclause 3.2.1(a) shall not apply to:

- (a) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with subclause 3.2.1(a); or
- (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; or
- (c) a craft training for or participating in competitive rowing or paddling; or
- (d) a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel, if the vessel's duties cannot be performed in compliance with subclause 3.2.1(a).

3.2.7 Subclause 3.2.1(b) shall not apply to:

- (a) a vessel operating in an access lane or a reserved area for the purpose for which the access lane or reserved area was declared, unless, in the case of a reserved area, a navigation bylaw provides otherwise; or
- (b) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with subclause 3.2.1(b); or
- (c) 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; or
- (d) a sailboard; or
- (e) a craft training for or participating in competitive rowing or paddling; or
- (f) a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel when the vessel's duties cannot be performed in compliance with subclause 3.2.1(b).

3.2.8 Subclauses 3.2.1(b) and 3.2.2 shall not apply to a craft operated by a Surf Lifesaving Club affiliated to Surf Lifesaving New Zealand, that is being operated in accordance with the appropriate operating procedure that has been approved by the Harbourmaster.

- 3.2.9 Subject to subclause 3.2.1, every person who propels or navigates a pleasure craft must ensure that its wake does not cause unnecessary danger or risk of damage to other vessels or structures, or of harm to other persons.

3.3 Lights for sailing vessels underway and vessels under oars (including paddles)

- 3.3.1 Subject to the requirements of Part 22 of the Maritime Rules that stipulate when lights must be exhibited, a sailing vessel of less than seven metres in length must, if practicable, exhibit sidelights and sternlight, but if it does not do so, it must have ready an electric torch or lighted lantern showing a white light which must be exhibited in sufficient time to prevent collision.
- 3.3.2 A vessel under oars may exhibit the lights prescribed in this subclause for sailing vessels, but if it does not do so, it must have ready an electric torch or lighted lantern showing a white light which must be exhibited in sufficient time to prevent collision.
- 3.3.3 In Wellington and Porirua Harbours any of the vessels in paragraphs 3.3.1 and 3.3.2 above who are not able to exhibit sidelights and a sternlight must exhibit an all-round white light where it can best be seen.

3.4 Swimming more than 200 metres from shore

Swimmers more than 200 metres from shore must tow a bright-coloured safety float or swim buoy and brightly coloured swim cap (if worn), unless accompanied by a support craft.

3.5 Diving

- 3.5.1 Every person diving from a vessel must ensure that flag A (dive flag) is displayed in such a manner that it can be clearly identified by the watchkeeper of another vessel at a distance in excess of 200 metres.
- 3.5.2 The master of every vessel from which dive operations are in progress must ensure that flag A is displayed in such a manner that it can be clearly identified by the watchkeeper of another vessel at a distance in excess of 200 metres.
- 3.5.3 The minimum size for a flag that is required under 3.5.1 or 3.5.2 is 60cm by 60cm.
- 3.5.4 Any free-diver from shore intending to dive more than 200 metres from shore must either tow a bright-coloured safety float or use a raft displaying flag A (dive flag).
- 3.5.5 Any shore SCUBA diver that intends to surface, or is likely to surface more than 200 metres from shore must display a diver's marker float that marks their position when surfacing.

3.6 Lookouts on vessels used for water skiing and towing any person

- 3.6.1 No person in charge of a vessel may use it to tow any person at a speed exceeding 5 knots (about 9 km/hr) unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.
- 3.6.2 No person may cause or allow himself or herself to be towed at a speed exceeding 5 knots by or from any vessel unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.
- 3.6.3 No person who is under the age of 10 years is permitted to act as the additional person required by subclauses 3.6.1 and 3.6.2.

3.7 Water skiing or towing during the hours of darkness

- 3.7.1 No person may operate, during the hours of darkness or in restricted visibility, a vessel that is towing any person, whether or not that person is on a water ski, aquaplane, paraglider or other similar object.
- 3.7.2 No person may allow himself or herself to be towed by a vessel or any other means, during the hours of darkness or in restricted visibility.

3.8 Conduct in access lanes

- 3.8.1 No person may, in any access lane, propel, navigate or manoeuvre a vessel except by the most direct route through the access lane and on that side of the access lane that lies to the starboard or right-hand side of the vessel.
- 3.8.2 No person may:
- (a) while being towed by a vessel in any access lane, cause himself or herself or any water ski, aquaplane or other towed object, on or by which he or she is being towed; or
 - (b) cause any object that is being towed by a vessel in any access lane
- to travel other than by the most direct route through the access lane and on that side of the access lane that lies to the starboard or right-hand side of the vessel.
- 3.8.3 No person within an access lane may proceed in any manner that is dangerous in relation to any vessel or other person in the access lane.
- 3.8.4 No person may obstruct any other person while that other person is using an access lane for the purpose for which it has been declared.
- 3.8.5 If one or more persons are using an access lane for the purpose for which it is declared, no person may enter, remain in or use the lane for any other purpose.

- 3.8.6 The access lanes to which these Bylaws apply are those prescribed in Schedule 3 to these Bylaws.

3.9 Marking of access lanes

- 3.9.1 Every access lane must be marked on shore, by pairs of posts in transit. These posts will be orange with black horizontal bands.
- 3.9.2 An access lane may also be marked with orange buoys with vertical black stripes.
- 3.9.3 Each access lane shall have an adequate sign or signs in the vicinity of the access lane that declares the purpose of that lane.

3.10 Reserved areas

- 3.10.1 No person may obstruct any other person while that other person is using a reserved area for the purpose for which it has been reserved under these Bylaws.
- 3.10.2 If any person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in or use the area for any other purpose.
- 3.10.3 A permanent reserved area must be marked on shore, by pairs of posts in transit. These posts will be white with black horizontal bands.
- 3.10.4 If the reserved area is marked at sea it is marked by black buoys with white vertical stripes.
- 3.10.5 Each permanent reserved area shall have an adequate sign or signs in the vicinity of the reserved area that declares the purpose of that area.

3.11 Areas for non-powered vessels only

The reserved area as shown in Part D of Schedule 3 is for the use of non-powered vessels only except with the written permission of the Harbourmaster.

3.12 Flagged areas on beaches

- 3.12.1 A Surf Life Saving New Zealand Patrol Captain, may, from time to time, subject to 3.12.4, set aside areas of beaches as flagged areas for the purposes of swimming and body boarding only.
- 3.12.2 No person may carry out any activity other than the activities for which the area has been flagged. This shall not prevent Surf Lifesaving or other rescue services operating in this area in case of an emergency.
- 3.12.3 The areas on which flagged areas signify swimming only areas are detailed in Part C of Schedule 3.

- 3.12.4 Flagged swimming areas on beaches shall consist of two red/yellow flags forming the area boundary. These flags shall meet NZ Standard NZS8690:2003 – 5.1 Design of flags and 5.2 Use of flags.

3.13 Special events

- 3.13.1 Any person intending to conduct a race, speed trial, competition or other organised water activity in any area to which these Bylaws apply should apply to the Harbourmaster to:
- (a) temporarily suspend the application of subclauses 3.2.1(a) and (b) and subclause 6.8 of these Bylaws in that area during the conduct of the race, speed trial, competition or other organised water activity; and/or
 - (b) temporarily reserve the area for the purpose of that activity; and/or
 - (c) temporarily suspend the designation of permanent access lanes or reserved areas.
- 3.13.2 Where the Harbourmaster is satisfied, on considering an application under these Bylaws, that the application may be granted without endangering the public, he or she may grant the application accordingly, for a period not exceeding 10 days, and on such conditions (if any) as he or she may specify.
- 3.13.3 Every grant of an application under these Bylaws shall, subject to subclause 3.13.4, have effect according to its tenor.
- 3.13.4 No grant of an application under these Bylaws shall have effect unless, not less than seven days or more than 14 days before the commencement of the activity, a public notice is given specifying the period of the activity and details of the suspension or reserved area.
- 3.13.5 The Harbourmaster may recover from the applicant all actual and reasonable costs incurred for the publication of a public notice under subclause 3.13.4.

3.14 Moorings

- 3.14.1 No person may place a mooring in any waters, whether in a mooring area or not, unless a licence in terms of subclause 3.14.4 has been obtained.
- 3.14.2 The Harbourmaster may remove or authorise the removal of any unauthorised mooring and all costs of so doing are a debt by the owner of the mooring to the Council.
- 3.14.3 No person may anchor any vessel so as to obstruct any licence holder for that mooring, or a contractor carrying out maintenance work on the mooring on behalf of that licence holder.
- 3.14.4 The Harbourmaster may, subject to the conditions specified in subclause 3.14.6, grant a mooring licence to which subclause 3.14.1 applies.

- 3.14.5 Every mooring licence issued by the Harbourmaster shall apply only to the vessel and owner(s) named in the licence.
- 3.14.6 The conditions of any mooring licence issued by the Harbourmaster may include, but are not limited to:
- (a) the precise location of the mooring; and
 - (b) the size and type of any vessel which may be attached to the mooring;
 - (c) the design and specifications of the mooring; and
 - (d) a requirement for maintenance and inspections of the mooring; and
 - (e) the type of buoy or float with which the owner of a mooring must mark the location of the mooring when it is not being used by a vessel; and
 - (f) a requirement that the owner of the mooring shall be liable in any event for the position, insufficiency or insecurity of their licensed mooring.
- 3.14.7 The Harbourmaster shall not grant any licence for a mooring unless satisfied that:
- (a) there is adequate space in the mooring area for the proposed mooring; and
 - (b) the mooring is of adequate specifications to accommodate the proposed vessel to be moored.
- 3.14.8 No owner of a licensed mooring may leave a mooring vacant or unattended for a period of longer than six months without the written permission of the Harbourmaster.
- 3.14.9 Where the owner of a mooring has left it vacant or unattended for a period of longer than six months without the written permission of the Harbourmaster, the Harbourmaster may cancel the licence and direct that the mooring be removed.
- 3.14.10 No owner of a licensed mooring may, except with the written permission of the Harbourmaster:
- (a) part with the possession of the mooring; or
 - (b) assign the mooring to any other person; or
 - (c) suffer any such other person to have the use of the mooring; or
 - (d) use the mooring for a vessel other than the vessel named in the licence.

3.15 Buoy

3.15.1 No person may place a marker buoy in any waters of Wellington or Porirua Harbour unless that buoy is clearly and indelibly marked, or fitted with a permanent tag, showing at least one of the following—

- (a) the owner's initials and surname, and contact telephone number or address; or
- (b) in the case of a mooring, the mooring licence number.

3.15.2 No person may place a marker buoy in any waters of Wellington or Porirua Harbour unless that buoy is sufficiently buoyant to remain at least 50% afloat or otherwise clearly visible.

3.15.3 No buoy should be placed so that it becomes a hazard to navigation.

4. Commercial operations including hazardous works and cargoes

4.1 Vessels carrying explosives

4.1.1 The master of a vessel having on board, or intending to load, explosives must ensure that:

- (a) no person loads or unloads explosives outside the explosives anchorage, except with the written permission of the Harbourmaster; and
- (b) the Harbourmaster is provided with the Dangerous Goods declaration for the explosives at least 48 hours prior to loading or discharging. This declaration must include Net Explosive Quantity and gross weight. For weekend loading or discharging documentation shall be provided no later than 12 noon on Friday.
- (c) Harbourmaster's written permission is required to load or discharge class 1 explosives

4.1.2 Nothing in clauses 4.1.1 applies to any vessel which:

- (a) is carrying not more than 27 kilograms of explosives; or
- (b) is carrying or is intending to load:
 - (i) Fireworks in dangerous goods classifications 1.3G, 1.4G and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001 in amounts less than 500kg gross weight.
 - (ii) Emergency flares and signalling devices in dangerous goods classifications 1.3G, 1.4G and 1.4S in amounts less than 100kg gross weight.
 - (iii) All other 1.4S consignments in amounts less than 2,000kg gross weight.

4.2 Signals to be displayed by any vessel taking in, or discharging or carrying Dangerous Goods.

On or immediately before the arrival in harbour of any vessel carrying dangerous goods, and for as long as that vessel remains in harbour, the master must display by day flag B and by night a red light at the masthead or where it can best be seen from all directions.

4.3 Distance from vessels showing flag B

Where possible, the master of a vessel underway must not allow that vessel to approach within 200 metres of an oil tanker or any other vessel, while it is

at a berth, anchored or underway, that is showing flag B by day or a red all-round light by night. This shall not apply to a vessel acting in accordance with subclause 4.5.1.

4.4 Duties of master of a tanker

4.4.1 While in harbour, the master of an oil tanker must operate in accordance with the International Safety Guide for Oil Tankers and Terminals (ISGOTT).

4.4.2 The master of a tanker must:

- (a) berth or moor the tanker only at such wharf or place as specified for bulk oil discharges in Schedule 2 to these Bylaws, or as otherwise permitted in writing by the Harbourmaster; and
- (b) keep the tanks containing Class 3 packing groups I and II oil cargo securely closed, except when opened for loading or discharging; and
- (c) unless exempted by the Harbourmaster, ensure that sufficient motive power is available at all times to enable the vessel to be moved from the berth in case of fire or other emergency; and
- (d) submit to the Harbourmaster a plan showing the layout of the vessel's tanks and contents, giving the products and approximate quantities that will be on board when arriving at Wellington Harbour, at least 12 hours prior to arrival.

4.5 Berthage requirements for tankers and vessels carrying Class 1 explosives

4.5.1 The master of a tanker or gas carrier must ensure that, the tanker does not lie within 30 metres of another vessel without prior written approval of the Harbourmaster.

4.5.2 The master of a vessel carrying Class 1 explosives in excess of the quantities that require a test certificate shall berth only at a berth which complies with the Designated Transfer Zone provision of a Dangerous Goods Handling Plan. Such a plan will illustrate the limits of the Designated Transfer Zones on a case by case basis.

4.6 Hot work operations

4.6.1 Within Wellington Harbour or commercial areas, the person carrying out the hot work and the master or ship's engineer if available, of every vessel on board which, or on the hull of which, it is proposed to carry out welding or flame-cutting operations in or from any position, whether on board the vessel or not, must request from the Harbourmaster a Hot Work Permit, no less than three hours before commencing the work. A copy of the permit is shown in Schedule 4 to these Bylaws.

- 4.6.2 The person carrying out the hot work or the master or ship's engineer, if available, of the vessel must ensure that before any welding operations are commenced, precautions are taken for the detection, prevention and extinguishing of fire on board the vessel or elsewhere during the welding operations, and that the requirements of the Hot Work Permit are met. Provision must be made for the continuance of the precautions until the operations are completed.
- 4.6.3 No person may commence hot work without having seen and understood a current Hot Work Permit for the work to be undertaken.
- 4.6.4 The Harbourmaster may grant a written exemption from compliance with subclauses 4.6.1 and 4.6.2 to the master or owner of a vessel lying at any ship-repairing establishment.
- 4.6.5 The Harbourmaster may issue a Hot Work Permit if they are satisfied that the requirements of the Permit, as shown in Schedule 4 to these Bylaws, have been met in full.

4.7 Loading or Discharge of Cargo

- 4.7.1 No person shall discharge, drop, cause or allow to be discharged into the region's waters any cargo or anything from any vessel, wharf or from land that would or may constitute a danger to navigation safety.
- 4.7.2 The person who is loading or discharging or drops the cargo, or any other material discharged, into navigable waters shall be liable for the costs of removal.
- 4.7.3 Any person that intends to load logs shall ensure that a plan has been submitted to the Harbourmaster that relates to the loading and recovery of lost logs. The loading needs to be monitored so as to immediately identify any logs that have been lost in the harbour and track them until they can be removed.
- 4.7.4 Wellington Harbour Radio shall be informed of any logs lost into the harbour as soon as they are observed missing and again once they have been recovered.

4.8 Vessels over 500 Gross Tonnage within the Wellington Bylaw area.

- 4.8.1 Any vessel over 500 gross tonnage intending to enter the Bylaws area, except for the purposes of entering Wellington Harbour, must submit a passage plan to the Harbourmaster for prior approval at least 20 working days before the vessel's intended arrival in the Region. In exceptional circumstances a passage plan may be approved under this subclause within a shorter period of time.
- 4.8.2 Upon receipt of a satisfactory passage plan the Harbourmaster may grant permission under subclause 4.8.1, subject to any additional conditions the Harbourmaster may require for the purposes of ensuring navigation safety.
- 4.8.3 No vessels over 500 gross tonnage may double bank without prior permission of the Harbourmaster.

- 4.8.4 The master of any commercial vessel over 500 gross tonnage that wishes to immobilise and/or test engines must seek permission from the Harbourmaster and comply with any conditions provided. This includes maintenance on one or more of the main propulsion units and /or steering systems.
- 4.8.5 The master of any commercial vessel over 500 gross tonnage that wishes to conduct safety drills or exercises, including, but not limited to, lowering of lifeboats, shall, prior to commencing the drill or exercise inform Wellington Harbour Radio of their intention and take heed of any advice given relating to the safe conclusion of the drill or exercise.

5. Administrative matters

5.1 Application to master/owner

- 5.1.1 Where any clause in these Bylaws imposes an obligation or duty on the master of any vessel, that obligation or duty must, in the case of a vessel that has no master, be performed or carried out by the owner.
- 5.1.2 Where any clause of these Bylaws imposes an obligation or duty on both the master and the owner of a vessel, then, if that clause is not complied with, the master and the owner are deemed severally to have committed an offence against these Bylaws. If any such clause is complied with by either the master or the owner, then, for the purposes of these Bylaws, compliance by one is deemed to be compliance by the other.
- 5.1.3 Where any clause of these Bylaws imposes an obligation or duty on any vessel without reference to its master or owner, it shall be the responsibility of the master to ensure the vessel complies with that duty or obligation.

5.2 Notifications to Harbourmaster

Any notifications required to be made to the Harbourmaster, that occur outside of normal office hours (Monday to Friday 0830-1700) shall be made to Wellington Harbour Radio.

5.3 Commercial vessels and hire operations

- 5.3.1 Any person intending to operate a vessel for hire or reward must notify the Harbourmaster before commencing the activity, and provide details of the proposed activities and operating locations.
- 5.3.2 Any vessel operated for hire or reward that is not subject to a licencing regime under Maritime Rules (including but not limited to a Maritime Transport Operator Certificate), the Amusement Devices Regulations 1978, or any similar legislation must obtain a Commercial Vessel Safety Licence from the Harbourmaster.
- 5.3.3 The Harbourmaster may issue a Commercial Vessel Safety Licence subject to any conditions he or she considers are necessary in the interests of safety (including but not limited to the provision of a suitable safe operating plan).
- 5.3.4 Each Commercial Vessel Safety Licence shall be valid for a period of 12 months from the date of issue, or for such shorter period of time as the Harbourmaster may decide.
- 5.3.5 For the purpose of ensuring maritime safety the Harbourmaster may prohibit or impose conditions on the use or operation of any vessel for hire or reward, regardless of whether or not a Commercial Vessel Safety Licence has been issued in respect of that vessel.

5.4 Registration of personal water craft, (PWC, commonly known as a jetskis)

- 5.4.1 The owner and person in charge of every personal water craft being used on the waters of the Region must display a distinctive individual number, which must be either the registration number of the personal water craft's trailer, or a PWC registration number.
- 5.4.2 The PWC registration number or trailer registration number must be clearly displayed above the water line on both sides of the craft at all times. Each number used shall be a minimum height of 90 millimetres, in a contrasting colour and the numbers must be legible from 50 metres away.
- 5.4.3 If not using the trailer registration number then a PWC registration number must be obtained from the Council (or another regional council that undertakes an equivalent registration process for personal water craft).
- 5.4.4 If a PWC registration number is sought from the Council, then the application form for registration must be completed to the satisfaction of the Council, and include the name and address of the owner and details of the personal water craft. The Council will then issue a unique PWC registration number for that personal water craft.
- 5.4.5 If using a PWC registration number, this must also be displayed prominently on the personal water craft's trailer.
- 5.4.6 Any owner selling or otherwise disposing of a personal water craft must complete in writing to the Council a change of ownership or de-registration form (which includes the name and contact information of the new owner where relevant) within 30 days of selling or disposing of the craft.
- 5.4.7 The Council may authorise an agent to undertake the PWC registration process on its behalf.

5.5 Vessel identification

- 5.5.1 The person in charge of a vessel not covered by subclause 5.4 shall ensure the vessel is clearly marked with a minimum of two letters or numbers which must not be a vessel's brand, make or model, and must not have the potential to be mistaken for a vessel operated by the Harbourmaster, coastguard, police, customs, fisheries officers, or other enforcement agency. The marking shall be clearly displayed in a position that it is above the water line on both sides of the vessel at all times.
- 5.5.2 Each letter or number shall be a minimum height of 90 millimetres, in a contrasting colour and the letters or numbers must be legible at a distance no less than 50 metres.
- 5.5.3 If the vessel is normally carried to the water on a trailer, the vessel name or identifying letters and numbers must also be prominently displayed on that trailer.

5.5.4 Subclause 5.5.1 does not apply to:

- (a) non power-driven vessels; or
- (b) power-driven vessels of 4 metres or less in length.

5.5.5 Any vessel exempted under subclause 5.5.4(a) or (b) should be clearly marked somewhere on or in the vessel, with the owner's name and contact details.

5.5.6 A commercial operator that displays a MNZ or MSA number satisfies the requirements of subclauses 5.5.4 or 5.5.5.

5.6 Fees and charges

5.6.1 Council may from time to time, by resolution, set fees and charges for any activity undertaken in these Bylaws. These fees will be publicly notified in the Council's annual plan.

5.6.2 The fees and charges set under bylaw 5.6.1 must be paid on invoice by the specified person to the Council.

6. Wellington Harbour

6.1 Directions for transiting Wellington Harbour entrance

6.1.1 The Master of any vessel entering Wellington Harbour limits must call Wellington Harbour Radio on VHF Ch14 and report their intention to enter the harbour. They shall also inform Wellington Harbour Radio of:

- (a) the number of persons on board, if the vessel is carrying passengers.
- (b) the name of master, if the master is exercising a Pilotage Exemption
- (c) the operational status of the vessel.

or any other information that may be requested.

6.1.2 Pleasure craft are exempt from clause 6.1.1. except during the hours of darkness and in restricted visibility.

6.1.3 The master of a vessel not carrying a marine VHF radio and unable to communicate with “Wellington Harbour Radio” satisfactorily by other means (such as a cellular phone), shall not transit the Wellington Harbour entrance during the hours of darkness or during restricted visibility, except in an emergency.

6.1.4 All vessels of 18 metres or more in length, on passage, shall follow the recommended tracks as detailed in Part A of Schedule 5. This does not exempt a vessel to which this Bylaw applies that is less than 500 gross tonnage from their obligations under subclause 6.5.1.

6.1.5 The master of an inward-bound vessel that is not under Pilots instructions, and is required to follow the recommended tracks shall join the leading line at least two nautical miles south of the charted position of Barrett Reef buoy, except where it would be unsafe to do so because of extreme weather conditions.

6.1.6 The part of Wellington Harbour, detailed in Schedule 6, is deemed to be a narrow channel in accordance with Part 22.9 of the Maritime Rules (Narrow Channels). All vessels in this area should navigate in accordance with this rule.

6.1.7 Outbound vessels shall continue to monitor VHF Ch 14 until seaward of the position of Barrett Reef Buoy.

6.2 Radio reporting procedures – Wellington Harbour Limits

6.2.1 At least 10 minutes prior to planning to leave their berth, the master of any vessel of 18 metres or more in length shall call Wellington Harbour Radio on VHF Ch 14 to report their intentions, to provide the master’s name and operational status of the vessel and, to obtain information about known shipping traffic movements, and to obtain current weather conditions at the harbour entrance.

- 6.2.2 The master of any vessel on a commercial berth that subclause 6.2.1 applies to must check that it is safe to start any engine that may result in the vessel's propulsion systems operating. The master must notify Wellington Harbour Radio of their intentions, prior to starting engines, as part of this safety check and take notice of any advice given.
- 6.2.3 After leaving a berth, mooring or anchorage, the master of either any vessel 18 metres or more in length or any commercial vessel carrying passengers shall, as soon as practicable, call Wellington Harbour Radio on VHF Ch 14 and report that the vessel has cleared the berth, mooring or anchorage, and their intentions. The master of any commercial vessel carrying passengers shall advise of the total number of persons on board.
- 6.2.4 Any vessel to which 6.2.1 or 6.2.3 applies shall advise Wellington Harbour Radio on VHF Ch 14 when secured at a berth, mooring or anchorage, or when seaward of the position of Barrett Reef buoy, if outward bound.
- 6.2.5 Any vessels that are crossing the Wellington Harbour Entrance, south of Barrett Reef, must report their intention to Wellington Harbour Radio. Pleasure Craft are excluded from this except during the hours of darkness and in restricted visibility.

6.3 General directions for navigating in Wellington Harbour

- 6.3.1 All commercial vessels in Wellington Harbour shall maintain a listening watch on VHF Ch 14.
- 6.3.2 During the hours of darkness or restricted visibility all vessels on Wellington Harbour, that have a VHF radio fitted or carried on board, shall maintain a listening watch on VHF Ch 14.
- 6.3.3 The master of any vessel over 18 metres in length, shall ensure that while within Wellington Harbour:
- (a) automatic-steering devices are not to be used, unless a helmsman is standing by in the immediate vicinity of the helm or wheel, otherwise the vessel is to be in the hand-steering mode; and
 - (b) main engines are to be immediately available for reducing speed, stopping or going astern at all times without delay; and
 - (c) anchors are to be immediately available for use in an emergency, and capable of being lowered without power; and
 - (d) all information from aids to navigation and charts is fully monitored; and
 - (e) an appropriate passage plan is developed and executed.
- 6.3.4 While within Wellington Harbour all aids to navigation on board vessels, including but not limited to radar, Automatic Identification System (AIS) and depth recording devices, are to be in continuous operation and fully utilised.

- 6.3.5 The number of persons on the bridge of the vessel shall be sufficient to enable compliance with subclause 6.3.3. and Part 22.5 of the Maritime Rules.
- 6.3.6 Any vessel required to follow the recommended tracks shall, in a prudent seamanship like manner, unless for reasons of safety of navigation or pressure of weather, follow the relevant track as shown in Schedule 5. Any deviation for the reasons stated herewith shall be notified to Wellington Harbour radio by VHF Ch14 prior to deviating.
- 6.3.7 No vessel over 18 metres in length on passage, shall pass less than 3 cables (556 metres) off a line from Point Halswell to Kau Point, and not less than 2.8 cables (519 metres) off a line from Kau Point to Point Gordon.
- 6.3.8 All vessels over 500 gross tonnage departing from Lambton Harbour during the hours of daylight shall give one blast on their horn immediately prior to leaving the berth.
- 6.3.9 All vessels over 18 metres in length or any passenger vessel licenced to carry more than 12 passengers or any passenger vessel operating during the hours of darkness or in restricted visibility, shall transmit an AIS signal when in Wellington Harbour limits.
- 6.3.10 In addition to 6.3.10, the Harbourmaster may require the owner or person in charge of any other vessel to transmit an AIS signal in the interests of navigation safety.

6.4 Radio reporting for vessels taking part in organised events within Wellington Harbour

During the hours of darkness or during restricted visibility, as defined in Part 22 of the Maritime Rules, when a group of vessels is taking part in an organised event, the controlling officer of that event must advise “Wellington Harbour Radio” of the approximate number of vessels involved, the location and duration of the event, and the radio channel being used.

6.5 Duties of persons in charge of motor boats, yachts, launches etc. in Wellington Harbour

- 6.5.1 The master of every vessel in Wellington Harbour, under 500 gross tonnage (including vessels at anchor), shall not impede the navigation of any vessel of 500 gross tonnage or more.
- 6.5.2 While within Wellington Harbour the master of any vessel should avoid anchoring within 100 metres of the marked inward and outward tracks as shown in Part A of Schedule 5, or if they do so, shall move in good time to avoid impeding any vessel over 500 gross tonnage that is required to follow those tracks.

- 6.5.3 For the purpose of 6.4.1 and 6.4.2 'impede' shall include, but is not limited to any action or inaction that requires the master of the vessel over 500 gross tonnage, to take avoiding action.

6.6 Navigational documents required for Wellington Harbour

When navigating in that part of the harbour between Makaro/Ward Island and Pencarrow Head, all vessels of six metres in length and above shall carry and consult a current copy of Chart NZ4633 (or approved electronic equivalent).

6.7 Reporting of vessels' air draught prior to entering Evans Bay

Any vessel with a height of mast or superstructure exceeding 24 metres shall at least 15 minutes prior to entering or before leaving any berth in Evans Bay report to "Wellington Harbour Radio" on VHF Ch 14.

6.8 Speed limits in Lambton Harbour area

- 6.8.1 In addition to bylaw 3.2 (5 knots within 200m of shore), no vessels shall exceed a speed of 12 knots (about 22km/hr) in the Lambton Harbour area (westwards of a line between the Pile Light at the southeastern corner of the Thorndon Container Terminal and the Carter Fountain in Oriental Bay) unless exempted by the Harbourmaster. As shown in Schedule 1.
- 6.8.2 Emergency-service vessels are exempted from complying with subclause 6.8.1 when responding to emergencies.
- 6.8.3 The Harbourmaster may instruct any vessel not to exceed a specified speed, as determined by the Harbourmaster, in certain parts of the harbour for the purposes of ensuring navigational safety.

6.9 Restricted access for non-commercial vessels

Non-commercial vessels shall not enter the commercial areas as shown in Schedule 2 without permission from the Harbourmaster.

Schedule 1 – areas defined

Wellington Harbour

All that area of sea and tidal waters the outer limits being the arc of a circle running from the landward boundary of the foreshore just north of Baring Head and thence into Cook Strait, and thence to the landward boundary of the foreshore south-west of Owhiro Bay, such arc being an arc of a circle of 3.85 nautical miles radius and having its centre at a point on the outer rock in the Harbour of Wellington, such point being in position 41° 20' 96" S, 174° 50' 1" E based on WGS 84.

The inner limits being a straight line across the Hutt River at the seaward side of the Hutt Estuary road bridge and a straight line across the Waiwhetu Stream at the seaward side of Port Road. The above limits are more particularly shown on the plan marked MD 16306 and deposited in the Office of the Ministry of Transport at Wellington.

Porirua Harbour

All that area of water bounded by the line of mean high water spring tides and having as its seaward limit the arc of a circle commencing from the landward boundary of the foreshore of Rocky Bay and thence into Cook Strait and thence to the landward boundary of the foreshore of the coast northwards of Te Rewarewa Point, such arc being the arc of a circle of 1.75 nautical miles radius centred at peg XXIV, Lot 23, D.P.2093, Block 8, Paekakariki S.D.

Lake Wairarapa

The more or less continuous area of water commonly known as Lake Wairarapa, including the Ruamahanga Cut-off, in South Wairarapa and extending as far downstream as the barrage gates.

Lake Onoke (Lake Ferry)

The more or less continuous area of water commonly known as Lake Onoke or Lake Ferry, locate in south Wairarapa and extending between the mouth of the Ruamahanga river as the landward boundary through to Palliser Bay (when the entrance is open).

Evans Bay

All that area of water in Wellington Harbour south of a line drawn between Point Halswell and Point Jerningham.

Lambton Harbour

All that area of water westwards of a line between the Thorndon Container Pile Light and the Carter Fountain in Oriental Bay. In the map below the extensions from 200 metres shore to the land are not show, however the eastern edge of the 12 knot area is the limit as defined.



Schedule 2 – location-specific information

Prohibited anchorages

Within 500 metres of the underwater cable between Mahanga Bay and Webb Point.

Within 100 metres of any other underwater power or telephone cable.

Within 50 metres of the Greta Point sea-water intake which is marked by a white triangle.

Within 70 metres of the floating breakwater at Chaffers Marina.

Note: White triangular beacons on the foreshore mark the ends of the power cables.

Explosives anchorage

Explosives anchorage is an area, radius three cables, centre bearing due north distant 1.45 miles from Point Halswell Light (41o 17'.1 S, 174o 49'.6 E), or as designated by the Harbourmaster, depending on weather conditions.

Bulk oil discharges

Bulk oil discharges are permitted at:

Seaview Wharf

Aotea Quay No 1 or 3

Burnham Wharf

Bunker barge

Restricted access area for non-commercial craft

- The shaded area as shown on the map, that is immediately north of a line between the south end of Waterloo Quay Wharf and the south-west corner of the container terminal reclamation.
- 30 metres off the land or wharf from the southern end of the container terminal, along the main wharf (Aotea Quay) and south of the rail ferry terminal as far as the Kaiwharawhara stream mouth.



Schedule 3 – restricted use areas including access lanes and reserved areas

Part A – Access lanes for use by waterskiers

Seatoun, Wellington

All that area of water on the southern end of Worser Bay as indicated, bounded on the sides by parallel lines approximately 100 metres apart, and extending in a north-easterly direction 200 metres from the edge of the water.



Kau Bay, Wellington

All that area of water on the eastern side of Kau Bay as indicated, bounded on the sides by parallel lines approximately 90 metres apart, and extending in a northerly direction 200 metres from the edge of the water.



Evans Bay, Wellington

All that area of water at the southern end of Evans Bay as indicated, bounded on the sides by straight lines approximately 50 metres apart at high water mark, divergent at an angle of approximately 60°, and extending in a northerly direction 200 metres from the edge of the water.



Petone Beach (West), Lower Hutt

All that area of water at Petone Beach west of the Korokoro Stream as indicated, bounded on the sides by parallel lines approximately 200 metres apart, and extending in a southerly direction 200 metres from the edge of the water.



Days Bay, Lower Hutt

All that area of water at the northern end of Days Bay as indicated, bounded on the sides by parallel lines approximately 90 metres apart, and extending in a westerly direction 200 metres from the edge of the water.



Bradey's Bay, Pauatahanui Inlet

All that area of water on the eastern side of Bradley's Bay, bounded on the sides by parallel lines approximately 90 metres apart, and extending in a north westerly direction 200 metres from the edge of the water.



Grays Road, Pauatahanui Inlet

All that area to the south-west of the launching ramp extending south-west towards Camborne as indicated, bounded by parallel lines approximately 500 metres apart, and extending in a south-easterly direction 200 metres from the edge of the water.



Part B – Reserved areas

Areas reserved for use by personal water craft

Black and white horizontally striped poles shall mark these areas.

Petone Beach (East), Wellington

All that area of water at the eastern end of Petone Beach as indicated, bounded on the sides by parallel lines approximately 90 metres apart, and extending in a southerly direction 200 metres from the edge of the water.



Onepoto Arm, Porirua Harbour

All that area of water on the north-western side of Porirua Harbour, Onepoto Arm (at the end of Onepoto Road) as indicated, bounded on the sides by parallel lines approximately 200 metres apart, and extending in a south-easterly direction 200 metres from the edge of the water.



Castle Point, Masterton

All that area of water from the road end on the north-eastern side of the beach as indicated, bounded on the sides by parallel lines approximately 200 metres apart, and extending in a north-easterly direction 200 metres from the edge of the water.



Grays Road, Pauatahanui Inlet

All that area of water to the east of the launching ramp as indicated and bounded on the sides by parallel lines approximately 150 metres apart extending south-east from the shore.



Part C – Flagged areas

The following areas may be marked by flags, in accordance with Bylaw 3.12.

Western end of Lyall Bay beach

Any area within the indicated area may be marked by flags for the purpose of swimming and body boarding only. The outer limits of the area being adjacent to Queens Drive at the western end and Onepu Road at the Eastern end and the area extends from the waters edge to seaward for 100 metres.



Part D – Areas for non-powered craft

Area reserved for non-powered craft only – Pauatahanui Inlet

The area shown below at the eastern end of Pauatahanui Inlet.

In variance to Bylaw 3.9.3 this area will be marked by a single black and white pole at either end of the outer boundary.



Schedule 4 – hot work permit

Level 1,
Meridian Building,
33 Customhouse Quay,
Wellington

T 04 830 4160
T 04 388 1911A/H

HARBOURMASTER



HOT WORK PERMIT

Not for use on tankers/pipeline

Permit No.

Under the Provisions of Section 4.6 of the Wellington Regional Navigation and Safety Bylaws, or any subsequent legislation, permission is hereby given for gas cutting/burning/welding (electric/gas) to be carried out in the said locations:

.....
.....
.....
.....
.....
.....
.....
.....

on board vessel at berth

subject to the following conditions:

1. All combustible materials within surrounding areas removed or made safe.
2. No flammable liquids, vapours, gases or dusts present.
3. No Hot Work while any bunkering operations are in progress.
4. Batteries near intended work must be isolated and the compartment well ventilated.
5. Work in compartments containing sewage treatment and/or holding tanks must be must be force ventilated.
6. A means of extinguishing (fire extinguishers/hoses/bucket of water as appropriate) must be readily available onsite and fully operational.
7. Operator knows how to use fire equipment.
8. Operator knows how and where to raise fire alarm.
9. Inspections of the surrounding work area/s must be carried out for at least one hour after hot work is completed.
10. Other specified conditions:

.....
.....

Gas Free Certificate* Yes / No Issued by

* A certificate will be required for hotwork on any enclosed space which has contained hydrocarbons.

* For the certificate to stay valid, uninterrupted forced ventilation of the applicable space is required.

I/We agree with the above conditions and will ensure that they are complied with for the duration of this permit.

Signed

For the vessel Position

For the contractor Position

Permit issued by Position Date

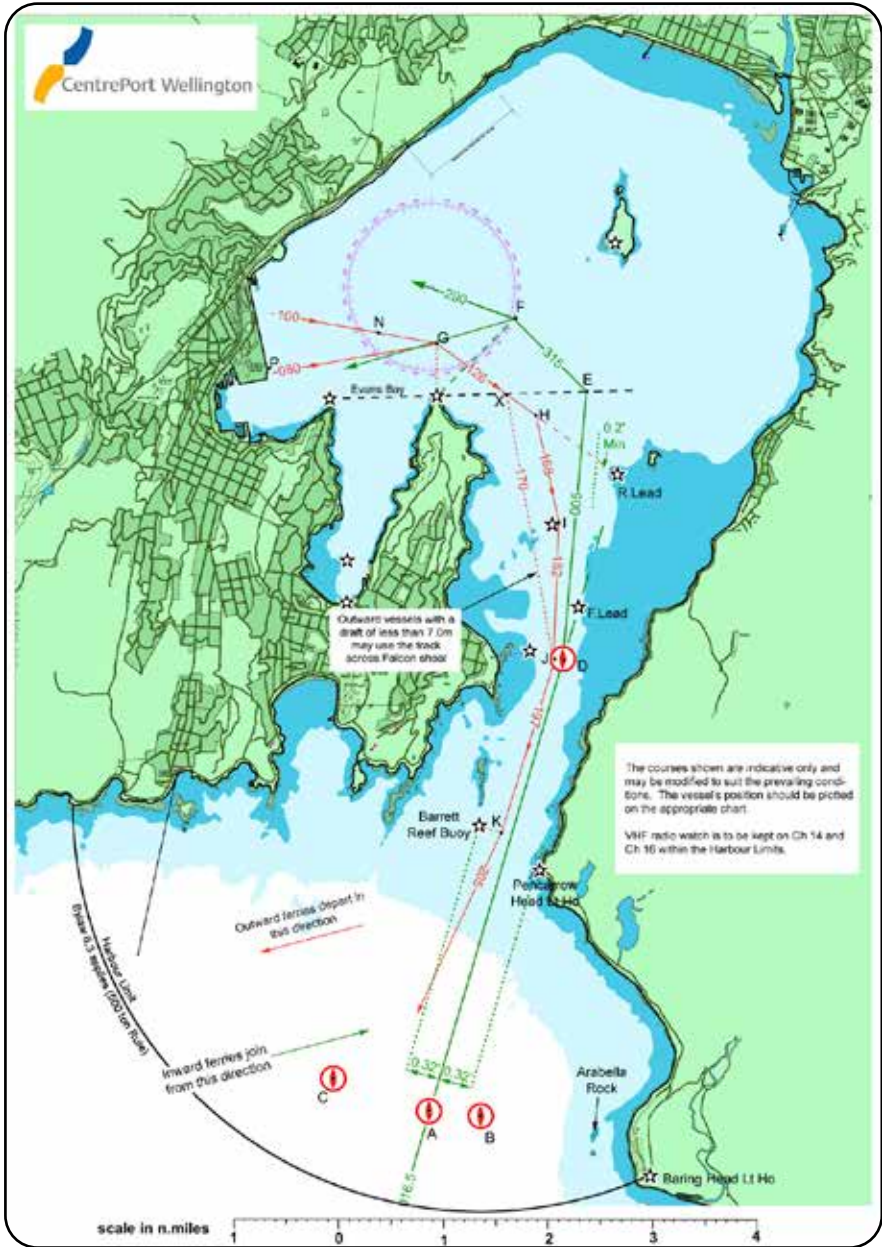
This permit is valid From Hrs Date 'til Hrs Date

This permit must be displayed at work area

If more than one work area, original to be kept in ship's office/wheel house and a duplicate copy to be displayed at each work area.

Schedule 5 – Recommended tracks

Part A Tracks to main wharves, including ferry berths



Wellington pilotage waypoints

(Based on WGS 84 datum)

Note: The following waypoints may be used for setting tracks on the GPS equipment or ECDIS, Council takes no responsibility for the accuracy of this data

PILOT STATIONS

“A”	41 23.89’ S 174 49.47’ E	steer 016.5	Pilot Station “Alpha”
“B”	41 23.93’ S 174 50.12’ E		Pilot Station “Bravo”
“C”	41 23.57’ S 174 48.24’ E		Pilot Station “Charlie”
“D”	41 19.56’ S 174 51.16’ E	steer 005	Pilot Station “Delta”

INWARDS TO MAIN WHARF

“A”	41 23.89’ S 174 49.47’ E	steer 016.5	Pilot Station “Alpha”
“D”	41 19.56’ S 174 51.16’ E	steer 005	Pilot Station “Delta”
“E”	41 17.00’ S 174 51.46’ E	steer 315	Transit Halswell/Jerningham.
“F”	41 16.31’ S 174 50.53’ E	steer 264/290	Abeam Halswell

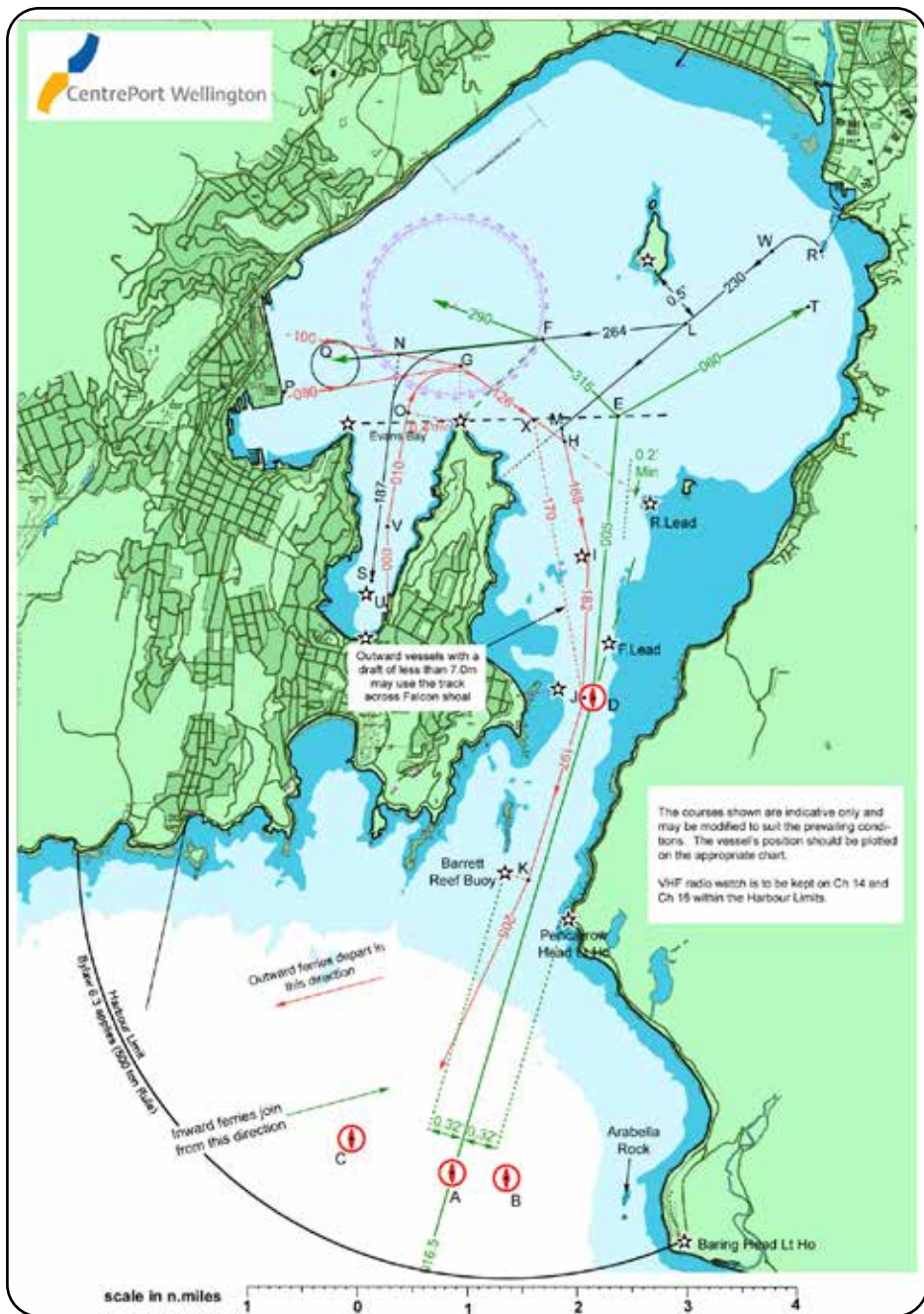
OUTWARDS FROM MAIN PORT

“G”	41 16.54’ S 174 49.57’ E	steer 126	Posn. North of Halswell
“H”	41 17.22’ S 174 50.82’ E	steer 168	To pass East of Falcon Shoal
“I”	41 18.26’ S 174 51.11’ E	steer 182	Posn. Abeam Falcon Shoal Lt.
“J”	41 19.70’ S 174 51.04’ E	steer 197	Posn. Off Steeple Lt.
“K”	41 21.22’ S 174 50.41’ E	steer 205	Posn. Abm. Barrett Buoy

OUTWARDS FROM MAIN PORT CROSSING FALCON SHOAL

“G”	41 16.54’ S 174 49.57’ E	steer 126	Posn. North of Halswell
“X”	41 17.00’ S 174 50.41’ E	steer 170	Course to Cross Falcon Shoal
“J”	41 19.70’ S 174 51.04’ E	steer 197	Posn. Off Steeple Lt.
“K”	41 21.22’ S 174 50.41’ E	steer 205	Posn. Abm. Barrett Buoy

Part B – Tracks to all CentrePort wharves



Wellington pilotage waypoints

(Based on WGS 84 datum)

Note: The following waypoints may be used for setting tracks on the GPS equipment or ECDIS, Council takes no responsibility for the accuracy of this data

PILOT STATIONS

“A”	41° 23.89’ S 174° 49.47’ E	steer 016.5	Pilot Station “Alpha”
“B”	41° 23.93’ S 174° 50.12’ E		Pilot Station “Bravo”
“C”	41° 23.57’ S 174° 48.24’ E		Pilot Station “Charlie”
“D”	41° 19.56’ S 174° 51.16’ E	steer 005	Pilot Station “Delta”

INWARDS TO MAIN WHARF

“A”	41° 23.89’ S 174° 49.47’ E	steer 016.5	Pilot Station “Alpha”
“D”	41° 19.56’ S 174° 51.16’ E	steer 005	Pilot Station “Delta”
“E”	41° 17.00’ S 174° 51.46’ E	steer 315	Transit Halswell/Jerningham
“F”	41° 16.31’ S 174° 50.53’ E	steer 264/290	Abeam Halswell

INWARDS TO SEAVIEW WHARF

“A”	41° 23.89’ S 174° 49.47’ E	steer 016.5	Pilot Station “Alpha”
“D”	41° 19.56’ S 174° 51.16’ E	steer 005	Pilot Station “Delta”
“E”	41° 17.00’ S 174° 51.46’ E	steer 060T	ransit Halswell/Jerningham
“T”	41° 16.00’ S 174 53.72’ E	various	Approach Posn. Seaview
“R”	41° 15.50’ S 174 53.90’ E		Seaview Wf.

INWARDS TO BURNHAM WHARF

“A”	41° 23.89’ S 174° 49.47’ E	steer 016.5	Pilot Station “Alpha”
“D”	41° 19.56’ S 174° 51.16’ E	steer 005	Pilot Station “Delta”
“E”	41° 17.00’ S 174° 51.46’ E	steer 315	Transit Halswell/Jerningham
“F”	41° 16.31’ S 174° 50.53’ E	steer 264	Abeam Halswell
“N”	41° 16.44’ S 174° 48.85’ E	steer 187	Course for Evans Bay
“S”	41° 18.50’ S 174° 48.50’ E	various	Approach Posn. Burnham Wf
“U”	41° 18.70’ S 174° 48.69’ E		Burnham Wharf

SEAVIEW / BURNHAM SHIFT

“R”	41° 15.50’ S 174° 53.90’ E	various	Posn. Seaview Wharf
“W”	41° 15.50’ S 174° 53.28’ E	steer 230	Departure Posn. off Seaview
“L”	41° 16.17’ S 174° 52.23’ E	steer 264	Posn. South of Somes Is.
“N”	41° 16.44’ S 174° 48.85’ E	steer 187	Course for Evans Bay
“S”	41° 18.50’ S 174° 48.50’ E	various	Approach Posn. Burnham wf
“U”	41° 18.70’ S 174° 48.69’ E		Burnham Wharf

OUTWARDS FROM MAIN PORT

"G"	41° 16.54' S 174° 49.57' E	steer 126	Posn. North of Halswell
"H"	41° 17.22' S 174° 50.82' E	steer 168	To pass East of Falcon Shoal
"I"	41° 18.26' S 174° 51.11' E	steer 182	Posn. Abeam Falcon Shoal Lt.
"J"	41° 19.70' S 174° 51.04' E	steer 197	Posn. Off Steeple Lt.
"K"	41° 21.22' S 174° 50.41' E	steer 205	Posn. Abm. Barrett Buoy

OUTWARDS FROM MAIN PORT CROSSING FALCON SHOAL

"G"	41° 16.54' S 174° 49.57' E	steer 126	Posn. North of Halswell
"X"	41° 17.00' S 174° 50.41' E	steer 170	Course to Cross Falcon Shoal
"J"	41° 19.70' S 174° 51.04' E	steer 197	Posn. Off Steeple Lt.
"K"	41° 21.22' S 174° 50.41' E	steer 205	Posn. Abm. Barrett Buoy

OUTWARDS FROM SEAVIEW WHARF

"R"	41° 15.50' S 174° 53.90' E	various	Posn. Seaview Wharf
"W"	41° 15.50' S 174° 53.28' E	steer 230	Departure Posn. off Seaview
"M"	41° 17.09' S 174° 50.78' E	steer 168	To pass East of Falcon Shoal
"I"	41° 18.26' S 174° 51.11' E	steer 182	Posn. Abeam Falcon Shoal
"J"	41° 19.70' S 174° 51.04' E	steer 197	Posn. Of Steeple Lt.
"K"	41° 21.22' S 174° 50.41' E	steer 205	Posn. Abeam Barrett Buoy

OUTWARDS FROM BURNHAM WHARF

"U"	41° 18.70' S 174° 48.69' E	steer 000	Burnham Wharf
"V"	41° 18.00' S 174° 48.69' E	steer 010	Centre Evans Bay
"O"	41° 16.95' S 174° 48.93' E	various	Posn to turn out of E. Bay
"G"	41° 16.54' S 174° 49.57' E	steer 126	Posn. N. Halswell (optional)
"H"	41° 17.22' S 174° 50.82' E	steer 168	To pass East of Falcon Shoal
"I"	41° 18.26' S 174° 51.11' E	steer 182	Posn. Abeam Falcon Shoal
"J"	41° 19.70' S 174° 51.04' E	steer 197	Posn. Of Steeple Lt
"K"	41° 21.22' S 174° 50.41' E	steer 205	Posn. Abeam Barrett Buoy

WHARF AND APPROACH POINTS

"P"	41° 16.78' S 174° 47.42' E		Posn. Off TCW1
"Q"	41° 16.50' S 174° 48.05' E		H. O. Anchorage
"R"	41° 15.50' S 174° 53.90' E		Posn. Seaview Wharf
"S"	41° 18.50' S 174° 48.50' E		Approach Posn. Burnham Wf
"T"	41° 16.00' S 174° 53.72' E		Approach Posn. Seaview
"U"	41° 18.70' S 174° 48.69' E		Burnham Wharf
"V"	41° 18.00' S 174° 48.69' E		Centre Evans Bay

Schedule 6 – Narrow Channel

The western boundary

- (a) extends northward from Steeple Rock light though Falcon Shoal light until it reaches $41^{\circ}17.5'$ South.
- (b) Extends southward from Steeple Rock light though the position of Barrett Reef buoy until it reaches $41^{\circ}21.6'$ south.

The eastern boundary

The eastern Boundary is from the rear leading light to the point where the eastern side of the intensified lead light meets $41^{\circ} 21.6'$ south, adjacent to Pencarrow Head.





For more information:

Greater Wellington
Harbours

T 04 830 4160

E harbours@gw.govt.nz

www.gw.govt.nz

- Harbour safety
- Navigation aids
- Cleaning up marine oil spills
- Enforcing regional navigation and safety bylaws

Wellington Harbour Radio

T 04 473 4547

T 04 388 1911

Marine VHF Channels

14,16,04,62

Beacon Hill 24-hour service

- Shipping information
- Marine oil spills
- Recreational boating concerns

Weather and distress information

For marine weather forecasts and in case of distress, contact Wellington Maritime Radio – VHF Ch 16