

CANTERBURY REGIONAL COUNCIL

**ENVIRONMENT
CANTERBURY
NAVIGATION SAFETY
BYLAWS 2005**

**(Incorporating Amendments 1
and 2.)**

Report R07/37

ISBN 978-1-86937-733-5

01 December 2006





ENVIRONMENT CANTERBURY NAVIGATION SAFETY BYLAWS 2005

(Incorporating Amendments 1 and 2.)

Prepared under the Local Government Act 2002

Report R07/37

ISBN 978-1-86937-733-5

01 December 2007

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Environment Canterbury Navigation Safety Bylaws 2005

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Prepared under the Local Government Act 2002

I hereby certify that this is a correct copy of the Environment Canterbury Navigation Safety Bylaws 2005.

The Council approved the bylaws, after following the special consultative procedures set out in the Local Government Act 2002, at a meeting of the Canterbury Regional Council on 24 November 2005, with the bylaws to come into force on 1 December 2005.

The Council approved Amendment 1 (a) to (j) at its meeting on 28 September 2006 and approved minor changes on 26 October 2006 with the amendments and minor changes to take effect from 11 November 2006.

The Council approved Amendment 2 (a) to (o) at its meeting on 7 November 2007 with the amendments to take effect from 1 December 2007.

The common seal of the Canterbury Regional Council was affixed in the presence of:

Dr Bryan Jenkins
Chief Executive

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Resolutions of the Canterbury Regional Council

Revocation of Previous Bylaws

- (1) The Canterbury Regional Council hereby revokes the Environment Canterbury Inland Waters Navigation Safety Bylaws 2004 and all amendments to those Bylaws.
- (2) The Canterbury Regional Council hereby revokes the Environment Canterbury Harbour Bylaws 2003 and all amendments to those Bylaws.
- (3) The Canterbury Regional Council hereby revokes all previously gazetted speed restriction upliftings.

Making of Bylaws

- (4) The Canterbury Regional Council, in accordance with section 684B of the Local Government Act 1974, makes the following Bylaws:

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ENVIRONMENT CANTERBURY NAVIGATION SAFETY BYLAWS 2005

Preliminary and Commencement

1.1 Title and commencement

- (1) These Bylaws shall be cited as the Environment Canterbury Navigation Safety Bylaws 2005 and shall come into force on 1 December 2005.

1.2 Areas within which these Bylaws apply

- (1) These Bylaws apply to all navigable inland waters and the following Coastal Marine Areas:
- Lyttleton Harbour / Whakaraupo
 - Timaru Harbour
 - Kaikoura Harbour
 - Akaroa Harbour
 - Avon and Heathcote Rivers Estuary/Ihutai
 - Sumner Bay
 - Waimakariri Harbour
 - Pigeon Bay
 - Little Akaloa Bay
 - Okains Bay
 - Le Bons Bay
 - Motunau Beach

The Coastal Marine Areas are defined in Schedule 1.

1.3 Adoption of Functions, Duties and Powers

- (1) In accordance with Part 39A of the Local Government Act 1974 Environment Canterbury adopts for the navigable inland waters of the Canterbury Region and those Coastal Marine Areas listed in Schedule 1, the following functions, duties and powers:
- (a) the regulation and control of navigation safety; and
 - (b) all of the functions, duties and powers of regional councils set out in Part 39A of the Local Government Act 1974.

1.4 Definition of Terms

- (1) In these Bylaws, unless the context otherwise requires:

"access lane" means an area that has been specified as an access lane in these Bylaws or declared an access lane under Clause 4.1.

"aircraft" means any machine 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.

"anchor" or "anchoring"

when used as a verb means the act of securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that is normally removed with the vessel when it leaves the site or anchorage.

"beacon" means a light or mark set up in a prominent position as a navigation mark or a warning to vessels.

"buoy" means an anchored float serving as a navigation or locational mark, or to indicate reefs, other hazards or a mooring.

"buoyancy aid"

means for the purposes of Clause 2.1 (2) (f)

- (a) a buoyancy aid as defined in NZ Standard 5823:1989 or NZ Standard 5823:2001; or
- (b) a buoyancy aid that the Director of Maritime New Zealand is satisfied substantially complies with the standard prescribed in paragraph (a) and that provides a minimum of 53 newtons of buoyancy.

(Note that NZ Standard 5823:1989 or NZ Standard 5823:2001 define a buoyancy aid as any device designed to assist a person to remain afloat in water until rescue is affected.)

"coastal marine area"

shall have the same meaning as in the Resource Management Act 1991.

"craft"

means either a vessel or a toboggan, surfboard, windsurfer, sailboard or other object intended to carry or support a person in or on the water.

"dangerous goods"

shall have the same meanings as in the Hazardous Substances and New Organisms Act 1996.

(Note: Dangerous Goods are those listed in Part G of Schedule 9 of the Hazardous substances and New Organisms Act 1996.)

"Director of Maritime New Zealand"

means the person who is for the time being the Director of Maritime New Zealand under section 439 of the Maritime Transport Act 1994.

"enforcement officer"

means an enforcement officer (including an honorary enforcement officer) appointed by Environment Canterbury under Section 650B of the Local Government Act 1974 for the purposes of Part 39A of that Act.

"Environment Canterbury"

is the name by which the Canterbury Regional Council is referred to.

- “explosive” means capable of sudden expansion owing to a release of internal energy; and includes the capability to generate deflagration or pyrotechnic effects, and explosion has a corresponding meaning. An explosive in relation to the requirement of Clause 6.6 (1) to display Flag B means an explosive or an authorised explosive as defined in section 222 of the Hazardous Substances and New Organisms Act 1996, other than explosives of the first division of the sixth (ammunition) class or the third division of the seventh (firework) class as defined in Schedule 7 of the Hazardous Substances and New Organisms Act 1996
- "flag A" means the Divers Flag 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, of not less than 600mm by 600mm.
- “flag B” means the flag B of the International Code of Signals, a burgee (swallow-tailed) flag coloured in red, or a rigid equivalent, of not less than 600mm by 600mm.
- “flammable liquids” means liquids, or mixtures of liquids, or liquids containing solids in solution or suspension that give off a flammable vapour at or below 61°C (141°F) in a closed cup test; including paints, varnishes and lacquers.
- “foreshore” means any land covered and uncovered by the flow and ebb of the tide at mean spring tides, or any land covered and uncovered by the normal rise and fall of the level of a river or estuary.
- “fuel oil” means any petroleum that has a flash point higher than 61°C and is generally used for fuel or is intended to be used for fuel.
- “gas free certificate” means a certificate obtained from an industrial or analytical chemist or other competent person certifying that the gas in any confined space is not at a level that creates a risk of explosion.
- "gross tonnage" in relation to a vessel, means the gross tonnage of that ship determined or recognised in accordance with the provisions of the Maritime Transport Act 1994 or any Maritime Rules.
- "harbourmaster" means the person or persons appointed by Environment Canterbury as Harbourmaster under Section 650B of the Local Government Act 1974 for the purposes of Part 39A of that Act. Harbourmaster includes the Regional Harbourmaster.
- "honorary enforcement officer" means an honorary enforcement officer appointed by Environment Canterbury under Section 650B of the Local Government Act 1974 for the purposes of Part 39A of that Act.

"hours of darkness"

means any period of time between half an hour after sunset on one day and half an hour before sunrise on the next day.

"kite surfing" means being propelled by means of a kite on a board or similar craft.

"landing place" means a wharf, jetty, dock, quay, landing, pile mooring, pontoon, slipway or other facility, where vessels are moored or are launched or retrieved, but does not include a swing mooring.

"large vessel" means any vessel 24 metres or over in length.

"length" in relation to the length of vessels means length overall.

"main navigational channel"

Means the area of Lyttleton harbour (Whakaraupo) or Timaru Harbour defined in Schedule 3.

"master" means any person having command or charge of a vessel, but does not include a Pilot who is piloting the vessel.

"moving prohibited zone"

means the space of water within a distance of 800 metres (4 cables) ahead and 100 metres (0.5 cables) on either side of any vessel over 150 metres (0.75 cables) in length, or any oil tanker, or any vessel for which a zone has been declared and remains current under Clause 10.7 (8).

"navigable" means suitable for navigating a vessel on, through, over or under the water.

"navigate" means the act or process of managing or directing the course of a vessel on, through, over or under the water.

"oil tanker" means a vessel constructed or adapted for carrying a cargo of oil or petroleum in bulk.

"on the surface of the water"

in respect of a seaplane that is taking off from, or alighting on the water, means the seaplane is in contact with the water surface.

"owner"

- (a) in relation to a vessel registered in New Zealand under the Ship Registration Act 1992, means the registered owner of the vessel;
- (b) in relation to a vessel registered in any place outside New Zealand, means the registered owner of the vessel;
- (c) in relation to a vessel to which paragraph (a) or paragraph (b) of this definition applies, where, by virtue of any charter or demise or for any other reason, the registered owner is not responsible for the management of the ship, includes the charterer or other person who is for the time being so responsible;
- (d) in relation to an unregistered vessel or a registered vessel that does not have a registered owner, means the person who is for the time being responsible for the management of the vessel;

- (e) used in relation to any dock, wharf, quay, or slipway, includes a lessee of the dock, wharf, quay, or slipway.
- "parasailing" "parakiting" or "paragliding"
means any flying or gliding by use of a parachute or kite when being towed by a vessel.
- "person" includes a natural person, the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate.
- "person in charge"
in relation to any vessel means the master
- "personal flotation device"
means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by an authority recognised by the Director of Maritime New Zealand for this purpose as meeting –
- (a) type 401, 402, 403, 404, 405, or 408 in NZ Standard 5823:1989 or NZ Standard 5823:2001; or
- (b) a national or international standard that the Director of Maritime New Zealand is satisfied substantially complies with types 401, 402, 403, 404, 405, or 408 of the NZ Standard 5823:1989 or NZ Standard 5823:2001.
- "personal water craft"
means a power driven vessel that:
- (a) has a fully enclosed hull; and
- (b) 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.
- "pilot" shall have the same meaning as in the Maritime Transport Act 1994.
- "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 transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business; or
- (b) a vessel that is used on any voyage for pleasure if it is normally used or intended to be normally used as a fishing ship as defined by the Maritime Transport Act 1994, or for the carriage of passengers or cargo for hire or reward; or
- (c) a vessel that is operated or provided by any club, incorporated society, trust, or business.
- "powered vessel" or "powered craft"
means any vessel or craft that is propelled or driven otherwise than solely by oars, paddles or the wind.
- "proper speed" means speed through the water.

- "public notice" and "publicly notified"
means notice published in a newspaper circulating in the area in which the waterway is situated.
- "Regional Harbourmaster"
means the person appointed as Regional Harbourmaster for the whole Canterbury Region by Environment Canterbury under section 650B of the Local Government Act 1974 for the purposes of Part 39A of that Act and includes any person authorised by Environment Canterbury to act in this capacity.
- "reserved area"
means an area declared as being reserved for a specified purpose under Clause 4.5.
- "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.
- "rules"
means Maritime Rules made under the Maritime Transport Act 1994
- "sailboard"
means a board with a sail or sails designed to be operated by a person standing upright on the board.
- "seaplane"
means a flying boat or any other aircraft designed to manoeuvre on the water, and under these bylaws is deemed to be a vessel when operating on the water.
- "shore"
when referring to distance from shore, means distance from the waters edge at the time.
- "structure"
means any building, equipment, device, or other facility made by people and which is fixed to land and includes slipways, jetties, pile moorings, swing moorings, rafts, wharves, marine farms, and other objects whether or not these are above or below the waterline of the foreshore, but excludes navigation buoys.
- "support vessel"
means any vessel used for coaching, marshalling and rescue attendance for training, regattas and competitions.
- "surfboard"
means any object constructed of wood, metal, fibreglass, plastic or any other material, but without a sail, that is used for wave surfing or surf riding.
- "swing mooring"
means any weight or article placed in or on the foreshore or the bed of a waterway for the purpose of securing a vessel, raft, aircraft, or floating structure, and includes any wire, rope, buoy, or other device attached or connected to the weight, but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.
- "swing mooring area"
means the area, where vessel moorings may be placed, designated by Environment Canterbury as a Mooring Area in any Regional Coastal Plan under the Resource Management Act 1991 or reserved as a mooring area.

"unseaworthy" means not being in a fit condition or readiness to operate safely on the water.

"vessel" means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes:

- (a) a barge, lighter, or other like vessel;
- (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the force of air against the surface of the water over which it operates;
- (c) a submarine or other submersible; and
- (d) a seaplane whilst it is on the surface of the water.

"water skiing" includes being towed barefoot or on an object of any kind other than a vessel.

"waterway" means an estuary, canal, any inland water body or area of coastal water.

"windsurfer" means a board with a sail or sails designed to be operated by a person standing upright on the board.

1.5 Interpretation

Notification to Environment Canterbury or the Regional Harbourmaster

- (1) Notification or report to Environment Canterbury or the Regional Harbourmaster, where this is a requirement of these Bylaws, shall be achieved through notification or reporting in the required form to the Christchurch Office of Environment Canterbury. (PO Box 345, 58 Kilmore Street, Christchurch, Telephone (03) 365 3828, Facsimile (03) 365 3194, e-mail: ecinfo@ecan.govt.nz)

Bearings

- (2) In these Bylaws a bearing is a true bearing unless specified otherwise.

Signs, Posts and Markers

- (3) Notwithstanding the geographical designation or description of the area or location of an access lane or reserved area, the boundaries of the area for the purpose of interpretation of these bylaws shall be those indicated by the relevant signs, posts or markers erected by, or on behalf of Environment Canterbury.

Applicability to Masters and Owners

- (4) Where any clause of these Bylaws imposes an obligation or duty on the Master of any vessel, that obligation or duty shall, in the case of a vessel that has no Master, be performed or carried out by the owner of the vessel.
- (5) 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 shall be 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 compliance by one shall for the purposes of the clauses of these Bylaws be deemed to be compliance by the other.

Permission in Writing May be Received by Facsimile and E-mail

- (6) Persons requiring any approval or permission under these Bylaws in writing shall be deemed to have received such approval or permission if the approval or permission is received by facsimile or by e-mail.

Mouth of a River, Stream, Estuary or Lagoon

- (7) For the purpose of these Bylaws, unless otherwise specified or marked, the mouth of any river, stream, estuary or lagoon to the sea shall be deemed to include every outlet of the river, stream, estuary or lagoon, and shall be deemed to include the waters of the sea lying within a distance of 500 metres seaward from any place on the foreshore where at low tide (Mean Low Water Springs) the waters of the river, stream, estuary or lagoon meet the waters of the sea.

Boundary of a River, Stream, Estuary or Lagoon

- (8) For the purpose of these Bylaws, unless otherwise specified, a river, stream, estuary or lagoon running into the sea shall include the mouth of the river, stream, estuary or lagoon.
- (9) For the purpose of these Bylaws, unless otherwise specified or marked, a river or stream, running into another freshwater body shall have its boundary at any point where the waters of the river or stream meet the waters of the other freshwater body.
- (10) For the purpose of these Bylaws, unless otherwise specified or marked, a river or stream running into or out of a lake where no mixing of waters occurs, shall have its boundary where there the river or stream meets the lake, sometimes indicated by a distinct change in water level, or if there is no distinct change in water level, where a mouth of the river or stream is at its narrowest, bank to bank.

Part 2 **General Navigation and Safety Matters**

2.1 Carrying of Lifejackets / Personal Floatation Devices on a Vessel

- (1) No person in charge of a pleasure craft shall use or navigate that pleasure craft, unless there is on board in a readily accessible location, at least one Personal Floatation Device of an appropriate size for each person on board.
- (2) Clause 2.1(1) shall not apply to:
 - (a) The navigation or use of any surfboard or similar unpowered craft; or
 - (b) any sailboarder or windsurfer, where a wetsuit is worn at all times; or
 - (c) a diver on a vessel less than 6 metres in length that is used for recreational diving within 2 miles of shore, and a full body dive suit is worn at all times; or
 - (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 New Zealand pursuant to Part 91 of Maritime Rules; or
 - (e) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence; and
 - (f) a person operating a craft powered solely by paddles, if a serviceable buoyancy aid that remains fit-for-purpose, is designed to be worn on the body and is appropriate to the activity, is carried at all times for each person on board.
- (3) Clause 2.1(1) shall not apply in respect of any sporting event, training activity, ceremonial event 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 pleasure craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the pleasure craft.
- (4) Clause 2.1(1) shall not apply in respect of any sporting event, training activity, ceremonial event, or other organised recreational activity if the Regional Harbourmaster has granted an exemption in writing. Such an exemption must be sought in writing and may be granted for a specified period or periods if the Regional Harbourmaster is satisfied that adequate safety precautions will be made for rescuing any person participating in the event or activity.

2.2 Wearing of Lifejackets / Personal Floatation Devices

- (1) No person in charge of a pleasure craft may use that craft in circumstances where tides, river flows, visibility, rough water, adverse weather, emergencies or other situations cause danger or a risk to the safety of persons on board, unless every person on board is wearing a properly secured personal flotation device of an appropriate size for that person.

- (2) No person in charge of a pleasure craft less than 5 metres in length shall navigate or use that vessel while it is underway, or allow it to be navigated or used unless every person on board who is under the age of 10 years is wearing a properly secured personal flotation device of an appropriate size for that person.
- (3) No person in charge of a pleasure craft shall navigate that vessel, or allow it to be navigated, when navigating between the sea and the mouth of any river, estuary or lagoon, or within such a mouth, unless every person on board is wearing a properly secured Personal Floatation Device of an appropriate size for that person.
- (4) No person in charge of a pleasure craft less than 5 metres in length shall navigate or use that pleasure craft while it is underway or allow it to be navigated or used while it is underway during the hours of darkness, unless every person on board is wearing a properly secured Personal Floatation Device of an appropriate size for that person.
- (5) Every person on board a pleasure craft that is underway shall wear a Personal Floatation Device of an appropriate size for that person when requested to do so by the Harbourmaster or an enforcement officer. Such a request shall only be made, if in the opinion of the Harbourmaster or the enforcement officer, the wearing of a Personal Floatation Device is required for the safety of persons on board because of strong tides, high river flows, low visibility, rough water or adverse weather.
- (6) Clauses 2.2 (2) to 2.2 (5) shall not apply to
 - (a) navigation or use of any surfboard or similar unpowered craft; or
 - (b) any person on a sailboard or windsurfer, where a wetsuit is worn by that person at all times; or
 - (c) a diver on a vessel less than 6 metres in length where that vessel is used for recreational diving within 2 miles of shore, and a full body dive suit is worn at all times; or
 - (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; or
 - (e) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence; or
 - (f) a person on a craft powered solely by paddles, if a serviceable buoyancy aid that remains fit-for-purpose, is designed to be worn on the body and is appropriate to the activity, is worn all times.
- (7) No person in charge of a pleasure craft shall use it to tow any person and no person may cause or allow himself or herself to be towed by any such vessel, except where the person being towed is wearing a properly secured Personal Flotation Device of an appropriate size for that person.

- (8) Clause 2.2 (7) shall not apply to a person:
- (a) training for any trick water skiing element of a sporting event supervised in accordance with the safety system at national sporting organisation approved by the Director of Maritime New Zealand pursuant to Part 91 of Maritime Rules; or
 - (b) participating in a sporting event supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand pursuant to Part 91 of Maritime Rules; or
 - (c) ten years of age or older being towed at a speed of less than five knots.

2.3 Minimum Age for Operating Powered Vessels

- (1) No person under the age of 15 years shall take charge of, propel or navigate a powered 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.
- (2) The owner of a powered vessel that is capable of a proper speed exceeding 10 knots shall not allow any person under the age of 15 years to take charge of, propel or navigate that vessel unless the person under the age of 15 years is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- (3) Clauses 2.3 (1) and 2.3 (2) shall not apply in respect of any sporting event, training activity, or any other recreational activity, where an application has been made in writing to the Regional Harbourmaster and the Regional Harbourmaster has granted an exemption in writing and where any associated conditions imposed by the Regional Harbourmaster are fully complied with.
- (4) Before granting an exemption from Clauses 2.3 (1) or 2.3 (2) the Regional Harbourmaster must be satisfied that there will be adequate supervision, training and education of the persons under the age of 15 years participating in the event or activity. The exemption must be in writing and may be subject to any conditions the Harbourmaster considers appropriate. The Harbourmaster, for any reason that he or she deems appropriate, may require the exemption to be applied for instead under Clause 7.1(1).
- (5) Clauses 2.3 (1) and 2.3 (2) shall not apply to any person under the age of 15 years in respect of a sporting event, training activity, or other recreational activity, where the Director of Maritime New Zealand has provided an exemption under Section 47 of the Maritime Transport Act 1994, and where any associated conditions imposed by the Director of Maritime New Zealand are fully complied with. (Note that for such an exemption to apply, the Director of Maritime New Zealand must give prior notification to Environment Canterbury.)

2.4 Speed of vessels

- (1) No person may, without reasonable excuse, propel or navigate a vessel, including a vessel towing a person or an object, at a proper speed greater than five knots:
 - (a) within 50 metres of any other vessel, raft or person in or on the water;
 - (b) within 200 metres of the shore or any structure; or

- (c) within 200 metres of any vessel or raft that is flying Flag A of the International Code of Signals, (divers flag).
- (2) Clause 2.4 (1) (a) shall not apply to:
- (a) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this clause; 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) coaching boats, safety boats and craft training for, or participating in, competitive rowing, paddling or sailing; 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 this clause; or
 - (e) a vessel operating in accordance with a speed uplifting granted on application by Environment Canterbury or a speed uplifting provided for in these Bylaws; or
 - (f) a vessel operating in a reserved area for which the restriction in Clause 2.4 (1) (a) does not apply, provided the vessel is operated in accordance with the conditions for the use of the reserved area.
- (3) Clause 2.4 (1) (b) shall not apply to:
- (a) a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this clause; or
 - (b) coaching boats, safety boats and craft training for, or participating in, competitive rowing, paddling or sailing; or
 - (c) a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel, if the vessel's duties cannot be performed in compliance with this clause; or
 - (d) a vessel operating in accordance with a speed uplifting granted on application by Environment Canterbury or a speed uplifting provided for in these Bylaws; or
 - (e) a vessel operating in an access lane provided the vessel is operated in accordance with the conditions for the use of the access lane; or
 - (f) a vessel operating in a reserved area for which the restriction in Clause 2.4 (1) (b) does not apply, provided the vessel is operated in accordance with the conditions for the use of the reserved area.
- (4) Clauses 2.4 (1) (a) and 2.4 (1) (b) shall not apply in respect of any sporting event, training activity, or any other commercial or recreational activity, where an application in writing has been made to the Regional Harbourmaster, and the Regional Harbourmaster has provided an exemption in writing and where any associated conditions imposed by the Regional Harbourmaster are fully complied with.

- (5) Before granting an exemption from Clauses 2.4 (1) (a) and 2.4 (1) (b) the Regional Harbourmaster must be satisfied that the sporting event, training activity, or other recreational activity will be undertaken safely and not unduly endanger the safety of participants or other persons. The exemption must be in writing and may be subject to any conditions the Regional Harbourmaster considers appropriate. The Regional Harbourmaster, for any reason that he or she deems appropriate, may require the exemption to be applied for instead under Clause 7.1 (1).

2.5 Creating a Wake

- (1) No person shall propel or navigate a sailing or pleasure craft such that its wake causes unnecessary danger or risk of damage to other vessels or structures or unnecessary danger or risk of harm to other persons.

2.6 Navigating with Persons Extending Outside the Vessel

- (1) No person shall propel or navigate any type of powered vessel at a proper speed exceeding five knots, while any person has any portion of his or her body extending over the forepart, bow or side of the vessel.
- (2) No person shall have any portion of his or her body extending over the forepart, bow or side of any type of powered vessel while the vessel is being navigated at a proper speed exceeding five knots.

2.7 Providing of Information on Incidents, Including Collisions and Other Accidents

- (1) The Master of any vessel that:
- (a) has been involved in a collision with any vessel or property, or has been sunk; 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 other vessels or property; or
 - (c) in any manner gives rise to an obstruction in a navigational channel; or
 - (d) causes any damage to any structure or to anything on a structure; or
 - (e) is involved in any mishap that results in serious harm to a person, an accident, or an incident, that is required to be reported to Maritime New Zealand in accordance with Section 31 of the Maritime Transport Act 1994;

shall, as well as complying with any accident reporting requirements of Maritime Rules and the Maritime Transport Act 1994, as soon as practicable report the occurrence to the Regional Harbourmaster, and within 24 hours, provide the Regional Harbourmaster with full details of the occurrence in writing. The same report shall be made available on request to the owner of the vessel or property which has been damaged.

- (2) The full details provided to the Regional Harbourmaster under Clause 2.7 (1), as well as a full description of how and when the incident occurred, shall include:
- (a) a full description of any injury to persons and their names and their addresses;

- (b) a full description of any damage to vessels and structures;
 - (c) full details of the state of the environment at the time of, and immediately prior to the incident, including: rainfall, wind direction and strength, visibility, tides, wave heights;
 - (d) details on what was done to secure or recover any unseaworthy vessel; and
 - (e) the names and addresses of persons in charge of the vessel at the time of the incident.
- (3) The Master of any vessel for which clause 2.7 (1) applies shall give replies to any written or oral questions of the Regional Harbourmaster as to the cause of the incident and actions taken subsequently.
- (4) If an incident described in Clause 2.7 (1) involves a large vessel that is navigating to a port outside the Canterbury Region, the Master shall provide the Regional Harbourmaster with the report required under Clause 2.7 (1) by facsimile, telex, e-mail, or other means.
- (5) If an incident described in Clause 2.7 (1) occurs whilst a licensed pilot is piloting the vessel, the pilot shall also provide the reports in the format and timeframes required of a Master by Clause 2.7 (1) and Clause 2.7 (2).

2.8 Seaplanes

- (1) No person in charge of a watercraft shall navigate that watercraft so that it impedes a seaplane that is landing or taking off.
- (2) No person shall take-off, land or attempt to take-off or land any aircraft or other means for air flying on any areas of water not specified for that purpose in Schedule 4, other than with the written permission of the Regional Harbourmaster. The Regional Harbourmaster, for any reason that he or she deems appropriate, may require the permission to be applied for instead under Clause 7.1 (1).
- (3) No person shall take-off, land or attempt to take-off or land any aircraft or other means for air flying, on any area of water that is an access lane or reserved for purposes other than aircraft or air flying operations.

2.9 Unseaworthy Vessels

- (1) No person shall operate any vessel in circumstances where the vessel is unseaworthy, except to remove the vessel from the water or to move it to a safe area.
- (2) No person shall operate any vessel in circumstances where persons on board have been advised by the Harbourmaster or an enforcement officer that the vessel is unseaworthy, except to comply with the directions of the Harbourmaster or enforcement officer to proceed to a safe area.
- (3) The person in charge of any vessel for which Clause 2.9 (2) applies, shall on request by the Harbourmaster or an enforcement officer, navigate the vessel immediately by the shortest and quickest route, to a safe area nominated by the Harbourmaster or enforcement officer.
- (4) If an incident involves damage to a large vessel that affects or is likely to affect its seaworthiness the Master shall not move the vessel except to clear the Main Navigational Channel or to moor or anchor in safety, or in accordance with the directions of the Harbourmaster.

2.10 Obstructions to Navigation or Causing of Possible Damage or Injury

- (1) No person shall navigate or anchor any vessel so as to obstruct the navigation of any waterway; or the access to any wharf, mooring or landing place.
- (2) No person shall moor or anchor any vessel so as to create a hazard or risk of collision with, or damage to, any other moored or anchored vessel.
- (3) No person shall place any obstruction, including any fishing apparatus, in any waterway, which is liable to restrict navigation or cause injury to any person, or damage to any vessel or any property.
- (4) No person shall anchor a vessel within 30 metres of any landing place or wharf, except with the permission of a harbourmaster or an enforcement officer.
- (5) No person shall anchor a vessel within 50 metres of the shore in a position where it may obstruct the approach to any landing place, except with the permission of a harbourmaster or an enforcement officer.
- (6) No person shall leave equipment, stabilisers, booms, cranes, davits or other equipment extending over the side of a vessel so as to cause a hazard to any other vessel.

2.11 Beacons, Navigation Markers, Navigation Buoys, Lights or Other Navigation Structures

- (1) No person shall tie a vessel to any beacon, navigation marker, navigation buoy, light or other navigation structure, without the prior written permission of:
 - (a) the Harbourmaster if it is operated by a port company or a local authority; or
 - (b) the Director of Maritime New Zealand if it is operated by Maritime New Zealand.
- (2) No person shall wilfully damage, remove, deface or otherwise interfere with any sign, light, navigation mark, buoy, beacon or other device or structure erected by or duly authorised by Environment Canterbury or Maritime New Zealand as a navigation aid or warning.
- (3) No person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigation aid and which may be used or mistaken as a navigation aid or warning, without the prior written permission of Environment Canterbury or Maritime New Zealand.
- (4) No person shall erect any water ski course markers or any structure for water ski jumping or other similar purposes without the prior written permission of the Regional Harbourmaster. Such permission shall be subject to whatever conditions the Regional Harbourmaster deems necessary for navigation safety purposes.

2.12 Vessels not to Sound Whistles

- (1) No person shall blow or sound or cause to be blown or sounded, the whistle, siren or horn of a vessel, except as a navigation safety signal, or when used as part of organised event, such as yacht racing. Nothing in this Bylaw precludes the testing of such a whistle, siren or horn before the vessel is navigated from any landing place.

2.13 Divers to Display Flag A on Vessel

- (1) The master of every vessel from which underwater dive operations are in progress must ensure that Flag A of the International Code of Signals 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.
- (2) Every person diving from a vessel 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.

2.14 Assistance to the Harbourmaster

- (1) The Master of any vessel and its crew shall give the Harbourmaster all possible aid and assistance in moving the vessel when this is considered by the Harbourmaster to be necessary for reason of safety or navigation.
- (2) The Master of any vessel shall allow the Harbourmaster access to any part of the vessel and provide any reasonable facilities for its inspection as may be required by the Harbourmaster to ensure its safety and the safety or navigation of other vessels.

2.15 Lost Anchor, Chain, Cable, Propeller, Cargo or Other Material

- (1) The Master of a large vessel that has parted from any anchor, chain, cable or propeller, or lost overboard any material or cargo that may endanger safety or navigation, shall:
 - (a) leave a buoy to mark the position of a submerged anchor, chain, cable, propeller, other material or cargo if this is known; and
 - (b) immediately report the occurrence to the Harbourmaster; and
 - (c) give specific details of the loss to the Harbourmaster including the position of the anchor, chain, cable, propeller, other material or cargo; and
 - (d) if the Harbourmaster so directs, undertake the recovery of it as soon as practicable.

2.16 Distance from Vessels Showing Flag B and Defence Premises

- (1) Where possible, the master of a vessel must not allow that vessel to approach within 200 metres of:
 - (a) any oil tanker or any other vessel that is showing flag B by day or a red all round light by night; or
 - (b) any wharf, quay, pier, jetty, or premises belonging to the Crown erected or used in connection with defence works or defence purposes under the Defence Act 1990, unless:
 - (i) a different distance is prescribed in respect of the wharf, quay, pier, jetty or premises by the New Zealand Defence Force; or
 - (ii) the master is authorised to approach within 200 metres by the Defence Officer in charge of the wharf, quay, pier, jetty or premises.

2.17 Vessels in Distress

- (1) No person shall navigate a vessel into a harbour without the approval of the Regional Harbourmaster in the following circumstances:
 - (a) where the vessel and/or its cargo are on fire; or
 - (b) where hazardous material is leaking from deck cargo, shipping containers or holds; or
 - (c) for vessels over 12 metres in length (excluding pleasure craft), where there is structural damage to the hull of the vessel or its propulsion or steering systems.

2.18 VHF Monitoring

- (1) All vessels that carry VHF radios must monitor channel 16 and the local channel when within the following Harbour limits:

 Kaikoura (local channel is channel 60)

 Lyttelton (local channel is channel 12)

 Timaru (local channel is channel 9)

2.19 Collision Rules to Apply

- (1) No person shall operate any vessel in contravention of Maritime Rule Part 22 – Collision Prevention, made under the Maritime Transport Act 1994, except where expressly provided for in these Bylaws.
- (2) The provisions of Maritime Rule Part 22 – Collision Prevention, are deemed to form part of these Bylaws and shall be enforceable under these Bylaws.

2.20 River Safety Rules

- (1) A person in charge of a vessel on a river must –
 - (a) ensure that the vessel keeps as near to the starboard (right) side of the river as is safe and practicable; and
 - (b) if going upstream, give way to any vessel coming downstream; and
 - (c) not operate the vessel unless river and weather conditions permit safe operation of the vessel.

Part 3 Water Skiing, Parasailing, Paragliding and Towing

3.1 Speed of Towed Object or Watercraft

- (1) No person, (whether or not on a water ski, aquaplane, or similar object), shall cause or allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in any circumstances specified in any of paragraphs (a) to (c) of Clause 2.4 (1). (Note that speed limits for water skiing may be uplifted in access lanes and reserved areas.)
- (2) Clause 3.1 (1) shall not apply to towing craft training for, or participating in, competitive rowing, sailing or paddling, in circumstances where exceeding 5 knots is necessary for ensuring the safety of life.

3.2 Dropping of Skis or Other Objects

- (1) No person in charge of a vessel shall permit the vessel to continue onwards, after any person being towed by that vessel has dropped, whether accidentally or otherwise, any water ski or similar object that may cause danger to any other person or vessel, without taking immediate action to recover that water ski or similar floating object, unless the person has taken measures to ensure that the dropped ski or similar object is clearly visible to other water users.

3.3 Lookouts Required on Vessels used for Water Skiing and Towing

- (1) No person in charge of a vessel shall use it or allow it to be used to tow any person on a vessel, surfboard, windsurfer, sailboard, water ski or skis, toboggan, aquaplane, wakeboard or other object, at a speed exceeding 5 knots, unless there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.
- (2) No person, whether on a vessel, water ski or skis or other objects or not, shall cause or allow themselves to be towed by any vessel, at a speed exceeding 5 knots, unless there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.

3.4 No Water Skiing at Night

- (1) No person may operate a vessel that is towing any person on a water ski or skis, an aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, between sunset and sunrise.
- (2) No person on a water ski or skis, an aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, shall cause or allow themselves to be towed by any vessel between sunset and sunrise.

(Note that the times for sunset and sunrise can be found in the current editions of the New Zealand Almanac.)

Part 4 **Reserved Areas and Access Lanes**

4.1 Declaration and Revocation of Access Lanes

- (1) An access lane shall be any area within 200 metres of the shore specified in these Bylaws or declared an access lane by resolution of Environment Canterbury.
- (2) An access lane may be specified or declared for surfboards, sailboards, kite surfers, windsurfers or for water skiing or for vessels of any description.
- (3) The specification or declaration of an access lane may be subject to conditions and have effect for the periods that Environment Canterbury considers appropriate.
- (4) Environment Canterbury may revoke the declaration of an access lane by resolution.
- (5) The declaration of an access lane or the revocation of the declaration of an access lane shall be publicly notified by Environment Canterbury at least seven days before the commencement of the period for which it is to have effect.

4.2 Marking of Access Lanes

- (1) An access lane shall be indicated by notice boards that are prominently displayed in the vicinity of the access lane, and shall be marked on shore by orange posts with horizontal black bands. It may also be marked at its outer edges by orange buoys with black bands.

4.3 Speeds in Access Lanes

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 shall not apply within any access lane for water skiing, vessels or aircraft.

4.4 Conduct in and Use of Access Lanes

- (1) No person shall 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.
- (2) No person shall, while being towed by a vessel in any access lane, cause themselves or any water ski, aquaplane or other object, on or by which they are being towed; or cause any object that is being towed by 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) No person within an access lane shall proceed in any manner that is dangerous in relation to any other vessel or person in the access lane.
- (4) No person shall obstruct any other person while that other person is using an access lane for the purpose for which it has been specified or declared under these Bylaws.
- (5) If one or more persons are using an access lane for the purpose for which has been specified or declared under these Bylaws, no other person shall enter, remain in, or use an access lane for any other purpose.

- (6) No person shall anchor any vessel or aircraft in the waters of an access lane, or leave any vessel or aircraft unattended on the foreshore of an access lane, or in the water of an access lane.
- (7) No person shall deliberately capsize in an access lane, or swim in an access lane, except to regain control of a watercraft following an accidental capsize.
- (8) No person shall fish from a vessel within an access lane, or trawl a net, or lay a setnet, fishing pot, fishing trap, setline within an access lane.
- (9) Notwithstanding any other provision of this Bylaw, no person who is permitted by any such provision to propel or navigate a vessel at a speed through the water exceeding 5 knots shall do so in any manner that is likely to endanger or interfere with the activities of any person who is in, on, or using the waters, or fishing, or undertaking any recreational activity in the vicinity of the vessel.

4.5 Specification of Reserved Areas

- (1) A reserved area shall be any area declared a reserved area for a specified purpose.
- (2) The purposes of a reserved area and additional conditions applying to activities within a reserved area include any such purposes and conditions specified in these Bylaws.
- (3) A reserved area shall be an area reserved:
 - (a) for use of vessels generally; or
 - (b) for the use of a particular type of vessel; or
 - (c) for the landing or taking off of any aircraft, helicopter, floatplane, glider, hang-glider, balloon, parachute, parasailer, paraglider or other means for air flying; or
 - (d) for the use of swimmers, waterskiers, or scuba divers; or
 - (e) for the mooring of vessels; or
 - (f) for persons using surfboards, sailboards or windsurfers; or
 - (g) for persons undertaking any other water recreation activity or combination of activities; or
 - (h) to exclude the use of any type of vessel; or
 - (i) to exclude any activity or combination of activities; or
 - (j) for any combination of (a) to (i) above.
- (4) A reserved area may be specified such that Clause 2.4 (1) (a) and Clause 2.4 (1) (b) do not apply to a vessel operating in the reserved area in accordance with the conditions for the use of the reserved area.

4.6 Conduct in, and Use of a Reserved Area

- (1) No person shall 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.
- (2) If any person is using a reserved area for the purpose for which it has been reserved, no other person shall enter, remain in, or use a reserved area for any other purpose.

- (3) Notwithstanding Clause 4.6 (2), no person shall use a vessel in a reserved area if the area has been reserved and is subject to conditions that include the exclusion of such a vessel or type of vessel.
- (4) All persons using a reserved area shall only do so in accordance with any conditions for the use of that reserved area specified in these Bylaws.
- (5) Clauses 4.6 (1) to (4) shall not apply to any persons employed, contracted or otherwise authorised by Environment Canterbury to undertake a monitoring or regulatory function that requires them to enter, remain in, or use a reserved area.
- (6) Notwithstanding any other provision of this Bylaw, no person who is permitted by any provision of this Bylaw to propel or navigate a vessel at a speed through the water exceeding 5 knots shall do so in any manner that is likely to endanger or unduly annoy any person who is in, on, or using the waters, or fishing, or undertaking any recreational activity in the vicinity of the vessel.
- (7) Clauses 4.6 (1) to (4) shall not apply to any persons employed by or contracted to the Department of Conservation or the New Zealand Fish and Game Council to undertake a monitoring or management function that requires them to enter, remain in, or use a reserved area, as long as they have given the Regional Harbourmaster prior notification of their intentions.
- (8) Notwithstanding the definition of “powered vessel” or “powered craft”, the restrictions on navigating powered vessels or powered craft in Non-powered Craft Areas in Part 11, Part 12 and Part 13 shall not apply to the use of up to 24 Volt battery powered electric trolling motors at vessel speeds of less than 5 knots.
- (9) The exemption for electric trolling motors in Clause 4.6(8) shall not apply to Lake Alexandrina, Lake Clearwater (Punataka), Lake Camp (O Tau tata), The Maori Lakes (O Tu Wharekai), Lake Emma (Kiri kiri honuhonu), Lake Heron (O Tu Roto), Spider Lakes, Lake Donne, Lake Roundabout, Lake Denny, Lake Trinity, Lake Emily, Seagull Lake, Manuka Lake, and Mystery Lake.

4.7 Marking of Reserved Areas

- (1) A reserved area shall be indicated by notice boards that are prominently displayed in the vicinity of the area. Transit posts with white and black bands or white buoys with black bands may be used to mark the boundaries of a reserved area. Alternatively, the natural or physical features of the area may signify the boundaries of a reserved area.

Part 5 Moorings, Anchorages, Wharves, Landing Places

5.1 Vessels to be Serviceable or Removed

- (1) The Master and owner of any vessel anchored or moored in any navigable waters shall keep the vessel in a serviceable and operational condition at all times, unless the Master or owner has applied in writing and the approval of the Harbourmaster has been obtained for it to be anchored or moored in a non-operational state. The Harbourmaster's approval must be in writing, and the Harbourmaster, for any reason that he or she deems appropriate, may require the approval to be applied for instead under Clause 7.1 (1).
- (2) If, in the opinion of Environment Canterbury, any vessel is a navigation hazard by reason of it being neglected or unseaworthy, or has potential to become a navigation hazard by reason of it being unseaworthy, the Master and owner of the vessel shall remove it from the navigable waterway when instructed to do so by Environment Canterbury. Such an instruction shall be in writing, and shall specify a reasonable time period for compliance.
- (3) If the Master or owner of the vessel fails to remove the vessel in accordance with an instruction given under Clause 5.1 (2), Environment Canterbury may move that vessel to a position where the vessel is no longer a hazard, or remove the vessel from the water. The costs incurred may be recovered from the Master, owner or agent of the vessel in any court of competent jurisdiction as a debt due to Environment Canterbury.

5.2 Vessels to be Adequately Moored or Secured

- (1) The Master of a vessel shall ensure that it is properly and effectively secured to a dock, wharf, mooring or landing place when berthed, moored or anchored.
- (2) The Master and Owner of a vessel shall ensure that an adequate and safe means of access to the vessel is provided that is properly installed, secured, and adjusted to suit any tidal conditions.
- (3) The Master and Owner of a vessel shall comply with any directions of a Harbourmaster or enforcement officer to take additional measures to secure the vessel.
- (4) No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not intended for that purpose.
- (5) No person shall abandon any vessel or property on the banks or shore or in an intertidal area where it may refloat and create a navigation hazard or where it may interfere with the normal use of the waters by other persons.
- (6) No person shall cut, break, or destroy: the mooring of any vessel; or the fastening securing any vessel lying in a dock or at or near a wharf or landing place.
- (7) If, in the opinion of the Regional Harbourmaster, any vessel is a navigation hazard by reason of it being inadequately moored or secured, or has potential to become a navigation hazard by reason of it being inadequately moored or secured, the Master and owner of the vessel shall adequately moor or secure it when instructed to do so by the Regional Harbourmaster. Such an instruction shall be in writing, and shall specify a reasonable time period for compliance.

- (8) If the Master or owner of the vessel fails to adequately moor or secure the vessel or property in accordance with an instruction given under Clause 5.2 (7), or the master or owner of the vessel can not be ascertained or found within a reasonable time period, the Regional Harbourmaster may moor or secure the vessel, shift that vessel to a position where it is no longer a hazard, or remove it from the water. The costs incurred may be recovered from the Master, owner or agent of the vessel in any court of competent jurisdiction as a debt due to Environment Canterbury.
- (9) No person shall leave a vessel secured to a wharf overnight unattended without the permission of the owner of the structure.

5.3 Access to and Egress from a Vessel

- (1) The Master and the owner of any vessel over 21 metres in length that is berthed at a wharf shall:
- (a) provide and maintain a sufficient and proper gangway for the access and egress of all persons having lawful business on the vessel;
 - (b) provide sufficient lighting to illuminate the whole length of the gangway during the hours of darkness;
 - (c) carry out all the directions of the Harbourmaster regarding the position, size and kind of gangways, lights and nets;
 - (d) while the vessel is lying alongside any wharf, keep for the use of persons coming from or going on board the ship a proper and secure gangway or accommodation ladder not less than 560 millimetres wide, and fenced throughout on each side to a clear height of not less than 840 millimetres; but in the case of the ship's accommodation ladder fencing shall be necessary on one side only if the other side is properly protected by the ship's side;
 - (e) except where the gangway or ladder is completely enclosed, cause a gangway net or cargo to be rigged, secured, and maintained beneath the gangway or ladder to the satisfaction of the harbourmaster;
 - (f) ensure that every gangway and accommodation ladder provided is rigged at such an angle and in such a manner as will render it safe for any person using it;
 - (g) ensure that where an accommodation is fitted with fixed steps, and only the edges of the steps provide a footing, and that duck boards with strongly secured transverse treads at suitable stepping intervals and of sufficient width to substantially cover the step are laid over the steps that are well fitted and effectively secured to them;
 - (h) ensure that every gangway and accommodation ladder is sited so as to ensure that no temporary pipelines associated with cargo-working operations, and, so far as practicable, no sling loads associated with cargo-working operations, pass overhead during the operations.
 - (i) ensure that at all times the provisions for embarking or disembarking persons are safe.
- (2) The Master of any vessel over 21 metres in length that is berthed at a wharf shall, in the event of the outer end of any gangway resting on the vessel's

side rail, provide and maintain substantial steps fixed to lead from the end of the gangway to the vessel's deck.

- (3) The Master of any vessel over 21 metres in length with the higher freeboard, that is berthed at a wharf shall, in every case where one ship is lying alongside another, ensure that an appliance is provided and is fixed so as to give a safe means of access for persons to pass to and from one ship to the other; provided that it shall not be necessary to make such provision where conditions are such that persons can pass in safety between vessels without the aid of an appliance.
- (4) In cases where vessels lying alongside each other have freeboards of identical heights, the appliance required by clause 5.3 (3) shall be provided by the master of the vessel furthest from the dock, wharf, or quay, as the case may be.
- (5) The appliance to be provided in accordance with clause 5.3 (3) shall, unless it substantially complies with the provisions of clause 5.3 (1) (d), be a ladder or other suitable means of sound material and construction and adequate length. The appliance shall:
 - (a) be properly secured to prevent slipping;
 - (b) comply with the provisions of Clause 5.3 (1) (e) in respect of a net;
 - (c) otherwise be suitable for the purpose for which it is provided.
- (6) The Master of any vessel over 21 metres in length shall not allow any passenger to embark or disembark:
 - (a) while the vessel is in underway alongside a wharf; and
 - (b) other than by a gangway provided for this purpose.
- (7) Clause 5.3 (6) shall not apply in respect of members of the crew of the vessel, licensed or appointed Pilots, Harbourmasters, authorised shipping agents for the vessel or those persons on legitimate Government or Local Authority official business including persons working for the Ministry of Agriculture, the Ministry of Fisheries or the Customs Department.

5.4 Use of the Vessel Engine While a Large Vessel is Moored, Berthed or Anchored

- (1) No person shall operate the propulsion system of a large vessel while it is lying at any wharf, or while it is being loaded or unloaded at any ramp without the permission of the Harbourmaster.
- (2) In addition to the requirements of Clause 5.4 (1) the Master of the vessel shall ensure all persons at the wharf and on vessels in the immediate vicinity of that vessel, are warned immediately prior to the propulsion system being tested.
- (3) Clause 5.4 (1) shall not preclude the use of the propulsion system for the safe movement of a vessel to or from a landing place.

5.5 Entitlement to Lay and Use a Swing Mooring

- (1) No person shall lay a swing mooring, whether in a designated swing mooring area or not, unless:
 - (a) the mooring occupies a position that has been allocated by the Regional Harbourmaster;
 - (b) the mooring has been allocated a unique number by the Regional Harbourmaster; and

- (c) the swing mooring and its fittings meet any specifications and conditions set by the Regional Harbourmaster; and
 - (d) all necessary authorisations required under the Resource Management Act 1991 have been obtained.
- (2) No person shall tie a vessel to or moor a vessel on a swing mooring unless:
- (a) the Regional Harbourmaster has authorised the use of the swing mooring for mooring that vessel or size of vessel; and
 - (b) the owner of the swing mooring has paid the annual swing mooring fee for administration, supervision and monitoring set in Schedule 2.
- (3) No person shall reassign or transfer the ownership of a swing mooring without that person providing written notification of the name and address of the new owner or assignee to the Regional Harbourmaster within 14 days of the reassignment or transfer, and the reassignment or transfer shall have no effect until notification is received.
- (4) No person shall tie a vessel to or moor a vessel on a swing mooring whose ownership has been reassigned or transferred unless the written approval of the Regional Harbourmaster has been obtained.
- (5) Clauses 5.5 (2) and 5.5 (4) shall not apply to a dinghy or other small pleasure craft under 6 metres used with the approval of the mooring owner to gain access to a vessel on the mooring.

5.6 Maintenance of Moorings

- (1) The owner of a mooring shall maintain the mooring in a safe working condition so that other vessels in the area are not endangered. To establish that a mooring is in a safe working condition the owner of a mooring shall, at least every 12 months, ensure that the mooring equipment (including ropes, chains, sacrificial anodes, shackles and swivels) is inspected by a competent person; and shall provide confirmation of this inspection to Environment Canterbury within 21 days of the inspection.
- (2) The owner of a mooring shall mark the position of the mooring with floats or buoys marked with the unique number allocated by the Regional Harbourmaster whether the mooring is occupied by a vessel or not.
- (3) The Regional Harbourmaster may, if in his or her opinion any mooring is insufficient or in a poor state of repair, inspect the mooring and may require the swing mooring to be repaired within a specified period. If after inspection at the end of the specified period, the mooring has not been repaired to an acceptable standard in the opinion of the Regional Harbourmaster, he or she may require the swing mooring to be removed. Such an instruction shall be in writing, and shall specify a reasonable time period for compliance.
- (4) The owner of a mooring shall comply with the instructions of the Regional Harbourmaster under Clause 5.6 (3) to repair or remove a mooring. The owner of a mooring shall not relay the mooring until it has been inspected and approved by the Regional Harbourmaster or his or her agent.
- (5) If a requirement by the Regional Harbourmaster under Clause 5.6 (3) is not met as soon as reasonably practicable, the Regional Harbourmaster may take action to remove the swing mooring. The cost incurred may be recovered from the mooring owner in any court of competent jurisdiction as a debt due to Environment Canterbury.

5.7 Relocation of a Mooring

- (1) If in the opinion of the Regional Harbourmaster a mooring is in a position that causes a navigation hazard, or is not in a position allocated by the Regional Harbourmaster under Clause 5.5 (1), the owner of a mooring shall shift a mooring to a position allocated by the Regional Harbourmaster where it is not a hazard. Such an instruction shall be in writing, and shall specify a reasonable time period for compliance.
- (2) If the owner of the mooring fails to move the mooring in accordance with an instruction given under Clause 5.7 (1), the Regional Harbourmaster may take action to move that mooring to its correct position or to a position where it is no longer a hazard. The costs incurred may be recovered from the Master, owner or agent of the vessel in any court of competent jurisdiction as a debt due to Environment Canterbury.

5.8 Recovery of a Vessel that has Broken Adrift from a Mooring

- (1) The Regional Harbourmaster may take action to secure or refloat any vessel that has broken adrift from, sunk, or partially sunk at a mooring if it is causing or is likely to cause a hazard to navigation. The costs incurred may be recovered from the Master, owner or agent of the vessel in any court of competent jurisdiction as a debt due to Environment Canterbury.

5.9 Anchoring a Vessel Within or Adjacent to a Swing Mooring Area or Close to an Occupied Swing Mooring

- (1) No person shall anchor a vessel within a swing mooring area reserved in these Bylaws unless that person is securing the vessel to a swing mooring allocated for that vessel by the Regional Harbourmaster.
- (2) No person shall anchor a vessel within 60 metres of any buoy that marks the location of a swing mooring within a swing mooring area reserved in these Bylaws, unless that person is securing the vessel to a swing mooring allocated for that vessel by the Regional Harbourmaster.
- (3) No person shall anchor a vessel within 60 metres of any swing mooring on which another vessel has been moored, unless that person is securing the vessel to a swing mooring allocated for that vessel by the Regional Harbourmaster.
- (4) Clauses 5.9 (1) to (3)) shall not apply to a dinghy or other small pleasure craft under 6 metres occupying a mooring and used with the approval of the mooring owner to gain access to the vessel on the mooring.

5.10 Maintenance of Maritime Facilities

- (1) All wharves, quays, jetties, piers, docks, pile moorings, slipways, landing stages and other landing places shall be maintained in a safe condition by their owners.
- (2) Where any wharf, quay, jetty, pier, dock, pile mooring, slipway, landing stage or other landing place has fallen into disrepair and is unsafe for members of the public, the owner shall immediately, and to the satisfaction of the Regional Harbourmaster, make it safe by demolishing and removing it, by repairing it, or by taking measures to exclude public access or provide adequate warning of the risks.
- (3) Where any wharf, quay, jetty, pier, dock, pile mooring, slipway, landing stage or other landing place has fallen into disrepair and is a danger or potential danger to navigation, the owner shall immediately either demolish and remove it, or make such repairs as are considered necessary by the Regional Harbourmaster to remove the danger or potential danger.

Part 6 **Dangerous Material and Hot Work Provisions**

6.1 Requirement to Obtain a Gas Free Certificate

- (1) The Master of any vessel shall obtain a Gas Free Certificate from an industrial or analytical chemist or other competent person before any repairs are carried out on or in a tank or confined space on the vessel that contains or has previously contained bulk petroleum products, or drums of petroleum products; or before any persons enter such a tank or confined space.
- (2) If the repairs continue beyond midnight on any day then the Master of the vessel shall obtain a new daily Gas Free Certificate.
- (3) The Master of the vessel shall display the Gas Free Certificate for the day at the gangway on the vessel.

6.2 Permission Required to do Hot Work on Large Vessels and Tankers

- (1) The Master of any large vessel, other than an oil tanker, using any dock or any slipway or lying alongside any wharf, or moored or anchored shall apply in writing to the Regional Harbourmaster and obtain the Regional Harbourmaster's permission, using the form in Schedule 9, before commencing any repairs, alterations or other work on the vessel involving gas or electric arc welding or flame cutting operations or grinding.
- (2) Before commencing any repairs, alterations or other work involving gas or electric arc welding or flame cutting operations or grinding, on any oil tanker using any dock or any slipway or lying alongside any wharf, or moored or anchored, the Master of the vessel shall:
 - (a) apply in writing to the Regional Harbourmaster for permission to do Hot Work on Oil Tankers using the form in Schedule 7, and
 - (b) obtain the Regional Harbourmaster's permission to proceed with the work; and
 - (c) pay the application fee specified in Schedule 2 .
- (3) The permission of the Regional Harbourmaster under Clauses 6.2 (1) and 6.2 (2) may be subject to conditions that protect the safety of people and property.

6.3 Requirements for Stowing or Handling Dangerous Goods

- (1) The Master of any vessel using any dock or any slipway or lying alongside any wharf, or moored or anchored shall:
 - (a) Take measures to prevent the escape of flammable liquids or oils or water mixed with flammable liquids or oils.
 - (b) Give the Harbourmaster at least 24 hours notice in writing of any loading or unloading of dangerous goods carried as cargo for hire and reward onto or from the vessel. The notice shall include the time and place of loading or unloading, the vessel's name, and the quantity and type of dangerous goods involved, including their classification under the International Maritime Dangerous Goods Code. (Note: Dangerous

Goods are those listed in Part G of Schedule 9 of the Hazardous Substances and New Organisms Act 1996.

- (c) Not allow the vessel to be fumigated without the permission of the Harbourmaster.
- (2) The requirement of Clause 6.3 (1) (b) to give at least 24 hours notice to the Harbourmaster of the loading or unloading of dangerous goods shall not apply to regularly scheduled vessel services where prior arrangements have been agreed with the Harbourmaster to provide information immediately after berthing on the dangerous goods to be unloaded and to provide information immediately after departing a berth on the dangerous goods that have been loaded.
- (3) The Master of any vessel that carries oil products in bulk as cargo or for transfer to other vessels shall ensure that a watchman or crewman is on duty on the vessel at all times, for the purpose of protecting the safety of the public and to detect spillage.

6.4 Internal Oil Transfer Within a Vessel

- (1) The Master of any vessel of over 24 metres in length using any dock or any slipway or lying alongside any wharf, or moored or anchored shall complete the form in Schedule 6 before any person transfers oil products between tanks or holds within the vessel. This clause shall not apply to the transfer of fuel or lubricating oil, to or from settling tanks and service tanks for engines, generators or other machinery.

6.5 Loading or Unloading of Oil or Bunkers

- (1) No person shall load bunker fuel for use on a vessel within Lyttelton Harbour (Whakaraupo) or Timaru Harbour except at a recognised fuel installation or at a location approved by the Harbourmaster.
- (2) No person shall load or unload bunker fuel, fuel oil or petroleum to or from any vessel without a crew member of the vessel or a representative of the owner being present on the vessel and observing the loading or unloading.
- (3) The Master of a vessel shall not allow bunker fuel in bulk, fuel oil in bulk or petroleum in bulk to be loaded on the vessel or unloaded from the vessel unless persons are stationed at both the loading and the unloading points, for the purpose of protecting the safety of the public and to detect spillage.
- (4) Clauses 6.5 (1), 6.5 (2), and 6.5 (3) shall apply to all forms of loading or unloading bunker fuel, fuel oil or petroleum including by pipeline or to or from road or other tankers, except where fuel is transported in an approved, closed container of 20 litres or less.
- (5) No person shall transfer bunker fuel, fuel oil or petroleum by means of a pipeline system between any vessel over 24 metres in length and the shore or between that vessel and any other vessel unless:
 - (a) the vessel or vessels are securely moored or berthed;
 - (b) all supplying and pumping equipment is secured;
 - (c) there are sufficient qualified persons stationed to continuously observe all pumps and valves in the pipeline system and to deal with any emergency;
 - (d) there is an agreed system of procedures and a continuous communication system between the supplier and the receiver of the

- bunker fuel, fuel oil or petroleum, and all persons stationed as observers;
- (e) there are emergency shutdown procedures and a spill procedure plan known to all persons involved in the transfer;
 - (f) clean up and containment material and equipment is readily and immediately available to all persons involved in the transfer;
 - (g) all transfer hoses are in good condition, properly rigged and within test cycle time limits;
 - (h) all scuppers are plugged and drip trays positioned under all connections;
 - (i) all unused connections are blanked;
 - (j) there are no naked flames, or welding or gas cutting being undertaken on the vessel or vessels or on any wharf or berth alongside;
 - (k) there is safe access between the vessel and the shore or any other vessel;
 - (l) for the whole time the vessel is alongside the wharf, measures are taken to exclude unauthorised persons from the vessel and the unloading or unloading facilities through barricades and the continuous manning by a watchkeeper at any entry points; and
 - (m) the Master or Masters of the vessel or vessels and the supplier or receiver of the bunker fuel, fuel oil or petroleum or their representatives have all certified to the Regional Harbourmaster that requirements (a) to (l) above have been met using the Oil Transfer Checklist as set out in Schedule 5 or to like effect.
- (6) The Regional Harbourmaster may, after receiving an application in writing, exempt any person from any of the requirements of Clause 6.5(5) if he or she is satisfied that the oil transfer will be carried out safely.
- (7) The fee specified in Schedule 2 shall be payable to Environment Canterbury on application for permission to be exempt from any requirement of Clause 6.5 (5).
- (8) Clause 6.5 (5) (m) shall not apply to transfers of oil to or from an oil tanker and the shore where the permission of the Regional Harbourmaster has been obtained for an equivalent oil company checklist to be used.
- (9) The master of any tanker shall display code Flag B by day and an all round red light at the masthead or where it can best be seen by night.

6.6 Oil tankers and Vessels Loading or Unloading of Explosives to display Flag B

- (1) The master of an oil tanker and the master of any vessel that has on board, or who intends to load or unload, 27 kilograms or more of explosives shall display code Flag B by day and shall at night display an all round red light at the masthead or where it can best be seen.

Part 7 **Suspensions and Exemptions, and Temporary or Permanent Reservations and Speed Upliftings**

7.1 Suspensions and Exemptions from these Bylaws.

- (1) Environment Canterbury may, of its own accord or on application by any person, suspend any provision of these Bylaws or exempt any activity from any provision of these Bylaws. The suspension or exemption may be subject to conditions and have effect for the period of time that Environment Canterbury considers appropriate.
- (2) In considering a suspension or exemption under Clause 7.1 (1), Environment Canterbury may choose to call for written or oral submissions and may hold a public hearing of those submissions.

7.2 Temporary Regulation or Reservation of an Area.

- (1) Environment Canterbury may, of its own accord or on application by any person:
 - (a) Reserve any specified waters for use by any specified kind of vessel or seaplane, or by any persons;
 - (b) Regulate or prohibit the use of those waters by other vessels or persons; and
 - (c) On the occasion of boat races, yacht races, launch races, swimming races, or other events:
 - (i) provide for the prohibition or regulation of the use specified types or classes of vessels; and
 - (ii) regulate admission to specified areas or authorise the organisers of the event to regulate admission and charge for entry to specified areas.
- (2) No person shall use a temporarily reserved area for a purpose or in a way or at a time other than for which it has been temporarily reserved.
- (3) A reservation, regulation, prohibition or authorisation made in accordance with Clause 7.2 (1) shall be for such periods and subject to such conditions as Environment Canterbury considers appropriate.
- (4) In considering a reservation under Clause 7.2 (1), Environment Canterbury may choose to call for written or oral submissions and may hold a public hearing of those submissions.

7.3 Permanent Speed Upliftings

- (1) A person may apply to have any speed limit uplifted from waters specified by application in writing to Environment Canterbury.
- (2) An application under Clause 7.3 (1) shall not be granted unless Environment Canterbury is satisfied that:
 - (a) the application has been publicly notified; and
 - (b) affected persons have had reasonable opportunity to comment on the application; and

- (c) the applicant has provided evidence of the consultation undertaken with affected persons and any navigation safety concerns arising from the consultation process and any measures taken to address the concerns raised; and
 - (d) uplifting the speed limit will not unacceptably increase the risk to navigation safety or endanger persons using the waters that are the subject of the application.
- (3) Environment Canterbury shall consult with the Director of Maritime New Zealand before granting any application made under Clause 7.3 (1) and shall notify the Director of Maritime New Zealand when it grants such an application.
- (4) In considering a reservation under Clause 7.3 (1), Environment Canterbury may chose to call for written or oral submissions and may hold a public hearing of those submissions.
- (5) To be valid, any application granted under Clause 7.3 (1) must be publicly notified and notified by the Director of Maritime New Zealand in the New Zealand Gazette after it has been granted.
- (6) In considering an application under Clause 7.3(1)
 - (a) Environment Canterbury is not limited to consideration of the matters under Clause 7.3(2).
 - (b) Environment Canterbury may chose to call for written or oral submissions and may hold a public hearing of those submissions.
 - (c) Environment Canterbury may decline the application or may grant it subject to such conditions it considers appropriate.

Part 8 Fees and Charges

8.1 Fees and Charges for Approvals.

- (1) Persons applying for any approval or permission under these Bylaws or any suspension or exemption from any provision of these Bylaws, or any reservation, regulation, prohibition or authorisation under Part 7, shall pay the relevant fee or charge specified in Schedule 2.
- (2) Persons applying for any approval or permission under these Bylaws or any suspension or exemption from any provision of these Bylaws, or any reservation, regulation, prohibition or authorisation, shall pay the actual and reasonable cost to Environment Canterbury of any hearings required by Environment Canterbury.
- (3) Persons applying for any approval or permission under these Bylaws or any suspension or exemption from any provision of these Bylaws, or any reservation, regulation, prohibition or authorisation under Part 7, shall pay the actual and reasonable cost of any advertisements, or public or other notices required as a condition of the approval, permission, suspension or exemption whether or not these costs are incurred by the applicant or Environment Canterbury.
- (4) Any actual and reasonable costs and charges due to, and expenses incurred by, the Harbourmaster, enforcement officer or Environment Canterbury in ensuring compliance with these Bylaws, may be recovered from the master, agent and owner of the relevant vessel or mooring in any court of competent jurisdiction as a debt due to Environment Canterbury.
- (5) Persons applying for a replacement copy of any licence, certificate, permission or approval document shall pay the relevant fee or charge specified in Schedule 2.

8.2 Port Charges

- (1) Port Charges specified in Schedule 2 shall be payable by Port Companies operating in Lyttelton Harbour/Whakaraupo and in Timaru Harbour.
- (2) Port Charges specified in Schedule 2 shall be payable by the Kaikoura District Council and the Banks Peninsula District Council as owners of the Wharf facilities in Kaikoura and Akaroa.

8.3 Calculation of Port Charges

- (1) Port Charges specified in Schedule 2 shall be calculated on the basis of the actual and reasonable costs incurred by Environment Canterbury in undertaking its statutory functions under Part 39A of the Local Government Act 1974, reasonably apportioned to reflect the costs of and benefits of providing for commercial services at the ports of Kaikoura, Lyttelton, Akaroa, and Timaru.

(Note that the remaining costs of undertaking Environment Canterbury's statutory functions under Part 39A of the Local Government Act 1974 are attributed to recreational boating and recovered from General Rates across the region.)

- (2) Environment Canterbury may, at its discretion, allow Clause 8.2 to be complied with through the payment of lesser sums than any of the port

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charges specified in Schedule 2 if there is a reduction in costs incurred by Environment Canterbury.

- (3) Environment Canterbury shall review the port charges specified in Schedule 2 as part of its annual planning process under the Local Government Act 2002.

Part 9 Offences and Enforcement

9.1 Offences

- (1) Every person commits an offence against these bylaws who, without reasonable cause, contravenes or fails to comply with any provision of these Bylaws.
- (2) Every person who commits a breach of these Bylaws may be proceeded against in the following manner:
 - (a) If the breach consists of a failure to comply with a direction or prohibition in these Bylaws, that person may be prosecuted under Section 238 (1) of the Local Government Act 2002 and, if convicted, shall be liable to the penalties set out in Section 242 (2) of the Local Government Act 2002, which carries a maximum penalty of \$5000; and
 - (b) If the breach is one to which Section 699A of the Local Government Act 1974 applies, (and is therefore an infringement offence):
 - (i) that person shall be liable under the Infringement Offence process under Section 699C of the Local Government Act 1974 for infringement fees prescribed by Regulations made under Section 699A of the Local Government Act 1974, which carries a maximum penalty of \$1000; or
 - (ii) that person may be prosecuted under Section 699B (a) of the Local Government Act 1974, and if convicted, shall be liable to the penalties set out in Section 698 (1) of the Local Government Act 1974, which carries a maximum penalty of \$500 and \$50 per day.
 - (c) No person shall be proceeded against under more than one of the above procedures or provisions in relation to the same breach of these Bylaws.
- (3) No Regional Harbourmaster, Harbourmaster, enforcement officer or honorary enforcement officer shall be guilty of an offence under these Bylaws if:
 - (a) that person acts in the reasonable belief that it is necessary in order to enable them to carry out any of their duties under these Bylaws; and
 - (b) that person has particular regard to the safety of every person and vessel within the vicinity.

9.2 Compliance with Directions

- (1) All persons shall, as soon as is reasonably practicable obey any lawful directions given by the Harbourmaster or an enforcement officer and in particular comply with any direction by the Harbourmaster or an enforcement officer:
 - (a) as to the time or manner in which a vessel may enter into, depart from, lie, or navigate in a waterway;
 - (b) as to the position, mooring, unmooring, placing, removing, securing, or unsecuring of a vessel;

- (c) as to the manner in which a vessel may take in or discharge its cargo or any part of its cargo, and the manner in which the cargo is secured or is being handled on a vessel where there is a risk of cargo falling overboard and becoming a hazard to navigation; and
- (d) to desist from any action that creates a hazard to navigation, or endangers the safety of any persons.

9.3 Obstruction of a Harbourmaster or Enforcement Officers

- (1) No person shall by word or act, impede or obstruct the Harbourmaster or an enforcement officer in the execution of their duties.
- (2) No person shall aid, abet or incite any other person to resist, obstruct or impede any Harbourmaster or enforcement officer.

9.4 Requirement to Allow Access

- (1) The Master and the owner of a vessel shall allow a Harbourmaster or an enforcement officer, for the purposes of carrying out his or her duty, to enter and remain on any vessel.

9.5 Requirement to Provide Information

- (1) The person in charge of a vessel or seaplane shall, on request by a Harbourmaster or an enforcement officer, stop the vessel or seaplane and provide his or her correct name and address.
- (2) On request by a Harbourmaster or an enforcement officer, the owner of a vessel or seaplane shall, after being informed of an alleged offence against these Bylaws, give all information in the owner's possession or obtainable by the owner which may lead to the identification of the person by whom the offence is alleged to have been committed.
- (3) Clause 9.5 (2) shall not apply to requests by honorary enforcement officers.

Part 10 **Special Provisions for Lyttelton Harbour / Whakaraupo and Timaru Harbour**

10.1 Notification of Vessel Movements

- (1) The Master of any large vessel (over 24 metres in length) shall give at least 24 hours prior notice to the Harbourmaster of the vessel's arrival in Lyttelton Harbour/Whakaraupo and in Timaru Harbour.
- (2) The Master of any large vessel shall give at least two hours prior notice to the Harbourmaster of the vessel's departure from, or movement within, the Harbours of Lyttelton/Whakaraupo or Timaru.

10.2 Closure of the Port to a Vessel Movement

- (1) The Lyttelton and Timaru Port Companies shall notify the Regional Harbourmaster immediately after advising any Master or owner of a large vessel that the port is closed to the entry or departure of that vessel.

10.3 Requirement for Pilot and Master to Exchange Information

- (1) The Master of any vessel arriving at Lyttelton Harbour/Whakaraupo or Timaru Harbour that is to utilise pilotage services shall, before the Pilot undertakes any duties, provide any Pilot with all relevant information concerning the vessel's manoeuvrability, including its draft and any non-operational or constraints on the use of equipment.
- (2) Any Pilot in Lyttelton Harbour/Whakaraupo or Timaru Harbour undertaking pilotage services shall, before the Pilot undertakes any duties, provide the Master of the vessel with all relevant information concerning the proposed berthage and passage plan, including the proposed course to be taken and the use of tugs.

10.4 Requirement for a Pilot

- (1) A licensed Pilot or an appointed Pilot shall be employed by the Master of a vessel of 500 gross tons or more, for all vessel movements within the Pilotage District of Lyttelton; and for vessels of 500 gross tons or more, or 40m or more in length, for all vessel movements within the Pilotage District of Timaru.
- (2) Clauses 10.4 (1) of these Bylaws shall not apply for:
 - (a) Vessels where the Master holds a current Pilotage Exemption Certificate for the vessel in the Pilotage District; or
 - (b) Vessels operated by the Royal New Zealand Defence Forces; or
 - (c) Vessels of 500 gross tons or more for which an exemption has been granted by the Regional Council under Clause 7.1 of these Bylaws.
- (3) Notwithstanding Clause 10.4 (2) the Regional Harbourmaster may require a vessel to be piloted by a licensed Pilot or an appointed Pilot within a Pilotage District where, in the Regional Harbourmaster's opinion, circumstances are such as to place the safety of the vessel, other vessels, people or property in jeopardy.
- (4) Notwithstanding Clause 10.4 (2), if it is not possible, because of the construction of the vessel, to safely use a pilot ladder alongside the vessel, the vessel may be led into the harbour by a tug or pilot vessel with a pilot on board, until the pilot considers it safe to board the vessel.

10.5 Declaration of Particulars of a Vessel

- (1) The Master of any large vessel arriving at Lyttelton Harbour/Whakaraupo or Timaru Harbour shall, when requested, supply to the Harbourmaster in the form required by the Harbourmaster a declaration that is to the best of his or her knowledge a correct statement of:
 - (a) the tonnage and draft of the vessel;
 - (b) the vessel's last port of call and next destination;
 - (c) the vessel's ownership, Registry details and details of the company managing the operation of the vessel;
 - (d) details of any explosives, dangerous goods, flammable liquids and oils carried as cargo; and
 - (e) any other information requested by the Harbourmaster that is needed for navigation safety purposes.
- (2) In providing the information required under clause 10.5 (1) the Master of a large vessel discharging or loading dangerous liquids in bulk, other than oil or petroleum, shall use the Ship/Shore Safety Checklist form in Schedule 8 and supply a copy to the Regional Harbourmaster as well as meeting any requirements for the supply of information to the port harbourmaster.
(Note: Dangerous Goods are those listed in Part G of Schedule 9 of the Hazardous Substances and New Organisms Act 1996.)

10.6 Restrictions Applying to Water Beneath or Alongside Commercial Wharves

- (1) No person shall navigate any vessel or craft beneath any wharf in the Ports of Lyttelton or Timaru without the permission of the Harbourmaster.
- (2) No person shall swim beneath or alongside any wharf in the Ports of Lyttelton or Timaru without the permission of the Harbourmaster.

10.7 No Obstruction of Other Vessels

- (1) The master of a vessel under 500 gross tonnage must not allow the vessel to impede the navigation of any vessel of 500 gross tonnage or more if the vessels are in Lyttelton Harbour/Whakaraupo or Timaru Harbour.
(Note that a vessel over 500 gross tonnage is likely to be over 50 m in length.)
- (2) No person shall navigate a watercraft within a Main Navigational Channel so as to be within the moving prohibited zone for any vessel.
- (3) The Master of an oil tanker, a bulk petroleum gas tanker, or any vessel of over 150 metres in length shall not navigate the vessel so as to pass any oil tanker, any bulk petroleum gas tanker, or any other vessel of over 150 metres in length while both vessels are in a Main Navigational Channel.
- (4) The Master of any vessel shall not anchor in a Main Navigational Channel without permission from the Harbourmaster.
- (5) Clause 10.7 (2) shall not apply to Masters of tugs or pilot vessels while they are carrying out towage or pilotage duties with those tugs or pilot vessels in relation to a vessel for which a moving prohibited zone applies.
- (6) Clauses 10.7 (2) and 10.7 (3) shall not apply where the permission of the Harbourmaster has been obtained for a vessel to be within a moving prohibited zone or to pass another vessel in the channel.

- (7) Notwithstanding Clause 10.7 (6), Clauses 10.7 (2) and 10.7 (3) shall continue to apply where two vessels are moving past each other in the channel and:
- (a) the vessels are both oil tankers, or both bulk petroleum gas carriers, or are an oil tanker and a bulk petroleum gas carrier; or
 - (b) one of the vessels is over 150 metres in length and the other vessel is an oil tanker or a bulk petroleum gas carrier.
- (8) A moving prohibited zone may be declared by the Regional Harbourmaster to apply to any vessel for such times and duration as the Regional Harbourmaster considers necessary. Such a declaration shall be publicly notified by Environment Canterbury at least three days before the commencement of the period for which it is to have effect.

10.8 Parasailing, Paragliding and Aircraft

- (1) No person shall take-off, land or attempt to take-off or land any aircraft, helicopter, floatplane, glider, hang-glider, balloon, parachute, parasailer, paraglider or other means for air flying, on any area of a Lyttelton Harbour/Whakaraupo or Timaru Harbour; other than with the permission of the Regional Harbourmaster or in lanes or areas declared or reserved for that purpose by Environment Canterbury.

10.9 LPG Pipeline – Cass and Corsair Bays

- (1) No person shall anchor or moor any vessel within 30 metres North or 30 metres South of the Liquid Petroleum Gas pipeline running approximately East-West across Cass and Corsair Bays in Lyttelton Harbour/Whakaraupo marked on Land Information New Zealand Nautical Chart NZ 6321, and also marked by white triangles on posts at either end where the pipeline enters the water.

10.10 Access Lanes and Reserved Areas

Note:

The following access lanes are specified in accordance with Clause 4.1 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

The following reserved areas are specified under Clause 4.5. Notwithstanding the reservation of areas adjacent to structures as Non-Boating areas, the safety of the vessel, toboggan, surfboard, windsurfer, sailboard and its occupants, or any person being towed, when operating near these structures is the responsibility of the master of the vessel, toboggan, surfboard, windsurfer or sailboard.

Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of any vessel and its occupants when operating within any reserved area is the responsibility of the master of the vessel.

(1) Lyttelton Harbour/Whakaraupo

(see Figure 1 below)

- (a) *Quail Island Access Lane*

- (i) All that area of water extending 200 metres from the shore west of the jetty on Quail Island in Lyttelton Harbour/Whakaraupo bounded by parallel lines approximately 125 metres apart running approximately south east, the area being marked by black and orange banded posts located at Map References NZMS 260 M36 8514-3075 and M36 8504-3068.

(b) Church Bay Access Lane

- (i) All that area of water extending 200 metres from the shore on the northern part of Church Bay in Lyttelton Harbour/Whakaraupo bounded by parallel lines approximately 60 metres apart running approximately south west, the area being marked by black and orange banded posts located at Map References NZMS 260 M36 8725-3090 and M36 8729-3085.

(c) Purau Bay Access Lane

- (i) All that area of water extending 200 metres from the shore on the northern part of Purau Bay in Lyttelton Harbour/Whakaraupo bounded by parallel lines approximately 51 metres apart running approximately south west, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 9033-3104 and N36 9036-3101.

(d) Pile Bay Access Lane

- (i) All that area of water extending 200 metres from the shore on the north eastern part of Pile Bay in Lyttelton Harbour/Whakaraupo bounded by parallel lines approximately 41 metres apart running approximately northwest, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 9100-3188 and N36 9036-3101.

(e) Corsair Bay Reserved Area - Swimming and Non-powered Craft Area

- (i) The area of Corsair Bay in Lyttelton Harbour/Whakaraupo enclosed by a line extending from the end of the Corsair Bay jetty to the mean high watermark on the Western headland, (the line being marked by white and black banded posts erected at the end of the jetty and on the Western headland towards the inner bay), is a reserved area for the use of swimmers and vessels propelled solely by oars, paddles, or wind.
- (ii) No person shall navigate a powered craft in the area reserved in Clause 10.10 (1)(e)(i).
- (iii) Clause 10.10 (1)(e)(ii) shall not apply to the use of any patrol vessel operated by or on behalf of Environment Canterbury, or to the use of any rescue vessel operated by the Coast Guard, when the vessels are being used for patrol or rescue operations.

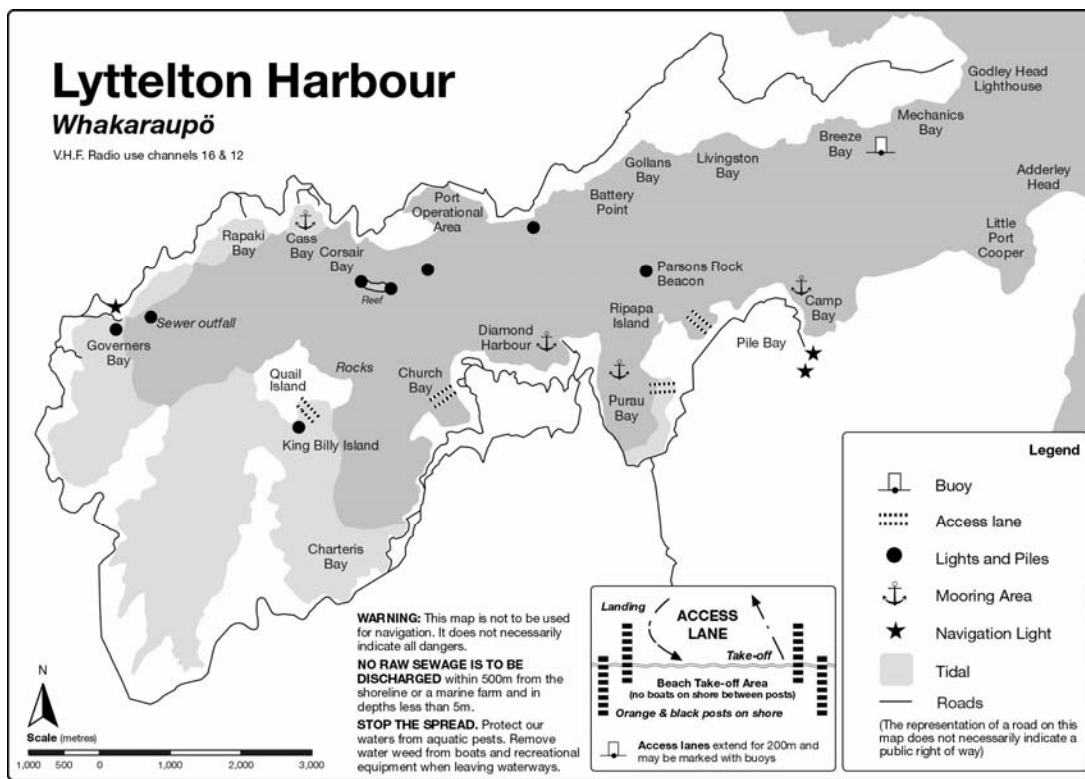
(f) Cass and Corsair Bays Reserved Area - Swing Mooring Area

- (i) The area of Cass and Corsair Bays in Lyttelton Harbour/Whakaraupo enclosed by a line from Erskine Point at map reference M36:859-329 to the point on shore at map reference M36:848-330; but excluding the part of Corsair Bay enclosed by a line from the landward end of the Corsair Bay jetty at map reference M36:858-331 to a point on shore at map reference M36:855-441 is reserved as a swing mooring area.

(g) Purau Bay Reserved Area - Swing Mooring Area

- (i) The area of Purau Bay in Lyttelton Harbour/Whakaraupo enclosed by:
 a line from a point on shore at map reference M36:896-302, approximately 100 metres south of the Purau Bay jetty, approximately 195 metres east to a point at map reference M36:898-301;
 a line from there approximately 930 metres north to a point at map reference M36:898-311; and
 a line from there approximately 490 metres west to a point on shore at map reference M36:893-311 is reserved as a swing mooring area.

Figure 1 – Lyttelton harbour



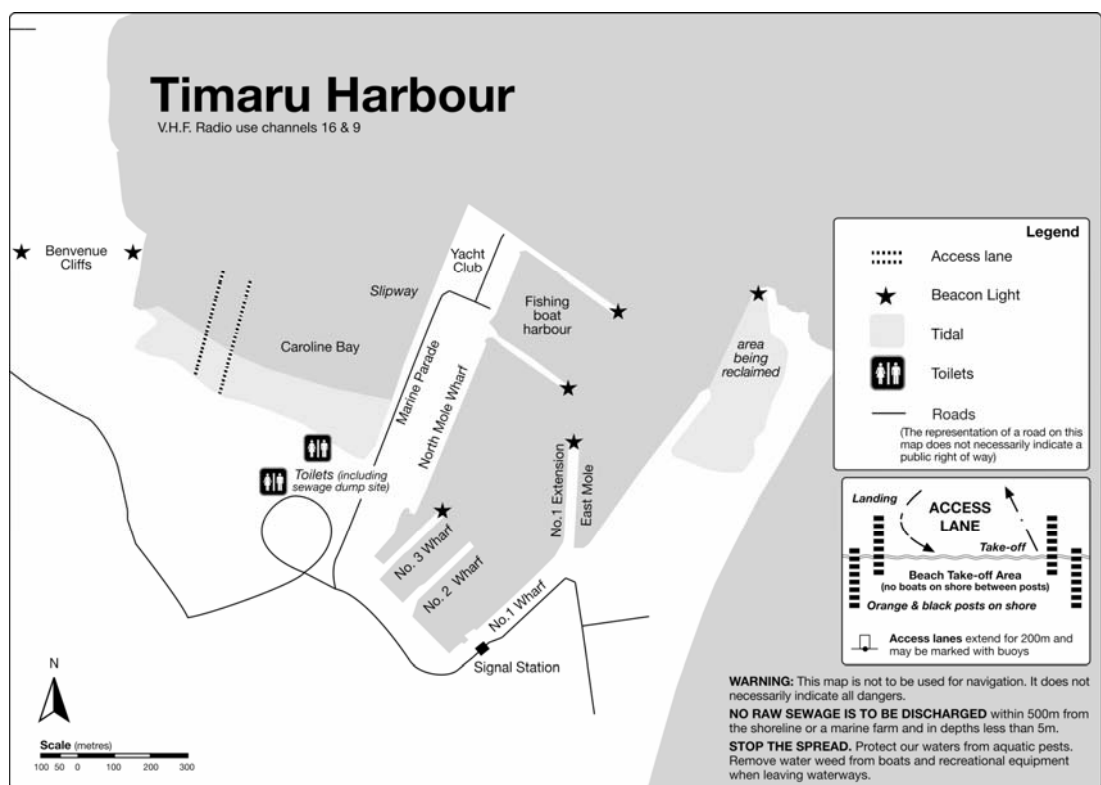
(2) Timaru Harbour

(see Figure 2 below)

(a) *Caroline Bay Access lane*

- (i) all that area of water extending 200 metres from the eastern side of the Caroline Bay in Timaru Harbour bounded by parallel lines approximately 57 metres apart running approximately north, the area being marked by black and orange banded posts located at Map References NZMS 260 K39 7030-4531 and K39 7035-4528.

Figure 2 - Timaru Harbour



Part 11 **Special Provisions for all Coastal Marine Areas (excluding Lyttelton Harbour / Whakaraupo and Timaru Harbour)**

11.1 **Access Lanes and Reserved Areas**

Note:

The following access lanes are specified in accordance with Clause 4.1 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

The following reserved areas are specified under Clause 4.5. Notwithstanding the reservation of areas adjacent to structures as Non-Boating areas, the safety of the vessel, toboggan, surfboard, windsurfer, sailboard and its occupants, or any person being towed, when operating near these structures is the responsibility of the master of the vessel, toboggan, surfboard, windsurfer or sailboard.

Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of any vessel and its occupants when operating within any reserved area is the responsibility of the master of the vessel.

(1) Akaroa Harbour (see Figure 3 below)

(a) Wainui Bay Access Lane

- (i) All that area of water extending 200 metres from the shore of Wainui Bay in Akaroa Harbour bounded by parallel lines approximately 135 metres apart running approximately southeast, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 0249-1045 and N36 0239-1035.

(b) Duvauchelle Bay Access Lane

- (i) All that area of water extending 200 metres from the north eastern shore of Duvauchelle Bay in Akaroa Harbour bounded by parallel lines approximately 180 metres apart running approximately southwest, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 0538-1696 and N36 0549-1682.

(c) Takamatua/Sandy Bay Access Lane

- (i) All that area of water extending 200 metres from the north eastern shore of Sandy Bay on the northern part of Takamatua Bay in Akaroa Harbour bounded by parallel lines approximately 136 metres apart running approximately southwest, the area being marked by black

and orange banded posts located at Map References NZMS 260 N36 0641-1473 and N36 0645-1469.

(d) Childrens Bay Access Lane

- (1) All that area of water extending 200 metres from the north eastern shore of Childrens Bay in Akaroa Harbour bounded by parallel lines approximately 59 metres apart running approximately south, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 0712-1221 and N36 0717-1219.

(e) The Glen Access Lane

- (i) All that area of water extending 200 metres from the north eastern shore of the Glen north of Green Point on the eastern side of Akaroa Harbour bounded by parallel lines approximately 69 metres apart running approximately north, the area being marked by black and orange banded posts located at Map References NZMS 260 N36 0597-1027 and N36 0604-1025.

(f) Glen Bay Reserved Area - Swing Mooring Area

- (i) The area of Akaroa Harbour enclosed by: a line from a point on shore at map reference N36:061-103, near the southern end of Glen Bay to a point approximately 1893 metres north east to a point at map reference N36:073-117; a line from there approximately 150 metres south east to a point on shore approximately 250 metres north east of Dalys Wharf and opposite Rue Brittan at map reference N36:074-116 is reserved as a swing mooring area.

(g) Takamatua Bay Reserved Area - Swing Mooring Area

- (i) The area of "Takamatua Bay" in Akaroa Harbour enclosed by: a line from near the shore end of the boat ramp in Takamatua Bay at map reference N36:665-136 to a point approximately 258 metres north to a point at map reference N36:065-139; a line from there approximately 390 metres west to a point at map reference N36:061-139; and a line from there approximately 200 metres south to a point on shore at map reference N36:061-136 is reserved as a swing mooring area.

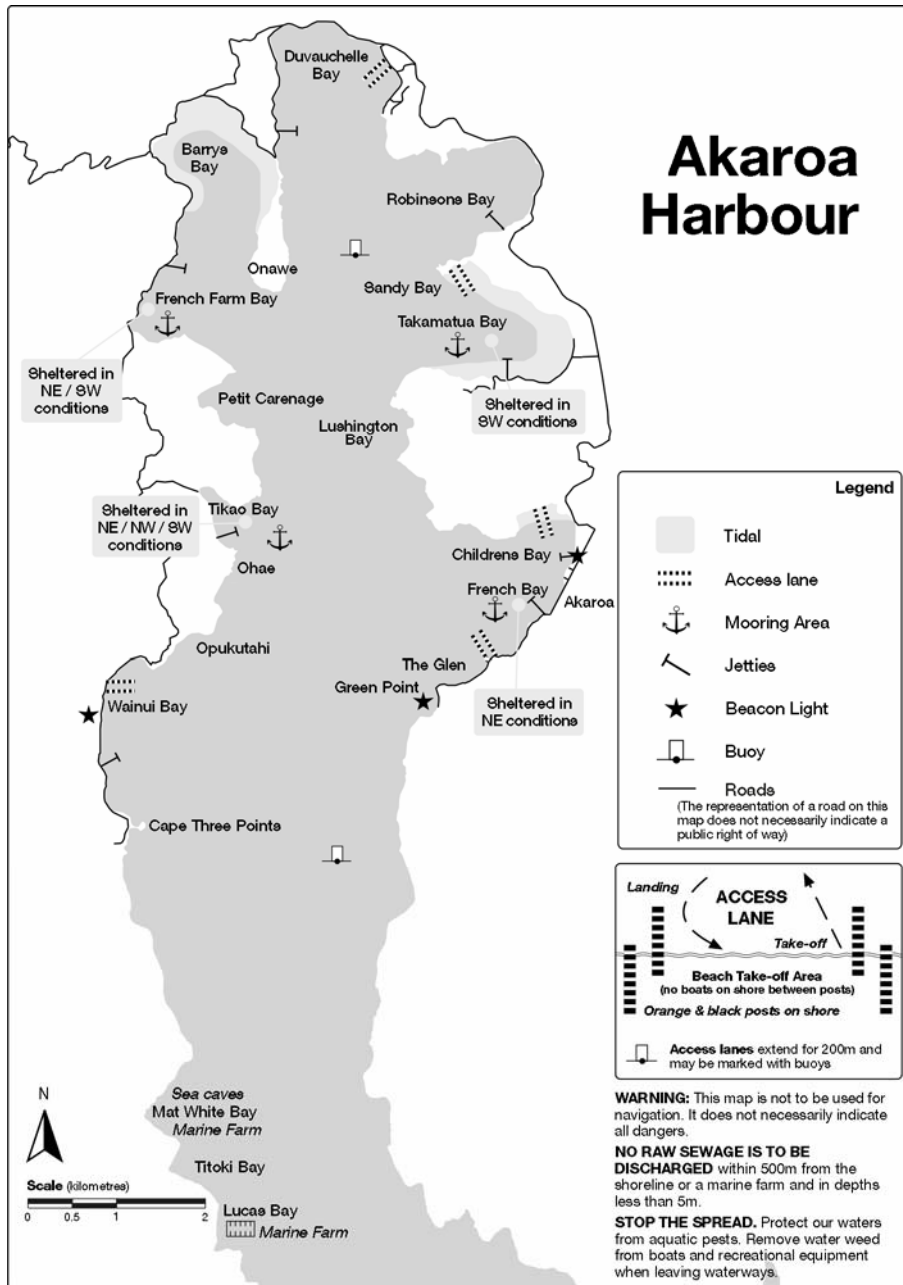
(h) French Farm Bay Reserved Area - Swing Mooring Area

- (i) The area of "French Farm Bay" in Akaroa Harbour enclosed by: a line from the shore at map reference N36:030-151 to a point 400 metres east to a point at map reference N36:034-151; a line from there 600 metres south to a point at map reference N36:034-145; and a line from there 700 metres west to a point on the shore south west of the southernmost boatshed at map reference N36:027-145. is reserved as a swing mooring area.

(i) Tikao Bay Reserved Area - Swing Mooring Area

- (i) The area of “Tikao Bay” in Akaroa Harbour enclosed by a line from the shore at the point at map reference N36:037-121 to a point on shore at map reference N36:036-120 is reserved as a swing mooring area.

Figure 3 – Akaroa harbour



(2) Avon and Heathcote Rivers Estuary/Ihutai Reserved Areas
(see Figure 4 below)

- (a) Powered Craft Slow Speed Area

- (i) The Avon and Heathcote Rivers Estuary/Ihutai Westward of a line extending Northwest from Shag Rock is reserved as a powered craft slow speed area and an area where the speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply to the operation of non-powered vessels.
- (ii) The Master of any powered craft shall not allow the craft to proceed at a proper speed greater than five knots in the Avon and Heathcote Rivers Estuary/Ihutai Westward of a line extending Northwest from Shag Rock.
- (iii) Clause 11.1 (2)(a)(ii) shall not apply to the use of any patrol vessel operated by or on behalf of Environment Canterbury, or to the use of any rescue vessel operated by the Coast Guard, a yacht club, the Sea Cadets, the Sea Scouts, a windsurf club, a life saving club, or the Sumner Life Boat Institution, when those vessels are used in training, patrol or rescue operations or where those vessels are being tested or trialed for such operations.

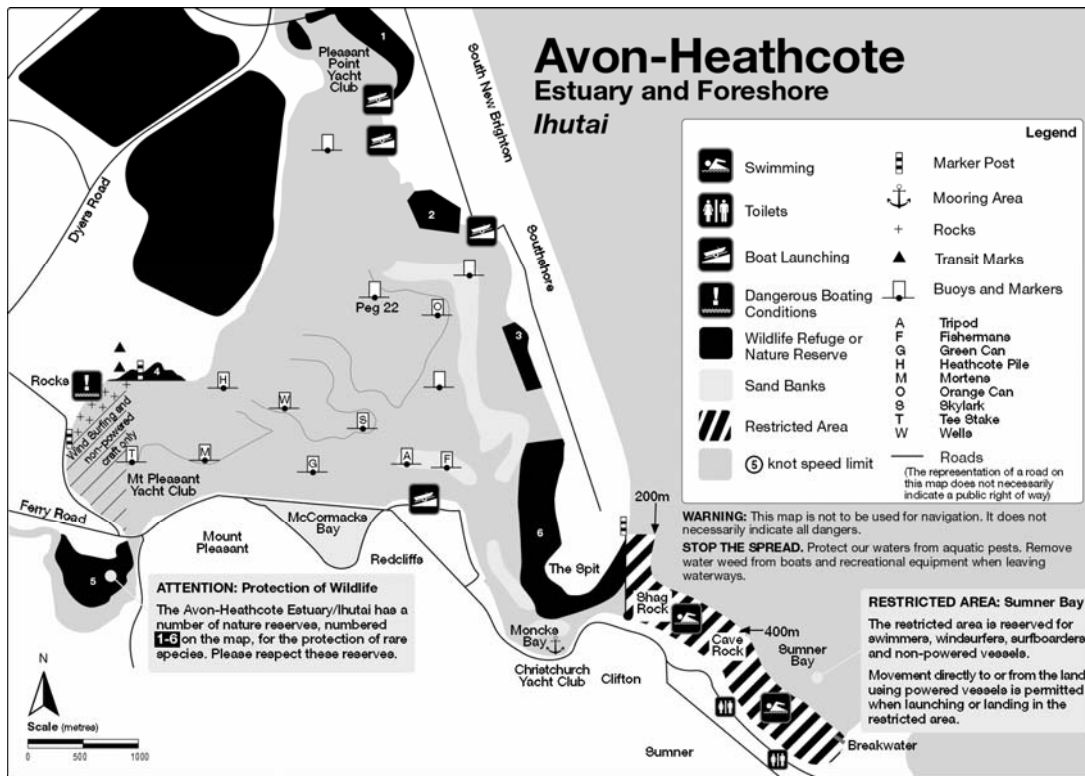
(b) Windsurfers, Kite Surfing, Sailboards and Non-powered Craft Area

- (i) The area of the Avon and Heathcote Rivers Estuary/Ihutai that is Westward of a line extending North from the Western end of the Ferrymead Bridge is reserved for the use of windsurfers, kite surfing, sailboards and non-powered craft and an area where the speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply to the operation of non-powered vessels.
- (ii) No person shall navigate a powered craft in the area reserved in Clause 11.1 (2)(b)(i).
- (iii) Clause 11.1 (2)(b)(ii) shall not apply to the use of any patrol vessel operated by or on behalf of Environment Canterbury, or to the use of any rescue vessel operated by the Coast Guard, a yacht club, the Sea Cadets, the Sea Scouts, a windsurf club, a life saving club, or the Sumner Life Boat Institution, when those vessels are used in training, patrol or rescue operations or where those vessels are being tested or trialed for such operations.

(c) Swing Mooring Area

- (i) The area of "Moncks Bay" in the Avon and Heathcote Rivers Estuary/Ihutai within 100 metres of the shore from a point where an extension of the midline of Wakatu Avenue cuts the shoreline to Shag Rock, is reserved as a swing mooring area.

Figure 4 – Avon / Heathcote Estuary/Ihutai & Sumner Bay



(3) Brooklands Lagoon Reserved Areas

(see Figure 5 below)

(a) Water Ski Area

- (i) The area of Brooklands Lagoon in Waimakariri Harbour extending from a line at the mouth of the Lagoon to a line extending across the Lagoon 200 metres south of a bearing along the middle line of Dartford Street is reserved as a water ski area.
- (ii) The area in Clause 11.1 (3)(a)(i) is reserved for vessels utilising a water ski circuit, slalom courses and a water ski jump for water skiing purposes, for which the speed restrictions in Clauses 2.4.1(a), Clause 2.4 (1)(b) and Clause 3.1(1) shall not apply.
- (iii) The area in Clause 11.1 (3)(a)(i) shall be that marked at either end by black and white striped posts, (at or near NZMS map references M35-858571 and M35-861572 for the northern line).
- (iv) When using a water ski circuit within the area in Clause 11.1 (3)(a)(i) the master of any powered vessel shall only navigate the circuit in a clockwise rotation or the port side of the circuit.
- (v) Notwithstanding Clause 11.1 (3)(a)(ii), the master of any vessel shall not navigate a vessel in excess of 5 knots within the Styx River, or within Brooklands Lagoon within 100 metres of a black and white striped post

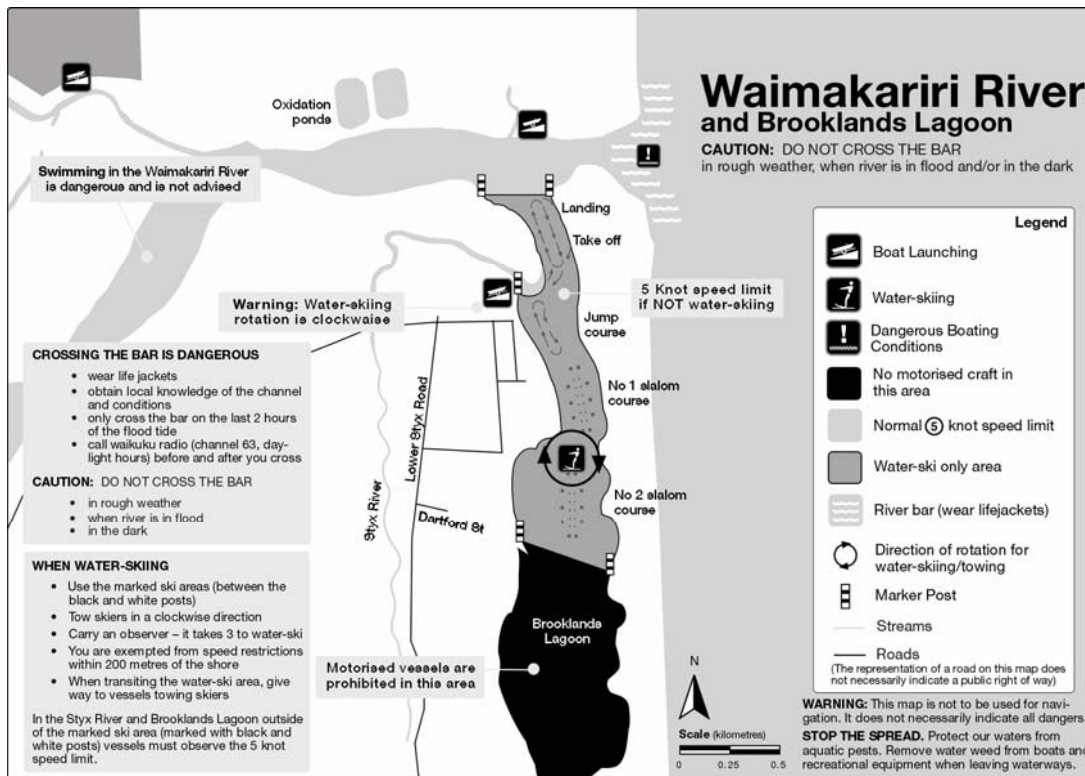
located at the mouth of the Styx River, (at or near NZMS map reference M35-860566).

- (vi) Notwithstanding the reservation of the area in Clause 11.1 (3)(a)(i), the master of any vessel is not precluded from transiting the vessel through the area, provided that, when the vessel is entering or transiting the reserved area, Clause 2.4 is complied with and no person using the area for water skiing is obstructed or required to give way.
- (vii) The exemption from vessel speed limits in Clause 11.1 (3)(a)(ii) shall only apply where the vessel is using a water ski circuit, a slalom course or a water ski jump area that is clearly marked with marker buoys.

(b) Non-Powered Craft Area

- (i) The following area is reserved as a non-powered craft area: except as provided for by Clause 11.1 (3)(b)(iii), no person shall navigate any powered vessel within Brooklands Lagoon in Waimakariri Harbour, south of line extending across the Lagoon 200 metres south of a line having the same bearing as the middle of the line of Dartford Street.
- (ii) The area in Clause 11.1 (3)(b)(i) shall be that marked at its northern end by black and white striped posts.
- (iii) Clause 11.1 (3)(b)(i) shall not apply to the operation of a motorised vessel:
 - by or on behalf of local authority, government agency, or fish and game council, for the provision of enforcement services, or for the rescue, protection disposal of marine animals or other wildlife or animals; or
 - By or on behalf of a local authority or government agency for: water quality sampling, the control or cleanup of contaminants, or resource investigations or monitoring; or
 - By or on behalf of a local authority, or government agency, for: track maintenance, pest control, or the removal of rubbish or beach cast material; or
 - The undertaking of civil defence or fire fighting activities, (including training activities), beach and beach facility maintenance, or training or rescue operations by a local authority, a government department, the New Zealand Police, the New Zealand Fire Service or the New Zealand Coastguard.

Figure 5 – Brooklands Lagoon



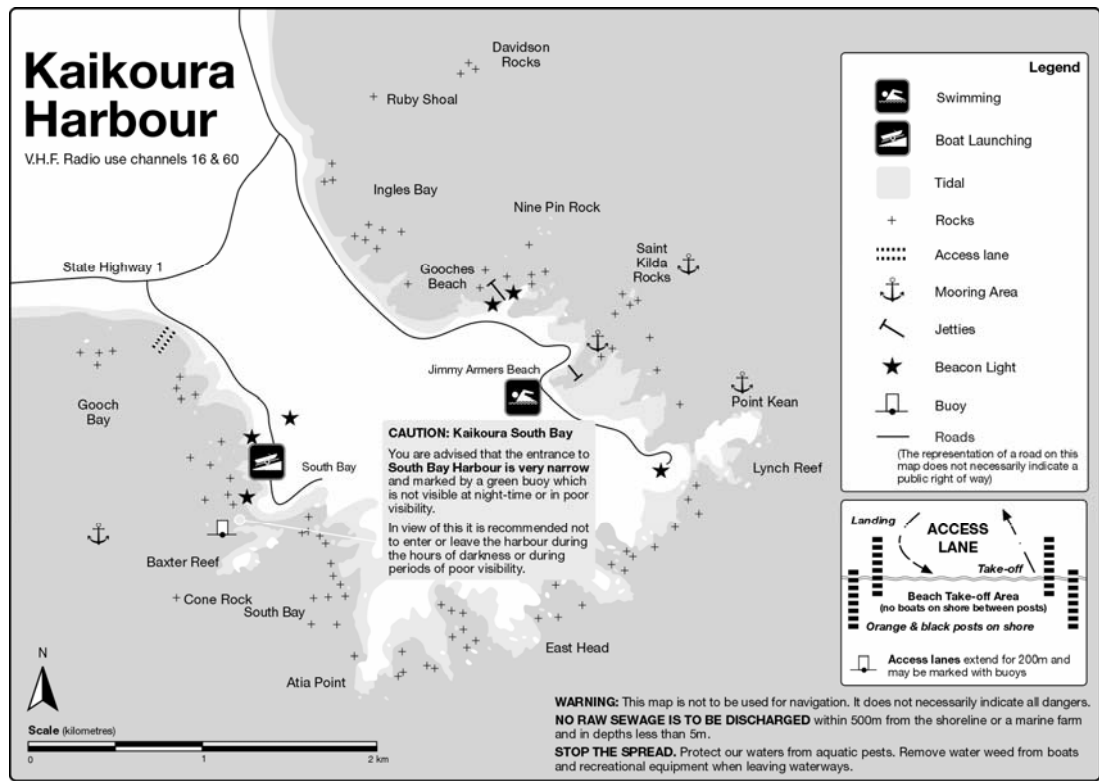
(4) Kaikoura

(See Figure 6 below)

(a) South Bay Access Lane

- (i) All that area of water extending 200 metres from the shore in South Bay Kaikoura Harbour bounded by parallel lines approximately 108 metres apart running approximately south west, the area being marked by black and orange banded posts located at Map References NZMS 260 O31 0641-1473 and O31 0645-1469.

Figure 6 – Kaikoura



(5) Motunau Beach (Sandy Bay) Access Lane

- (i) All that area of water extending 200 metres from the shore of Sandy Bay (Motunau Beach) bounded by parallel lines approximately 200 metres apart running at right angles to the shore in approximately a southerly direction, the area being marked at the eastern end by transit posts banded black and orange located at map reference NZMS 260 N34 15878-95246, the western end by being marked by transit posts banded black and orange located at map reference NZMS 260 N34 15696-95322.

(6) Sumner Bay Reserved Area

(See Figure 4 above)

(a) Swimmers, windsurfers, sailboarders, surfboarders, kitesurfers and vessels propelled solely by oars, paddles or sail

- (i) The area of Sumner Bay within 400 metres of the shore from Shag Rock to the Sumner Bay Breakwater on its eastern (shore) end and the area within 200 metres of the shore on the eastern side of the South Brighton Spit are reserved areas for the use of swimmers, windsurfers, sailboarders, surfboarders, kitesurfers and vessels propelled solely by oars, paddles or sail and an area where the speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply to the operation of non-powered vessels.
- (ii) No persons shall navigate a powered craft in the reserved area specified in 11.1 (6)(a)(i) except where the vessel:
- is being landed or launched from the Sumner Lifeboat Ramp or the immediately adjacent boat ramps or slipways and is propelled directly from or to the nearest point outside the reserved area; or
 - is being used to transit the Avon-Heathcote Estuary/Ihutai and is propelled directly from or to the nearest point outside the reserved area; or
 - is not underway and is anchored or being used for fishing or diving within the reserved area.
- (iii) In the reserved area specified in Clause 11.1 (6)(a)(i) persons operating a powered craft shall not allow the vessel to exceed a proper speed of five knots or the minimum speed necessary to allow the vessel to make safe headway.
- (iv) Clauses 11.1 (6)(a)(ii) and (iii) shall not apply to the use of any patrol vessel operated by or on behalf of Environment Canterbury, or to the use of any rescue vessel operated by the Coast Guard, a yacht club, the Sea Cadets, the Sea Scouts, a windsurf club, a life saving club, or the Sumner Life Boat Institution, when those vessels are used in training, patrol or rescue operations or where those vessels are being tested or trialed for such operations.

Part 12 Special Provisions for Canterbury Rivers

Note:

In this Part, reserved areas are made under Clause 4.5. Notwithstanding the reservation of areas adjacent to structures as Non-Boating areas, the safety of the vessel, toboggan, surfboard, windsurfer, sailboard and its occupants, or any person being towed, when operating near these structures is the responsibility of the master of the vessel, toboggan, surfboard, windsurfer or sailboard.

Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of any vessel and its occupants when operating within any reserved area is the responsibility of the master of the vessel.

12.1 Ashburton River (Hakaterere)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Ashburton River (Hakaterere) from its sources to the sea, including the Ashburton River (Hakaterere) Lagoon and all of the tributaries of the Ashburton River (Hakaterere) but not including any lakes draining into the Ashburton River (Hakaterere) or its tributaries that may be construed as forming part of the Ashburton River (Hakaterere).

12.2 Ashley River (Rakahuri)

Speed Limits

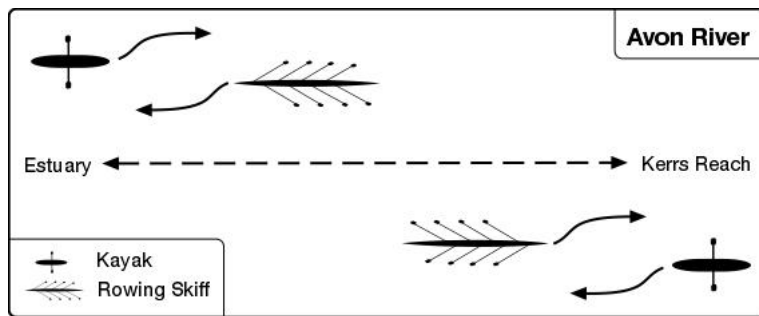
- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Ashley River (Rakahuri) upstream of the State Highway 1 Bridge, but not including any tributaries of the Ashley River (Rakahuri).

12.3 Avon River

- (1) Maritime Rule Part 22 – Collision Prevention, made under the Maritime Transport Act 1994 does not apply for the Avon River between the upstream limits of Kerrs Reach and the boundary with the Avon and Heathcote Rivers Estuary / Ihutai. Rules (2) to (6) apply in its place.
- (2) A traffic lane shall operate in the Avon River between the upstream limits of Kerrs Reach and the boundary with the Avon and Heathcote Rivers Estuary / Ihutai. Manoeuvring in this traffic lane shall proceed as follows:
 - i. Rowing sweep and sculling craft and large paddled craft [6 man out-rigger, dragon boats and surf boats] travel downstream and upstream on the right side of the river (i.e. they keep the nearest bank on their starboard side or bow side).
 - ii. Small paddled craft, [kayaks, 2 man out-riggers] travel downstream and upstream on the left side of the river (i.e. port side to bank), facing oncoming large craft and rowing traffic.

- (3) When passing head on, small paddled craft adhere to the bank, while larger craft pass toward the river centre.
- (4) Overtaking crews must give way.
- (5) Crews travelling upstream have the right of way. Crews travelling downstream must therefore give way to crews travelling upstream.

Figure 7 – Avon River Navigation Rules



12.4 Broken River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of Broken River, but not including any of the tributaries of Broken River, between 10th October in any year and 31st March in the following year.

12.5 Boyle River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Boyle River downstream of the confluence with the Lewis River, but not including any tributaries of the Boyle River, from the first Saturday in December of any year to the Easter Monday in the following year.

12.6 Clarence River (Waiau-Toa)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Clarence River (Waiau-Toa), but not including any tributaries of the Clarence River (Waiau-Toa).

12.7 Conway River (Tutae Putaputa)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Conway River (Tutae Putaputa), but not including any tributaries of the Conway River (Tutae Putaputa).

12.8 Dobson River (Otao)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Dobson River (Otao), but not including any tributaries of the Dobson River (Otao), from the first Saturday in December of any year to the Easter Monday in the following year.

12.9 Esk River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Esk River, but not including any of the tributaries of the Esk River, between 10th October in any year and 31st March in the following year.

12.10 Godley River (Whimiahoa)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Godley River (Whimiahoa), but not including any tributaries of the Godley River (Whimiahoa), from the first Saturday in December of any year to the Easter Monday in the following year.

12.11 Hapuku River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Hapuku River from source to sea, but not including any tributaries of the Hapuku River.

12.12 Hope River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Hope River, but not including any tributaries of the Hope River, from the first Saturday in December of any year to the Easter Monday in the following year.

12.13 Hopkins River (Te Awa aruhe)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Hopkins River (Te Awa aruhe), but not including any tributaries of the Hopkins River (Te Awa aruhe),

from the first Saturday in December of any year to the Easter Monday in the following year.

12.14 Hurunui River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Hurunui River from its source to the sea;
- including:
- (a) the Hurunui River Lagoon; and
 - (b) the Hurunui River upstream of Lake Sumner (Hoka Kura);
- but not including:
- (a) the South Branch of the Hurunui River; or
 - (b) any other tributary; or
 - (c) any lakes draining into the Hurunui River or its tributaries that may be construed as forming part of the Hurunui River.

12.15 Kahutara River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Kahutara River from source to sea, but not including any tributaries of the Kahutara River.

12.16 Kowai River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Kowai River, (including both the North and South Branches), but not including any tributaries of the Kowai River or any tributaries of the North and South Branches.

12.17 Kowhai River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Kowhai River from source to sea, but not including any tributaries of the Kowhai River.

12.18 Macaulay River (Maukakakuta)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Macaulay River (Maukakakuta), but not including any tributaries of the Macaulay River (Maukakakuta), from the first Saturday in December of any year to the Easter Monday in the following year.

12.19 Makikihi River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Makikihi River, but not including any tributaries of the Makikihi River.

12.20 Motunau River

Speed Limits and Special Provisions

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply in that area of Motunau River seaward of the black and white banded marker posts, the west post is located at NZMS 262 N34: 1628-9531.
- (2) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of commercial fishing vessels engaged in commercial fishing activities in the Motunau area pursuant to a license issued by or on behalf of the Ministry of Fisheries under Fisheries Legislation, or charter activities pursuant to a Maritime New Zealand document, seaward of the black and white banded marker posts, the west post is located at NZMS 262 N34: 1646-9545.
- (3) No Master of any vessel without recent local knowledge (at least four separate occasions of arrival or departure within the last year) shall cross the Motunau River bar except during daylight hours and in conditions of good visibility.
- (4) The master of an outbound vessel shall give way to any inbound vessel by waiting until the inbound vessel has cleared the channel before proceeding.
- (5) The master of an outbound vessel shall not enter the channel if there is an inbound vessel over 6 metres in length in the channel or about to enter the channel.
- (6) Lifejackets must be worn by all persons in vessels navigating the channel to or from the open sea except where the vessels are operating in accordance with a Safe Ship Management Certificate.

12.21 Opuha River

Reserved Areas - No Boating or Swimming Areas

- (1) The area of the Opuha River within 200 metres of the discharge pipe for the Lake Opuha Power Station or within 200 metres of the spillway for the Opuha Dam, and the area of the pond in the Opuha River downstream of a line 50 metres upstream of and parallel to the weir structure (all marked by black and white striped posts), are reserved as No Boating areas.
- (2) When water is being spilled over the spillway for the Opuha Dam all of the water of the Opuha River between the weir structure associated with the Opuha Dam and the Opuha Dam is reserved as a No Boating area.
- (3) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clause 12.21 (1) or within the No Boating area reserved in Clause 12.21 (2)
- (4) No person shall while they are being towed by a vessel, cause themselves or any water ski, aquaplane or other object on or by which they are being towed to enter the areas specified in Clause 12.21 (1).

- (5) Clauses 12.21 (3) and 12.21 (4) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Opuha Dam Limited or the operators of the Lake Opuha Power Station for the purpose of maintaining or repairing structures or facilities.

Reserved Areas - Non Powered Craft Area

- (6) The area of the Opuha River that is upstream of the weir structure associated with the Opuha Dam is reserved for non-powered vessels. No person shall navigate a powered craft within this area.

12.22 Otaio River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Otaio River.

12.23 Poulter River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Poulter River below the East Branch confluence, but not including any of the tributaries of the Poulter River, between 10th October in any year and 31st March in the following year.

12.24 Rakaia River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Rakaia River from its sources to the sea; including the Rakaia River Lagoon and all of the tributaries of the Rakaia River; but not including the part of the Rakaia River Lagoon to the east of the boat ramp at North Rakaia Huts or within 50 metres of the boat ramp.
- (2) The Master of any vessel shall not allow the vessel or any object towed by it to proceed at a proper speed greater than five knots when the vessel is being navigated within the Rakaia River Lagoon to the east of the boat ramp at North Rakaia Huts or within 50 metres of the boat ramp.

Reserved Areas - No Boating Areas

- (3) The Glenariffe Stream and its tributaries at any point upstream of where the powerlines on pylons cross the Rakaia River near the Glenariffe Salmon Farm are reserved as No Boating areas.
- (4) Titan Stream and its tributaries and the Hydra Waters north of Hydra Island are reserved as No Boating Areas.
- (5) No person shall navigate a vessel within the areas specified in Clauses 12.24 (3) or 12.24 (4).
- (6) All of the area of the Coleridge Power Station outlet canal within 200 metres of the tailrace structure of Coleridge Power Station is reserved as a No Boating area. The extremity of this area is marked with black and white striped posts.

Reserved Areas - Non-Powered Craft Area

- (7) All of the waters of the Rakaia River, including its tributaries, that are upstream of the Wilberforce River confluence are reserved for non-powered vessels between 1 April and 30 June in any year.
- (8) No person shall navigate a powered craft within the area specified in Clause 12.24 (6) between 1 April and 30 June in any year.

12.25 Rangitata River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Rangitata River from its sources to the sea, including the Rangitata River Lagoon and all of the tributaries of the Rangitata River.

Reserved Areas - Non-Powered Craft Area

- (2) All of the waters of the Rangitata River, including its tributaries, that are upstream of Red Rocks, also known as Turn Again Point), at Map Reference NZMS 260 J36-515-208, located approximately three kilometres up stream of Rata Peaks, are reserved for non-powered vessels between 1 March and 31 July in any year.
- (3) No person shall navigate a powered craft within the area specified in Clause 12.25 (2) between 1 March and 31 July in any year.

12.26 Waiau River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Waiau River from its source to the sea including the Waiau River Lagoon, but not including any tributary of the Waiau River.

12.27 Waihao River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of the Waihao River, including the Dead Arm, within 400 metres of the landward end of the Waihao Box Outlet.
- (2) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply on or in the waters of the Waihao River between the area described in Clause 12.27 (1) and the confluence of the Waihao River and Willowbridge Creek between 1 December of any year and 31 March of the following year and between the hours of 10am and sunset.
- (3) On or in the waters of the Waihao River between 1 April and 30 November in any year; except for the area described in Clause 12.27 (1):
 - (a) no person shall navigate a Personal Water Craft;
 - (b) no master of any vessel shall navigate that vessel at a proper speed exceeding 5 knots; and

- (c) no person shall water ski, or tow a water skier;
- (d) no person not on or in a vessel shall allow themselves to be towed by a vessel.

12.28 Waimakariri River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Waimakariri River upstream of the twin State Highway 1 Bridges, and downstream of the Bealey Bridge on State Highway 73, but not including any of the tributaries of the Waimakariri River.

Reserved Areas - Non-powered Craft Area.

- (2) All of the waters of the Waimakariri River, including its tributaries, that are upstream of the Esk River confluence are reserved for use by non-powered vessels between 1 April and 30 June in any year.
- (3) No person shall navigate a powered craft within the area specified in Clause 12.28 (2) between 1 April and 30 June in any year.

12.29 Wainono Lagoon and Waihao River (Dead Arm)

Reserved Areas - Paddled Craft Area

- (1) All of the waters of Wainono Lagoon and the Dead Arm of the Waihao River upstream of Poingdestres Road are reserved for vessels powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel, a sailing vessel, a windsurfer, a sailboard, or a kite sailing device in the area specified in Clause 12.29 (1).

12.30 Waipara River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Waipara River, but not including any tributaries of the Waipara River.

12.31 Waitaki River

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Waitaki River downstream of the Waitaki Dam to the sea including all of the tributaries of the Waitaki River that have their confluence with the Waitaki River downstream of the Waitaki Dam.

Reserved Areas - No Boating or Swimming Area

- (2) All of the area of the Waitaki River within 200 metres of the Waitaki Dam is reserved as a No Boating Area.

- (3) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the area specified in Clause 12.31 (2).
- (4) No person shall while they are being towed by a vessel, cause themselves or any water ski, aquaplane or other object on or by which they are being towed to enter the area specified in Clause 12.31 (2).
- (5) Clauses 12.31 (3) and 12.31 (4) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

12.32 Wakanui Creek

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of vessels in or on the waters of the Wakanui Creek, but not including any tributaries of the Wakanui Creek.

Part 13 **Special Provisions for Canterbury Lakes**

Note:

The following access lanes are specified in accordance with Clause 4.1 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

The following reserved areas are specified under Clause 4.5. Notwithstanding the reservation of areas adjacent to structures as Non-Boating areas, the safety of the vessel, toboggan, surfboard, windsurfer, sailboard and its occupants, or any person being towed, when operating near these structures is the responsibility of the master of the vessel, toboggan, surfboard, windsurfer or sailboard.

Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of any vessel and its occupants when operating within any reserved area is the responsibility of the master of the vessel.

13.1 Lake Alexandrina

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Alexandrina is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Alexandrina.

13.2 Ashburton Lakes - Maori Lakes (O Tu Wharekai), Lake Heron (O Tu Roto), Lake Emma (Kiri kiri honuhonu), Spider Lakes, Lake Donne, Lake Roundabout, Lake Denny, Lake Trinity, Seagull Lake, Manuka Lake and Mystery Lake

Reserved Areas - Non Powered Craft Areas

- (1) All of the areas of: the Maori Lakes (O Tu Wharekai), Lake Heron (O Tu Roto), Lake Emma (Kiri kiri honuhonu), Spider Lakes, Lake Donne, Lake Roundabout, Lake Denny, Lake Trinity, Seagull Lake, Manuka Lake and Mystery Lake are reserved for swimmers and vessels powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in the areas specified in Clause 13.2 (1).

13.3 Lake Aviemore (Mahi Tikumu)

(See Figure 8 below)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1(1) shall not apply for water skiing or the navigation of vessels within the area of water of Loch Laird, except for the area of water to the south-west of a boom at the south-western end of the Loch reserved as a "Swimming Area" in Clause 13.3 (7).
- (2) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1(1) shall not apply for water skiing or the navigation of vessels within the area of water of Lake Aviemore (Mahi Tikumu) bounded to the north by a line from the northern edge of the entrance to Loch Laird to the opposite shore in a due easterly direction, then generally south-west and south-east and bounded to the south by a line from Parsons Rock in a direction of 30 degrees true to the opposite shore, excluding all waters within 200 metres of the Otematata Boat Harbour entrance.
- (3) The areas in Clauses 13.3 (1) and 13.3 (2) shall be shown on suitable notices containing a plan of the area, at places where vessels are normally launched.

Access Lanes

- (4) All that area of Lake Aviemore (Mahi Tikumu) within 200 metres from the shore, in the bay to the west of the Waitangi Camping ground, bounded by two lines 300 metres apart, with the western edge of the area approximately 1800 metres west of the boat harbour at the Waitangi Camping ground, the area being marked by black and orange banded posts.
- (5) All that area of Lake Aviemore (Mahi Tikumu) within 200 metres from the shore in Woolshed Bay, bounded by two lines 300 metres apart, the area being marked by black and orange banded posts.
- (6) All that area of Lake Aviemore (Mahi Tikumu) within 200 metres from the shore bounded by two lines 300 metres apart, with the south western line extending out into the lake from the mouth of the Te Akatarawa Stream on a bearing of 145 degrees true and the north-eastern line extending out into the lake from a point 300 metres north-east of the mouth of the Te Akatarawa Stream on a bearing of 120 degrees true.

Reserved Areas - Loch Laird Swimming Area and Water Skiing Area

- (7) The following area of Lake Aviemore (Mahi Tikumu) is reserved for swimmers:

All the area of water at the south-western end of Loch Laird to the south-west of a boom placed on the water within a line running north-west to south east 112 metres from the south-westernmost point of Loch Laird.
- (8) The line referred to in Clause 13.3 (7) shall be marked by a boom running along the line across Loch Laird and marked by notices placed at either end on the shore.
- (9) No person shall navigate a vessel within the area specified in Clause 13.3 (7).
- (10) The Master of any vessel shall not allow any object or person towed by it to enter the area specified in Clause 13.3 (7).
- (11) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clause 13.3 (7).

- (12) All the area of Loch Laird in Lake Aviemore (Mahi Tikumu) except for the area reserved for swimmers in Clause 13.3 (7) is reserved as a water skiing area.
- (13) No person shall swim, dive, scuba dive or use a surfboard, windsurfer, kite surfing apparatus or sailboard within the area specified in Clause 13.3 (12).
- (14) No person shall navigate a vessel with the area specified in Clause 13.3 (12) unless they are towing a person or persons barefoot or on a ski, aquaplane or other object other than a vessel, or are recovering persons or objects that have become separated whilst being towed by that vessel.
- (15) All persons navigating a vessel in the area specified in Clause 13.3 (12) shall do so in an anticlockwise direction around the Loch.
- (16) Clauses (9), (10), (13), (14) and (15) of Clause 13.3 shall not apply to persons who are navigating vessels for the purpose of installing, maintaining or repairing water skiing structures or facilities or installing, maintaining or repairing structures or facilities marking the swimming only area.

Reserved Areas - No Boating or Swimming Areas

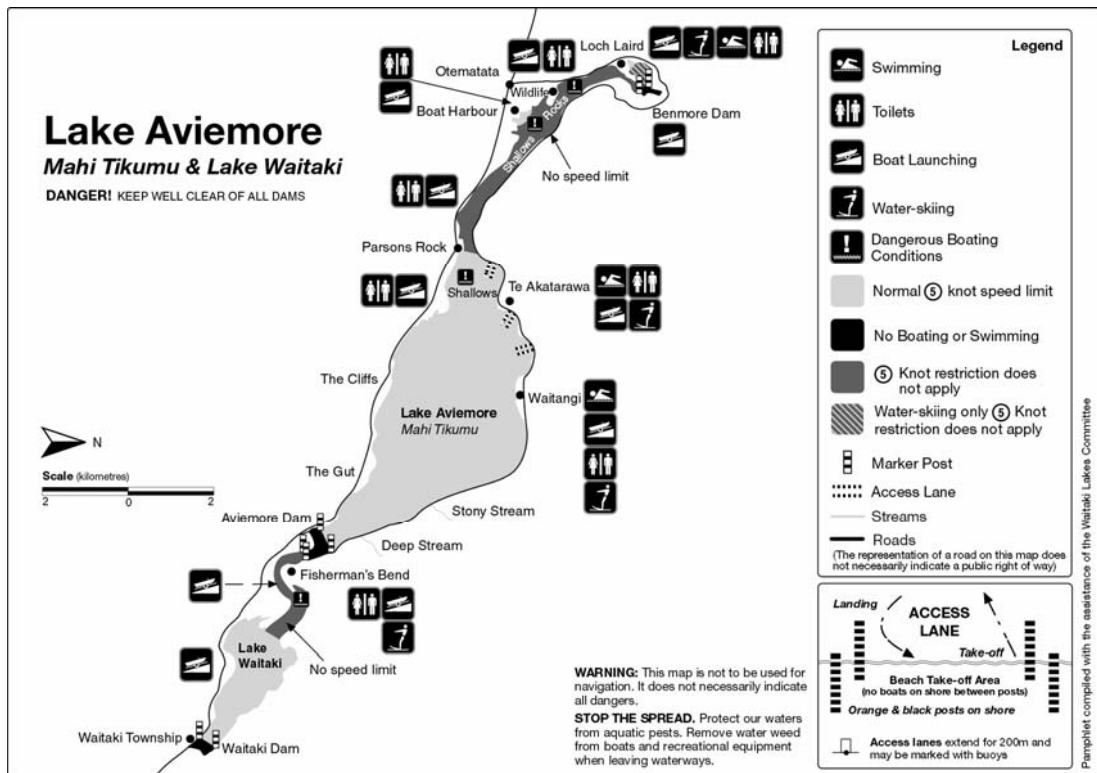
- (17) All the area of Lake Aviemore (Mahi Tikumu) within 200 metres of the Aviemore Dam (as marked by black and white striped posts) is reserved as a No Boating area.
- (18) All the area of Lake Aviemore (Mahi Tikumu) to the north of a line from the northern edge of the entrance to Loch Laird to the opposite shore in a due easterly direction is reserved as a No Boating area.
- (19) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.3 (17) or 13.3 (18).
- (20) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.3 (17) or 13.3 (18).
- (21) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.3 (17) or 13.3 (18).
- (22) Clauses (19) to (21) of Clause 13.3 shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Reserved Areas - Spillway Area

- (23) All the area of Lake Aviemore (Mahi Tikumu) within 500 metres of the Benmore Dam spillway, except for the area of water of Loch Laird, is reserved as a No Boating area whenever the spillway is discharging water.
- (24) All the area of Lake Aviemore (Mahi Tikumu) within 500 metres of the Benmore Dam spillway, except for the area of water of Loch Laird, is reserved as a Transit Only area whenever the spillway is not discharging water.
- (25) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the area specified in Clause 13.3 (23) at any time the Benmore Dam spillway is discharging water.

- (26) The Master of any vessel shall not allow any object or person towed by it to enter the area specified in Clause 13.3 (23) at any time the Benmore Dam spillway is discharging water.
- (27) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the area specified in Clause 13.3 (23) at any time the Benmore Dam spillway is discharging water.
- (28) The Master of any vessel shall only navigate the vessel directly to or from Loch Laird through the area specified in Clause 13.3 (24) whenever the Benmore Dam spillway is not discharging water.
- (29) Clauses (25) to (28) of Clause 13.3 shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Figure 8 - Lake Aviemore (Mahi Tikumu)



13.4 Lake Benmore (Te Ao Marama)

(see Figure 9 below)
Speed Limits

- (1) Except as provided for by clause (3) below; the speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within the area of water of the Lake Benmore (Te Ao Marama) including the Ahuriri Gorge, that is:

- (a) bounded to the west by a line from a point on the headland at the western entrance to the gorge, (located by bearing 273 degrees true 6590 metres from Black Jacks Point), running due north to the opposite shore, and
 - (b) bounded to the north by a line from the headland, (located by bearing 40 degrees true 1200 metres from Black Jacks Point), running in a 284 degree true direction to the opposite shore; and
 - (c) bounded to the south by the No Boating area above the Benmore Dam that is reserved in Clause 13.4 (8).
- (2) The area in Clause 13.4 (1) shall be shown on suitable notices containing a plan of the area, at places where vessels are normally launched.
- (3) The Master of any vessel shall not allow the vessel or any object towed by it to proceed at a proper speed in excess of 5 knots when within 100 metres of the promontory in the Gorge of Lake Benmore (Te Ao Marama) where the Gorge narrows approximate 1 kilometres east of the Gorge entrance from the Ahuriri Arm, the area where the speed restriction applies being marked by black and white banded posts and 5-knot signs.
- (4) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels directly to and from the shore within the following waters of the Haldon Arm of Lake Benmore (Te Ao Marama):
- (a) Within 200 metres of the shore from a point adjacent to the Trig Point immediately south of the Ohau C boat ramp to a point on the promontory immediately north of the Falstone Boat Harbour, both points being marked with black and white banded posts; and
 - (b) Within 200 metres of the shore from a point on the promontory immediately south at the Falstone Boat Harbour to a point 800 metres to the south along the shore, both points being marked with black and white banded posts.

Access Lanes

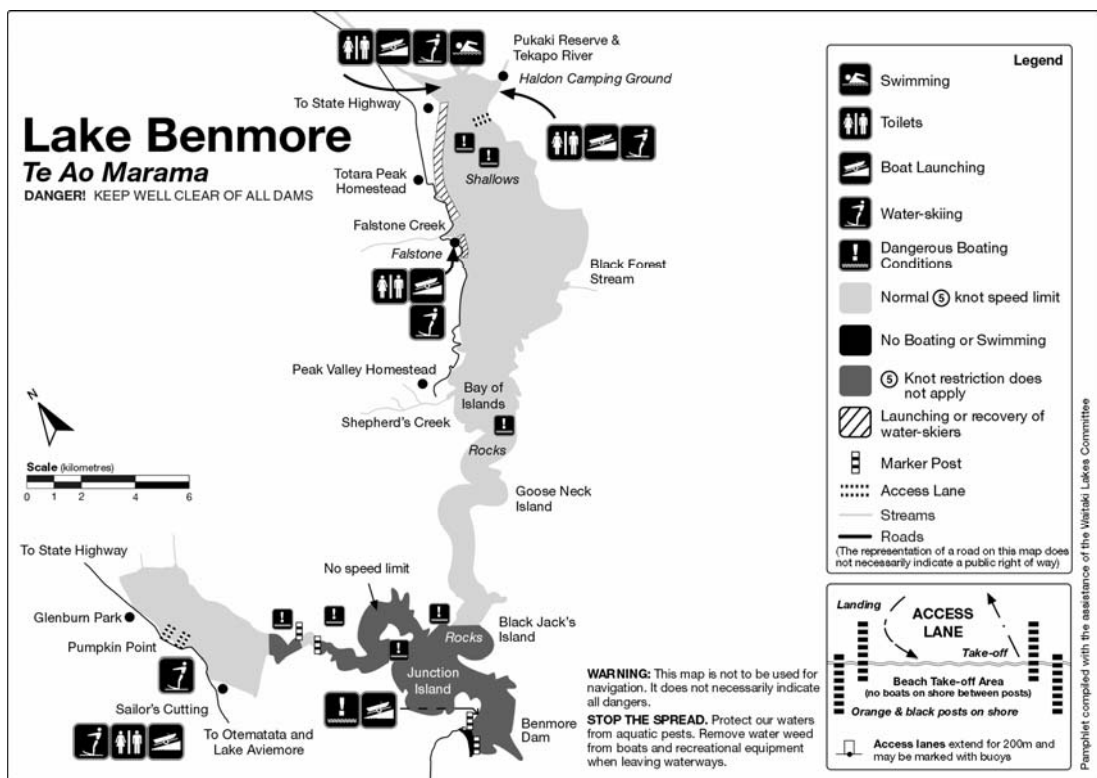
- (5) All that area of the Ahuriri Arm of Lake Benmore (Te Ao Marama) immediately to the south of Pumpkin Point, extending 200 metres from the shore bounded by parallel lines 400 metres apart the southern boundary extending in a north-easterly direction from a point on the lakeshore 1350 metres north-west from Sailors Cutting Boat Harbour entrance.
- (6) All that area of the Ahuriri Arm of Lake Benmore (Te Ao Marama) immediately to the north of Pumpkin Point, extending 200 metres from the shore bounded by parallel lines 300 metres apart the southern boundary extending in a north-north-westerly direction from a point on the lakeshore 1830 metres north-west from Sailors Cutting Boat Harbour entrance.
- (7) All that area of the Haldon Arm of Lake Benmore (Te Ao Marama) extending 200 metres from the shore bounded by parallel lines 300 metres apart the northern boundary extending in a north-easterly direction from a point on the lakeshore 500 metres south of the eastern entrance to Haldon Boat Harbour.

Reserved Areas - No Boating or Swimming Areas

- (8) All the area of Lake Benmore (Te Ao Marama) within 200 metres of the Benmore Dam (as marked by black and white striped posts) is reserved as a No Boating area.

- (9) All the area of the Haldon Arm of Lake Benmore (Te Ao Marama) within 200 metres of the Tailrace Structure for the Ohau C Power Station is reserved as a No Boating area.
- (10) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the area specified in Clauses 13.4 (8) or 13.4 (9).
- (11) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.4 (8) or 13.4 (9).
- (12) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.4 (8) or 13.4 (9).
- (13) Clause (10) of Clause 13.4 shall not apply to persons who are navigating vessels directly to or from the boat ramp on the western side of the lake immediately to the north of the Benmore Dam, provided the vessel is navigated in or out of the area by the shortest route practicable.
- (14) Clauses (10) to (12) of Clause 13.4 shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Figure 9 - Lake Benmore (Te Ao Marama)



13.5 Blackwater Lake

Reserved Areas - Paddled Craft Area

- (1) All of the area of Blackwater Lake is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.

- (2) No person shall navigate a powered vessel or a sailing craft in Blackwater Lake.

13.6 Lake Camp (O Tau tata)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Lake Camp (O Tau tata) between the hours of 9am and 9pm on the same day except:
- (a) within the area enclosed by a line across the embayment containing the boat ramp near the Clearwater Aquatic Clubhouse at the northwest corner of Lake Camp (O Tau tata), the line being marked at each end by black and white striped posts; or
 - (b) within 50 metres of the shore from the eastern most post referred to in Clause 13.6 (1) to another black and white post on the shore approximately 600 metres distance along the shoreline to the east; or
 - (c) within 50 metres of the southern shore bounded to the north west and the south east by black and white striped marker posts approximately 800 metres apart.

Reserved Areas - No Boating Area

- (2) All of the area of Lake Camp (O Tau tata) to the north west of, and partially enclosed by, a row of buoys and a moored raft, adjacent to the boat ramp near the Clearwater Aquatic Clubhouse at the northwest corner of Lake Camp (O Tau tata), is reserved as a No Boating Area. No person shall navigate a vessel in this area

13.7 Lake Catherine

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Catherine (also known as Lake Monck) is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Catherine.

13.8 Lake Clearwater (Punataka)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of sailing craft or craft powered by oars or paddled in or on the waters of Lake Clearwater (Punataka) further than 50 metres from the shore.
- (2) Notwithstanding Clause 13.8 (1) no person shall navigate a vessel at a proper speed exceeding 5 knots:
- (a) within an area to the west of a line running on a bearing of 045 degrees across the lake, marked by two black and white striped posts, the southern post being approximately 600 metres from the western extremity of the lake; or

- (b) within an area to the east of a line running on a bearing of 045 degrees across the lake, marked by two black and white striped posts, the southern most post being approximately 600 metres from the eastern extremity of the lake; or
 - (c) within 100 metres of the island adjacent to the northern shore of the lake.
- (3) No person shall navigate a sailing vessel on or in the waters of Lake Clearwater (Punataka) other than between the hours of 9 a.m. and 9 p.m. on the same day.
 - (4) No person shall anchor or moor a vessel or permit a vessel to lie at anchor or on a mooring on or in the waters of Lake Clearwater (Punataka) other than between the hours of 9 a.m. and 9 p.m. on the same day.

Reserved Areas - Sailing and Non Powered Craft Areas

- (5) All of the area of Lake Clearwater (Punataka) is reserved for: swimmers, vessels powered solely by sails, oars or paddles and for rafts.
- (6) Notwithstanding Clause 13.8 (8), the areas of Lake Clearwater (Punataka) within 100 metres of the island adjacent to the northern shore of the lake and within 200 metres of the western extremity of the lake are reserved for vessels powered solely by oars or paddles.
- (7) No person shall navigate a powered vessel in Lake Clearwater (Punataka).
- (8) Clause 13.8 (10) shall not apply to persons who are navigating vessels for the purpose of maintaining or repairing structures or facilities provided that the speed of the vessel shall not exceed 5 knots.

13.9 Lake Coleridge (Whakamatau)

Reserved Areas - No Boating or Swimming Area

- (1) The area of Lake Coleridge (Whakamatau) within 200 metres of the Lake Coleridge Power Station intake on the southern shore of the lake is reserved as a No Boating area.
- (2) All of the area of the Coleridge Power Station outlet canal within 200 metres of the tailrace structure of Coleridge Power Station is reserved as a No Boating area. The extremity of this area is marked with black and white striped posts.
- (3) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.9 (1) and 13.9 (2).
- (4) No person shall while they are being towed by a vessel, cause themselves or any water ski, aquaplane or other object on or by which they are being towed to enter the area specified in Clauses 13.9 (1) and 13.9 (2).
- (5) Clauses 13.9 (3) and 13.9 (4) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of the owners or operators of the Lake Coleridge Power Station for the purpose of maintaining or repairing structures or facilities.

Access Lanes

- (6) All that area of Lake Coleridge (Whakamatau) within 200 metres of the shore on the south easternmost part of the bay containing the outlet of the Rytou River, bounded by two lines 300 metres apart, the area being marked by black and orange banded posts.

13.10 Lake Crighton

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Lake Crighton.

13.11 Lake Ellesmere (Te Waihora)

(See Figure 10 below)

- (1) No person shall launch a vessel from a trailer from the shore within the Access Lane at Timber Yard Point specified in Clause 13.11 (3).
- (2) Clause 2.4 (1) (b) shall not apply for the navigation of commercial fishing vessels engaged in commercial fishing activities in or on the waters of Lake Ellesmere (Te Waihora) pursuant to a license issued by or on behalf of the Ministry of Fisheries under Fisheries Legislation.

Access Lanes - Timber Yard Point

- (3) All that area of Lake Ellesmere (Te Waihora) within 200 metres of the northern shore immediately to the west of Timber Yard Point bounded by two lines 400 metres apart, the area being marked by black and orange banded posts.

Reserved Areas - Harts Creek No Boating Area

- (4) All of the area of water of the Harts Creek Wildlife Refuge in Lake Ellesmere (Te Waihora) comprising the area bounded by the shore and
 - (a) a line 1100 metres in length along the southern eastern boundary of the Harts Creek Wildlife Refuge in a direction of 055 degrees from a post and notice board on the shore alongside Timber Yard Road approximately 1 kilometre to the west of Timber Yard Point; and
 - (b) a line running from there for a distance of 790 metres in a direction of 328 degrees and;
 - (c) a line running from there for a distance of 420 metres in a direction of 253 degrees and;
 - (d) a line running from there in a direction of 290 degrees to the shore;is reserved as a No Boating Area.
- (5) No person shall navigate a vessel or use a windsurfer or sailboard in the area specified in Clause 13.11 (4).
- (6) Clause 13.11 (5) shall not apply within 50 metres of the shore between the post referred to in Clause 13.11 (4) and a point 400 metres to the west, for persons landing or launching commercial fishing vessels on this part of the shore provided they are engaged in commercial fishing activities pursuant to a license issued under Fisheries Legislation.

Reserved Areas - Timber Yard Point Slow Speed Area

- (7) All of the area of water in the bay in Lake Ellesmere (Te Waihora) that lies immediately to the south west of Timber Yard Point, enclosed by a line running on a bearing of 135 degrees approximately 750 metres from the head of the Bay, and marked by black and white banded posts on each shore is reserved as an area for vessels travelling at a proper speed of 5 knots or less.
- (8) No master of a vessel shall navigate the vessel in the area specified in Clause 13.11 (7) at a proper speed in excess of 5 knots.

Reserved Areas - Timber Yard Point Personal Water Craft Area

- (9) All of the area of Lake Ellesmere (Te Waihora) at Timber Yard point within 400 metres of the shore bounded by:
 - (a) a line running due north from the northern most point of Timber Yard Point; and
 - (b) a line bearing 045 degrees from a point approximately 100 metres to the east of the northern most point of Timber Yard Pointwith each line being marked on shore with black and white branded posts with signs describing the area, is a reserved area for the operation of jet skis, wet bikes and other Personal Water Craft.
- (10) No person shall navigate any vessel other than a Personal Water Craft in the area specified in Clause 13.11 (9).
- (11) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of Personal Water Craft in the area specified in Clause 13.11 (9).
- (12) Clause 13.11 (10) shall not apply to persons who are navigating vessels for the purpose of maintaining or repairing structures or facilities for the use of persons navigating Personal Water Craft, provided that the speed of the vessel shall not exceed 5 knots.

Reserved Areas - Timber Yard Point Windsurfing and Kite Surfing Area

- (13) All of the area of Lake Ellesmere (Te Waihora) off Timber Yard Point enclosed by:
 - (a) a line running due north from the eastern most point of Willow Island for 400 metres; and
 - (b) a line from there to the north eastern corner of the Personal Water Craft reserved area specified in Clause 13.11 (9); and
 - (c) from there along the eastern boundary of the Personal Water Craft reserved area specified in Clause 13.11 (9) to the shore; and
 - (d) from there along northeastern shore of Timber Yard Point to the shore to the easternmost point of Timber Yard Point; and
 - (e) a line from there to the westernmost point of Willow Island; and
 - (f) from there along the northern shore of Willow Island to the eastern most point of Willow Island

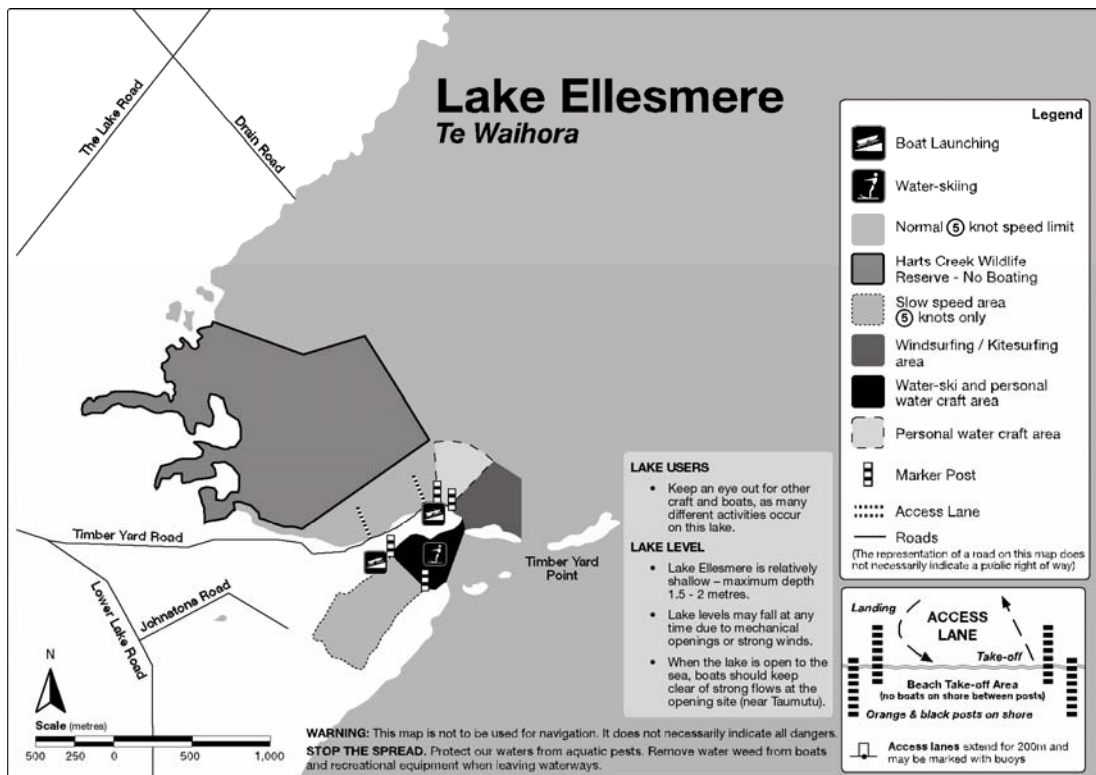
is reserved for the use of persons navigating a sailboard or windsurfer or persons navigating a board propelled by a kite held by, or attached to, those persons.

- (14) No person shall water ski or navigate a vessel within the area specified in Clause 13.11 (13).
- (15) No person shall swim within the area specified in Clause 13.11 (13) except where they have lost control of a sailboard, windsurfer or board propelled by a kite.

Reserved Areas - Timber Yard Point Water Ski and Personal Watercraft Area

- (16) All of the area of Lake Ellesmere (Te Waihora) to the south of Timber Yard Point enclosed by:
 - (a) the line marking the north eastern boundary of the reserved slow speed area specified in Clause 13.11 (7); and
 - (b) from there along the southwestern shore of Timber Yard Point to the easternmost point of Timber Yard Point; and
 - (c) a line from the eastern most point of Timber Yard Point to the westernmost point of Willow Island; and
 - (d) a line from the westernmost point of Willow Island to the northern most point of the Peninsula enclosing the bay immediately to the south of Timber Yard Point; and
 - (e) from there along the shore to the easternmost point of the reserved slow speed area specified in Clause 13.11 (7) is reserved for water skiing and personal water craft.
- (17) No person shall swim, navigate or use a surfboard, windsurfer, kite surfing apparatus or sailboard within the area specified in Clause 13.11 (16).
- (18) No person shall navigate a vessel other than a Personal Water Craft within the area specified in Clause 13.11 (16) unless they are towing a person or persons barefoot or on a ski, aquaplane or other object other than a vessel, or are recovering a person or an object that has become separated whilst being towed by that vessel.
- (19) All persons navigating a vessel in the area specified in Clause 13.11 (16) shall do so in an anticlockwise direction around the area.

Figure 10 - Lake Ellesmere (Te Waihora)



13.12 Lake Evelyn

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Evelyn is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Evelyn.

13.13 Lake Forsyth (Wairewa)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Lake Forsyth (Wairewa) further than 300 metres from the southern extremity of the lake and to the west of a line across the lake bearing 149 degrees from the eastern most part of Birdlings Flat marked by two black and white striped posts on the shore.

13.14 Lake George Scott

Reserved Areas - No Boating or Swimming Area

- (1) All of the area of Lake George Scott is reserved as a No Boating area.
- (2) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard in Lake George Scott.

- (3) Clause 13.14 (2) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

13.15 Lake Georgina

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Georgina is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Georgina.

13.16 Lake Grasmere

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Grasmere is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Grasmere.

13.17 Lake Hawdon

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Hawdon is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Hawdon.

13.18 Lake Henrietta

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Henrietta is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Henrietta.

13.19 Lake Hood

(see Figure 11 below)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Lake Hood except for the following areas of water:
- (a) within the canal system at the north western part of the lake; and
- (b) within 100 metres of any of the three outermost bridges spanning the canals at the north western part of the lake ; and

- (c) within the area enclosed by a line from the headland north of the boat ramp to a point 100 metres south of the boat ramp.
 - (d) within the area of the communal boat ramp that is situated lakeside inside the residential develop. The extremities of this area are marked by two black and white striped posts.
- (2) Notwithstanding Clause 13.19 (1) no person shall navigate a vessel at a proper speed greater than 5 knots whilst the vessel is entering or leaving the Tournament Ski Area located on the south eastern side of the lake.
 - (3) All persons navigating a powered vessel in the main part of Lake Hood shall do so in an anticlockwise direction around the Lake.
 - (4) All persons navigating a powered vessel within the Tournament Ski Area of Lake Hood shall do so in an anticlockwise direction around the Tournament Ski Area with the small islands at each end of the Tournament Ski Area being kept on the port side of the vessel.
 - (5) No person shall navigate a powered vessel in or on the waters of Lake Hood other than between the hours of 7.30 a.m. and 9.00 p.m.
 - (6) Clause 13.19 (5) shall not apply to persons who are navigating vessels for the purpose of maintaining or repairing structures or facilities by or on behalf of the Ashburton Aquatic Park Charitable Trust Inc.
 - (7) Clause 13.19 (5) shall not apply to persons who are navigating attendant support vessels for rowing skiffs where those vessels are under the control of South Island Rowing Incorporated.

Reserved Areas - No Boating Areas

- (8) The following areas of water in Lake Hood are reserved as No Boating Areas:
 - (a) within a buoyed area at the intake channel at the north eastern end of the lake,
 - (b) within a buoyed area at the mouth of Bayliss Stream at the northern side of the lake,
 - (c) within 10 metres of the outlet to the lake adjacent to the Tournament Ski area at the southern end of the lake.
- (9) No person shall navigate a vessel within the areas specified in Clause 13.19 (8).
- (10) Clause 13.19 (9) shall not apply to persons who are navigating vessels for the purpose of maintaining or repairing structures or facilities by or on behalf of the Ashburton Aquatic Park Charitable Trust Inc.
- (11) The buoys marking the areas specified in Clauses 13.19 (8) (a) and (b) are those placed so that they enclose an area roughly semicircular in shape with a radius of no more than 50 metres.

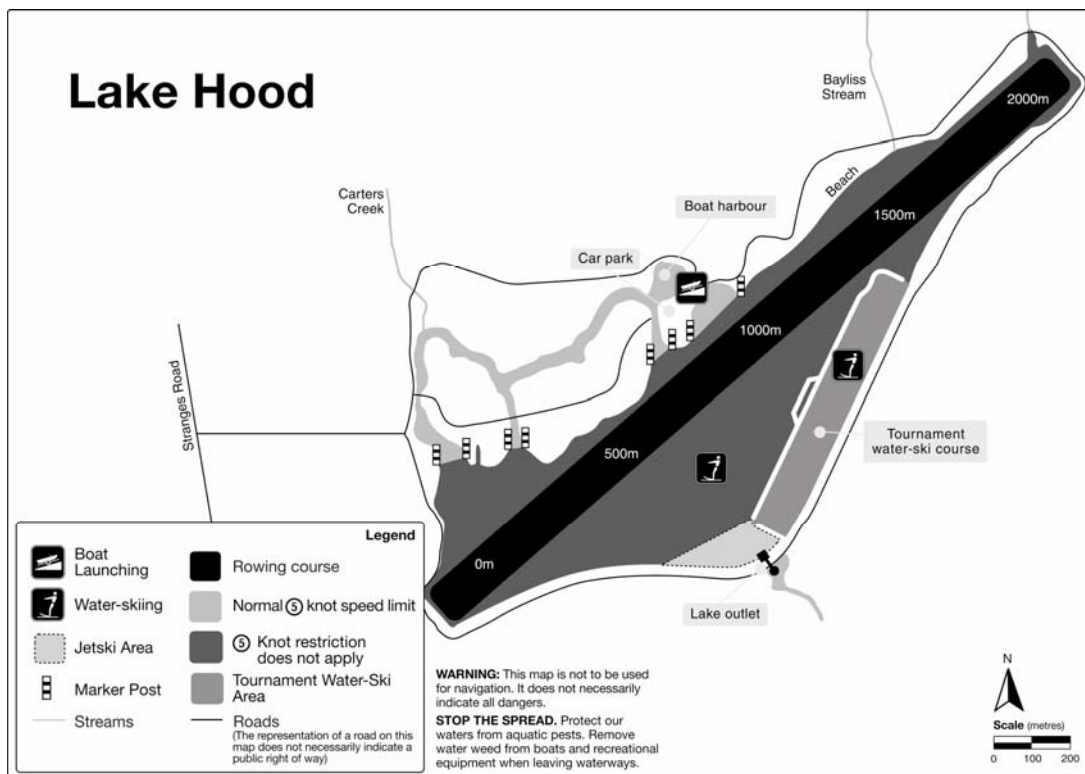
Reserved Areas - Jet Ski Area

- (12) The following area of water in Lake Hood is reserved for jet skis, wet bikes and other Personal Water Craft:
 - that part of Lake Hood enclosed by a line from the south west point of the main breakwater for the tournament waterski course to a point on the southern embankment 200 metres south of the lake outlet,

excluding the area within 10 metres of the outlet to the lake adjacent to the Tournament Ski area at the southern end of the lake reserved as a No Boating Area.

- (13) No person shall navigate a vessel other than a jet ski, wet bike or other Personal Water Craft within the area specified in Clause 13.19 (12) except to directly enter or leave the Tournament Ski area.
- (14) The Master of any vessel other than a jet ski, wet bike or other Personal Water Craft shall not allow any object or person towed by it to enter the area specified in Clause 13.19 (12).
- (15) No person shall while being towed by a vessel other than a jet ski, wet bike or other Personal Water Craft, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the area specified in Clause 13.19 (12).

Figure 11 – Lake Hood



13.20 Hurunui Lakes

Reserved Areas - Non Powered Craft Areas

- (1) All of the areas of: Lake Mason, (including both Big Lake Mason and Little Lake Mason), Lake Marion, Lake Mary, and Raupo pond are reserved for swimmers and vessels powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in the areas specified in Clause 13.20 (1).

13.21 Lake Ida

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Ida is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Ida.

13.22 Loch Katrine

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Loch Katrine within the area enclosed by a line extending for a distance of 1300 metres in a direction of 320 degrees to a point in the lake, the southern end of the line and its direction being marked by two black and white striped posts located on the shore at the south easternmost end of the lake; and a line from there for approximately 300 metres in a direction of 230 degrees to the western shore, the shore end on the western side of the lake being marked with a single black and white striped post.
- (2) All persons navigating a vessel at a speed greater than 5 knots within the area specified in Clause 13.22 (1) shall do so in an anticlockwise direction, keeping to the starboard side of the area at all times.

13.23 Lake Letitia

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Letitia is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Letitia.

13.24 Lake Lilian

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Lilian is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Lilian.

13.25 Lake Lyndon

Speed Limits

- (1) Except as provided by (2) below, Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels in or on the waters of Lake Lyndon.
- (2) Clause (1) above shall not apply when the vessel or any object towed by it is within 50 metres of any person standing in, or swimming in the waters of Lake Lyndon.

13.26 Lake McGregor

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake McGregor is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake McGregor

13.27 Lake Marymere

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Marymere is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Marymere.

13.28 Lake Middleton

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within Lake Middleton between the hours of 10 a.m. and 12 noon on the same day and between the hours of 2 p.m. and 7 p.m. on the same day.
- (2) Clause 13.28 (1) shall not apply to the area of water of Lake Middleton reserved in Clause 13.28 (3) as a Paddled Craft Area.

Reserved Areas - Paddled Craft Area

- (3) The northern part of Lake Middleton, the southern edge of which is 82 metres from the northernmost extremity of the lake, and marked by a line of buoys either side of a swimming platform, and by transit posts on the shore painted with black and white bands, is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (4) No person shall navigate a powered vessel, a vessel 12 metres or more in overall length, or a sailing craft within the area specified in Clause 13.28 (3).

13.28A Northbrook Waters

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for the navigation of vessels in or on the waters of Northbrook Waters in Rangiora.

13.29 Lake Ohau

Reserved Areas - No Boating or Swimming Areas

- (1) All of the area of Lake Ohau within 200 metres of the Weir at the mouth of the Ohau River (as marked by black and white striped posts) is reserved as a No Boating area.
- (2) All of the area of Lake Ohau within 200 metres of the control gates for the Ohau Canal (as marked by black and white striped posts) is reserved as a No Boating area.
- (3) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.29 (1) and 13.29 (2).

- (4) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.29 (1) and 13.29 (2).
- (5) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.29 (1) and 13.29 (2).
- (6) Clauses 13.29 (3) to 13.29 (5) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

13.30 Lake Opuha

(See Figure 12 below)

Speed Limits

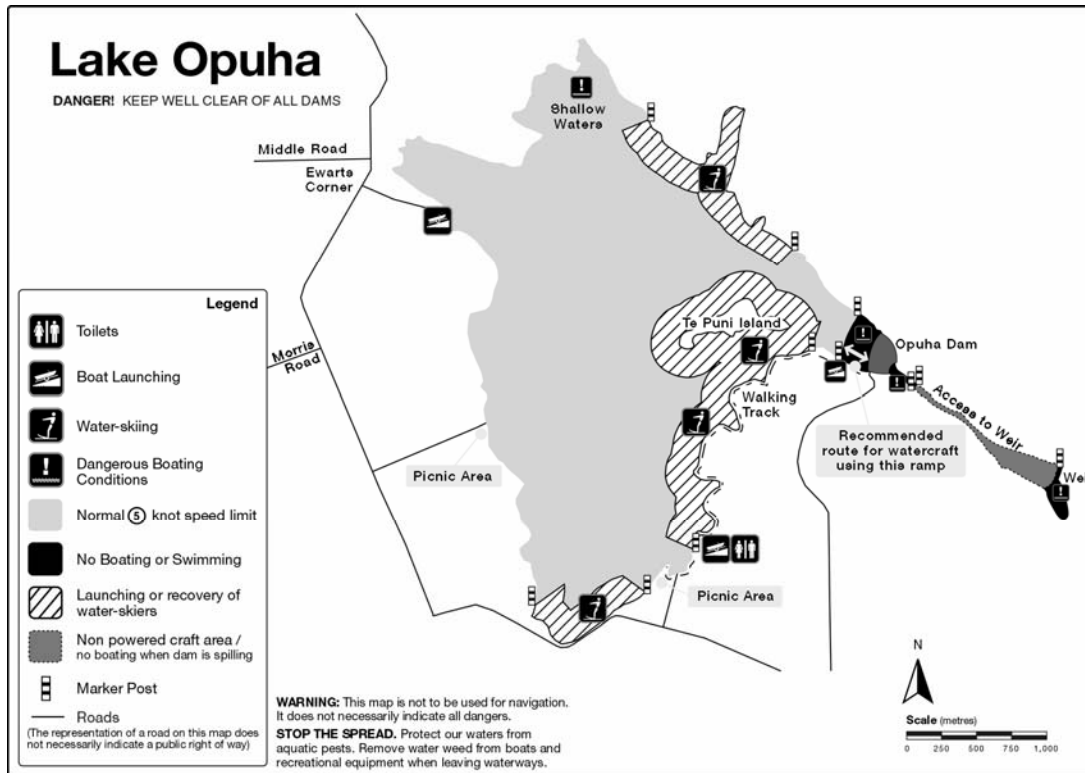
- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels in or on the following parts of the waters of Lake Opuha.
 - (a) Within 200 metres of the shore of Te Puni Island.
 - (b) Within 200 metres of the south eastern shore of Lake Opuha from a point 200 metres west of the boat ramp adjacent to the Opuha Dam to a point on the eastern end of the Melville Downs picnic area, both ends of this part of the shore being marked with posts painted with black and white bands.
 - (c) Within 200 metres of the south shore of Lake Opuha from a point on the western end of the Melville Downs picnic area to a point on the western shore of Lake Opuha approximately 500 metres north of the southernmost part of the lake, both ends of this part of the shore being marked with posts painted with black and white bands.
 - (d) Within 200 metres of the north eastern shore of Lake Opuha from a point 1500 metres north west of the Opuha Dam to a point 500 metres north west of the Bay leading to Sugarloaf Creek, both ends of this part of the shore being marked with posts painted with black and white bands.

Reserved Areas - No boating or Swimming Area

- (2) The area of Lake Opuha within 200 metres of the Opuha Dam (as marked by black and white striped posts) or the Opuha Dam Intake structure on the southern shore of the lake is reserved as a No Boating area.
- (3) Except as provided for by Clauses 13.30 (5) or 13.30 (6), no person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the area specified in Clause 13.30 (2).
- (4) Except as provided for by Clause 13.30 (6), no person shall while they are being towed by a vessel, cause themselves or any water ski, aquaplane or other object on or by which they are being towed to enter the area specified in Clause 13.30 (2).
- (5) Clause 13.30 (3) shall not apply to persons who are navigating vessels directly to or from the boat ramp adjacent to the Opuha Dam, provided the vessel is navigated in or out of the area by the shortest route practicable.

- (6) Clauses 13.30 (3) and 13.30 (4) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Opuha Dam Limited or the operators of the Lake Opuha Power Station for the purpose of maintaining or repairing structure or facilities.

Figure 12 – Lake Opuha



13.31 Lake Pearson (Moana Rua)

Speed Limits

- (1) The Master of any vessel shall not allow the vessel or any object towed by it to proceed at a proper speed greater than 5 knots on or in the waters of Lake Pearson (Moana Rua).
- (2) No person shall cause or allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in or on the waters of Lake Pearson (Moana Rua).

Reserved Areas – No Water Skiing or Personal Water Craft Area

- (3) No person shall water ski or tow a water skier in or on the waters of Lake Pearson (Moana Rua).
- (4) No person shall navigate a Personal Water Craft in or on the waters of Lake Pearson (Moana Rua).

13.32 Lake Pukaki

Reserved Areas - No Boating or Swimming Areas

- (1) All of the area of Lake Pukaki within 200 metres of the Pukaki High Dam (as marked by black and white striped posts) is reserved as a No Boating area.
- (2) All of the area of Lake Pukaki within 200 metres of the outlet from the lake to the Pukaki Canal is reserved as a No Boating area.
- (3) All of the area of Lake Pukaki within 200 metres of the Tekapo B Power Station Tail Race is reserved as a No Boating area.
- (4) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.32 (1), 13.32 (2) and 13.32 (3).
- (5) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.32 (1), 13.32 (2) and 13.32 (3).
- (6) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.32 (1), 13.32 (2) and 13.32 (3).
- (7) Clauses 13.32 (4) to 13.32 (6) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

13.33 The Red Lakes

Reserved Areas - Paddled Craft Area

- (1) All of the area of the Red Lakes is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in the Red Lakes.

13.33A Lake Roto Kohatu

Speed Limits

- (1) The speed limits specified in Clause 2.4(1)(a) and (b) and Clause 3.1(a) shall not apply for the navigation of personal water craft in or on the south western waters of Lake Roto Kohatu."

Reserved Area for Personal Water Craft

- (2) All of the south western waters of Lake Roto Kohatu, with the exception of the waters of the connected canoe polo area to the east of this part of the lake, are reserved for jet skis, wet bikes and other personal water craft.
- (3) No person shall navigate a vessel other than a jet ski, wet bike or other personal water craft within the area specified in clause 13.33A(2).
- (4) Clause 13.33A (3) shall not apply to persons operating support vessels under the control of the Canterbury Jet Sports Club.

Reserved Area – Sailing and Non-powered Craft

- (5) All of the north eastern waters of Lake Roto Kohatu are reserved for the use of sailing craft and non-powered craft.
- (6) No person shall navigate a powered vessel in the north eastern waters of Lake Roto Kohatu.
- (7) Clause 13.33A (6) shall not apply to persons operating support vessels for sailing craft, where those persons are operating on behalf of a sailing club.

Reserved Area – Canoe Water Polo

- (8) All of the waters of Lake Roto Kohatu in the lagoon area to the west of the lake are reserved for canoe water polo.
- (9) No person shall navigate a vessel in the lagoon area to the west of Lake Roto Kohatu except to play or practice canoe water polo.

Reserved Areas – Special Events and Maintenance

- (10) Notwithstanding the reservations in (2), (5) and (8) of clause 13.33A and the restrictions in (3), (6) and (9) of clause 13.33A, the waters of Lake Roto Kohatu may at anytime be set aside and used exclusively for special events authorised for the lake by the Christchurch City Council or for maintenance activities on behalf of the Christchurch City Council.

13.34 Lake Ruataniwha

(See Figure 13 below)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within the area of water of Lake Ruataniwha known as “The Bay” being to the north and west of the Rowing Course reserved in Clause 13.34 (15), excluding the swimming and paddled small craft area reserved in Clause 13.34 (12).
- (2) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply for the navigation of jet skis, wet bikes and other Personal Water Craft within the area of water of Lake Ruataniwha reserved in Clause 13.34 (5).
- (3) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels directly to and from the shore within 200 metres of the shore between black and white marked posts located on the southern shore of Lake Ruataniwha. The eastern post is located at NZMS 262 H38: 7669-5384 (approximately 800 metres north west of State Highway 8). The western post is located at NZMS 262 H38: 7512-5427 (approximately 1600 metres west of the eastern post).
- (4) The areas in Clauses 13.34 (1) and 13.34 (2) shall be shown on a notice at the place where vessels are normally launched.

Reserved Areas - PWC Area

- (5) All that area of Lake Ruataniwha east of a line drawn in a southerly direction from the south eastern extremity or start end of the Rowing Course reserved in Clause 13.34 (15) to the northern bank of the Ohau B Canal but excluding that area east and south of the boom shielding the gates for the Ruataniwha spillway into the Ohau River is reserved for jet skis, wet bikes and other Personal Water Craft.
- (6) No person shall navigate a vessel other than a jet ski, wet bike or other Personal Water Craft within the area specified in Clause 13.34 (5).
- (7) The Master of any vessel other than a jet ski, wet bike or other Personal Water Craft shall not allow any object or person towed by it to enter the area specified in Clause 13.34 (5).
- (8) No person shall while being towed by a vessel other than a jet ski, wet bike or other Personal Water Craft, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the area specified in Clause 13.34 (5).

Reserved Areas – Swimming and Small Paddled Craft

- (9) All that area of Lake Ruataniwha known as “the Wairepo Arm” is reserved for swimmers and vessels less than 12 metres in overall length propelled solely by oars or paddles.
- (10) All that area of Lake Ruataniwha known as "Kelland Pond" is reserved for swimmers and vessels less than 12 metres in overall length propelled solely by oars or paddles.
- (11) No person shall navigate a powered vessel, a vessel 5 metres or more in overall length, or a sailing craft within the areas specified in Clauses 13.34 (9) and 13.34 (10).

Reserved Areas - Swimming and Paddled Small Craft

- (12) The western part of the area of water of Lake Ruataniwha known as “The Bay” being to the north and west of the Rowing Course reserved in Clause 13.34 (15) and marked as specified in Clause 13.34 (13) is reserved for swimmers and vessels less than 12 metres in overall length propelled by solely oars or paddles.
- (13) The line of the eastern boundary of the area in Clause 13.34 (12) is a line on a northerly bearing of 25 degrees true located 115 metres south-east of the island within the reserved area, and marked by a row of buoys and by transit posts on the north and south shores painted with black and white bands.
- (14) No person shall navigate a powered vessel, a vessel 5 metres or more in overall length, or a sailing craft within the area specified in Clause 13.34 (12).

Reserved Areas - Rowing Course

- (15) The following area of Lake Ruataniwha is reserved for rowing skiffs and for vessels attending those skiffs where those skiffs and vessels are under the control of the South Island Rowing Incorporated:

All of the waters of Lake Ruataniwha bounded by: a line from the shore extending 200 metres along the eastern edge of the access lane specified in Clause 13.34 (31), then along a line to a point located 155 metres from the western edge of the slipway immediately to the west of the South Island Rowing Incorporated control building on a southerly bearing of 191 degrees true, then on an easterly bearing of 101 degrees true for a distance of 2051 metres to a concrete pillar or a post on shore painted with black and white bands, then on a northerly bearing of 11 degrees true for a distance of 155 metres to a concrete pillar or a post on shore painted with black and white bands, then on an easterly bearing of 281 degrees true to a concrete pillar or a post on an Island painted with black and white bands and continuing to the northernmost of two posts about 80 metres apart painted with black and white bands on the shore, then along the shore to the southernmost of these two posts, then easterly along the shore to the point of commencement.

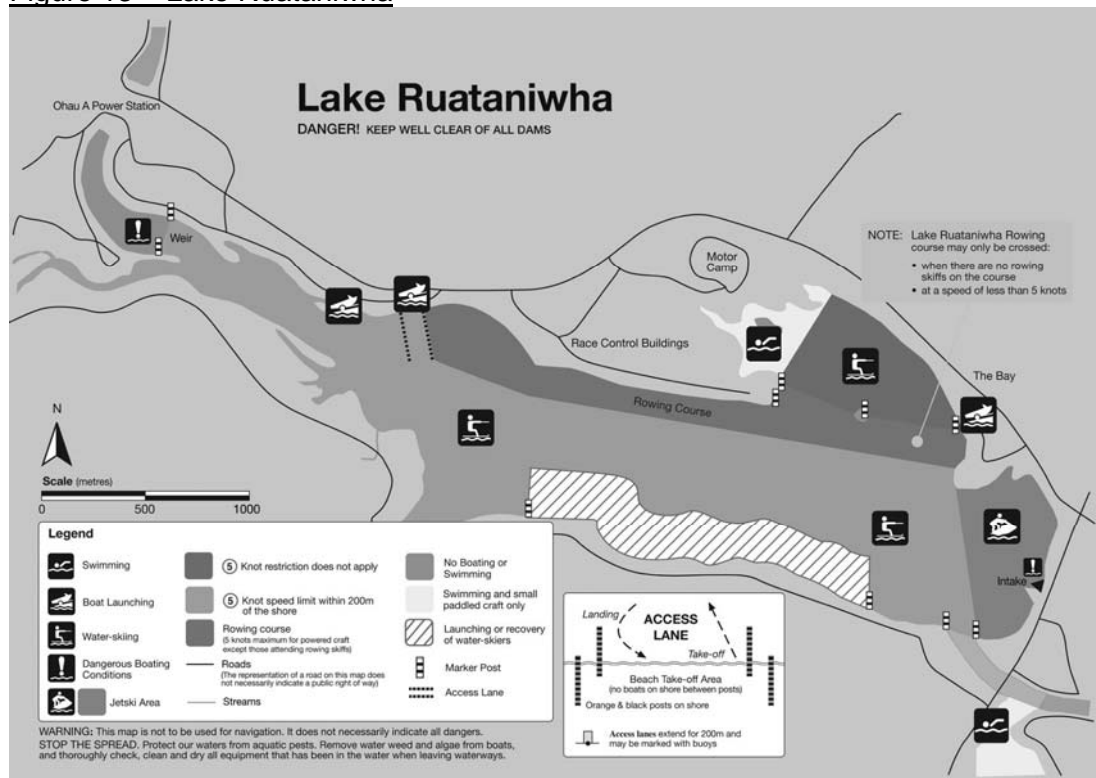
- (16) No person shall navigate a vessel other than a rowing skiff or a vessel under the control of the South Island Rowing Incorporated within the area specified in Clause 13.34 (15). No person shall launch a powered vessel from the shore between the two posts painted with black and white bands about 80 metres apart on the shore of the southwestern part of “the Bay” that indicate part of the boundary of the rowing course.
- (17) Notwithstanding Clause 13.34 (16), a person navigating a vessel may transit the Rowing Course reserved in this Schedule provided:
- (a) there are no rowing skiffs on the course; and
 - (b) the vessel is navigated at a proper speed of less than 5 knots; and
 - (c) the vessel is navigated by the shortest route across the course;
 - (d) the vessel is kept clear of buoys and cables marking the course and lanes within the course; and
 - (e) the vessel is not towing a waterskier or other vessel or object.
- (18) The Master of any vessel shall not allow any object or person towed by it to enter the area specified in Clause 13.34 (15).
- (19) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the area specified in Clause 13.34 (15).
- (20) The southern boundary of the Rowing Course reserved in this Schedule shall be marked by a row of buoys.
- (21) The northern boundary of the Rowing Course reserved in this Schedule shall be marked by the shoreline and a row of buoys across the part of Lake Ruataniwha known as “The Bay”.
- (22) The speed limits specified in Clause 2.4 (1) (a) and (b) shall not apply in the case of rowing skiffs and attendant support vessels under the control of South Island Rowing Incorporated.

Reserved Areas - No Boating or Swimming Areas

- (23) All the area of Lake Ruataniwha to the west of the weir below the Ohau A Powerhouse is reserved as a No Boating area.
- (24) All the area of Lake Ruataniwha east and south of the boom shielding the gates for the Ruataniwha spillway into the Ohau River is reserved as a No Boating area.

- (25) All the area of Lake Ruataniwha between the place where the Ohau B Canal commences and the Ohau B Power Station, separated from the rest of the lake by a row of buoys, but excluding the Wairepo Arm and Kelland Pond, is reserved as a No Boating area.
- (26) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard in any area specified in Clauses 13.34 (23), 13.34 (24), or 13.34 (25).
- (27) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.34 (23), 13.34 (24), or 13.34 (25).
- (28) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.34 (23), 13.34 (24), or 13.34 (25).
- (29) Clauses 13.34 (25) to 13.34 (28) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Figure 13 – Lake Ruataniwha



Access Lanes

- (30) All that area of Lake Ruataniwha extending 200 metres to the south of the shore bounded by parallel lines 150 metres apart running north-south out from the small peninsula enclosing the first pair of public boat launching ramps to the west of the South Island Rowing Incorporated Control Building. The north-easternmost part of the area is located 600 metres from the South Island Rowing Incorporated Control Building

Rowing Regatta Days

- (31) South Island Rowing Incorporated may specify up to 31 days in any calendar year as rowing regatta days. For a day to be a rowing regatta day subclauses 13.34 (33) to (36) must be complied with.
- (32) Except where and when permitted by South Island Rowing Incorporated, no person shall navigate a powered craft on Lake Ruataniwha on any rowing regatta day.
- (33) Except for one period of up to nine consecutive days duration, no period of more than two consecutive days may be specified as rowing regatta days.

No rowing regatta days shall be specified on any New Zealand-wide national public holiday; or on any Saturday or Sunday of a New Zealand-wide national public holiday weekend, (i.e. where the immediately preceding Friday, or the immediately following Monday, is a New Zealand-wide national public holiday).

No rowing regatta days shall be specified in the period 1 December to 10 January.

Except for the one period of up to 9 consecutive days duration, no more than eleven weekend periods comprising both a Saturday and a Sunday shall be specified as rowing regatta days in any calendar year, and rowing regatta days shall not be specified for two or more consecutive Saturdays or Sundays

- (34) A schedule of rowing regatta days for the subsequent year shall be submitted by South Island Rowing Incorporated to the Regional Harbourmaster for publication on the Environment Canterbury website, by 31 August in the preceding year.

South Island Rowing Incorporated shall ensure the schedule is published at least once in Dunedin, Twizel, Oamaru, Timaru and Christchurch newspapers prior to 31 August in the preceding year.

For the remainder of 2006, and for 2007, the schedule shall be submitted and published prior to 1 December 2006.

South Island Rowing Incorporated shall place a public notice of all rowing regatta days in Dunedin and Christchurch newspapers at least one week prior to, and not more than two weeks prior to any rowing regatta day.

- (35) On all rowing regatta days South Island Rowing Incorporated shall maintain a suitable patrol craft manned by at least one maritime enforcement officer warranted by Environment Canterbury for the duration of the period of the day for which powered craft are to be restricted.

Signs advising of the regatta day and restriction on powered craft shall be placed by South Island Rowing Incorporated at launching ramps and at other prominent places around the lake by South Island Rowing Incorporated at least 2 days prior to, and during any rowing regatta day.

- (36) South Island Rowing Incorporated may, without giving notice, cancel any rowing regatta day if weather conditions are not suitable for rowing, and substitute an additional consecutive day as a rowing regatta day.

The additional substituted day shall not be a Saturday or a Sunday or a New Zealand-wide national public holiday.

The additional substituted day shall be a rowing regatta day notwithstanding compliance or otherwise with the notice provisions of clauses 3.34 (34) and 3.34 (35).

13.35 Lake Rubicon

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Rubicon is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Rubicon.

13.36 Lake Sarah

Reserved Areas - Paddled Craft Area

- (1) All of the area of Lake Sarah is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Lake Sarah.

13.37 Lake Selfe

Speed Limits

- (1) The Master of any vessel shall not allow the vessel or any object towed by it to proceed at a proper speed greater than 5 knots on or in the waters of Lake Selfe.

- (2) No person shall cause or allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in or on the waters of Lake Selfe.

13.38 Lake Taylor

Speed Limits

- (1) The Master of any vessel shall not allow the vessel or any object towed by it to proceed at a proper speed greater than 5 knots on or in the waters of Lake Taylor, including the waters within the access lanes, before 9 am on any day.
- (2) No person shall water ski, or tow a water skier, in or on the waters of Lake Taylor, including the waters within the access lanes, before 9 am on any day.
- (3) After 9am on any day, Clause 2.4 (1) (b) and Clause 3.1 (1) shall not apply for the navigation of a vessel that is towing a water skier whilst the vessel is being navigated directly between each arms of the lake where it is not possible to be more than 200 metres from the shore.

Access Lanes

- (4) All that area of Lake Taylor within 200 metres of the shore at both the northern and southern ends of the lake bounded by parallel lines approximately 150 metres apart running at right angles to the shore, the area being marked at the northern end by transit posts banded black and orange located at map reference NZMS 260 L33 4624-2733, the southern end being marked by transit posts banded black and orange and located at map reference NZMS 260 L33 4636-2743.

13.39 Lake Tekapo (Takapo)

(see Figure 14 below)

Speed Limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within the area of water of Lake Tekapo (Takapo) bounded by lines commencing at a point on the lake edge reserve bearing 341 degrees true for a distance of 194 metres from the north-west corner of the Lake Tekapo Power Boat Water Ski Clubhouse; then on a north-easterly direction, bearing 74 degrees true for a distance of 500 metres; then north-easterly bearing 54 degrees true for a distance of 370 metres; then due south bearing 180 degrees true for a distance of 650 metres; then westerly bearing 274 degrees true for a distance of 610 metres; then north-westerly bearing 328 degrees true for a distance of 315 metres to the point of commencement.
- (2) The area in Clause 13.39 (1) shall be indicated by:
- (a) Two transit posts painted with white and black bands and having a triangular top mark painted white erected on land in line with the limiting line defined in Clause 13.39 (1) as bearing 74 degrees true, the first post being sited on the lake margin;
- (b) Two transit posts painted with white and black bands and having a triangular top marked white erected on land in line with the limiting line defined in Clause 13.39 (1) as bearing 274 degrees true, the first post being sited on the lake margin; and

- (c) A notice at the place where vessels using the area are normally launched showing a plan of the area in Clause 13.39 (1).
- (3) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within the area of water situated on the western side of Lake Tekapo (Takapo) known as "Orchard Bay", enclosed by a line drawn from the outlet of Lake McGregor (Whakarukumoana) bearing 50 degrees true for a distance of 520 metres, then a southerly line bearing 187 degrees true for a distance of 900 metres, meeting the opposite shore of the bay at a point bearing 152 degrees true at a distance of 600 metres from the outlet of Lake McGregor (Whakarukumoana).
- (4) The area in Clause 13.39 (3) shall be indicated by:
 - (a) Two transit posts painted with orange and black bands on land in line with the limiting line defined in Clause 13.39 (3) as bearing 187 degrees true, the first post being sited on the lake margin; and
 - (b) A notice at the place where vessels are normally launched containing a plan of the area in Clause 13.39 (3).

Access lanes

- (5) All that area of Lake Tekapo (Takapo) within 200 metres of the shore bounded by parallel lines 250 metres apart marked by black and orange banded transit posts, the southern line being the northern edge of the reserved area specified in Clause 13.39 (6).

Reserved Areas - Slow Speed and Non-powered Craft Area

- (6) The area of Lake Tekapo (Takapo) at the south-eastern corner of Lake Tekapo (Takapo), enclosed by a line from the northern end of the Church of the Good Shepherd in an 65.5 degrees true direction to the opposite shore line is reserved for vessels propelled by solely oars or sails and for powered craft not exceeding a proper speed of 5 knots.
- (7) The eastern end of the line referred to in Clause 13.39 (6) is indicated by a post painted with black and orange bands marking the southern edge of an access lane.
- (8) No person shall navigate a powered craft at a proper speed exceeding 5 knots within the area specified in Clause 13.39 (6).
- (9) The Master of any vessel shall not allow any object or person towed by it to proceed at a proper speed greater than five knots when within the area specified in Clause 13.39 (6).
- (10) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object, on or by which they are being towed to enter the area specified in Clause 13.39 (6) at a proper speed exceeding 5 knots.

Reserved Areas - No Boating Areas and Swimming Only Area

- (11) All that area of Lake Tekapo (Takapo) within 200 metres of the Intake Structure for the Tekapo A Power Station at the southern end of the lake (as marked by black and white striped posts) is reserved as a No Boating area.
- (12) All that area of Lake Tekapo (Takapo) within 200 metres of the Gate Structure at the mouth of the Tekapo River is reserved as a No Boating area.

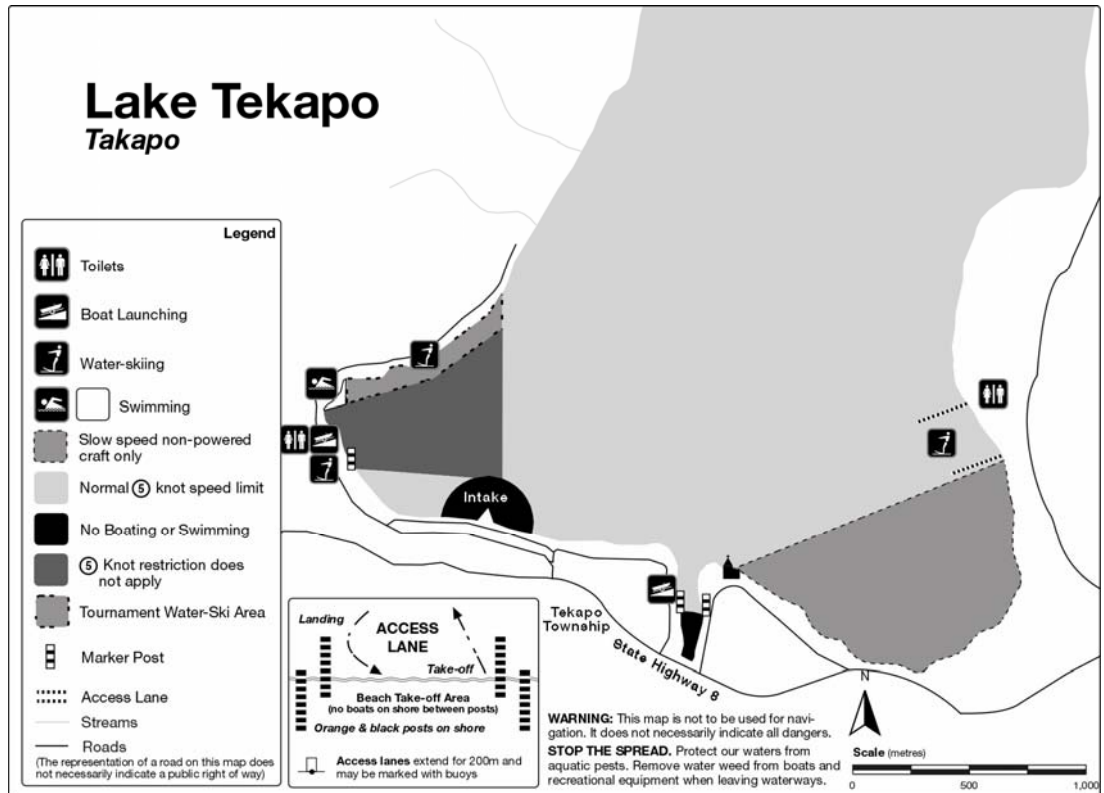
- (13) All that area of Lake Tekapo (Takapo) enclosed by a line from the westernmost point of the area described in Clause 13.39 (1) in a direction of 74 degrees true for a distance of 100 metres then north bearing 0 degrees true to the shore is reserved as a Swimming Only area.
- (14) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.39 (11) or 13.39 (12), and no person shall navigate a vessel within the area specified in Clause 13.39 (13).
- (15) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.39 (11), 13.39 (12), or 13.39 (13).
- (16) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.39 (11), 13.39 (12), or 13.39 (13).
- (17) Clauses 13.39 (14) to 13.39 (16) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Reserved Areas - Tournament Ski Area

- (18) The following area of Lake Tekapo (Takapo) is reserved as a Tournament Ski Area:

The area that is both to the east of the area described in Clause 13.39 (13) and directly north of the area described in Clause 13.39 (1).
- (19) No person shall navigate a vessel in the area described in Clause 13.39 (18) unless that person is towing a person on a water ski using the tournament ski equipment located in this area or recovering such a person from the water.
- (20) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1 (1) shall not apply for water skiing or the navigation of vessels within in the area described in Clause 13.39 (18) provided that the vessel is towing a person on a water ski using the tournament ski equipment located in this area.

Figure 14 – Lake Tekapo (Takapo)



13.40 Vagabonds Inn

Reserved Areas - Paddled Craft Area

- (1) All of the area of Vagabonds Inn is reserved for swimmers and vessels less than 12 metres in overall length powered solely by oars or paddles.
- (2) No person shall navigate a powered vessel or a sailing craft in Vagabonds Inn.

13.41 Lake Waitaki

(see Figure 8 above)

Speed limits

- (1) The speed limits specified in Clause 2.4 (1) (a) and (b) and Clause 3.1(1) shall not apply for water skiing or the navigation of vessels within the area of water of Lake Waitaki, between a line across the lake from outlet of Wharekuri Creek due north to the lake shore opposite on the northern side of the lake, and a line running south-west to north-east located 1700 metres due east from the outlet of Wharekuri Creek at the entrance to the lake proper.
- (2) The area in Clause 13.41 (1) shall be shown on suitable notices containing a plan of the area, at places where vessels are normally launched.

Reserved Areas - No Boating or Swimming Areas

- (3) All the area of Lake Waitaki within 200 metres of the Waitaki Dam (as marked by black and white striped posts) is reserved as a No Boating area.

- (4) All the area of Lake Waitaki within 200 metres of the Aviemore Dam (as marked by black and white striped posts) is reserved as a No Boating area.
- (5) No person shall navigate a vessel, swim, dive, scuba dive, water ski or use a toboggan, surfboard, windsurfer or sailboard within the areas specified in Clauses 13.41 (3) or 13.41 (4).
- (6) The Master of any vessel shall not allow any object or person towed by it to enter the areas specified in Clauses 13.41 (3) or 13.41 (4).
- (7) No person shall while being towed by a vessel, cause themselves or any water ski, aquaplane or other object on, or by which they are being towed to enter the areas specified in Clauses 13.41 (3) or 13.41 (4).
- (8) Clauses 13.41 (5) to 13.41 (7) shall not apply to persons who are navigating vessels or other objects, or scuba diving, on behalf of Meridian Energy Limited for the purpose of maintaining or repairing structures or facilities.

Schedule 1. Coastal Marine Areas Within Which these Bylaws Apply

- (1) These Bylaws apply to the following parts of the Coastal Marine Area:
 - (a) Lyttelton Harbour/Whakaraupo
 - (b) Timaru Harbour
 - (c) Kaikoura Harbour
 - (d) Akaroa Harbour
 - (e) Avon and Heathcote Rivers Estuary/Ihutai
 - (f) Sumner Bay
 - (g) Waimakariri Harbour
 - (h) Motunau Beach
 - (i) Pigeon Bay
 - (j) Little Akaloa Bay
 - (k) Okains Bays
 - (l) Le Bons Bay
- (2) Lyttelton Harbour/Whakaraupo is all the tidal waters enclosed by the seaward arc of a circle having a radius of three nautical miles (approximately 5.556 kilometres) from the northernmost point of Adderley Head.
- (3) Timaru Harbour is all the tidal waters enclosed by the seaward arc of a circle of 2.5 nautical miles (approximately 4.63 kilometres) radius centred on the eastern extension mole light structure of the Port of Timaru.
- (3) Kaikoura Harbour is all that area of sea and tidal waters within the arc of a circle having a radius of 3 nautical miles (approximately 5.556 kilometres) centred on trigonometrical Station KA on Kaikoura Peninsula.
- (4) Akaroa Harbour is all the sea and tidal waters of Akaroa Harbour inside the seaward arc of a circle having a radius of three nautical miles (approximately 5.556 kilometres) from The Long Boat Rock.
- (5) The landward boundary of the Avon and Heathcote Rivers Estuary/Ihutai is the landward boundary of the Coastal Marine Area as determined by the decision of the Planning Tribunal dated 27 July 1994, (Reference C71/94) as follows:

- (a) The point at which the landward boundary of the coastal marine area crosses the Avon River/Otakaro commences at the mark of MHWS on the east bank of the Avon River/Otakaro and on a line between the production of the north east boundary of Kibblewhite Street at IS II S.O. 16502 and continues in a north westerly direction until it meets the mark of MHWS on the west bank of the Avon River/Otakaro.
- (b) The point at which the landward boundary of the coastal marine area crosses the Heathcote River commences at the mark of MHWS on the east bank of the Heathcote River and on a line between the westernmost point of R4323 (peg SO 6571) and continues to the easternmost point of lot 4 DP 47758 (peg XVIII DP 14561) generally in a north westerly direction until it meets the mark of MHWS on the west bank of the Heathcote River.
- (6) The seaward boundary of Avon and Heathcote Rivers Estuary/Ihutai is a line extending Northwest from Shag Rock.
- (7) Sumner Bay is all that area of sea and tidal waters within the arc of a circle having a radius of 1.5 nautical miles (approximately 2.778 kilometres) from the northernmost point of Sumner Head excluding the areas within Lyttelton Harbour/Whakaraupo and the Avon and Heathcote Rivers Estuary/Ihutai.
- (8) Waimakariri Harbour is all that area of sea and tidal waters of:
- (a) the Estuary of the Waimakariri River (also known as Brooklands lagoon);
 - (b) the Waimakariri River downstream of a line at Stewarts Gully on a bearing of 334 degrees through Map Reference NZMS M35-830550;
 - (c) the Kaiapoi River from its confluence with the Waimakariri River to the Main North Railway Bridge;
 - (d) the Cam River from its confluence with the Kaiapoi River to the Cam Road River Bridge;
 - (e) the Styx River downstream of the tide gates at or near Map Reference NZMS M35-850563; and
 - (f) Pegasus Bay, bounded by the seaward arc of a circle of two nautical miles radius having as its centre the intersection of Harbour Road and Lower Styx Road (Map Reference NZMS M35-854564).
- Note: Two nautical miles is approximately 3.7 kilometres.
- (9) Motunau Beach is all that area within the arc of 1 nautical mile radius from the front leading light List of Lights Number 4282 situated 43° 53.2'S 173° 19.0'E
- (10) Pigeon Bay is all the sea and tidal waters of Pigeon Bay south of a line connecting the northernmost parts of Pigeon Point and Wakaroa Point.

- (11) Little Akaloa Bay is all the sea and tidal waters of Decanter Bay and Little Akaloa Bay south of a line connecting the northernmost parts of Otohauo Head and Long Lookout Point.
- (12) Okains Bay is all that area within a line drawn directly between Easthead and Westhead.
- (13) Le Bons Bay is all that area landward of a line joining Steep Head and Kawata Head.

Schedule 2. Fees and Charges

Schedule 2.1 General Provisions

Fees in this schedule are inclusive of Goods and Services Tax. (G.S.T. REG. No.: 52-493-773).

- (1) In this Schedule, unless otherwise specified, fees and charges payable per annum shall be payable and due on 1 July in any year for the 12 month period 1 July to 30 June in the following year.
- (2) Environment Canterbury may at its discretion reduce, waive or refund all or part of any fee or charge in this schedule, including making a reduction of per annum charges to take account of the months remaining to the end of the June year.
- (3) All fees and charges shall be payable to Environment Canterbury.
- (4) The fees in this Schedule are in addition to any actual and reasonable costs required to be met under the provisions of these Bylaws or required to be met as a condition of granting any permission, approval, suspensions or exemptions from any clauses of these Bylaws.
- (5) Persons applying for any approval or permission under these Bylaws or any suspension or exemption from any provision of these Bylaws shall pay the actual and reasonable cost of any advertisements, or public or other notices required as a condition of the approval, permission, suspension or exemption whether or not these costs are incurred by the applicant or Environment Canterbury.
- (6) A fee of \$20 shall be payable for a replacement or duplicate copy of any licence, certificate, exemption, permission or approval document.

Schedule 2.2 Permission of the Harbourmaster

For an application for an exemption, permission or approval of the Regional Harbourmaster not otherwise specified in this Schedule.	\$60.00
Permission of the Regional Harbourmaster to undertake Hot Work on a vessel other than an oil tanker.	No Charge
Permission of the Regional Harbourmaster to undertake Hot Work on an oil tanker.	\$100.00
Swing mooring fee for administration, supervision and monitoring.	\$112.50 per annum

Schedule 2.3 Suspensions, Exemptions, Reservations etc.

For an application for a suspension or exemption from Environment Canterbury under clause 7.1.	\$250.00
For an application for a reservation, regulation, prohibition or authorisation from Environment Canterbury under clause 7.2.	\$250.00

Schedule 2.4 Port Charges.

-For Kaikoura, payable per quarter by the Kaikoura District Council.	\$800.00
-For the Port of Lyttelton, payable per quarter by the Lyttelton Port Company Ltd.	\$22,600.00
-For Akaroa Harbour, payable per quarter by the Christchurch City Council.	\$400.00
-For the Port of Timaru, payable per quarter by the Port of Timaru Ltd.	\$14,900.00

Schedule 3. Main Navigation Channels

The Main Navigational Channels that are required to be kept clear to allow the unimpeded passage of large vessels are described below:

Schedule 3.1 Lyttelton Harbour/Whakaraupo

- (1) The Main Navigational Channel extends from abeam of the breakwater light at the Western end of Gladstone Pier to abeam of the Western end of Mechanics Bay.
- (2) The Northern edge of the Main Navigational Channel is the line marked by the North Front Beacon (pile; white triangle, point down) ($43^{\circ} 37.0'S$, $172^{\circ} 42.1' E$) close to the Northern part of Shag Reef; and the North Rear Beacon (white square with black stripe) 1.75 nautical miles (approximately 3.241 kilometres) west of the North Front Beacon, on the North West entrance point of Governors Bay.
- (3) The Southern edge of the Main Navigational Channel is the line marked by the South Front Beacon (pile; white triangle, point up) (0.5 cables (approximately 110 metres) south of the Front leading light which is a white conical tower with a radar reflector) ($43^{\circ} 36.9'$, $172^{\circ} 42.8' E$), exhibited three cables (approximately 658 metres) SSW of the inner Harbour entrance; and the South Rear Beacon (pile; white triangle, point down) (5 cables (approximately 1097 metres) West of the South Front Beacon).

Schedule 3.2 Timaru Harbour

- (1) The Main Navigational Channel extends from abeam of Eastern Extension Mole light out to the Harbour Limits.
- (2) The Northern edge of the Main Navigational Channel is the line marked by the Front Light (orange triangle with a green vertical neon strip on a white concrete post) ($44^{\circ} 23.2' S$, $171^{\circ} 14.78' E$) on Benvenue Cliff and the Green Starboard Hand Light Buoy approximately 0.5 nautical miles (approximately 926 metres) and 065° true from the Eastern Extension Mole light.
- (3) The Southern edge of the Main Navigational Channel is the line marked by the Front Light and the Red Port Hand Light Buoy approximately one nautical mile (approximately 1.852 kilometres), and 087° true from the Eastern Extension Mole light.

Schedule 4 Areas Where the Operation of Aircraft does Not Require Permission of the Regional Harbourmaster

- (1) Clause 2.8 (2) of these Bylaws where the operation of aircraft does not require permission of the Regional Harbourmaster applies to the following waters:
- Lake Tekapo (Takapo),
 - Lake Pukaki,
 - Lake Ohau,
 - Lake Benmore (Te Ao Marama),
 - Lake Aviemore (Mahi Tikumu) except Loch Laird,
 - Lake Waitaki,
 - Lake Coleridge (Whakamatau).

Schedule 5 Oil Transfer Checklist

Oil Transfer Checklist



FOR USE BY ALL VESSELS OVER 24 METRES IN LENGTH OVERALL

VESSEL'S NAME

AGENT

BERTH

DATE & TIME OF TRANSFER

 / / at

INSTRUCTIONS

The safety of operations require that all questions be answered affirmatively. In the case of a negative answer, the fuelling operation shall not be carried out without the permission of the Regional Harbourmaster.

Ship personnel required to participate in the oil transfer must remain at their workstations during topping off and have no other tasks.

No vessel is to load bunker fuel, fuel oil or petroleum and no pumping is to commence until this form is completed in its entirety. The original copy must them be forwarded by the fuel supplier to the Regional Harbourmaster's Office – Fax (03) 365-3194.

ITEM

Initial to signify positive responses

	Initial to signify positive responses		COMMENT
	RECEIVER (SHIP)	SUPPLIER	
1. Is the ship securely moored?	<input type="text"/>	<input type="text"/>	
2. Is the supplying equipment secured?	<input type="text"/>	<input type="text"/>	
3. Is there an agreed communication system between Supplier and Ship?	<input type="text"/>	<input type="text"/>	
4. Is there a communication system with the supplying installation, e.g. VHF?	<input type="text"/>	<input type="text"/>	
5. Is there an effective Deck Watch at all stations?	<input type="text"/>	<input type="text"/>	
6. Have emergency shutdown procedures been agreed?	<input type="text"/>	<input type="text"/>	
7. Is there a spill procedure plan?	<input type="text"/>	<input type="text"/>	
8. Does this plan list sources of immediately available cleanup and containment material?	<input type="text"/>	<input type="text"/>	
9. Have procedures for fuel transfer been agreed?	<input type="text"/>	<input type="text"/>	
10. Are transfer hoses in good condition and properly rigged and within test cycles?	<input type="text"/>	<input type="text"/>	
11. Are scuppers plugged?	<input type="text"/>	<input type="text"/>	
12. Are unused connections blanked?	<input type="text"/>	<input type="text"/>	
13. Are safety/smoking requirements being observed? (No welding, gas cutting or naked flame permitted.)	<input type="text"/>	<input type="text"/>	
14. Is there safe access between ship and shore?	<input type="text"/>	<input type="text"/>	

Product	Quantity to be transferred (metric tonnes)	Capacity of receiving tank	Description of receiving tank	Rate (metric tons per hour)	Pressure (Kpa)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Sequence in which tanks are to be filled:

DECLARATION

I have checked and initialled, where appropriate as both receiver and supplier, the items on this checklist, and have satisfied myself that the entries made are correct to the best of my knowledge.

Name	<input type="text"/>	Name	<input type="text"/>	Date	<input type="text"/>
	(RECEIVER)		(SUPPLIER)		
Rank	<input type="text"/>	Position	<input type="text"/>	Time	<input type="text"/>
	<input type="text"/>		<input type="text"/>		<input type="text"/>
	Signature		Signature		Company supplying

NOTE: Under sections 227 and 244 of the Maritime Transport Act 1994, spillage of oil into the harbour must be reported to Environment Canterbury or Maritime New Zealand. Discharge of oil into the coastal marine area is an offence under the Resource Management Act 1991 and is subject to a maximum fine of NZ \$200,000 and the recovery of costs of oil removal and clean up. (See sections 15B, 338 and 339.).

Schedule 6 Internal Oil Transfer Form

INTERNAL OIL TRANSFER REQUEST FORM



FOR USE BY ALL VESSELS OVER 25 METRES IN LENGTH WITHIN ANY HARBOUR

VESSEL'S NAME AGENT

BERTH DATE & TIME OF TRANSFER / / at

INSTRUCTIONS

The safety of operations require that all questions be answered affirmatively. The operation shall not be carried out without the permission of the Regional Harbourmaster.

The transfer is to occur only between sunrise and sunset.

No vessel is to transfer fuel until this form is fully completed. The original copy must then be forwarded by the vessel to the Regional Harbourmaster's Office – Fax (03) 365-3194.

ITEM	Write name of person and initial to signify positive responses	COMMENT
1. Is the ship securely alongside?	<input type="text"/>	<input type="text"/>
2. Is there an agreed communication system between Engine Room and Deck Watch?	<input type="text"/>	<input type="text"/>
3. Is there an effective Deck Watch?	<input type="text"/>	<input type="text"/>
4. Have emergency shutdown procedures been agreed?	<input type="text"/>	<input type="text"/>
5. Spill procedure plan Does this plan list sources of immediately available clean-up and containment material?	<input type="text"/>	Each vessel to have 20 kgs of inert clay & 20 litres of approved dispersant.
6. Have procedures for fuel transfer been agreed?	<input type="text"/>	<input type="text"/>
7. Are scuppers plugged?	<input type="text"/>	<input type="text"/>
8. Are unused connections blanked?	<input type="text"/>	<input type="text"/>

Product	Quantity to be transferred (metric tonnes)	Capacity of receiving tank	Description of receiving tank	Rate (metric tons per hour)	Pressure (Kpa)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

When the transfer is completed the date and time of completion is to be entered here and a copy of this form faxed to the Regional Harbour Master. Fax (03) 365 3194

Date / / Time

DECLARATION

I have checked where appropriate jointly as both Master and Engineer, the items on this form and have satisfied myself that the entries I have made are correct to the best of my knowledge

Name Name Date / /

(ENGINEER in charge of transfer) (MASTER)

Signature Signature Time

NOTE: Under sections 227 and 244 of the Maritime Transport Act 1994, spillage of oil into the harbour must be reported to Environment Canterbury or Maritime New Zealand. Discharge of oil into the coastal marine area is an offence under the Resource Management Act 1991 and is subject to a maximum fine of NZ \$200,000 and the recovery of costs of oil removal and clean up. (See sections 15B, 338 and 339).

Schedule 7 Hot Work on Oil Tankers Request Form

FORM FOR PERMISSION TO DO HOT WORK ON OIL TANKERS



This permit is required to ensure a high degree of control and supervision when hot work is carried out in hazardous or dangerous areas.

Permission from the Regional Harbourmaster is required for any work involving temperature conditions which are likely to be of sufficient intensity to cause ignition of combustible gases, vapours or liquids in or adjacent to the area involved. The original copy of this form is to be sent to the Regional Harbourmaster, Environment Canterbury, P O Box 345, Christchurch. A copy may be faxed in advance (03) 365 3194. A permit application fee of \$100 is payable to Environment Canterbury.

General

The work is to be carried out between hours / / Date and hours / / Date

Location of work

Has an Enclosed Space Entry Permit been issued? Yes No

Description of work

Person responsible for safety Person responsible for Hot Work

Section 1 (See reverse for when Section 1 applies)

1.1 Has the work area been checked with a combustible gas indicator for hydrocarbon vapours? Yes No Time

1.2 Has the surrounding area been made safe? Yes No Time

Section 2

2.1 Has the work area been checked with a combustible gas indicator for hydrocarbon vapours?	Yes <input type="checkbox"/> No <input type="checkbox"/>	2.5 Is the surrounding area safe?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.2 Has the equipment or pipeline been purged?	Yes <input type="checkbox"/> No <input type="checkbox"/>	2.6 Is the additional fire protection available?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.3 Has the equipment or pipeline been blanked?	Yes <input type="checkbox"/> No <input type="checkbox"/>	2.7 Is the equipment isolated electrically?	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.4 Is this equipment or pipeline free of liquid?	Yes <input type="checkbox"/> No <input type="checkbox"/>		

28. Special conditions/precautions

Section 3

Grades of cargo and tanks where carried and quantities on board.

I am satisfied that all necessary precautions have been taken and that it is safe to proceed with this work.

Person representing Port Company Signed by Master

Person in charge of work team Person representing Oil Company installation

Section 4 (This section is to be completed and a copy of the form faxed to the Regional Harbourmaster when work has been completed Fax: (03) 365 3194)

The work has been completed and all persons under my supervision, materials and equipment have been withdrawn.

Authorised person in charge Date / / Time

First copy for display at work area
Other copies for ship's records and each signatory.

FORM FOR PERMISSION TO DO HOT WORK ON OIL TANKERS



General

- (a) Starting/finishing time must not exceed the Authorised Signatories/Responsible Officer's working hours.
- (b) Specific location of work to be given.
- (c) Description of work to include type of equipment to be used.

Section 1

Applies to all hazardous work not involving naked flame or continuous spark production, and would include use of electrical equipment, use of air driven rotary equipment, lifting equipment/materials over operating plant.

Section 2

Applies to all hot work involving high temperatures, open flame, arc or continuous source of sparks, etc. This type of work includes but is not limited to:

Welding or burning

Grinding

Sand or grit blasting

Metal chipping

Tests for combustible gas should be carried out immediately before commencement of hot work and at frequent intervals as long as the work is in progress.

Enclosed Space Entry Conditions

Oxygen Deficiency

Lack of oxygen is always to be suspected in compartments that have been closed for some time, particularly if they have contained water, have been subjected to damp or humid conditions, have contained inert gas or are adjacent to, or connected with other inert tanks. Entry must never be permitted without breathing apparatus until such compartments have been thoroughly ventilated and test readings indicate an oxygen level of 21% by volume throughout.

Other Hazards

These include toxic hazards due to the presence of e.g. benzene and hydrogen sulphide for which appropriate tests and precautions should be taken. The risk of injury due to poor lighting, slippery surfaces, unguarded openings etc, should also be borne in mind and appropriate precautions taken. Gas tests for entry or work.

General

A decision to enter a compartment where there has been or could be gas should only be made after investigation with approved gas testing equipment which has itself recently been checked.


It is essential that all gas testing equipment used is suitable for the test required, is of an approved type, is correctly maintained and, where appropriate, is frequently checked against standard samples. A record should be kept of all maintenance work and calibration tests carried out, and of the period of their validity. Gas testing should be done only by personnel who have been trained in the use of the equipment and are sufficiently knowledgeable to interpret the results correctly.

Care should be taken to obtain a representative cross-section of the compartment by sampling at several depths and through as many deck openings as practicable. When tests are being carried out from deck level, ventilation should be stopped.

Even when tests have shown a tank or compartment to be safe for entry, pockets of gas should always be suspected. Hence when descending to the lower part of a tank or compartment further gas tests should be made. Regeneration of gas should always be considered possible even after loose scale has been removed.

While men remain in a tank or compartment, ventilation should be continued and frequent gas tests appropriate to the work in hand or to any change in conditions should be made. In particular, tests should always be made before each daily commencement of work or after any interruption or break in the work. Tests should also be so arranged that a result representative of the conditions of the entire space is obtained.

Schedule 8 Dangerous Bulk Liquids Ship/Shore Safety Checklist Form

Dangerous Bulk Liquids Ship/Shore Safety Checklist Form		 Environment Canterbury Your regional council			
Applies to vessels transferring Dangerous Bulk liquids other than oil or petroleum.					
Ship's Name:					
Berth:		Port:			
Date of Arrival:		Time of Arrival:			
*CODE A – any procedures and agreements must be in writing in the remarks column of this Check List or other mutually acceptable form. In either case, the signature of both parties is required. P – in the case of a negative answer, the operation must not be carried out without the permission of the Port Harbourmaster. R – indicates items to be re-checked at intervals not exceeding that agreed in the declaration.					
PART "A" – BULK LIQUID GENERAL					
General		Ship	Terminal	Code *	Remarks
1	Is the ship securely moored ?			R	Stop cargo at : _____ kts wind vel. Disconnect at : _____ kts wind vel. Unberth at : _____ kts wind vel.
2	Are emergency towing wires correctly positioned ?			R	
3	Is there safe access between ship and shore ?			R	
4	Is the ship ready to move under its own power?			P, R	
5	Is there an effective deck watch in attendance on board and adequate supervision on the ship ?			R	
6	Is the agreed ship/shore communications system operative ?			A, R	
7	Has the emergency signal to be used by the ship and shore been explained and understood ?			A	
8	Have the procedures for cargo, bunker and ballast handling been agreed ?			A, R	
9	Have the hazards associated with toxic substances in the cargo being handled been identified and understood ?				
10	Has the emergency shutdown procedure been agreed ?			A	
11	Are fire hoses and fire-fighting equipment on board and ashore positioned and ready for immediate use ?			R	
12	Are cargo and bunker hoses/arms in good condition, properly rigged and appropriate for the service intended ?				
13	Are scuppers effectively plugged and drip trays in position, both on board and shore ?			R	
14	Are unused cargo and bunker connections properly secured with blank flanges fully bolted ?				
15	Are sea and overboard discharge valves, when not in use, closed and visibly secured ?				
16	Are all cargo and bunker tank lids closed ?				
17	Is the agreed tank venting system being used ?			A, R	
18	Has the operation of P/V valves and/or high velocity vents been verified using the checklift facility, where fitted ?				
19	Are hand torches of an approved type ?				
20	Are portable VHF/UHF transceivers of an approved type ?				
21	Are the ship's main radio transmitter aerials earthed and radars switched off ?				
22	Are electric cables to portable electrical equipment disconnected from power ?				
23	Are all external doors and ports in the accommodation closed ?			R	
24	Are window-type air conditioning units disconnected ?				
25	Are air conditioning intakes which may permit the entry of cargo vapours closed ?				
26	Are the requirements for use of galley equipment and other cooking appliances being observed ?			R	

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Dangerous Bulk Liquids Ship/Shore Safety Checklist Form Page 2

General		Ship	Terminal	Code	Remarks
27	Are smoking regulations being observed ?			R	
28	Are naked light regulations being observed ?			R	
29	Is there provision for an emergency escape ?				
30	Are sufficient personnel on board and ashore to deal with an emergency ?			R	
31	Are adequate insulating means in place in the ship/shore connection ?				
32	Have measures been taken to ensure sufficient pumproom ventilation ?			R	
33	If the ship is capable of closed loading, have the requirements for closed operation been agreed ?			R	
34	Has a vapour return line been connected ?				
35	If a vapour return is connected, have operating parameters been agreed ?				
36	Are ship emergency fire control plans located externally ?				

PART "B" – BULK LIQUID CHEMICALS

Bulk Liquid Chemicals		Ship	Terminal	Code	Remarks
1	Is information available giving the necessary data for the safe handling of the cargo, and where applicable a manufacture's inhibition certificate ?				
2	Is sufficient and suitable protective equipment (including self-contained breathing apparatus) and protective clothing ready for immediate use ?				
3	Have counter measures against accidental personal contact with the cargo been agreed ?				
4	Is the cargo handling rate compatible with the automatic shutdown system, if in use ?			A	
5	Are cargo systems gauges and alarms correctly set and in good order ?				
6	Are portable vapour detection instruments readily available for the products to be handled ?				
7	Has information on fire-fighting media and procedures been exchanged ?				
8	Are transfer hoses of suitable material resistant to the chemical action of the cargoes ?				
9	Is cargo handling being performed with portable pipelines ?			P	

If planning to clean tank on the ship when alongside, the following questions shall be answered.

Tank Cleaning	Ship	Shore	Remarks
Are tank cleaning operations planned during the ship's stay alongside the shore installation ?			
If so, have the Port Authority and terminal authority been informed ?			

Declaration

We the undersigned have checked, where appropriate jointly, the items on this check list and have satisfied ourselves that the entries we have made are correct to the best of our knowledge.

We have also made arrangements to carry out repetitive checks as necessary and agreed that those items with the letter "R" in the column "Code" are to be re-checked at intervals not exceeding _____ hours.

For Ship	For Shore
Name:	Name:
Rank:	Position:
Signature:	Signature:
Date:	Time:

THIS COMPLETED FORM MUST TO BE FAXED TO THE REGIONAL HARBOURMASTER ENVIRONMENT CANTERBURY BEFORE ANY DANGEROUS BULK LIQUID CARGO IS HANDLED. ENVIRONMENT CANTERBURY FAX NUMBER (03) 35653 194

Schedule 9 Hot Work Request Form

HOT WORK REQUEST FORM



Request to carry out "Hot Work" i.e. burning, welding, grinding or other work involving naked flames on board vessels in a harbour. For oil tankers separate permission to proceed must be obtained from the Regional Harbourmaster. For other vessels the Harbourmaster may give permission to proceed. **Work must not commence before approval is given.** Deliver or fax the completed form to the Harbourmaster, Lyttelton: Lyttelton Port Company Ltd Fax (03) 328 7899. Timaru: PrimePort Timaru Fax (03) 684 0416. Other Harbours: Environment Canterbury, Fax (03) 365 3194.

Berth No Vessel

Agent/Owner Master

Name of contractor who will carry out Hot Work

Facsimile Number of contractor carrying out Hot Work Fax:

Location of work

Description of work to be carried out

Responsible person in attendance (ship)

Duration of proposed Work from hours / / Date to hours / / Date

General conditions and precautions to be observed

Area clear of dangerous material and combustibles **Yes** **No** Adequate ventilation? **Yes** **No**

Equipment isolated electrically? **Yes** **No** All hot work equipment in good order? **Yes** **No**

Fire appliances in good order and available at site. **Yes** **No** Gas Free Certificate issued? **Yes** **No**

Issued by:

List special conditions and precautions being taken.

Certification

I am satisfied that all necessary precautions have been taken and that safety arrangements will be maintained for the duration of the work.

Signed by authorised person in charge (Contractor)

NOTE:

(2) Starting/finishing time must not exceed authorised signatories/responsible officer's working hours

(3) Specific location of work to be given.

(4) Description of work to include type of equipment used.

(5) All work in tanks which have previously had fuel or oily ballast must have a daily GAS FREE CERTIFICATE.

(6) In the event that permission is not granted owner/agent/master must be advised as soon as possible and this request endorsed "Permission Refused" giving reasons for refusal.

OFFICE USE ONLY

Approval is given for the work as described to be carried out on the vessel named.

Date / / Time Harbourmaster

Signed by Master

FOR INTERNAL USE

Request received

Date / /

Time

White copy for display at work area
Yellow copy for ships records.