

Amendments as agreed by the committee

Definitions -

Section	Action	Wording
Accident	Insert	Has the same meaning as in the Maritime Transport Act 1994
Body Board	Insert	Also known as a boogie board. Means a short foam board usually ridden in the prone or kneeling position and not designed to be ridden standing up.
Dangerous Goods	Insert	Has the same meaning as in the International Maritime Dangerous Goods (IMDG) code
Flag A	Remove	(the divers flag)
Gross tonnage	Insert	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 or any maritime rules. This number relates to the volume and not the weight or displacement of the vessel.
Mooring	Change Change	"bed of waters" to "sea bed or lake bed," (b) "the anchorage " to "an anchorage"
Porirua Harbour	Insert	As defined in Schedule 1 of these Bylaws.
Sailboard	Add	This includes kitesurfers.
Seaworthy	Remove	Sea
Sunrise	Replace	Replace "Has the same meaning as stated" with "As published in"
Sunset	Remove	Replace "Has the same meaning as stated" with "As published in"
Surfboard	Add	Excluding body boards
Tanker	Reformat	"tanks and compartments..." becomes part of (b)(ii) Insert (c) between ..."gas-free, and," and "includes..."
Waters	Replace	"in which case the boundary is deemed to be the river mouth" with "in which case the boundary is deemed to be a straight line representing the continuation of the line of mean high water spring on each side of the river at the outlet"
Wellington Harbour Radio	Insert	Also known as 'Beacon Hill,' this is the Council's Harbour communication station, and is staffed 24 hours a day 365 days a year. The station can be contacted by marine VHF on channels 04 (East Coast approach to Wellington) 14, (Wellington Harbour) 16, International Distress and calling channel) and 62 (Western side of Cook Strait and Porirua, Mana and Kapiti areas). Phone numbers include 04 388 1911, 04 3885470, Fax 04 388 4319, e-mail: beaconhill@gw.govt.nz. The station is located at 41°19.8 S, 174°49.7 E.

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2.1.7	Replace	<p>Existing 2.1.7 with;</p> <p>The person in charge of a pleasure craft that is less than 6 metres in length shall ensure that every person shall wear a properly secured lifejacket unless;</p> <p>(a) the person in charge of that craft has expressly given permission for lifejackets not to be worn; and</p> <p>(b) the person in charge of that craft considers that conditions are such that there is no significant increase in the risk to safety to any person through not wearing a lifejacket.</p>
2.3.1	replace	"loading" with "loaded"
2.9	Insert	<p>Collision Prevention</p> <p>No person shall operate any vessel in breach of Part 22 of the Maritime Rules (Collision Prevention), made under the Maritime Transport Act 1994</p>
2.12	Insert	<p>2.12 Flashing lights and sound signals</p> <p>2.12.1 No person shall use any flashing lights, sirens or other sound or light signals not prescribed in a maritime rule for that vessel, without the prior permission of the Harbourmaster.</p> <p>2.12.2 The use of blue flashing lights and/or sirens is restricted to Police, Customs, Harbourmaster or other enforcement vessels authorised by the Harbourmaster.</p> <p>2.12.3 A vessel authorised to use purple flashing lights by the Harbourmaster shall only display them when:</p> <p>The use is required to assist the location of a vessel or person in need of assistance.</p> <p>The use is required to assist the identification of the vessel to an aircraft involved in an incident.</p> <p>It is otherwise directed to do so by the Police or Harbourmaster.</p>

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		The lights imply no status or privilege to that vessel.
2.14	Insert	2.14 Means of attracting attention when in distress Every person in charge of a pleasure craft must ensure that an appropriate means of communication is carried on board the vessel that: (a) provides the ability to communicate with land based and/or seaborne parties from any point within the area the vessel will be operated; and (b) in the case of vessels under 6 metres in length, is able to be operated following submersion in sea water; and (c) is adequate to provide communications for the duration of the voyage.
3.2.1	Insert	or (d) when knowingly or deliberately approaching within 200 metres of a marine mammal.
3.3	Remove	
3.4	Remove	
3.5.2 (a)	Insert Remove Remove	Subject to the requirements of Part 22 of the Maritime Rules that stipulate when lights must be exhibited, "the" from 'exhibit the sidelights' "as prescribed in subclause 3.5.1"
3.5.2 (c)	Replace	"the light prescribed in subclause 3.5.1" with "not able to exhibit sidelights and a sternlight"
3.6	Remove	
3.7.3	Insert	The minimum size for a flag that is required under 3.7.1 or 3.7.2 is 60 cm by 60cm.
3.11.3	Insert	Each access lane shall have an adequate sign or signs in the vicinity of the access lane that declares the purpose of that lane.
3.12.5	Insert	Each reserved area shall have an adequate sign or signs in the vicinity of the reserved area that declares the purpose of that area.
3.13	Insert	Flagged areas on beaches 3.13.1 A Surf Life Saving New Zealand Patrol Captain may, from time to time, subject to 3.13.4, set aside areas of beaches as flagged areas for the purposes of swimming and body boarding only.

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		<p>3.13.2 No person may carry out any activity other than the activities for which the area has been flagged. This shall not prevent Surf Lifesaving or other rescue services carrying out normal operations or performing rescues in this area operating in this area in case of an emergency.</p> <p>3.13.3 The areas on which flagged areas signify swimming only areas are detailed in Part C of schedule 3.</p> <p>3.13.4 Flagged swimming areas on beaches shall consist of two red/yellow flags forming the area boundary. These flags shall meet NZ Standard NZS8690:2003 – 5.1 Design of flags and 5.2 Use of flags.</p>
3.14.1	Replace	"may" with "should"
3.14.1(a)	Add	"or" at the end
3.14.1(b)	Add	"or" at the end
4.1.1	Add	(c) the Harbourmaster is provided with the Dangerous Goods declaration for the explosives at least 48 hours prior to loading or discharging. For weekend loading or discharging documentation shall be provided no later than 12 noon on Friday.
4.1.2	Remove	
4.1.3	Re-number	<p>4.1.2 Nothing in clause 4.1.1 applies to any vessel which:</p> <p style="padding-left: 40px;">(a) is carrying not more than 27 kilograms of explosives; or</p> <p style="padding-left: 40px;">(b) is carrying or is intending to load, with only explosives of Safety Ammunition Class 1.4S as defined under the Hazardous Substances (Classes 1 to 5 controls) Regulations 2001 or Fireworks of Classes 1.3G; 1.4G and 1.4S as defined under the Hazardous Substances (Fireworks) Regulations 2001 in quantities that do not require an Hazardous Substance and New Organisms Approved Handler.</p>
4.2	Replace Insert	<p>"Signals to be displayed by oil tankers" with "Signals to be displayed by any vessel taking in, or discharging or carrying Dangerous Goods."</p> <p>After "...any vessel," insert "carrying Dangerous Goods"</p>
4.3	Insert Insert Add	<p>After "...a vessel" insert "on passage"</p> <p>After "...any other vessel" insert ", while it is at anchor or underway,"</p> <p>This shall not apply to a vessel acting in accordance with 4.5.1</p>
4.4	Replace	"Duties of master while tanker is in harbour" with "Duties of master of a tanker"
4.4.2(d)	Add	and

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		(d) submit to the Harbourmaster a plan showing the layout of the vessel's tanks and contents, giving the products and approximate quantities that will be on board when arriving at Wellington Harbour, at least 12 hours prior to arrival.
4.7	Insert	<p>4.7 Loading or Discharge of Cargo</p> <p>4.7.1 No person shall discharge, drop, cause or allow to be discharged into the region's waters any cargo or anything from any vessel, wharf or from land that would or may constitute a danger to navigation safety. The owner of the cargo or any other matters discharged into navigable waters shall be liable for the costs of removal.</p> <p>4.7.2 Vessels that load logs must submit a written plan to the Harbourmaster that relates to the loading and recovery of lost logs. The loading needs to be monitored so as to immediately identify any logs that have been lost in the harbour and track them until they can be removed.</p> <p>4.7.3 Wellington Harbour Radio shall be informed of any logs lost into the harbour as soon as they are observed missing and again once they have been recovered.</p>
6.1.1	Replace	<p>Replace all with</p> <p>"The Master of any vessel entering Wellington Harbour must call Wellington Harbour Radio on VHF Ch14 and report their intention to enter the harbour. They shall also inform Wellington Harbour Radio of:</p> <p>(a) The number of persons on board, if the vessel is carrying passengers.</p> <p>(b) The name of master, if the master is exercising a Pilotage Exemption</p> <p>(c) the operational status of the vessel."</p>
6.1.2	Replace	<p>Replace all with</p> <p>"During the hours of daylight and in good visibility pleasure craft are exempt from 6.1.1."</p>
6.1.4	Replace	<p>Replace all with</p> <p>"All vessels of 18 metres or more shall follow the recommended tracks as detailed in Part A of Schedule 6. This does not exempt a vessel to which this bylaw applies that is less than 500 gross tonnage from their obligations under 6.3.1."</p>
6.1.5	Remove	
6.1.6	Replace	<p>Replace all with</p> <p>"The master of an inward-bound vessel that is not under Pilot's instructions, and</p>

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		is required to follow the recommended tracks shall join the leading line at least two nautical miles south of the charted position of Barrett Reef buoy, except where it would be unsafe to do so because of extreme weather conditions."
6.1.7	Replace	Replace all with "The part of Wellington Harbour, detailed in Schedule 7, is deemed to be a narrow channel in accordance with Part 22.9 of the Maritime Rules (Narrow Channels). All vessels in this area should navigate in accordance with this rule."
6.1.8	Replace	Replace all with "Outbound vessels shall continue to monitor VHF Ch 14 until seaward of the position of Barrett Reef Buoy."
6.2.1	Renumber	Move 6.2.4 to 6.2.1 All commercial vessels on Wellington Harbour shall maintain a listening watch on VHF Ch 14.
6.2.2	Insert	During the hours of darkness or restricted visibility, all vessels on Wellington Harbour, that have a VHF radio fitted or carried on board, shall maintain a listening watch on VHF Ch 14.
6.2.3(a) Renumbered 6.2.1	Remove	"pilot"
6.2.3(e)	Replace	Replace "safely carried out" with "developed and executed"
6.2.4 Renumbered 6.2.2	Insert	After "...radar," insert "Automatic Identification System (AIS)"
6.2.5 Renumbered 6.2.3	Add	And Part 22.5 of the Maritime rules.
6.2.6	Insert	Any vessel required to follow the recommend tracks shall, in a prudent seamanship like manner, unless for reasons of safety of navigation or pressure of weather, follow the relevant track as shown in Schedule 6.
6.2.7	Insert	A vessel under pilot's instruction may deviate from the recommended track, for reasons other than in 6.2.6, provided it is safe to do so, and they notify Wellington Harbour Radio by VHF, prior to deviating.
6.2.8	Insert	No vessel over 70 gross tonnage, on passage, shall pass less than 3 cables off a line from Point Halswell to Kau Point, and not less than 2.8 cables off a line

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		from Kau Point to Point Gordon.
6.2.9	Insert	All vessels over 500 gross tonnage departing from Lambton Harbour during the hours of daylight shall give one blast on their horn immediately prior to leaving the berth.
6.3	Re-number	Change to 6.3.1
6.3.2	Insert	While within Wellington Harbour the master of any vessel should avoid anchoring within 100 metres of the marked inward and outward tracks as shown in Part A of Schedule 6, or if they do so, shall move in good time to avoid impeding any vessel over 500 gross tonnage that is required to follow those tracks.
6.3.3	Insert	For the purpose of 6.3.1 and 6.3.2 'impede' shall include, but is not limited to any action or inaction that requires the master of the vessel over 500 gross tonnage, to take avoiding action.
6.4.1	Replace Replace Insert	Replace "20" with "18" "his or her" with "their" After "...intentions," insert "to provide the master's name and operational status of the vessel and,"
6.4.2	Replace Replace Insert Replace	Replace "20" with "18" Replace "passenger of charter vessel" with "commercial vessel carrying passenger" After "...or anchorage," insert "and their intentions" Replace "Passenger or charter vessel" with "commercial vessel carrying passengers"
6.4.3	Replace	Replace "The master of either vessel of 20 metres or more in length or any passenger of charter vessel" with "Any vessel to which 6.4.1 or 6.4.2 applies"
6.7	Insert	After "...entering" insert "or before leaving any berth in"
Schedule 3, Part A	Insert	Bradey's Bay, Pauatahanui inlet All that area of water on the eastern side of Bradey's Bay, bounded on the sides by parallel lines approximately 90 metres apart, and extending in a north westerly direction 200 metres from the edge of the water. [Map of Location]
Schedule 3, Part B	Insert	Wellington Powerboat Club, Onepoto Arm, Porirua Harbour The area adjacent to the Wellington Powerboat Club rooms at Onepoto, only for use on race days as approved by the Harbourmaster, and to be marked by buoys on the water and a notice displayed on the exterior of the clubrooms at least 7 days before the event.

Section	Action	Wording
		[Map of Location]
Schedule 3, Part C	Insert	<p>The following areas may be marked by flags, in accordance with Bylaw 3.12.</p> <p>Western end of Lyall Bay beach.</p> <p>Any area within the indicated area may be marked by flags for the purpose of swimming and body boarding only. The outer limits of the area being adjacent to Queens Drive at the western end and Onepu Road at the Eastern end and the area extends to seaward from the waters edge for 100 metres.</p> <p>[Map of Location]</p>
Schedule 6 Part A	Insert	Tracks to main wharves including ferry berths
Schedule 6 Part B	Insert	Tracks to all Centreport wharves
Schedule 7	Insert	<p>Narrow Channel</p> <p>The western boundary:</p> <p>extends northward from Steeple Rock light though Falcon Shoal light until it reaches 41 degrees 17.5 minutes South.</p> <p>Extends southward from Steeple Rock light though the position of Barrett Reef buoy until it reaches 41 degrees 21.6 minutes south.</p> <p>The eastern boundary:</p> <p>The eastern boundary is from the rear leading light to the point where the eastern side of the intensified lead light sector meets 41 degrees 21.6 minutes south, adjacent to Pencarrow Head.</p>