Southland Regional Council
Navigation Safety Bylaw

2026



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REGIONAL COUNCIL
Te Taiao Tonga

Southland Regional Council Navigation Safety Bylaw 2026

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Part 1 Preliminary Provisions

1 Title and commencement

1.1 This Bylaw is the Southland Regional Council Navigation Safety Bylaw 2026.

1.2 This Bylaw comes into force on the date that the new Maritime Transport (Infringement Fees for Offences – Southland Regional Navigation Safety Bylaw 2026) Regulations 2027 come into force.

1.3 Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) are hereby revoked.

2 Purpose

2.1 The purpose of this bylaw is to ensure maritime safety within the Murihiku Southland region and is to be read in conjunction with the Maritime Rules made by the Minister of Transport pursuant to the Maritime Transport Act 1994.

3 Application

3.1 This Bylaw is made pursuant to Part 3A (Section 33M) of the Maritime Transport Act 1994 and applies to all navigable waters within the Murihiku Southland region.

4 Definition of terms

4.1 In this Bylaw, unless the context otherwise requires:

Term	Explanation
Access lane	means an area designated as an access lane in Schedule 2 (Inland waters) of this Bylaw.
Act	means the Maritime Transport Act 1994, and for the purposes of implementing clause 43, the Local Government Act 2002.
Anchorage	in relation to vessels, means a place (enclosed or otherwise) normally used for the anchoring of vessels to the bed of the waterway, whether the place is reserved for such purposes by the Council or not.
Anchoring	means the temporary 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.
Buoy	means a float secured to the bed of the waterway, serving as a navigation or locational mark, or to indicate a mooring, reef, or other hazards.
Council	means the Southland Regional Council.

Flag A	means flag A of the International Code of Signals (the Diver's Flag) being a swallow-tailed flag, or a rigid equivalent, coloured in white and blue with white to the mast, of not less than 600mm by 600mm.
Flag B	means the flag B of the International Code of Signals being a swallow-tailed flag, or a rigid equivalent, coloured in red, of not less than 600mm by 600mm.
Gross tonnage	in relation to a vessel, means the gross tonnage of that vessel determined or recognised in accordance with the provisions of the Act or any maritime rules.
Impede the passage	means to cause a vessel, whether by action or inaction on the part of another vessel, to alter course, alter speed or stop, or to prepare to do so when she would have otherwise not done so.
Landing place	means a wharf, jetty, dock, quay, landing, pile mooring, pier, pontoon, boat ramp, slipway or other facility, where vessels are moored or are launched or retrieved.
Large vessel	means any vessel 40 metres or greater in length overall, or 500 gross tonnage or greater.
Length overall	(a) means the length of the vessel measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the vessel; and (b) for the purposes of paragraph (a),— (i) includes structures (such as bulbous bows, deckhouses, free flooding bait tanks, and buoyancy tubing) that project beyond those terminal points; but (ii) does not include fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, and jet and outboard drive units) that project beyond those terminal points
Master	means any person having command or charge of a vessel but does not include a pilot who is piloting the vessel.
Moor	means: (c) the securing of any vessel alongside a wharf or jetty by means of suitable mooring ropes; or (d) the securing of any vessel to a mooring or anchor; but (e) excludes the temporary anchoring of a vessel.
Mooring	means: (a) 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 (b) includes any wire, chain, rope, buoy or other device attached or connected to the weight, or connected to land or object outside of the coastal marine area; but (c) 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.
Moving prohibited zone	means the space of water extending 100 metres astern and 100 metres to each side of a vessel and continued at such width to 500 metres ahead which is reserved around any large vessel including any attendant tugs or pilot launches, when that vessel is underway within an area defined in this Bylaw or as declared by the Harbourmaster.

Navigable waters	means any waters whether coastal or inland which are able to be navigated, including harbours.
Navigate	means the act or process of managing or directing the course of a vessel on, through, over, or under the water.
Navigational aid	includes: (a) any lightship and any floating or other light exhibited for the guidance of ships; or (b) any description of a fog signal not carried on a ship; or (c) all marks and signs in aid of marine navigation; and (d) any electronic, radio, or other aid of marine navigation not carried on board any ship.
Obstruction	means an object, equipment, structure, vessel or person positioned, whether in the water or not, so as to restrict or prevent navigation of a vessel or cause a hazard to a vessel and/or people on a vessel.
Paddle craft	means in addition to the definition in Maritime Rules Part 91, shall include white water sledges, river bugs and any other vessels that are propelled primarily by the use of any occupant's arms and legs without the aid of any paddle but shall not include a surfboard.
Lifejacket	means a lifejacket, personal flotation device, or other buoyancy aid that is: (a) designed to be worn on the body; and (b) serviceable; and (c) certified by a recognised authority as complying with any of the following: (i) a New Zealand standard for buoyancy aids; or (ii) any national or international standard that the Director considers has substantially the same requirements as a New Zealand standard for buoyancy aids.
Personal watercraft (Jet ski)	means a power-driven ship that: (a) has a fully enclosed hull; and (b) does not take on water if capsized; and (c) is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it.
Person in charge	means the master.
Pilotage area/harbour limits	means an area listed in Schedule 4: Southland Pilotage areas and Harbour Limits as per Maritime Rules part 90 Appendix 1.
Power-driven vessel	means any vessel propelled by machinery
Public notice	means a noticed published: (a) in the Gazette; or (b) in one or more daily newspapers circulating in the area to which the act, matter, or thing relates or in which it arises; or (c) on an internet site that is administered by or on behalf of the person who must or may publish the notice, and that is publicly available as far as practicable and free of charge.

Recreational craft	means a vessel that is: (a) a pleasure craft; or (b) solely powered manually; or (c) solely powered by sail.
Region	means the Southland Region.
Reserved area	means an area reserved by the Council for a specified navigation safety purpose as set out in this Bylaw and identified as such in Schedule 1 (Coastal waters) or Schedule 2 (Inland waters).
Sailboard	means any type of board including a windsurfer, kiteboard or similar device that is propelled by any type of sail and intended to be navigated by a person standing upright on the board.
Seaworthy	in relation to a vessel means being in a fit condition or state of readiness, in the opinion of the harbourmaster, to safely undertake a voyage. Unseaworthy has the opposite meaning.
Ship	has the same meaning as Vessel.
Shore	when referring to distance from shore, means distance from the water's edge.
Support vessel	means any vessel used for coaching, marshalling and rescue attendance for training, regattas and competitions.
Vessel	means every description of boat or craft used in navigation, whether or not is 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 reaction of air against the surface of the water over which it operates; (c) a submarine or other submersible; (d) a seaplane while it is on the surface of the water; (e) and shall include but is not limited to, a sledge, surfboard, sailboard, stand-up paddle board, raft, personal watercraft (Jet ski) or any other object intended or used to carry or support a person in or on the water
Water skiing	means to tow, or cause or allow to be towed, behind any vessel, any person barefoot on an object of any kind other than a vessel.

4.2 To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, Maritime Rules, rules in any District or Regional Plan and rules of law.

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

4.4 Any explanatory notes are for information purposes only and do not form part of this Bylaw, and may be made, amended and revoked without formality.

Part 2 General matters

5 Controls and demarcations specified under this Bylaw

5.1 Any control exercised by the Harbourmaster in accordance with Sections 33M and Section 33F of the Act under this Bylaw may:

(a) prohibit, restrict or control those matters specified in Sections 33M and F; or

(b) apply to all activities specified in Sections 33M and F; or

(c) apply to all the region or to a specified part of the region; or

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

5.2 No person shall navigate a vessel in any waterway other than in accordance with any applicable control or demarcation.

Explanatory note: *The controls made under the Southland Navigation Safety Bylaw contain maps indicating areas of waterways regulated or reserved under those controls for specified purposes and use and demarcations for these areas should they be in place.*

6 Person in charge of the vessel

6.1 No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.

6.2 The person in charge is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel, including the carriage and wearing of lifejackets by persons on board the vessel.

7 Lifejackets

7.1 No person in charge of a recreational craft shall use that craft or allow it to be used unless it carries, at the time of use, and in a readily accessible location, sufficient lifejackets of an appropriate size for each person on board.

7.2 Every person on board a recreational craft that is 6 metres or less in length overall must wear a properly secured lifejacket of an appropriate size for that person and of a type appropriate for the activity being undertaken when the vessel is underway.

7.3 No person in charge of a vessel shall use it to tow any person and no person shall cause himself or herself to be towed by any vessel, unless the person being towed wears a properly secured lifejacket of an appropriate size for that person.

Exceptions

7.4 Except when otherwise directed by the Harbourmaster or an Enforcement Officer, clauses 7.1 – 7.3 shall not apply to:

(a) persons exempted under the provisions of Maritime Rules Part 91 or by the Director of Maritime New Zealand from a requirement to carry or wear a lifejacket; or

(b) any person, vessel or class of vessel, in relation to which the Harbourmaster has granted an exemption in writing from these clauses in accordance with clauses 58.1 – 58.3 of this Bylaw.

7.5 Despite clause 7.4, the person in charge of a recreational craft must ensure every person on board is wearing a properly secured lifejacket of an appropriate size for that person when tides, river flows, visibility, rough seas, adverse weather, emergencies or other situations cause danger or a risk to the safety of persons on board.

7.6 Clause 7.5 does not apply to any person, vessel or class of vessel in which Council has provided exemption under Maritime Rule 91.4(5).

8 Minimum age for operating powered vessels

8.1 No person under the age of 15 years shall be in charge of, or navigate, a power-driven vessel that is capable of a 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.

8.2 The person in charge of a power-driven vessel that is capable of a speed exceeding 10 knots must not allow any person who is under the age of 15 years to navigate that vessel in contravention of clause 8.1.

8.3 Clause 8.1 does not apply to any person who has a written exemption from the Director under section 40AA of the Act or from the Council under Maritime Rule 91.5(3). Written exemptions may be given for training, competitions or other sporting events, and the Council, when considering whether or not to grant such an exemption, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

9 Speed of vessels

9.1 No person shall, without reasonable excuse, operate a vessel at a proper speed exceeding 5 knots within:

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

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

(c) 200 metres of any vessel or structure that is flying Flag A of the International Code of Signals (diver's flag).

9.2 No person shall allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in the circumstances described in clause 9.1.

9.3 No person shall operate a power-driven vessel at a proper speed exceeding 5 knots while any person has any portion of their body extending over any part of that vessel.

Exemptions

9.4 When adverse weather conditions preclude a landing or take off on Lake Manapōuri and Lake Te Anau seaplanes shall be exempt from clause 9.1(a) and (b) within the area of waters in the

Waiau River extending downstream from the navigation buoy on the reef end of the Lake Manapōuri outlet to Home Creek.

9.5 Despite any speed limits imposed under Maritime Rules Part 91, or under this Bylaw, speed uplifts shall apply and a vessel may exceed 5 knots within:

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

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

provided that such navigation in excess of 5 knots is conducted in a safe manner and is authorised under:

(a) Maritime Rules Part 91.6(5) and (6); or

(b) a relevant control made pursuant to clause 13 of this Bylaw that allows for a higher speed limit or an area designated as a speed uplifted area; or

(c) the Code of Practice for Freshwater River and Rakeahua River outlined in Schedule 5; or

(d) a temporary reservation or exemption issued by the Council.

10 Vessels to be seaworthy

10.1 The person in charge of a vessel that is anchored or moored within navigable waters must ensure the vessel is seaworthy at all times, unless the Harbourmaster or an Enforcement Officer has given prior written approval for it to be anchored or moored in a condition which is not seaworthy and subject to such conditions that the Harbourmaster or Enforcement Officer may determine appropriate to ensure navigation safety.

10.2 No person shall navigate 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.

10.3 No person shall navigate or keep or place on the water any vessel in circumstances where persons on board or in charge 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.

10.4 The person in charge of any vessel for which clause 10.2 applies, shall on direction 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.

10.5 Where the person in charge of any vessel fails to move any vessel in accordance with such direction given by the Harbourmaster or Enforcement Officer, the Harbourmaster or Enforcement Officer may move that vessel to a position where it is no longer a hazard or remove it from the water. Costs incurred will be recovered from the owner of the vessel as a debt due to the Council.

11 Collision prevention

11.1 The person in charge of a vessel must at all times ensure a proper lookout by sight and hearing is maintained as well as by all available means appropriate to the prevailing circumstances and conditions, so as to make a full appraisal of the situation and the risk of collision.

11.2 No person shall operate any vessel in breach of Maritime Rule 22 (Collision Prevention), made under the Act.

11.3 No person shall operate a power-driven vessel at a speed or in a manner that causes any hazard or avoidable risk of harm to other vessels, swimmers, or people in the water, no matter whether any injury or damage occurs.

12 Notification of accidents, incidents, or mishaps

12.1 The person owning or having responsibility for, or in charge of, or having conduct of any vessel, Port Company property, other maritime facility, structure or object that:

(a) has been involved in any accident, incident, or mishap involving a vessel; or

(b) or in any manner gives rise to an obstruction;

must, as well as complying with any accident reporting requirements of Maritime Rules and the section 31 of the Act, as soon as practicable report the occurrence to the Harbourmaster, and within 24 hours, provide the Harbourmaster with full details of the occurrence in writing. The same report shall be made available on request to the owner of any vessel or property which has been damaged.

12.2 The full details provided to the Harbourmaster under clause 12.1 must:

(a) include a full description of how and when the incident occurred; and

(b) include such other details as may be required by the Harbourmaster;

(c) at the discretion of the Harbourmaster, be:

(i) in a form and manner as required by the Harbourmaster; or

(ii) a copy of the appropriate Maritime New Zealand report form.

12.3 The person in charge or having conduct of any vessel, Port Company property or other maritime facility for which clause 12.1 applies shall answer any written or oral questions of the Harbourmaster as to the cause of the incident and actions taken subsequently.

Part 3 Reserved areas and restrictions

13 Reserved areas

13.1 Any area of a waterway may be reserved for a specified maritime safety purpose, either:

(a) in a control made under this Bylaw; or

(b) for a specified period, by the Harbourmaster issuing a Temporary Reservation under clause 14.

13.2 The Harbourmaster may specify controls for the use of any reserved area. Specific conditions of reserved areas made under clause 13.1 may be listed in Schedules 1 (Coastal waters) and 2 (Inland waters).

Explanatory note: *Temporary Reservations will be published on the Council's website.*

Table 1: Types of reserved areas

Type	Description	Bylaw reference
Reserved areas for specific activities	areas allocated for a specific activity by this Bylaw such as swimming or passive recreation	Clause 13 Schedules 2.3, 2.4, 2.12
Reserved area for special events	an area temporarily allocated to sporting events, training activity, ceremonial or customary events or other organised water activity	Clause 14
Restricted use areas	areas in which vessels or persons may use subject to compliance with any conditions	Clause 13 Schedules 1.1, 1.2, 1.3, 1.4, 1.6, 1.7, 1.9, 1.10, 1.11, 1.12, 1.13, 2.3, 2.4
Access lanes	areas marked on maps in Schedule 2 (Inland waters) that are used for the launching and/or recovery of vessels	Clause 13, Clause 16 Schedules 2.3, 2.5
Prohibited anchorages	areas where vessels must not anchor	Clause 18 Schedule 3
Moving prohibited zone	the area of water that exists around any vessel of 500 gross tonnage or greater within the pilotage areas/harbour limits of Murihiku Southland identified in in Schedule 4.	Clause 19 Schedule 4
Speed uplifted areas	areas where speed restrictions are uplifted on a permanent or temporary basis	Clause 13, Clause 20 Schedules 1.1, 1.5, 1.8, 2.1, 2.2, 2.6 – 2.16

14 Reserved areas for special events

14.1 A person that intends to conduct a special or temporary event such as a race, speed trial, sporting event, training activity, ceremonial or customary event or any other organised water activity on navigable water must apply to the Harbourmaster for a Temporary Reservation if the activity is likely to affect normal operation of another vessel or any other user of the water, or:

(a) requires temporary suspension of the relevant speed clause(s) and any other relevant clause of this Bylaw; or

(b) requires an area to be temporarily reserved for a specific area for the purpose of the event; or

(c) requires the temporary suspension of a reserved area or access lane; or

(d) requires temporary installation of course markers or similar such structures in the water.

14.2 Where the Harbourmaster is satisfied that an application made under clause 14.1 may be granted without endangering the public, and that any consultation with affected parties that the Harbourmaster considers necessary has been undertaken, he or she may grant the application for a specified period and on such conditions as he or she may specify in the interests of maritime safety.

14.3 No grant of an application made under clause 14.1 shall have effect unless, not less than 7 days or more than 14 days before the commencement of the activity, a public notice is given by the applicant specifying the period of the activity and the details of the suspension or reserved area.

14.4 The Council or Harbourmaster may recover, from the applicant, all actual and reasonable costs associated with the application, including any monitoring and advertising.

Explanatory note: *The special event application can be submitted to the Harbourmaster using the form on the Council's website.*

15 Conduct in, and use of reserved areas

15.1 No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.

15.2 No person may enter a reserved area for any other purpose than that specified by the Harbourmaster.

15.3 No person may obstruct any other person while that other person is using a reserved area for the purpose for which it is reserved.

Exceptions

15.4 Restrictions on the use of Reserved Areas shall not apply to any persons carrying out the following:

(a) for a local authority, government agency, or Fish and Game Council: enforcement services, or bird culls, or the rescue, protection, disposal of marine animals or other wildlife or animals, or scientific research;

(b) for a local authority or government agency: water quality sampling, the control or clean-up of contaminants, or resource investigations or monitoring;

(c) for a local authority, or government agency: track maintenance, pest control, or the removal of rubbish or beach cast material; or beach and beach facility maintenance;

(d) for a local authority, government agency, the New Zealand Police, the New Zealand Fire Service, Surf Lifesaving New Zealand, or the New Zealand Coastguard: activities including training with respect to defence purposes, civil defence and emergency management or firefighting, or search and rescue operations;

(e) where contracted or otherwise appropriately authorised by the owner or manager of the structure: navigate vessels and to dive for the purpose of management (inspection, maintenance or repair) of structures or facilities in the reserved area.

15.5 Except as directed by the Harbourmaster or an Enforcement Officer, restrictions of Reserved Areas shall not apply to support vessels carrying out their function in support of persons or vessels using a Reserved Area for its specified purpose.

16 Access lanes

16.1 An access lane shall be any area within 200 metres of the shore specified as such in Schedule 2 (Inland waters) in this Bylaw.

16.2 An access lane may be specified or declared for vessels of any description.

17 Conduct in, and use of access lanes

17.1 No person may propel, navigate, or manoeuvre a vessel in an access lane for the purpose for which it is declared except by the most direct route through the access lane and on that side of the access lane that lies to the starboard (right) side of the vessel.

17.2 No person may:

(a) while being towed by a vessel in an access lane, cause himself or herself or any water ski, aquaplane or other similar object, on or by which he or she is being towed; or

(b) cause any object that is being towed by a vessel in an 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 (right) side of the vessel.

17.3 No person within an access lane may proceed in a manner that is dangerous in relation to any vessel or other person in the access lane.

17.4 No person may obstruct any other person while that other person is using the access lane for the purpose for which it is declared.

17.5 Where a person is using an access lane for the purpose for which it is declared, no person may enter, remain in or use the access lane for any other purpose.

18 Prohibited anchorages

18.1 No person shall anchor a vessel in a prohibited anchorage area, as identified in Schedule 3.

19 Moving prohibited zone

19.1 The person in charge of a vessel must not navigate or stop their vessel within the moving prohibited zone of any vessel within the pilotage areas or harbour limits of Murihiku Southland, as identified in in Schedule 4.

Exceptions

19.2 Except when otherwise directed by the Harbourmaster or an Enforcement Officer, clause 19.1 shall not apply to:

(a) any person, vessel or class of vessel, in relation to which the Harbourmaster has granted an exemption in writing from this clause in accordance with clauses 58.1 – 58.3 of this Bylaw; or

(b) any person, vessel or class of vessel navigating within the Bluff pilotage area where the moving prohibited zone shall only apply within those areas reserved as shipping channels; or

(c) any person, vessel or class of vessel navigating within the approaches to Freshwater Basin, or in Harrison Cove, Milford Sound, where the moving prohibited zone shall not apply to vessels of less than 1000 gross tonnage.

20 Speed uplifted areas

20.1 'Speed uplifted areas' refer to areas designated as such in Schedules 1 (Coastal waters) and 2 (Inland waters), where the 5 knot speed restrictions set out in clause 9.1(a) and/or 9.1(b) may be exceeded, either permanently or seasonally.

20.2 A person who is permitted to propel or navigate a vessel at a proper speed exceeding 5 knots as a result of a speed uplifting must do so in a manner that does not endanger or unduly interfere with any other person who is:

(a) on, in or using the waters, or adjacent to the waters; or

(b) undertaking any activity in the vicinity of the vessel.

20.3 Regardless of any speed uplifting, the person in charge of a vessel is expected to always operate in a safe manner and comply with the applicable provisions of clauses 9.1 – 9.5.

21 River Safety Rules

21.1 A person in charge of a vessel on a river must:

(a) ensure that the vessel keeps as near to their starboard (right) side of the river channel as is safe and practicable; and

(b) when going upstream, give way to any vessel coming downstream; and

(c) not navigate the vessel unless river and weather conditions are considered to permit safe navigation of the vessel; and

(d) subject to clause 21.2, not exceed a speed of 5 knots on any river unless in an area designated as a speed uplifted area or operating in accordance with the Code of Practice outlined in Schedule 5 that allows for that allows for a higher speed limit on specified rivers.

21.2 Clause 21.1(d) shall not apply to any paddle craft or raft, including when towing a vessel, person, or an object.

Part 4 Operating Requirements

22 Communications equipment

22.1 The person in charge of a vessel must ensure appropriate communication equipment is on board for the duration of any intended voyage that:

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

(b) in the case of vessels 6 metres or less in length overall, is able to be operated following submersion in sea water.

22.2 Clause 22.1 does not apply to a person participating in a sporting event or training activity if there is a support vessel present that complies with clause 22.1.

Explanatory note: *Examples of two independent forms of the communication could include –*

- *A kayaker paddling within 100 metres of the shore may use their voice and a mobile phone in a floating dry case.*
- *Two people on a dinghy may each use a mobile phone, so long as there is good mobile coverage.*
- *A vessel near a harbour entrance should have a VHF radio and may use a mobile phone.*

23 Obstructions

23.1 No person shall obstruct the access to any wharf, landing place, boat ramp, slipway, navigation channel or mooring without written permission from the Harbourmaster.

23.2 No person shall place, discharge, drop, or cause or allow to be placed, discharged or dropped into any waterway any cargo or any other thing from any vessel, wharf or from land that is liable to:

(a) restrict navigation; or

(b) cause injury or death to any person; or

(c) cause damage to any vessel or any property.

23.3 No person shall leave equipment, stabilizers, booms, cranes, davits or other equipment extending over the side of a vessel so as to cause a hazard to any other vessel.

24 Use of vessel engine around wharves and ramps

24.1 No person shall operate the propulsion system of a vessel while it is lying at any wharf, or while it is loading or unloading at any ramp, in such a way that it may damage any property, scour the bed of the waterway, or injure any person. This clause does not preclude the use of the propulsion system for the safe berthing or un-berthing of any vessel at a wharf.

24.2 In addition to the requirements of clause 24.1, the person in charge of a commercial vessel shall ensure that a crew member shall:

(a) be stationed forward and aft on any vessel while that vessel is lying at any wharf and about to test, or testing the main engine system; and

(b) warn all persons or vessels in the immediate vicinity of that vessel that the engines are being tested.

25 Maintenance of maritime facilities

25.1 Where any landing place has fallen into disrepair and in the opinion of the Harbourmaster is a danger or potential danger to navigation, the permit owner shall in consultation with the Harbourmaster:

(a) demolish and remove it;

(b) make such repairs as are considered necessary; or

(c) take such other action as is considered necessary;

to remove the danger or potential danger.

26 Navigational aids

26.1 No person shall secure a vessel to any navigational aid without the written permission of the Harbourmaster or the Director of Maritime New Zealand if the aid to navigation is operated by the Maritime Safety Authority.

26.2 No person shall damage, remove, deface or otherwise interfere with any navigational aid, warning marker or warning sign.

26.3 No person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigational aid and/or which may be used or mistaken as a navigational aid or warning, without the prior written permission of the Harbourmaster and the Director of Maritime New Zealand.

27 Sounds and light signals

27.1 No person shall use any flashing lights, sirens or other sound or light signals not prescribed in a Maritime Rule for that vessel, without the permission of the Harbourmaster.

27.2 No person shall use blue flashing lights and/or sirens other than Police, Customs, Harbourmaster or other enforcement vessels authorised by the Harbourmaster.

27.3 A vessel authorised to use purple flashing lights by the Harbourmaster must only display them when:

(a) the use is required to assist the location of a vessel or person in need of assistance; or

(b) the use is required to assist the identification of the vessel to an aircraft involved in an incident.

27.4 A person must not blow or sound the whistle, siren, or horn of a vessel, unless:

(a) they are being used as a navigation safety signal or for the testing of equipment; or

(b) they are being used for the purposes of a sporting event, or a celebration event and provided they are used in locations where there will be no confusion to any other person about the navigation safety signal being sent; or

(c) the Harbourmaster has given written permission.

28 Aircraft

28.1 No person navigating a vessel shall impede the passage of a seaplane in the process of landing or taking off on navigable waters.

28.2 No person shall take off, land, or attempt to take off or land, any seaplane or other aircraft, except in an emergency, in any area other than areas reserved for that purpose, without the prior written permission of the Harbourmaster. Written application must be received by the Harbourmaster not less than 48 hours before the proposed landing or take off.

28.3 Immediately prior to taxi-ing for take-off, the seaplane operator shall broadcast a security message on VHF Channel 16 or other channel appropriate to the area. This message shall clearly indicate intention to take off, time and location of the area of water to be used.

29 Limitation on water skiing or towing

29.1 No person shall operate, between sunset and sunrise, a vessel that is towing any person on water skis, an aquaplane, surfboard, sailboard or similar object, or who is barefoot skiing, or who is on a paraglider or similar object.

29.2 No person shall allow themselves to be towed by the vessel in the circumstances described in clause 29.1.

29.3 No person in charge of a vessel shall use it to tow any person at a speed exceeding 5 knots unless at least one other person is on board who is:

(a) 10 years of age or older; and

(b) responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.

29.4 No person shall allow themselves to be towed by the vessel unless the conditions described in clause 29.3 are met.

29.5 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 which may cause danger to any other person or vessel, without first taking appropriate action to immediately recover that water ski or similar object, unless the person has taken adequate measures to ensure that the dropped ski or similar object is clearly visible to other water users.

30 Swimming, diving and related activities around wharves

30.1 No person shall jump, dive, swim, or undertake other related activities within:

(a) 50 metres of any commercial jetty, wharf, or quay which is in regular use for the berthing and unberthing of vessels; or

(b) any designated anchorage or mooring area; or

(c) any navigation channel; or

(d) any other such area as the Harbourmaster may from time to time determine, unless the person does so in accordance with prior written permission of the Harbourmaster.

30.2 Clause 30.1(a) does not apply if the activity is:

(a) undertaken within a reserved swimming or passive recreation area; or

(b) undertaken in a manner that does not interfere with the berthing or departure of any vessel.

30.3 The Harbourmaster may grant permission under clause 30.1 subject to such conditions as the Harbourmaster considers appropriate in the interests of navigation safety.

31 Dive operations

31.1 The person in charge of a vessel from which dive operations are in progress must ensure that flag A is displayed in such a manner that it can be clearly identified by the watchkeeper of another vessel at a distance in excess of 200 metres.

31.2 A person diving 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.

31.3 Where a person is diving without a vessel, the flag A must be displayed on a buoy in close proximity to that person and in a manner that the flag can be clearly identified by the watch keeper of another vessel at a distance of more than 200 metres.

32 Open water swimming

32.1 Any person swimming in navigable waters more than 200 metres from shore must tow a bright-coloured safety float or swim buoy or must wear a brightly coloured swim cap, or when swimming between sunset and sunrise must tow a lit safety float, unless accompanied by a support vessel.

Part 5 Anchoring and mooring

33 Vessels to be adequately secured

33.1 The person in charge of a vessel must ensure that it is properly and effectively secured when at any landing place or at any mooring or at anchor.

33.2 No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not intended for that purpose.

33.3 No person shall abandon or secure any vessel or property in an 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.

33.4 No person shall, without written permission from the Harbourmaster, cut, break, or destroy:

(a) the mooring of any vessel; or

(b) the fastening securing any vessel lying in a dock or at or near a wharf or landing place.

34 Limitation on anchoring and mooring

34.1 No person shall anchor or moor a vessel in a manner that:

(a) impedes the passage of other vessels or the approach to any wharf, pier or jetty; or

(b) creates a hazard to other vessels.

34.2 No person shall leave any vessel unattended:

(a) at any landing place without permission of the owner; or

(b) secured to or on the beach or foreshore except in an area specified for this purpose by the Harbourmaster.

34.3 Subject to the requirements of clause 34.4, clause 34.2(b) shall not apply to small vessels that are left on any beach or foreshore for a period of 48 hours or less.

34.4 If so directed by the Harbourmaster the person in charge or owner of a vessel shall:

(a) not leave that vessel unattended; and

(b) crew that vessel according to the Harbourmaster's directions.

Explanatory note: *For the purposes of clauses 34.3 and 34.4, "beach or foreshore" refers, in relation to the sea, to the area below MHWS (average highest spring tide) or a reasonably foreseeable storm event; and, in relation to any inland waterway (such as a river, stream, or lake) the area within the range of a reasonably foreseeable rise of river or lake level such as through fresh, flood, storm-driven waves or surge, or raising of controlled lake level (as may occur with hydro-lakes). These subclauses do not apply to vessels left above these limits.*

Explanatory note: *For the purpose of clause 34.3, "small vessel" includes the likes of kayaks, dinghies and runabouts that would in the ordinary course of their active use be at times temporarily hauled up on to the beach or foreshore.*

35 Moorings

35.1 (a) The Harbourmaster may, from time to time, set mooring guidelines governing the specifications and maintenance/service schedule of mooring components for vessels of a certain type, size and weight.

(b) The owner of a mooring will at all times be solely responsible for the position, maintenance and security of that mooring; and ensure that the mooring remains fit for its purpose.

35.2 No person shall lay, or move, a mooring unless:

(a) that person holds a permit for that mooring from Council; or

(b) the mooring is a permitted activity in the Southland Regional Coastal Plan.

35.3 No person shall secure a vessel to a mooring that exceeds the length overall, displacement, or draught specified in the permit or licencing arrangement with the mooring owner.

35.4 If at in any time in the opinion of the Harbourmaster any mooring is or may be in an insufficient state of repair the Harbourmaster may require the mooring to be:

(a) inspected by a competent person approved by the Harbourmaster; and

(b) repaired to a standard specified by the Harbourmaster within a period specified by the Harbourmaster.

35.5 Failure to comply with clause 35.4 within a timeframe specified by the Harbourmaster, the Harbourmaster may have the mooring removed. Any vessel occupying the mooring may be removed and detained until all fees and charges, including the cost of removing the mooring and or vessel and storage of the vessel, have been fully paid and discharged. If, after 2 months following removal of the mooring and/or vessel, the fees and charges remain unpaid, the Council may sell the vessel to recover the debt.

Part 6 Hazardous activities and cargoes

36 Notification of arrival

36.1 The master of any vessel carrying dangerous goods must give advance notice to the Harbourmaster:

(a) if the vessel is on a domestic voyage, as soon as possible following departure from its previous port of call and in any case before the vessel enters the port; and

(b) if the vessel is on an international voyage, at least 48 hours before arrival at the port.

37 Vessels carrying explosives

37.1 The master of any vessel in any harbour, port, roadstead or anchorage having on board, or intending to load or unload explosives, must hoist Flag B of the International Code of Signals by day and an all-round red light by night.

37.2 The Pilot or the master of any vessel in any harbour, port, roadstead or anchorage must not allow that vessel to approach within 200 metres of any other vessel that is carrying or loading explosives, except:

(a) with the written permission of the Harbourmaster; or

(b) for the purpose of loading or unloading that other vessel; or

(c) for the purpose of rendering assistance to that other vessel in an emergency.

37.3 The Pilot or the master of any vessel carrying explosives in any harbour, port, roadstead or anchorage must not allow that vessel to approach within 200 metres of any other vessel, except:

(a) with the written permission of the Harbourmaster; or

(b) for the purpose of loading or unloading that other vessel; or

(c) for the purpose of rendering assistance to that other vessel in an emergency.

37.4 Clauses 37.1 – 37.3 do not apply to any vessel which is carrying only the parachute rockets, signal flares, smoke floats, line throwing appliances and other explosive devices that form part of the vessel's safety and life-saving equipment.

37.5 The master of a vessel having on board or intending to load explosives in quantities greater than 27 kg must ensure that:

(a) the vessel remains within the explosive's anchorage specified by the Harbourmaster; and

(b) no person loads or unloads explosives outside the explosives anchorage, unless otherwise permitted by the Harbourmaster.

38 Signals to be displayed by oil tankers

38.1 On or immediately before the arrival in port of any vessel carrying bulk oil cargo, and so long as the vessel remains in port, the master must display by day Flag B of the International Code of Signals, and by night an all-round red light at the masthead or where it can best be seen from all directions.

38.2 If the vessel cannot normally comply with clause 38.1, the master must instead display by day, in a conspicuous position above the deck, a red flag made of metal not less than 0.6 metres square and by night a red light capable of being seen from all directions.

39 Duties of person in charge while tanker is in port

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

39.2 The master of a tanker must:

(a) berth, moor or anchor the vessel only at such wharf or place as specified for bulk oil discharges, or as or as otherwise authorised by the Harbourmaster; and

(b) keep the tanks containing Class 3 packing groups I and II oil cargo securely closed, except when opened for loading or discharging; and

(c) in the case of a vessel carrying a cargo of bulk oil, unless otherwise authorised by the Harbourmaster, ensure sufficient motive power and minimum safe manning to enable the vessel to be moved immediately from the berth in case of fire or other emergency.

40 Oil tankers not to lie close to other vessels

40.1 The master of a tanker must ensure that, except for the purpose of transhipment, the tanker does not berth, moor or anchor within 30 metres of another vessel, unless otherwise authorised by the Harbourmaster.

41 Immobilisation of vessel engines

41.1 The master of every vessel 500 gross tonnage and over must not immobilise the vessel's main engines for the purpose of maintenance or otherwise without first obtaining the permission of the Harbourmaster.

42 Hot Work operations

42.1 Within the Bluff port or commercial areas, the master of every vessel on board which, or on the hull of which, it is proposed to carry out welding or flame-cutting operations in or from any position, whether on board the vessel or not, must notify the Harbourmaster and obtain a Hot Work Notification Permit before commencing work and must obtain a Hot Work Permit to be supplied by the Harbourmaster no less than two hours before commencing the work.

42.2 The master of the vessel must ensure that, before any welding or flame-cutting operations are commenced, precautions are taken for the detection, prevention, and extinguishing of fire on board the vessel or elsewhere during the welding operations, and that the requirements of the Hot Work Permit are met. Provision must be made for the continuance of the precautions until the operations are completed.

42.3 Despite clauses 42.1 and 42.2, the Harbourmaster may exempt from compliance with those clauses the master of a vessel lying at any vessel-repairing establishment.

42.4 If in any case the Harbourmaster is not satisfied that adequate precautions have been taken, the Harbourmaster may forbid the operations to be commenced or continued until he or she is so satisfied or has caused such precautions to be taken as he or she thinks necessary.

Explanatory note: *The hot work notification can be submitted to the Harbourmaster using the* ***form*** *on the Council's website.*

Part 7 Bluff Boat Ramp and Trailer Park

43 Bluff Boat Ramp and Trailer Park

43.1 Invercargill City Council ("ICC") has transferred its powers to make bylaws in relation to the Bluff Boat Ramp and Trailer Park to Council in accordance with Section 161 of the Local Government Act 2002.

43.2 For the purposes of setting fees and charges, terms and conditions of use, as well as monitoring, enforcement and collecting fees and charges associated with the Bluff Boat Ramp and Trailer Park, Council delegates its powers to ICC.

43.3 A person must not use, park, launch or retrieve a vessel or otherwise occupy the Bluff Boat Ramp and Trailer Park except in accordance with any notified terms and conditions of use set by ICC and unless payment of any prescribed fees and charges has been paid in the required manner. No person may obstruct access to the Bluff Boat Ramp and Trailer Park.

43.4 Fees and charges may be required for:

(a) a boat ramp permit for vessel launching or retrieval;

(b) parking of vehicles and trailer;

(c) commercial operator use;

(d) any other use as determined by ICC.

43.5 Users of the Bluff Boat Ramp and Trailer Park must comply with all signage, instructions and directions issued by the Harbourmaster, Enforcement Officers or their authorised agents.

43.6 ICC will ensure that adequate signage is displayed at the Bluff Boat Ramp and Trailer Park stating:

(a) applicable fees and charges;

(b) methods of payment;

(c) terms and conditions of use;

(d) enforcement provisions;

(e) contact details for enquiries.

43.7 A person commits an offence who:

(a) uses the Bluff Boat Ramp or Tailer Park without paying the prescribed fees and charges;

(b) fails to comply with the terms and conditions of use;

(c) provides false or misleading information regarding payment or use;

(d) obstructs an authorised officer.

43.8 ICC may issue infringement notices or take enforcement action for any breach of this Part in accordance with clause 53 of this Bylaw.

Part 8 Administrative matters

44 Liability of the Council

44.1 The Council shall not be liable for:

(a) any damage to vessels which have not been securely moored; or

(b) any damage to a vessel(s) which results from any actions taken by the Harbourmaster to secure a vessel, in the event of a storm or other adverse event; or

(c) any damage to a vessel which results from compliance with any directions or instructions given by the Harbourmaster in accordance with his powers under the Act or this Bylaw.

(d) any damage to a vessel which results from the position, lack of maintenance or security of any mooring approved by the Harbourmaster.

44.2 The Council shall not be liable for any damage to a vessel tied to a mooring, whether the damage is caused by a third party, a natural disaster or event, natural processes or by any other cause.

44.3 The Council shall not be liable for any damage to a vessel or mooring caused by any action while enforcing this Bylaw.

44.4 The Council shall not be liable for any damage to a vessel that the Harbourmaster secures or removes under this Bylaw.

45 Commercial vessel and hire operations

45.1 The owner of a vessel that is not subject to any maritime rule made under the Maritime Transport Act 1994 dealing with the operational management of the vessel must not operate that vessel for hire or reward unless it is licensed by the Harbourmaster.

45.2 No person shall operate any commercial vessel for hire or reward or any vessel involved in a commercial operation or any vessel hire operation if, in the opinion of the Harbourmaster, such operation may be deficient in terms of safety or compliance with good practice for such an operation, and the Harbourmaster directs them to cease operating.

46 Application for written approval

46.1 Application to the Harbourmaster for written approval as allowed for under this Bylaw:

(a) may be made by any person; and

(b) shall be made in a form and manner prescribed by the Harbourmaster; and

(c) shall be accompanied by any required fee.

47 Display of documents

47.1 Any licence, authorisation, written approval, permission or exemption required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.

48 Fees and charges

48.1 The fees and charges may be set as part of the Council's Annual Plan for functions undertaken by the Council under this bylaw and must be paid on demand to the Council by the specified person.

48.2 The persons authorised to collect fees and charges shall be the Harbourmaster, ICC in relation to the Bluff Boat Ramp and Trailer Park under Part 9 of this Bylaw or shall be such person as duly authorised by Council resolution.

48.3 No licence, authorisation, written approval, permission or exemption required by this Bylaw shall have effect until any fee required for it has been paid.

49 Recovery of costs where not otherwise specified

49.1 Except as required elsewhere in this Bylaw, any costs incurred by the Harbourmaster in connection with the removal, movement, inspection, securing, storage or disposal of any vessel, mooring, material, thing, cargo or matter, shall, as the circumstances of the case require, be recoverable from one or more of the following persons:

(a) the person who committed the breach of this Bylaw;

(b) the owner of the cargo or any other matter discharged into any waterway;

(c) the owner of the vessel;

(d) the owner of the mooring or mooring permit.

49.2 If a person from whom costs are to be recovered under clause 49.1 cannot be located, or fails to pay for any costs incurred in taking action authorised by this Bylaw, the Harbourmaster may recover costs from the person:

(a) from the sale of the vessel, its mooring, its fittings, equipment and cargo, or of the removed or moved material, thing or matter; or

(b) in any court of competent jurisdiction as a debt due to the Council.

Part 9 Enforcement Powers, Offences, Penalties, Exemptions

50 Compliance with the Bylaws and Maritime Rules

50.1 It is an offence under section 33N of the Act to contravene this Bylaw, which, for the sake of clarity, includes any rules or regulations deemed to form part of this Bylaw under clause 50.2.

50.2 The provisions of any rules or regulations made under the Act:

(a) are deemed to form part of this Bylaw; and

(b) shall be enforceable under this Bylaw unless the rules or regulations specify otherwise; and

(c) shall not be contravened by any person.

50.3 Subject to section 451(7) of the Act, this Bylaw and the requirements imposed by it must be complied with despite any matter being permitted in, or otherwise in compliance with, any rules or regulations.

51 Directions by Harbourmaster or Enforcement Officer

51.1 The Harbourmaster or an enforcement officer may give directions to any person (including any person appearing to be in charge of any vessel or aircraft) in accordance with Section 33F(1)(c) and 33G(c) of the Act for the purpose of implementing this Bylaw.

51.2 Any person to whom a direction is given under clause 51.1 is required to comply with the Harbourmaster's or enforcement officer's directions as soon as is reasonably possible.

52 Obligations of Masters/Owners

52.1 Where any clause in this Bylaw imposes an obligation or duty on the master or person in charge of any vessel, that obligation or duty must, in the case of a vessel that has no master or person in charge, be performed, or carried out by the owner.

53 Offences and penalties

53.1 Any person commits an offence against this Bylaw who contravenes or permits a contravention of this Bylaw.

53.2 Every person who:

(a) commits an offence against this bylaw will be liable under the Act;

(b) commits an infringement offence, set out in any applicable regulations created under the Act is liable to an infringement fee prescribed in the regulations made under this Act.

53.3 If a person is observed committing an infringement offence by the Harbourmaster or an Enforcement Officer, or if the Harbourmaster or Enforcement Officer have reasonable cause

to believe an infringement offence has been committed by that person, an infringement notice in respect of that offence may be served on that person.

54 Inability to comply in extenuating circumstances

54.1 If in the opinion of the Harbourmaster any person is not able to comply with any requirements of this Bylaw through bereavement, ill health or other extenuating circumstances the Harbourmaster may take any necessary action to ensure compliance with the Bylaw until such time as the person or their estate is able to comply with any requirements on their own behalf.

54.2 Any costs incurred by the Harbourmaster in acting on behalf of any person under clause 54.1 shall be recoverable from that person or their estate.

55 Intervention by the Harbourmaster

55.1 In any case where the Harbourmaster is not satisfied adequate precautions have been taken to ensure the health or safety of any person or the public or to avoid damage to any vessel, structure, wharf or the environment, the Harbourmaster may prevent or regulate the activity until the Harbourmaster is satisfied adequate precautions have been taken.

56 Removal of vessel, material, thing, cargo or matter

56.1 In addition to the powers conferred on the Harbourmaster under the Act or any other legislation, rules, or regulations, the Harbourmaster may:

(a) remove or cause to be removed from any public place or any waterway, any vessel, material, thing, cargo or matter actively being used or discharged in breach of this Bylaw; and

(b) dispose of any vessel, material, thing, cargo or matter, if not claimed within a reasonable time; and

(c) recover any costs associated with actions taken under clauses 56.1(a) and (b) of this Bylaw.

57 Exception to compliance with Bylaw

57.1 A person is not in breach of this Bylaw if that person proves that the act or omission was in compliance with the directions of the Harbourmaster, an Enforcement Officer or Constable.

58 Suspension and exemptions from Bylaw

58.1 The Council may, of its own accord, or on application by any person, suspend any provisions of this Bylaw or exempt an activity from the provisions of this Bylaw. The suspension or exemption may be subject to conditions and have effect for the period of time that the

Council considers appropriate. Any suspension or exemption made under this Part must be notified to all interested persons.

58.2 In granting any exemption to any clause of this Bylaw the Council must consider the effects of the exemption on public safety.

58.3 The Council may revoke any exemption at any time the Council has reason to believe public safety has been, is being, or may be, adversely affected, or any terms of the exemption may have been, are being, or may be breached.

Part 10 Savings and transitional provisions

59 Savings and transitional provisions

59.1 The Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) continues to apply in its entirety until this Bylaw comes into force.

59.2 Any resolution or other decision made under the Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) remains in force in the area to which it applied until revoked or replaced by an equivalent resolution or decision made by the Harbourmaster under this Bylaw.

59.3 Any approval (for example, licence, permit or exemption) made under the Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) continues to apply until the expiration date in that approval or until it is reviewed, suspended, withdrawn or revoked by the Harbourmaster.

59.4 Any application for a licence, permit, exemption or permission or other form of decision under Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) that was not approved or declined before the date when this Bylaw comes into force, will continue to be processed as if it had been applied for under this Bylaw.

59.5 Any compliance or enforcement action by Council under the Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) that was not completed prior to when this Bylaw comes into force will continue to be actioned under the Southland Regional Council Navigation Safety Bylaws 2009 (amended 2015) as if it were still in force and as if this Bylaw had not been made.

Schedule 1: Coastal waters – reserved and restricted use areas

Readers' guide for Schedule 1

Table 2 identifies those coastal areas, or parts thereof that the Council has reserved or restricted pursuant to clause 13, or for which speed restrictions have been uplifted under clause 20.

Relevant schedules include location-specific conditions of use, which are regulatory provisions pursuant to this Bylaw. Breaches of these conditions could result in enforcement action. Any clauses contained in these schedules must be read in conjunction with all other clauses in this Bylaw.

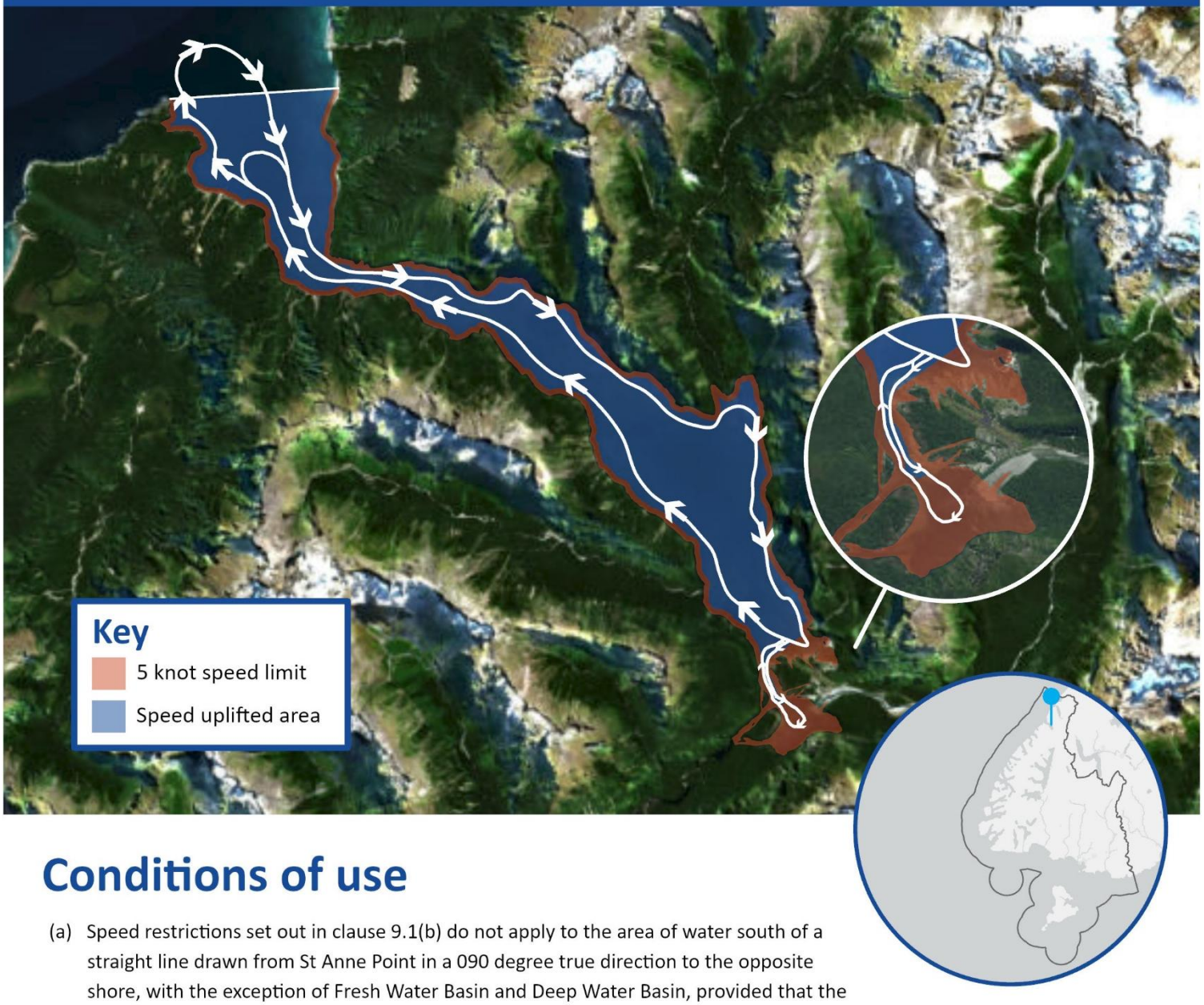
***Note:** The maps contained in this schedule are indicative only. Reserved areas may be demarcated through the placement of markers. If there is any inconsistency between the markers and maps identifying areas, the location demarcated by markers prevail.*

Table 2: Coastal areas reserved or restricted for maritime safety and speed uplifted areas

Type	Location	Map	Page
Speed uplifted area	Piopiotahi/Milford Sound	1.1	35
	Riverton Harbour/Aparima	1.4	38
	Jacobs River Estuary	1.5	39
	Toetoes Harbour	1.8	42
Restricted use – speed	Piopiotahi/Milford Sound	1.1	35
	Patea/Doubtful Sound	1.2	36
	Riverton Harbour/Aparima	1.4	38
	Porpoise Bay	1.10	44
Restricted use – personal watercraft prohibited	Ōraka/Colac Bay	1.3	37
	Taramea Bay	1.6	40
	Oreti Beach	1.7	41
	Porpoise Bay	1.9	43
	Horseshoe Bay	1.11	45
	Halfmoon Bay	1.12	46
	Whaka a Te Wera/Paterson Inlet	1.13	47

Milford Sound/Piopiotahi

Schedule 1
Map 1.1



Conditions of use

(a) Speed restrictions set out in clause 9.1(b) do not apply to the area of water south of a straight line drawn from St Anne Point in a 090 degree true direction to the opposite shore, with the exception of Fresh Water Basin and Deep Water Basin, provided that the person in charge:

(i) is operating beyond 100 metres from the shore; and
(ii) proceeds in a clockwise direction as shown in Map 1.1; and
(iii) operates the vessel at a proper speed no greater than 15 knots.

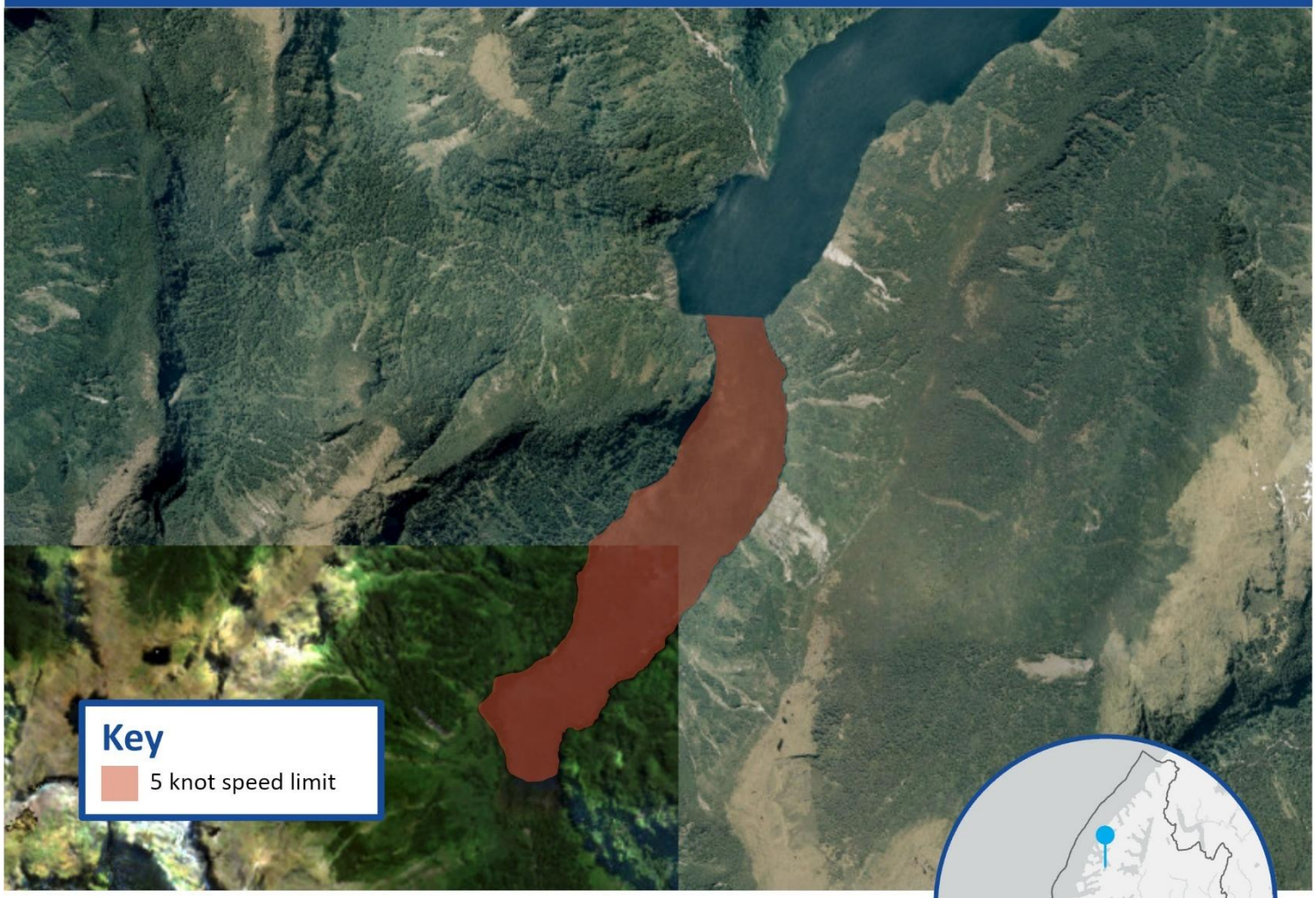
(b) Speed restrictions set out in clauses 9.1, 9.2 and 9.3 apply in all parts of Deep Water Basin in the area of water within a straight line running from the mouth of the Arthur River at 44° 40′.70S 167° 54.80 to the westernmost point of the jetties at 44° 40′.60S 167° 55.11, including those areas that are beyond 200 metres of the shore or of any structure.

(c) Users of Fresh Water Basin must:

(i) comply with this Bylaw and the Fresh Water Basin Harbour Rules prepared and updated by Milford Sound Tourism Limited; and
(ii) exit via the southern side of the fiord to the sea, and back via the northern side as shown in Map 1.1.

Doubtful Sound/Patea

Schedule 1
Map 1.2

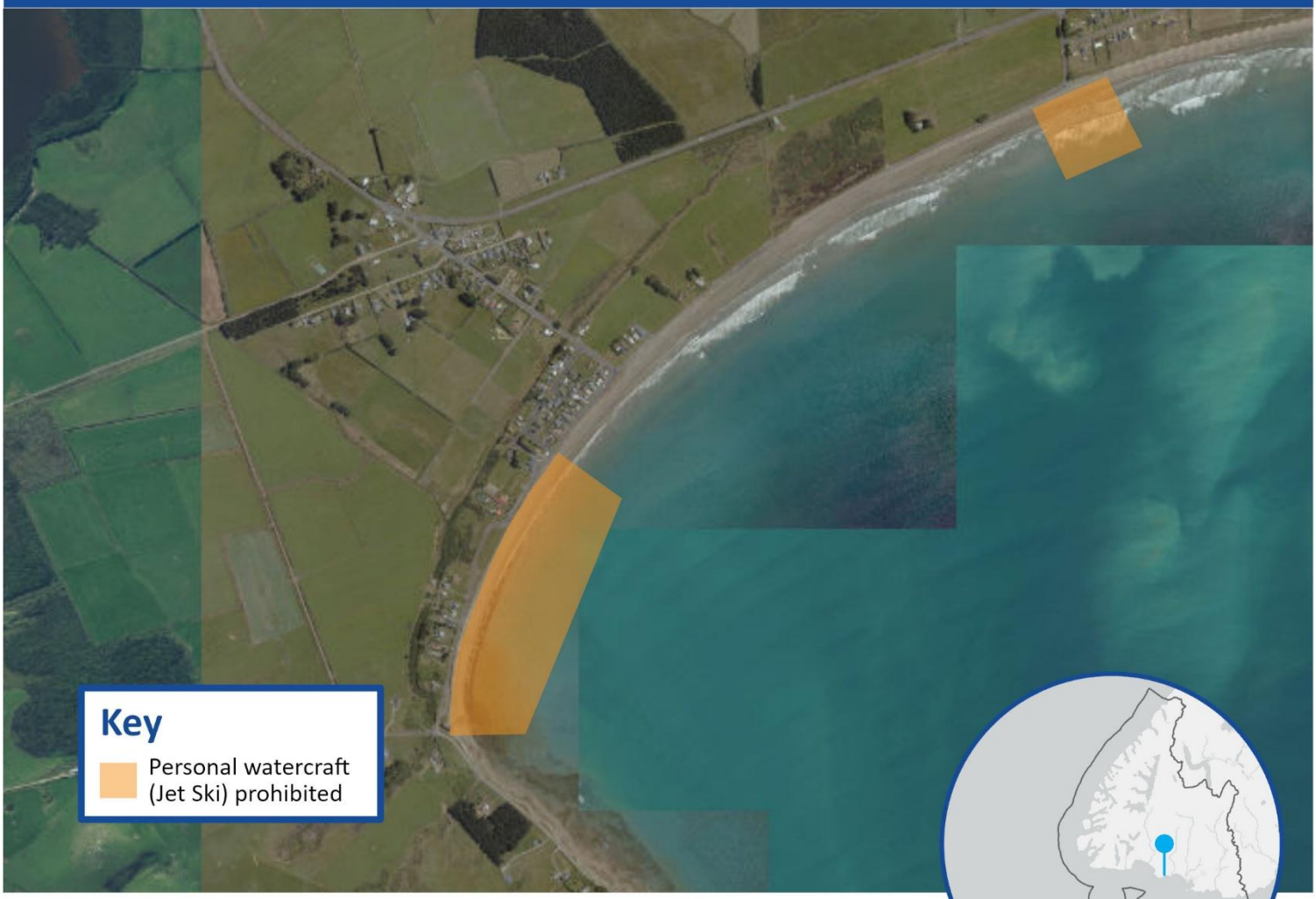


Conditions of use

(a) The operation of any vessel in Hall Arm, Doubtful Sound/Patea, southwest of the Narrows at more than 5 knots is prohibited.

Colac Bay/Ōraka

Schedule 1
Map 1.3



Conditions of use

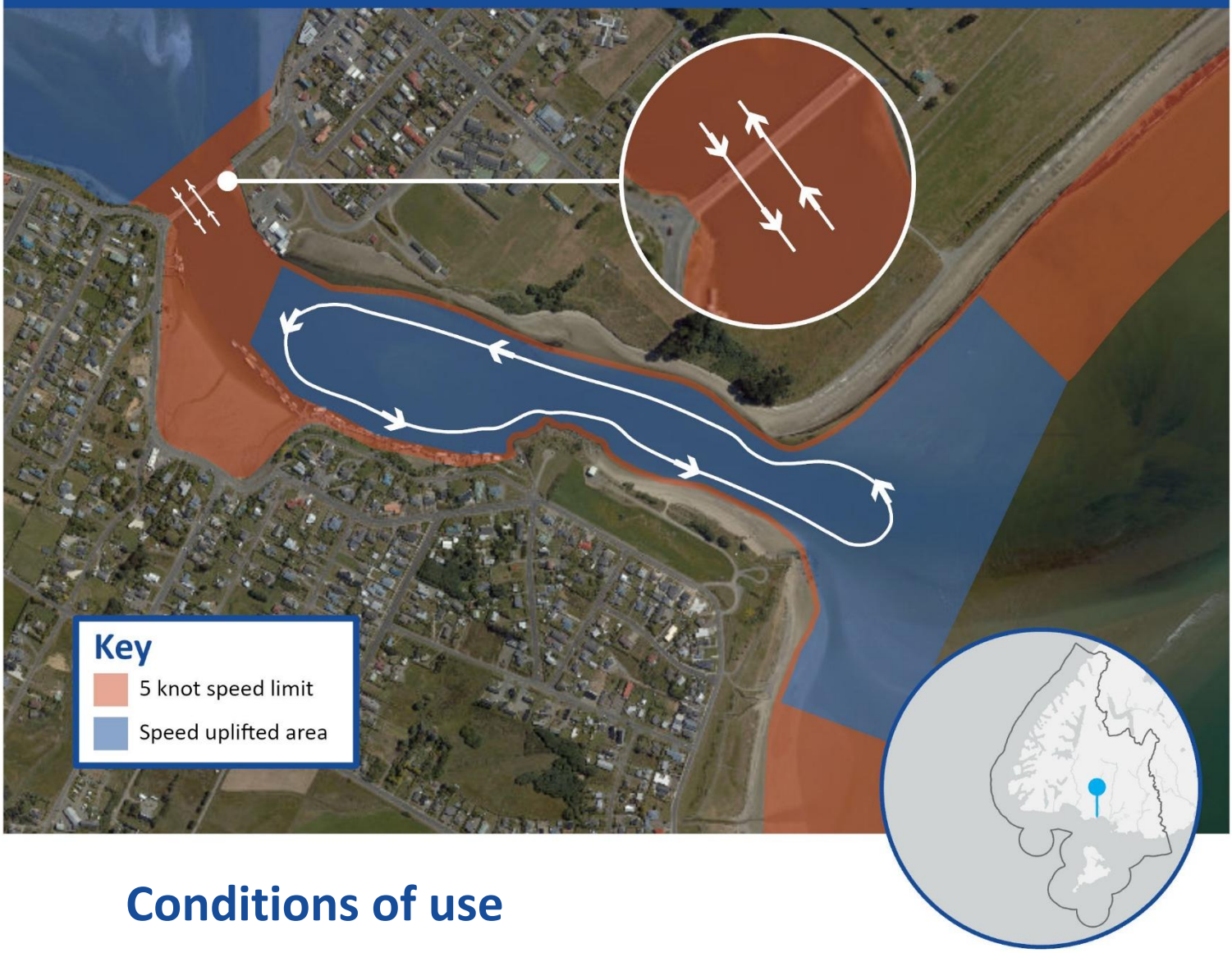
(a) The operation of personal watercraft (Jet ski) within 200 metres of the shore is prohibited within:

(i) the area from the mouth of Huraki Creek to a line opposite the northeastern boundary of the street called “Wild Court“; and

(ii) the area within 100 metres east and 100 metres west of the local structure known as the “Surfers Shed“ (which is situated at the right angled corner on the Colac Bay Foreshore Road).

Riverton Harbour/Aparima

Schedule 1
Map 1.4



Conditions of use

(a) Speed restrictions set out in clause 9.1(a) and (b) do not apply to the area of water adjacent to the Riverton Coastguard Station, within 10 m of the shore and bounded by a line from the north end of long wharf to the south end of the co-op wharf, provided that the person in charge:

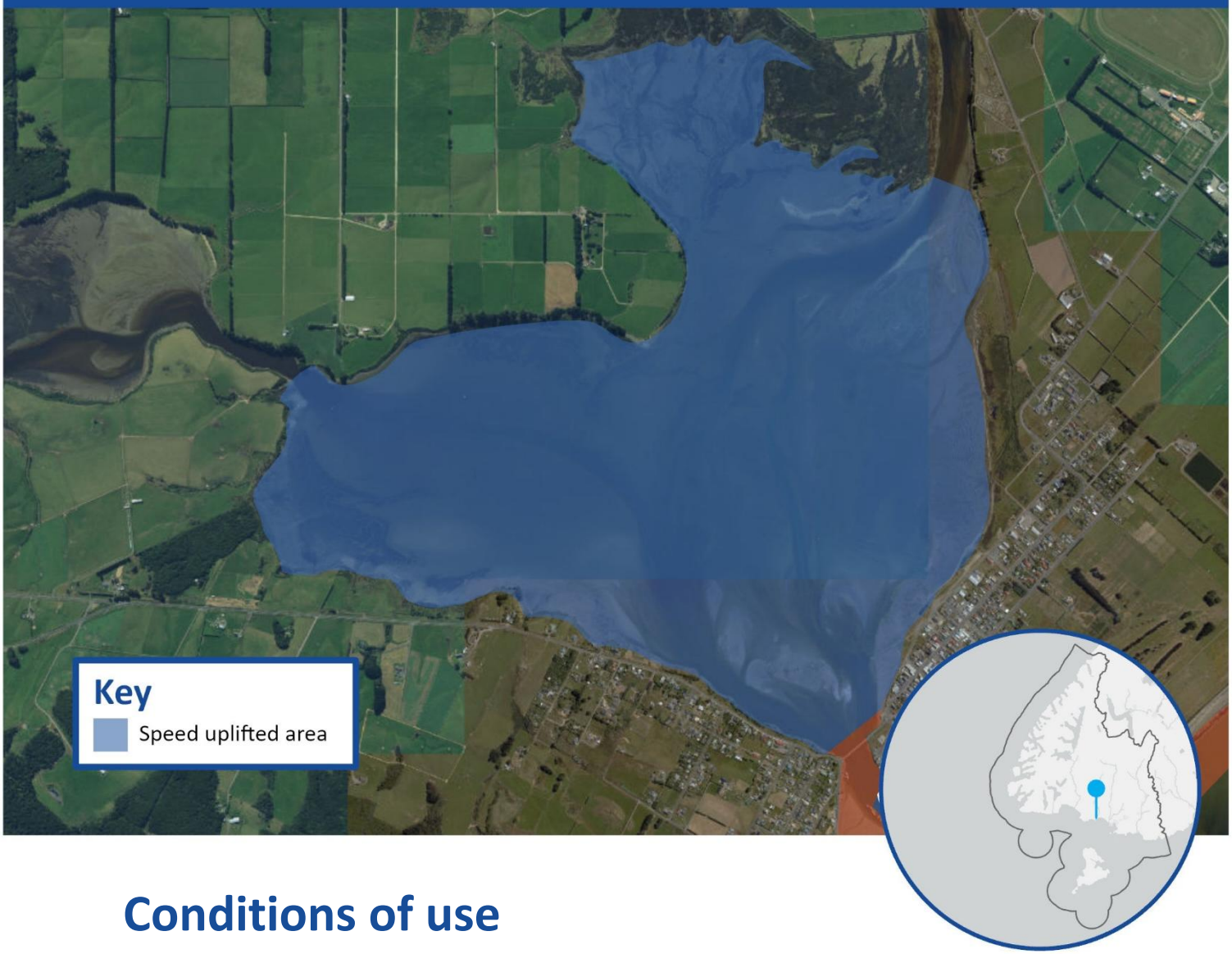
(i) proceeds in an anti-clockwise direction as shown in Map 1.4; and

(ii) recognises that larger vessels (such as commercial fishing vessels) entering or leaving the harbour are considered "Vessel constrained by its draught" (regardless of whether it is showing the lights or shapes prescribed in any Maritime Rule and that all other vessels shall not impede their safe passage.

(b) The person in charge of a vessel intending to pass under Riverton bridge shall only do so in the areas marked by signs on the bridge as safe for navigation in that direction as shown in Map 1.4.

Jacobs River Estuary

Schedule 1
Map 1.5



Conditions of use

(a) Speed restrictions set out in clause 9.1(a) and (b) do not apply to the waters of Jacobs River Estuary 50 metres above Riverton bridge as shown in Map 1.5.

Taramea Bay

Schedule 1
Map 1.6



Conditions of use

(a) Except for passage through at a speed that does not exceed 5 knots, the operation of personal watercraft (Jet ski) is prohibited within:

(i) the area 200 metres from the shore at Taramea Bay as shown in Map 1.6.

Oreti Beach

Schedule 1
Map 1.7



Conditions of use

(a) The operation of personal watercraft (Jet ski) is prohibited within:

(i) the area 200 metres seaward of the Oreti Beach shoreline, between a point 200 metres north of Dunns Road to 400 metres south of Dunns Road. The seaward northern and southern boundaries will be measured perpendicular to the shoreline.

Toetoes Harbour

Schedule 1
Map 1.8

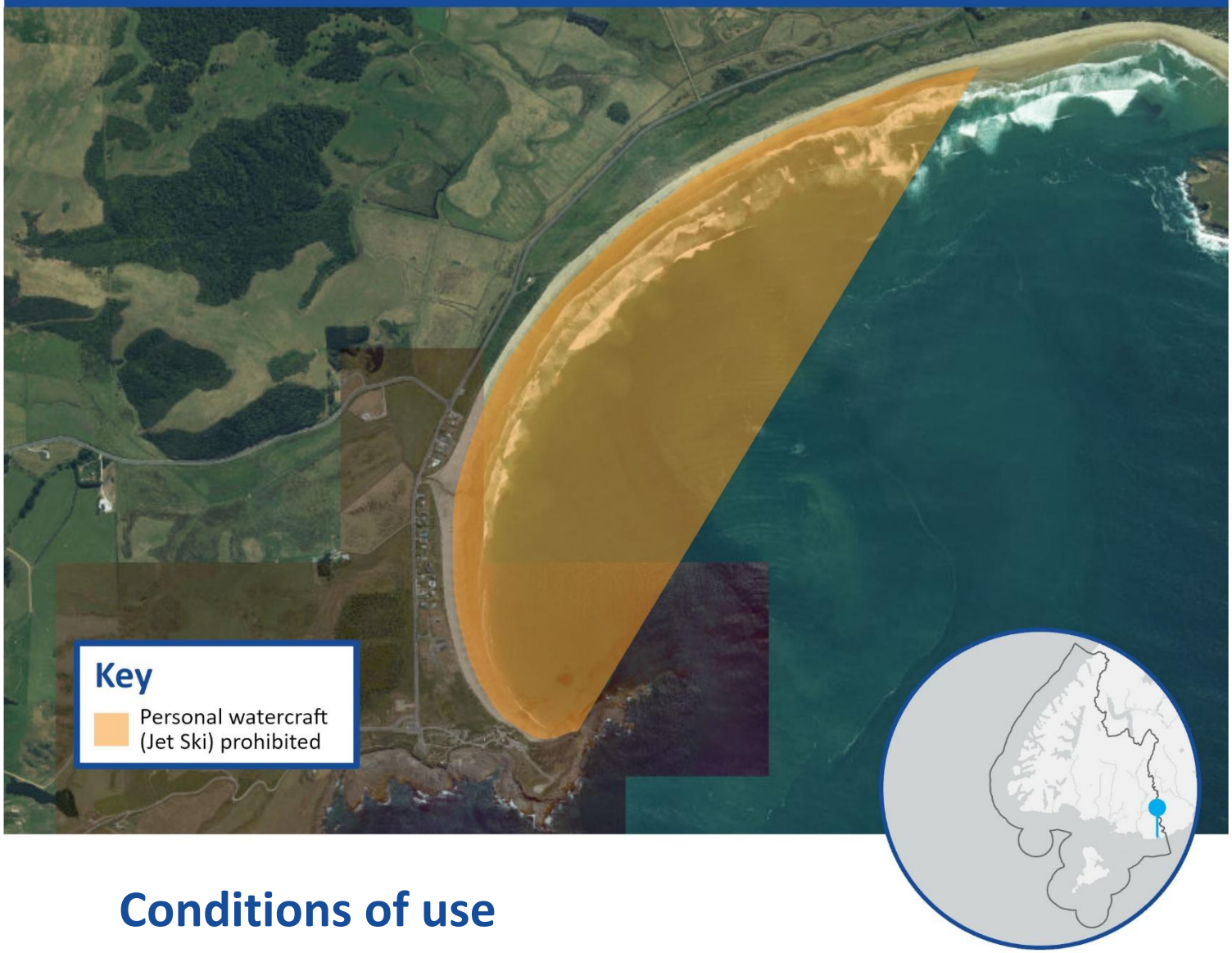


Conditions of use

(a) Speed restrictions set out in clause 9.1(a) and (b) do not apply to all of the waters of Toetoes Harbour, but excluding the waters of the Titiroa Stream.

Porpoise Bay A

Schedule 1
Map 1.9



Conditions of use

(a) The operation of personal watercraft (Jet ski) is prohibited within:

(i) the area enclosed by a line from South Head to Map Reference NZMS 260-G47 2213583E, 5389775N.

Porpoise Bay B

Schedule 1
Map 1.10

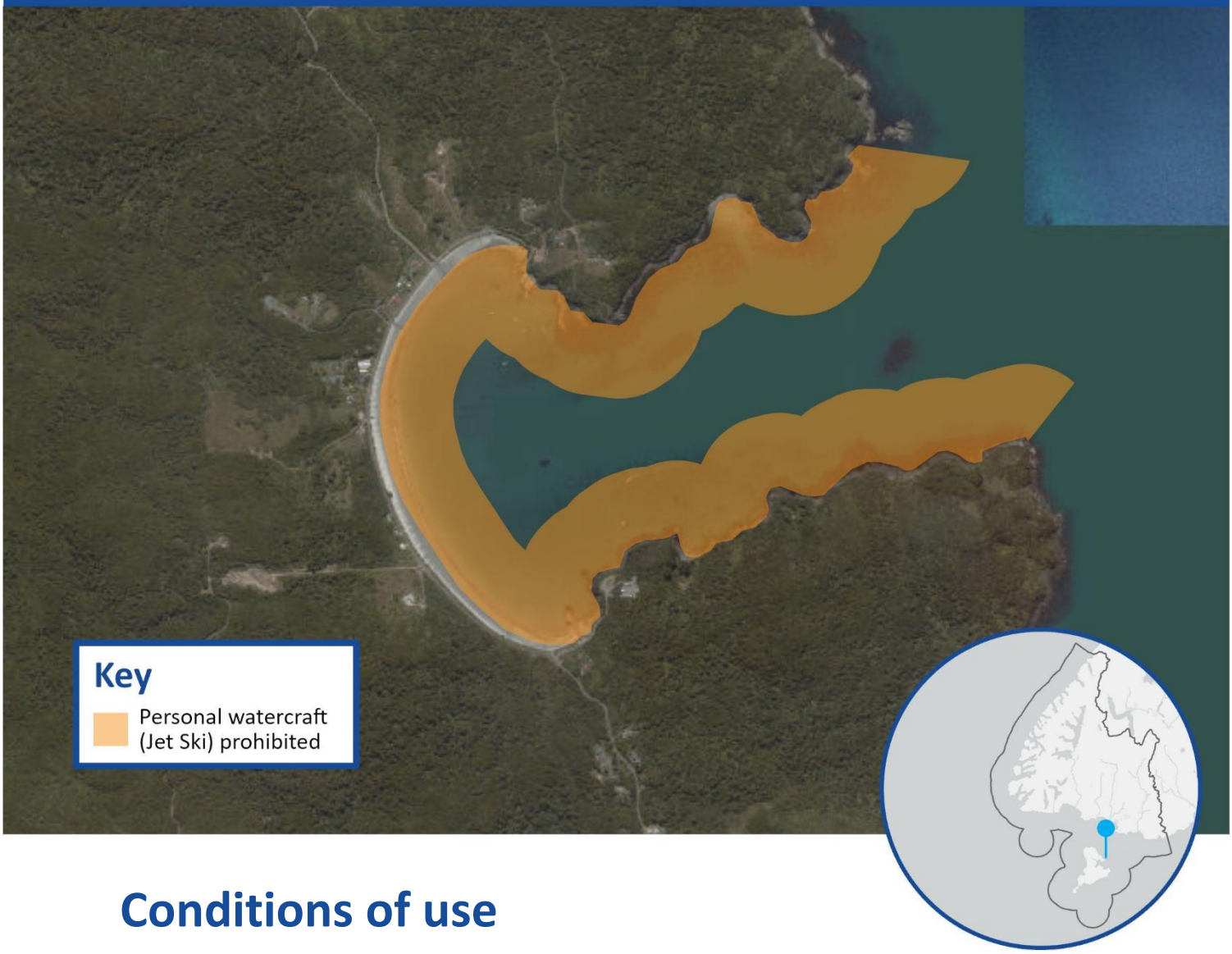


Conditions of use

(a) The operation of power-driven vessels at Porpoise Bay in the area enclosed by a line from South Head to Map Reference NZMS 260-G47 2213583E, 5389775N at more than 5 knots is prohibited.

Horseshoe Bay

Schedule 1
Map 1.11



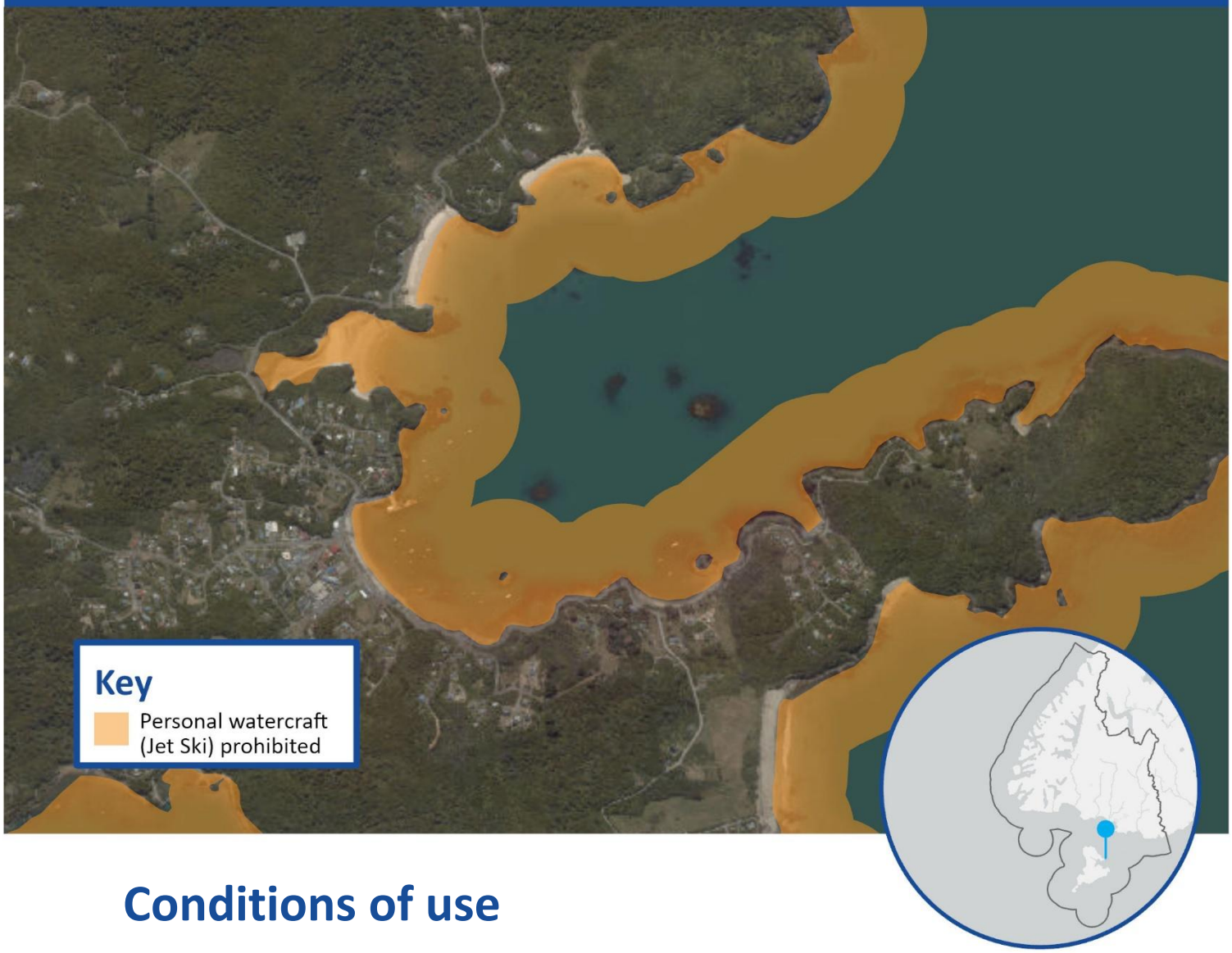
Conditions of use

(a) Except for passage through at a speed that does not exceed 5 knots, the operation of personal watercraft (Jet ski) is prohibited within:

(i) the area 200 metres from the shore at Horseshoe Bay as shown in Map 1.11.

Halfmoon Bay

Schedule 1
Map 1.12



Conditions of use

(a) Except for passage through at a speed that does not exceed 5 knots, the operation of personal watercraft (Jet ski) is prohibited within:

(i) the area 200 metres from the shore at Halfmoon Bay as shown in Map 1.12.

Paterson Inlet/Whaka a Te Wera

Schedule 1
Map 1.13



Conditions of use

(a) Except for passage through at a speed that does not exceed 5 knots, the operation of personal watercraft (Jet ski) is prohibited within:

(i) the area 200 metres from the shore at Paterson Inlet/Whaka a Te Wera as shown in Map 1.13.

Schedule 2: Inland waters – reserved and restricted use areas

Readers' guide for Schedule 2

Table 3 identifies those rivers and lakes, or parts thereof that the Council has reserved or restricted or pursuant to clause 13, or for which speed restrictions have been uplifted under clause 20.

Relevant schedules include location-specific conditions of use, which are regulatory provisions pursuant to this Bylaw. Breaches of these conditions could result in enforcement action. Any clauses contained in these schedules must be read in conjunction with all other clauses in this Bylaw.

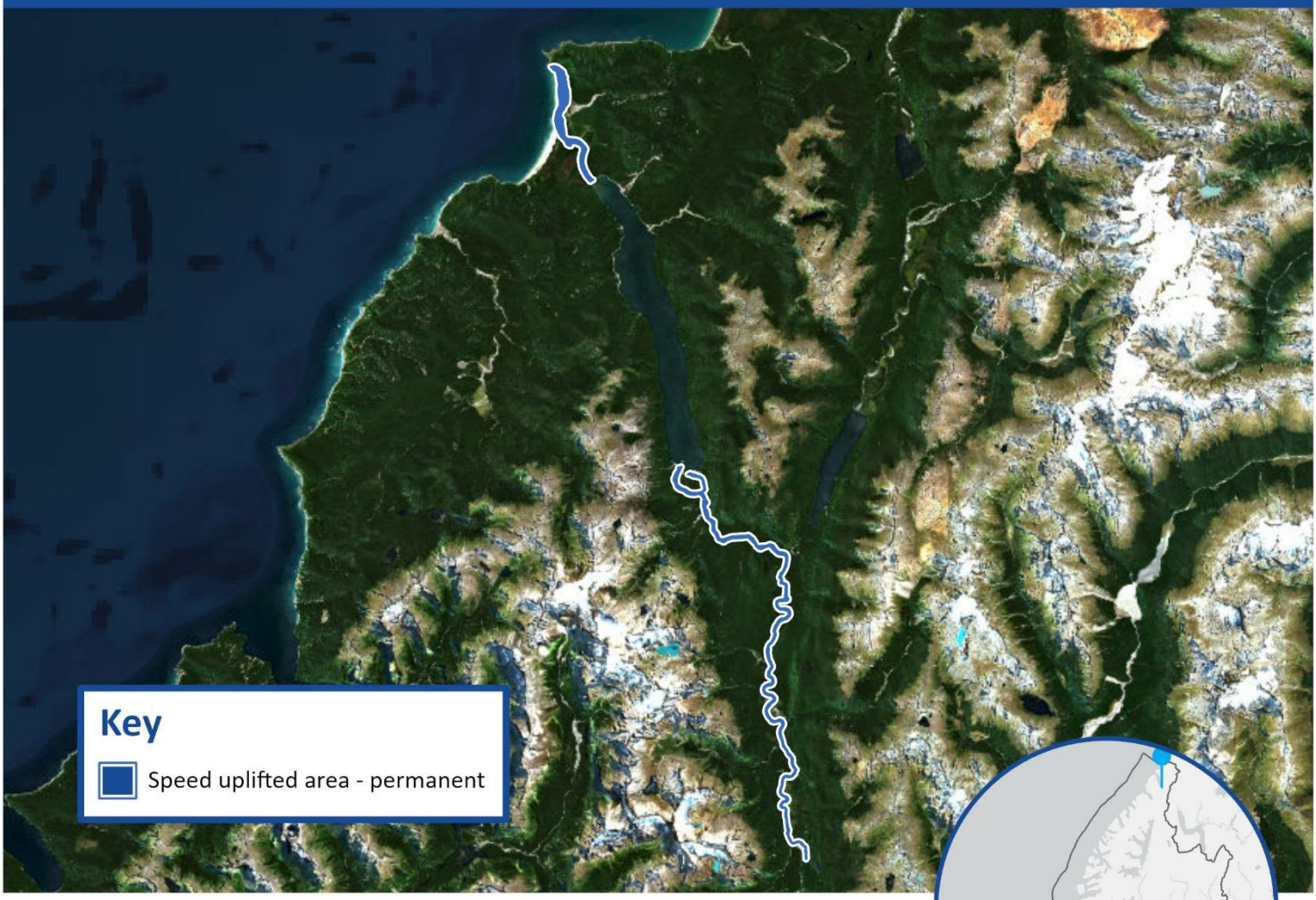
Note: *The maps contained in this schedule are indicative only. Reserved areas may be demarcated through the placement of markers. If there is any inconsistency between the markers and maps identifying areas, the location demarcated by markers prevail.*

Table 3: River and lake areas reserved or restricted for maritime safety and speed uplifted areas

Type	Location	Map	Page
Speed uplifted areas	Hollyford River/Whakatipu Kā Tuka	2.1	49
	Pyke River	2.2	50
	Waiau River	2.6	55
	Mararoa River	2.7	56
	Wairaurahiri River	2.8	57
	Pourakino River	2.9	58
	Aparima River	2.10	59
	Ōreti River	2.11	60
	Lower Ōreti River	2.12	61/62
	Mataura River	2.13	63
	Waikaia River	2.14	64
	Freshwater River	2.15	65
	Rakeahua River	2.16	66
Areas reserved for specific activities	Lower Ōreti River	2. 12	61/62
Restricted use – personal watercraft (Jet ski) and hovercraft prohibited	Mavora Lakes	2.4	53
Access lanes	Lake Te Anau	2.3	51/52
	Lake Manapōuri	2.5	54
Areas reserved for swimming or passive recreation	Lake Te Anau	2.3	51/52
	Mavora Lakes	2.4	53

Hollyford River/Whakatipu Kā Tuka

Schedule 2
Map 2.1

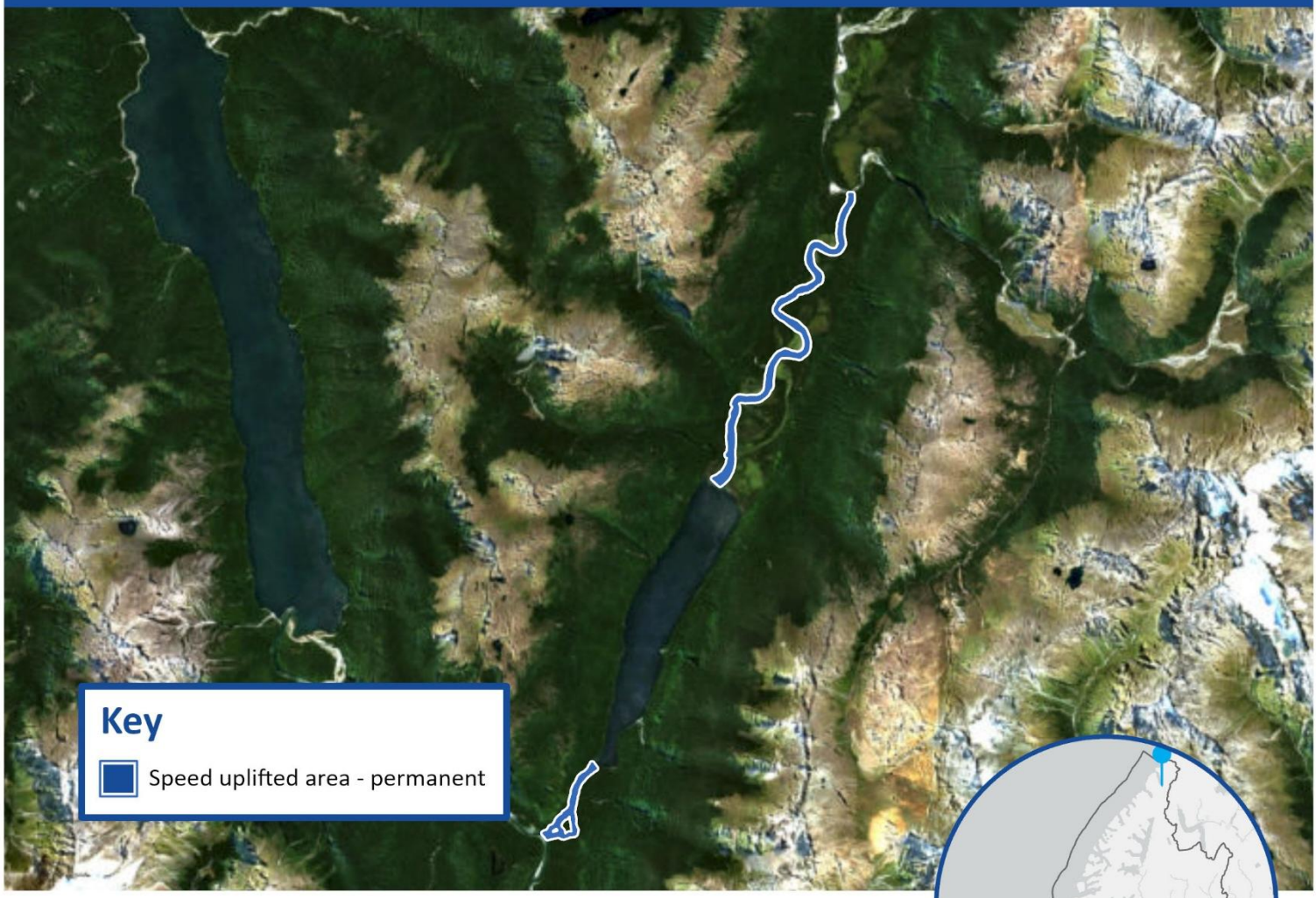


Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Hollyford River/Whakatipu Kā Tuka from its confluence with the Humboldt Creek to the sea, excluding Lake McKerrow/ Whakatipu Waitai.

Pyke River

Schedule 2
Map 2.2

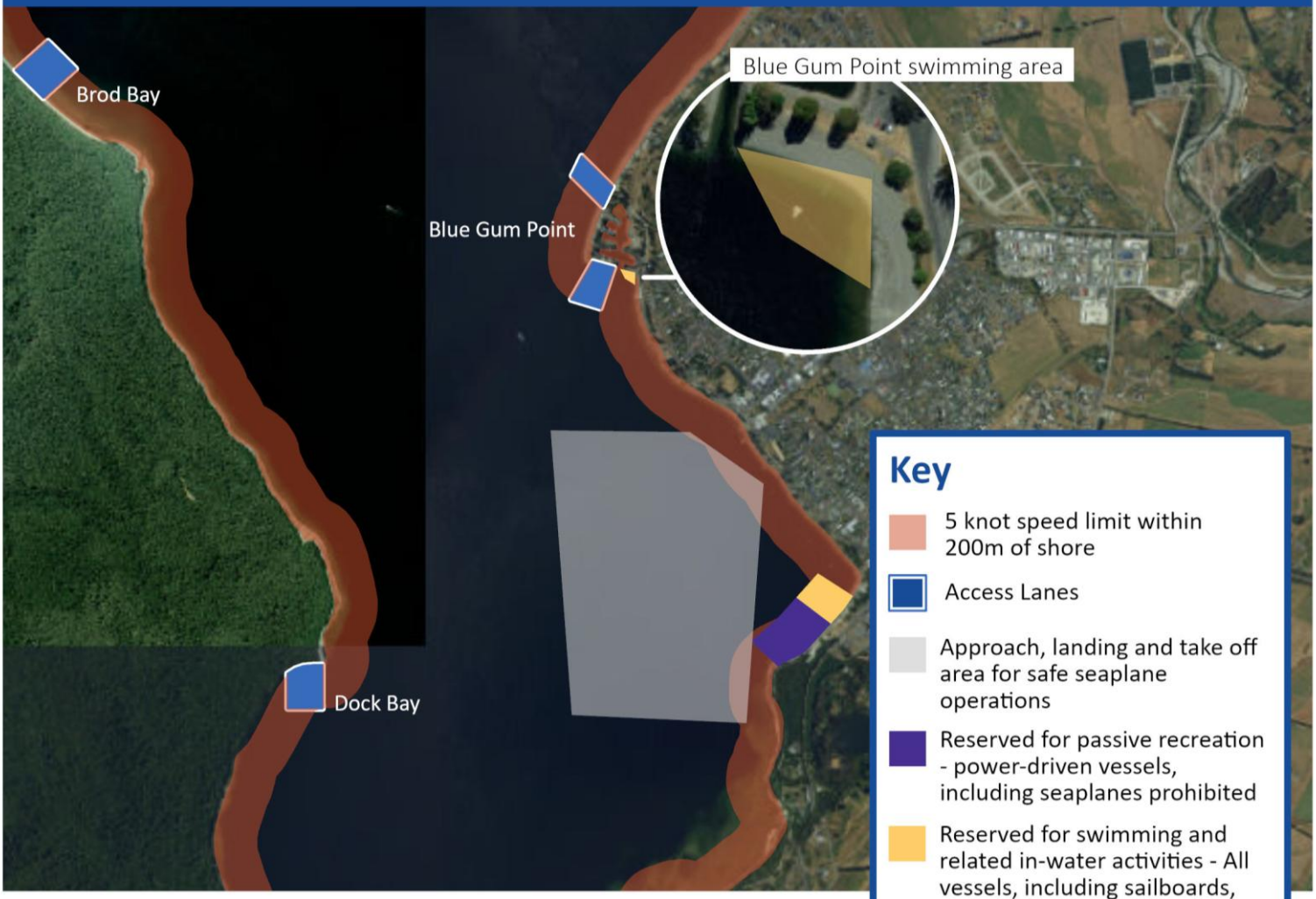


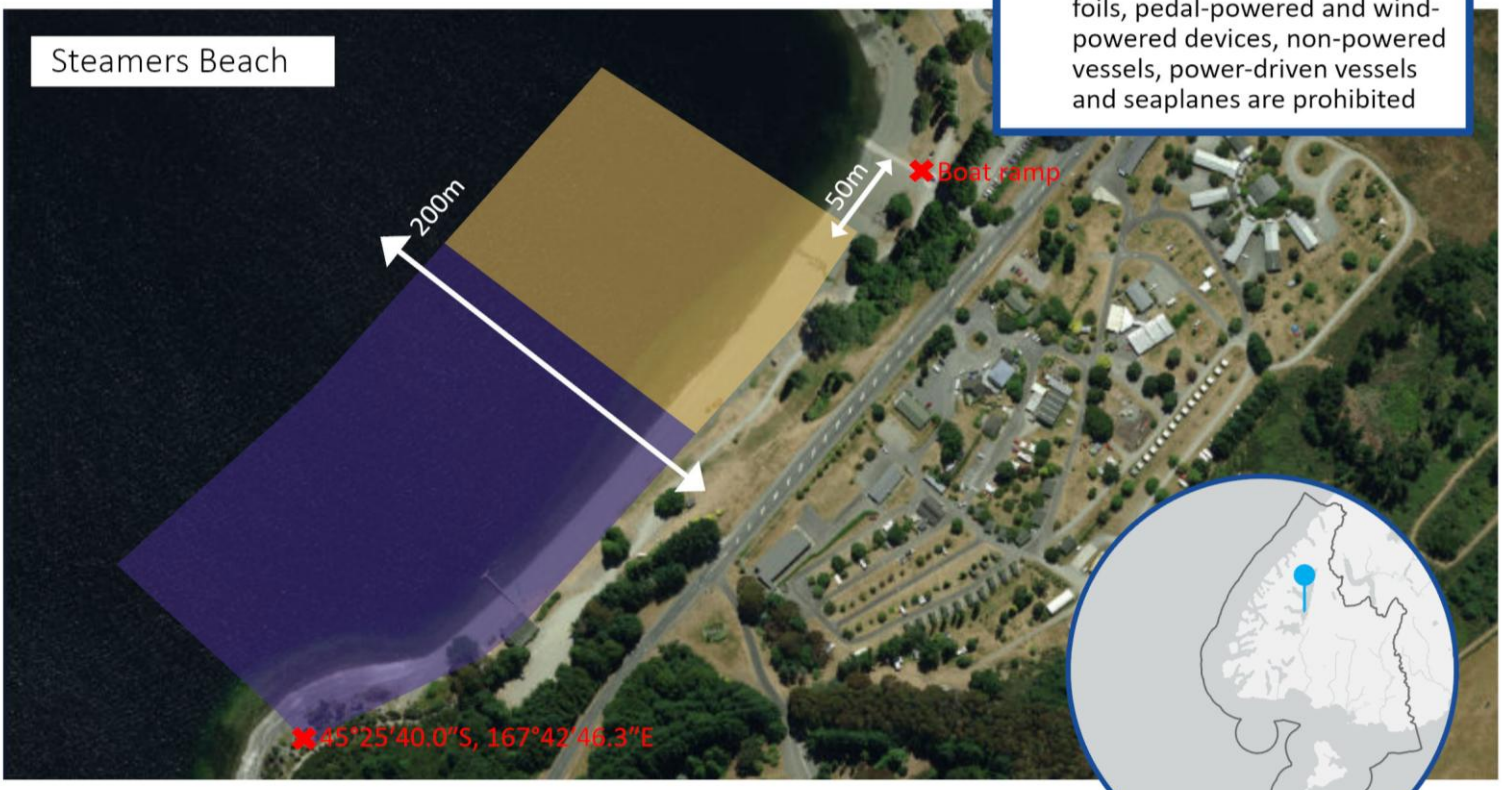
Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of Pyke River from its confluence with the Olivine Branch to its confluence with the Hollyford River/Whakatipu Kā Tuka, excluding Lake Alabaster/Wāwāhi Waka.

Lake Te Anau

Schedule 2
Map 2.3





Conditions of use

(a) The areas designated as an access lane in Map 2.3 is reserved for the launching and operation of motorised craft pursuant to clause 16.

(b) Speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated access lanes:

(i) at Bluegum Point extending 200 m from the water's edge, bounded by lines whose shore ends are 100 m apart, the eastern boundary commencing 20 m westward of the western side of the boat harbour entrance and extending in a 194° 20' true direction and the north-western boundary extending in a 252° 30' direction;

(ii) 200 metres northeast of Bluegum Point, extending 200 metres from the water's edge, bounded by parallel lines 100 m apart, the southern boundary commencing at 2095660E 5519970N and extending in a 315° true direction from the lake shore;

(iii) at Brod Bay extending 200 m from the water's edge bounded by parallel lines 180 m apart, extending in a 46° true direction, the eastern boundary commencing 130 m north-west from where Ernie's Creek touches the shore;

(iv) at Dock Bay extending 200 m from the water's edge, bounded by parallel lines 160 m apart, the eastern boundary extending in a 165° true direction from a point on the lake shore 210 m west of Dock Bay Point.

(c) The access lanes can be identified by orange posts with horizonal black bands on shore.

(d) All that area east of the Blue Gum Point harbour entrance as shown on Map 2.3 is reserved for swimming and related in-water activities pursuant to clause 13.1. All vessels, including sailboards, foils, pedal-powered and wind-powered devices, non-powered vessels, power-driven vessels, and seaplanes are prohibited.

(e) All that area of Steamers beach, extending 200 metres lakeward from the shore, from a point 50 metres west of the boat ramp and continuing a further 150 metres west along the shoreline as shown on Map 2.3, is reserved for swimming and related in-water activities pursuant to clause 13.1. All vessels, including sailboards, foils, pedal-powered and wind-powered devices, non-powered vessels, power-driven vessels and seaplanes are prohibited.

(f) All that area of Steamers beach, extending 200 metres lakeward from the shore, bounded to the east by the western boundary of the area reserved for swimming described in Condition of use (e), and to the west by a line extending lakeward from the point on the shore at 45°25'40.0"S, 167°42'46.3"E, as shown on Map 2.3, is reserved for passive recreation pursuant to clause 13.1. Power-driven vessels, including seaplanes are prohibited.

(g) The person in charge of a vessel carrying out a support function in accordance with clause 15.5 within the area reserved for passive recreation described in Condition of use (f) must:

(i) operate at the minimum speed reasonably necessary to perform their support function and must not create unnecessary wake or cause a hazard or avoidable risk of harm to other water users; and

(ii) leave the area by the shortest safe route as soon as their support function has ended.

(h) Nothing in clause 15.5 permits the use of power-driven vessels within the passive recreation area for general recreation, transport, passenger pick-up or drop-off, anchoring, mooring, or any other activity that is not reasonably necessary to carry out the vessel's active support function.

Explanatory note: *For the purposes of Condition of use (d) and (e), "related in-water activities" means activities directly associated with swimming, including the use of swimming aids, boogie boards and inflatable recreational devices.*

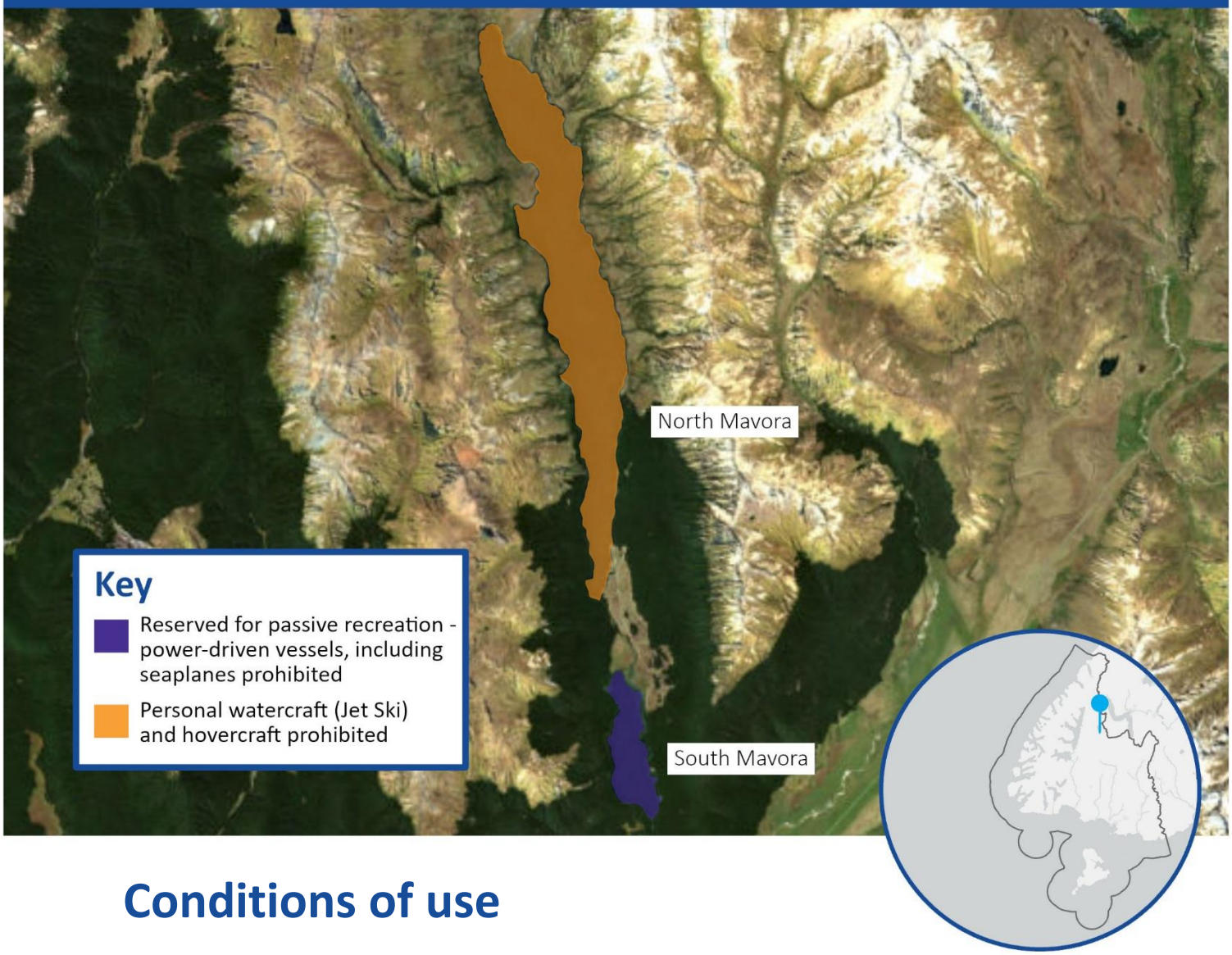
Advisory note

(a) Due to the nature of the surrounding area, vessels may occasionally be parked within the access lane at Bluegum Point near the harbour entrance described in (b)(i).

(b) Water users are advised to exercise caution and be aware of vessels that may not be actively engaged in towing or water sports.

Mavora Lakes

Schedule 2
Map 2.4



Conditions of use

(a) The operation of personal watercraft (Jet ski) and hovercraft on North Mavora Lake is prohibited.

(b) South Mavora Lake is reserved for passive recreation pursuant to clause 13.1. Power-driven vessels, including seaplanes are prohibited.

Lake Manapōuri

Schedule 2
Map 2.5



Conditions of use

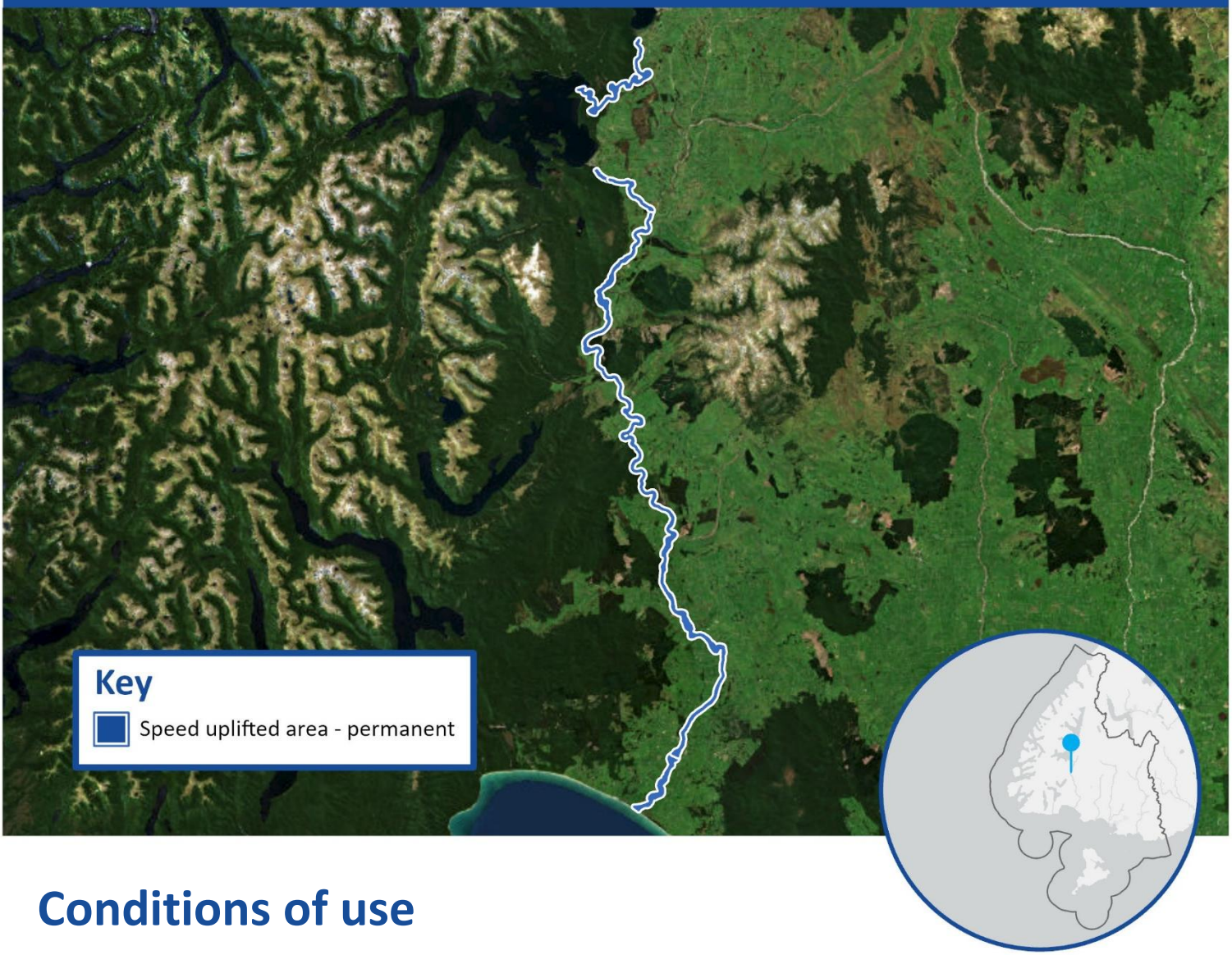
(a) The area designated as an access lane in Map 2.5 is reserved for the launching and operation of motorised craft pursuant to clause 16.

(b) Speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated access lane along the western end of Frasers Beach within 200 metres of the edge of the water and bounded by parallel lines 155 metres apart.

(c) The access lane cane be identified by orange posts with horizontal black bands on shore.

Waiau River

Schedule 2
Map 2.6



Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply between sunrise and sunset to the designated speed uplifted area of the Waiau River from 1.6 kilometres downstream of Lake Te Anau to Lake Manapōuri.

(b) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Waiau River from Home Creek to its confluence with the Mararoa River.

(c) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Waiau River from the Manapōuri Lake Control Structure to the sea.

Mararoa River

Schedule 2
Map 2.7



Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Mararoa River from the Mararoa Road Bridge downstream to its confluence with the Waiau River between:

(i) 1 June to 30 September inclusive of each year.

Wairaurahiri River

Schedule 2
Map 2.8



Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of Wairaurahiri River from its source to the sea.

Pourakino River

Schedule 2
Map 2.9



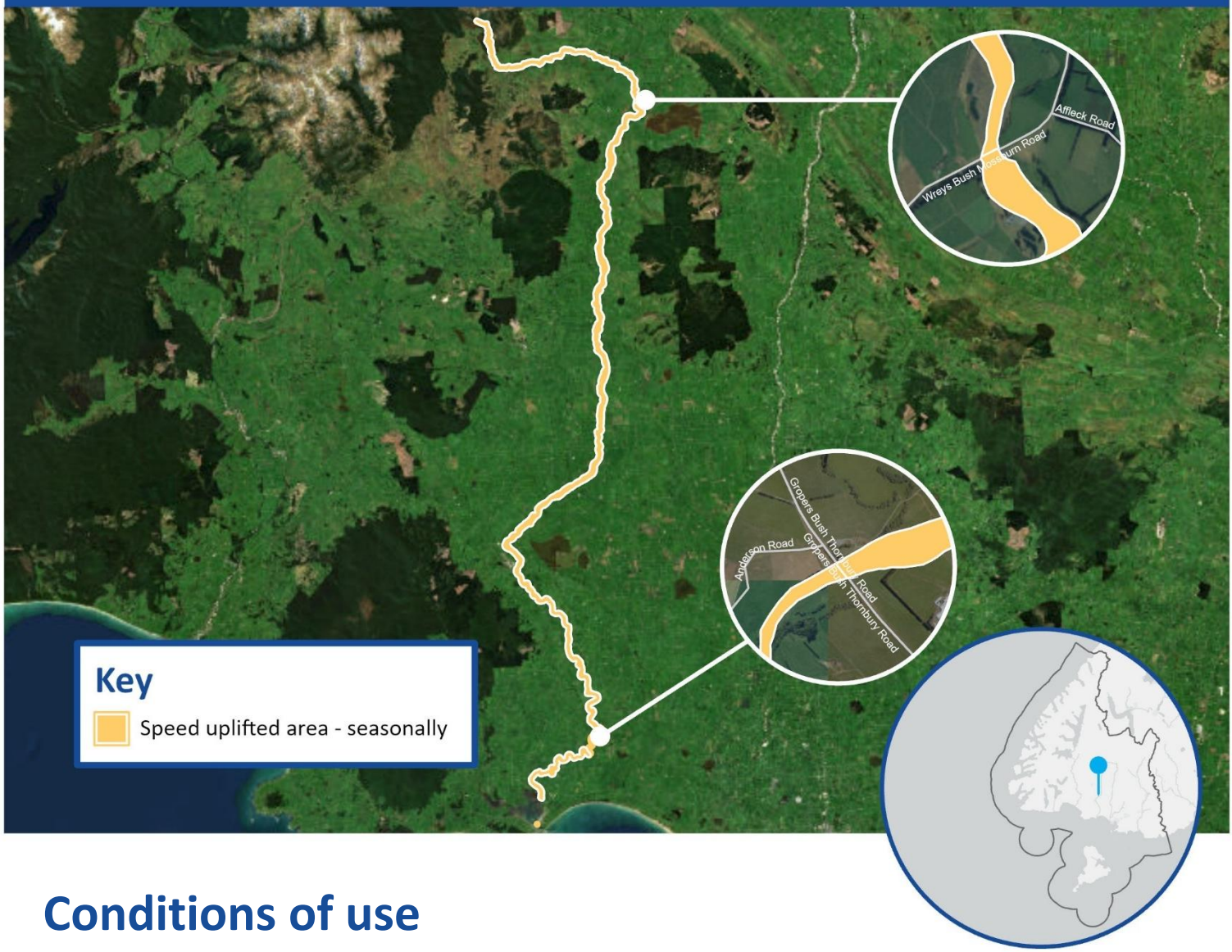
Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Pourakino River from its source to the mouth of the river at the Jacobs River Estuary, being an inner harbour limit of Riverton Harbour/Aparima between:

(i) 1 November of any year to 30 April of the following year; and
(ii) 1 July to 31 August inclusive of each year.

Aparima River

Schedule 2
Map 2.10



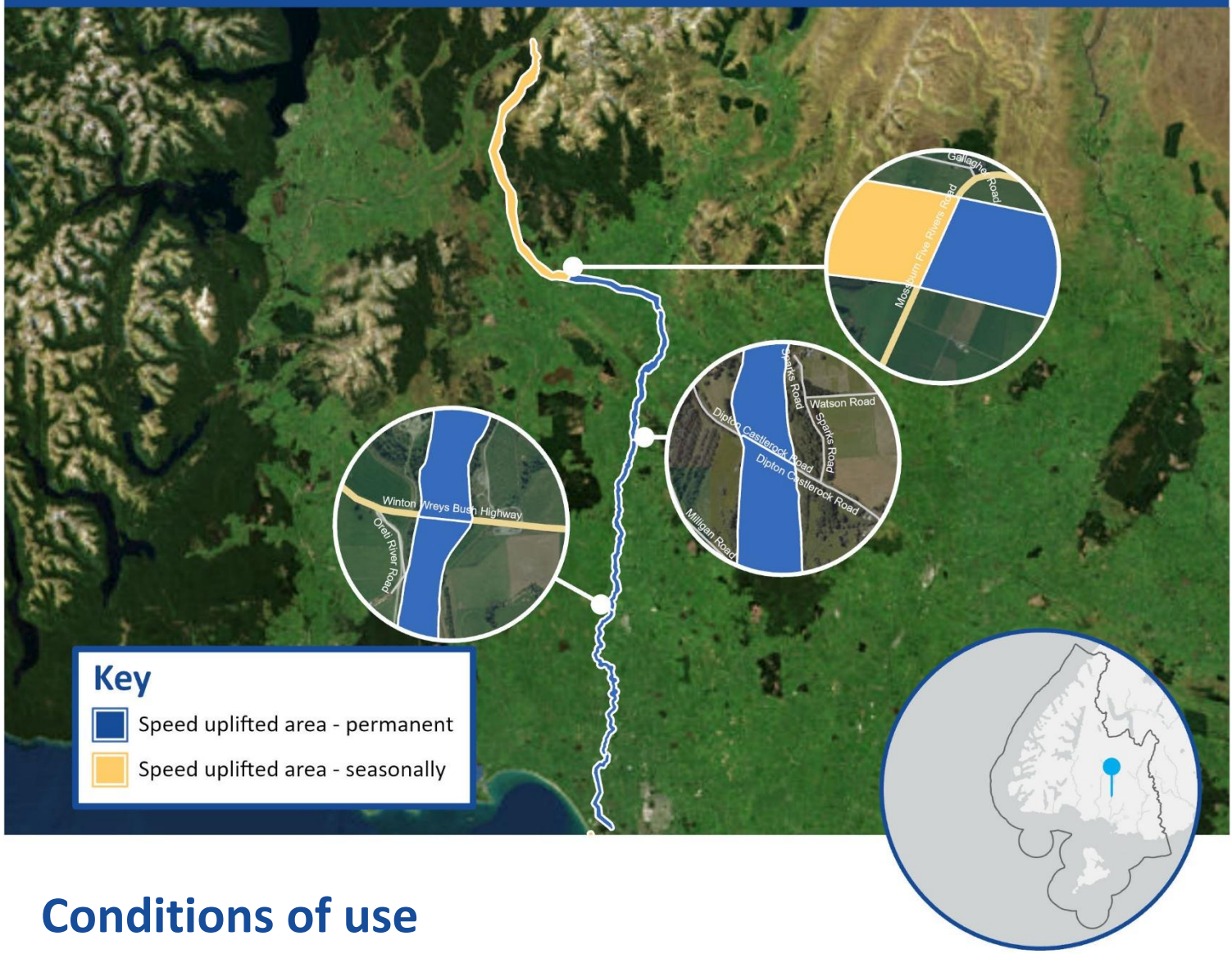
Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Aparima River from Aparima Huts downstream to Jacobs River Estuary between:

(i) 1 June to 30 September inclusive of each year.

Ōreti River

Schedule 2
Map 2.11



Conditions of use

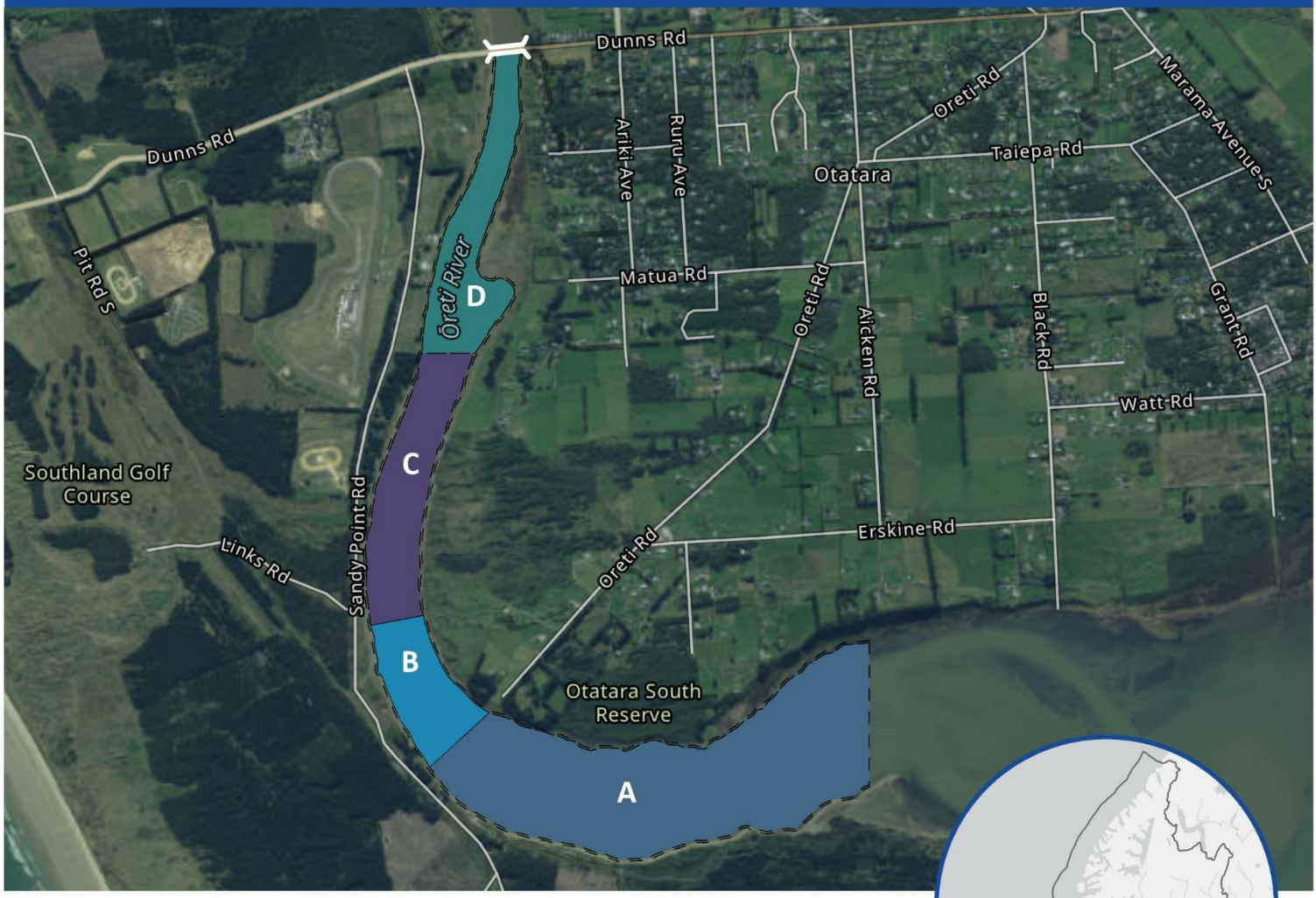
(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Ōreti River from the Mount Nicholas Road Bridge downstream to the State Highway 97 bridge, near Mossburn between:

(i) 1 June to 30 September inclusive of each year.

(b) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Ōreti River from the State Highway 97 bridge, near Mossburn downstream to 50 metres above the Dunns Road bridge.

Lower Ōreti River

Schedule 2
Map 2.12



Key

10 metre line

Zone A: Mixed-use
all the waters of the Ōreti River downstream of zone B, to the south boundary of the river.

Zone B: Personal watercraft (Jet ski)
all the waters of the Ōreti River between the following boundaries:
Northern Boundary – a line due east of the marker C/B to the opposite bank of the Ōreti River.
Southern Boundary – a line extending in a north-easterly direction from the Marker B/A to the opposite bank of the Ōreti River.

Zone C: Rowing
all the waters of the Ōreti River southward of the D/C zone markers drawn in an east-west direction running from the western boundary marker to the eastern boundary marker of the river at Crawford Road, Otatara and in transit with the southern boundary of the zone markers C/B.

Zone D: Power boats
all the waters of the Ōreti River southward of the southern side of the Dunns Road bridge and northward of the markers D/C and in a line drawn in an east-west direction running from the western boundary to the eastern boundary of the river in transit with the southern marker at Crawford Road, Otatara.

Conditions of use

(a) Speed limits and restrictions set out in Table 4 apply provided that:

(i) the small craft does not endanger any person who is lawfully in, on, or using the water or fishing or undertaking any lawful recreational activity in the vicinity of the small craft;

(ii) the small craft does not endanger any person who is lawfully in, on, or using the water or fishing or undertaking any lawful recreational activity in the vicinity of the small craft;

(iii) no person or persons who have a resource consent for temporary exclusive occupation of the area are using the area;

(b) Any small craft other than a personal watercraft (Jet ski) using Area B uses the area only for passage through the area and in doing so proceeds directly from one side of the area to the other.

(c) Within the Zones A, C, and D, use of these zones for activities associated with waka ama, rowing and power boating is permitted, provided the zone is not being used for its specified activity as identified on Map 2.12.

(d) Within the Zones A, B, C, and D, the placement of temporary or permanent buoys associated with water skiing, the use of personal watercraft (Jet ski), waka ama, rowing and power boating, is permitted.

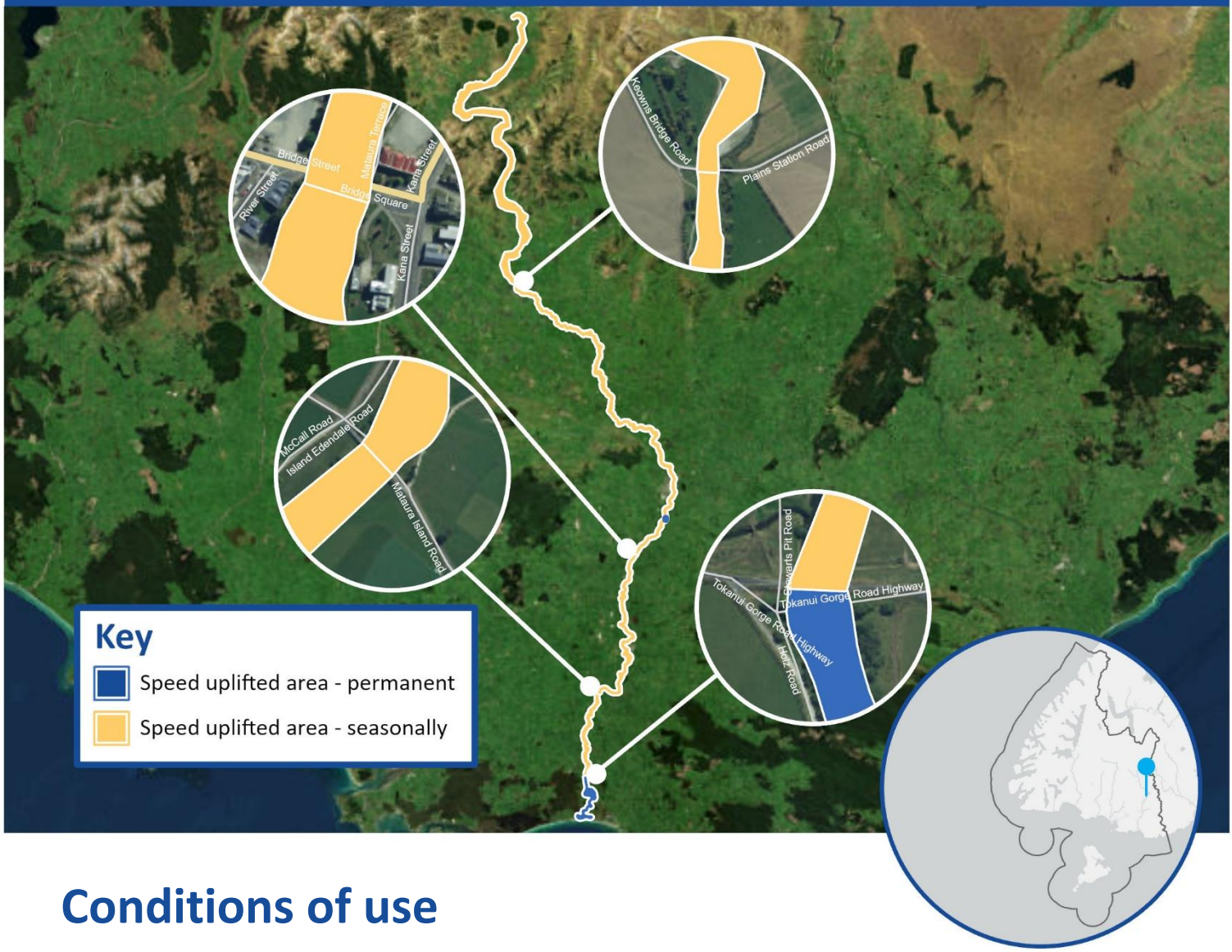
(e) Zones can be identified by markers atop white poles have been placed to indicate boundaries.

Table 4: Zones and speed limits and restrictions for small craft activities on the Lower Ōreti River

Zone	Speed limits and restrictions
Zone A **Zone D**	(a) Speed limits and restrictions for small craft activities within Zone A and Zone D: (i) All small craft beyond 10 metres from the shoreline – unrestricted speed limit; (ii) All small craft within 10 metres of the shoreline – speed limit 5 knots within 50 metres of any vessel, raft or person in the water. (b) Within Zone A the temporary or permanent placement of a ski jump, including the occupation of the coastal marine area by the ski jump, is permitted. (c) Within Zone D, water skiing is prohibited.
Zone B	(a) Speed limits and restrictions for small craft activities within Zone B: (i) All personal watercraft (Jet ski) beyond 10 metres from the shoreline – unrestricted speed limit; (ii) All personal watercraft (Jet ski) within 10 metres of the shoreline – speed limit 5 knots within 50 metres of any vessel, raft or person in the water. (iii) All small craft other than watercraft (Jet ski) beyond 10 metres of the shoreline – 5 knots within 50 metres of any other vessel, raft or person in the water personal (b) In that part of Zone B between markers C/B and B/A: (i) During rowing or waka ama regattas and rowing or waka ama race days, only small craft associated with these activities are permitted; (ii) During the annual power boat marathon event, only craft participating in that event are permitted.
Zone C	(a) Speed limits and restrictions for small craft activities within Zone C: (i) Small craft associated with rowing activities beyond 10 metres from the shoreline – unrestricted speed limit; (ii) Small craft not associated with rowing activities beyond 10 metres from the shoreline – speed limit 5 knots; (iii) All small craft within 10 metres of the shoreline – speed limit 5 knots.

Mataura River

Schedule 2
Map 2.13



Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Mataura River from the train station at Fairlight downstream to the Seaward Downs Bridge between:

  (i) 1 June to 30 September inclusive of each year.

(b) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted areas of the Mataura River within the area of water 300 m long and 100 m wide, 4.8 kilometres downstream from Gore at Beattie's Beach.

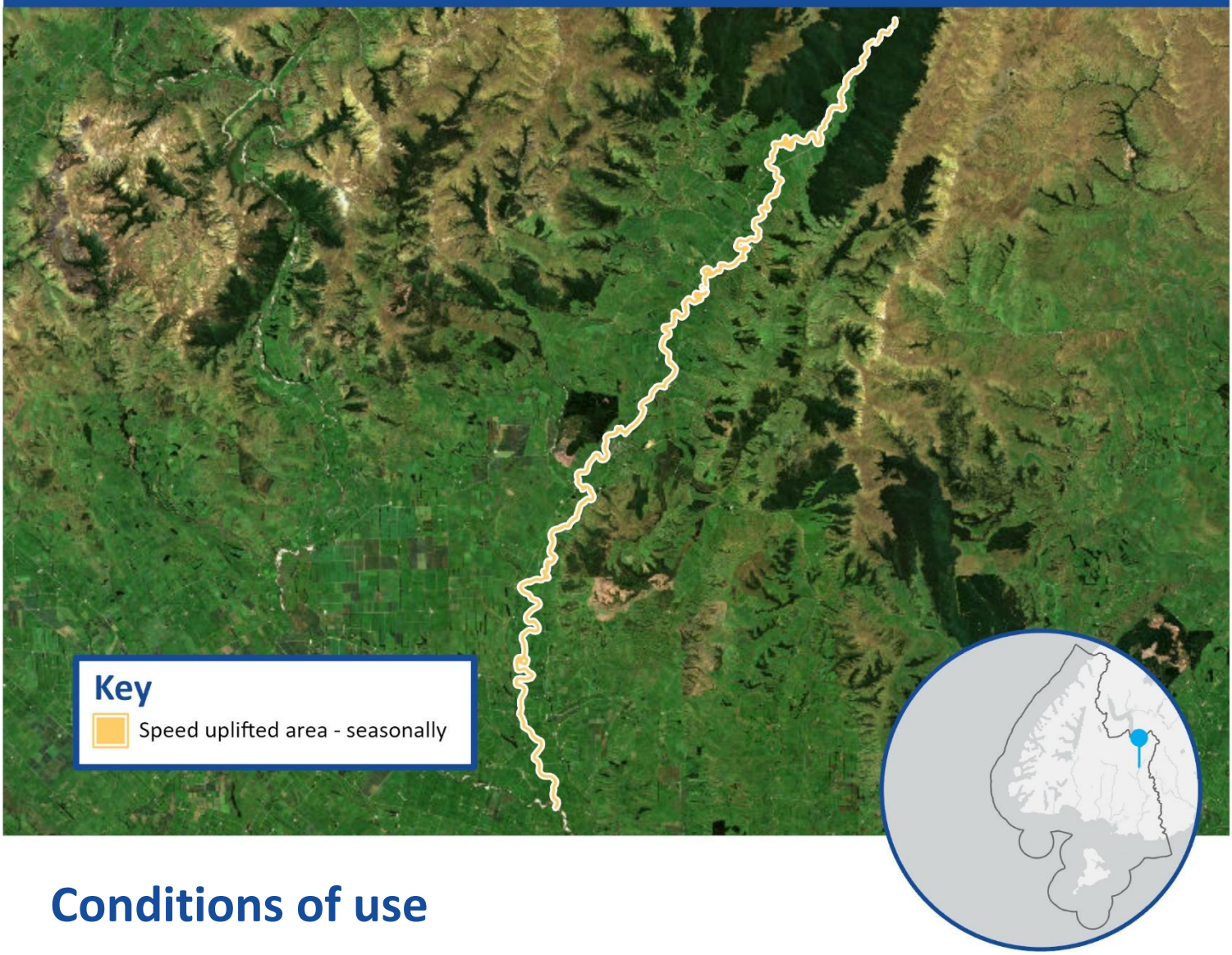
(c) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Mataura River from the Seaward Downs Bridge downstream to the State Highway 92 road bridge between:

  (i) 1 June to 31 August inclusive of each year

(d) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted areas of the Mataura River downstream of the State Highway 92 road bridge to the sea, including all the waters of Toetoes Harbour, but excluding the waters of the Titiroa Stream.

Waikaia River

Schedule 2
Map 2.14



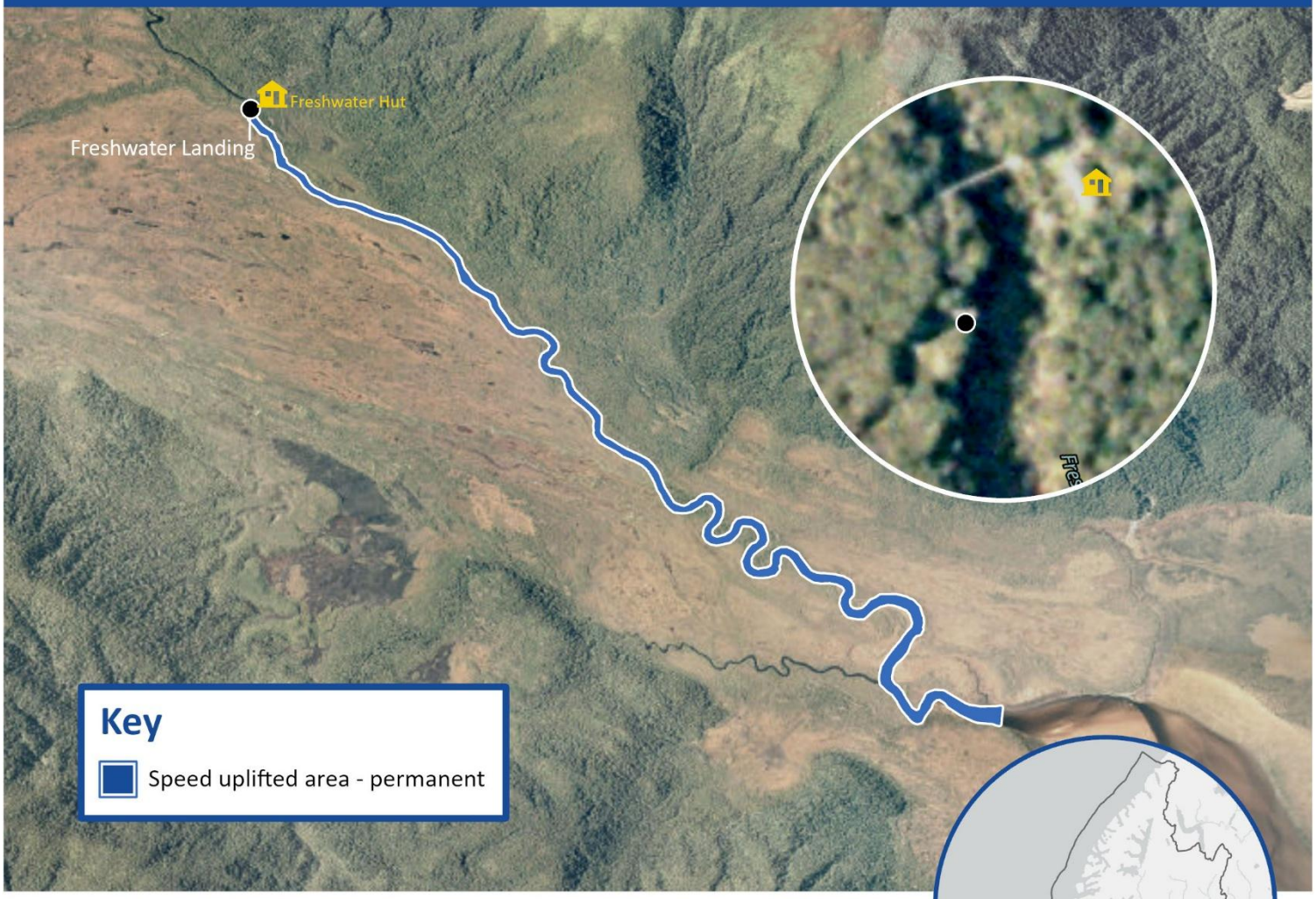
Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Waikaia River from the Campsite at Piano Flat downstream to its confluence with the Mataura River between:

(i) 1 June to 30 September inclusive of each year.

Freshwater River

Schedule 2
Map 2.15

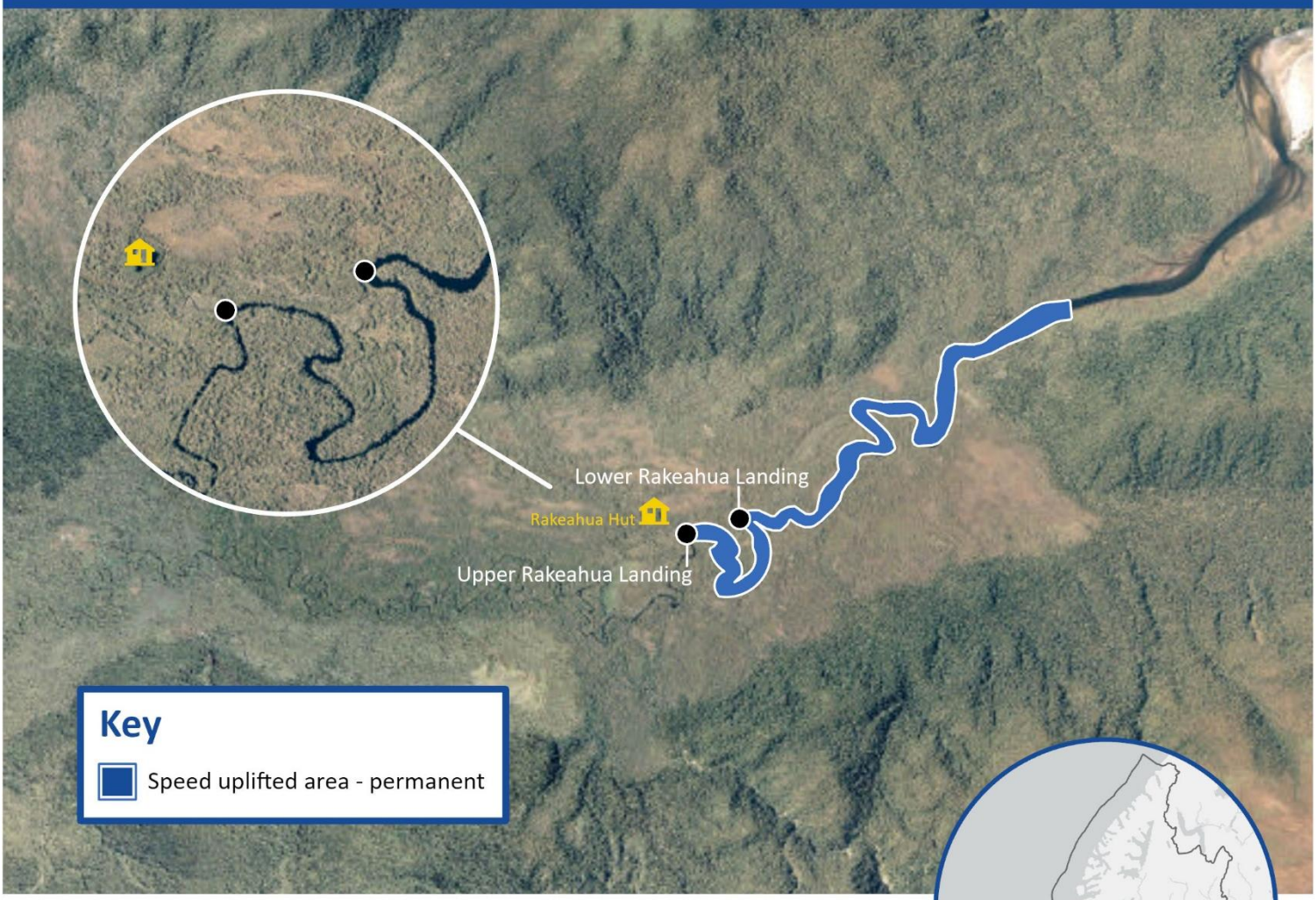


Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of Freshwater River from the Department of Conservation hut to the sea, contingent on compliance with the requirements contained in the Code of Practice for Freshwater River and Rakeahua River (see Schedule 5).

Rakeahua River

Schedule 2
Map 2.16



Conditions of use

(a) Pursuant to clause 20, speed restrictions set out in clause 9.1(a) and (b) do not apply to the designated speed uplifted area of the Rakeahua River from the river entrance to the area known as the Upper Landing, contingent on compliance with the requirements contained in the Code of Practice for Freshwater River and Rakeahua River (see Schedule 5).

Schedule 3: Prohibited anchorages

Table 5 identifies prohibited anchorages within which no vessel shall anchor, except in an emergency or weather conditions that the vessel's master considers render such action necessary in the interests of safety, or with the prior permission of the harbourmaster.

Table 5: Prohibited anchorages

Prohibited anchorage	
Bluff Harbour	any area within 3 cables either side of the leads to Bluff Harbour as shown on Chart NZ 6821.
Riverton/Aparima	any area within 3 cables either side of the leads to Riverton/ Aparima as shown on chart NZ 681.
Milford Sound/Piopiotahi	the area of Fresh Water Basin defined as all that area south of a straight line drawn in a 240 degree true direction from Cemetery Point to the northern extremity of Separation Tongue; and Harrison Cove, in water less than 60 metres in depth.
Hāwea/Bligh Sound	the area of Clio Rock within positions at: 44° 49'.70S., 167° 31'.14E 44° 49'.91S., 167° 30'.81E 44° 50'.16S., 167° 31'.13E 44° 49'.85S., 167° 31'.32E as shown on Chart NZ7623
Kaikiekie/Bradshaw Sound	the area between Macdonell Island and Gardner Head within positions at: 45° 16'.23S., 167° 08'.46E 45° 16'.32S., 167° 08'.74E 45° 16'.50S., 167° 08'.60E 45° 16'.24S., 167° 08'.31E as shown on Chart NZ7624.
Doubtful Sound/Patea	all of the area of Te Awaatu Channel (The Gut) Marine Reserve except for the area within the following positions: 45° 17´.83S., 166° 57'.61E (eastern point of marine reserve) 45° 17´.785S., 166° 57´.36E (land point on western side of bay) 45° 17´.89S., 166° 57´.85E (point on water joining the two land points) as shown on Chart NZ7624.

Te Puaitaha/Breaksea Sound	the area at the intersection of Acheron Passage and Wet Jacket Arm within positions: 45° 40´.34S., 166° 43’.85E 45° 40´.34S., 166° 41´.15E 45° 40´.68S., 166° 43´.85E 45° 40´.68S., 166° 41´.15E as shown on Chart NZ7653.
Tamatea/Dusky Sound	Nine Fathoms Passage, off Cooper Island, within positions at: 45° 44´.12S., 166° 53’.16E. 45° 44´.22S., 166° 53´.25E 45° 44´.35S., 166° 52´.82E 45° 44´.19S., 166° 52´.56E as shown on Chart NZ7653.
Te Awaroa/Long Sound	Narrow Bend from Adam Head to Sandy Point, between positions: 46° 02´.91S., 166° 45´.98E 46° 02´.92S., 166° 46´.27E 46° 03´.82S., 166° 44´.23E 46° 03´.53S., 166° 44´.30E. as shown on Chart NZ7654.
Rakituma/Preservation Inlet	the area of Awash Rock within positions at: 46° 03’.86S., 166° 41’.12E 46° 03’.97S., 166° 40’.91E 46° 04’.07S., 166° 41’.01E 46° 03’.93S., 166° 41’.22E as shown on Chart NZ7654.
Halfmoon Bay	Halfmoon Bay Fairway defined as all that area of the sea within straight lines running from 46° 53’.82S 168° 07’.87E to 46° 53’.31S 168° 08’.78E to 46° 53’.89S 168° 08’.60E to 46° 53’.83S 168° 07’.98E to 46° 53’.90S 168° 07’.73E as shown on the Chart NZ6823.
Port Pegasus/Pikihatiti	the area of water between Rosa Island and the wharf in North Arm of Port Pegasus/Pikihatiti.

Schedule 4: Southland Pilotage areas and Harbour Limits as per Maritime Rules part 90 Appendix 1

Table 6 identifies the compulsory pilotage areas of Murihiku Southland.

Table 6: Compulsory pilotage areas and harbour limits

Pilotage areas/harbour limits		Limits
Bluff Harbour	all that area where the seaward limit is the arc of a circle, radius two miles, centred on Stirling Point (46°36'.7S, 168°21'.6E).	500 gross tonnage or 40 metres length overall
Milford Sound/Piopiotahi	all that area of the sea and tidal waters of Milford Sound/Piopiotahi south of a straight line drawn from St Anne Point in a 090 degree true direction to the opposite shore, and includes the wharf limits at Deep Water Basin.	500 gross tonnage
Hāwea/Bligh Sound Harbour	all that area of the sea and tidal waters inside a straight line from Tommy Point to Chasland Head.	500 gross tonnage
Te Puaitaha/Breaksea Sound and Tamatea/Dusky Sound Harbours	all that area of the sea and tidal waters inside a straight line from Oliver Point to North Point of Breaksea Island and from the West Point of Breaksea Island in a 180 degree true direction to the opposite shore and from Five Finger Point to South Point.	500 gross tonnage
Taitetimu/Caswell Sound	all that area of the sea and tidal waters inside a straight line from McKerr Point in a 030 degree true direction to the opposite shore.	500 gross tonnage
Taiari/Chalky Inlet Harbour	all that area of the sea and tidal waters inside the arc of 6.5 nautical miles radius centred on Surf Head.	500 gross tonnage
Taiporoporo/Charles Sound Harbour	all that area of the sea and tidal waters inside a straight line from Hawes Head in a 090 degree true direction to the opposite shore.	500 gross tonnage

Te Rā/Dagg Sound Harbour	all that area of the sea and tidal waters inside a straight line from Castoff Point to Towing Head.	500 gross tonnage
Doubtful Sound/Patea and Te Awa-o-Tū/Thompson Soun Harbour	all that area of the sea and tidal waters inside a straight line from Febrero Point to Southwest Point on Secretary Island and from Colonial Head to Shanks Head.	500 gross tonnage
Te Houhou/George Sound Harbour	all that area of the sea and tidal waters inside a straight line from the west head at George Sound entrance in a 090 degree true direction to the opposite shore.	500 gross tonnage
Hinenui/Nancy Sound Harbour	all that area of the sea and tidal waters inside a straight line from Burnett Point to Anxiety Point.	500 gross tonnage
Poison Bay Harbour	all that area of the sea and tidal waters inside a straight line from Seabreeze Point in a 215 degree true direction to the opposite shore.	500 gross tonnage
Rakituma/Preservation Inlet Harbour	all that area of the sea and tidal waters inside a straight line from Gulches Head to Lee Head and across Otago Reach at its narrowest width.	500 gross tonnage
Te Hāpua/Sutherland Sound Harbour	all that area of the sea and tidal waters inside a straight line from Jagged Rock in a 060 degree true direction to the opposite shore.	500 gross tonnage
Stewart Island/Rakiura	all that area where the seaward limit is a line from Chew Tobacco Point, then to Kanetoetoe Island, then to Zero Rock, then to Gull Rock.	500 gross tonnage

Schedule 5: Code of Practice for Freshwater River and Rakeahua River

1 Introduction

1.1 The Council controls safety of navigation by way of this Bylaw for all of Murihiku Southland. This includes conduct of boats on Freshwater River and Rakeahua River.

1.2 The Department of Conservation manages or administers, on behalf of New Zealanders, protected inland waters, wild and scenic rivers, and non-commercial freshwater fisheries.

1.3 It had been identified that the 5 knot speed limits on Freshwater River and Rakeahua River were not being complied with, and compliance was limited.

1.4 On the basis of good rules being "codified common sense", the need for a speed uplifting was identified as a strict application of the 5 knot speed limit could prevent a return voyage on one tide.

1.5 A series of meetings with commercial operators, the Department of Conservation and the Council identified the need for improved safety on certain rivers which also accommodated the operational requirements of commercial vessel operators. These needs included:

(a) a speed uplifting;

(b) a system for identifying other users on the river at any one time; and

(c) a system that avoids vessels (including non-commercial operators) meeting at speed.

1.6 This system is documented in this Code of Practice. The requirements of this Code will be captured through concessions and this Bylaw.

2 Where this Code applies

2.1 Table 7 identifies the rivers and the extent of the rivers to which this Code applies, as determined by the Harbourmaster in consultation with the Department of Conservation and relevant operators.

Table 7: Where this Code of Practice applies

River	Extent	Map	Page
Freshwater River, Stewart Island/Rakiura	From the river entrance to the Department of Conservation Hut bridge. No powered boating to take place upstream of this bridge.	2.15	65
Rakeahua River, Stewart Island/Rakiura	From the river entrance to the area known as the Upper Landing. No powered boating to take place upstream of this Landing.	2.16	66

3 Activities

3.1 This Code of Practice intends to provide for the enjoyment and safety of all users. The following activities have been identified as occurring on the rivers:

(a) commercial operations;

(b) power boating (including yachts proceeding under power);

(c) kayaking (independent or in groups); and

(d) other users whose experience can be impacted the noise of powered boats.

3.2 Revision of this document will be undertaken as part of any future Bylaw Review to capture future usage and maintain its effectiveness.

4 Risks

4.1 A basic principle of safe navigation is that if a speed uplifting is put in place, safety cannot be diminished. A speed uplifting increases the opportunity for two boats to meet head-on at speed. The winding nature of the rivers may limit visibility and time for avoiding action.

4.2 In the narrower parts of the rivers, the risk of collision is higher, and speed must be reduced to allow for a vessel to be stopped within half the available visibility, in accordance with Maritime Rules Part 22: Collision Prevention.

5 Responsibility

5.1 ***Maritime New Zealand*** – requires compliance with all applicable Maritime Rules, including but not limited to:

(a) Maritime Rules Part 19: Maritime Transport Operator – Certification and Responsibilities;

(b) Maritime Rules Part 22: Collision Prevention;

(c) Maritime Rules Part 23: Operating Procedures and Training;

(d) Maritime Rules Part 31: Crewing and Watchkeeping

(e) Maritime Rules Part 82: Commercial Jet Boat Operations – River

Department of Conservation – requires compliance with all aspects of any concession issued to a commercial operator and with all rules and regulations applicable to the Stewart Island/Rakiura National Park.

Council – requires compliance with this Bylaw and any operative regional plan.

Maritime Operators Safety System – all commercial operators are required to comply with their Marine Transport Operators Plan. This includes the timely completion of all applicable inspections, surveys and audits.

6 Rules

6.1 The person in charge of a vessel must at all times, proceed at a proper, and in determining a proper speed, take into account:

(a) visibility, including the restriction of visibility caused by weather or the winding nature of the river. All vessels should be proceeding at a speed which would allow them to be stopped in the water within half the available visibility; and

(b) proximity to other vessels; and

(c) the manoeuvrability of the vessel, including stopping distances and turning ability; and

(d) state of the weather and proximity to navigational hazards; and

(e) draught in relation to the available depth of water.

6.2 No person may, without reasonable excuse, propel or navigate a vessel at a proper speed exceeding 5 knots within 50 metres of any other vessel, raft, or person in the water.

6.3 The person on charge of a vessel must ensure that its wake does not cause unnecessary danger or risk of damage to other vessels, persons or structures.

6.4 The person in charge of a vessel must:

(a) maintain a listening watch on VHF channel 65; and

(b) prior to entering the channel into the river, call all stations on VHF channel 65 advising that they are about to proceed upstream; and

(c) prior to departing from the uppermost designated point of navigation (e.g. a hut, jetty, or designated turnaround call stations on VHF channel 65 advising that they are about to proceed downstream; and

(d) upon leaving the river, call all stations on VHF channel 65 advising that they are now clear of the river; or

(e) if on the Rakeahua River, upon leaving the Lower Landing call all stations on VHF channel 65 advising that they leaving the Lower Landing; and

(f) if made aware of other vessels operating on the same river, make contact with the vessel/s and agree on a safe place to pass, or if the vessel/s are uncontactable, proceed at 5 knots or less until clear.

6.5 In addition to the radio signal rules outlined in clause 6.4(a)-(f), the person in charge of a vessel on Rakeahua River, who intends to operate the vessel from the Lower Landing to the Upper Landing, must also:

(a) make their intentions known to the Harbourmaster and the Department of Conservation Stewart Island/Rakiura office; and

(b) prior to departing the Lower Landing, call all stations on VHF channel 65 advising they are about to proceed to the Upper landing; and

(c) prior to departing the Upper Landing, call all stations on VHF channel 65 advising they are about to proceed to the Lower landing.

6.6 The person on charge of a vessel must ensure that noise is kept to a reasonable level. Reference is made to the New Zealand Jet Boat Association's requirement that boats be silenced to a maximum of 95dBa at 25 metres.

6.7 All rubbish must be recovered and removed from the river.

6.8 Toilet facilities where provided (e.g. Department of Conservation huts), must be used. No other disposal of waste is permitted.

6.9 No later than 30 June each year, a collective written report representing all commercial operators on each river shall be provided to the Department of Conservation. This report must include:

(a) the number of voyages made by each commercial operator for the year ending 31 May;

(b) a summary of any incidents throughout the year;

(c) any unusual water flows observed throughout the year;

(d) any signs of significant erosion to the riverbank;

(e) any operational issues experienced;

(f) any perceived deficiencies or potential improvements to this in the Code of Practice.

6.10 The report prescribed clause 6.9, is to be collated by the Department of Conservation and distributed to Maritime New Zealand, Environment Southland and concessionaires within 2 months of the information having been received.

Explanatory note: *The Southland Regional Council Navigation Safety Bylaw 2026 has been reviewed for consistency of secondary legislation with the principles of responsible regulation set out in the Regulatory Standards Act 2025.*

The consistency accountability statement can be found at: ***www.es.govt.nz***

environment SOUTHLAND REGIONAL COUNCIL
Te Taiao Tonga

For **now** & **our future**

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