

**PROPOSED NAVIGATION SAFETY BYLAW – INFRINGEMENT OFFENCES**

<b>Bylaw Provision</b>		<b>Offence Description</b>		<b>Proposed Fine:</b>
2.1	Lifejackets	2.1.1	Not carrying lifejackets as required.	\$100
		2.1.5	Not wearing lifejackets in accordance with requirements for circumstances where there could be danger or risk to the safety of persons aboard.	\$100
2.2	Swimming and Diving around Wharves	2.2	Swimming or diving around wharves where the following are breached:  (a) From or within 50 metres of any structure in the commercial port area; or (b) Within 50 metres of any vessel approaching or departing any wharf or jetty; or (c) within any such areas as the Council may determine by resolution.	\$100
2.3	Use of vessel engine around wharves, ramps	2.3.1	Inappropriate use of propulsion system whilst lying at a wharf.	\$100
		2.3.2	Master failing to take precautions set in 2.3.2 (a), (b), and/or (c).	\$100
2.4	Vessels to be Serviceable or removed	2.4.1	Not keeping vessel in serviceable condition.	\$100
2.5	Seaplanes	2.5	Impeding the passage of a seaplane when it is landing or taking off.	\$200
2.6	Vessels to be adequately Moored or Secured	2.6.1	Anchoring vessel so as to obstruct the approach to any wharf, pier or jetty	\$100
		2.6.2	Except in an emergency involving danger to life or property, it is an offence to cut, break, destroy, or unlawfully detach: (a) the mooring of any vessel; or (b) the fastening securing any vessel lying in, at or near a wharf, dock or at or near any wharf or landing place.	\$100

		2.6.3	The master of owner failing to provide a safe means of access to the vessel.	
2.7	Prohibited Anchorage	2.7	Anchoring in prohibited anchorage as defined in Schedule 2 prohibited anchorages of this Bylaw.	\$100
2.8	Obstructions	2.8.1	Obstructing the access by waters to any wharf, jetty, landing place, boat ramp, slipway, or mooring.	\$100
		2.8.2	Placing any obstruction, including any fishing apparatus, in any waters that is liable to: (a) restrict navigation; or (b) cause loss of life or injury to any person; or (c) cause damage to any vessel or any property.	\$100
2.9	Notification of Collisions or Accidents	2.9.1	Failing to notify the Harbourmaster of collision or accident.	\$100
2.10	Navigation Aids	2.10.1	Tying up to navigation aid without the prior written permission of the Harbourmaster.	\$100
		2.10.2	Damaging, removing, defacing or otherwise interfering with any navigation aid or warning.	\$200
		2.10.3	Erecting, maintaining or displaying any beacon, buoy or other device that may be used as, or mistaken for, a recognised navigation aid, without the written permission of the Harbourmaster and the Director of Maritime Safety	\$200
2.11	Vessels not to sound Whistles.	2.13	Sounding whistle in breach of requirements	\$100
3.1	Minimum age for operating powered vessels	3.1.2	It is an offence against this Bylaw for the owner of a powered vessel that is capable of a proper speed exceeding 10 knots to allow any person who is under the age of 15 years to propel or navigate that vessel in contravention of subclause 3.1.1.	\$100
3.2	Speed of Vessels	3.2.1	Propelling or navigating a vessel (including a vessel towing a person or some object) at a proper speed exceeding 5 knots:  (a) within 50 metres of any other vessel, floating structure or person in the water; or	\$200

			(b) within either 200 metres of the shore or of any structure; or on the inshore side of any row of buoys marking the limit of a five knot area; or (c) within 200 metres of any vessel or floating structure that is flying Flag A.	
		3.2.2	Propelling or navigating a powered vessel at a speed exceeding 5 knots while any person is sitting at or on the fore part or bow of that vessel with any portion of their body extending over the fore part, bow, or side of that vessel.	\$100
		3.2.3	Person causing or allowing himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane, or other towed object) at a speed exceeding 5 knots in any circumstances specified in any of paragraphs (a) to (c) of subclause 3.2.1.	\$200
		3.2.4	Person in charge continuing onwards after person being towed by that vessel has dropped any water ski without taking action to recover that water ski.	\$100
3.3	Lookout on vessels used for water skiing and towing any person	3.3.1	Person in charge of a vessel using it to tow any person unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.	\$100
		3.3.2	Person causing or allowing himself or herself to be towed by or from any vessel unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.	\$100
		3.3.3	Person in charge allowing the additional person required by subclauses 3.3.1 and 3.3.2 to be under the age of 10 years.	\$100
3.4	Water skiing between Sunset & Sunrise	3.4.1	Person operating, between sunset and sunrise, a vessel that is towing any person.	\$200
		3.4.2	Person allowing himself or herself to be towed by a vessel between sunset and sunrise.	\$200
3.5	Conduct in Access Lanes	3.5.1	Person in charge not following the most direct route through the access lane and not keeping to that side of the access lane that lies to the starboard or right side of the vessel.	\$100

		3.5.2	A person being towed that allows himself or herself to be towed by a vessel contravening subclause 3.5.1.	\$100
		3.5.3	No person within an Access Lane proceeding in any manner that is dangerous in relation to any vessel or other person in the Access Lane.	\$200
		3.5.4	Person obstructing any other person while that other person is using an Access Lane for the purpose for which it has been declared.	\$100
		3.5.5	A person using the access lane for a purpose other than the purpose it was declared.	\$100
3.7	Reserved Area	3.7	Person obstructing any other person while that other person is using a Reserved Area for the purpose for which it has been reserved.	\$100
3.8	Special Event	3.8.1	No written permission in accordance with requirements.	\$100
3.9	Moorings	3.9.1	Person placing a mooring in any waters, whether in a mooring area or not, unless a licence issued in accordance with subclause 3.9.6 of this Bylaw has been obtained from the Council.	\$100
		3.9.5	Person mooring a vessel other than the vessel and belonging to the owner as stated on the licensed mooring.	\$100
		3.9.10	The owner of a licensed mooring contravening subclause 3.9.10	\$100
4.6	Hot Work	4.6.1	A master within Wellington Harbour or commercial areas failing to obtain a Hot Work Permit, as specified in Schedule 4 of this Bylaw, before carrying out welding or flame-cutting operations in or from any position on board the vessel.	\$200
		4.6.2	A master failing to take the appropriate precautions whilst hot work operations are being carried out.	\$200
		4.6.4	Master allowing work to commence before the Harbourmaster is satisfied that requirements of a Hot Work Permit, as specified in Schedule 4 of this Bylaw, have been met in full.	\$200
4.7	Person on board to ensure vessel		Failure of the owner or master of a vessel berthed at a wharf to ensure that it is securely fastened at all times, or if required by the Harbourmaster, failure to	\$100

	berthed safely		maintain a person on board to keep watch.	
5.3	Licence	5.3.1	Person operating a vessel that is not subject to Maritime Rules in respect to commercial shipping unless a licence, known as a Safe Operation Licence, has been granted in terms of subclause 5.3.3.	\$100
		5.3.2	Person operating a vessel granted a Safe Operation Licence while that licence is temporarily suspended by the Harbourmaster in terms of subclause 5.3.5.	\$100
6.1	Directions for transiting Wellington Harbour entrance	6.1.1	Any master failing to report his vessels intentions to Wellington Harbour Radio prior to entering Wellington Harbour limits during the hours of darkness or restricted visibility on marine VHF Ch 14 and/or failing to keep a listening watch on marine VHF Ch 14 whilst inside the harbour.	\$200
		6.1.2	A master of a commercial vessel failing to report his vessels intentions to Wellington Harbour Radio prior to entering Wellington Harbour limits during the hours of daylight on marine VHF Ch 14 and/or failing to keep a listening watch on marine VHF Ch 14 whilst inside the harbour.	\$200
		6.1.3	The master of a vessel unable to communicate the Wellington Harbour Radio transiting Wellington Harbour entrance during the hours of darkness or restricted visibility.	\$200
		6.1.4	The master of any passenger vessels or charter vessels failing to advise Wellington Harbour Radio of the total number of persons on board.	\$100
		6.1.5	A master of an inbound vessel failing to join the leading line at least 2 nautical miles south of the chartered position of Barrett Reef buoy.	\$200
		6.1.6	The master of an inward-bound pleasure craft not keeping towards the coast or towards the sides of the main shipping channel.	\$100
6.2	General directions for navigating in Wellington Harbour	6.2.1	A master failing to comply with the directions given in subclause 6.2.1 (a), (b), (c) and/or (d).	\$200

		6.2.2	A master failing to use all aids to navigation on board the vessel.	\$200
		6.2.3	A master failing to ensure sufficient persons on the bridge to comply with subclause 6.2.2.	\$200
6.3	Duties of persons in charge of small craft in Wellington Harbour		The Master of a vessel under 500 gross tonnage impeding the navigation of any vessel of 500 gross tonnage or more, or any hovercraft	\$200
6.4	Radio reporting procedures for vessels sailing from wharves or anchorages in Wellington Harbour	6.4.1	A master failing to notify Wellington Harbour Radio ten minutes prior to his vessel's intended departure.	\$100
		6.4.2	A master failing to notify Wellington Harbour Radio of his vessel leaving a berth or anchorage and giving the total number of persons aboard.	\$200
		6.4.3	A master failing to notify Wellington Harbour Radio of his vessel secured at a different berth or anchorage, or when seaward of the position of Barrett Reef buoy when outward bound.	\$100
6.6	Navigation documents required for Wellington Harbour		A master when navigating in that part of Wellington Harbour between Ward Island and Pencarrow Head, any vessel of 6 metres in length and above failing to carry and consult a current copy of Chart NZ 4633 (or approved electronic equivalent).	\$200
6.8	Speed limits in Lambton Harbour	6.8.1	A master of any vessel exceeding a speed of 12 knots in the Lambton Harbour area (westwards of a line between the Thorndon Container Pile Light and the Carter Fountain.	\$200
		6.8.3	A master of a vessel failing to comply with the harbourmaster's instruction not to exceed a specified speed within the harbour.	\$200