

Summary of Information Wellington Regional Navigation and Safety Bylaws 2003 Revision

1. Purpose

The purpose is to inform the public of the proposed changes to the Wellington Regional Navigation and Safety Bylaws 2000.

2. Background

In February 2003, the Minister of Transport approved Part 91 of the Maritime Rules. These Rules relate to navigation and safety.

The Council's navigation and safety bylaws, approved in December 2000, must not be inconsistent with these Rules after 1 March 2004.

Some aspects of the bylaws are inconsistent with Part 91. Consequently, the bylaws need to be amended. We have also taken this opportunity to review all of the current bylaws and to identify improvements.

3. Summary of the Proposed Wellington Regional Navigation and Safety Bylaws 2003

Section 1 Preliminary Provisions:

- Explains where the bylaws apply
- Definitions clarify the use of specific terms within these bylaws

Section 2 General Matters relate to:

- carriage and use of lifejackets
- the movements of people and vessels around wharves in launching areas
- maintaining vessels in seaworthy condition
- anchoring and mooring
- notification of incidents and accidents
- damage to navigation aids
- use of distress signals

Section 3 Operating Requirements relate to:

- the age of power boat operators
- the speed of vessels in certain circumstances
- restrictions and exemptions relating to speed of vessels
- the use of navigation lights on vessels
- the use of dive flags
- water skiing and towing

- access lanes and reserved areas, marking and usage
- special events
- moorings

Section 4 Tankers, hazardous cargoes, hazardous works and dangerous materials relate to:

- vessels carrying explosives
- oil tankers, responsibilities of vessels and signals to be made
- hot work (gas cutting welding etc) on ships

Section 5 Administrative Matters relate to:

- appointment of council officers
- who is responsible for a vessel
- licensing of commercial operations
- fees and charges

Section 6 Wellington Harbour relate to:

- transiting Wellington Harbour entrance
- navigating in Wellington Harbour
- pleasure craft keeping clear of shipping
- marine radio reporting and listening requirements
- speed limit in Lambton Harbour
- restricted areas for non commercial vessels

Schedule 1 defines the areas to which the bylaws apply

Schedule 2 defines:

- where not to anchor
- the explosives anchorage
- where bulk oil may be discharged
- restricted areas for non-commercial vessels

Schedule 3 shows maps and gives descriptions for water-ski access lanes and reserved areas in the region.

Schedule 4 is an example of a hot work permit

Schedule 5 are fees relevant to the bylaws

4. Significant changes proposed as a result of Part 91 of the Maritime Rules

The Council's bylaws cannot be inconsistent with the Maritime Rules. Therefore, those amendments that have been introduced to ensure consistency

have been taken straight from Part 91 of the Maritime Rules. There is little scope to change these proposed amendments if the bylaws are to be consistent with the Maritime Rules.

The sections of the bylaws in which significant amendments are found are as follows:

- 2.1.2(b) Windsurfers must carry a lifejacket or wear a wet suit
- 2.1.2(c) Divers may wear a full divesuit instead of carrying a lifejacket
- 2.1.5 A person being towed (e.g. waterskier) must wear a lifejacket
- 3.7 Flag A must clearly be shown from any vessel when divers are in the water
- 3.12.2 Reserved areas must be marked by black and white poles not red and blue

5. Significant changes proposed to the existing bylaws

Changing the bylaws to be consistent with Part 91 of the Maritime Rules has provided an opportunity to review all the Regional Navigation and Safety Bylaws 2000.

The significant amendments proposed as a result of the bylaw review and the sections of the bylaws in which they are found are as follows:

2.12 Use of distress signals

This section is from Part 23 of the Maritime Rule. Under the bylaws it will become an offence to use a distress signal when not in distress. This includes illegal use of distress flares.

3.3 to 3.6 Lights

It is proposed to include sections from Part 22 of the Maritime Rules, which are the International Collision Prevention Regulations.

These sections outline the requirements for displaying lights on power driven, sailing, paddled and anchored vessels.

These are included so that enforcement action for vessels that neglect to display lights at night can be taken under the bylaws.

6 Wellington Harbour

There have been several small changes made in this section that clear up any ambiguities regarding radio-calling procedures and when there is a requirement to monitor Ch14.

6.9 Restricted access for non-commercial vessels

This bylaw is intended to keep recreational craft out of busy commercial port areas.

The wharves from which non-commercial vessels are to be excluded are those found on the northern side of Lambton Harbour. A variety of different sized ships operate and move at various times in a relatively confined space and often with restricted visibility.

Excluding recreational craft from this area gives a greater degree of safety for recreational and commercial vessels. A map is included in Schedule 2 of the bylaws.

Reserved areas Lyall Bay

The reserved area for personal water craft is proposed to be moved 100 metres west and reduced in width from 200 metres to 150 metres. This is to accommodate the proposed surf reef.

6. Availability of proposed bylaws

This Summary of Information contains the significant alterations proposed for the Wellington Regional Navigation and Safety Bylaws 2003. A full copy of the proposed bylaws is available from Greater Wellington Regional Council Offices in Wellington and Masterton or from our website www.gw.govt.nz.

7. Submission process

Comments and submissions on the proposed bylaws are invited to be received by the Greater Wellington Regional Council by 5pm, 24 October 2003. If required, a hearing will be held in November 2003. Submitters should indicate in their submission if they wish to be heard in person to support their submission.