



**Local Government (Infringement  
Fees for Offences: Wellington  
Regional Navigation and Safety  
Bylaws) Amendment Regulations  
2009**

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 14th day of December 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 699A(2) of the Local Government Act 1974, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

**Contents**

	Page
1 Title	2
2 Commencement	2
3 Principal regulations amended	2
4 New Schedule 1 substituted	2
<b>Schedule</b>	<b>3</b>
<b>New Schedule 1 substituted in principal regulations</b>	

## **Regulations**

**1 Title**

These regulations are the Local Government (Infringement Fees for Offences: Wellington Regional Navigation and Safety Bylaws) Amendment Regulations 2009.

**2 Commencement**

These regulations come into force on the day after the date of their notification in the *Gazette*.

**3 Principal regulations amended**

These regulations amend the Local Government (Infringement Fees for Offences: Wellington Regional Navigation and Safety Bylaws) Regulations 2006.

**4 New Schedule 1 substituted**

Schedule 1 is revoked and the Schedule 1 set out in the Schedule of these regulations is substituted.

---

**Schedule** r 4  
**New Schedule 1 substituted in principal  
regulations**  
**Schedule 1** r 4  
**Infringement offences and fees under  
Wellington Regional Navigation and  
Safety Bylaws**

<b>Provision</b>	<b>Description of offence</b>	<b>Fee (\$)</b>
cl 2.1.1	Failing to carry lifejackets as required	100
cl 2.1.5	Towing person who is not wearing lifejacket or failing to wear lifejacket while being towed	100
cl 2.1.7	Failing to ensure all persons in a vessel under 6 metres are wearing a life jacket	100
cl 2.1.8	Failing to require persons on board to wear lifejackets where danger or risk to their safety	200
cl 2.2.1	Diving or swimming around wharves or ramps without permission	100
cl 2.2.2	Failing to display flag A when diving or swimming around wharves or ramps	200
cl 2.3.1	Operating propulsion system of vessel at wharf or ramp in way that may cause damage or injury	100
cl 2.3.2	Failing to take specified precautions when testing propulsion system	100
cl 2.4.1	Failing to keep vessel in seaworthy condition	100
cl 2.4.4	Operating an unseaworthy vessel	200
cl 2.5	Impeding seaplane when it is landing or taking off	200
cl 2.6.1	Anchoring vessel so as to cause obstruction or hazard	100
cl 2.6.2	Cutting, breaking, destroying, or unlawfully detaching mooring or fastening	100
cl 2.6.3	Failing to provide safe means of access to vessel	200
cl 2.6.4	Failing to ensure vessel securely fastened or to have person keep watch if required	100
cl 2.7	Anchoring in prohibited anchorage	100
cl 2.8.1	Obstructing access by water to wharf, landing place, boat ramp, slipway, or mooring	100
cl 2.8.2	Placing obstruction in water if liable to restrict navigation or cause damage or injury	200
cl 2.9.1	Operating a vessel in breach of Part 22 of the Maritime Rules (Collision Prevention)	200

**Local Government (Infringement Fees  
for Offences: Wellington Regional  
Navigation and Safety Bylaws) Amendment  
Regulations 2009**

Schedule

2009/415

Schedule 1—*continued*

<b>Provision</b>	<b>Description of offence</b>	<b>Fee (\$)</b>
cl 2.10.1	Failing to notify Harbourmaster of collision or accident	200
cl 2.11.1	Tying up to navigation aid or warning without permission	100
cl 2.11.2	Damaging, removing, defacing, or interfering with navigation aid or warning	200
cl 2.11.3	Erecting, maintaining, or displaying navigation aid without permission	200
cl 2.12.1	Using flashing light without permission	100
cl 2.13	Sounding whistle in breach of requirements	100
cl 2.14.1	Making distress signal in breach of requirements	200
cl 2.15	Not having a means of attracting attention if in distress	100
cl 3.1.2	Allowing under-aged person to operate powered vessel	100
cl 3.2.1	Exceeding 5 knots close to person, structure, shore, or other vessel	200
cl 3.2.2	Exceeding 5 knots while persons have portion of body extended over side of vessel	100
cl 3.2.3	Exceeding 5 knots while being towed close to person, structure, shore, or other vessel	200
cl 3.2.4	Failing to recover water ski	100
cl 3.2.8	Failing to ensure wake does not cause unnecessary danger or risk of damage to other person, vessel, or structure	200
cl 3.3.3	Showing navigation lights that do not comply with requirements	200
cl 3.4.1	Diving from vessel without flag A being displayed	200
cl 3.4.2	Failing to display flag A while diving from vessel in progress	200
cl 3.4.3	Displaying flag A of less than required size	100
cl 3.5.1	Towing person without lookout	100
cl 3.5.2	Being towed without lookout	100
cl 3.6.1	Towing person between sunset and sunrise	200
cl 3.6.2	Being towed between sunset and sunrise	200
cl 3.7.1	Failing to take most direct route through access lane	100
cl 3.7.3	Proceeding dangerously in access lane	200
cl 3.7.4	Obstructing person in access lane	200
cl 3.7.5	Using access lane improperly	100

**Local Government (Infringement Fees  
for Offences: Wellington Regional  
Navigation and Safety Bylaws) Amendment  
Regulations 2009**

2009/415

Schedule

Schedule 1—*continued*

<b>Provision</b>	<b>Description of offence</b>	<b>Fee (\$)</b>
cl 3.9.1	Obstructing person in reserved area	200
cl 3.9.2	Using reserved area for purpose other than reserved purpose	200
cl 3.10.2	Carrying out an activity in a flagged area other than the activity for which the area has been flagged	200
cl 3.12.1	Placing mooring without licence	100
cl 3.12.10	Disposing of mooring or allowing other vessel to use mooring without permission	100
cl 4.1.1	Failing to comply with requirements for a vessel carrying or intending to load explosives	200
cl 4.2	Vessel carrying Dangerous Goods not displaying flag B or red light	100
cl 4.3	Approaching within 200 metres of vessel showing flag B or red all-round light	100
cl 4.4.2	Failing to comply with duties of a Master of a tanker	100
cl 4.6.1	Failing to obtain permit before carrying out hot work	200
cl 4.6.2	Failing to take appropriate precautions when carrying out hot work	200
cl 4.6.3	Commencing hot work without having seen and understood current permit	200
cl 4.6.5	Commencing hot work before Harbourmaster satisfied that conditions of permit met	200
cl 4.7.1	Discharging or dropping cargo that constitutes a hazard to navigation	200
cl 5.4.1	Operating certain commercial vessels without commercial vessel licence	100
cl 5.4.2	Operating certain commercial vessels while commercial licence suspended	100
cl 6.1.1	Failing to comply with radio reporting requirements	200
cl 6.1.3	Transiting harbour entrance during hours of darkness or restricted visibility without ability to communicate with Wellington Harbour Radio	200
cl 6.1.4	Failing to follow recommended tracks	200
cl 6.1.5	Failing to join leading line or leading lights as required	200
cl 6.1.7	Failing to keep listening watch when transiting entrance	200
cl 6.2.1	Failing to maintain listening watch on commercial vessel	200

**Local Government (Infringement Fees  
for Offences: Wellington Regional  
Navigation and Safety Bylaws) Amendment  
Regulations 2009**

Schedule

2009/415

Schedule 1—*continued*

<b>Provision</b>	<b>Description of offence</b>	<b>Fee (\$)</b>
cl 6.2.2	Failure to keep listening watch in restricted visibility or darkness	200
cl 6.2.3	Failing to comply with specified requirements for navigating in Wellington Harbour	200
cl 6.2.4	Failing to use all fitted navigational aids	200
cl 6.2.5	Having insufficient bridge crew	200
cl 6.2.8	Failing to keep sufficient distance off Kau Point and/or Point Gordon	200
cl 6.2.9	Failing to make sound signal before leaving berth	100
cl 6.3.1	Navigating small vessel so as to impede navigation of any vessel of 500 gross tonnage or more	200
cl 6.3.2	Anchoring too close to recommended tracks	100
cl 6.4.1	Failing to call prior to planned departure	200
cl 6.4.2	Failing to report that berth or anchorage cleared	200
cl 6.4.3	Failing to report that secured at different berth or anchorage	100
cl 6.6	Failing to use specified navigational document in certain parts of Wellington Harbour	200
cl 6.7	Failing to report before entering Evans Bay if height of vessel exceeds 24 metres	200
cl 6.8.1	Exceeding speed limit in Lambton Harbour area	200
cl 6.8.3	Failing to comply with Harbourmaster's instruction not to exceed specified speed	200
cl 6.9	Operating non-commercial vessel in commercial area without permission	100

Rebecca Kitteridge,  
Clerk of the Executive Council.

---

**Local Government (Infringement Fees  
for Offences: Wellington Regional  
Navigation and Safety Bylaws) Amendment  
Regulations 2009**

2009/415

---

**Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on the day after the date of their notification in the *Gazette*, substitute a *new Schedule 1* in the Local Government (Infringement Fees for Offences: Wellington Regional Navigation and Safety Bylaws) Regulations 2006, which specifies which breaches of the bylaws are infringement offences for the purposes of section 699A(2) of the Local Government Act 1974. The schedule also specifies the infringement fees for those infringement offences.

---

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 17 December 2009.  
These regulations are administered by the Department of Internal Affairs.

---