



# Manawatū River and Tributaries Navigation Safety Bylaw 2022

July 2022

# Whakapapa o Manawatū River

The Manawatū River has its origins on the eastern side of the Ruahine Range. Its primary source is north of modern day Dannevirke. The catchment also includes the rivers south of the gorge, which stretch all the way back to Pukaha / Mount Bruce. They include Bruce Stream, Makakahi, Mangatainoka, Tiraumea and Mangahao rivers. All of these waters converge and enter Te Āpiti (the Manawatū Gorge) and flow on through the Manawatū plains and out to sea at Foxton – Te Awahou Beach.

The original ancestor linked with the Manawatū River was Tamakuku, who dug out the bed of the river, and exercised mana on both sides of the river for its full length. Rangitāne's grandfather, Whātonga, journeyed up the Manawatū River whilst on a trip away from Heretaunga. Whātonga's second wife, Reretua, was the grand-daughter of Tamakuku. The links between Rangitāne and Tamakuku were further cemented when Hinetakutai, the daughter of Rangitāne, married Te Rahekeua, a descendant of Tamakuku. All of Rangitāne o Wairarapa and Rangitāne o Tamaki nui-ā-Rua therefore share descent from Tamakuku, and the link to the Manawatū River.

According to Rangitāne the southern part of the river was formed by the efforts of a giant totara tree which grew on the Puketoi Range. The tree became possessed with a spirit called Okatia, which desired to get to the sea. When it descended the Puketoi Range, it headed west and thus encountered the formidable Tararua/Ruahine Range. The constant pounding of the giant tree, assisted by the force of the waters of the Manawatū fractured the range, separating the Ruahine and Tararua Ranges and forming the Manawatū Gorge. Rangitāne use the term Te Āpiti when referring to the cleft that Okatia created in the gorge. Where the river flows through the gorge it is referred to as 'Te Au-rere-a-te-tonga' meaning the flowing current of the south. Other names used by Rangitāne when referring to the Manawatū Gorge area are Te Ahu a Turanga-imua and Te waha o te kurī.

The Manawatū River was named by the tupuna Haunui-ā-Nanaia. He travelled along the west coast of the lower North Island, pursuing his wife. When he came to the Manawatū river mouth, he stood aghast as he contemplated the crossing, hence Manawa-breath and tū- to stand still. Some say that his breath stood still as he was actually crossing the river, not only because of the width and depth of the river, but because of the intense cold; it made his breath stand still hence Manawatū.





# **Manawatū River and Tributaries Navigation Safety Bylaw 2022**



**July 2022**

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**Report No: 2010/EXT/1061**

# MANAWATŪ RIVER AND TRIBUTARIES NAVIGATION SAFETY BYLAW 2020

The Manawatū River and Tributaries Navigation Safety Bylaw 2020 was prepared under the Local Government Act 2002 and Section 33M of the Maritime Transport Act 1994

The Manawatū-Whanganui Regional Council adopted the Manawatū River and Tributaries Navigation and Safety Bylaw 2010 on this **28th** day of **June 2010**.

The 2010 bylaw was reviewed by Mānawatu-Whanganui Regional Council by resolution passed at a meeting of the Council held on 28 June 2022 with the amendments to become operative on **01 July 2022**.

Signed by the Mānawatu-Whanganui Regional Council by the affixing of its Common Seal in the presence of

Michael McCartney  
**CHIEF EXECUTIVE**

The Manawatū River and Tributaries Navigation Safety Bylaw 2022 became operative on **01 July 2022**.





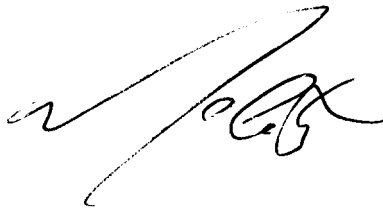
## FOREWORD

This Bylaw provides for matters of navigation and safety on the Manawatū River and its tributaries. The Bylaw supersedes the 2010 Bylaw following review in 2021–22 and has been prepared in consultation with the organisations that make up the Manawatū River Users' Advisory Group and our iwi partners.

This Bylaw has been made in accordance with the Local Government Act 2002 and Section 33M of the Maritime Transport Act 1994 and is consistent with and must be read in conjunction with Maritime Rule Part 91 - Navigation Safety Rules.

The Maritime Transport Act provides for establishing bylaws for the purpose of ensuring maritime safety. Please note that there are other legislation and regulations that apply to activities carried out by river users, including the Wildlife Act, and district and regional plans made under the Resource Management Act.

There may be times where a Rāhui is placed on the areas covered by the Bylaw. The Harbourmaster will work with the relevant iwi to ensure that the Rāhui requirements are communicated to all river users covered under this Bylaw.



Michael McCartney  
**CHIEF EXECUTIVE**



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# 1. Preliminary Provisions

## 1.1 Purpose

- 1.1.1 The purpose of this Bylaw is to ensure maritime safety and minimise the risk of fatalities, injuries, nuisances, accidents, collisions and damage on the Manawatū River and its tributaries.

## 1.2 Title and commencement

- 1.1.1 This Bylaw is the Manawatū-Whanganui Regional Council, Manawatū River and Tributaries Navigation Safety Bylaw 2022.
- 1.1.2 The Bylaw comes into force on 1 July 2022.

## 1.2 Areas within which this Bylaw apply

- 1.2.1 The Bylaw shall have effect in the Manawatū River and its tributaries as defined in Subclause 1.2.2.
- 1.2.2 The area defined comprises the Manawatū River and its tributaries as defined in the Harbour Limits (Manawatū River and Tributaries) Order 1997.

River/Tributary	Description
<b>Tidal Waters</b>	All tidal waters enclosed by the seaward arc of a circle of 1.25 nautical miles centred at position 40° 28'. 8 S, 175° 12'. 8 E
<b>Manawatū River</b>	The waters of the Manawatū River from its point of entry into the Coastal Marine Area to the upstream point where Weber Road from Makirikiri to Waitahora crosses the Manawatū River.
<b>Foxton - Te Awahou River Loop</b>	All the waters of the Foxton – Te Awahou River Loop.
<b>Oroua River</b>	The waters of the Oroua River from where it flows into the Manawatū River, upstream to where the Oroua Valley Road Bridge crosses the Oroua River.
<b>Pohangina River</b>	The waters of the Pohangina River from where it flows into the Manawatū River, upstream to the confluence with the Makiekie Creek.
<b>Tiraumea River</b>	The waters of the Tiraumea River where it flows into the Manawatū River, upstream to the confluence with the Makuri River.
<b>Makuri River</b>	The waters of the Makuri River where it flows into the Tiraumea River, upstream to the confluence with the Makuri Stream.
<b>Mangaore Stream</b>	The waters of the Mangaore Stream from where it flows into the Manawatū River, upstream to the Mangahao Power Station.
<b>Mangahao River</b>	The waters of the Mangahao River where it flows into the Manawatū River, upstream to Mangahao No. 2 Dam.

<b>Mangatainoka River</b>	The waters of the Mangatainoka River where it flows into the Tiraumea River, upstream to the confluence with the Mangaroa Stream.
<b>Makakahi River</b>	The waters of the Makakahi River where it flows into the Mangatainoka River, upstream to the confluence with the Mangaoranga Stream.

### 1.3 Definition of terms

In this Bylaw, unless the context otherwise requires:

<b>Anchorage</b>	in relation to vessels, means a place used for the anchoring of vessels to the bed of waters, whether the place is reserved for such purposes by the Council or not.
<b>Anchoring</b>	means the securing of a vessel to the bed of waters by means of an anchor, cable or other device that is normally removed with the vessel when it leaves the anchorage.
<b>Buoyancy Aid</b>	means any serviceable buoyancy aid that is certified by a recognised authority as meeting: <ul style="list-style-type: none"><li>a. a standard in NZ Standard 5823:2005 applicable to the buoyancy aid; or</li><li>b. a national or international standard that Maritime New Zealand is satisfied substantially complies with a standard in NZ Standard 5823: 2001 applicable to the buoyancy aid.</li></ul>
<b>Director</b>	means the person who is for the time being the Director of Maritime New Zealand under Section 439 of the Maritime Transport Act 1994.
<b>Enforcement Officer</b>	means a person appointed as an enforcement officer under section 33G of the Act.
<b>Flag A</b>	means Flag A of the International Code of Signals (the Divers Flag), a burgee (swallow-tailed) flag covered in white and blue with white to the mast, or a rigid equivalent, not less than 600 x 600mm.
<b>Harbourmaster</b>	means a person appointed as Harbourmaster under section 33D of the Act, and includes deputy harbourmaster
<b>Honorary Enforcement Officer</b>	means a person appointed as an Honorary Enforcement Officer under section 33G of the Act.
<b>Internal Waters</b>	means the internal waters of Aotearoa New Zealand as defined by Section 4 of the Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977.
<b>Lifjacket</b>	refer to definition of personal flotation device.
<b>Maritime Rules</b>	means maritime rules made under the Maritime Transport Act 1994.
<b>Master</b>	means any person (except a pilot) having command or charge of a vessel.
<b>Mooring</b>	means any weight or article placed in or on the bed of waters for the purpose of securing a vessel or floating structure; and

- a. includes any wire, rope, buoy, or other device attached or connected to the weight; but
- b. does not include an anchor that is removed with the vessel or floating structure when it leaves the anchorage.

**New Zealand Waters**

means:

- a. the territorial sea of Aotearoa New Zealand; and
- b. the internal waters of Aotearoa New Zealand; and
- c. all rivers and other inland waters of Aotearoa New Zealand.

**Navigate**

means the act or process of managing or directing the course of a vessel on, through, over, or under the water.

**Oil**

has the same meaning as in Section 222 of the Maritime Transport Act 1994.

**Oil Transfer Site  
Marine Oil Spill  
Contingency Plan**

means a plan as required under Marine Protection Rules Part 130B.

**Owner**

includes:

- a. in relation to a vessel, the agent of the owner and also a charterer; and
- b. in relation to any dock, wharf, quay, or slipway, includes a lessee of the dock, wharf, quay, or slipway; and
- c. as further defined in Maritime Rule Part 91.

**Personal Flotation  
Device**

means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting:

- a. a standard in NZ Standard 5823:2001 applicable to the buoyancy aid; or
- b. a national or international standard that the Director of Maritime Safety is satisfied substantially complies with a standard in NZ Standard 5823:2001 applicable to the buoyancy aid.

**Personal Water Craft (Commonly known as JetSki)**

means a power driven vessel 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.



<b>Pleasure Craft</b>	means a vessel that is used exclusively for the owner's pleasure or as the owner's residence, and is not offered or used for hire or reward; but does not include: <ul style="list-style-type: none"> <li>a. a vessel that is provided for transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment of business;</li> <li>b. a vessel that is used on any voyage for pleasure if it is normally used or intended to be normally used as a fishing vessel or for the carriage of passengers or cargo for hire or reward;</li> <li>c. a vessel that is operated or provided by any club, incorporated society, trust, or business.</li> </ul>
<b>Powered Vessel</b>	means any vessel propelled by machinery.
<b>Proper Speed</b>	means speed through the water.
<b>Public Notice</b>	means a notice published - <ul style="list-style-type: none"> <li>(a) in the <i>Gazette</i>; or</li> <li>(b) in 1 or more newspapers circulating in the area to which the act, matter, or thing relates or in which it arises; or</li> <li>(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.</li> </ul>
<b>Recognised Authority</b>	means an authority that the Director considers competent to certify a personal flotation device's compliance with a standard.
<b>Recreational Craft</b>	means a vessel that is: <ul style="list-style-type: none"> <li>a. a pleasure craft; or</li> <li>b. solely powered manually; or</li> <li>c. solely powered by sail.</li> </ul>
<b>Regional Council</b>	has the same meaning as in the Local Government Act 2002.
<b>Reserved Area</b>	means an area reserved for a specified navigation safety purpose.
<b>River</b>	includes a stream and any modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides.
<b>Sailboard</b>	means any type of board that is propelled by detachable sail apparatus and operated by a person or persons standing on the board.
<b>Structure</b>	means any building, equipment, device, or other facility made by people and which is fixed to land.
<b>Sunrise/Sunset</b>	has the meaning as stated in the Aotearoa New Zealand Nautical Almanac, NZ204.

<b>Surfriding</b>	means a water activity of a single person using a vessel propelled manually or with a paddle and designed for surfriding, to plane down or across the slope of a wave.
<b>Territorial Sea</b>	means the territorial sea of Aotearoa New Zealand as defined by Section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977.
<b>The Act</b>	means the Maritime Transport Act 1994.
<b>Vessel - Waka</b>	means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes: <ul style="list-style-type: none"> <li>a. a barge, lighter, or other like vessel;</li> <li>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;</li> <li>c. a submarine or other submersible;</li> <li>d. a seaplane when operating on the water.</li> </ul>
<b>Waterway</b>	has the same meaning as Aotearoa New Zealand Waters.
<b>Windsurfer</b>	has the same meaning as Sailboard.



## 2. Duties and Offences

- 2.1.1 Compliance with this bylaw does not remove the duty to comply with the requirements of the Maritime Transport Act 1994.
- 2.1.2 Every master of a vessel is responsible for the safety and wellbeing of all people on board (including ensuring there are enough personal flotation devices of an appropriate size for each person on board) and for the safe operation of their vessel, and shall comply with the duties of a master set out in section 19 of the Act.
- 2.1.3 Where any clause or subclause in this bylaw imposes an obligation or duty on the master of any vessel, that obligation or duty shall, in the case of a vessel that has no master, be performed or carried out by the owner.
- 2.1.4 Where any clause or subclause of this bylaw imposes an obligation or duty on both the master and the owner of a vessel and if that clause or subclause is not complied with, both the master and the owner will have committed an offence, jointly and severally.
- 2.1.5 Every person commits an offence against this bylaw who:
- a. does not comply with the provisions of this bylaw;
  - b. prevents a harbourmaster and enforcement officer from carrying out their statutory functions or duties under this bylaw;
  - c. refuses to give information in accordance with sections 33F(1)(g) and 33F(1)(h) of the Act when directed to do so by a harbourmaster or knowingly gives incorrect information; or
  - d. when directed by a harbourmaster to do anything (in accordance with section 33F(1) of the Act, fails to comply with the harbourmaster's requirement without reasonable cause.
- 2.1.6 Every person who:
- a. commits an infringement offence, set out in the regulations created under the Act, is liable to an infringement fee prescribed in those regulations;
  - b. breaches a provision of the bylaw commits an offence against the Act and will be liable under the Act;
  - c. commits an offence against the Act will be liable under the Act;
  - d. breaches a Maritime Rule which is included as an offence under the Act will be liable under the Act.

## 3. Collisions or Accidents

- 3.1.1 The owner or master of any vessel involved in an accident or incident is required to report under section 31 of the Act to Maritime NZ, or report directly to Maritime NZ online via <https://services.maritimenz.govt.nz/incident/>
- 3.1.2 The owner or master is also required to:
- a. verbally report the accident or incident to:

- i. the harbourmaster on 0508 800 800, or by email at [harbourmaster@horizons.govt.nz](mailto:harbourmaster@horizons.govt.nz); and

## **4. General Matters**

### **4.1 Personal flotation devices / buoyancy aids**

4.1.1 No master in charge of a recreational craft may use it unless there are on board at the time of use, and in a readily accessible location, sufficient personal flotation devices of an appropriate size for each person on board.

4.1.2 Subclause 4.1.1 and 4.1.6 shall not apply to:

- a. any surfboard or similar un-powered craft; and
- b. any sailboard or windsurfer, if a wetsuit is worn at all times; and
- c. a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body dive suit is worn at all times; and
- d. a person training for or participating in a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director.

4.1.3 Subclause 4.1.1 and 4.1.4 shall not apply in respect of any sporting event, training activity or ceremonial event if a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft.

4.1.4 Subclause 4.1.1 and 4.1.6 shall not apply in respect of any sporting event, training activity, ceremonial event or other organised recreational activity if the regional council with jurisdiction for the applicable region has granted an exemption in writing. A regional council may grant an exemption for a specified period if the regional council is satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity.

4.1.5 Despite Subclause 4.1.3, no person in charge of a recreational craft may use that craft in circumstances where tides, river flows, visibility, rough seas, adverse weather, emergencies or other situations cause danger or a risk to the safety of persons on board, unless every person on board is wearing a properly secured personal flotation device of an appropriate size for that person.

4.1.6 No person in charge of a vessel may use it to tow any person and no person may cause themselves to be towed by any vessel, unless the person being towed wears a properly secured personal flotation device of an appropriate size for that person.

### **4.2 Use of vessel engines around wharves**

4.2.1 No person may operate the propulsion system of a vessel while it is lying at any wharf, jetty, pier or ramp, in such a way that it may damage any property, scour the bed of the waters, or injure any person. However, this subclause does not preclude the use of the propulsion system for the safe berthing or unberthing of any vessel at a wharf, jetty, pier or ramp.

### **4.3 Persons to avoid swimming or diving around wharves**

- 4.3.1 No person may dive, swim or undertake other related activities from any wharf, jetty, pier, or ramp which is in regular use for the berthing or unberthing of vessels, or from any other such areas in the waterway as the Harbourmaster may from time to time determine, unless the person does so in accordance with the prior written consent of the Harbourmaster.
- 4.3.2 The Harbourmaster may consent subject to such conditions as the Harbourmaster considers appropriate in the interests of navigation safety.

### **4.4 Vessels to be adequately moored or secured**

- 4.4.1 No person may anchor a vessel so as to obstruct the passage of other vessels or obstruct the approach to any wharf, pier, jetty or ramp.
- 4.4.2 Except in an emergency involving danger to life or property, no person may cut, break, destroy or unlawfully detach the mooring or the fastening securing any vessel.
- 4.4.3 When a vessel is moored alongside a wharf or other landing place, the owner or Master must ensure that adequate and safe means of access to the vessel is provided, properly installed, secured, and adjusted to suit all tidal conditions.

### **4.5 Obstructions**

- 4.5.1 Except in an emergency involving danger to life or property, no person may obstruct the access by waters to any wharf, landing place, boat ramp or mooring.
- 4.5.2 No person may place 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.

### **4.6 Refueling operations**

- 4.6.1 Any master in charge of a vessel undertaking any refueling operation must ensure that no oil products enter any waterway.
- 4.6.2 Any spill of any oil product that enters a waterway must be reported to the Council by the master in charge of the vessel.
- 4.6.3 Commercial Vessels carrying out refueling operations must have an Oil Transfer Site Marine Oil Spill Contingency Plan.

## **5. Operating Requirements**

### **5.1 Registration of Personal Water Craft (Commonly known as a JetSki)**

- 5.1.1 Every personal water craft being used on the waters must be registered with:
- a. the Council; or,
  - b. an authorised agent of the Council; or,
  - c. another regional council that also registers personal water craft
- 5.1.2 The owner of a personal water craft being used on the water must ensure that the personal water craft's registration number is:
- a. displayed on both sides of the personal water craft above the waterline; and
  - b. clearly legible; and
  - c. displayed using characters at least 90 mm in height
- 5.1.3 The owner selling or otherwise disposing of a personal water craft must complete the Council change of ownership or deregistration requirements (which includes the name and contact information of the new owner) within 30 days of selling or disposing of the craft.

### **5.2 Minimum age for operating powered vessels**

- 5.2.1 No person under the age of 15 years shall be in charge of, or propel or navigate a powered vessel that is capable of a proper speed exceeding 10 knots unless they are under the direct supervision of a person over the age of 15 years who is within immediate reach of the controls, and is not the lookout person as provided for in clause 5.6
- 5.2.2 The owner of a powered vessel that is capable of a proper speed exceeding 10 knots must not allow any person who is under the age of 15 years to be in charge of, or propel or navigate that vessel unless they are under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- 5.2.3 Subclause 5.2.1 and 5.2.2 does not apply in respect of any person who has a written exemption from the regional council issued in accordance with a navigation bylaw, or in accordance with Maritime Rule 91.5(4).
- 5.2.4 The Director may issue an exemption in accordance with section 47 of the Act that is valid for any specified place or places to a person under the age of 15 years for transport, training, competitions or other sporting events, if the Director—
- (a) considers that the person—
    - (i) is competent to propel or navigate a power driven vessel at a proper speed exceeding 10 knots; and
    - (ii) is aware of relevant navigation safety rules and navigation bylaws; and
    - (iii) will be under adequate supervision during the proposed activity or activities; and
  - (b) consults with the relevant regional council and notifies the council of the decision to issue the exemption.

### 5.3 Speed of vessels

- 5.3.1 No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a proper speed exceeding 5 knots:
- a. within 50 metres of any other vessel, raft, or person in the water; or
  - b. within 200 metres of the shore or of any structure; subject to subclause 5.3.5; or
  - c. within 200 metres of any vessel or raft that is flying Flag A (underwater diving operations); and
  - d. within 100 metres upstream and 100 metres downstream of the Whirokino boat ramp; and
  - e. within 200 metres upstream and 200 metres downstream of the Manawatū Marine Boating Club launching ramp; and
  - f. in the Foxton - Te Awahou River Loop between 'Speir's Corner' and the corner adjacent the Water Tower
- 5.3.2 No person may propel or navigate a powered vessel at a proper speed exceeding 5 knots while any person has any portion of their body extending over the fore part, bow or side of that vessel.
- 5.3.3 No person may cause or allow themselves to be towed by a vessel (whether or not on a water ski, aquaplane or other similar object) at a proper speed exceeding 5 knots in any circumstances specified in paragraphs (a, c, d, e, and f) of Subclause 5.3.1.
- 5.3.4 Subject to Subclauses 5.3.1(a, c, d, e, f), 5.3.2, 5.3.3, and 5.3.5, vessels may exceed a proper speed of 5 knots in the areas described in Schedule 2 "Speed Uplifted Areas" unless directed not to by the Harbourmaster or an Enforcement Officer.
- 5.3.5 Subclause 5.3.4 is subject to the following speed restrictions:
- a. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Manawatū River between the point 350 metres upstream of the State Highway 3 Bridge at Ashhurst and Jackeytown Road.
  - b. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Manawatū River from the State Highway 2 bridge (Woodville to Eketahuna) to the upstream point where Weber Road from Makirikiri to Waitahora crosses the Manawatū River.
  - c. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Oroua River from Aorangi bridge in Feilding up to Kimbolton.
  - d. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Pohangina River.
  - e. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Tiraumea River.



- f. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November to 31 March each year on the Mangapuaka Stream.
- g. No person shall propel or navigate a personal water craft (Commonly known as JetSki) at a proper speed exceeding 5 knots at any time on the Manawatū River between the point 350 metres upstream of the State Highway 3 Bridge at Ashhurst and Jackeytown Road.

5.3.6 No master may 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 measures adequate to ensure that the dropped ski or similar object is clearly visible to other water users.

#### **5.4 Wake**

5.4.1 Subject to Clause 5.3, every person who propels or navigates a recreational craft must ensure that its wake does not cause unnecessary danger or risk of damage to other vessels or structures, or of harm to other persons.

#### **5.5 Water ski and Personal Water Craft (Jet Ski) areas**

- 5.5.1 The areas listed below are recognised as being predominantly used for water skiing and jet skiing: (Note that this does not exclude other uses in these areas)
- a. On the Manawatū River between 2 kilometres upstream of the Whirokino Bridge down to the Whirokino boat launching ramp;
  - b. On the Manawatū River upstream of the Whirokino Bridge, from the Te Pehu Trig Station to another point 1.6 kilometres upstream where Cooks Drain enters;
  - c. On the Manawatū River below the Foxton-Shannon Bridge, between points 1 and 4 kilometres downstream of that bridge; and
  - d. On the Manawatū River from a point 200 metres upstream of the Manawatū Marine Boating Club launching ramp to the downstream end of the Foxton - Te Awahou Loop.

#### **5.6 Lookouts on vessel used for water skiing and towing any other person**

- 5.6.1 No person in charge of a vessel may use it to tow any person at a speed exceeding 5 knots 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 being towed.
- 5.6.2 No person may cause or allow themselves to be towed by or from any vessel at a speed exceeding 5 knots 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.
- 5.6.3 No person who is under the age of 10 years is permitted to act as the additional person required by subclauses 5.6.1 and 5.6.2.

## **5.7 Water skiing or towing between sunset and sunrise**

5.7.1 No person may operate, between sunset and sunrise, a vessel that is towing any person, whether or not that person is on a water ski, aquaplane, or other towed object or is barefoot skiing.

5.7.2 No person may allow themselves to be towed by a vessel between sunset and sunrise.

**Note:** The times for sunset and sunrise can be found in the current edition of the New Zealand Nautical Almanac.

## **5.8 Reserved areas**

5.8.1 The Harbourmaster may reserve any area for a specified purpose. In defining a reserved area, the Harbourmaster shall ensure that:

- a) Adequate signage is provided in the vicinity of the reserved area;
- b) Clearly define the reserved area; and
- c) Declare the purpose for which the area has been reserved.

5.8.2 No person may obstruct any other person whilst that other person is using a Reserved Area for the purpose for which it has been reserved.

5.8.3 If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area.

## **5.9 Damage to navigation aids**

5.9.1 No person may damage, remove, deface or otherwise interfere with an aid to navigation.

## **6. Administrative Matters**

### **6.1 Granting of exemptions from Maritime Rules under this Bylaw**

6.1.1 Exemptions from Maritime rules under this Bylaw must be made in accordance with Section 40AA of the Act.

### **6.2 Temporary events**

6.2.1 Any person intending to conduct a race, speed trial, competition, Tira Hoe Waka or other organised water activity in any area to which this Bylaw applies may apply to the Harbourmaster to:

- a. temporarily suspend the application of Clause 5.3 of this Bylaw in that area during the conduct of the race, speed trial, competition or other organised water activity; and
- b. temporarily reserve the area for the purpose of that activity.

6.2.2 Where the Harbourmaster is satisfied, on considering an application under this Bylaw, that the application may be granted without endangering the public, they may grant the application accordingly, for a period not exceeding 10 days, and on such conditions (if any) as they may specify in the interests of maritime safety.

6.2.3 Every grant of an application under this Bylaw shall, subject to subclause 6.2.4 of this Bylaw, have effect only for the period specified within the application.

6.2.4 No grant of a temporary event application under this Bylaw shall have effect unless, not less than 7 days or no more than 14 days before the commencement of the activity, a public notice is given specifying the period of the activity and details of the suspension or reserved area.

6.2.5 The applicant is to attend to the public notice under subclause 6.2.4 as prescribed in Clause 1.3 of this Bylaw.

### **6.3 Permanent speed upliftings**

6.3.1 Any application to have any speed limit as prescribed in this Bylaw permanently uplifted must be made in writing to the Council.

### **6.4 Appointment of harbourmaster and enforcement officers**

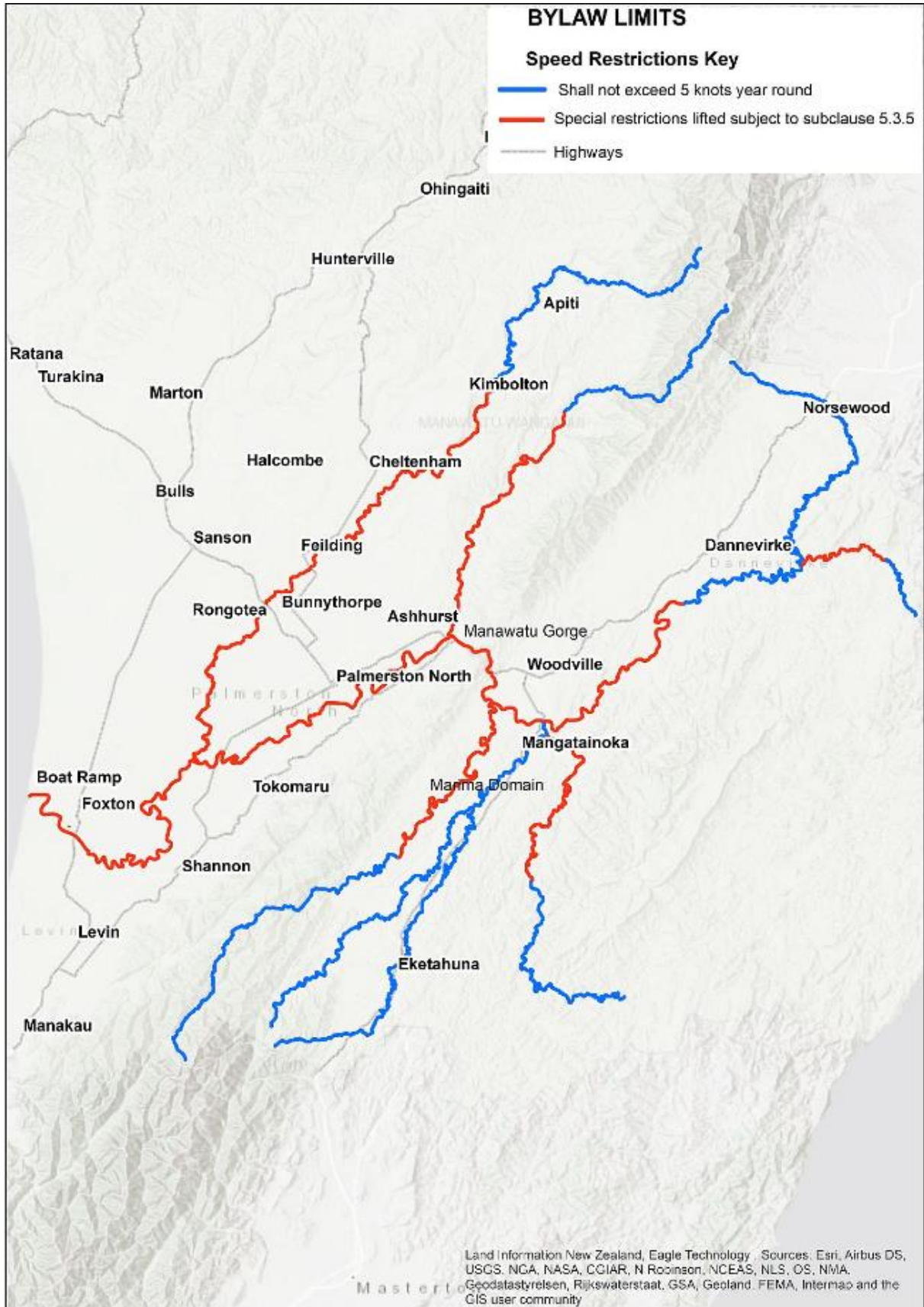
6.4.1 The Council may, by resolution, appoint a Harbourmaster for the purposes of this Bylaw. Section 33F of the Act sets out the powers of Harbourmasters.

6.4.2 The Council may, by resolution, appoint Enforcement Officers for the purposes of this Bylaw. Section 33G of the Act sets out the powers of Enforcement Officers.

6.4.3 The Council may, by resolution, appoint Honorary Enforcement Officers for the purposes of this Bylaw. Section 33G of the Act sets out the powers of Honorary Enforcement Officers.

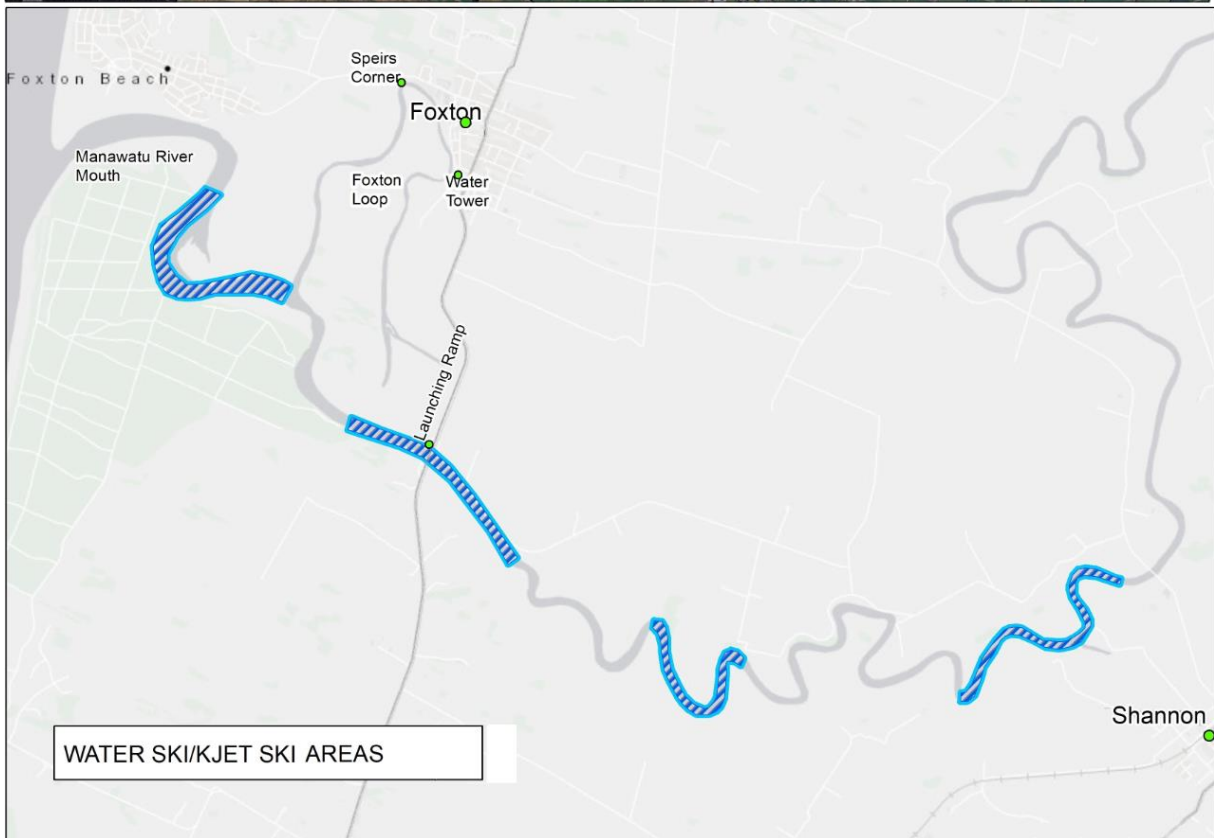
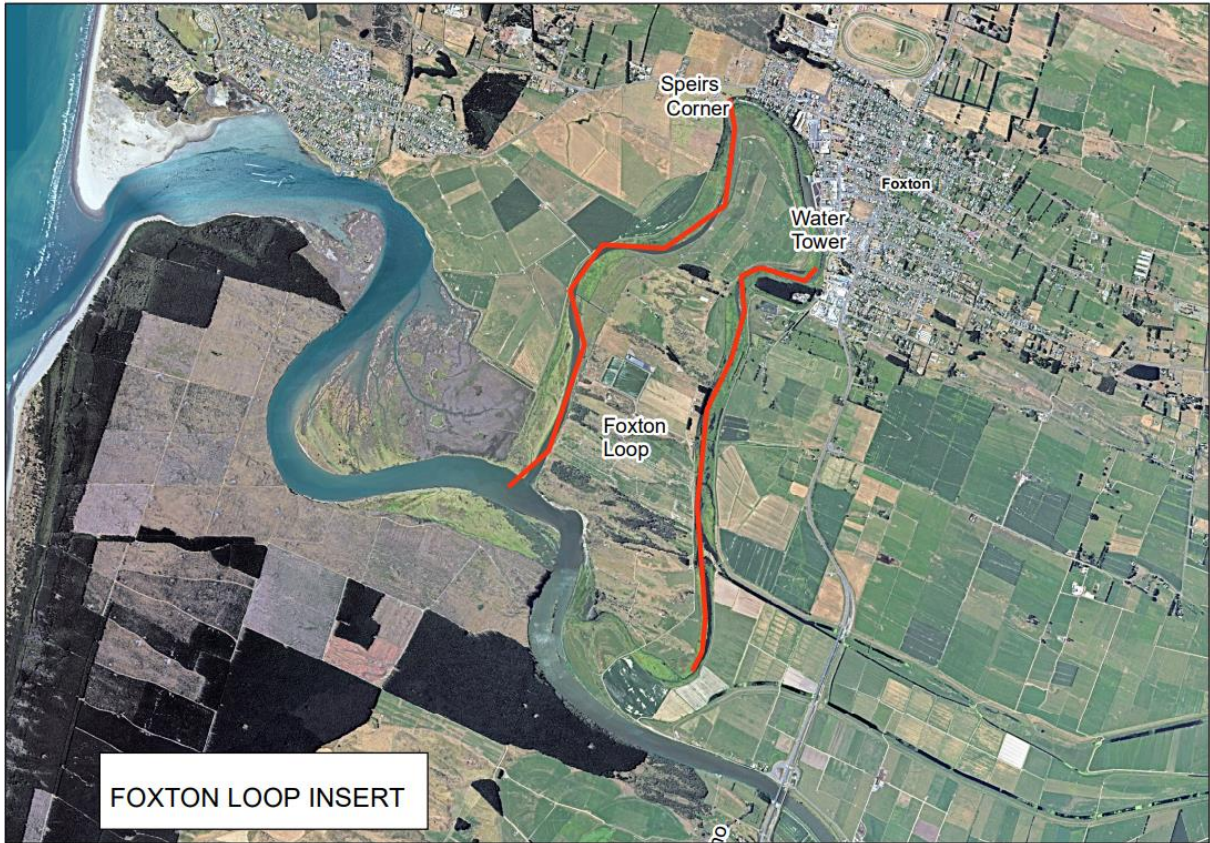
6.4.4 A Harbourmaster, Enforcement Officer, or Honorary Enforcement Officer may require the master of any vessel or any other person who is committing an offence in contravention of this Bylaw, to stop their vessel, and supply their name and address.

# SCHEDULE 1 – BYLAW LIMITS





# SCHEDULE 1 – BYLAW LIMITS CONTINUED



## SCHEDULE 2 – SPEED UPLIFTED AREAS

### **River/Tributary**

Subject to Clause 5.3 (excluding 5.3.1(b)), vessels may exceed a proper speed of 5 knots in the following areas.

1. Oroua River below the Aorangi Bridge.
2. Mangahao River downstream of Marima Domain.
3. Manawatū River from the Tiraumea River confluence to the river mouth (including Tidal Waters defined in Subclause 1.2.2).
4. The 'Foxton - Te Awahou River Loop'.
5. Manawatū River from the State Highway 2 bridge (Woodville to Eketahuna) to the upstream point where Weber Road from Makirikiri to Waitahora crosses the Manawatū River.
6. The Oroua River from Aorangi bridge in Feilding up to Kimbolton
7. The Pohangina River
8. The Tiraumea River
9. The Mangapuaka Stream





# SCHEDULE 3 – MANAWATŪ MARINE BOATING CLUB LAUNCHING RAMP





# SCHEDULE 4 – WHIROKINO BOAT RAMP





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