

# Harbourmaster's Direction 19-1

## Foreword

Environment Canterbury has adopted the [New Zealand Port and Harbour Marine Safety Code](#) (the Code) and applies the principles described within the code to marine operations on the region's waters. The movement of vessels within the Canterbury region is subject to control and direction by the Harbourmaster. This direction sets a number of control measures that are applicable across the region, or a specific area or operation, to enable the adequate implementation of the code.

## 1) Preamble

1) Pursuant to:

- a) Section 33F of the [Maritime Transport Act 1994](#); and
- b) Section 48 and section 60A(2) of the Maritime Transport Act 1994, as delegated by the director to the Harbourmaster under section 444(2) of the Act and consented by the Minister of Transport under section 444(4) of the Act; and
- c) the Bylaw;

for the purpose of mitigating risks to maritime safety by controlling the safe operation of vessels in the region's waters, including, particularly, port areas and harbours, the Harbourmaster directs that vessel and related maritime activities shall be conducted in accordance with the applications, purposes and requirements of this Direction.

## 2) Interpretation

1) In this Direction, unless the context otherwise requires:

**Act** means the Maritime Transport Act 1994.

**Bylaw** means the [Canterbury Regional Council Navigation Safety Bylaw 2016](#).

**Council** means the Canterbury Regional Council (also known as Environment Canterbury).

**gross tonnage (GRT)** means the gross tonnage of a ship determined under Maritime Rules [Part 48](#) or the tonnage measurement rules contained in Annex 1 of the International Convention on Tonnage Measurements of Ships 1969, as the case may be.

**Harbourmaster** means a person appointed as a Harbourmaster by the Canterbury Regional Council under section 33D of the Act.

**large vessel** means a vessel that is

- (a) 500 GRT or greater; or
- (b) 40 metres length overall or greater.

**length overall (LOA)** means the same as defined in Maritime Rules [Part 40A](#).

**Pilot** means a person holding a current Pilot Licence for the relevant pilotage area.

**vessel** means the same as "ship" as defined in section 2 of the Act.

- 2) To avoid doubt, compliance with this Direction does not remove the need to comply with all other applicable acts, regulations, bylaws, and rules of law.
- 3) Unless the context requires another meaning, a term or expression that is defined in the Act or a Maritime Rule or the Bylaw and used in this Direction, but not defined, has the meaning given by the Act or Maritime Rule or the Bylaw.

### **3) Application**

This direction applies to all vessels navigating near Cashin Quay and the entrance to the Inner Harbour Lyttelton as indicated on the image on p3. This direction should be read in conjunction with Harbourmaster's Direction 16-1.

### **4) Variation**

The Harbourmaster may, upon written application, vary the rules in this direction for a vessel or specific class of vessels. This will be done on a case-by-case basis, and only where the overall standards of maritime safety are not, in the opinion of the Harbourmaster, diminished.

### **5) Liability**

The Council shall not, in any case, be responsible for any loss or damage arising from the negligence of the Master or crew of any vessel to which this direction applies, or for any loss, damage or incident involving the vessel.

### **Purpose:**

To ensure that vessels are navigating at a speed and in a manner that avoids or mitigates as far as practicable risks to operations at the site of the, at present under under construction, cruise berth west of Cashin Quay.

## Requirements:

### 1) Exclusion zone

- a) Except for vessels having the permission of the Harbourmaster or the Lyttelton Port Company Marine Manager no vessel shall enter the exclusion zone, as indicated on the image below, between Cashin Quay and the East Mole Marker.

### 2) Restrictions on production of wake

- a) Every vessel shall so far as practicable navigate in such a manner as to minimise wake within the Inner Harbour and the area 200m from shore and wharves as indicated on the image below.

### 3) Restrictions on speed

- a) For the avoidance of doubt, vessel masters are reminded of the requirements of Maritime Rules Part 91 regarding speed, which include a speed limit of 5 knots within 200m of the shore or a structure.



Ian Malcolm Gill Fox  
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14<sup>th</sup> January 2019