

Lake Taupō Navigation Safety Bylaw 2017



Consolidated version:

This version incorporates amendments from the Lake Taupō Navigation Safety Amendment Bylaw 2019 and the Lake Taupō Navigation Safety Amendment Bylaw 2020.

This version sets out the current and in-force provisions of the Bylaw with effect from 22 June 2020.

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Preface

Lake Taupō is a taonga of paramount importance to Ngāti Tūwharetoa. Lake Taupō embodies the mana and rangatiratanga of Ngāti Tūwharetoa. Pursuant to Deeds in 1992 and 2007 between the Crown and the Tūwharetoa Maori Trust Board (the Trust Board) the ownership of the beds, water column and air space of Lake Taupō and specified portions of most of the tributaries flowing into Lake Taupō and the Waikato River from the outlet of Lake Taupō to Te Toka a Tia (the Rock of Tia) (200m downstream of Huka Falls) have been vested in the Trust Board. This land is collectively referred to as "Taupō Waters".

The 2007 Deed sets out the framework for how Taupō Waters will be managed by the Trust Board and the Crown. The Crown remains responsible for navigation safety matters for the navigable waterways within Taupō Waters, while other waterbodies nearby are managed by Regional Councils for navigation safety. The Minister of Local Government (the Minister) is the harbour authority for Taupō Waters and the Department of Internal Affairs exercises the harbour authority function on behalf of the Minister through the office of the Lake Taupō Harbourmaster. The Department of Internal Affairs administers the Lake Taupō Navigation Safety Bylaw 2017.

Pursuant to sections 33M and 33W(4) of the Maritime Transport Act 1994, the Associate Minister of Local Government, in consultation with the Director of Maritime New Zealand, makes the following bylaw.

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Part 1 - Preliminary provisions

1.1 Title and commencement

1.1.1 This bylaw is the Lake Taupō Navigation Safety Bylaw 2017.

1.1.2 This bylaw comes into force 28 days after the date on which it is signed.

1.2 Area within which this bylaw applies

This bylaw applies to the Lake.

Note: A map of the Lake is attached as the Appendix, for illustrative purposes.

1.3 Definitions

In this bylaw, unless the context otherwise requires,—

access lane means an area of water defined in Schedule 1 marked by orange posts with horizontal black bands for landing or departing vessels that are towing persons on water skis or similar objects

accident means an occurrence that involves a vessel and in which—

- (a) a person is seriously harmed or lost overboard; or
- (b) the vessel sustains damage or structural failure; or
- (c) there is a complete failure of the vessel's engine; or
- (d) there is a significant loss of, or damage to, property; or
- (e) there is an escape of fuel, chemicals, or sewage; or
- (f) the vessel is foundering, missing, or has been abandoned, or has a major fire on board

Act means the Maritime Transport Act 1994

anchor means to secure a vessel to the bed of a waterway or foreshore by means of an anchor, a cable, or other device that is removed with the vessel when the vessel leaves the site or anchorage

Director means the person who is for the time being the Director of Maritime New Zealand under section 439 of the Act

enforcement officer means a person who is appointed as an enforcement officer under section 33G of the Act

guided activity means an activity involving multiple vessels (for example kayaks) where one person is in charge of the activity on behalf of the group, whether commercial or not

harbourmaster means the person who is appointed under Part 3A of the Act to exercise authority under this bylaw and all relevant associated legislation, and includes any deputy of that person

honorary enforcement officer means a person who is appointed as an honorary enforcement officer under section 33G of the Act

incident means any occurrence other than an accident that is associated with the operation of a vessel and affects or could affect the safety of operation

infringement offence means a breach of a navigation bylaw that is specified in regulations made under section 33O of the Act

Lake means all the waters of Lake Taupō, the navigable rivers and streams flowing into that lake, the tail race from the Tokaanu power station, and the waters of the Waikato River between Lake Taupō and the Huka Falls

Note: A map of the Lake is attached as the Appendix, for illustrative purposes.

mooring means any weight or article placed in or on the foreshore or the bed of a waterway for the purpose of securing a vessel, raft, aircraft, or floating structure, and—

- (a) includes any chain, wire, rope, buoy, or other device attached or connected to the weight; but
- (b) excludes an anchor that is removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage

mooring permit means a permit issued under bylaw 9

mooring site means the area designated by the harbourmaster for use by a mooring owner, and includes the swing area around the mooring

NZS means New Zealand Standard

personal flotation device or **PFD** 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) type 401, 402, 403, 404, 405, or 406 in NZS 5823:1989, NZS 5823:2001, NZS 5823:2005, or any subsequent New Zealand Standard; or
- (b) a national or international standard that the Director is satisfied substantially complies with types 401, 402, 403, 404, 405, or 406 in NZS 5823:1989, NZS 5823:2001, NZS 5823:2005, or any subsequent New Zealand Standard

personal watercraft (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; and
- (d) operates by water jet propulsion

public mooring means an orange mooring buoy marked with "Public Mooring" set out for the use of visitors to the Lake

ramp, in relation to the Lake, means a structure that—

- (a) is used to—
 - (i) launch a vessel onto the Lake; or
 - (ii) remove a vessel from the Lake; and
- (b) is owned by the Crown or administered by the Secretary for Local Government

ramp permit means a permit to use a ramp issued under the Lake Taupō (Crown Facilities, Permits and Fees) Regulations 2004

recognised authority means an authority that the Director considers is competent to certify a personal flotation device's compliance with a standard

reserved area means an area of water specified in Schedule 2 and a specified area approved by the harbourmaster in accordance with clause 4.2

restricted anchorage means an area where vessels must not be anchored referred to in clause 2.6

seaplane means a flying boat or any other aircraft designed to manoeuvre or operate as a vessel when it is on the surface of water

seaworthy in relation to a vessel means being, in the opinion of the harbourmaster, in a fit condition or state of readiness to safely undertake a voyage within its designed capabilities

skipper means the person who is in physical control, or in command, or in charge of a vessel at any given time

speed for the purposes of this bylaw is measured relative to speed over ground and incorporates an allowance for any current speeds where applicable

sunrise has the same meaning as in the latest edition of the New Zealand Nautical Almanac

sunset has the same meaning as in the latest edition of New Zealand Nautical Almanac

towing means the towing of a person or object behind a vessel but does not include the towing of a vessel by another vessel

unattended means not being on board a vessel, or not being in close proximity to a vessel without an ability to reboard it quickly if required

vessel—

- (a) means every description of boat or craft used to carry goods, equipment or persons over or under water, whether or not it has any means of propulsion; and
- (b) includes a seaplane, when on the surface of the water; and
- (c) includes personal watercraft (jetski); but
- (d) excludes inflatable toys, body boards, and other items that would be considered to be children's toys.

Part 2 - Vessels

2.1 Minimum age for operating powered vessels

Except when the Director has granted an exemption, no person under the age of 15 years may navigate, or be allowed by the vessel's owner to navigate, a powered vessel capable of a speed exceeding 10 knots, unless he or she is under the direct supervision of a person over the age of 15 years who is within immediate reach of the controls.

2.2 Personal flotation devices

- 2.2.1 Every person on board a vessel that is 6 metres or less in length overall must wear a properly secured personal flotation device at all times while the vessel is making way, unless prior written approval is obtained from the harbourmaster (for example, for ceremonial purposes).
- 2.2.2 Clause 2.2.1 does not apply to persons exempted under the provisions of Maritime Rules Part 91 or by the Director from the requirement to carry or wear a personal flotation device.
- 2.2.3 Every person on board a personal watercraft or being towed (including at a speed of less than 5 knots) must wear a properly secured personal flotation device, unless rule 91.4(8)(a) or (b) applies.

Note: Maritime Rules Part 91 states at rule 91.4(1) that no person 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.

Part 91 may be accessed in full at this link:

<http://www.maritimenz.govt.nz/rules/part-91/>

2.3 Vessels to be seaworthy

- 2.3.1 Except where there is in force a written exemption from the harbourmaster, the owner of every vessel anchored or moored in the Lake must keep the vessel in a seaworthy condition at all times.
- 2.3.2 If any vessel is a navigation hazard by reason of not being seaworthy, and except in a case of emergency or accident, an owner, or someone acting with the owner's authority, must follow the harbourmaster's directions to move the vessel to an alternative location or remove it from the Lake within a reasonable time specified in the direction.

2.4 Moorings, ramps and berths

- 2.4.1 No person may place or maintain a mooring in the Lake unless authorised by the harbourmaster.
- 2.4.2 Mooring owners must comply with the conditions of mooring issued by the harbourmaster.
- 2.4.3 No person may moor a vessel to any mooring buoy for which they do not own unless authorised by the harbourmaster, or the buoy is clearly marked as a public mooring
- 2.4.4 No person may leave unattended a vessel secured to a public mooring.

- 2.4.5 No person may part with, assign to another person, or allow another person to use, a mooring for which the person has ownership, unless authorised by the harbourmaster.
- 2.4.6 The harbourmaster or the Secretary for Local Government may—
- (a) issue any of the ramp permits set out in Schedule 1 of the Lake Taupō (Crown Facilities, Permits and Fees) Regulations 2004; and
 - (b) authorise any person to issue any of the ramp permits set out in Schedule 1 of the Lake Taupō (Crown Facilities, Permits and Fees) Regulations 2004.
- 2.4.7 A person may not use a ramp to launch a vessel onto the Lake or to remove a vessel from the Lake unless the person has a valid ramp permit for the vessel that is immediately available for inspection.
- 2.4.8 No person may occupy a marina berth or Crown owned facility without prior approval from the harbourmaster.

2.5 Vessels to be adequately moored or secured

- 2.5.1 Any skipper of a vessel berthed at a wharf must ensure that the vessel is securely fastened at all times.
- 2.5.2 No person may anchor or moor a vessel on the Lake in a such manner that it may break free, drag, or cause a navigational safety hazard.
- 2.5.3 No person may leave a vessel unattended at anchor.

2.6 Restricted anchorages

- 2.6.1 The restricted anchorages to which this bylaw applies are—

Taupō Boat Harbour and Channel

The area situated between the Lake Taupō Control Gates and the outer channel markers of the Taupō Boat Harbour.

Tokaanu Marina

The facility within the Tokaanu Tailrace, specifically set out for in-water vessel storage, situated between the southern Tokaanu boat ramp and the northern Tokaanu boat ramp.

Tokaanu Tailrace

That part of the tailrace situated between the southern boundary of the Tokaanu Marina and the first port and starboard (lit) entrance beacons entering from the Lake.

Motuoapa Marina and Channel

All of the marina and entrance, including the area bounded by beacons out to the port and starboard lit beacons from the marina entrance.

All access lanes

All access lanes as described in Schedule 1.

- 2.6.2 Except in an emergency, or under the direction of, or with the permission of the harbourmaster, no person may anchor any vessel in a restricted anchorage.

2.7 Aids to navigation

- 2.7.1 No person may secure a vessel to any aid to navigation except under the direction of the Director or the harbourmaster.
- 2.7.2 No person may erect, maintain, or display any aid to navigation or other device that may be used or mistaken as a recognised aid to navigation except under the direction of, or in consultation with, the Director or the harbourmaster.
- 2.7.3 No person may damage, remove, deface or otherwise interfere with any beacon, navigation mark, buoy, light or other navigation aid except under the direction of, or in consultation with, the Director or the harbourmaster.

2.8 Use of propulsion system

- 2.8.1 Except where berthing or unberthing, no person may operate the propulsion system of a vessel while it is lying at any wharf, or while it is loading or unloading at any ramp.
- 2.8.2 No person may operate the propulsion system of a vessel in such a manner that it may damage any property, scour the bed of the waterway, or injure any person.
- 2.8.3 For avoidance of doubt, this clause does not prevent a person from running the engines of a vessel in neutral.

2.9 Obstructions

- 2.9.1 No unauthorised person may obstruct the access to any wharf, landing place, boat ramp, slipway, navigation channel, or mooring, except under the direction of the harbourmaster.
- 2.9.2 No unauthorised person may place any obstruction, including any vessel or fishing apparatus on the Lake, in such a manner that is liable to—
- (a) restrict navigation; or

- (b) cause, or have potential to cause, injury or death to any person; or
- (c) cause damage to any vessel or property.

2.9.3 No person may leave unattended equipment, stabilisers, booms, cranes, davits, or other equipment extending over the side of a vessel so as to cause a hazard to any other vessel or person.

2.10 Notification of accidents and incidents

2.10.1 The owner or skipper of any vessel involved in an accident or incident must, as soon as practicable,—

- (a) verbally report the accident or incident to—
 - (i) the harbourmaster; and
 - (ii) Maritime New Zealand's Rescue Coordination Centre New Zealand on free phone 0508 472 269; and
- (b) complete—
 - (i) the online maritime accident or incident form found at www.maritimenz.govt.nz; or
 - (ii) the maritime accident or incident form provided by the harbourmaster or the Director.

2.10.2 The skipper of a vessel must, as soon as practicable, make a report under, and in accordance with, clause 2.10.1 if the vessel—

- (a) has been involved in a collision with any vessel, navigational aid, or structure, or has been sunk or grounded or become stranded in any waterway; or
- (b) is in a condition, by reason of any accident, fire, defect, or otherwise, that affects its safe navigation or gives rise to danger to other vessels or property; or
- (c) gives rise to an obstruction in any manner; or
- (d) causes any damage to any navigational aid or structure or to anything on the structure.

2.10.3 A verbal report made or maritime accident or incident form completed under clause 2.10.1 must include—

- (a) a full description of any injury to persons and the names and addresses of any injured persons; and
- (b) a full description of any damage to vessels or structures; and
- (c) the full names and addresses of the owner and the skipper of the vessels involved.

2.10.4 If an accident or incident described in clause 2.10.1 or 2.10.2 involves damage to a vessel that affects or is likely to affect its seaworthiness, the vessel's skipper may not move the vessel except—

- (a) to clear the main navigational channel; or
- (b) to moor or anchor in safety; or
- (c) in accordance with the directions of the harbourmaster or an enforcement officer or the Police.

2.11 Speed limits

2.11.1 No person may, without reasonable excuse, navigate a vessel (including a vessel towing a person or an object) at a speed exceeding 5 knots—

- (a) within 50 metres of any other vessel or person in the water; or
- (b) within 200 metres of the shore or of any structure, or on the inshore side of any buoy demarcating that distance from the water's edge or structure; or
- (c) within 200 metres of any vessel that is flying a diver's flag—"Flag A" of the International Code of Signals; or
- (d) while any person has any portion of his or her body extending over the fore part, bow, or side of that vessel.

2.11.2 Clause 2.11.1(a) does not apply to:

- (a) a vessel towing in an access lane; or
- (b) a vessel powered by sail in relation to any other vessel powered by sail, while the vessels are participating in a yacht race or training administered by:
 - (i) a club affiliated to Yachting New Zealand;
 - (ii) a non-profit organisation involved in sail training or racing; or

- (c) a tug, pilot vessel, emergency response vessel, support vessel for rowing or paddling, harbourmaster vessel, or police vessel, in circumstances where the vessel's duties cannot be performed in compliance with clause 2.11.1(a); or
- (d) a vessel operating in accordance with a suspension of speed limits under clause 6.1.

2.11.3 Clause 2.11.1(b) does not apply to:

- (a) a vessel towing in an access lane; or
- (b) a windsurfer, kite boarder or other similar board rider; or
- (c) a tug, pilot vessel, emergency response vessel, support vessel for rowing or paddling, harbourmaster vessel or police vessel, in circumstances where the vessel's duties cannot be performed in compliance with clause 2.11.1(b); or
- (d) a vessel operating in accordance with a suspension of speed limits under clause 6.1.

2.11.4 No person may navigate a vessel at a speed exceeding 3 knots—

- (a) in the Taupō Boat Harbour (but excluding the Taupō Boat Harbour Channel, being the area from the outer channel markers and the sewerage pump out berth) ; or
- (b) in the Motuoapa Marina Basin ; and
- (c) in the Tokaanu Marina, which comprises the facility within the Tokaanu Tailrace, specifically set out for in-water vessel storage, situated between the southern Tokaanu boat ramp and the northern Tokaanu boat ramp.

2.11.5 In addition to the requirements of clause 2.11.4, any skipper of a vessel entering, leaving, or manoeuvring in the Taupō Boat Harbour, the Motuoapa Marina, or the Tokaanu Marina must—

- (a) maintain the minimum speed above the flow of water to maintain steerage way and control of the vessel; and
- (b) proceed as far as practicable on that side of the channel and harbour which is upon the starboard (right-hand side); and
- (c) proceed under power rather than sail; and
- (d) refrain from overtaking.

2.12 Collision prevention

No person navigating a vessel may impede a seaplane that is in the process of landing or taking off.

Note: Maritime Rules Part 22 (relating to collision prevention) applies throughout New Zealand, including on the Lake.

Part 22 may be accessed in full at this link:

<https://www.maritimenz.govt.nz/rules/part-22/>

2.13 Diving

No person may dive from a vessel unless a diver's flag—"Flag A" of the International Code of Signals—is displayed in such a manner that it can be clearly identified at a distance of 200 metres from another vessel. "Flag A" must accord with the description in the Maritime Rules Part 91 and be not less than 600 mm by 600 mm in dimension.

2.14 Wake

Every person who navigates a vessel must ensure that the vessel's wake does not cause danger or risk of damage to other vessels or structures or to any person.

2.15 Registration of personal watercraft (jetski)

2.15.1 Every personal watercraft used in or on the waters of the Lake must be registered with a regional council.

2.15.2 The owner of a personal watercraft being used on the Lake must ensure that the personal watercraft's registration number is:

- (a) displayed on both sides of the personal watercraft above the waterline; and
- (b) clearly legible; and
- (c) displayed using characters at least 90 mm in height.

2.16 Vessels to be identified

2.16.1 The skipper and the owner of a vessel must ensure that the vessel is marked with its name or similar identifying marks (for example, radio call sign, coast guard membership number, or the vessel's trailer registration) which must:

- (a) be displayed on both sides of the vessel above the water line; and
- (b) be clearly legible; and
- (c) have characters at least 90 mm in height; and
- (d) not have the potential to misrepresent as a harbourmaster, police, customs, fishery officer or similar response vessel; and
- (e) not be displayed using non-standard identification (for example symbols); and
- (f) not be only the vessel's brand, model, or make.

2.16.2 Clause 2.16.1 does not apply to a non-mechanically powered vessel that is less than 6 metres in length.

2.16.3 Clause 2.16.1 does not apply to a mechanically powered vessel that is less than 4 metres in length and cannot exceed 10 knots.

2.16.4 All vessels must be marked with emergency contact details somewhere on or in the vessel that is clearly visible.

Note: It is recommended that emergency contact details also be located on vessel trailers. This would assist the harbourmaster, enforcement officers, honorary enforcement officers, and other persons to ascertain whether a trailer at a particular location is intended to be there at night or overnight, in case the vessel and skipper have come into difficulty and require assistance and cannot seek assistance. This will assist search and rescue personnel.

2.17 Sound and light signals

2.17.1 No person may blow or sound the whistle, siren or horn of a vessel unless it is being used as a navigation safety signal or for the testing of equipment.

2.17.2 Subclause 2.17.1 does not apply to horns, whistles or sirens used for the purposes of a sporting event or a celebration event, provided they are used in locations where there will be no confusion to any other skipper about the navigation safety signal being sent.

2.17.3 No person may fit to any vessel or use any blue flashing light, unless the vessel is operated by police, customs, a fishery officer or a harbourmaster.

2.17.4 No person may fit to any vessel or use any purple flashing light unless the vessel is being used specifically for an emergency response. A purple flashing light may be used only when actively involved in responding to an incident.

Note: **Maritime Rules Part 22 (Collision prevention - lights and shapes) applies to skippers operating vessels on the Lake.**

Part 22 can be accessed at this link:

<http://www.maritimenz.govt.nz/rules/part-22/>

2.18 Means of communication

2.18.1 Every skipper must carry on board their vessel at least one means of communication that:

- (a) has the ability to communicate with a land based person from any area where the vessel is intended to be operated;
- (b) has sufficient coverage and power to operate for the actual duration of the voyage; and
- (c) if the vessel is 6 metres or less in length, is either waterproof or is carried in a waterproof bag or container.

2.18.2 Subclause 2.18.1 does not apply to a:

- (a) stand up paddle boarder when the paddle board is being used solely for the purposes of surf riding; or
- (b) vessel being used in any sporting event, guided activity or training activity, if there is a support vessel in attendance that is carrying a means of communication in accordance with subclause 2.18.1; or
- (c) vessel that is capable of communicating by voice with either:
 - (i) a specific person on the shore; or
 - (ii) its parent vessel, if a tender.

2.19 Providing any vessel for remuneration, hire or reward

Any person providing any vessel for remuneration, hire or reward must:

- (a) advise any operator of the requirements of this bylaw;
- (b) provide a seaworthy vessel; and
- (c) provide safety equipment in compliance with this bylaw.

2.20 Vessels prohibited near Lake Taupō Control Gates

No person may operate a vessel in any water 100 metres upstream to 200 metres downstream of the Lake Taupō Control Gates unless authorised:

- (a) by the Harbourmaster; or

- (b) by the dam operators where the vessel is being used for maintenance purposes.

Note: Swimming, diving and other water-based activities in this area are also prohibited – see clause 4.1.

Part 3 - Waterskiing and towing

3.1 Lookouts

- 3.1.1 No person may use a vessel to tow any person without a lookout present on the vessel.
- 3.1.2 No person may permit themselves to be towed without a lookout present on the vessel.
- 3.1.3 For the purposes of this clause, a lookout is a person on the vessel who is:
 - (a) 10 years of age or older; and
 - (b) not the skipper of the vessel; and
 - (c) responsible for immediately notifying the skipper of any mishap that occurs to the person who is being towed.

3.2 Speed limits

- 3.2.1 No person may cause himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane, or other similar object) at a speed exceeding 5 knots in any of the following circumstances:
 - (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, or on the inshore side of any buoy demarcating that distance from the water's edge or structure; or
 - (c) within 200 metres of any vessel or raft or buoy that is flying a diver's flag— "Flag A" of the International Code of Signals; or
 - (d) while any person has any portion of his or her body extending over the fore part, bow, or side of that vessel.
- 3.2.2 Subclause 3.2.1(a) and (b) do not apply to:
 - (a) a person being towed in an access lane; or
 - (b) a person being towed by a vessel operating in accordance with a suspension of speed limits under clause 6.1.

3.3 Conduct in access lanes (ski/tow lanes)

- 3.3.1 Access lanes are those listed in Schedule 1.
- 3.3.2 No person may navigate a vessel in an access lane, except by the most direct route along the access lane, and while keeping to the starboard (right-hand side).
- 3.3.3 No person, whether with or without a vessel, may enter, remain in, or use the access lane for any other purpose than for towing persons.
- 3.3.4 No person may park a vessel at the water's edge within the area of any access lane whether the vessel is engaged in access lane activity or not.
- 3.3.5 For avoidance of doubt, this clause does not prevent persons or vessels from crossing an access lane provided the crossing is done in a reasonable and safe manner, with priority being given to vessels using the lane for its intended purpose.

3.4 Towing between sunset and sunrise

- 3.4.1 No person may navigate, between sunset and sunrise, a vessel that is towing any person who is on water skis, an aquaplane, a surfboard, or similar object, or who is barefoot skiing, or who is on a paraglider or similar object.
- 3.4.2 No person may cause himself or herself to be towed in the circumstances described in clause 3.4.1.

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

Part 4 - Swimming

4.1 Restrictions

No person may jump, dive, swim, or undertake other related activities, from or within—

- (a) 50 metres of any jetty, ramp, wharf, or quay that is in regular use for the berthing and unberthing of vessels; or
- (b) any designated anchorage or mooring area or marina; or
- (c) any navigational channel; or
- (d) any licensed commercial operation or structure; or
- (e) the Kinloch Marina entrance; or

- (f) 100 metres upstream to 200 metres downstream of the Lake Taupō Control Gates; or
- (g) any access lane.

4.2 Conduct in reserved areas

- 4.2.1 Areas reserved for swimming are those reserved areas listed in Schedule 2.
- 4.2.2 No person may navigate a vessel in an area that is reserved for swimming or a temporary reserved area established by the harbourmaster under clause 4.2.4.
- 4.2.3 Nothing in clause 4.2.1 prohibits the use of an emergency response vessel within a reserved area.
- 4.2.4 The harbourmaster may establish temporary reserved areas to provide safe zones for events requiring separation of competitors (either swimmers or vessels) from vessels not directly supporting the event.
- 4.2.5 The harbourmaster will advise of any temporary reserved areas by public notice.

Part 5 - Seaplanes

5.1 Use of seaplanes

Except in an emergency, no person piloting a seaplane or other aircraft may take off, land, or attempt to take off or land in any area other than an area reserved for that purpose.

Note: Seaplanes on the surface of the Lake are considered to be vessels and must abide by all parts of this bylaw relating to vessels.

Part 6 - Events

6.1 Applications to conduct events

- 6.1.1 Any person intending to conduct a race, speed trial, competition, or other organised water activity may apply to the harbourmaster to—
 - (a) temporarily suspend the application of speed limits for the purposes of facilitating the event; or
 - (b) temporarily reserve the area for the purpose of that activity.

- 6.1.2 The harbourmaster may grant an application, for a period not exceeding 10 days and on such conditions as he or she may specify if satisfied that suitable provisions are in place to protect the safety of persons taking part in the event.
- 6.1.3 No grant of an application may have effect unless, not less than 7 days or more than 14 days before the commencement of the activity, public notice is given by the applicant specifying the period of the activity and details of the suspension of the application of speed limits for the area reserved for the event.
- 6.1.4 The harbourmaster may recover from the applicant all actual and reasonable costs associated with the application, including any monitoring and advertising.

Part 7 - Closed Areas

7.1 Closed areas

- 7.1.1 The harbourmaster may close access to an area for navigation safety reasons.
- 7.1.2 When closing an area, the harbourmaster must:
- (a) specify the relevant area to be closed;
 - (b) specify any terms and conditions that the harbourmaster considers appropriate; and
 - (c) publicly notify the details of the closure.

Part 8 - Offences

8.1 Offence

- 8.1.1 Every person commits an offence against this bylaw who-
- (a) fails, refuses, or neglects to comply with a lawful direction of the harbourmaster or deputy harbourmaster or a person acting under the harbourmaster's or deputy harbourmaster's authority; or
 - (b) obstructs, impedes, or interferes with the doing of anything required, or authorised to be done, under this bylaw; or
 - (c) carries out an act in contravention of, or fails to comply with, a provision of this bylaw; or
 - (d) fails to comply with a reasonable requirement of the harbourmaster as soon as is reasonably possible.

- 8.1.2 Where this bylaw imposes a requirement on the skipper of any vessel, that requirement must, in the case of a vessel that has no skipper, be performed or carried out by the owner.
- 8.1.3 Where a clause imposes a requirement on both the skipper and the owner of a vessel, then, if that clause is not complied with, the skipper and the owner are deemed to have both committed an offence. If the requirement is complied with by either the skipper or the owner, then compliance by one is compliance by the other.
- 8.1.4 Compliance with this bylaw does not remove the need to comply with other legislation or the requirements of other authorities or agencies that have jurisdiction over the Lake.

8.2 Penalties

- 8.2.1 Every person who commits an offence against this bylaw is liable to a fine not exceeding \$500.
- 8.2.2 On service by the harbourmaster of an infringement notice, every person is liable to pay the prescribed infringement fee prescribed in regulations made under the Act.

8.3 Authority to issue infringement notices

- 8.3.1 Harbourmasters, deputy harbourmasters, enforcement officers, and police officers have the authority to issue an infringement notice for offences specified in clause 8.1.
- 8.3.2 An infringement notice may be served—
- (a) by delivering it, or a copy of it, personally to the person alleged to have committed the infringement offence; or
 - (b) by sending it, or a copy of it, by post, addressed to the person at his or her last known place of residence or business or postal address.

8.4 Liability of harbourmaster

- 8.4.1 The harbourmaster is not liable for:
- (a) any damage to vessels which have not been securely moored;
 - (b) any damage to a vessel(s) which results from any actions taken by the harbourmaster to secure a vessel, in the event of a storm or other adverse event.

- 8.4.2 The harbourmaster is not liable for any damage to a vessel tied to a mooring, whether the damage is caused by a third party, a natural disaster or event, natural processes or by any other cause.
- 8.4.3 The harbourmaster is not liable for any damage to a vessel that the harbourmaster secures or removes under this bylaw.

Part 9 – Mooring permits

Mooring permits

9.1 Requirement for mooring permit

- 9.1.1 No person may place or maintain a mooring in the lake except under the authority of a mooring permit and in accordance with any conditions of the permit.
- 9.1.2 The harbourmaster may,—
- (a) on application, issue a mooring permit set out in Schedule 3; and
 - (b) include in the mooring permit any conditions of mooring that are reasonably necessary to protect the mooring or to ensure maritime safety.

9.2 Transfer or modification of mooring permit

- 9.2.1 A mooring permit may not be transferred, assigned, or hired under any rule of law or equity.
- 9.2.2 A purported transfer, assignment, or hiring of a mooring permit is void.

Schedule 1 - Access lanes

cls 1.3, 3.3.1

Water ski/towing access lanes

Whangamata Bay

All that area of water at Whangamata Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 230° true direction 200 metres from the edge of the water, the north-western boundary commencing 75 metres south-eastwards of the breakwater.

Kaiapo Bay

All that area of water in Kaiapo Bay, Lake Taupō, bounded on the sides by parallel lines 100 metres apart, extending in a 237° true direction 200 metres from the edge of the water, the south-eastern boundary commencing 40 metres north-eastwards of the south-eastern end of the beach.

Five Mile Bay

All that area of water at Five Mile Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 250° true direction 200 metres from the edge of the water, the northern boundary commencing off the end of the northern access road to the bay.

All that area of water at Five Mile Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 250° true direction 200 metres from the edge of the water, the southern boundary commencing 175 metres northwards of the Tawhaa Road access.

Hatepe

All that area of water at Hatepe, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 267° true direction 200 metres from the edge of the water, the northern boundary commencing 600 metres southwards of the point at the southern end of the settlement.

Motutere Bay

All that area of water at Motutere Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 338° true direction 200 metres from the edge of the water, the north-eastern boundary commencing 50 metres south-westwards of the Bulli Point end of the bay.

Mission Bay

All that area of water at Mission Bay, Lake Taupō, bounded on the sides by parallel lines 100 metres apart, extending in a 350° true direction 200 metres from the edge of the water, the western boundary commencing 1 200 metres eastwards of Mission Point.

Stump Bay

All that area of water at Stump Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 287° true direction 200 metres from the edge of the water, the northern boundary commencing 150 metres southwards of the northern corner of the bay.

Waihi Bay

All that area of water at Waihi Bay, Lake Taupō, bounded on the sides by parallel lines 100 metres apart, extending in a 020° true direction 200 metres from the edge of the water, the western boundary commencing 350 metres eastwards of the mouth of the Omoho Stream.

Omori/Kuratau

All that area of water at Kuratau, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 160° true direction 200 metres from the edge of the water, the eastern boundary commencing 600 metres south-westwards of Kuratau Spit.

Whareroa

All that area of water at Te Hape Bay, Lake Taupō, bounded on the sides by parallel lines 150 metres apart, extending in a 085° true direction 200 metres from the edge of the water, the northern boundary commencing 1 000 metres southwards of the mouth of the Whareroa Stream.

Waihora Bay

All that area of water at Waihora Bay, Lake Taupō, bounded on the sides by parallel lines 100 metres apart, extending in a 150° true direction 200 metres from the edge of the water, the north-eastern boundary commencing 350 metres south-westwards of the mouth of the Waihora Stream.

Kawakawa Bay

All that area of water at Kawakawa Bay, Lake Taupō, bounded on the sides by parallel lines 100 metres apart, extending in a 255° true direction 200 metres from the edge of the water, the south-eastern boundary commencing 300 metres north-westwards of the eastern corner of the bay.

Schedule 2 - Reserved areas

cls 1.3, 4.2.1

Areas reserved for swimming

The following areas are reserved for swimming:

- (a) **Floatplane** - the area situated south-west of the Lake Taupō Landing Reserve within lines running 120° (true) from the jetty and 33° (true) from the outer flashing green channel marker; and
- (b) **Kinloch** - the area starting 50 metres west of the groyne that forms the western side of the entrance to the Kinloch Marina, running to the west along the beach to a line marked by the flagpole in the Holyoake Memorial, bounded by parallel lines extending from either end of this area to a distance of 150 metres from the lake margin at normal lake level in a direction of 210° (true); and
- (c) **Lake Terrace** - the area adjacent to the car park and reserve on State Highway 1 between Pataka Road and south-east to the Sea Scout building, bounded by parallel lines extending from either end of those points to a distance of approximately 150 metres from the lake margin at normal lake level in a direction of 220° (true); and

- (d) **Te Ti Point** - the second bay south of Te Ti Point starting at the south end of the Secombe Park carpark, bounded by buoys extending from either end of this area to a distance approximately 100 metres from the lake margin at normal lake level; and
- (e) **Kuratau** - the area starting 50 metres west of the jetty at the Kuratau boat ramp extending for 125 metres west, bounded by parallel lines extending from either end of this area to a distance of approximately 100 metres from the lake margin at normal lake level in a direction of 160° (true).
- (f) **Whareroa** - the area starting 100 metres west of the Whareroa boat ramp and continuing for another 100 metres west, bounded by parallel lines extending from either end of this area to a distance of approximately 100 metres from the lake margin at normal lake level in a direction of 115° (true).
- (g) **Pukawa** – the area starting 10 metres south of the Pukawa Stream, extending for 140 metres north, bounded by parallel lines extending from either end of this area to a distance of approximately 150 metres from the lake margin at normal lake level in a direction of 080° (true).

Schedule 3

Mooring permits

Type	Period for which issued	GST exclusive fee (\$)
Mooring permit	1 year	201.74

Notes

1. Any persons or entity wishing to undertake a commercial activity on Taupō Waters requires approval and a licence to operate from the Tūwharetoa Maori Trust Board. For more details contact: www.tuwharetoa.co.nz
2. Any person using the Waikato River should be aware that swimming in the Waikato River is dangerous as there are numerous drowning hazards, including deep fast flowing water, rapids, changing water levels and flows, whirlpools and waterfalls. There are also numerous parts of the river where the banks do not allow access to climb out.
3. For further information about navigation safety and this bylaw, please contact the Harbourmaster on (07) 378 7176 or at harbourmaster@dia.govt.nz.

Dated at Wellington this 15/03/17

Hon Jacqui Dean
Associate Minister of Local Government

