

# Northland Regional Council

## Harbourmaster's Direction #1 – 2018/HOU

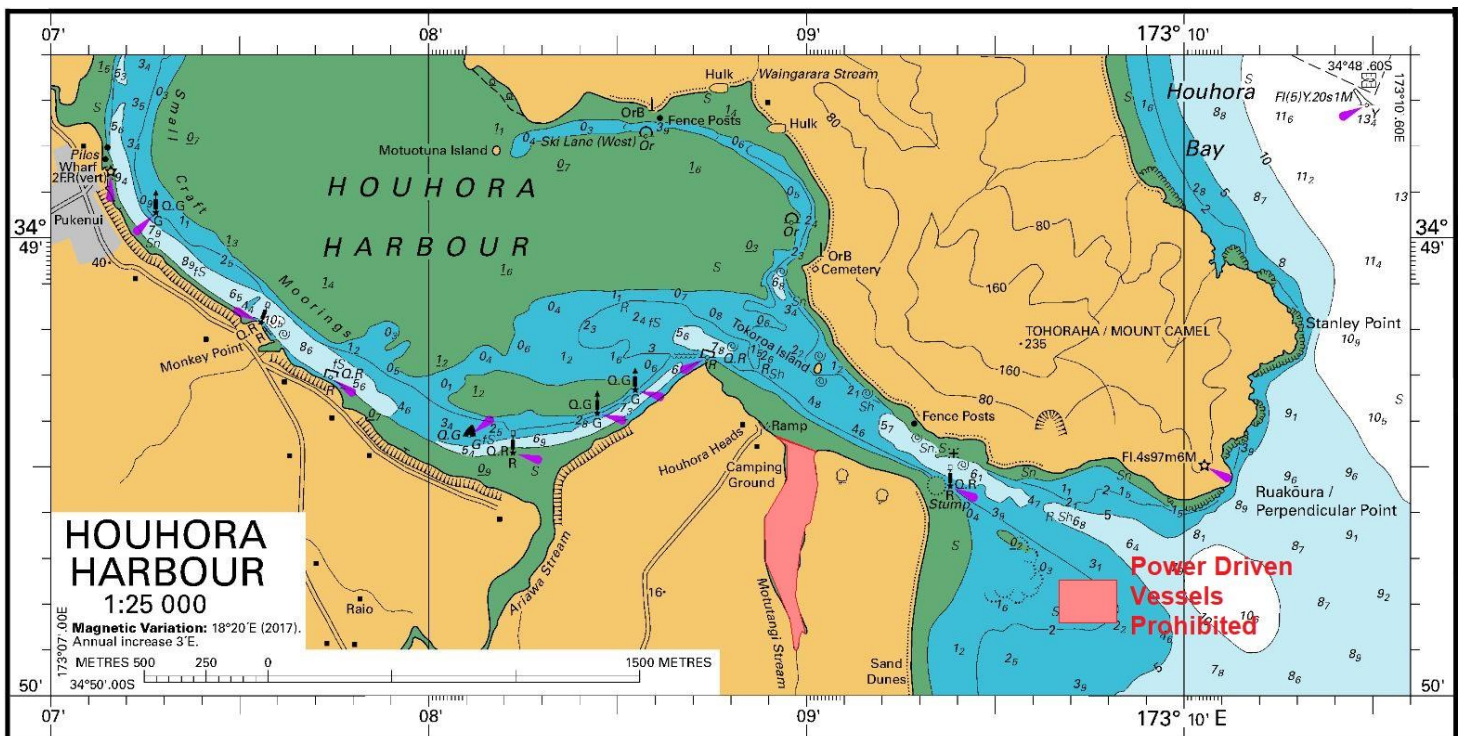
### Houhora – Prohibited Use of Power driven vessels in Motutangi Stream

#### Purpose

To promote and ensure the safety of water users within the Motutangi Stream, Houhora Harbour.

#### Harbourmaster's Direction

The use of power driven vessels is prohibited within the red shaded estuary area depicted in the diagram.



The Area covers all waters up creek of a boundary commencing at the estuary entrance high-water line of the Motutangi stream as shown on the attached diagram, and marked by signs at the entrance to the estuary. The estuary is found approximately 50metres to the east of the campground boat ramp.

#### Application

This direction applies to all power-driven vessels of any length or purpose, including personal watercraft (jetskis), but does not apply to hand powered vessels being rowed or paddled such as kayaks and paddleboards.

## **Background**

It has been identified that use of power driven vessels within this small estuary pose significant risk to passive water users. Given its sheltered nature and proximity to the holiday park Motutangi stream is a popular recreational area, particularly for families and children. It is already a requirement of the Local navigation safety bylaw that any vessel must not proceed at more than 5 knots within 200m of shore, a dive flag or within 50m of other vessels or people in the water. However due to the high risk of injury if powered craft operate whilst persons are paddling or swimming, the harbourmaster has deemed it necessary to ban all powered craft from this small area.

## **Legislation**

These Harbourmaster's Directions are issued pursuant to Section 33F(1)(c) of the Maritime Transport Act 1994 (MTA) and prescribe navigation requirements for all vessels navigating in Houhora Harbour with respect to the movement of all vessels.

The existing requirement to remain below 5 knots within 200m of shore or a dive flag and within 50m of any other vessel or person in the water can be found in the Navigation Safety Bylaw 2017 Clause 3.2

## **Penalties**

As per the provisions of Section 33F(6) of the MTA, failure to comply with a Harbourmaster's Direction is an offence and the offender may be liable to imprisonment for up to 12 months or a fine up to \$10,000.

Breach of the Northland Regional Council Navigation Safety Bylaw 2017, Clause 3.2, may also result in an instant infringement offence fee of **\$200**

## **Liability**

Nothing in this Harbourmaster's Direction relieves the master (skipper), crew or operator of any vessel of his or her obligation to comply with the requirements of maritime rules, local bylaws and safety management systems that may be applicable.

Northland Regional Council shall not, under any circumstances or conditions, be responsible for any loss arising from the negligence of the master (skipper), crew or operator of any vessel.