



Wharves and Boat Ramps

Bylaw 2019

Effective 1 July 2019



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Title	Wharves and Boat Ramps Bylaw 2019
Sponsor	Strategic Planning Group Manager Community Services and Development
Approved by	The Hauraki District Council
Adoption date	22 May 2019
Adoption report	2568189
Review by	22 May 2029
Document reference	2582028
Property of the Hauraki District Council	

1 Introduction

1.1 Purpose

The purpose of this bylaw is to provide for the management of the wharf facilities that are provided by, owned or controlled by the Council.

1.2 Title

This bylaw is the Hauraki District Council Wharves and Boat Ramps Bylaw 2019.

1.3 Enabling enactments

This bylaw is made in accordance with the following legislation:

- Section 145, Local Government Act 2002.
- Section 146(b)(vi), Local Government Act 2002.

1.4 Commencement

This bylaw comes into force on 1 July 2019.

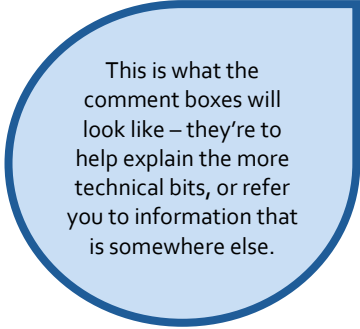
This bylaw revokes and replaces Part 9 (Wharves) of the Hauraki District Council Consolidated Bylaw 2007.

1.5 Review

Review of this bylaw will be undertaken no later than 10 years after the last review.

1.6 Related Information

There is related information in comment boxes in this bylaw. Related information does not form part of this bylaw and may be inserted, changed or removed without any formality.



This is what the comment boxes will look like – they're to help explain the more technical bits, or refer you to information that is somewhere else.

2 Definitions

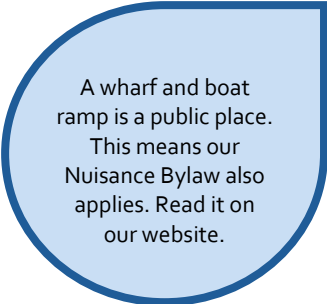
For the purposes of this bylaw the following definitions shall apply.

Authorised officer	means any person delegated, appointed or authorised in writing by the Council to act on its behalf and with its authority in respect of any of the matters referred to in this bylaw.
Berth	means the place at a wharf where a vessel is tethered, anchored or moored.
Boat ramp	means a sloping entrance to a body of water, designed for launching and retrieving a vessel.
Council	means the Hauraki District Council or any officer authorised to exercise the authority of the Council.
Owner	means the registered owner of a vessel.
Operator	means any person who is responsible for the vessel, whether on the water or on land.
Vessel	means the same as “ship” in the Maritime Transport Act 1994, which includes every description of boat or craft used in navigation, whether or not it has any means of propulsion.
Wharf	includes all wharves, quays, piers, and jetties on or from which people or goods may be taken on board or landed from boats.

3 Access to wharves and boat ramps

3.1

Every wharf and boat ramp is open for public pedestrian access, unless it has been closed for health and safety or maintenance reasons.



A wharf and boat ramp is a public place. This means our Nuisance Bylaw also applies. Read it on our website.

3.2

No vehicle is to be driven or parked on any wharf without the prior permission of the Council.

4 Berthing of vessels at wharves

4.1

A person can berth a vessel at any wharf for the purpose of loading and unloading people or cargo, subject to the provisions in this bylaw.

4.2

Vessels in excess of 40 tonnes (deadweight tonnage) are prohibited from berthing at any wharf without the prior permission of the Council.

4.3


No vessel is to be left unattended at any wharf, without the prior permission of the Council.

4.4

Permission to leave a vessel unattended at any wharf must be obtained from the Council at least 24 hours before leaving the vessel unattended.

4.5

A vessel must be untied by the owner or operator at the request of an authorised officer if, due to present or anticipated sea or weather conditions the vessel may cause undue strain or damage to the wharf, unless the safety of a vessel or people on the vessel are likely to be placed at risk.



Keep Hauraki beautiful!
We can fine up to \$400 for littering in a public place – this includes our wharves and boat ramps. For more information, see the Litter Infringement Policy on our website.

5 Obstructing boat ramps

No vessel or vehicle is to be left on or near any boat ramp in a way that obstructs the reasonable use of the ramp by other people.

6 Removal of offending vehicles and vessels

6.1

An authorised officer may remove (into safe custody), any vehicle or vessel from any wharf or boat ramp, or near any boat ramp, which is contravening any of the provisions of this bylaw, where the owner or person of the vehicle or vessel refuses to move it or cannot be located.

6.2

Vehicles or vessels removed from any wharf or boat ramp are to be released to the owner when the reasonable costs of removal have been paid to the Council.

7 Fees and charges

7.1

The Council may prescribe fees for the commercial use of its wharves in accordance with section 150 of the Local Government Act 2002.

7.2

Any applicable fees are shown in the Council's Schedule of Fees and Charges.

8 Offences and penalties

Every person who does not comply with this bylaw commits an offence and will be subject to the penalty provisions outlined in the offences, penalties, infringement offences, and legal proceedings provisions of the Local Government Act 2002.

Wharves Bylaw validation

This bylaw was adopted at a meeting of the Hauraki District Council on 22 May 2019, following public consultation.

The Common Seal of the Hauraki District Council was affixed in the presence of:

_____ Mr. John Tregidga, Mayor

_____ Mr. Langley Cavers, Chief Executive



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