Navigation Safety Bylaw 2025
Te Ture ā-Rohe mō te Haumaru Whakatere 2025

Queenstown Lakes District Council Date of

Making: 20 March 2025
Commencement: 20 March 2025

This bylaw is adopted pursuant to the Maritime Transport Act 1994 and Local Government Act 2002 by virtue of a transfer of bylaw making powers by the Otago Regional Council pursuant to section 17 of the Local Government Act 2002 and section 650J of the Local Government Act 1974 which has continuing effect under section 87 of the Maritime Transport Amendment Act 2013.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Contents

		Page
	Part 1 - Preliminary	5
1	Title and Commencement	5
2	Application	5
3	Purpose	5
4	Bylaw to bind the Crown	6
5	Delegation	6
6	Interpretation	6
	Part 2 – General navigation safety requirements	12
7	General duties of person in charge of the vessel to ensure safety	12
8	Minimum age for operating power-driven vessels	12
9	Speed of vessels	12
10	Harbourmaster may instruct vessel not to exceed specified speed	14
11	Wake	14
12	Embarking and disembarking vessels	14
13	Anchoring, mooring and obstructions	14
14	Vessels to be seaworthy and not abandoned	15
15	Damage to navigation aids (eg buoys)	15
16	Prevention of nuisances	15
17	Refuelling of vessels	15
18	Vessels to be identified	16
19	Carriage of communication devices	16
	Part 3 – Carriage and wearing of lifejackets	17
20	Carriage of lifejackets	17
21	Wearing of lifejackets	17
22	Requirement to wear lifejackets during dangerous situation	17
23	Requirement to wear lifejackets if being towed	17
24	Exceptions to requirements to carry or wear lifejackets	18
	Part 4 – Specific water-based activities	18
25	Water skiing or towing of any person – requirement for a lookout	18
26	Water skiing or towing of any person – restriction between sunset and sunrise	19
27	Parasailing	19
28	Whitewater rafting	19
29	Jet boating	19
30	Swimming or diving around wharves or jetties	20
31	Hot works	20
32	Dangerous goods	20
33	Temporary events	20
	Part 5 – Rules relating to specific locations	22
34	Rivers	22
35	Lakes	22
36	Queenstown Bay	22
37	Clutha River / Mata-Au	22
38	Kawarau River	23
39	Shotover River	24
40	Lake Wānaka	24
41	Prohibited areas	25
	Part 6 – Accidents, incidents, mishaps and near misses	Page 25
42	Requirement to report to the Harbourmaster in the event of accident, mishap or incident	25
	Part 7 – Access Lanes and Reserved Areas	25
43	Access Lanes	25
44	Conduct in Access Lane	26
45	Reserved Areas	26
	Part 8 – Structures and Moorings	27
46	Permission to use or occupy structures or the foreshore	27
47	Mooring permits	27
48	Powers of the Harbourmaster or the Council with respect to moorings and vessels on moorings	28
	Part 9 – Administration provisions	28
49	Powers of Harbourmaster	28
50	Impersonation of Harbourmaster	29
51	Speed Upliftings	29
52	Administration requirements	29
53	Fees and charges	30
54	Exemptions	30
	Part 10 - Enforcement	31
55	General enforcement powers of the Harbourmaster	31
56	Non-compliance with conditions of a permit	31
57	Offences	31
58	Penalties	32
59	Exceptions	32
	Part 11 – Revocation and savings	32
60	Revocation	32
61	Savings	32
	Schedule 1 – Map of Queenstown Lakes District	34
	Schedule 2 – Speed upliftings and access lanes	35
	Schedule 3 – Length overall of a vessel	65

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Part 1 – Preliminary

1 Title and Commencement

1.1 This bylaw is the "Queenstown Lakes District Council Navigation Safety Bylaw 2025" Te Ture ā-Rohe mō te Haumaru Whakatere 2025.

1.2 This bylaw comes into force on a date to be resolved by Council.

2 Application

2.1 This bylaw applies to the navigable waters and foreshore within the area of the Queenstown Lakes District, as set out in Schedule 1 of this bylaw.

3 Purpose

3.1 To ensure navigation safety the purpose of this bylaw is to:

(a) regulate and control the use or management of ships;

(b) regulate the placing and maintenance of moorings and maritime facilities;

(c) prevent nuisances arising from the use of vessels, actions of persons and things on, in, or near the water;

(d) reserve the use of any waters for specified persons or vessels;

(e) in relation to any sporting event, training activity, ceremonial or other authorised customary event:

(i) prohibit or regulate the use of vessels;

(ii) regulate, or authorise the organisers of an event to regulate, the admission of persons to specified areas;

(f) regulate and control the use of anchorages;

(g) prescribe vessel traffic separation and management schemes;

(h) specify minimum requirements for carrying and wearing of life jackets and buoyancy aids on recreational vessels;

(i) prescribe administrative requirements, fees and charges for the performance of administrative functions;

(j) prescribe offences and penalties for contravention or permitting a contravention of the bylaw;

(k) require the marking and identification of vessels, and

(l) require the carriage of communication equipment.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

4 Bylaw to bind the Crown

4.1 Except as provided in section 153 of the Local Government Act 2002, the Crown is bound by the provisions of this bylaw.

5 Delegation

5.1 Any of the various powers and functions of the Queenstown Lakes District Council as detailed and set out in this bylaw may be delegated by it to its Chief Executive Officer and through him or her to any person in accordance with the Act and the Local Government Act 2002.

Explanatory note: The delegations of Council functions under this bylaw are set out in the QLDC Register of Delegations. *The bylaw also contains individual clauses which confer powers directly on the Harbourmaster and/or Enforcement Officers.*

6 Interpretation

6.1 In this bylaw, unless the context otherwise requires,-

Access Lane means an area defined and designated as an access lane described in clause 43 of this bylaw.

Accident has the same meaning as in the Maritime Transport Act 1994.

Act means the Maritime Transport Act 1994.

Alcohol has the same meaning as in section 5 of the Sale and Supply of Alcohol Act 2012.

Anchorage in relation to vessels, means a place (enclosed or otherwise) used for the anchoring of vessels to the bed of waters, whether the place is reserved for such purpose by the Council or not.

Buoy means an anchored float, serving as a navigational mark or locational mark to indicate hazards, reefs or a mooring.

Commercial Vessel means a vessel that is not a recreational vessel.

Contravene includes fail to comply with.

Council means the Queenstown Lakes District Council or anyone delegated or authorised to act on its behalf.

Dangerous goods has the same meaning as in Maritime Rule 24A.

Director means the person who is for the time being the Director of Maritime New Zealand under section 439 of the Maritime Transport Act 1994.

District means the area administered by the Queenstown Lakes District Council.

Drug means any mind altering or legally controlled substance unless it is prescribed by a doctor and used in accordance with medical

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

directions. This includes any drugs listed in the Misuse of Drugs Act 1975 and includes (but is not limited to) synthetic cannabinoids and herbal highs, as well as other synthetic drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives.

Enforcement Officer means a person appointed by the Council as an Enforcement Officer under section 33G of the Act.

Fee means the fee prescribed by Council under clause 53.

Flag A means flag A of the International Code of Signals (the divers flag) being a swallow tailed flag, or a rigid equivalent, coloured in white and blue with white to the mast, of not less than 600mm by 600mm.

Foreshore means the whole or any part of the bed, shore or banks of a lake or a river as are covered or uncovered by the natural, normal and annual rise and fall of the level of the surface of the lake or river water whether caused by natural means or otherwise and includes any bed, shore or bank of any island within such waters and also includes any lakebed and any riverbed and excludes areas flooded by occasional and irregular flood events.

GPS or **GPS Coordinate(s)** means a Global Positioning System used to determine a location using the decimal degrees system.

Harbourmaster means the person appointed by the Council to that position and includes any Deputy Harbourmaster.

Hot work operations includes activities such as welding, grinding, soldering, or other work involving flames or generating sparks.

Impedes the passage means to cause a vessel, whether by action or inaction on the part of another vessel, to alter course, alter speed or stop, or to prepare to alter course, alter speed or to stop.

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

Intoxicated means observably affected by alcohol, other drugs, or other substances (or a combination of 2 or all of those things) to such a degree that 2 or more of the following are evident:

(a) appearance is affected;

(b) behaviour is impaired;

(c) co-ordination is impaired;

(d) speech is impaired.

Jet boat means a vessel with water jet propulsion that—

(a) is less than nine metres in length overall; and

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

(b) is designed to carry no more than 34 persons:

Launch facility means a place that:

(a) is land (whether above or below water) within a 50 metre radius of a ramp; or

(b) is that part of the foreshore that lies between the water and the Eely Point Reserve legally described as Section 71 Blk XIV Lower Wānaka SD (known as Eely Point); or

(c) is that part of the foreshore that lies between the water and land legally described as Section 46 Block III Lower Wānaka SD (known as Waterfall Creek).

Length means the length overall of the vessel when measured in accordance with the text and diagram in Schedule 3.

Lifejacket 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) NZ Standard 5823:2005; or

(b) a national or international standard that the Director is satisfied substantially complies with NZ Standard 5823:2005.

Explanatory note: for the purposes of this bylaw the term "lifejacket" has the same meaning as a "personal flotation device" under the Maritime Rule 91

Making way means being propelled by an instrument or device.

Maritime rules means maritime rules made under the Maritime Transport Act 1994.

Explanatory note: where specific maritime rules apply, these have been expressly stipulated.

Master means any person having command or charge of a vessel, but does not include a pilot who is piloting the vessel.

Mishap means an event that:

(a) causes any person to be harmed; or

(b) in different circumstances, might have caused any person to be harmed.

Moor means:

(a) the securing of any vessel alongside a wharf, jetty or pontoon by means of suitable mooring ropes, or

(b) the securing of any vessel to a mooring or anchor, but excludes the temporary anchoring of a vessel.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Mooring in relation to water, means any weight or article placed in or on the shore or bed of any lake or river for the purpose of securing a vessel or any floating structure; and

(a) includes any wire, rope, buoy or other device connected to the weight; but

(b) does not include an anchor that is normally removed with the vessel or floating structure when it leaves the site or anchorage.

Mooring permit means a permit issued under clause 47 of this bylaw.

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

Navigation aid includes any light, navigation mark, buoy, beacon, wharf, lifebuoy or lifesaving apparatus maintained or otherwise authorised by the Council on, or in, any lake or river within the District.

Owner has the same meaning as in section 2 of the Act.

Paddleboard is to be given its natural and ordinary meaning, and includes a craft that is:

(a) powered by paddle; and

(b) operated by a person in the standing, kneeling or sitting position; and

(c) is constructed of rigid materials, whether inflatable or not, provided that it is continuously buoyant.

and does not include a kayak, surf ski or canoe.

Parasailing includes any gliding or flying by use of a parachute or kite either towed by a vessel or released from a vessel.

Person in charge of a vessel means as the context requires:

(a) the master of the vessel; or

(b) in the absence of the master of the vessel, the owner of the vessel; or

(c) in the absence of the master or owner of the vessel, the person steering the vessel or who appears to the harbourmaster or an enforcement officer to be responsible the vessel, whether or not it is in the water.

Personal water craft means a power-driven vessel such as a Jet Ski, provided it:

(a) has a fully enclosed hull; and

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

(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 in it.

Pleasure vessel means a vessel that is used exclusively for the owner's pleasure or as the owner's residence, and is not a commercial vessel; but does not include:

(a) a vessel that is provided for the transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business;

(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; or

(c) a vessel that is operated or provided by any club, incorporated society, trust, or business.

Power-driven Vessel means any vessel propelled by machinery.

Public notice or **publicly notified** means

a) In relation to Clause 33.4 (Temporary events), a notice published on the Council website; and

b) In relation to any other clause in this Bylaw, a notice published on the Council web site and in a newspaper circulating in the area of the District.

Ramp in relation to water, means any structure that is provided for launching a vessel into the water or taking a vessel out of the water.

Recognised authority means an authority that the Director considers is competent to certify a lifejacket's compliance with a standard.

Recreational vessel means a vessel that is:

(a) a pleasure vessel;

(b) solely powered manually; or

(c) solely powered by sail.

Reserved Area means an area reserved for a specific purpose under this bylaw.

Restricted visibility includes circumstances in which visibility is restricted due to fog, mist, or other adverse weather conditions.

Sailboard means any type of board that is propelled by a detachable sail apparatus and operated by a person standing on the board.

Seaworthy in relation to any vessel means being, in the opinion of the Harbourmaster in a fit condition of readiness to safely undertake a voyage within its designed capabilities.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Shotover River Concession Area has the meaning set out in the Queenstown Lakes District Council Shotover River bylaw 2021.

Speed means:

(a) in relation to lakes, the speed through the water; or

(b) in relation to rivers, the speed through the water if travelling with the current, or speed over the ground if travelling against the current.

Structure means any building, equipment, device, wharf, jetty, breastwork or other facility which is fixed to land or bed of a waterbody, and

(a) includes slipways, jetties, ramps, launch facilities, pile moorings, swing moorings, wharves, marine farms, temporary structures associated with events and other objects whether or not these are above or below the waterline; and

(b) does not include navigation aids.

Sunrise/sunset means the time designated for sunrise/sunset according to New Zealand Standard time.

Uplifting means a lifting of, or change to, speed limits in this bylaw.

Vessel means every description of boat or craft used in navigation, whether or not it has any means of propulsion, and includes:

(a) a barge, lighter or other like vessel;

(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;

(c) a submarine or other submersible;

(d) a seaplane when operating on the surface of the water;

(e) a personal water craft;

(f) a raft;

(g) a white water raft;

(h) a kiteboard, sailboard, hydrofoil or paddleboard;

(i) an inner tube;

(j) a kayak or canoe;

but does *not* include a surfboard.

White water raft means an inflatable vessel manoeuvered by

(a) oars or paddles; or

(b) a combination of oars and paddles,

but does not include inflatable kayaks, inflatable canoes, river bugs, tyre tubes, or tyre tube rafts.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Part 2 – General navigation safety requirements

7 General duties of person in charge of the vessel to ensure safety

7.1 Every person in charge of a vessel:

(a) is responsible for the safety and wellbeing of all people on board;

(b) must navigate that vessel with all due care and caution and at a speed and manner so as not to endanger any person.

7.2 No person may operate or attempt to operate a vessel while intoxicated.

8 Minimum age for operating power-driven vessels[1]

8.1 No person under the age of 15 years shall be in charge of, or propel or navigate, a power-driven vessel that is 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 in immediate reach of the controls.

8.2 The owner of a power-driven vessel that is capable of a 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 he or she is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.

8.3 Clauses 8.1 and 8.2 apply unless an exemption has been granted by the Council under this bylaw or by the Director in accordance with the Maritime Rule 91.

9 Speed of vessels[2]

9.1 Except where the bylaw specifically provides otherwise, no person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or some object) at a speed greater than five knots within:

(a) 50 metres of any other vessel or floating structure or person in or on the water;

(b) 200 metres of the shore or of any structure;

(c) 200 metres of any vessel that is flying Flag A (the divers flag) of the International Code of Signals;

Explanatory note: The measurement of speed is defined in clause 6 to mean:

(a) In relation to lakes, the speed through the water; or

(b) In relation to rivers, the speed through the water if

[1] Rule 91.5.
[2] Rule 91.6.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

travelling with the current, or speed over the ground if travelling against the current.

9.2 Clause 9.1(a) does not apply to:

(a) 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; or

(ii) a non profit organisation involved in sail training or racing; or

(b) a vessel training for or participating in competitive rowing or paddling; or

(c) a tug, pilot vessel, Harbourmaster vessel, emergency response vessel or police vessel, if the vessel's duties cannot be performed in compliance with clause 9.1(a);

(d) a vessel operating in accordance with a speed uplifting established under this bylaw or Maritime Rule 91.

9.3 Clause 9.1(b) does not apply to:

(a) a vessel operating in an access lane or a reserved area for the purposes for which the access lane or reserved area was declared, unless, in the case of a reserved area, this bylaw provides otherwise;

(b) a vessel operating in accordance with a speed uplifting established under this bylaw or Maritime Rule 91;

(c) a vessel training for or participating in competitive rowing or paddling; or

(d) a tug, pilot vessel, Harbourmaster vessel, emergency response vessel or police vessel when the vessel's duties cannot be performed in compliance with clause 9.1(b).

9.4 No person may propel or navigate a power-driven vessel at a speed exceeding five knots, while any person has any portion of his or her body extending over the fore part, bow or side of the vessel.

9.5 No person may cause or allow 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 circumstances specified in clause 9.1.

9.6 No person in charge of a vessel 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.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

10 Harbourmaster may instruct vessel not to exceed specified speed

10.1 The Harbourmaster may instruct any vessel not to exceed a specified speed as determined by the Harbourmaster, for the purposes of ensuring navigation safety.

11 Wake[3]

11.1 Subject to clause 9, every person in charge of any vessel must ensure that the vessel's wake or the wake from any person or object being towed:

(a) does not prevent other people from safely using the waterway;

(b) does not cause danger or risk of damage to other vessels, structures, or navigation aids; and

(c) does not cause any risk of harm to any other person.

12 Embarking and disembarking vessels

12.1 No person may embark or disembark from any vessel while that vessel is making way, except in an emergency situation.

13 Anchoring, mooring and obstructions[4]

13.1 No person may anchor a vessel so as to:

(a) obstruct the passage of other vessels or obstruct the approach to any wharf, pier or jetty; or

(b) create a hazard to other vessels at anchor.

13.2 When a vessel is moored in a dock or alongside a wharf or other landing place, the owner or master must ensure that:

(a) the vessel is securely fastened to the dock, wharf or landing place; and

(b) an adequate and safe means of access to the vessel is provided that is properly installed, secured, and adjusted to suit any conditions.

13.3 No person may place any obstruction in any waters that is likely to:

(a) restrict navigation; or

(b) cause injury or death to any person; or

(c) cause damage to any vessel or any property.

[3] Rule 91.7.
[4] Rule 91.13.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

14 Vessels to be seaworthy and not abandoned

14.1 The owner of any vessel anchored or moored in any waters must:

(a) keep the vessel in a seaworthy condition at all times, unless granted an exemption under this bylaw; and

(b) not leave any vessel sunk, stranded or abandoned within the foreshore or waters of the District, except where leaving the vessel within the foreshore or waters of the District is necessary to comply with clause 42.3 of this bylaw.

15 Damage to navigation aids[5] (eg. buoys)

15.1 No person may tie a vessel to any navigation aid without the written permission of:

(a) if the navigation aid is operated by the Council, the Harbourmaster; or

(b) if the navigation aid is operated by Maritime New Zealand, the Director.

15.2 No person may damage, remove, deface or otherwise interfere with a navigation aid.

16 Prevention of nuisances

16.1 No person may create a nuisance to any other person through:

(a) his or her use or control of a vessel;

(b) the speed of a vessel; or

(c) the speed of any item or object towed behind or used in conjunction with such a vessel.

16.2 No person may obstruct the use of a jetty, wharf, ramp or launch facility owned or operated by the Council, including by doing any of the following:

(a) causing an obstruction or loitering while loading or unloading a trailer; or

(b) leaving any vessel, trailer, or motor vehicle or any other object obstructing the reasonable use of such facilities by other persons.

17 Refuelling of vessels

17.1 No vessel is to be refuelled at any time while there are passengers on board the vessel.

[5] Rule 91.14.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

18 Vessels to be identified

18.1 No person shall navigate a vessel (excluding vessels listed in clause 18.3) unless it displays an identifying name or number above the waterline on each side of the vessel that is recognised under clause 18.2, and satisfies the following criteria:

(a) consists of letters of the Roman alphabet or numbers that are not the vessel's brand, make or model; and

(b) is unique to that vessel; and

(c) unless it is a type recognised by an organisation listed in subclause 18.2(a), is a minimum height of 90 millimetres and is capable of being read from a distance of at least 50 metres.

18.2 The following identifying name or number referred are recognised for the purposes of subclause 18.1 of the Bylaw:

(a) an identification approved by and conforming to the requirements of:

(i) Maritime New Zealand (MNZ) or an equivalent foreign authority (e.g. a MNZ vessel's registered number or vessel's registered name); or

(ii) A sporting body as may be approved from time to time by the Harbourmaster and listed on the Council's website; or

(b) the vessel's registered VHF radio call sign; or

(c) for any trailer borne vessel without a registration or identification listed in subclauses (a) or (b), the registration number of its trailer; or

(d) for sail vessels the identifying name or number may be the vessel's sail number.

18.3 The requirements of clause 18.1 – 18.2 do not apply to the following vessels:

(a) non-power-driven vessels of six metres or less in length

(b) vessels powered solely by paddles or oars of six metres or less in length;

(c) a vessel which is temporarily being operated on waterways in the district and which display markings that comply with an identification requirement within the Navigation Safety Bylaws of the region in which the vessel normally operates.

Explanatory note: It is recommended that vessels referred to in subclause 18.3 be marked with the current owner's name and contact details somewhere on the vessel.

19 Carriage of communication devices

19.1 The person in charge of any power-driven vessel or any vessel greater than 6 metres in length must ensure at least one form of communication equipment that is either waterproof or carried in a waterproof bag or container is on board for the duration of any intended voyage. The equipment must be able to perform communication functions from any area where the vessel is intended to be operated.

19.2 Subclause 19.1 does not apply to

(a) a person participating in a sporting event or training activity if there is a support vessel present that complies with subclause 19.1.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Explanatory note A: Forms of communication may include but are not limited to VHF radio, distress beacons (EPIRB or PLB), mobile phone in a waterproof bag and flares. The person in charge of a vessel should seek guidance on appropriate forms of communication.

Explanatory note B: It is recommended that, all persons in charge of any vessel should carry a form of communication suitable to the location and activity.

Part 3 – Carriage and wearing of lifejackets

20 Carriage of lifejackets[6]

20.1 No person in charge of a recreational vessel may use it unless there are on board at the time of use, and in a readily accessible location, sufficient lifejackets of an appropriate size for each person on board.

21 Wearing of lifejackets

21.1 If instructed to do so by the person in charge of a recreational vessel, every person on board must wear a properly secured lifejacket of an appropriate size to securely fit each person.

21.2 Every person in charge of a recreational vessel 6 metres or less in length must ensure that while the recreational vessel is making way, each person wears a properly secured lifejacket of an appropriate size that securely fits each person.

21.3 Every person in charge of a recreational vessel greater than 6 metres in length must ensure that every person on the recreational vessel who is 10 years old and under is wearing a properly secured lifejacket of an appropriate size at all times.

21.4 Every person in charge of a jet boat that is a recreational vessel must ensure that while the vessel is making way, each person wears a properly secured lifejacket of an appropriate size that securely fits each person.

22 Requirement to wear lifejackets during dangerous situations[7]

22.1 Every person in charge of a recreational vessel must ensure that in circumstances where river flows, visibility, rough waters, adverse weather, emergencies or other situations cause danger or a risk to the safety of any person on board, every person on board is wearing a properly secured life jacket of an appropriate size for that person.

23 Requirement to wear lifejackets if being towed[8]

23.1 No person in charge of a vessel may use it to tow any person at a speed of more than 5 knots and no person may cause himself or herself to be towed by any vessel at a speed of more than 5 knots,

[6] Rule 91.4(1)
[7] Rule 91.4(6).
[8] Rule 91.4(7).

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

unless the person being towed wears a properly secured lifejacket of an appropriate size for that person.

24 Exceptions to requirements to carry or wear lifejackets[9]

24.1 Clauses 20, 21, and 22 do not apply to:

(a) any surfboard, sailboard, paddleboard, windsurfer, or similar unpowered craft, if a full wetsuit is worn at all times;

(b) a diver, on a vessel 6 metres or less in length overall that is used for recreational diving within 5 miles off shore, if a full body dive suit is worn at all times;

(c) a person training for or participating in a sporting event, if the training or the event is supervised in accordance with the safety system of a national sporting organisation approved by the Director;

(d) a member of a visiting foreign water sports team, if the person carries or wears a lifejacket that is approved by the competent authority for use in that person's country of residence;

(e) a commercial raft; and

(f) any sporting event, training activity, ceremonial event, or other organised recreational activity if the Council is satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity, and issues an exemption under clause 33;

24.2 Clauses 20, 21, and 22 do not apply to any sporting event, training activity, authorised customary 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 and carries on board the support vessel sufficient lifejackets of an appropriate size to fit each person involved in the activity.

24.3 Clause 23 does not apply to:

(a) persons training for any trick water skiing element of a sporting event administered by a national sporting organisation approved by the Director; or

(b) persons participating in a sporting event that is administered by a national sporting organisation approved under the maritime rules.

Part 4 – Specific water-based activities

25 Water skiing or towing of any person – requirement for a lookout[10]

25.1 No person in charge of a vessel may use it to tow any person at a speed exceeding 5 knots unless at least one other person is on board

[9] Rule 91.4.
[10] Rule 91.8.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

who is:

(a) 10 years of age or older; and

(b) responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.

25.2 No person may cause himself or herself to be towed by any vessel at a speed exceeding 5 knots unless at least one other person is on board who is:

(a) 10 years of age or older; and

(b) responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.

26 Water skiing or towing of any person – restriction between sunset and sunrise[11]

26.1 No person may operate, between sunset and sunrise, or in restricted visibility, a vessel that is towing any person, whether or not that person is on water skis, an aquaplane, surfboard, or similar object.

26.2 No person may allow himself or herself to be towed by a vessel between sunset and sunrise.

27 Parasailing

27.1 Every person in charge of a vessel that is being used to conduct parasailing must comply with all applicable maritime rules, and the Health and Safety Guidelines for Commercial Parasailing Operations 2022.

27.2 No person in charge of a vessel that is being used to conduct parasailing may enter the Frankton Arm of Lake Whakatipu.

Explanatory note: Applicable Health and safety guidelines for Commercial Parasailing operations are found on the Maritime New Zealand website.

28 Whitewater rafting

Every person in charge of a white water raft that is used to transport fare paying passengers or trainee guides on rivers must ensure the whitewater board is operated and navigated strictly in accordance with the Health and Safety at Work (Adventure Activities) Regulations 2016.

29 Jet boating

29.1 Every person in charge of a jet boat that is a commercial vessel must ensure that the jet boat is operated and navigated strictly in accordance with the applicable maritime rules.

Explanatory note: Commercial river jet boating is subject to Maritime Rule 82: Commercial Jetboat Operations - River.

[11] Rule 91.9.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

30 Swimming or diving around wharves or jetties

30.1 No person may jump, dive, swim or undertake any other related activities:

(a) from or within 50 metres of any jetty or wharf where "no swimming" signage has been approved by the Harbourmaster or an enforcement officer;

(b) within any other area the Harbourmaster identifies for the purposes of ensuring navigation safety.

31 Hot works

31.1 The person in charge of a vessel must ensure that before any hot work operations are commenced, he or she takes all precautions for the detection, prevention, and extinguishing of fire on board the vessel or elsewhere, as a result of hot work operations. Provision must be made for the continuance of the precautions until the operations are complete.

31.2 In any case where the Harbourmaster is not satisfied adequate precautions have been taken, the Harbourmaster may forbid any hot work operations to commence, or continue, until he or she is satisfied adequate precautions have been taken.

Explanatory note: The Health and Safety at Work Act 2015 applies to any person conducting hot work operations on a vessel where it is a place of work.

32 Dangerous Goods

32.1 The person in charge of a vessel must not load or unload dangerous goods on to the vessel unless that person:

(a) maintains a written record containing full details of the dangerous goods, including the hazard classification, quantity, and stowage position; and

(b) makes the written record of dangerous goods required under clause 32.1(a) available for inspection at any time by the Harbourmaster or an enforcement officer.

33 Temporary events

33.1 Any person intending to conduct a sporting event, training activity or any other organised water activity in an area to which this bylaw applies must do the following prior to the activity occurring:

(a) Notify the Harbourmaster in every case; and

(b) Apply for and obtain approval from the Harbourmaster if the activity meets one or more of the following criteria:

i. The activity is likely to affect normal operation of another vessel(s) or any other user(s) of the water; or

ii. The activity requires a temporary suspension of any

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

clause of this Bylaw; or

iii. The activity requires an area to be temporarily reserved for a specific purpose; or

iv. The activity requires the temporary suspension of a reserved area or access lane; or

v. The activity requires temporary installation of course markers or similar such objects in the water.

33.2 The Harbourmaster has discretion in relation to an application for approval under clause 33.1(b) to either:

(a) Grant approval if satisfied that the application (together with any safety plan that may be required) can be approved for a period of up to 7 days without endangering the public; or

(b) Refuse the application.

33.3 The Harbourmaster may grant approval under clause 33.2(a) upon such terms and conditions as the Harbourmaster thinks fit, including conditions that provide for the temporary suspension of use of defined waters by all other users, if reasonably required for maritime safety purposes as determined by the Harbourmaster.

33.4 No approval under clause 33.3 has effect unless before the commencement of the activity a public notice is given specifying the period of the activity and details of the supervision or reserved area.

33.5 The Harbourmaster can recover all such actual and reasonable fees and expenses incurred by the processing of, and of any public notification of, any such application.

33.6 The Council may prescribe any fees associated with Temporary events in accordance with clause 53.

33.7 A person may request in writing for Council to review decisions under clause 33.2 and 33.3 to:

(a) decline an application;

(b) impose certain terms and conditions under this bylaw or any permission granted by Council; or

(c) revoke any permission under this bylaw.

33.8 In determining any review under clause 33.7 Council may decide to either:

(a) confirm its original decision; or

(b) amend the terms and conditions imposed on any approved application; or

(c) issue a new approval.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Explanatory note: Organised water activities typically include pre-planned events that involve multiple participants. This can include activities with a specified purpose such as regattas, races, group excursions, or any other event (including club events) that is coordinated and involves a group of people. They will not typically include spontaneous, impromptu or ad hoc gatherings of a small group of friends or family who do not intend to undertake a coordinated competitive activity.

Part 5 – Rules relating to specific locations

34 Rivers[12]

34.1 Subject to the more specific rules below, a person in charge of a vessel on a river must:

(a) ensure that the vessel keeps to the starboard (right) side of the river channel;

(b) if going upstream, give way to any vessel coming downstream; and

(c) not operate the vessel unless river and weather conditions permit safe operation of the vessel.

35 Lakes

35.1 No power-driven vessels may proceed at any speed exceeding 5 knots on the waters of Lake Hayes, Moke Lake, Lake Johnson, Lake Kilpatrick, Diamond Lake, Lake Dispute or Lake Reid.

36 Queenstown Bay

36.1 The speed of vessels must not exceed five knots within 50 metres of any boundary of the access lane in Queenstown Bay unless specifically permitted as a condition of the access lane or by a speed uplifting.

37 Clutha River / Mata-Au

37.1 No person may navigate a power-driven vessel under the Albert Town Bridge except in accordance with the following rules (or as may be directed by the Harbourmaster):

(a) power-driven vessels proceeding downstream must be navigated through the third arch of the Albert Town Bridge from the true right of the bank of the Clutha River / Mata-Au;

(b) power-driven vessels proceeding upstream must be navigated through the fourth arch of the Albert Town Bridge from the true right of the bank of the Clutha River / Mata-Au.

37.2 The following clauses apply to persons operating power-driven vessels in the area between the Outlet Camping Ground (GPS -44.662658, 169.149449) and the Albert Town Bridge (GPS - -44.680987,

[12] Rule 91.17.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

169.190466):

(a) Between 1 December and 30 April no person may operate a power-driven vessel in this area, unless expressly authorised to do so under one of the following exceptions:

(i) a resource consent issued by the Council;

(ii) one of the following permitted activites under the Queenstown Lakes District Plan, with the permission of the Harbourmaster:

(A) emergency search and rescue;

(B) hydrological survey;

(C) public scientific research;

(D) resource management monitoring;

(E) water weed control; or

(F) access to adjoining land for farming activities.

(iii) the power-driven vessel is being operated by the Harbourmaster or Deputy Harbourmaster for the purposes of exercising his or her functions under the Act or ensuring compliance with this bylaw.

(b) Between 1 December and 30 April a speed uplifting shall apply to a person operating a power-driven vessel in this area, where expressly authorised to operate under a resource consent issued by Council provided the person complies with:
(i) All other obligation under this bylaw including clause 7.1(b);
(ii) All resource consent conditions applicable to the activity;
(iii) Any requirement under an applicable licence issued by Maritime New Zealand.

(c) Between 1 May and 30 November any person operating a power-driven vessel in this area is subject to a 5 knot speed limit (outside of the timed uplifting specified in Schedule 2).

37.3 A permanent speed uplifting shall apply between the Albert Town Bridge (GPS-44.680987, 169.190466) and the Red Bridge (-44.730761, 169.281756) as specified in Schedule 2.

38 Kawarau River

38.1 No person may rest or stop a vessel in the areas immediately below the "downstream" gate and above the "upstream" gate at the Kawarau Falls Dam.

38.2 No person may stop any vessel in that area bound by the Kawaru Dam, the willow tree island, the upstream and downstream access lanes shown in Map 3 except for commercial vessels expressly

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

authorised under a resource consent issued by Council provided the person complies with:

(i) All other obligations under this bylaw including clause 7.1(b);
(ii) All resource consent conditions applicable to the activity;
(iii) Any requirement under an applicable licence issued by Maritime New Zealand.

38.3 No person may operate any vessel in the Western Kawarau Dam Access Lane except for commercial vessels expressly authorised under a resource consent issued by Council provided the person complies with:

(i) All other obligations under this bylaw including clause 7.1(b);
(ii) All resource consent conditions applicable to the activity;
(iii) Any requirement under an applicable licence issued by Maritime New Zealand.

38.4 The person in charge of any vessel using the Kawarau River must give way to all vessels exiting from the Shotover River and all such persons must exercise extreme care in and near this junction.

38.5 No person may navigate any vessels via the "downstream" gate or "upstream" gate at the Kawarau Falls Dam except in accordance with the following rules (or as may be directed by the Harbourmaster):

(a) vessels proceeding downstream must be navigated through the second arch of the control gates from the true right of the bank of the Kawarau River;

(b) vessels proceeding upstream must be navigated through the sixth arch of the control gates from the true right of the bank of the Kawarau River.

38.6 No person may operate a power-driven vessel on that part of the Kawarau River located downstream from the confluence between the Kawarau River and the Arrow River.

39 Shotover River

39.1 No vessel is permitted to use the Shotover River Concession Area, except as permitted under the Shotover River Bylaw 2021 or any bylaw adopted by Council to replace that bylaw.

39.2 Any person in charge of a commercial vessel in the Lower Shotover River must ensure that any other vessel known to be using the same area of the Lower Shotover River is aware (through the maintenance of radio contact, Channel E119) of the movements and location of the commercial vessel at all times.

40 Lake Wānaka

40.1 No vessel is permitted to approach the shore within the area identified as the Roys Bay - Eely Point water ski launch lane.

Explanatory note: The Roys Bay - Eely Point water ski launch lane is a water ski access lane that provides for a vessel towing a person or some object to leave the

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

shore only at speeds that exceed 5 knots within 200 metres of the shore of this part of Lake Wānaka.

41 Prohibited areas

41.1 No person in charge of a power-driven vessel may use it for water skiing, aquaplaning or towing of persons, whether or not the person being towed is using a vessel, in the following areas:

(a) inside Queenstown Bay from the Scott Memorial, Queenstown Gardens in a line through the green beacon to the One Mile Creek;

(b) the Outlet of Lake Whakatipu defined as an area extending to the Willow Tree Island to the west of the Control Gates (refer Map 6);

(c) the Shotover, Kawarau and Clutha / Mata-Au Rivers.

Part 6 –Accidents, incidents, mishaps and near misses

42 Requirement to report to the Harbourmaster in the event of accident, mishap or incident

42.1 A person in charge of a vessel that has been involved in an accident, incident or mishap must, as well as complying with the reporting requirements in Section 31 of the Maritime Transport Act 1994 (which requires reporting the incident to the Authority), also report the incident to the Harbourmaster.

42.2 A report required by clause 42.1 must be reported in writing or by email to the Harbourmaster as soon as possible with all relevant details of the incident, including details prescribed under clause 52 of this bylaw.

42.3 If an incident results in damage to a vessel that affects or is likely to affect its safe operation, the person in charge of the vessel must not move the vessel except:

(a) to clear a main navigation channel, or to prevent further damage, or to position the vessel in a safe mooring or anchorage; or

(b) in accordance with directions from the Harbourmaster or the police.

Part 7 – Access Lanes and Reserved Areas

43 Access Lanes

43.1 The following areas are access lanes for the purposes of this bylaw:

(a) the areas specified in Table 2 of Schedule 2 of this bylaw; and

(b) the areas declared to be access lanes in accordance with this

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

clause.

43.2 The Council may, after giving public notice of its intention, declare any area(s) of any lake within 200 metres of the water's edge to be an access lane for any specified purpose.

43.3 The public notice declaring any area to be an access lane or alternatively revoking any such earlier declaration of an access lane must be publicly notified by the Council at least seven days before the declaration or revocation is to take effect.

44 Conduct in Access Lane[13]

44.1 Any person using an access lane to navigate, propel or manoeuvre any vessel must proceed:

(a) as near as is safe and practicable along the outer limit of the access lane that lies to the starboard (right hand side) of the vessel;

(b) by the most direct route through the access lane;

(c) vessels are to cross the access lane on a heading as close as is practicable to the general direction of the lane; and

(d) this clause applies to objects towed by a vessel.

44.2 No person may swim in any access lane except in circumstances which relate to the person's lawful use of the access lane.

44.3 No person in charge of a vessel may operate a vessel in a manner that obstructs or impedes the passage of any other person while that other person is using an access lane for the purpose for which it has been declared.

44.4 No person within an access lane may proceed in any manner that is dangerous in relation to any vessel or other person in the access lane.

44.5 If one or more persons are using an access lane for the purpose for which it is declared, no person may enter, remain in or use the lane for any other purpose.

45 Reserved Areas[14]

45.1 The Council may by public notice and upon such terms and conditions and for such period or periods it thinks fit declare and designate any area of the waters and foreshore under its control to be a Reserved Area:

(a) for use of vessels generally; or

(b) for the use of a particular type of vessel to the exclusion of other types of vessels; or

(c) for the use of swimmers, water skiers, scuba divers or any persons undertaking other water recreation activities; or

[13] Rule 91.10
[14] Rule 91.12.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

(d) for any other specified purpose which the Council may consider appropriate and/or necessary (including the designation of access lanes).

45.2 Adequate signs must be provided in the vicinity of any reserved area that:

(a) define the area;

(b) declare the purpose for which the area has been reserved, including the conditions of the reservation made, and the permitted types of activities within the reserved area; and

(c) if the reserved area is marked on shore, mark the reserved area using black posts with white horizontal bands.

45.3 The Council may by public notice cancel or alter the conditions of any such declaration of a reserved area.

45.4 The reservation or revocation of a reserved area must be publicly notified by the Council at least seven days before such reservation or revocation of such reservation will have effect.

45.5 In any area declared by the Council to be a reserved area the Council may also give public notice that any of the provisions of this bylaw will not apply to the reserved area, or will only apply on terms and conditions and for such periods as the Council deems fit.

45.6 No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved.

Part 8 – Structures and Moorings

46 Permission to use or occupy structures or the foreshore

46.1 No person in charge of a commercial vessel may load or unload persons or materials using a structure under Council ownership or control other than in accordance with Council permission given under clause 46.3 of this bylaw.

46.2 No person may occupy any structure or foreshore under Council ownership or control, including by establishing a new structure on the foreshore, other than in accordance with Council permission given under clause 46.3 or clause 46.4 of this bylaw.

46.3 The Council may grant permission to any person to use or occupy a structure subject to terms and conditions (including the payment of a fee) and for such periods as determined by the Council.

46.4 The Council may in accordance with the Reserves Act 1977 grant permission to any person to occupy the foreshore subject to terms and conditions (including the payment of a fee) and for such periods as determined by the Council.

47 Mooring permits

47.1 No person may place a mooring in any waters, or moor any vessel in any navigable waters, other than in accordance with a mooring

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

permit issued by the Council.

47.2 The Council may issue a mooring permit subject to conditions determined by the Council in accordance with requirements specified under clause 52.

47.3 The Council may prescribe fees associated with moorings and mooring permits in accordance with clause 53.

47.4 Mooring permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.

47.5 Mooring permits may be transferred in accordance with terms and conditions prescribed by the Council, including the payment of the applicable fee.

48 Powers of the Harbourmaster or the Council with respect to moorings and vessels on moorings

48.1 The Harbourmaster or the Council may at any time, after giving written notice, cancel a mooring permit where the permit holder fails to comply with the terms and conditions of the mooring permit or any other clause under this Part of the bylaw.

48.2 If a mooring permit has been cancelled, the Harbourmaster or the Council may require the mooring owner to remove the mooring. The mooring owner must remove the mooring within one month of the date the permit is cancelled and at the mooring owner's cost.

48.3 The Harbourmaster or the Council may remove any mooring, and any vessel occupying the mooring if:

(a) a mooring permit has been cancelled and the owner has not removed the mooring within one month of the mooring permit being cancelled;

(b) the mooring permit fee is unpaid for a period greater than 2 months from the due date;

(c) the mooring is not authorised by a mooring permit granted under this bylaw; or

(d) the mooring does not have an identification number visible.

48.4 The Harbourmaster or the Council may detain any mooring or vessel together with the contents of the vessel until the actual cost of removing the mooring and storing the vessel has been paid.

48.5 If the cost of removal or storage has not been paid within two months of removal, the Harbourmaster or the Council may sell the mooring and/or vessel and its contents to recover the debt.

Part 9 - Administration provisions

49 Powers of Harbourmaster

49.1 The Harbourmaster will be responsible for ensuring general compliance with the provisions of this bylaw and can exercise any of

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

the powers conferred on the Harbourmaster under the Act or this bylaw.

50 Impersonation of Harbourmaster

50.1 It is an offence for any person who is not the Harbourmaster, a Deputy Harbourmaster, or an Enforcement Officer to behave in a manner that could lead any person to believe that the person holds any such appointment.

51 Speed Upliftings[15]

51.1 A person may apply in writing to have any speed limit applicable to specified waters within this bylaw uplifted.

51.2 An application under clause 51.1 must not be granted unless the Council is satisfied that:

(a) the application has been publicly notified;

(b) the Director has been consulted;

(c) affected persons have had a reasonable opportunity to comment on the application;

(d) the applicant has provided evidence of the consultation undertaken with affected persons and any navigation safety concerns arising from the consultation process;

(e) the applicant has provided evidence of any measures taken to address any concerns raised by affected persons; and

(f) uplifting the speed limit will not unacceptably increase the risk to navigation safety or endanger persons using the waters that are the subject of the application.

51.3 The Council may grant an application in accordance with clause 51.2 for a specified period or periods and subject to such conditions as Council may specify in the interests of navigation safety, and provided the Director is notified.

51.4 The Council may prescribe any fees associated with speed upliftings under this clause in accordance with clause 53.

52 Administrative requirements

52.1 The Council may from time to time specify by publicly notified Council resolution requirements for the administration of this bylaw, including but not limited to the following:

(a) any forms to be required by Council for the administration of this bylaw.

(b) any guidelines applicable to issuing a mooring permit, or other approval under this bylaw.

(c) any terms and conditions upon which any approval under this

[15] Rule 91.20.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

bylaw may be issued.

(d) any other processing or administrative requirements which the Council deems appropriate to give effect to this bylaw.

53 Fees and charges

53.1 The Council may by publicly notified Council resolution prescribe fees or charges in relation to any permit issued under this bylaw following public consultation in accordance with section 150(3)-(6) of the Local Government Act 2002.

53.2 The Council may recover its actual and reasonable costs from the applicant where the actual costs exceed the specified fee.

54 Exemptions

54.1 The Council or the Harbourmaster may only grant an exemption under this bylaw on receipt of an application made prior to the commencement of any activity in contravention of the requirements of this bylaw.

54.2 The Council or the Harbourmaster may exempt by written approval, any person, vessel or class of vessels from clauses 8, 12, 14, 17, 21, 30, and Part 5 of this bylaw.

54.3 The Council or the Harbourmaster may exempt by written approval any person, vessel or class of vessels participating in a sporting event, training activity, ceremonial event, or other organised recreational activity from clauses 20 and 22 provided the Council is satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity.

54.4 In granting any written exemption to any clause of this bylaw the Council or the Harbourmaster must consider the effects of the exemption on navigation safety.

54.5 The Council or the Harbourmaster may revoke any exemption immediately where there is reason to believe navigation safety has, or might be, adversely affected.

54.6 No exemption may be granted:

(a) for a contravention of this bylaw that has already occurred;

(b) for a period exceeding 14 days;

(c) for an activity that has prohibited activity status within any district plan rule having legal effect in the District or

(d) if it would authorise something that is or would be contrary to any other enactment, regulations or a maritime rule.

54.7 The Council may prescribe any fees associated with granting an exemption under this clause in accordance with clause 53.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Part 10 – Enforcement

55 General enforcement powers of the Harbourmaster

55.1 In any case where the Harbourmaster is not satisfied adequate precautions have been taken to ensure the health or safety of any person or the public or to avoid damage to any vessel, structure or the environment, the Harbourmaster may prohibit or restrict the activity until satisfied adequate precautions have been taken.

55.2 The Harbourmaster, enforcement officer or police officer may use powers under the Act and maritime rules and/or the Local Government Act 2002 and regulations to enforce this bylaw.

55.3 The Harbourmaster, or enforcement officer may direct any vessel or person to take any action they deem necessary to ensure compliance with the maritime rules or this bylaw.

55.4 Where any provision in this bylaw imposes an obligation to pay a fee, the owner of the vessel is liable for that fee on the date that payment falls due.

56 Non-compliance with conditions of a permit

56.1 Where a holder of any permit issued under this bylaw does not comply with the terms and conditions of the permit, the Council or Harbourmaster may take one or more of the following steps:

(a) issue a written warning to the holder of the permit, which may be considered as evidence of a prior breach of a permit condition during any subsequent review of the permit:

(b) review the permit, which may result in:

(i) amendment of the permit; or

(ii) suspension of the permit; or

(iii) cancellation of the permit.

(c) enforce any breach of this bylaw, including as provided for under the Act, maritime rules and/or the Local Government Act 2002 and regulations.

56.2 There will be no refund of fees if any permit is cancelled.

57 Offences

57.1 Every person commits an offence against this bylaw who:

(a) contravenes or permits a contravention of this bylaw;

(b) prevents a Harbourmaster or an enforcement officer from carrying out their statutory functions or duties under this bylaw;

(c) when directed by a Harbourmaster or an enforcement officer

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

to do anything, fails, refuses or neglects to comply with the Harbourmaster or an enforcement officer's requirement without reasonable cause;

(d) refuses to give information when directed to do so by a Harbourmaster or an enforcement officer or knowingly gives incorrect information.

58 Penalties

58.1 Every person who:

(a) commits an offence against this bylaw will be liable either under the Act and/or the Local Government Act 2002;

(b) commits an infringement offence, set out in the regulations created under the Act and/or the Local Government Act 2002 is liable to an infringement fee prescribed in the regulations of the applicable legislation.

59 Exceptions

59.1 A person does not contravene this bylaw if that person proves that the act or omission was in compliance with the directions of the Harbourmaster, an enforcement officer or a police officer.

Part 11 –Revocation and savings

60 Revocation

60.1 The Queenstown Lakes District Navigation Safety Bylaw 2018 including all amendments is revoked.

61 Savings

61.1 Any resolution (including a resolution as to a reserved area) or other decision made under the Queenstown Lakes District Council Navigation Safety Bylaw 2018 remains in force in the area to which it applied until revoked or replaced by an equivalent resolution or decision made by the Harbourmaster under this bylaw.

61.2 Any public notices, designations, declarations, revocations, or delegations or directions of the Harbourmaster issued under the Queenstown Lakes District Council Navigation Safety Bylaw 2018 or preceding bylaws are deemed to have been issued under this bylaw and to be subject to the provisions of this bylaw.

61.3 Directions of the Harbourmaster issued under the Queenstown Lakes District Council Navigation Safety Bylaw 2018 or preceding bylaws that were in effect before the date of commencement of this bylaw are deemed to have been issued under this bylaw and to be subject to the provisions of this bylaw.

61.4 Any licence, consent, permit, dispensation, permission or other form of approval made under the Queenstown Lakes District Council Navigation Safety Bylaw 2018 continues in force but:

(a) expires on the date specified; or

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

(b) if no expiry date is specified, expires 15 months 8 days from date of making; and

(c) can be renewed only by application made and determined under this bylaw.

61.5 Any application for a licence, consent, dispensation, permission or other form of approval made under the Queenstown Lakes District Navigation Safety Bylaw 2018 that was filed before the date specified under clause 60 of this bylaw must be dealt with by the Council and the Harbourmaster as if it had been made under this bylaw.

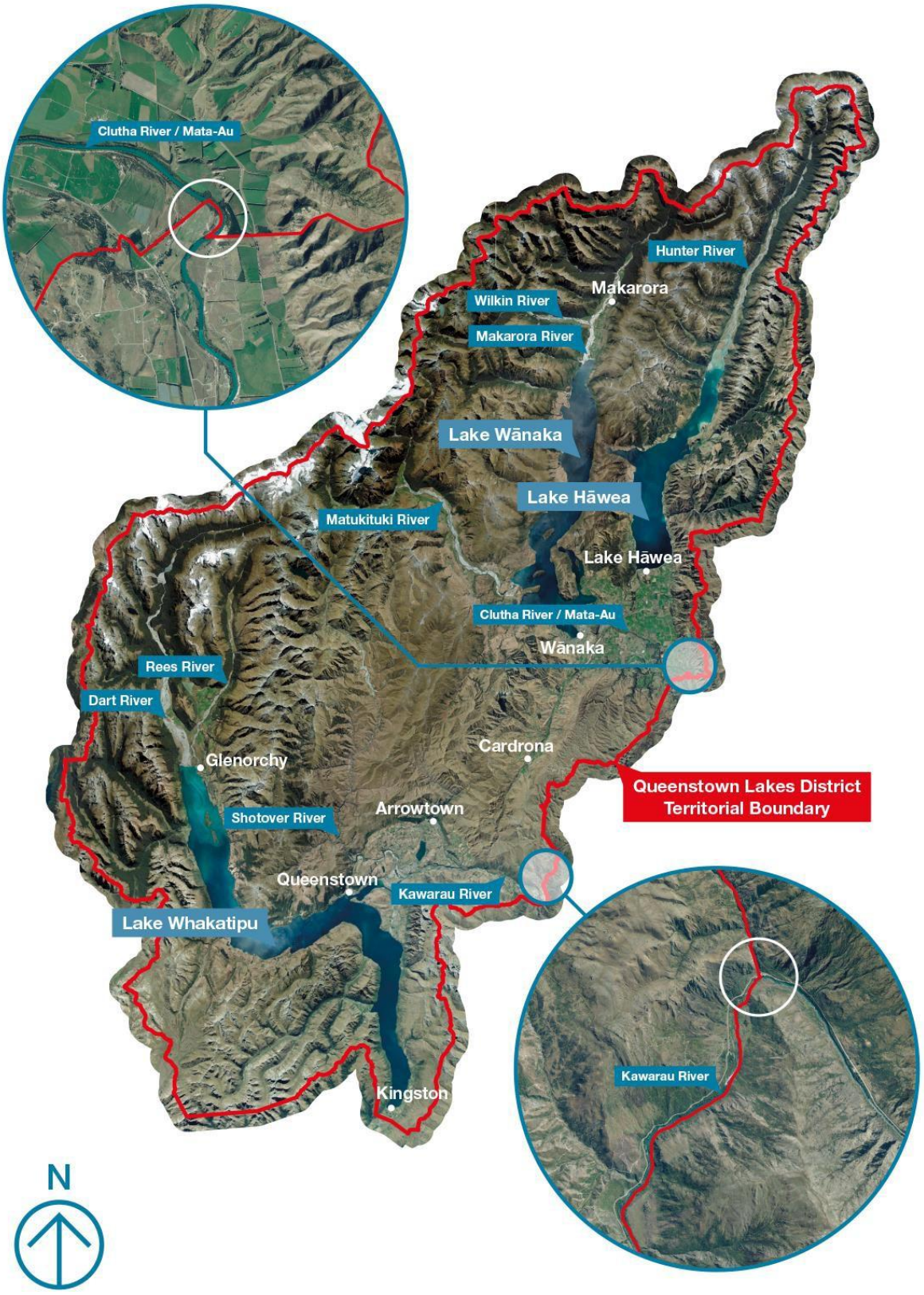
The Queenstown Lakes District Council Navigation Safety Bylaw 2025 Te Ture ā-Rohe mō te Haumaru Whakatere 2025 was adopted pursuant to the Maritime Transport Act 1994 and the Local Government Act 2002, by resolution of the Queenstown Lakes District Council on 20 March 2025.

Mayor:

Chief Executive:

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Schedule 1 – Map of Queenstown Lakes District



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Schedule 2 – Speed upliftings and access lanes

1 Upliftings for Lakes and Rivers

(1) The uplifting of speed restrictions applies in the areas and locations and for the durations described in Table 1.

Explanatory note: If the waterbody is not listed below a 5 knot speed limit applies, unless otherwise stipulated by clause 9, or elsewhere in this bylaw.

Table 1 – Speed Upliftings

Location	Description	Duration	GPS Co-ordinates	
Dart River	From Lake Whakatipu to Dredge Flat, Mount Aspiring National Park Boundary	All Year	River Mouth	-44.848898, 168.360914
			Upper Boundary	-44.572924, 168.348435
Rock Burn Stream	From Dart River confluence to Chasm	All Year	Stream Mouth	-44.669511, 168.312286
Rees River	From Lake Whakatipu to Muddy Creek	30 October to 1 May	River Mouth	-44.849844, 168.380142
			Upper Boundary	-44.697103, 168.464766
Upper Shotover River	Deep Creek upstream to 100 metres above Skippers Bridge	All Year	Deep Creek	-44.891723, 168.676801
			Skippers Bridge	-44.844205, 168.688233
Lower Shotover River	From Kawarau confluence upstream to Oxenbridge Tunnel	All Year	Kawarau confluence	-45.016289, 168.774875
			Oxenbridge Tunnel	-44.980770, 168.664390

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Kawarau River	From Lake Whakatipu to the Arrow River confluence, excluding an area marked by yellow buoys adjacent Zoological Gardens in which the 5 knot limit remains in place.	All Year	Lake Whakatipu	-45.027801, 168.731555
			Arrow River confluence	-45.009331, 168.883463
Makarora River	From Lake Wānaka upstream to the confluence of the Young River.	All Year	River Mouth	-44.319944, 169.170114
			Young River confluence	-44.199283, 169.237551
Wilkin River	From the confluence of the Makarora River upstream to Kerin Forks.	All Year	River Mouth	-44.271806, 169.182837
			Kerin Forks	-44.239863, 169.028889
Matukituki River	From Lake Wānaka upstream to the point on the East Branch where it meets the Mt Aspiring National Park Boundary and on the West Branch to the Raspberry Flat car park.	All Year	River Mouth	-44.619638, 169.018488
			East Branch	-44.442844, 168.814655
			West Branch	-44.499957, 168.781308
Clutha River /	From Lake	1 May to	Outlet	-44.662658,

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Mata-Au	Wānaka outlet to the Albert Town bridge.	30 November between the hours of 10am and 6pm And 1 December to 30 April for a person operating a power-driven vessel in this area, where expressly authorised to operate under a resource consent issued by Council	camping ground	169.149449
			Albert Town Bridge	-44.680987, 169.190466
	From the Albert Town Bridge to the Red Bridge.	All Year	Albert Town Bridge	-44.680987, 169.190466
			Red Bridge	-44.730761, 169.281756
Hunter River	From Lake Hāweato Ferguson Creek	1 November to 12 December inclusive and from 19 March to 30 April.	River Mouth	-44.311637, 169.438565
			Ferguson Creek	-44.114399, 169.567120

2 Upliftings for Access Lanes

(1) The Vessel TSS Earnslaw is excluded from the 5 knot limit due to the nature of her propulsion and manoeuvring characteristics.

3 Upliftings for Water Ski access lanes

(1) Each ski access lane is marked with an orange pole with black stripes at either end of the lane.

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Table 2 – Access Lanes

Water ski access lanes – Lake Whakatipu	
Location	**Co-ordinates**
The Buckler Burn Glenorchy	-44.855655, 168.381347
Kelvin Grove	-45.043997, 168.679560
Frankton Beach	-45.020895, 168.728776
Loop Road	-45.028176, 168.715903
Kingston Main Beach	-45.333009, 168.718766
Bobs Cove	-45.071707, 168.512843
Wilsons Bay	-45.060785, 168.566890
Sunshine Bay	-45.047811, 168.623571
Water ski access lanes – Lake Wānaka	
Roys Bay - Eely Point water ski launch lane	-44.682519, 169.120949
Roys Bay - Main Beach – closure between and inclusive of 1 December and 31 March only	-44.696371, 169.131154
Roys Bay - Waterfall Creek	-44.688943, 169.100613
Dublin Bay	-44.648695, 169.170695
Glendhu Bay - West ski lane	-44.671954, 169.012496
Glendhu Bay - East ski lane	-44.674218, 169.020974
Water ski access lanes – Lake Hāwea	
Lake HāweaSki Lane	-44.609513, 169.269967
High speed access lanes – Lake Whakatipu	
Location	**Description**

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Queenstown Bay	Access lane starts north east end of Queenstown Bay, outer boundary marked by two yellow buoys with beacons on top, green south side, red north side, GPS references (see Map 1 – Queenstown Bay). These buoys define the lanes out of Queenstown Bay. The green beacon at the entrance to Queenstown Bay is the southern most boundary of the Access Lane (refer map 1).
The Narrows	Access lane is between Kelvin Heights Peninsula and Park Street. The south side of the lane is marked by 3 navigational buoys between points starting 50 metres off shore from the North West end of the Kelvin Peninsula and continues to a point 100 metres off shore between the Yacht Club jetties and at no point will the south side of the access lane be nearer than 50 metres from the shore. From the Eastern point, further buoys will be set approximately 120 metres off shore around to a point off the Earnslaw slipway. The north side of the lane is marked 50 metres off shore opposite the Frankton Walking Track, extending to a point 200 metres West along Park Street into the main body of Lake Whakatipu, with the outer boundary of the Narrows being the red beacon on the southern most tip of Queenstown Gardens (refer Map 2).
Kawarau Dam Access Lanes (Downstream):	Access lanes between Lake Whakatipu and the Kawarau River to terminate 200 metres northwest of the Willow Tree Island 200 metres from the shore (refer Map 3).
Kawarau Dam Access Lanes (Upstream)	Access Lanes between Kawarau River and Lake Whakatipu to terminate 200 metres northwest of Willow Tree Island 200 metres from the shore(refer Map 3).
Western Kawarau Dam Access Lane	Access lane located to the immediate west of the willow tree island that starts 100 metres from the shore and terminates 200 metres from the shore.

Table 3 – Water ski access lane on-shore pole locations

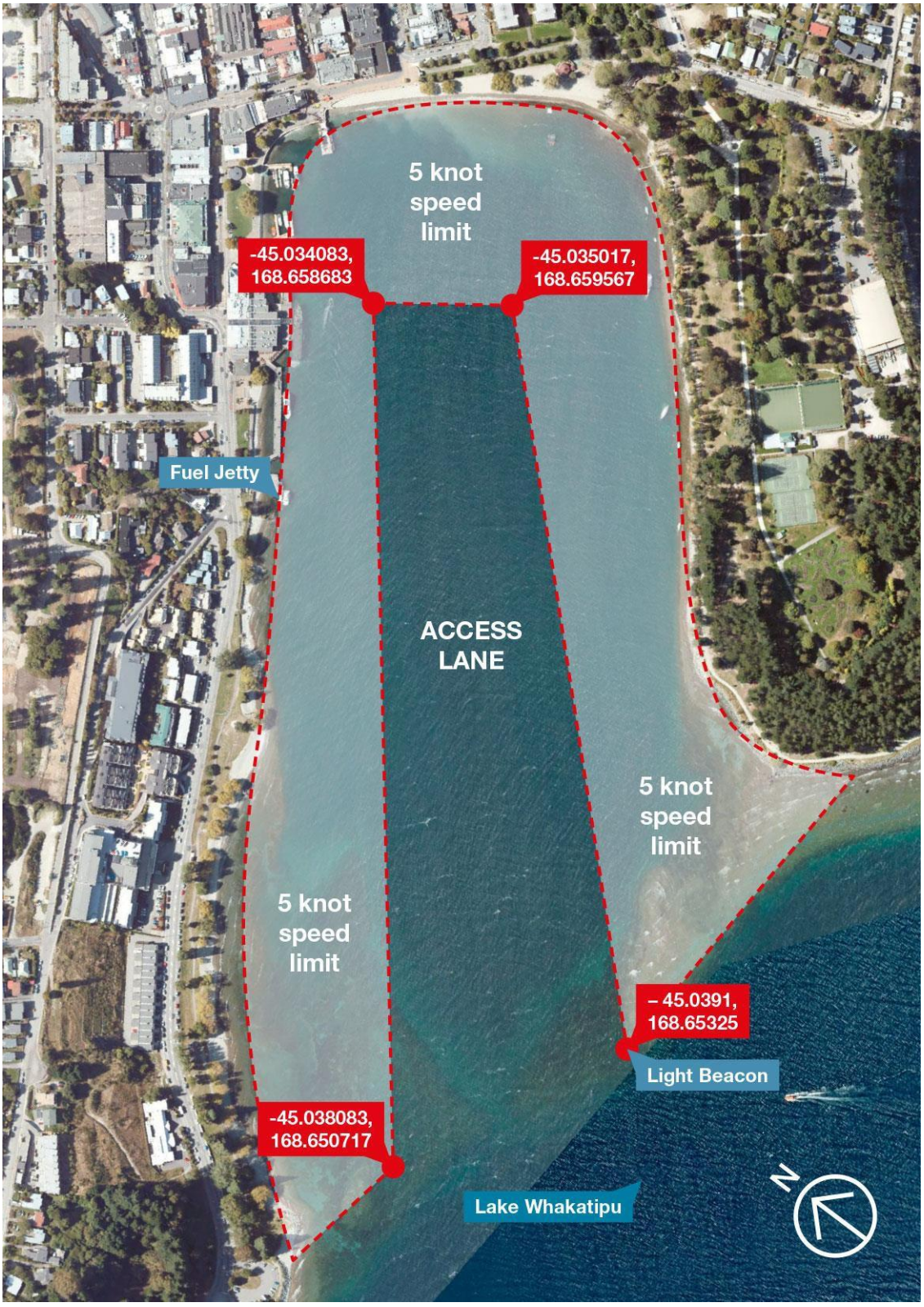
Lake Whakatipu water ski access lanes				
Ski lane	**Pole**	**Coordinates**	**Pole**	**Coordinates**
The Buckler Burn Glenorchy	North	-44.854850, 168.381329	Southern	-44.857360, 168.382050
Kelvin Grove	West	-45.043710, 168.679002	East	-45.044578, 168.680296
Frankton Beach	North	-45.019933, 168.728219	South	-45.021473, 168.729488
Loop Road	West	-45.028186 , 168.715617	East	-45.028258, 168.716175
Kingston Main Beach	West	-45.332612, 168.717304	East	-45.333499, 168.720142
Bobs Cove	North	-45.071461, 168.512628	South	-45.071910, 168.513132
Wilsons Bay	West	-45.060384, 168.566102	East	-45.061051, 168.567687

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Sunshine Bay	West	-45.04774, 168.62354	East	-45.04770, 168.62447
Lake Wānaka water ski access lanes				
Roys Bay – Eely Point	West	-44.682485, 169.120939	East	-44.682529, 169.121229
Roys Bay – Main Beach	West	-44.696931, 169.130300	East	-44.695987, 169.132098
Roy's Bay Waterfall Creek	West	-44.688416, 169.099750	East	-44.689325, 169.101623
Dublin Bay	North	-44.648443, 169.170972	South	-44.649181, 169.170438
Glendhu Bay – West	West	-44.671294, 169.011159	East	-44.67266, 169.013551
Glendhu Bay – East	West	-44.674141, 169.020209	East	-44.674661, 169.021913
Lake Hāwea water ski access lanes				
Lake Hāwea	West	-44.609494, 169.266446	East	-44.609753, 169.270377

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 1 – Queenstown Bay



Access lane, reserved area, speed limit, or prohibition	Refer to clause / schedule
Access lane	Schedule 2, Table 2
5 knot limit within 50m of boundary of access lane	Clause 36.1
No waterskiing, aquaplaning or towing of persons inside Queenstown Bay	Clause 41.1(a)

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 2 – The Narrows, Queenstown



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Access lane	Schedule 2, Table 2

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 3 – Kawarau Dam upstream and downstream access lanes and Western Kawarau Dam access lane



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	**Refer to clause / schedule**
Access lane	Schedule 2, Table 2
Areas immediately below the "downstream" gate and above the "upstream" gate at the Kawarau Falls Dam are not to be used as rest or stop areas by any vessel	Clause 38.1
Vessels proceeding downstream must be navigated through the second arch of the control gates from the true right of the bank of the Kawarau River	Clause 38.5(a)
Vessels proceeding upstream must be navigated through the sixth arch of the control gates from the true right of the bank of the Kawarau River	Clause 38.5(b)
No person may stop any vessel in that area bound by the Kawaru Dam, the willow tree island, the upstream and downstream access lanes (shown as the hatched area in Map 3) except commercial vessels expressly authorised under a resource consent issued by Council.	Clause 38.2
No person may operate any vessel in the Western Kawarau Dam Access Lane except for commercial vessels expressly authorised under a resource consent issued by Council	Clause 38.3

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 4 – Lake Whakatipu water ski access lanes, Kawarau Dam access lanes, Kawarau River and Shotover River speed upliftings, and Shotover River access restrictions



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
No vessel is permitted to use the Shotover River Concession Area without a permit issued under the Shotover River Bylaw 2021	Clause 39.1
Speed uplifting for Lower Shotover River	Schedule 2, Table 1

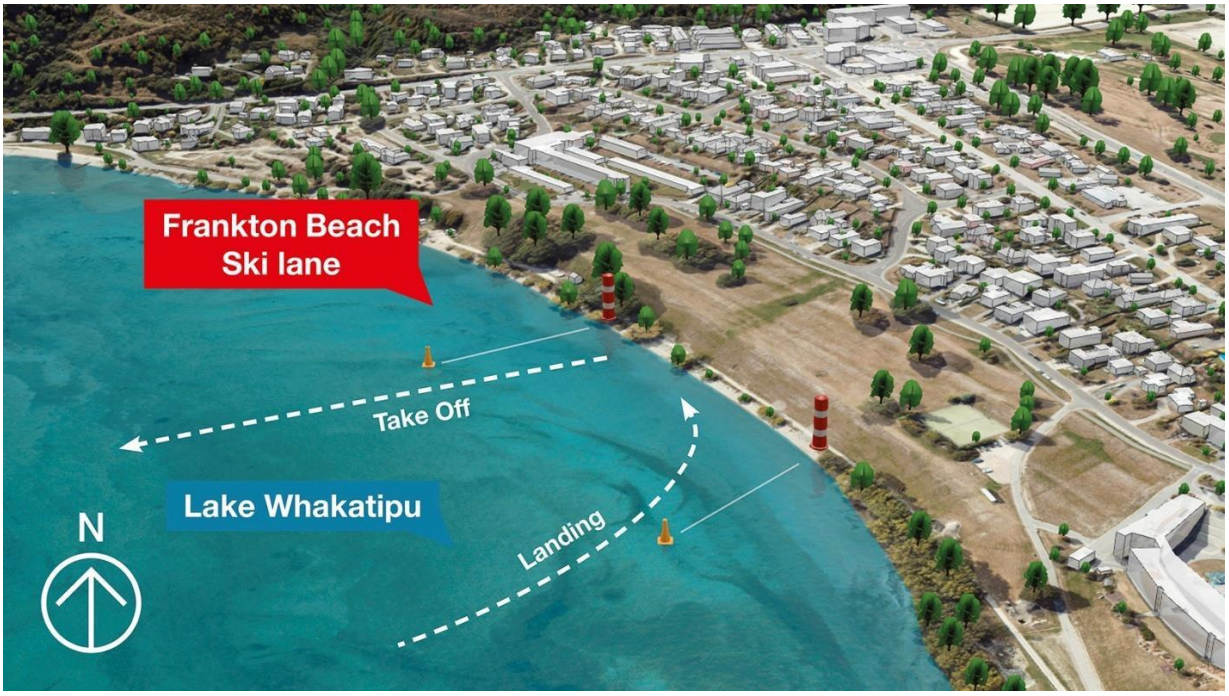
Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Water ski access lane: Frankton Beach, Loop Road, Kelvin Grove, Sunshine Bay, Wilson Bay and Bobs Cove.	Schedule 2, Table 2 and Table 3
Kawarau Dam upstream and downstream access lanes and Western Kawarau Dam access lane (refer Map 3)	Schedule 2, Table 2
No waterskiing, aquaplaning or towing of persons on the outlet of Lake Whakatipu, Kawarau River or Shotover River	Clause 41.1(b)-(c)

Map 4A – Bobs Cove ski lane



Map 4B – Frankton Beach ski lane

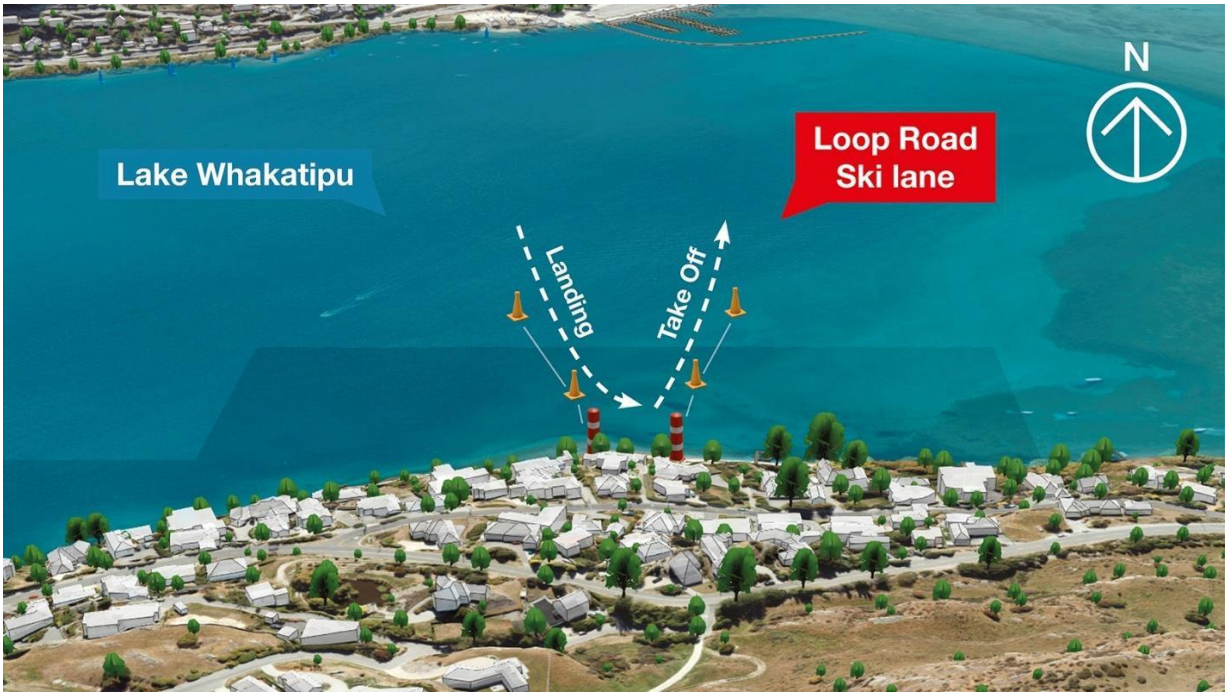


Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 4C – Kelvin Grove ski lane

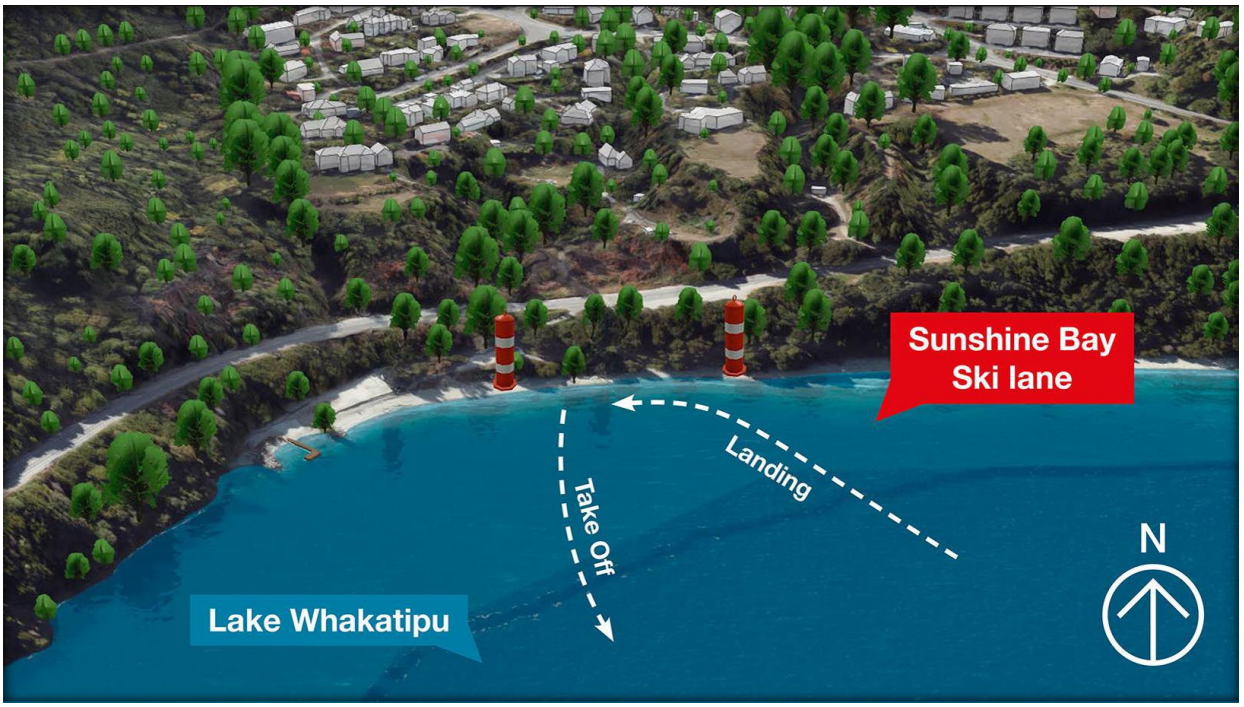


Map 4D - Loop Road ski lane

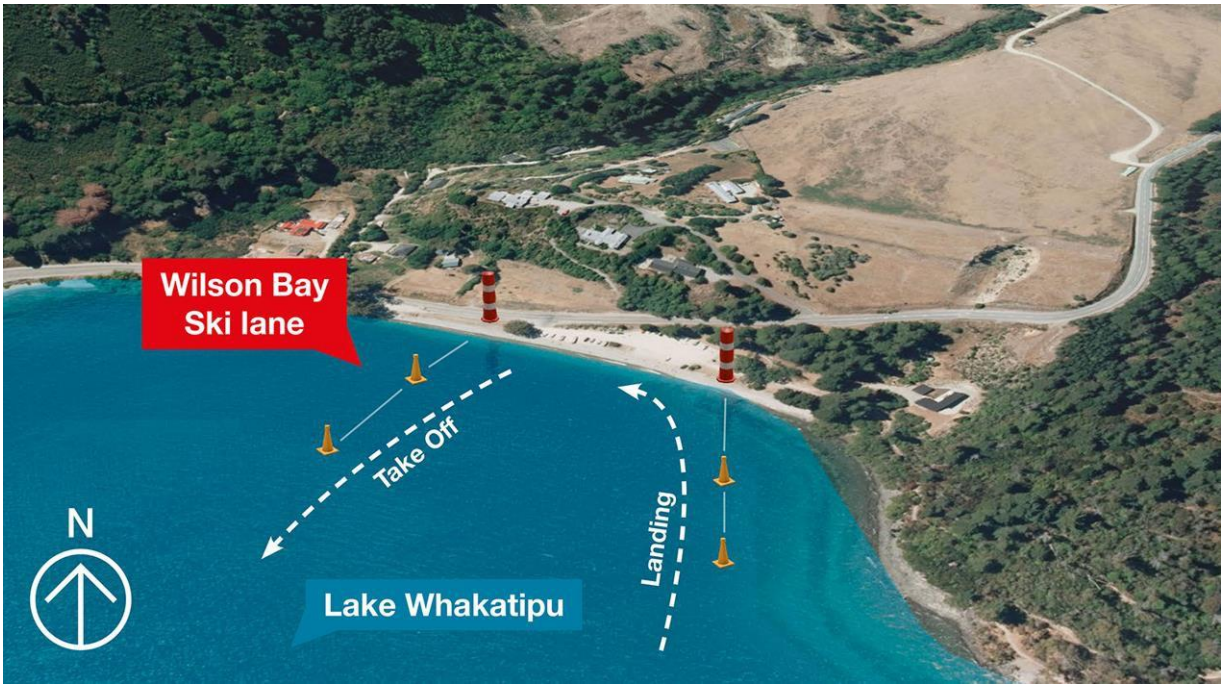


Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 4E – Sunshine Bay ski lane

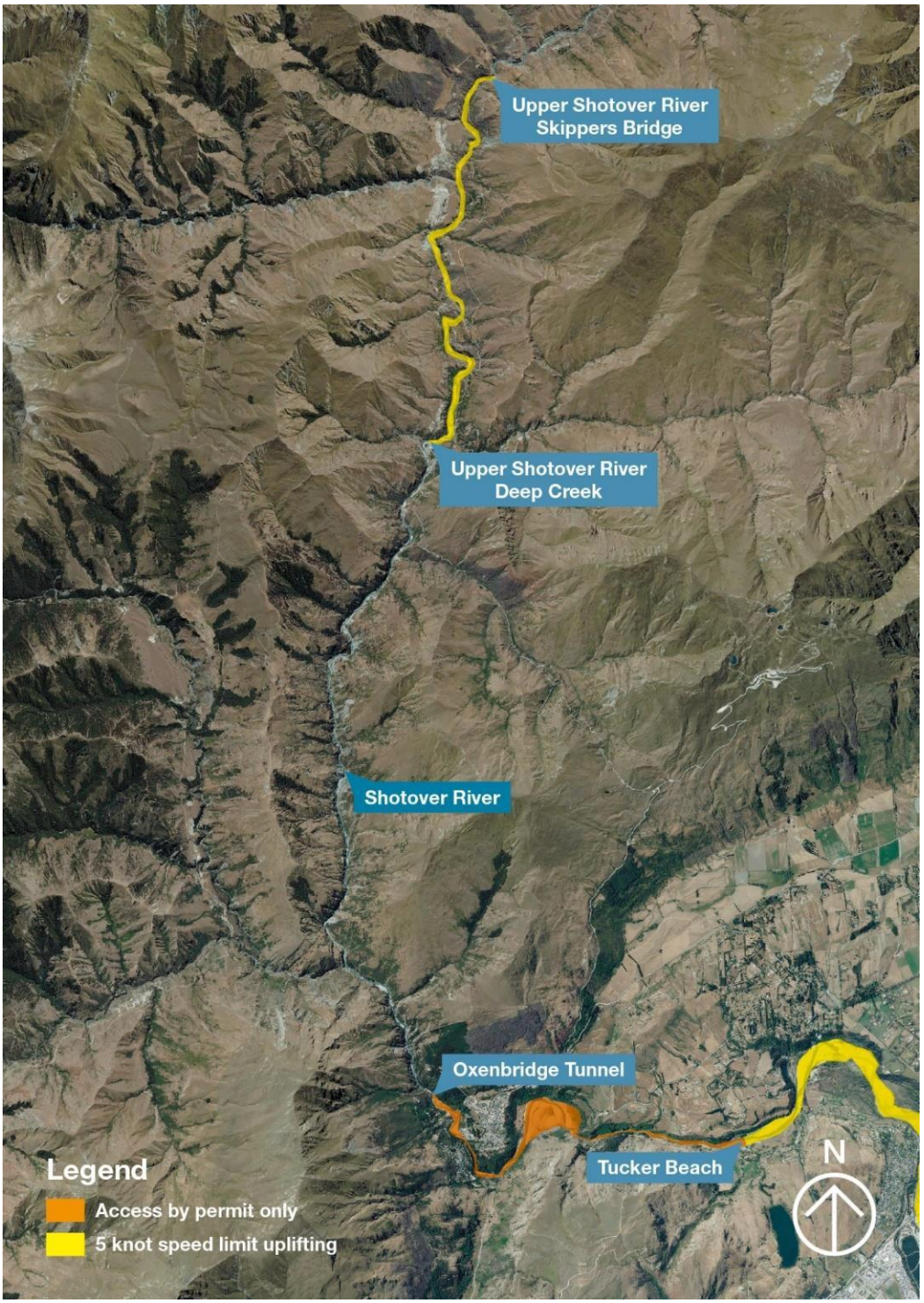


Map 4F – Wilson Bay ski lane



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

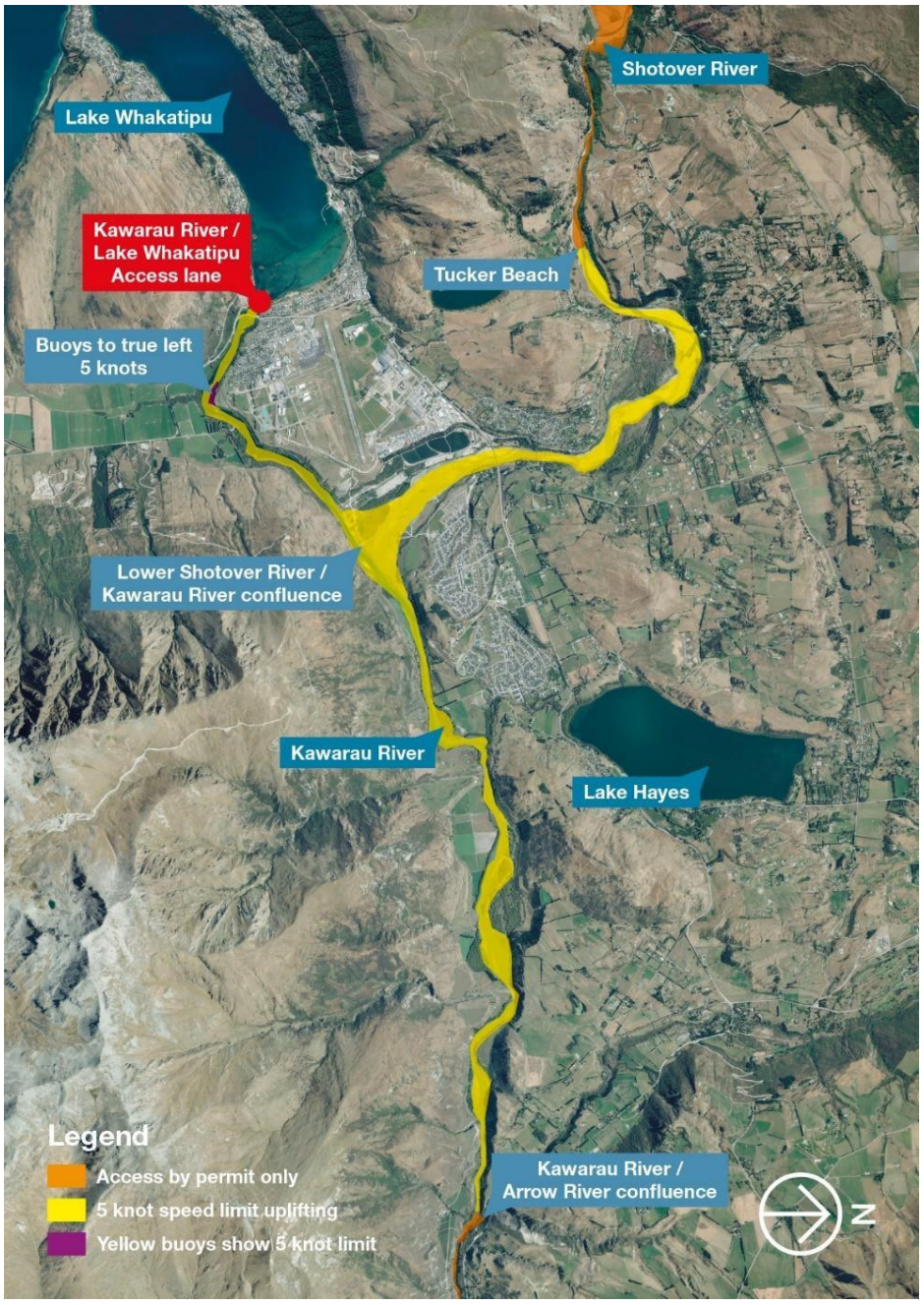
Map 5 – Upper Shotover



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
No vessel is permitted to use the Shotover River Concession Area without a permit issued under the Shotover River Bylaw 2021	Clause 39.1
Speed upliftings: Upper Shotover River, Lower Shotover River	Schedule 2, Table 1
Any commercial vessel using the Lower Shotover River must ensure that any other vessel known to be using the same area is aware of the movements and location of the commercial vessel at all times	Clause 39.2
No waterskiing, aquaplaning or towing of persons on the Shotover River	Clause 41.1(c)

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

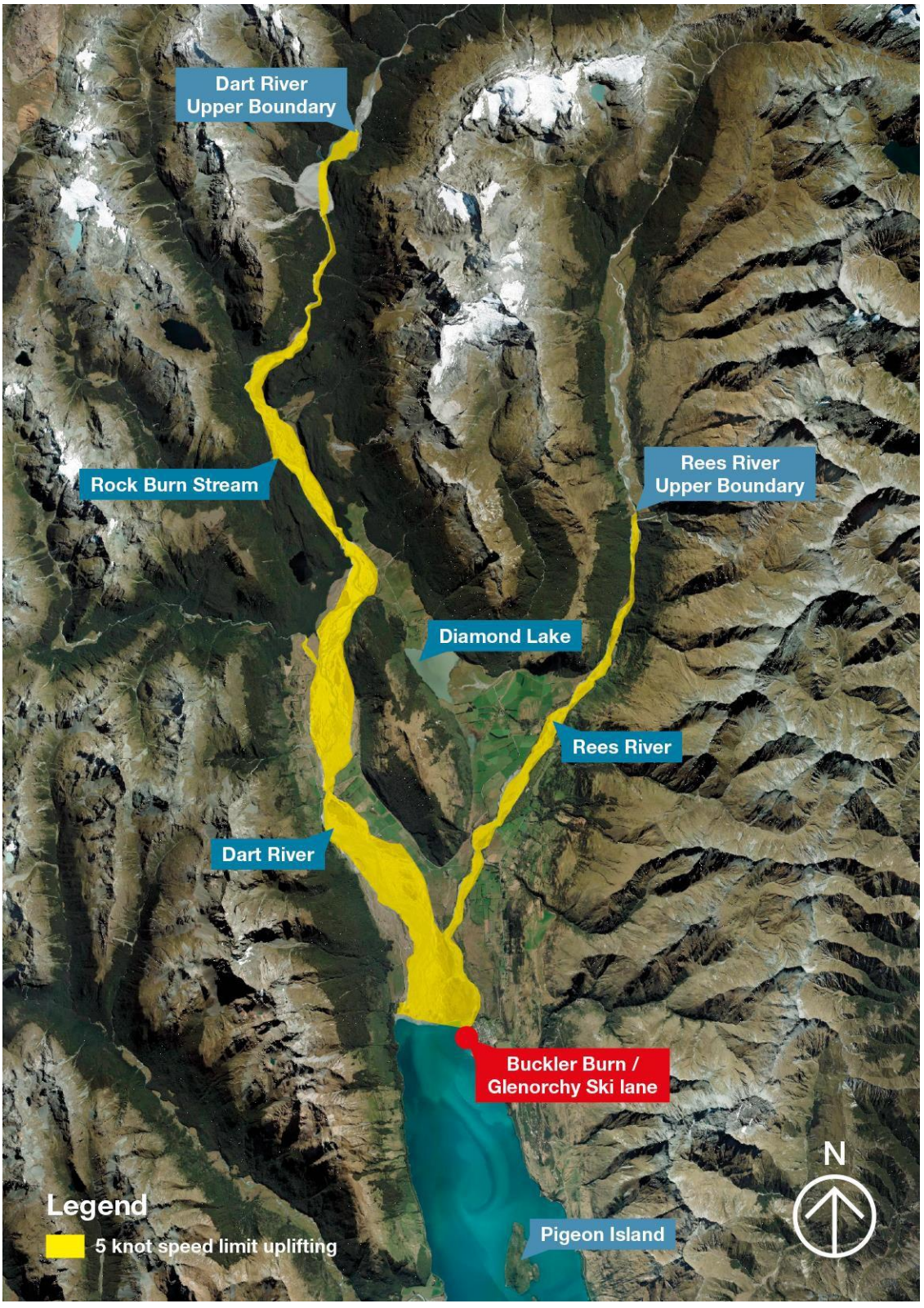
Map 6 – Kawarau River



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
No vessel is permitted to use the Shotover River Concession Area without a permit issued under the Shotover River Bylaw 2021	Clause 39.1
Speed uplifting for Lower Shotover River	Schedule 2, Table 1
Any commercial vessel using the Lower Shotover River must ensure that any other vessel known to be using the same area is aware of the movements and location of the commercial vessel at all times	Clause 39.2
Any vessel using the Kawarau River must give way to all vessels from the Shotover River and exercise extreme care near this junction	Clause 38.4
No power-driven vessel may operate on the part of the Kawarau River downstream from the confluence between the Kawarau River and the Arrow River	Clause 38.6
No waterskiing, aquaplaning or towing of persons on the outlet of Lake Whakatipu, Kawarau River or Shotover River.	Clause 41.1(b) - (c)

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

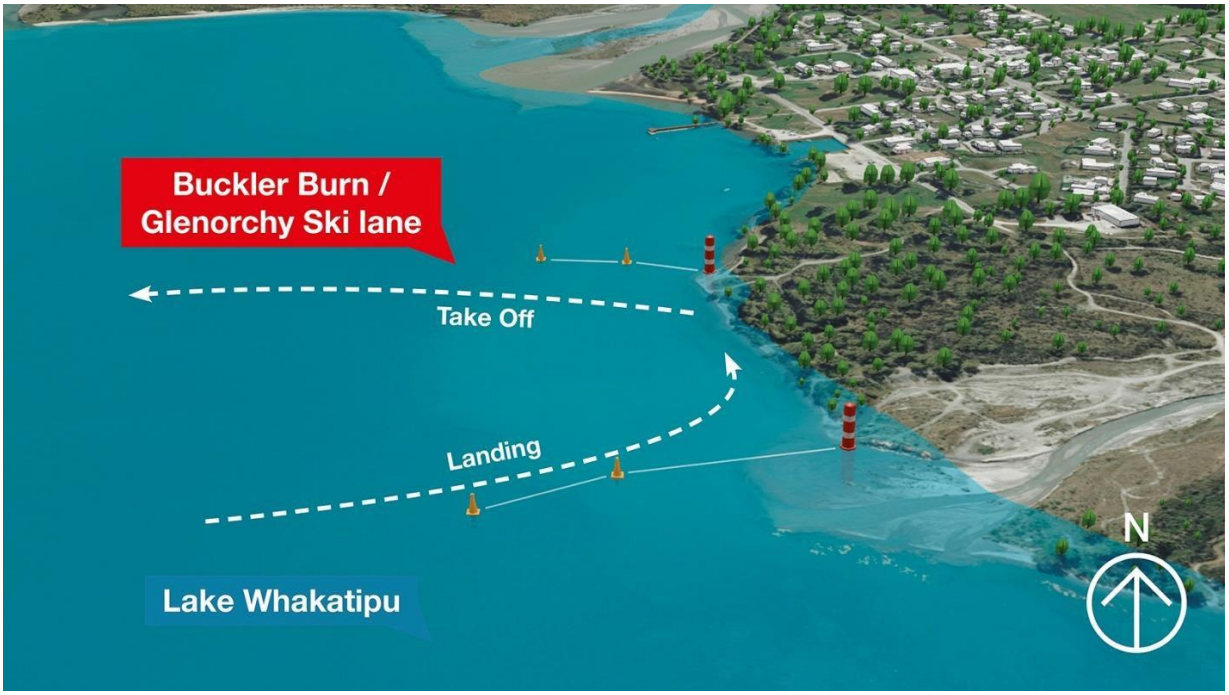
Map 7 – Dart & Rees River



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Speed upliftings: Dart River (all year), Rock Burn Stream (all year), Rees River (30 October to 1 May)	Schedule 2, Table 1
Water ski access lanes: Buckler Burn Glenorchy	Schedule 2, Table 2 and Table 3

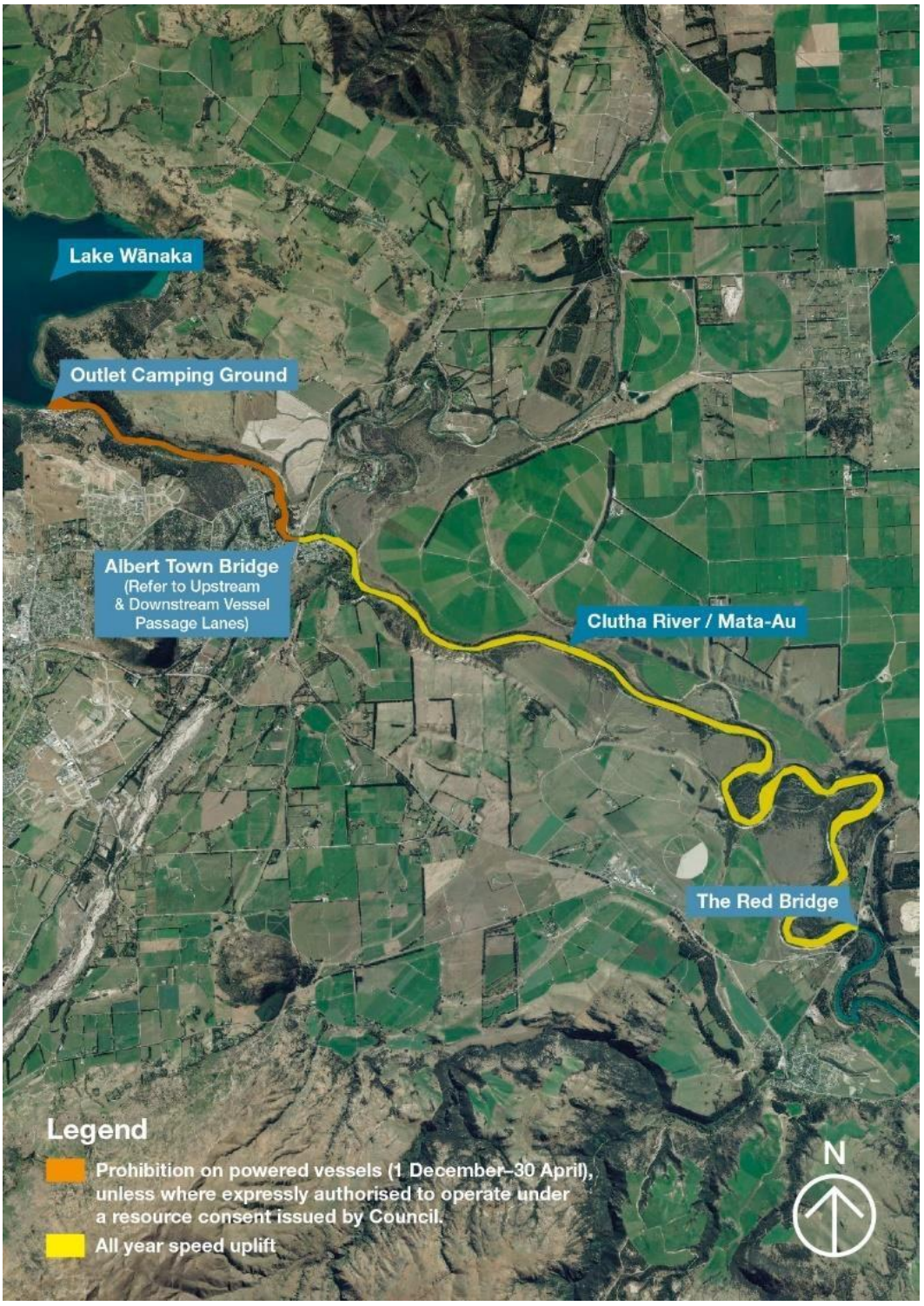
Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 7A - Buckler Burn / Glenorchy ski lane



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

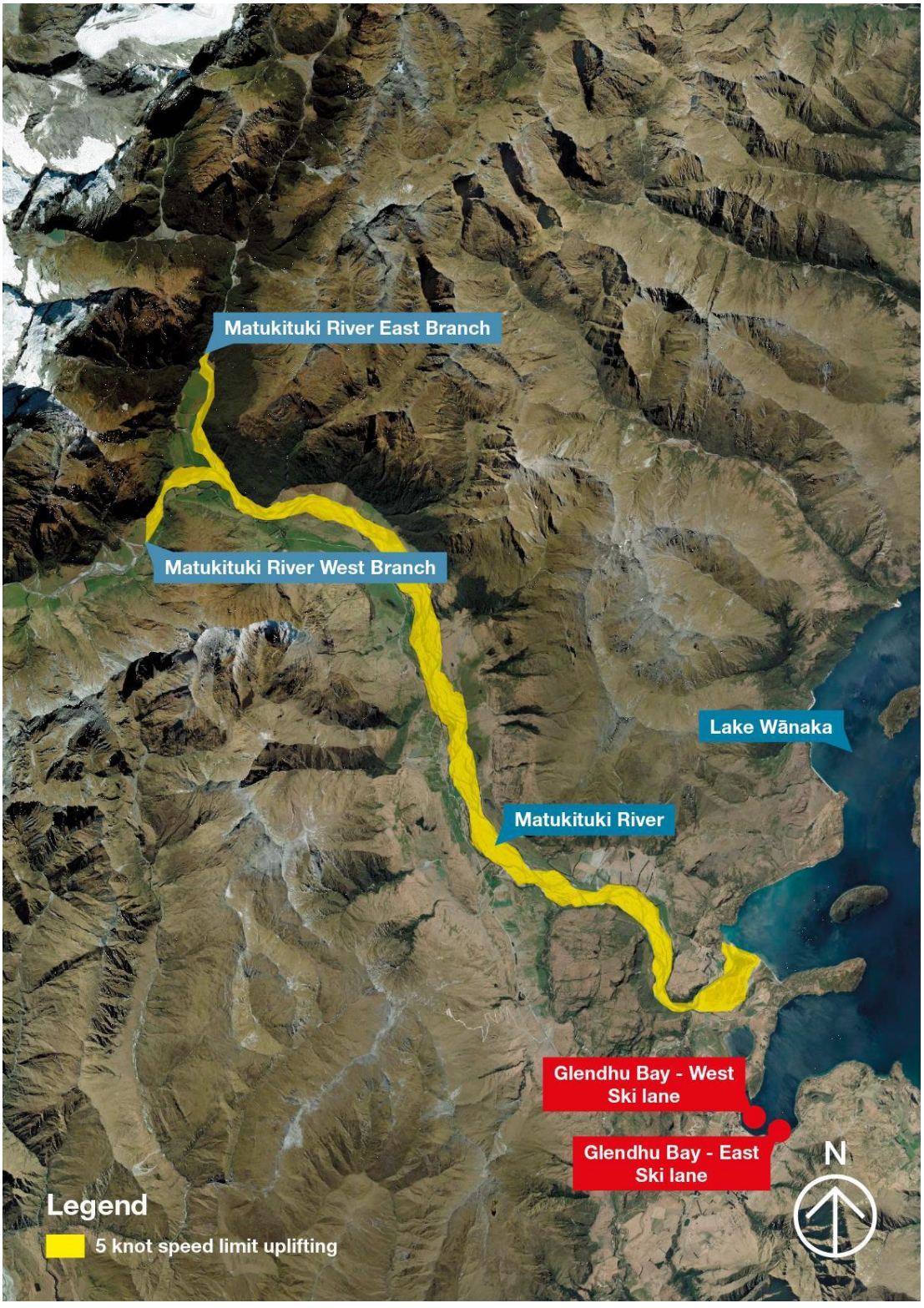
Map 8 – Clutha River / Mata-Au



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Prohibition of power-driven vessels (subject to specified exceptions) from the Lake Wānaka Outlet to Albert Town Bridge between 1 December and 30 April.	Clause 37.2(a)
5 knot speed limit applies from the Lake Wānaka Outlet to Albert Town Bridge between 1 May and 30 November, except when there is a speed uplifting between 10am – 6pm.	Clause 37.2(c) Schedule 2, Table 1
Permanent speed uplifting all year: between Albert Town Bridge and Red Bridge.	Schedule 2, Table 1
Between 1 December and 30 April a speed uplifting shall apply to a person operating a power-driven vessel in this area, where expressly authorised to operate under a resource consent issued by Council.	Clause 37.2(b)

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 9 – Matukituki River



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Speed Uplifting for Matukituki River	Schedule 2, Table 1
Water ski access lane: Glendhu Bay West, Glendhu Bay East	Schedule 2, Table 2 and Table 3

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

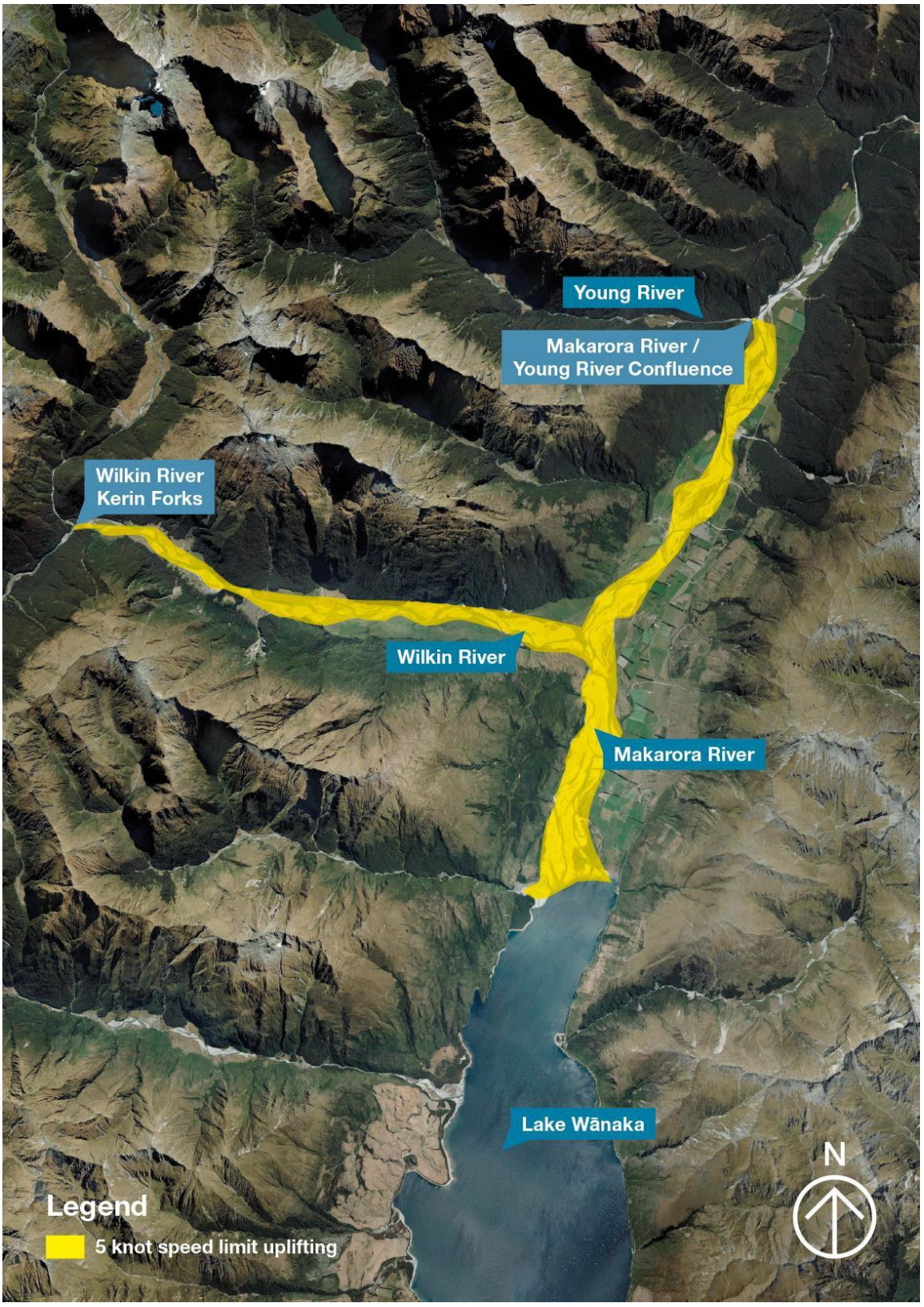
Map 10 – Hunter River



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Speed Uplifting for Hunter River (1 November to 12 December; 19 March to 30 April)	Schedule 2, Table 1

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 11 – Makarora & Wilkin River



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Speed Upliftings: Makarora River and Wilkin River	Schedule 2, Table 1

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

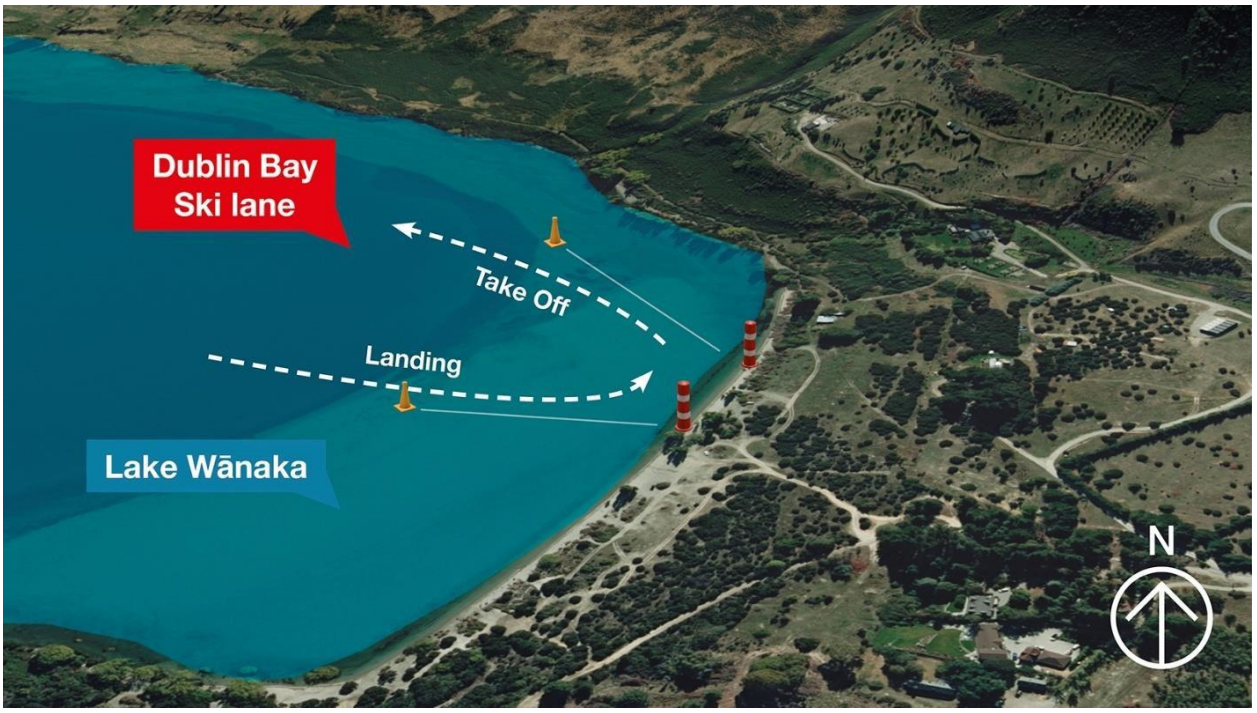
Map 12 – Lake Wānaka Ski Lanes



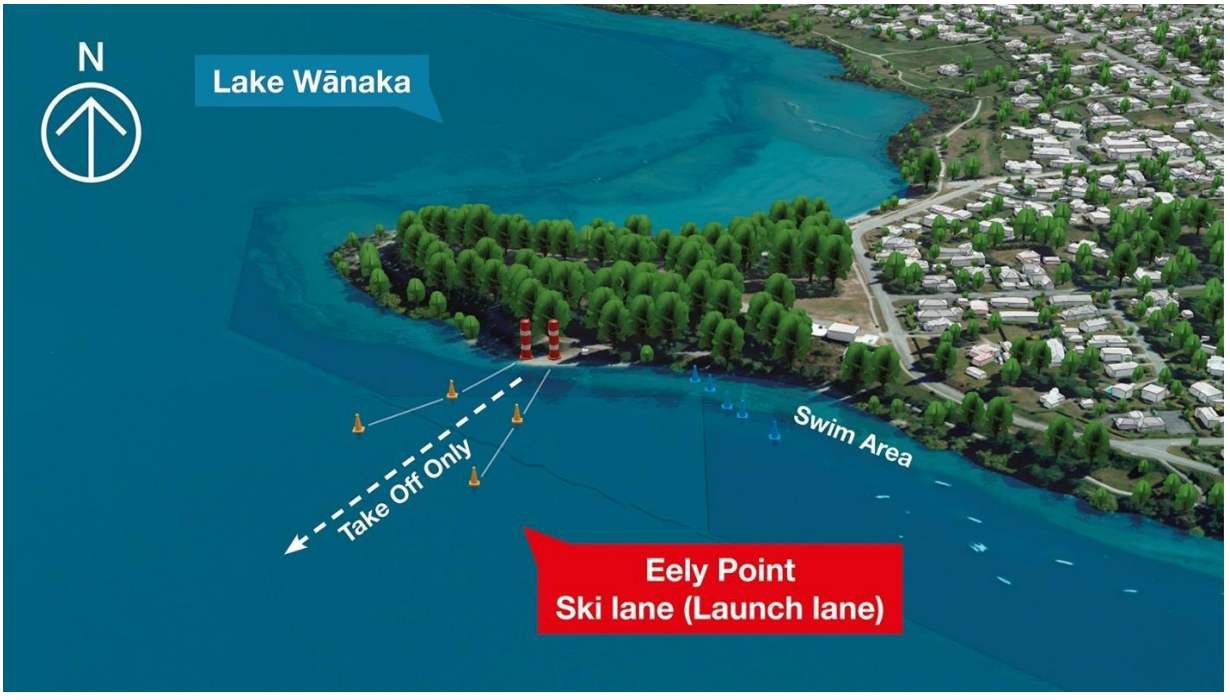
Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Water ski access lane: Glendhu Bay West, Glendhu Bay East, Roys Bay - Eely Point water ski launch lane, Roys Bay - Main Beach – closure between and inclusive of 1 December and 31 March only, Roys Bay - Waterfall Creek, Dublin Bay	Schedule 2, Table 2 and Table 3

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 12A – Dublin Bay ski lane



Map 12B – Eely Point ski lane (launch lane)



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 12C – Glendhu Bay – East ski lane

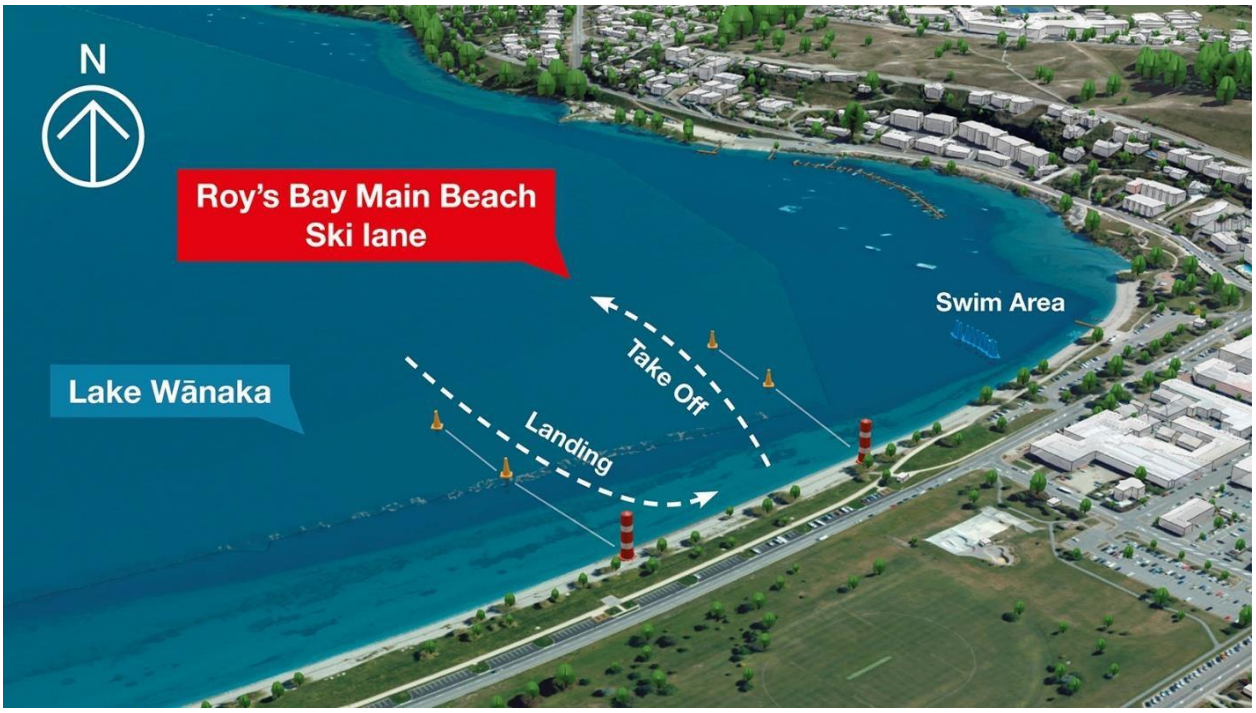


Map 12D - Glendhu Bay – West ski lane

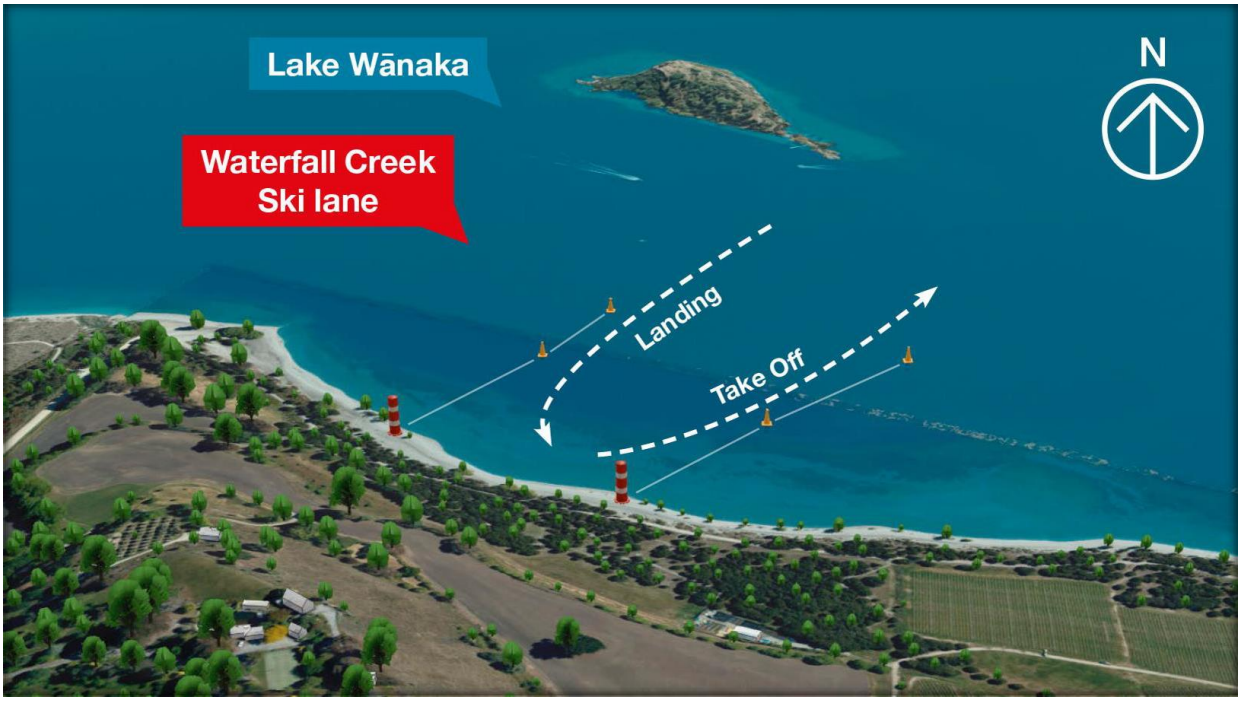


Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 12E – Roys Bay Main Beach ski lane



Map 12F -Waterfall Creek ski lane



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

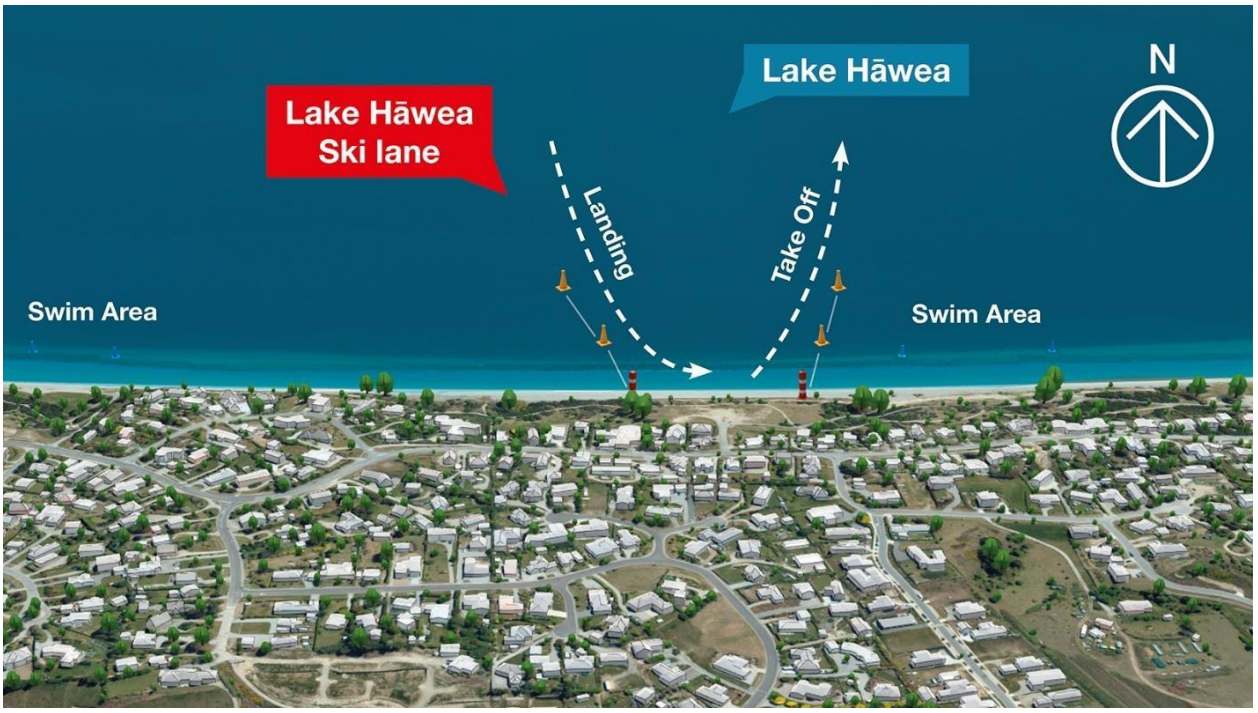
Map 13 – Hāwea Ski Lane



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Water ski access lane: Lake Hāwea ski lane	Schedule 2, Table 2 and Table 3

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 13A – Lake Hāwea Ski Lane



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 14 – Albert Town Bridge vessel passage lanes



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
No person may navigate a power-driven vessel under the Albert Town Bridge except through the identified downstream passage lane (the third arch of the Albert Town Bridge from the true right of the bank of the Clutha River / Mata-Au) and upstream passage lane (the fourth arch of the Albert Town Bridge from the true right of the bank of the Clutha River / Mata-Au).	Clause 37.1

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 15 – Kingston ski lane



Access lane, reserved area, speed limit, prohibition or other navigation safety rule	Refer to clause / schedule
Water ski access lane: Kingston ski lane	Schedule 2, Table 2 and Table 3

Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Map 15A – Kingston ski lane



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Schedule 3 – Length Overall of a Vessel

1 Length overall of a vessel

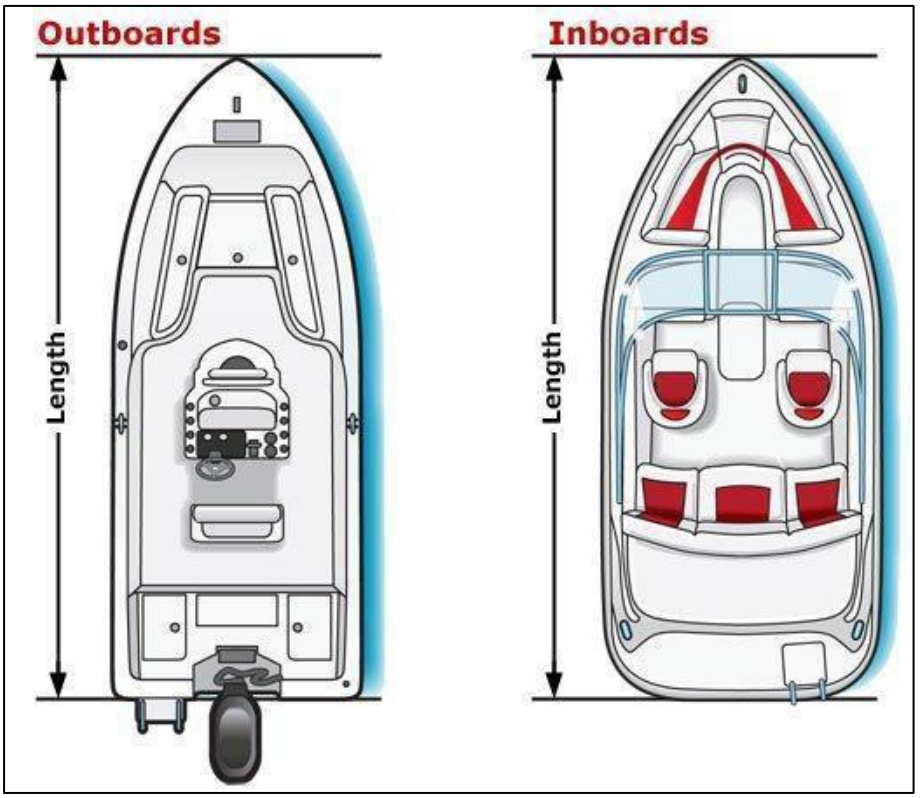
(1) Length overall of a vessel is measured from the foreside of the head of the bow to the aftermost part of the transom or stern of the vessel (see Figure 1 below).

(2) For the purposes of this bylaw length overall:

(a) does not include fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) that project beyond these terminal points; and

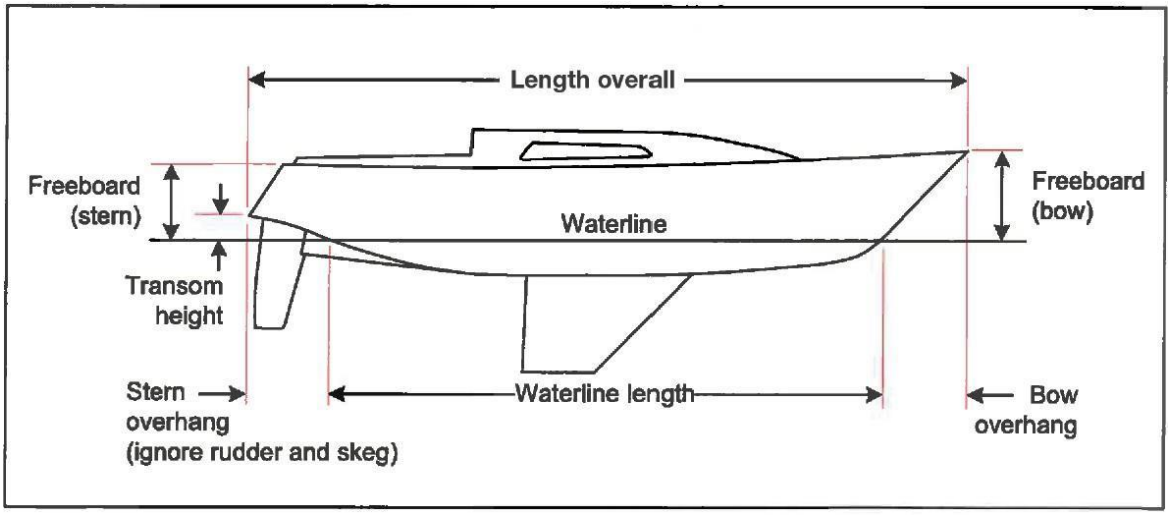
(b) includes structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) that project beyond these terminal points

Figure 1 – guide to measuring the length overall of a vessel (other than a yacht)



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025

Figure 2 – guide to measuring the length overall of a yacht



Document Set ID: 8530085
Version: 1, Version Date: 21/03/2025