



Otago
Regional
Council

Navigation Safety Bylaw 2026



That pursuant to section 33M of the Maritime Transport Act 1994 and the Local Government Act 2002, the Otago Regional Council resolves that the Navigation Safety Bylaw 2026 adopted on 27 May 2026, is hereby confirmed, and shall come into force on 1 June 2026.

The common seal of the Otago Regional Council was hereunto affixed on 27 May 2026 in the presence of:

Councillor

Councillor

Cover image: Yellow Head, Te Awa Ōtākou / Otago Harbour

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Part 1 | Preliminary Provisions

1. Title and commencement

This Bylaw is the Otago Regional Council Navigation Safety Bylaw 2026.

This Bylaw comes into force on 1 June 2026.

2. Application

- (1) This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from:
 - (a) The navigable waters in the Queenstown Lakes District Council area, which are administered by that council as shown in Appendix A.

3. Interpretation

- (1) In this Bylaw, unless the context otherwise requires: “**Accident**” has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

means an occurrence that involves a vessel and in which

- (b) a person is seriously harmed as a result of—
 - (i) being on the vessel or
 - (ii) direct contact with any part of the vessel, including any part that has become detached from the vessel, or
 - (iii) direct exposure to the was of the vessel or interaction (other than direct contact) between two vessels; or
 - (iv) being involved in the salvage of any vessel, except where the injuries are self-inflicted or inflicted by other persons, or when injuries are to stowaways hiding outside areas normally available to passengers and crew: or

- (c) the vessel sustains damage or structural failure that—
 - (i) adversely affects the structural strength, performance, or seaworthiness of the vessel or
 - (ii) would normally require major repair or replacement of the affected component; or
 - (iii) poses a threat to the safety of people on board the vessel or
- (d) there is a complete or partial failure of machinery or equipment that affects the seaworthiness of the vessel:
- (e) there is a loss of, or damage to, or movement of, or change in the state of the cargo if the vessel which poses a risk to the vessel or other vessels or
- (f) there is a significant loss of, or significant damage to, property (not being the cargo carried by the vessel) or the property of any person (whether or not on board the vessel), whether or not the loss or damage arises from an interaction between two vessels or
- (g) there is a loss or escape of any substance or thing that
 - (i) may result or has resulted in serious harm to any person or
 - (ii) may pose a risk, or has resulted in damage to the vessel or other vessels or
 - (iii) may pose a risk, or has resulted in any damage to any property (whether or not on board the vessel): or
- (h) a person is lost overboard (whether or not subsequently found), or is missing or
- (i) the vessel is foundering, capsizing or being abandoned, stranded or been in a collision, or has a minor fire on board

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

“**Access lane**” means an area declared as an access lane under clause 17.

“**Anchoring**” means the temporary securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that

is normally retrieved from the water and stored on the vessel on departure.

“**Beacon**” means an aid to navigation identified with a beacon symbol as shown on Land Information New Zealand Chart 6612 Otago Harbour. Beacon numbers are as shown on Chart 6612.

“**Council**” means the Otago Regional Council.

“**Commercial port area**” means areas defined as a Coastal Development Area or a Coastal Harbourside Area in the Regional Coastal Plan for the Otago and Oamaru Harbours as shown in the maps in Appendix B and G.

“**Competent person**” when used in relation to the inspection and/or maintenance of moorings means a person or organisation who has demonstrated to the satisfaction of the Harbourmaster that they are suitably experienced and/or qualified to undertake inspections and/or maintenance of moorings.

“**Enforcement officer**” means a person appointed by Council under section 33G of the Act.

“**Flag B**” has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means the flag B of the International Code of Signals being a swallow tailed flag, or a rigid equivalent, coloured in red of not less than 600mm by 600mm.

“**Dunedin wharves**” means the commercial port area of Otago Harbour at Dunedin located west of beacon 67.

“**Halfway Islands Safety Zone**” means the area identified in Appendix F.

“**Harbour area**” means Otago Harbour or Oamaru Harbour.

“**Harbour Control**” means the Otago Harbour vessel traffic control centre operated by Port Otago Limited.

Explanatory note: Harbour Control is staffed at all times and may be contacted on VHF Channel 14. Alternative contact information for Harbour Control; Telephone: 472 9882; Email: harbourcontrol@portotago.co.nz.

“**Harbourmaster**” has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

in relation to a port, a harbour, or other waters in a region, means any person appointed as a harbourmaster of that port or harbour, or those waters, under Part 3A

“**Incident**” has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

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

“**Lake Waihola**” means the lake area shown in Appendix H.

“**Landing place**” means a wharf, jetty, dock, quay, landing, pile mooring, pier, pontoon, boat ramp, slipway or other facility, where vessels can be or may be moored, launched or retrieved, but does not include a mooring.

“**Large vessel**” means any vessel 40 metres or greater in length overall, or 500 gross tonnage or greater. If a tug and tow or composite vessel, gross tonnage shall be the sum of gross tonnage for all of the connected vessels.

“**Length overall**” has the same meaning as in Part 40C of the Maritime Rules (as set out below). If a tug and tow, length overall shall be the combination of the tug and object(s) towed but not the length of the towing medium.

means the length of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship. Fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) projecting beyond these terminal points must not be included in the length overall for the purposes of this Part. Structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) projecting beyond these terminal points must be included in the length overall for the purposes of this Part.

Explanatory note: The Advisory Circular to Maritime Rule Part 40A has further guidance and interpretation of this definition.

“**Local Notice to Mariners**” means a notice related to maritime safety in Otago which is available to the public from the Council website.

“**Manoeuvre**” means actions that change the direction of a vessel.

“**Master**” has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any person (except a pilot) having command or charge of any ship.

“**Medium vessel**” means any vessel more than 15 metres but less than 40 metres in length overall and under 500 gross tonnage.

“**Mishap**” has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

means an event that—

- (a) causes any person to be harmed; or
- (b) in different circumstances, might have caused any person to be harmed.

“**Moorings**” means any weight or article placed in or on the foreshore or seabed or the bed of a water body for the purpose of securing a vessel, raft, aircraft, or floating structure, and includes any wire, rope, buoy, or other device attached or connected to the weight, but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.

“**Moorings area**” means an area, where vessel moorings may be placed, identified by the Council as a mooring area in the Regional Coastal Plan.

“**Moving Prohibited Zone (MPZ)**” means the space of water in the Otago Harbour Shipping Channel extending:

- (a) For a large vessel, 100 metres astern and 100 metres to each side of the vessel, and continued at such width to 1,000 metres ahead when that vessel is underway.
- (b) For a tug in attendance of a large vessel, 100 metres all around the tug, in addition to the MPZ around the large vessel.

“**Navigable**” means able to be navigated by a vessel on, through, over or under the water.

“**Navigational channel**” means the Otago Harbour Shipping Channel, or the principal access to any other harbour area, or the principal navigational channel of an inland water.

“**Oamaru Harbour**” means the commercial port area located at Oamaru as shown in Appendix G.

“**Otago Harbour**” means the area comprising all waters enclosed by a line from Trig at Heyward Point then bearing 20 degrees for three nautical miles then bearing 126 degrees for 1.75 nautical miles then bearing 200 degrees for 3 nautical miles to Howletts Point, as published in the New Zealand Gazette Vol II July 1930 p.2233 and p.2234.

“**Otago Harbour Shipping Channel (OHSC)**” means the marked channel extending through Otago Harbour from the Fairway Beacon at the channel entrance through the gap between the Halfway Islands (Goat Island and Quarantine Island) to a line extending due south of Beacon 67 at the Dunedin wharves as shown in Appendix C.

“**Owner**”:

- (a) when used in relation to any vessel, has the same meaning as in the Act
- (b) when used in relation to any landing place, means the person holding a coastal permit under the Resource Management Act 1991 for the landing place and shall include a lessee of the landing place
- (c) when used in relation to Port Areas of Otago Harbour means Port Otago Limited
- (d) when used in relation to commercial port areas of Oamaru Harbour means the Waitaki District Council, or a port company established by the Waitaki District Council.

“**Personal flotation device**” has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting

- (a) type 401, 402, 403, 404, 405, or 408 in NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005; or
- (b) a national or international standard that the Director is satisfied substantially
- (c) complies with types 401, 402, 403, 404, 405, or 408 of the NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005:

“**Person in charge of the vessel**”: has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means the master

“**Personal water craft**” has the same meaning as in section 2 of the Maritime Transport 1994 (as set out below)

means a power-driven vessel that—

- (a) has a fully enclosed hull; and
- (b) does not take on water if capsized; and
- (c) is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it

“**Pilot**” has the same meaning as in section 2 of the Maritime Transport 1994 (as set out below)

means any person, not being the master or a member of the crew of the ship, who has the conduct of the ship.

“**Port company**” has the same meaning as in the Port Companies Act 1988 (as set out below)

means a company formed and registered under the Companies Act 1955 as a port company in accordance with section 4 (as in force before the commencement of the Company Law Reform (Transitional Provisions) Act 1994).

“**Power-driven vessel**” has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any vessel propelled by machinery.

“**Reserved area**” means an area declared as being reserved for a

specified maritime safety purpose under Maritime Rules Part 91 or clause 17 of this Bylaw.

Explanatory note: For the avoidance of doubt the only reserved areas in the Otago Region having legal status are those authorised under this Bylaw. All reserved areas authorised by previous bylaws, rules, or regulations made under any act have been revoked by this bylaw (or a previous bylaw) and have no effect or legal status.

“**Restricted visibility**” has the same meaning as in Part 22 of the Maritime Rules (as set out below)

means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or other similar causes.

“**River**” has the same meaning as in Part 91 of the Maritime Rules (as set out below)

includes a stream and any modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides.

“**Sailboard**” means any type of board including a windsurfer, kiteboard, or wing and foiling craft that is propelled by any type of sail and intended to be navigated by a person on the board.

“**Ship**” has the same meaning as Vessel.

“**Shore**” when referring to distance from shore, means distance from the water’s edge.

“**Speed**” means

- (a) On the sea or lakes the speed through the water; or
- (b) On rivers and estuaries, the speed through the water if travelling with the current, or speed over the ground if travelling against the current.

“**Small vessel**” means any vessel 15 metres or less in length overall.

“**Special Speed Zone (SSZ)**” means an area of water where the speed limit has been set under clause 16 or clause 29 of this Bylaw.

Explanatory note: Under Maritime Rule Part 91 speed limits are generally 5 knots within 200 metres of shore or a structure, and within 50 metres of a person in the water.

“**Specified MPZ**” means a Moving Prohibited Zone specified for any vessel by the Harbourmaster in accordance with clause 24(4) of this Bylaw.

“**Support vessel**” means any vessel used for coaching, marshalling and rescue attendance for training, regattas and competitions.

Explanatory note: For the sake of clarity, this definition relates to recreational and sporting activities and does not include port company vessels engaged in normal port operations.

“**Surfboard**” means any type of board that is used for surf riding.

“**Territorial sea**” means the territorial sea of New Zealand, which has the same definition as in section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977 (as set out below)

the baseline described in sections 5 and 6 and 6A and, as their outer limits, a line measured seaward from that baseline, every point of which line is distant 12 nautical miles from the nearest point of the baseline.

“**Underway**” has the same meaning as in Part 22 of the Maritime Rules (as set out below) means a vessel not at anchor, or made fast to the shore, or aground.

“**Unseaworthy**” means, in the opinion of the Harbourmaster not being in a fit condition or readiness to navigate safely on the water.

“**Vessel**” means every description of ship, 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 while it is on the surface of the water.
- (e) and shall include but is not limited to, a sledge, surfboard, sailboard, stand-up paddle board, raft, personal water craft or any other object intended or used to carry or support a person in or on the water

“**VHF**” has the same meaning as in Part 43 of the Maritime Rules (as set out below)

means very high frequency, being the frequency spectrum between 30 MHz and 300 MHz.

“**Waters**” means

all the sea area including in estuaries, inlets or harbours and coastal waters, the outer boundary being the seaward limit of the territorial sea and the inner boundary being the water’s edge; and

all inland waters of the Region.

Explanatory note: The seaward limit of the territorial sea is approximately 12 nautical miles from shore, the exact limits may be found on the Land Information New Zealand (LINZ) website. Inland waters includes all rivers lakes and ponds regardless of whether or not they are accessible to the general public.

“**Water skiing**” means— being towed barefoot or on an object of any kind other than a vessel.

NOTE:

To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, Maritime Rules, rules in any District or Regional Plan and rules of law.

Unless the context requires another meaning, a term or expression that is defined in the Act or a Maritime Rule and used in this Bylaw, but not defined, has the meaning given by the Act or Maritime Rule.

Any explanatory notes are for information purposes only and do not form part of this Bylaw, and may be made, amended and revoked without formality.

4. Revocation

- (1) This Bylaw revokes all existing speed uplifts or increases and restricted areas in the Otago Region previously authorised by the Otago Regional Council or its predecessors.



View from Tokatā / Nugget Point

Part 2 | General Navigation Safety Requirements

5. Notification of maritime accidents, incidents and mishaps

- (1) The person owning or having responsibility for, or in charge of, or having conduct of any vessel, Port Company property, other maritime facility, structure or object that:
 - (a) has been involved in any accident, incident, or mishap involving a vessel; or
 - (b) in any manner gives rise to a navigational hazard;Shall, as well as complying with any accident reporting requirements of Maritime Rules and the Act, as soon as practicable, report the occurrence to the Harbourmaster.
- (2) For other accidents, incidents or mishaps the Harbourmaster shall be contacted as soon as practicable within 24 hours of the incident by phone call or by email, or reported through the Hazman link – orc.govt.nz/ReportMarineIncident

Explanatory note: Harbourmaster email address is harbour.master@orc.govt.nz

- (3) Notification of incidents should also be made to Maritime New Zealand. <https://www.maritimenz.govt.nz/readiness-and-response/reporting-incidents/incident-notification/>

6. Person in charge of the vessel

- (1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.
- (2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.

- (3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.

7. Wearing of personal flotation devices on vessels

- (1) Every person on board vessels 6 metres or less length overall must wear a properly secured personal flotation device of an appropriate size for that person at all times.
- (2) Clause 7 does not apply if the person in charge of the vessel, after assessing all circumstances and determining there would be no reduction in safety, expressly authorises any person on board to not wear a personal flotation device.
- (3) Clause 7 does not apply to a person who is below deck of the vessel unless expressly instructed to wear a personal flotation device by the person in charge of the vessel.
- (4) Clause 7 does not apply to a person training for or participating in a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand.
- (5) All persons must wear a properly secured personal flotation device of an appropriate size for that person when:
 - (a) in circumstances where tides, river flows, visibility, rough seas, adverse weather, when crossing a bar, in emergencies, or other situations that may cause danger or a risk to the safety of persons on board, or;
 - (b) being towed by a vessel.
- (6) Clause 7 does not apply to—
 - (a) any surfboard or similar unpowered craft; and
 - (b) any sailboarder or windsurfer, if a wetsuit is worn at all times; and
 - (c) a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body wetsuit is worn at all times; and

- (d) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence.
- (7) Clause 7 shall not apply in respect of any sporting event, training 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 of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft. In this rule buoyancy aid means—
- (a) a buoyancy aid as defined in NZ Standard 5823:1989 or NZ Standard 5823:2001 or NZS 5823:20051; or
 - (b) a buoyancy aid that the Director is satisfied substantially complies with the standard prescribed in paragraph (a) and that provides a minimum of 53 newtons of buoyancy.

Explanatory note: circumstances and activities that could result in people inadvertently being in the water includes the activity being undertaken by a person, the type of vessel, the activity the vessel is engaged in, adverse weather or sea conditions, and other nearby vessel activity that could result in collision. A person must wear and secure a suitable personal flotation device whilst on a vessel if instructed to do so by the Harbourmaster.

8. Minimum age for operating power-driven vessels

- (1) No person under the age of 15 years shall be in charge of, 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.
- (2) The person in charge 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 navigate that vessel in contravention of subclause 8(1).

- (3) Subclause 8(1) does not apply to any person who has a written approval from the Council. Written approvals may be given for training, competitions or other sporting events, and the Council, when considering whether or not to grant such an approval, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

9. Navigation on rivers

- (1) A person in charge of a vessel on a river must:
 - (a) ensure that the vessel keeps to the starboard side of the navigable channel where safe and practicable; and
 - (b) when going upstream, give way to any vessel coming downstream; and
 - (c) not navigate the vessel unless it is safe to do so and weather conditions are considered to permit safe navigation of the vessel; and
 - (d) not exceed a speed of 5 knots on any river unless in an area designated as an SSZ, or a reserved area or an access lane.

Explanatory note for subclause 9(1)(c): For example, not navigate immediately downstream of dams that are spilling.

10. Fishing or swimming or diving around landing places

- (1) No person shall fish, jump, dive or swim:
 - (a) from, or within 50 metres from, a landing place in a manner that interferes with the berthing or departure of any vessel, or
 - (b) in commercial port areas without the permission of the owner and shall comply with all conditions of that permission.
- (2) Subclause 10(1) does not apply to activities conducted by, on behalf of, or approved by the owner within the relevant commercial port area.

11. Swimming near landing places

- (1) For the avoidance of doubt, nothing in clause 10(1)(a) prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel.
- (2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place.
- (3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places.

12. Obstructions that may constitute or become a danger to maritime safety

- (1) No person may place any obstruction, including any fishing apparatus, 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.

13. Vessels to be seaworthy

- (1) No person shall navigate any vessel in circumstances where the vessel is unseaworthy, except to remove the vessel from the water or to move it to a safe area.
- (2) No person shall operate any vessel in circumstances where persons on board have been advised by the Harbourmaster or an enforcement officer that the vessel is unseaworthy, except to comply with the directions of the Harbourmaster or enforcement officer to proceed to a safe area.

14. Vessels to be identified

- (1) No person shall navigate a vessel unless it displays an identifying name or number displayed above the waterline on each side of the vessel.
- (2) The identifying name or number shall;
 - (a) consist of letters of the Roman alphabet or numbers that are not the vessel's brand, make or model; and
 - (b) be unique to that vessel; and
 - (c) unless complying with the requirements of an organisation listed in subclause 14(3)(a), be a minimum height of 90 millimetres and be readable to the naked eye by day from a distance of at least 50 metres.
- (3) The identifying name or number referred to in subclause 14(1) shall be:
 - (a) a registration or identification approved by and conforming to the requirements of:
 - (i) Maritime New Zealand (MNZ) or an equivalent foreign authority (e.g. a MNZ 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 radio call sign; or
 - (c) for any trailer borne vessel without a registration or identification listed in subclauses 14(3)(a) or (b), the registration number of its trailer; or a unique identification name or number or,
 - (d) for non-trailer borne vessels, an identifying name or number otherwise complying with the requirements of subclause 14(1), or
 - (e) for sail vessels, the identifying name or number may be the vessel's sail number.

- (4) Other non-powered vessels under 6 metres length shall be marked with the current owner's name and contact details somewhere on the vessel.
- (5) Subject to subclause 14(4), subclauses 14(1), (2) and (3) do not apply to:
 - (a) non-powered vessels of 6 metres or less in length;
 - (b) paddle craft;
 - (c) vessels powered solely by oars;
 - (d) a vessel which is temporarily being operated on Otago waters and which displays markings which meet an identification requirement within the Navigation Safety Bylaws of the region in which the vessel normally operates.

Explanatory note: For the sake of clarity, “trailer borne vessel” refers to a vessel transported on a road-going trailer that is, or is required to be, registered. It does not include vessels stored on/launched from haul-out trailers — such vessels fall into the “non-trailer borne vessel” category.

15. Navigational aids

- (1) No person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigational aid and/or which may be used or mistaken as a navigational aid or warning, without the prior written approval from the Harbourmaster.

Part 3 | Speed Limits, Reserved Areas and Access Lanes

Wake and draw off

No person may operate a power-driven vessel at a speed or in a manner that any wake or draw-off endangers persons or property. This clause does not apply to a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this subclause

Speed over bars

The person in charge of a vessel may navigate a vessel at any speed required to enable the safe crossing of a river mouth bar.

16. Special Speed Zone (SSZ)

- (1) Each of the waters shown in Appendix D is declared under this Bylaw as a Special Speed Zone (SSZ).
- (2) An approval to use an SSZ by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under subclause 16(3) .

Ability to restrict or revoke approval to use SSZs

- (3) The Harbourmaster may at any time restrict or revoke an approval given under subclause 16(2) in relation to any person if that person is, in the opinion of the Harbourmaster:
 - (a) using the SSZs in an unsafe manner;
 - (b) in breach of the Bylaw in a manner that justifies restriction or revocation of the person's approval to use the SSZs.

Explanatory note: Changes to the extent and permitted use of any SSZ will be posted on the ORC website in advance of any change.

17. Reserved Areas and Access Lanes

- (1) Locations of reserved areas and Access lanes are identified in Appendix D and Appendix H.

Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 2026 contain maps showing areas of navigable water permanently reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council website.

- (2) A reserved area may be defined—
 - (a) by a regional council by a navigation bylaw; or
 - (b) by the Director by notice in the New Zealand Gazette.
- (3) No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved
- (4) If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area

18. Special events

- (1) A person that intends to conduct a sporting event, training activity, ceremonial or customary event or any other organised water activity on navigable water must obtain approval from the Harbourmaster if the activity is likely to affect normal operation of another vessel or any other user of the water, or:
 - (a) requires temporary suspension of the relevant speed clause(s) and any other relevant clause of the Maritime Rules or this Bylaw;
 - (b) requires an area to be temporarily reserved for a specific area for the purpose of the event; or
 - (c) requires the temporary suspension of a reserved area or access lane; or
 - (d) requires temporary installation of course markers or similar such structures in the water.

- (2) An application to temporarily reserve an area of navigable water may be approved or refused at the discretion of the Harbourmaster, upon such terms and conditions as the Harbourmaster thinks fit. Such conditions may include temporary suspension of use of defined waters by all other users, if reasonably required for maritime safety purposes in the opinion of the Harbourmaster.

Explanatory note: Temporary Reservations will be published by Local Notice to Mariners on the Council's website.

Part 4 | Anchoring and Mooring

19. Anchoring

- (1) No vessel shall anchor in a navigational channel without approval from the Harbourmaster. A large vessel may anchor in a navigational channel at the direction of the pilot.
- (2) No vessel shall anchor in a manner that obstructs moorings or moored vessels.
- (3) No vessel shall remain anchored within the Otago Harbour or Oamaru Harbour for longer than 14 days in any six month period without the prior approval of the Harbourmaster.
- (4) An anchored vessel may not be left unattended for more than 24 hours without the owner, or their representative checking that the vessel remains secure.
- (5) Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that subclauses 19(1) to (3) above are complied with.

Explanatory note: For clarity, the intention of clause 19 is to encourage vessel owners to seek an appropriate solution for longer stays.

Council provides moorings to be used by visiting vessels, which can be booked for stays of up to 48 hours on the Council website: <https://onlineservices.orc.govt.nz/facilities/facility/visitor-moorings>

Vessel owners wishing to anchor in one place longer than 14 days should contact the Harbourmaster by phone on 0800 474 082 or by email at harbour.master@orc.govt.nz

20. Vessels to be adequately secured

- (1) The person in charge of a vessel must ensure that it is securely anchored or moored, and secured while left unattended.

- (2) In securing the vessel, the person in charge of the vessel must only use rope, chain or other means of anchoring or mooring a vessel that is fit for purpose.
- (3) No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not fit for that purpose.
- (4) No person shall leave any vessel or other property in a place where it may create a navigation hazard or nuisance where it may interfere with the normal use of the waters by other persons.
- (5) No person shall set a vessel adrift or interfere with a mooring or fastening.

21. Moorings

- (1) No person shall lay, or move, a mooring unless:
 - (a) that person holds a coastal permit for that mooring from Council; or
 - (b) the mooring is a permitted activity in the Regional Coastal Plan.
- (2) No person shall secure a vessel to a mooring that exceeds the length, displacement, or draught specified in the coastal permit or in licensing arrangements with the coastal permit owner.
- (3) If at in any time in the opinion of the Harbourmaster any mooring is or may be in an insufficient state of repair the Harbourmaster may require the mooring to be:
 - (a) inspected by a competent person approved by the Harbourmaster; and
 - (b) repaired to a standard specified by the Harbourmaster within a period specified by the Harbourmaster.

Part 5 | Special Provisions on Activities in Otago Harbour

22. Communication requirements for vessels in the Otago Harbour Shipping Channel

- (1) All vessels over 6 metres in length shall carry an operational marine VHF radio and maintain a radio watch on Channel 14 whilst navigating along the Otago Harbour Shipping Channel.
- (2) Between sunset and sunrise, or in conditions of restricted visibility, all vessels shall contact Harbour Control before entering or transiting along the Otago Harbour Shipping Channel.
- (3) The person in charge of all medium vessels and large vessels must contact Harbour Control before navigating along the Otago Harbour Shipping Channel.

23. Transmission of Automatic Identification System (AIS) in Otago Harbour

- (1) The following categories of vessels operating within Otago Harbour shall be required to transmit an accurate AIS signal;
 - (a) vessels of 300 gross tons or more; or
 - (b) tugs and barges measuring 40 metres length overall or greater; or
 - (c) vessels of more than 15 metres length overall licensed to operate commercially; or
 - (d) vessels licensed to carry passengers.
- (2) The owner or person in charge of every vessel required to transmit an AIS signal under this Bylaw must ensure that:
 - (a) the AIS transmits such information in accordance with the standards and requirements specified by the Harbourmaster and in accordance with the manufacturer's specifications; and

- (b) the AIS operates continuously when the vessel is navigating within Otago Harbour.

24. Moving Prohibited Zone (MPZ)

- (1) No person shall navigate a vessel so as to be within an MPZ without the approval of the Harbourmaster.
- (2) Subclause 24(1) shall not apply to tugs or pilot vessels while they are carrying out towage or pilotage duties in relation to a vessel for which a MPZ applies.

Explanatory note: The MPZ is defined to only apply to waters within the Otago Harbour Shipping Channel. Small vessels may pass a large vessel transiting the Otago Harbour Shipping Channel provided that they pass outside the channel, provided it is safe to do so.

- (3) Subclauses 24(1) and (2) shall not apply where the approval of the Harbourmaster has been obtained for a vessel to be within a MPZ or to pass another vessel in the Otago Harbour Shipping Channel.
- (4) A Specified MPZ may be declared by the Harbourmaster by Local Notice to Mariners to apply to any vessel for such times and duration as the Harbourmaster considers necessary.

25. Vessel movements in proximity to ships

- (1) Vessels may come within 200 metres of a berthed tanker showing Flag B when necessary to navigate past provided they maintain the largest separation that can be safely achieved.

Explanatory note: There is insufficient room for vessels using the Otago Harbour Shipping Channel to maintain the minimum 200 metres separation required under Maritime Rules for tankers berthed at the Dunedin Oil Jetty or LPG terminal.

- (2) No vessel shall approach or manoeuvre within 25 metres of a berthed large vessel without the prior permission of the large vessel or the Harbourmaster.

Explanatory note: Being in the vicinity of a large vessel will be unsafe at times due to the lack of visibility of vessels in close and due to activities such as cargo loading, release of mooring lines, and operation of the ship's propulsion systems.

26. Fishing in Otago Harbour Shipping Channel

- (1) Drift fishing and trolling using handheld rods or lines, either held in hand or placed in rod holders is permitted in the Otago Harbour Shipping Channel except when an MPZ applies in accordance with clause 24. Special restrictions apply in the vicinity of Halfway Islands in accordance with subclause 26(2).
- (2) The Halfway Islands Safety Zone is established as a reserved area for the area shown in Appendix F. The person in charge of any vessel that is fishing in the Halfway Islands Safety Zone must:
 - (a) if intending to fish in the Halfway Islands Safety Zone, call Harbour Control on VHF Channel 14 prior to entry into the Zone, and
 - (b) call Harbour Control on VHF Channel 14 upon exit from the Halfway Islands Safety Zone, or upon the cessation of fishing activity, and
 - (c) maintain a radio watch on VHF Channel 14 while fishing in the Halfway Islands Safety Zone and immediately vacate the channel if:
 - (i) a large vessel approaches the Safety Zone; or
 - (ii) a long blast is given from a ship's whistle; or
 - (iii) the vessel indicates that it requires sea room by means of 5 short blasts on the ship's whistle, or a light signal of 5 rapid flashes, or call via VHF; or
 - (iv) if advised by Harbour Control; or
 - (v) if directed by the Harbourmaster.

27. Commercial Vessels Transiting the Victoria Channel

- (1) Non-piloted medium vessels licensed to operate commercially are not to transit the Victoria Channel whilst a large vessel is in transit or about to transit the Victoria Channel inward or outward.

Part 6 | Special Provisions for Lake Dunstan Area

Note:

The following access lanes are specified in accordance with clause 17 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

No areas currently identified.

The following reserved areas are specified under clause 17. Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of the vessel, toboggan, windsurfer, sailboard and its occupants, or any person being towed, when operating within or in the vicinity of any reserved area is the responsibility of the master of the vessel, toboggan, windsurfer or sailboard.

The following areas are set out on the map of Lake Dunstan in Appendix D

28. Lake Dunstan – Reserved Areas

- (1) All watersports prohibited except use by anglers or waterfowl hunters;

Bendigo Wildlife Area being the area shown as shaded on the map in Appendix D being the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white horizontal bands.

- (2) Areas reserved for swimming and within which no person shall navigate a powered vessel—

Weatherall Creek

Dairy Creek Swimming Area

Sander’s Inlet

Bannockburn Inlet (Part)

Lowburn Inlet (Part)

Lowburn Raft

Pisa Moorings

Old Cromwell

Fernbrook area

Deadmans Point to first pier of bridge (true right side of lake)

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in Appendix D.

- (3) Areas reserved for wildlife and within which no person shall navigate a powered vessel—

Pisa Moorings

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in Appendix D.

29. Lake Dunstan Area — Special Speed Zones

- (1) For the following areas, and subject to clause 28, the following speed limits shall apply—
- (a) Clutha Arm — from Deadmans Bridge to northern point of Pisa Moorings — 5 knots within 50 metres of any vessel, raft or person in the water otherwise no speed limit.
 - (b) Dunstan Arm — 5 knots within 50 metres of any vessel, raft or person in the water otherwise no speed limit.
 - (c) Kawarau Arm — Roaring Meg 5 knots within 50 metres of any other vessel, raft or person in the water otherwise no speed limit.
 - (d) From the northern point of Pisa Moorings to the Bendigo Wildlife area 5 knots within 200 metres of shore.
 - (e) Bendigo Wildlife Area — 5 knots within the reserve being the area shown as shaded on the map in Schedule 1 being

the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white horizontal bands. Notwithstanding the stated speed limit of 5 knots in this area vessels may access the Clutha River via the main river channel at a speed greater than 5 knots subject only to any other provision of this Bylaw stipulating a maximum speed.

- (f) McNulty Inlet — 5 knots.

These areas are set out on the map of Lake Dunstan in Appendix D.

Part 7 | Maritime Safety Administrative Matters

30. Written approvals

Any person may make application to the Harbourmaster for written approval as allowed under this Bylaw. Applications must be:

- (a) in a form and manner prescribed by the Harbourmaster;
and
 - (b) be accompanied by any required fee.
- (1) Written approval may be granted or refused and if granted subject to conditions that are:
- (a) relevant to the activity for which written approval is sought;
 - (b) for the purposes of ensuring maritime safety; and
 - (c) not inconsistent with the Maritime Rules or the Act.
- (2) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.
- (3) No written approval, required by this Bylaw shall have effect until any fee required for it has been paid.

31. Offences and penalties

Offences

- (1) Every person commits an offence against this Bylaw who contravenes or permits a contravention of this Bylaw.

Penalties

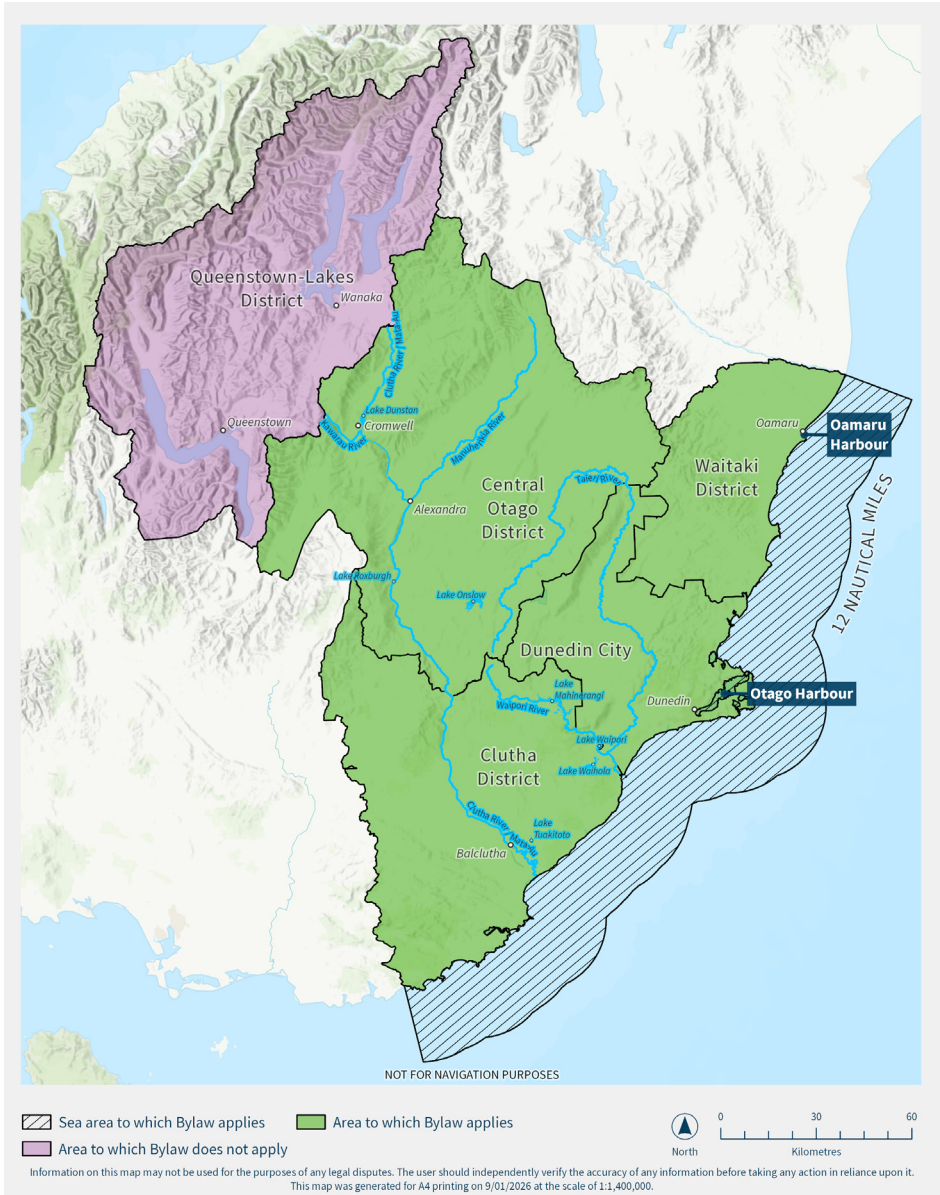
- (2) Every person who:
- (a) commits an offence against this Bylaw will be liable under the Act;

- (b) commits an infringement offence, set out in any applicable regulations created under the Act is liable to an infringement fee prescribed in the regulations made under the Act.

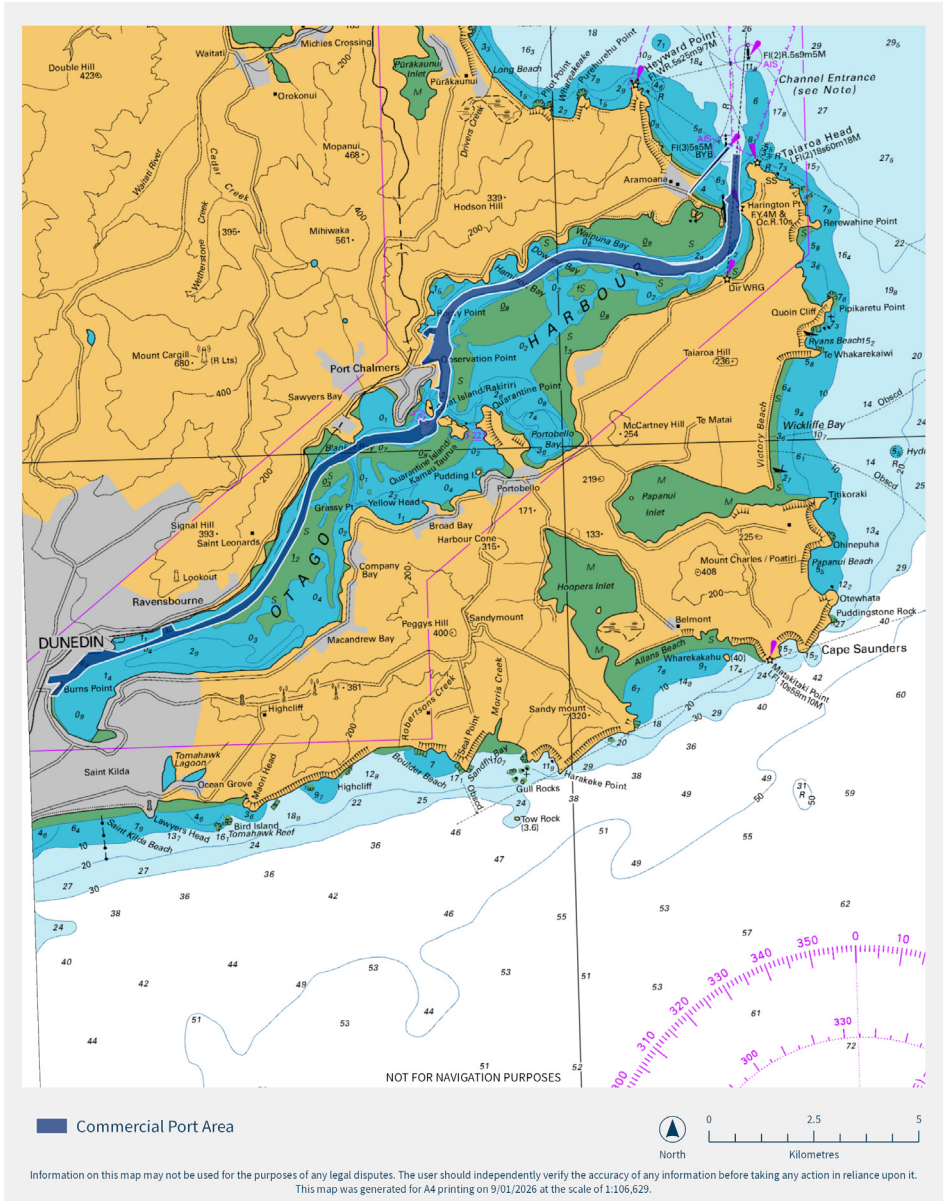
Part 8 | Appendices



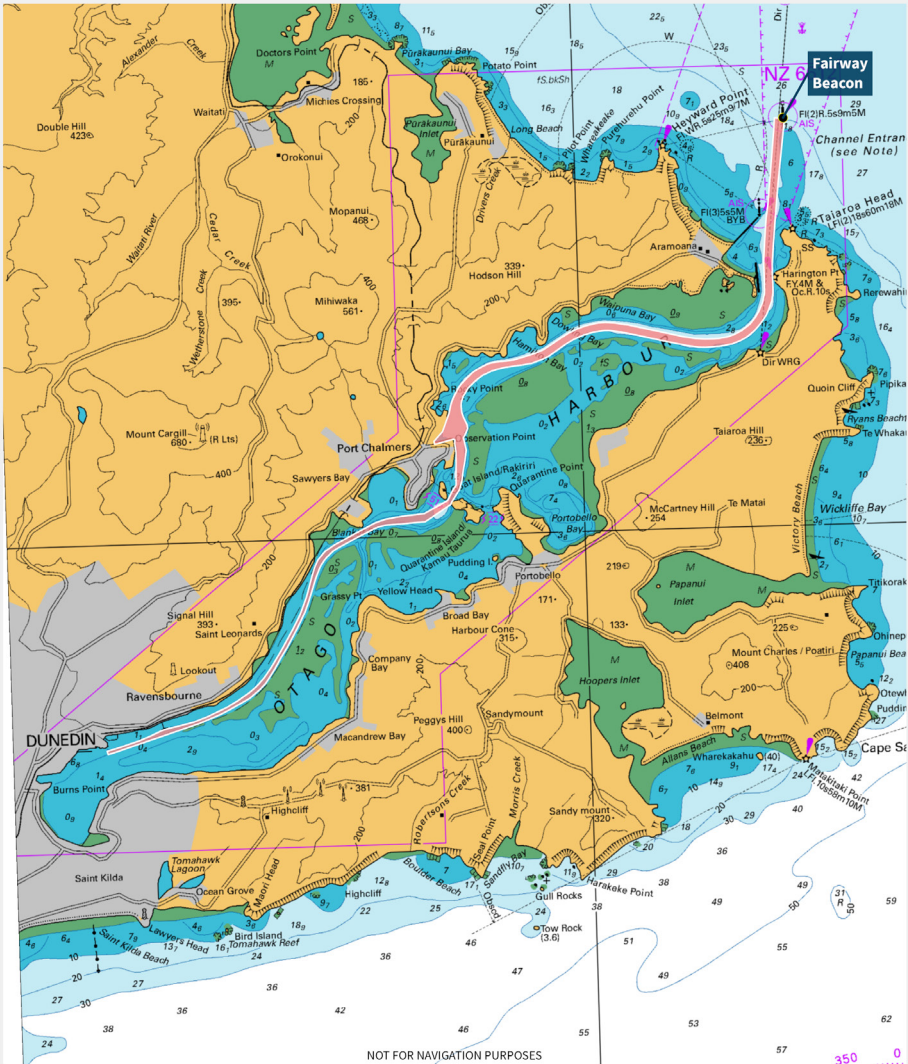
Appendix A. Otago Region



Appendix B. Commercial port areas of Otago Harbour



Appendix C. Otago Harbour Shipping Channel

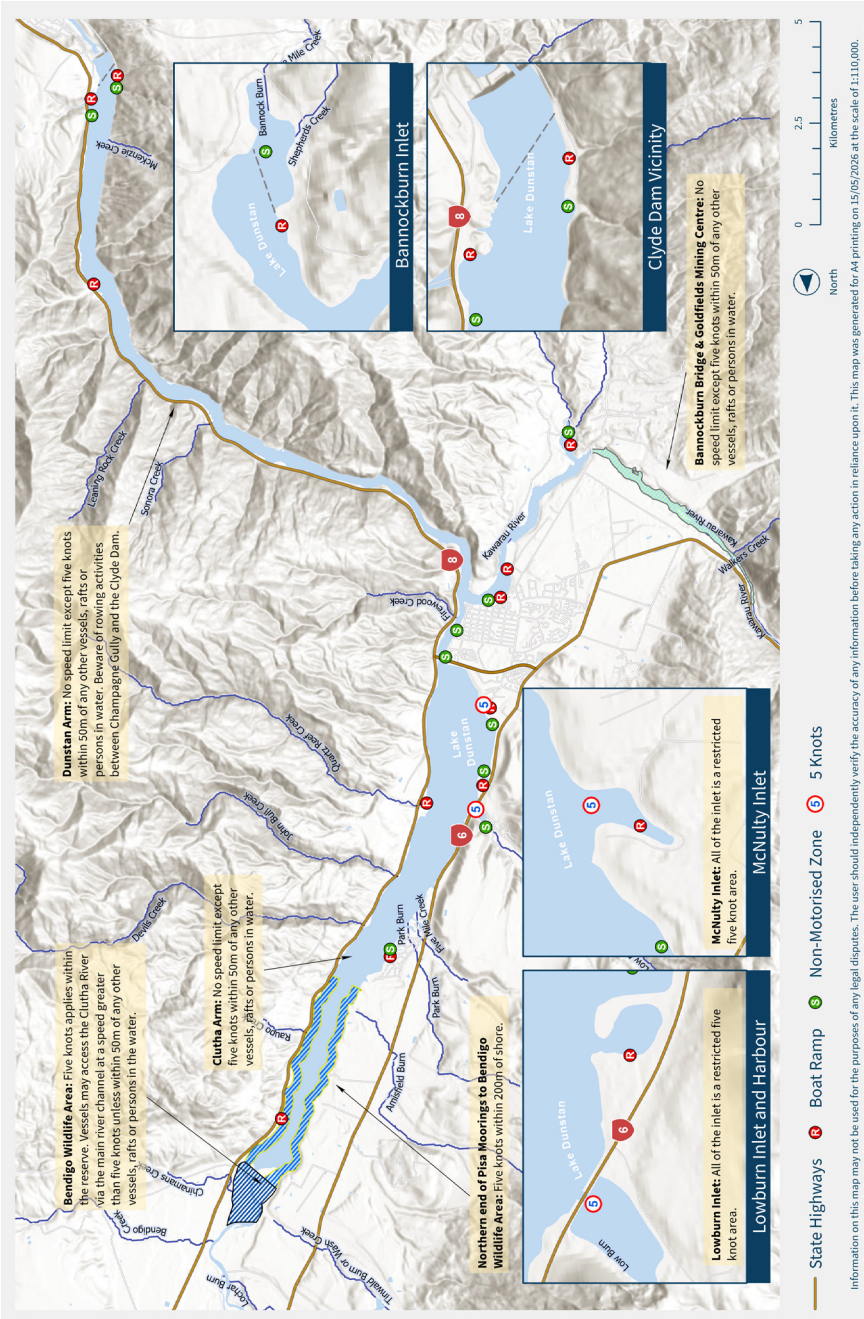


█ Otago Shipping Channel



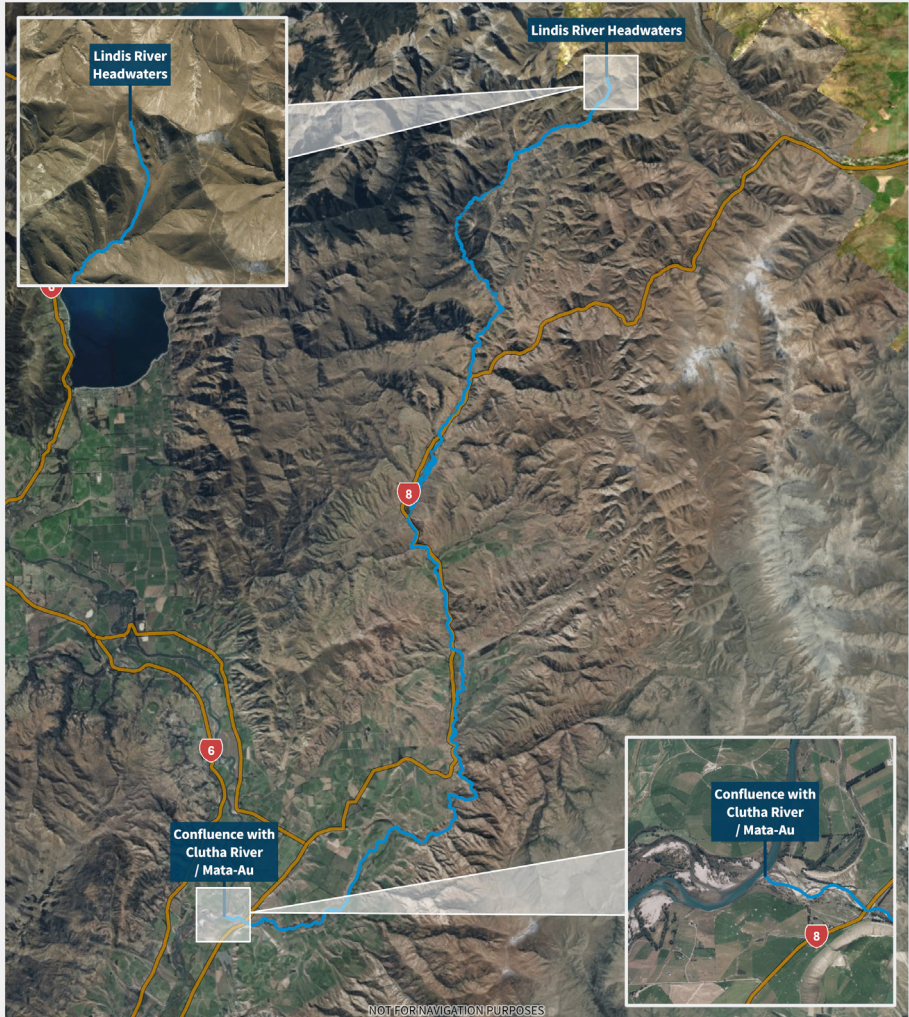
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Appendix D. Lake Dunstan – including reserved areas



Appendix E. Special Speed Zones for Otago inland waters

Lindis River: Speed unlimited for the Lindis River from the confluence with the Clutha River upstream, from 1 July to 30 September inclusive when the flow is more than 20 cumecs as measured at the Ardgour Road gauge.

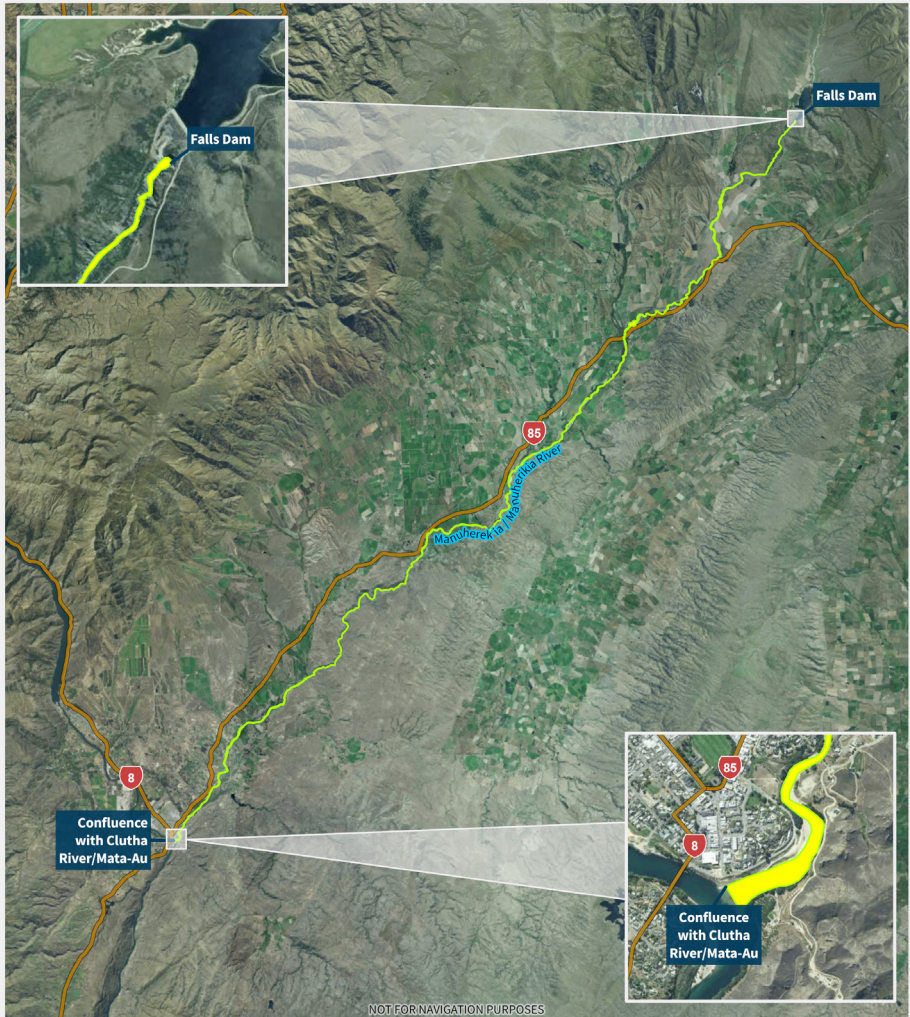


Legend: Lindis River (light blue line), State Highways (orange line)

North arrow and scale bar (0 to 12 Kilometres)

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Manuherekia River: Speed unlimited for the Manuherekia River from the confluence with the Clutha River upstream to the Falls Dam in St Bathans, from 1 July to 30 September inclusive when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge. In addition, speed is unlimited from 1 October to 31 March inclusive when the flow exceeds 20 cumecs measured at the Ophir gauge.

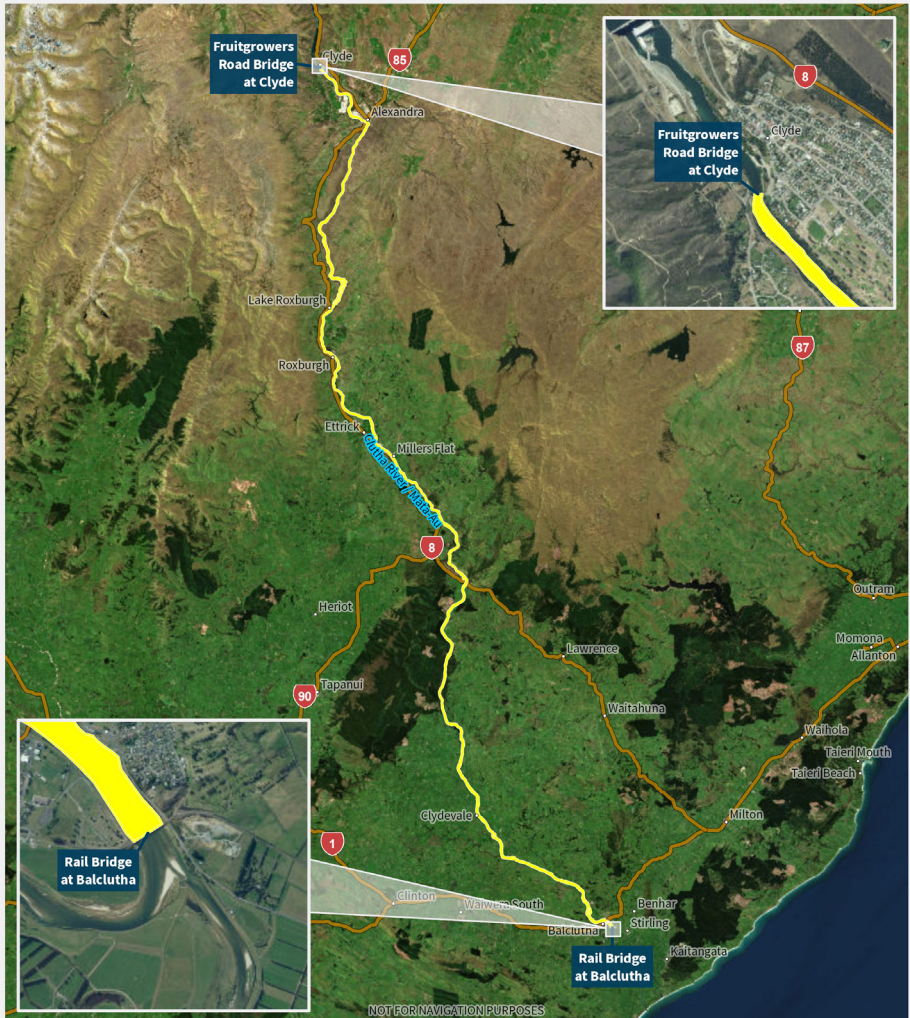


Special Speed Zone State Highways



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Mid Clutha River / Mata-Au: Speed unlimited for all vessels in Clutha River / Mata-Au, including all waters of Lake Roxburgh, between Fruitgrowers Road bridge at Clyde and the Rail Bridge at Balclutha.



Taieri River: Speed unlimited for the Taieri River from the bridge at Outram downstream to the confluence with Waipori River, from 1 June to 31 August inclusive and from 1 November to 31 March inclusive when the flow is more than 20 cumecs as measured at the Outram gauge.

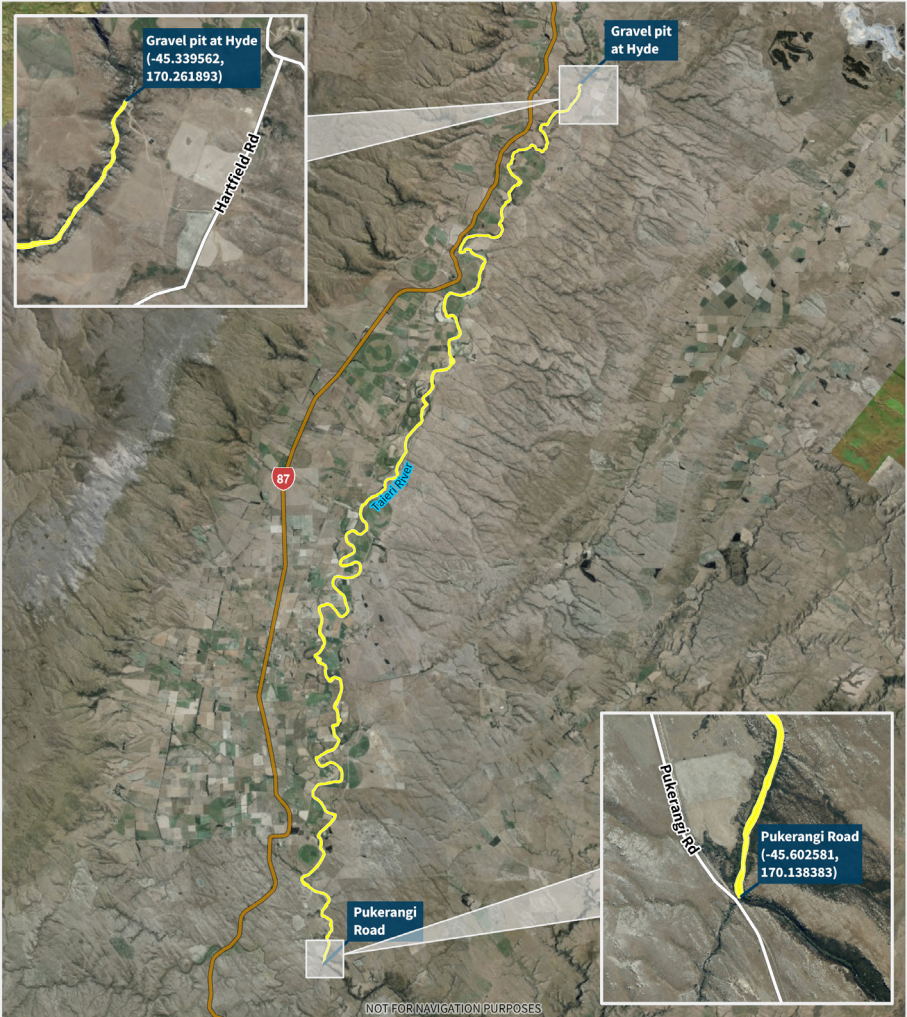


Special Speed Zone State Highways



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Taieri River: Speed unlimited for the Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, from 1 August to 31 December inclusive when the flow is more than 20 cumecs as measured at the Tiroiti gauge.

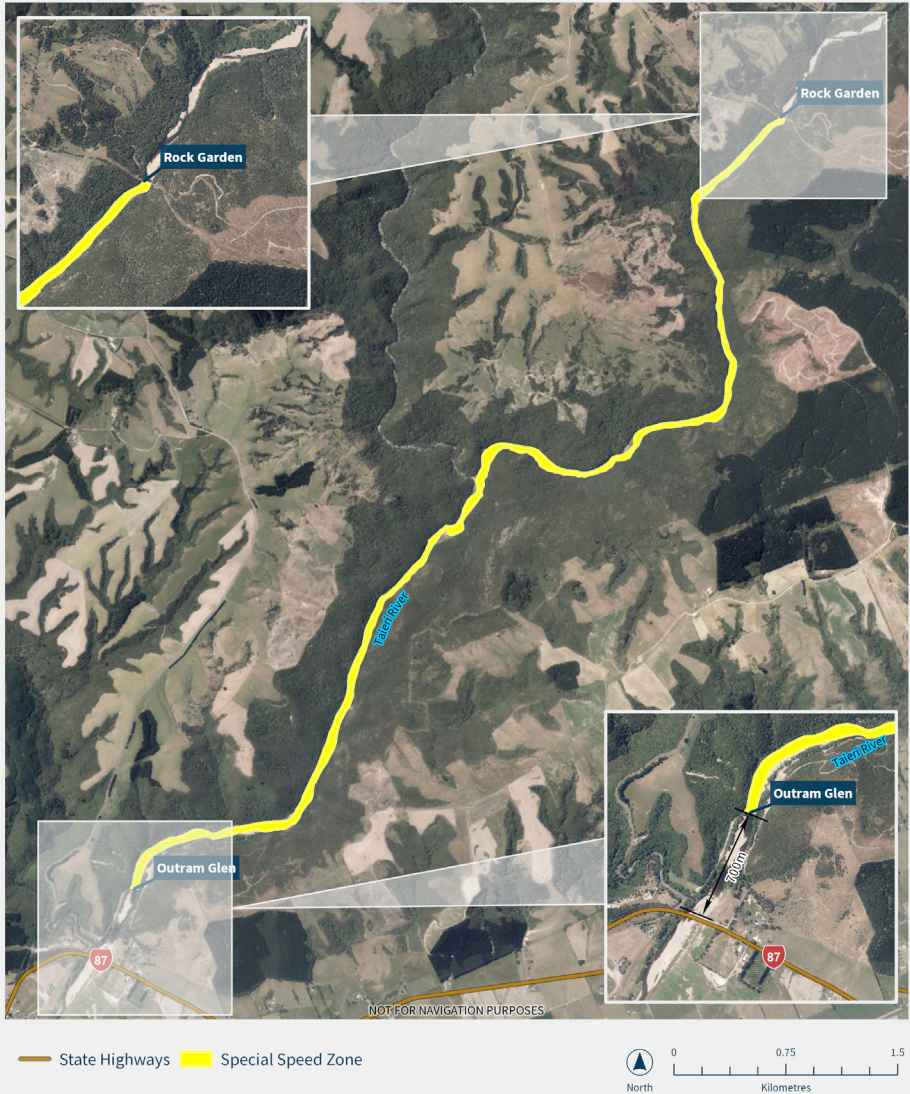


Special Speed Zone State Highways

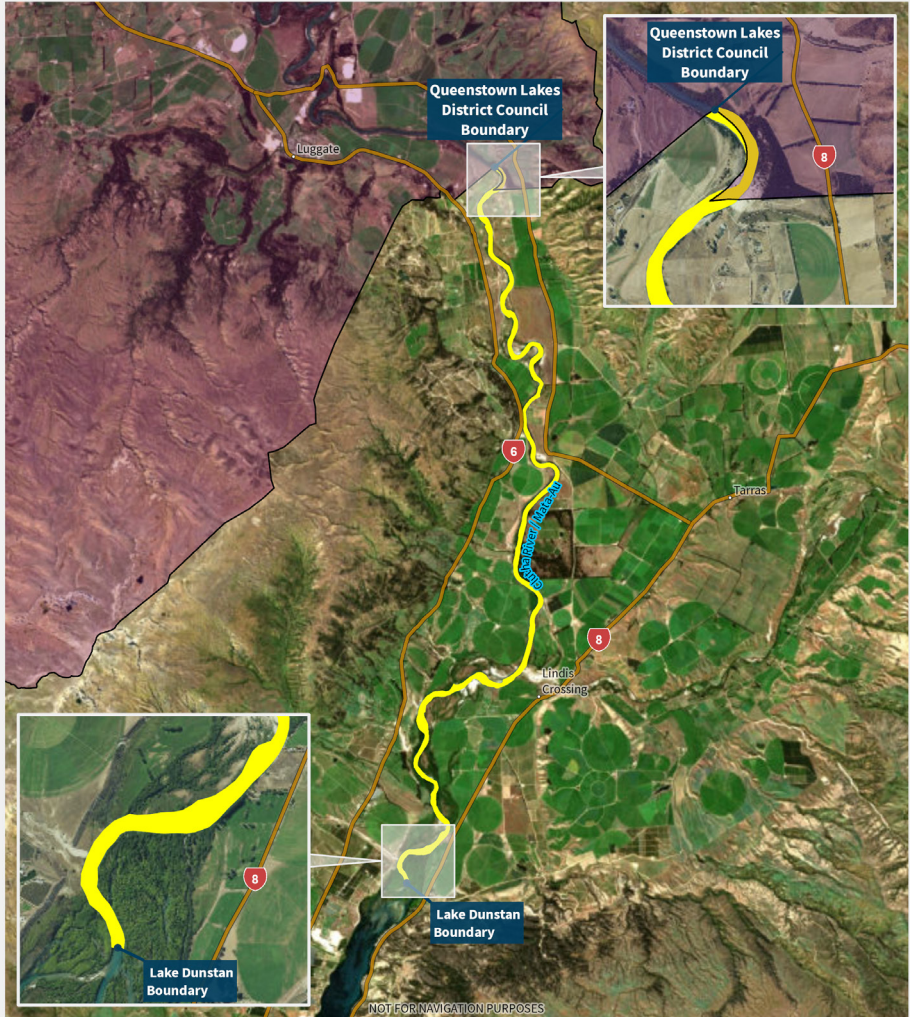


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Taieri River: Speed unlimited for all vessels from 700m upstream of the State Highway 87 bridge at Outram Glen to the Rock Garden 7km northeast of the State Highway 87 bridge.



The Upper Clutha River / Mata-Au: Speed unlimited for all vessels in Clutha River / Mata-Au between boundary of Queenstown Lakes District Council and Lake Dunstan. Navigation safety for Lake Dunstan is administered by Central Otago District Council.

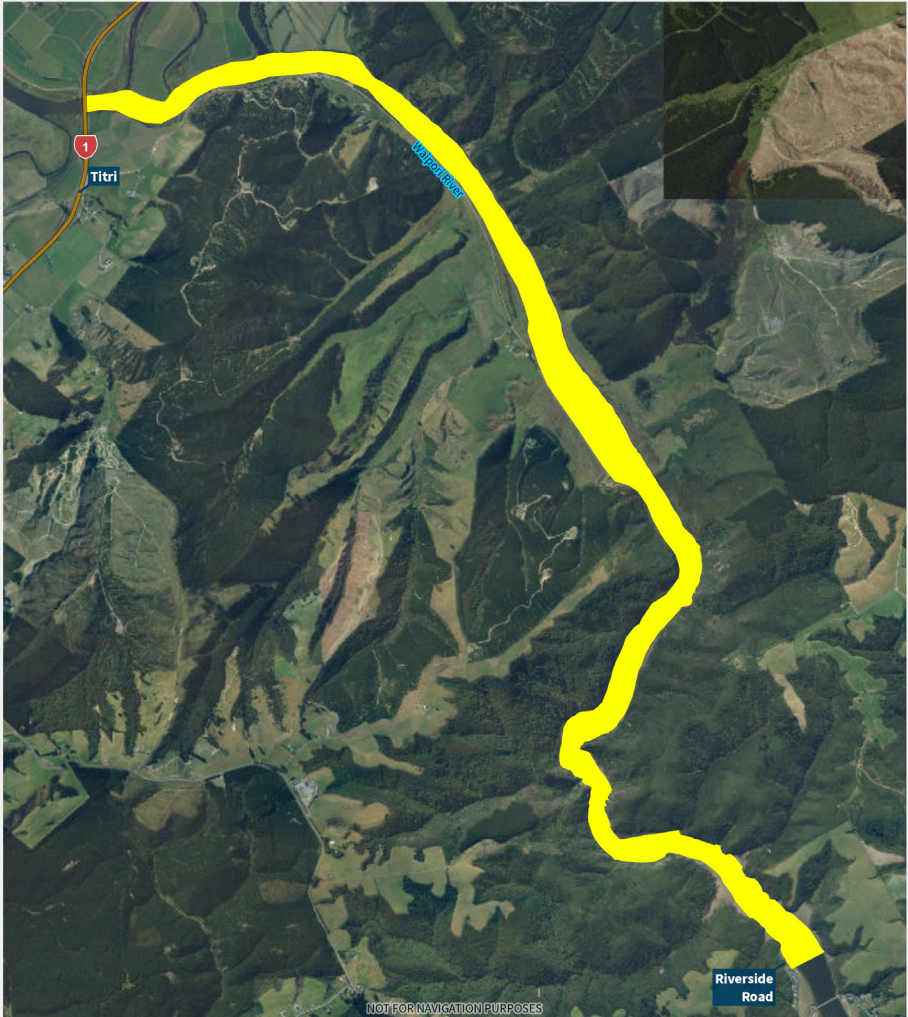


Special Speed Zone Area to which Bylaw does not apply



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Waipori River: Speed unlimited for all vessels more than 30m from shore, from the upstream end of Riverside Road to the State Highway 1 bridge at Titri. Excludes Taieri River upstream of confluence with Waipori and other tributaries of Waipori River.

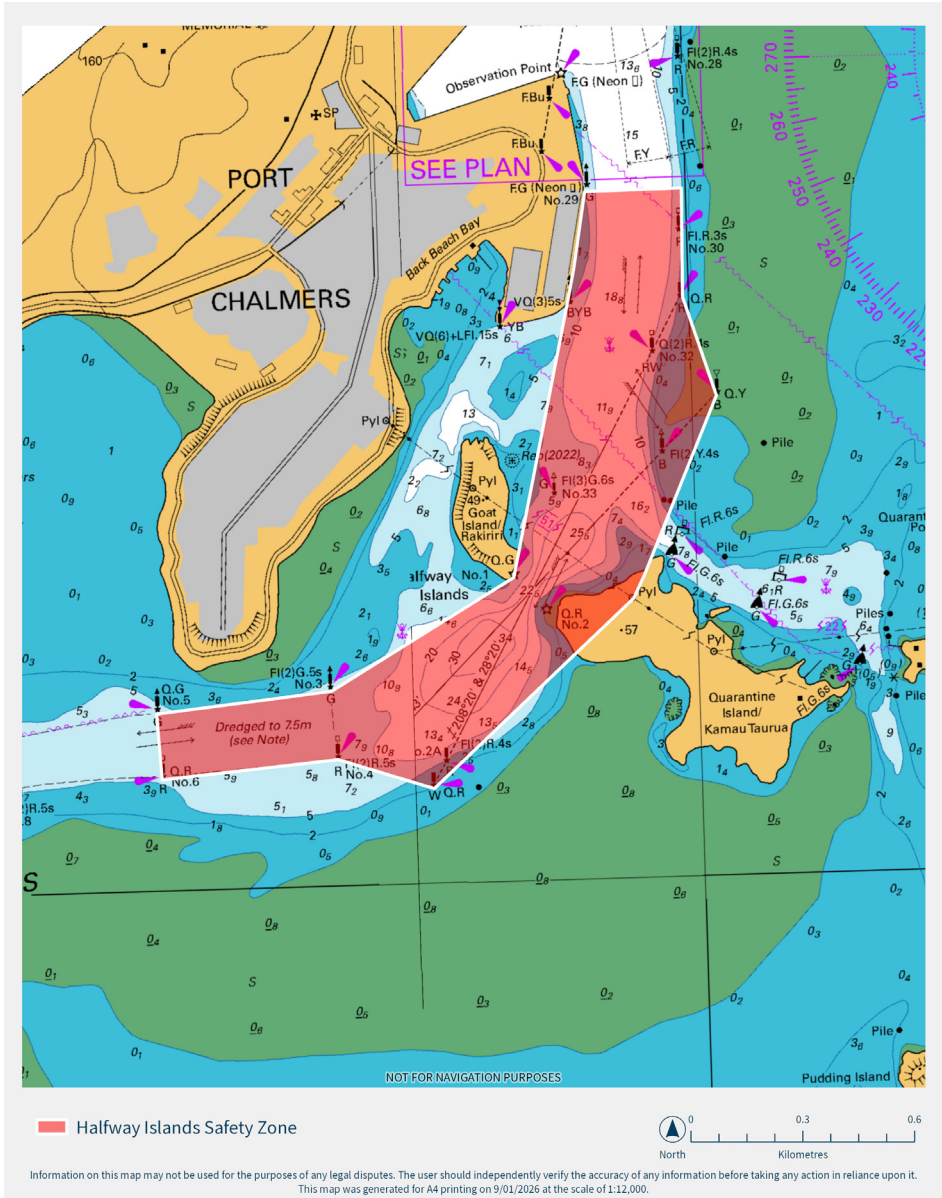


Special Speed Zone State Highways

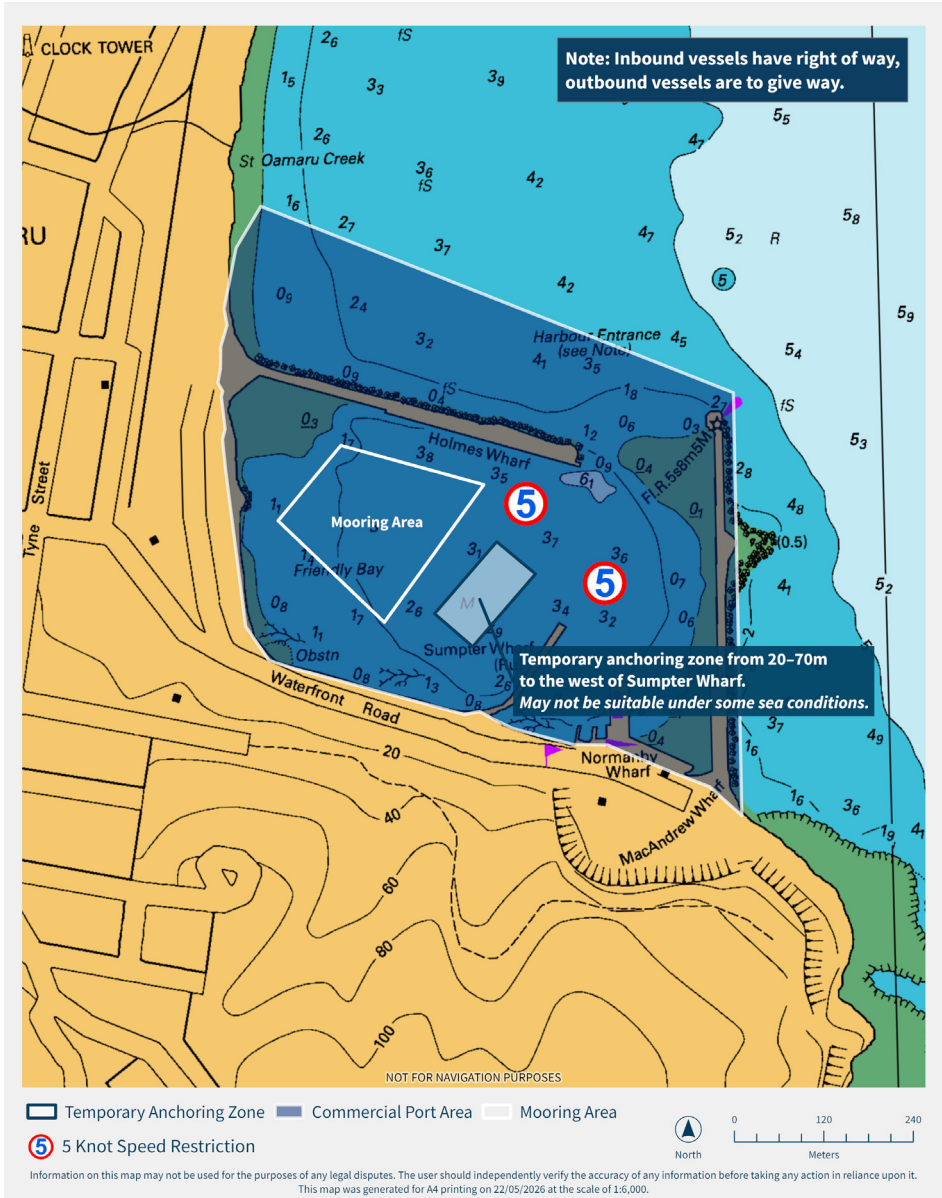


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Appendix F. Halfway Islands Safety Zone



Appendix G. Oamaru Harbour



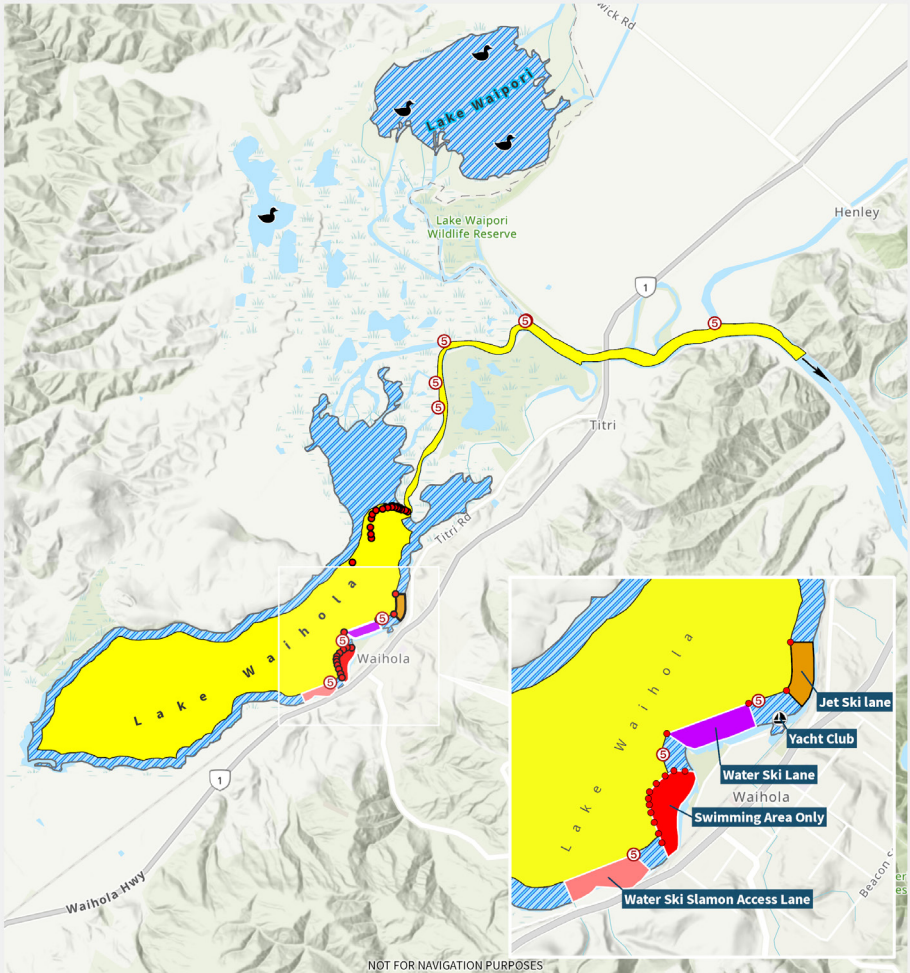
Appendix H. Lake Waihola reserved areas and access lanes

Lake Waihola water users are required to comply with this plan.
 To comment or report any navigational safety matters please call Otago Regional Council Harbormaster.
 Phone: 027 201 0592 | Email: harbormaster@orc.govt.nz



5 Knots in the maximum speed:

- Within 100 meters of shore expect approved use of access lanes.
- Within 50 meters of any other vessel or swimmer



- Ⓢ 5 Knot Bouy
- Bouys Warning
- 🐦 Wildlife Area
- Swimming Area Only
- Water Ski Lane
- Water Ski Slalom Access Lane
- Recreational Area (May Exceed 5 Knots)
- Jet Ski lane
- ▨ 5 Knot Area



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Appendix I. Otago Harbour 5 knot speed areas



 5 Knot Buoys



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