



## THE MILFORD SOUND HARBOUR REGULATIONS 1983

RONALD DAVISON  
Administrator of the Government

### ORDER IN COUNCIL

At the Government House at Wellington this 20th day of June 1983

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to sections 6 and 232 of the Harbours Act 1950, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Milford Sound Harbour Regulations 1983.

(2) These regulations shall come into force on the 1st day of July 1983.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“Berthage” means the securing of any vessel to a berth or wharf or to any vessel that is secured to any other berthed vessel, and “berths” has a corresponding meaning;

“The Harbour” means the Milford Sound Harbour as defined in the Schedule to an order entitled Defining Harbour Limits of Fiordland Harbour\*, namely all that area of the sea and tidal waters of Milford Sound south of a straight line drawn from St Anne Point in a 090° true direction to the opposite shore; and includes the wharf limits at Deep Water Basin as defined in a public notice given by the Minister in the *Gazette* of 1978 at page 3417:

“Harbourmaster” includes his deputy and any person acting under the authority or instructions of the Harbourmaster or his deputy. Other expressions defined in the Act have the meanings so defined.

**3. Application**—Except where the context otherwise requires, these regulations shall apply only within or in relation to the Harbour.

*Anchoring and Mooring of Vessels*

**4. Prohibited area of Fresh Water Basin**—Except in an emergency or weather conditions that render such action necessary in the interests of safety, or with the prior written permission of the Harbourmaster, no person in charge of any vessel that is not a restricted limits ship certified to carry passengers shall anchor, moor, or berth any vessel within the area of Fresh Water Basin south of a straight line drawn in a 240° true direction from Cemetery Point to the northern extremity of Separation Tongue.

**5. Allocation of berths**—The right of vessels to berths at Deep Water Basin shall be determined as follows—

- (a) Fishing boats shall have precedence over all other vessels; and
- (b) As between vessels of the same type, precedence shall be given in order of the arrival of the vessels at Deep Water Basin.

**6. Berthage charges**—The master of every vessel that berths at the wharf or any berth at Deep Water Basin shall be liable to pay the berthage charges (if any) appropriate for the berthage of that vessel.

**7. Use of wharf**—(1) The master of every vessel that uses the wharf at Deep Water Basin shall ensure that the vessel remains alongside the wharf only for the time necessary to load or unload goods, or to take on fuel, fresh water, or stores.

(2) Notwithstanding subclause (1) of this regulation, the Harbourmaster may at any time instruct the master of any vessel to remove the vessel from the vicinity of the wharf.

**8. Master to comply with directions of Harbourmaster**—The master of every vessel in the Harbour—

- (a) Shall anchor, moor, berth, or place his vessel where the Harbourmaster directs:

- (b) Shall not move or allow his vessel to be moved from that place to another anchorage, mooring, berth, or place within the Harbour without the permission of the Harbourmaster.
- (c) Shall remove his vessel from any place when ordered to do so by the Harbourmaster.

**9. Sufficient equipment for mooring to be provided**—The master of any vessel that is moored to any wharf, berth, mooring buoy, or other vessel shall secure his vessel with sufficient cables, warps, hawsers, fenders, or mooring ropes as may be required by the Harbourmaster.

**10. Fenders to be used**—(1) The master of any vessel that is arriving at the wharf or any berth shall, in accordance with the Harbourmaster's requirements, use sufficient fenders suitable for protecting the wharf or berth from damage.

(2) The master of any vessel that leaves the wharf or any berth shall ensure that all fenders belonging to that vessel are removed.

**11. Harbourmaster may make fast any vessel**—The Harbourmaster may make fast and attach any rope or tackle to any vessel; and no person shall, without the consent or authority of the Harbourmaster, cut or cast off any such rope or tackle.

**12. Powers of Harbourmaster on non-compliance with regulations**—Where any provision of these regulations relating to the mode and place of mooring, anchoring, or berthing of vessels or their position or government in the Harbour are not complied with in the case of any vessel, the Harbourmaster may moor, unmoor, place, or remove that vessel.

#### *General*

**13. Control of water pollution and noise**—Every person operating, whether on any vessel or not, any machinery or equipment within the Harbour that, in the opinion of the Harbourmaster, is likely to cause or is causing pollution of the Harbour or nuisance by way of noise shall, when requested by the Harbourmaster, cease the operation of that machinery or equipment.

**14. Amenities building**—(1) The Harbourmaster shall supervise the use of the amenities building at Deep Water Basin.

(2) The Harbourmaster may prohibit uses of the amenities building that he reasonably considers inappropriate, and may issue such reasonable directions as may be necessary to ensure the orderly use of the facilities and amenities provided.

(3) Where any person does not comply with any prohibition or direction given by the Harbourmaster under subclause (2) of this regulation, the Harbourmaster may prohibit that person from using the amenities building for a specified period and may remove any property left there by him.

**15. Use of land within wharf limits of Deep Water Basin**—(1) No person shall drive any motor vehicle at a speed exceeding 10 kilometres per hour within wharf limits at Deep Water Basin.

(2) No person shall place or store property, deposit rubbish, or park any vehicle in any place within wharf limits at Deep Water Basin that is not designated for that purpose by the Harbourmaster.

**16. Notice boards**—(1) The Harbourmaster may authorise the erection of any notice board to assist in the control of the use of buildings, wharves, and other places under the control of the Ministry.

(2) All lawful instructions conveyed by any such notice board erected shall be complied with at all times.

(3) No person shall, without the written consent of the Harbourmaster, place any placard or notice upon any wharf, premises, or land under the control of the Ministry.

(4) No person shall interfere with, damage, or deface any notice board erected under the authority of the Harbourmaster.

**17. Use of lifesaving gear**—No person shall interfere with or use any boat hook, lifebuoy, or other lifesaving gear placed within the port by the Ministry, except for the purpose of saving life.

**18. Operation of freezer units within wharf limits**—(1) Except as provided in subclause (2) of this regulation, no person shall operate any refrigeration unit within wharf limits at Deep Water Basin.

(2) A mobile refrigeration unit may be used within wharf limits at Deep Water Basin to store goods unloaded from any vessel so long as the unit is removed from the wharf limits within 24 hours after the first goods are placed in it.

**19. Effect on other regulations**—The provisions of these regulations shall be in addition to, and not in substitution for, the provisions of—

(a) The Collision Regulations Order 1976\*:

(b) Any General Harbour Regulations made under section 241 of the Act.

P. G. MILLEN,  
Clerk of the Executive Council.

\*S.R. 1976/246

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EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations are made under section 6 of the Harbours Act 1950, which provides that in harbours where there is no Harbour Board the Governor-General in Council shall have all the powers, functions, duties, and authorities of a Harbour Board and may make regulations providing for any matters with respect to which a Harbour Board may make bylaws.

These regulations make provision in respect of Milford Sound Harbour, for matters that would usually be the subject of bylaws made by a Harbour Board.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 June 1983.

These regulations are administered in the Ministry of Transport.