

# Auckland Regional Council

## Harbourmaster's Direction 1-07

### Pilotage.

#### Foreword

#### 1) Preamble

These directions are issued Pursuant to;

- i) Section 48 and section 60A(2) of the Maritime Transport Act 1994 (Act), as delegated by the director to the Harbourmaster under section 444(2) of the Act and consented by the Minister of Transport under section 444(4) of the Act.
- ii) Section 650C(3)(a) of the Local Government Act 1974.

They:

- i) Define the pilotage areas for the Auckland and Manukau Harbours.
- ii) Prescribe the use and operation of pilot licenses and pilotage exemption certificates within the waters of the Auckland and Manukau Harbour limits.
- iii) Should be read in conjunction with Maritime Rule Part 90 – Pilotage.
- iv) Supersede all previous pilotage directions issued by the Harbourmaster, Auckland.

#### 2) Definitions

“Director” means the person who is for the time being the Director of Maritime Safety under Section 439 of the Maritime Transport Act 1994.

“Harbourmaster” means a Harbourmaster which is appointed under Section 650B of the Local Government Act 1974.

“Pilot” in relation to any ship, means any person not being the master or a member of the crew of the ship who has conduct of the ship.

“Pilotage area” means a pilotage area defined in Maritime Rule Part 90.

“Pilotage exemption certificate” means a pilotage exemption certificate issued under Maritime Rule Parts 90.10, 90.11 and 90.12.

“Region” means a region as defined in section 2 of the Local Government Act 1974.

“Ship” means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes –

- i) A barge, lighter, or other like vessel.
- ii) A hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of water over which it operates.
- iii) A submarine or other submersible.

“Tonnage” means the tonnage of a vessel as measured under the Universal Measuring System as defined in the International Convention for the Tonnage Measurement of Ships 1969.

### **3) Application**

These directions shall apply to:

- i) All vessels of UMS gross 500 or greater except for warships as defined in the Maritime Transport Act 1994 when berthing or un-berthing from the Devonport Naval Base or the Armament Depot at Kauri Point.
- ii) And, in addition, as directed by the Harbourmaster for the safe navigation and orderly management of harbour traffic, they may also apply to:
  - a) Any vessel less than UMS gross 500 and greater than 40 metres length overall.
  - b) Any other vessel as directed by the Harbourmaster.

### **4) Pilotage Areas**

#### **Auckland**

The area of tidal waters, excluding the waters of Otara Creek eastward of the weir as shown on plan marked MD 12604, inside a straight line drawn from the northern extreme of the eastern head of the Tamaki River (Musick Point) to the southern extreme of Park Point (Waiheke Island); thence by the high water of an

ordinary spring tide to the northern extreme of the western entrance to Owhanake Bay; thence by a straight line to the south-western most point of Rakino Island to Shearer Rock; thence by a straight line to the south-eastern extreme of Whangapararoa Peninsula.

(a) Compulsory Pilotage within the Auckland Pilotage Area

The master of every vessel to whom these directions apply shall, unless that person is the holder of a pilotage exemption certificate or is otherwise exempted by law, employ a qualified pilot when that vessel is being navigated within the Auckland pilotage area.

A vessel may, when requested by the Harbourmaster or a licensed pilot, proceed to a designated anchorage or pilot station, or proceed from its current position directly to the pilotage area boundary or a designated anchorage, without a pilot embarked provided;

- i) For vessels of draft greater than 9.0 metres, or length greater than 150 metres, other than those proceeding to the Motuihe Explosive anchorage or Quarantine Station, that they do not navigate south of latitude 36 degrees 46.3 minutes South.
- ii) For vessels of draft 9.0 metres or less, or length 150 metres or less, other than those proceeding to the Motuihe Explosive anchorage and Quarantine Station, that they do not navigate south of latitude 36 degrees 48.0 minutes South.
- iii) For vessels proceeding to or from the Motuihe Explosives anchorage or Quarantine station that they do not pass south of latitude 36 degrees 42 minutes south.

(b) Leading of ships where a pilot is unable to embark.

If the Pilot considers that due to adverse weather or sea conditions, embarkation or disembarkation cannot be safely undertaken; then the leading of ships by or signaling to ships from a pilot boat under the conduct of that pilot shall be deemed a sufficient pilotage service.

## **Manukau**

Those waters bounded to seaward by the arc of a circle radius 4 miles centred on Paratutae Island (37 degrees 2.9 minutes south, 174 degrees 30.6 minutes east).

### (a) Compulsory Pilotage within the Manukau Area

- (i) For any vessel carrying liquid oil, chemical or gas in bulk:

The master of every vessel carrying liquid oil, chemical or gas in bulk to whom these directions apply shall, unless that person is the holder of a pilotage exemption certificate or is otherwise exempted by law, employ a qualified pilot when that vessel is being navigated within the Manukau pilotage area.

- (ii) For all other vessels:

- a) The master of every vessel to whom these directions apply shall, unless that person is the holder of a pilotage exemption or is otherwise exempted by law, employ a qualified pilot when that vessel is being navigated within all waters of the Manukau harbour east of a line extending 180 degrees from Jackie Hill (37 degrees 1.2 minutes South 174 degrees 33.4 minutes East)
- b) The master of every vessel to whom these directions apply may, unless directed otherwise, proceed directly to or from the pilot boarding station to the chartered anchorage in Big Bay (37 degrees 2.1 minutes South 174 degrees 38.4 minutes East) for the purposes of seeking a secure anchorage.

### b) Leading of ships where a pilot is unable to embark.

If the Pilot considers that due to adverse weather or sea conditions, embarkation or disembarkation cannot be safely undertaken; then the leading of ships by or signaling to ships from a pilot boat under the conduct of that pilot shall be deemed a sufficient pilotage service.

## **5) Pilot Licence**

Applicants for a pilot licence must have:

- (a) Satisfactorily completed courses of general and local training approved by the Director, Maritime New Zealand, under Maritime Rule 90.
- (b) Passed as assessment by a person or persons delegated the Director, Maritime Safety Authority's powers of examination under Section 48 of the Maritime Transport Act that tests the skill, training and knowledge of a syllabus approved by the Director for this licence.
- (c) Meet all the requirements of Maritime Rule Part 90 – Pilotage.
- (d) Satisfactorily completed a course in tug use, and attend any further refresher courses, deemed necessary by the Harbourmaster, where the pilot is not trained for using those tugs, or is not conversant with the operating practices of the tug operator.

## **6) Pilotage Exemption**

Applicants for a Master's Pilotage Exemption must have:

- (a) Satisfactory completed a course of training in piloting in the area concerned and local knowledge approved by the Director Maritime Safety Authority.
- (b) Passed an assessment by a person or persons delegated the Director's powers of examination under Section 48 of the Maritime Transport Act that tests the skills, training and knowledge of a syllabus approved by the Director for this exemption.
- (c) Meet all the requirements of Maritime Rule Part 90 – Pilotage.
- (d) Satisfactorily completed a course in tug use, and attend any further refresher courses, deemed necessary by the Harbourmaster, where the pilot exempt master is not trained for using those tugs, or is not conversant with the operating practices of the tug operator.

## **7) Exercise of Privilege**

Pilots Licences and Masters' Pilotage Exemption Certificates will have exercise of privilege conditions attached which will include the minimum number of pilotage acts which must be undertaken under specified operating conditions within a defined period of time and any other requirements that the Director Maritime New Zealand or the Harbourmaster considers appropriate in the interests of maritime safety to maintain currency of the licence or exemption.

In addition to these a Pilot or Pilot Exempt Master licence holder must complete annually;

- (a) All ongoing training requirements specified in the training scheme detailed in 5 (a) or 6 (a) of this direction.
- (b) A peer review by a licensed pilot, holding an unrestricted licence, for that area.

A pilot or pilot exempt master issued a licence under a “grandfather clause” or prior to Maritime Rule 90 must comply with the exercise of privilege conditions as detailed in a current training scheme specified in 5(a) or 6(a) of this direction.

### **8) Pilot and Pilot Exempt Master Operating Procedures and Guidelines**

All Pilots and Pilot Exempt Masters must operate in accordance with a “Pilot and/or Pilot Exempt Master Operating Procedures and Guidelines” approved by the Harbourmaster for the operations they are undertaking.

A pilotage company, port company, or training scheme operator may request the Harbourmaster approve a “Pilot and/or Pilot Exempt Master Operating Procedures and Guidelines “for use by multiple operators, or for specific operations.

### **9) Pilots and Pilot Exempt Masters to remain within a buoyed channel**

Except in the case of imminent danger, or to avoid a collision a Pilot or pilot exempt master may only navigate their vessel within the buoyed channels of:

- (a) Rangitoto Channel
- (b) Motuihe Channel for vessels entering into the Tamaki Strait or Motu Korea Channel.
- (c) Wairopa Channel
- (d) Papakura Channel

This clause shall not apply to a scheduled passenger ferry operating on a scheduled timetable registered with Auckland Regional Transport Network, and approved by the Harbourmaster.

### **10) Passage Plan**

A pilot or pilot exempt master must prepare a passage plan for their intended passage within pilotage limits.

Where the master of a vessel and a pilot are unable to agree on a passage plan, the vessel shall proceed to the nearest safe anchorage and remain anchored until agreement has been reached.

## 11) Exclusions

- (a) For holders of a pilotage exemption certificate; nothing in these directions, nor as any part of any exercise of privilege conditions shall permit any person granted any pilotage exemption certificate to pilot:
- i. Any nuclear powered vessel.
  - ii. Any vessel designed for the bulk carriage of oil, gas, chemicals, or other hazardous cargo, except a bunker barge, designed and used specifically for the purpose of bunkering ships.
  - iii. Any vessel with a draught exceeding 9.5 metres.
  - iv. Any vessel in cases where the vessel has defective propulsion, manoeuvring or communications equipment or where the vessel has sustained hull damage.
  - v. Any vessel in the eastern approaches to and when west of the Auckland Harbour Bridge.
  - vi. Any vessel to and from Fergusson Wharf.
  - vii. Any vessel to and from Bledisloe 2 or Bledisloe 3 Wharves.
  - viii. Any vessel to and from Princes Wharf.
  - ix. Any vessel during a berthing manoeuvre in the Waitamata Harbour commercial port area in wind speeds exceeding 25 knots.
  - x. Any vessel manoeuvring in restricted visibility of less than 0.5 nautical miles.
  - xi. Any vessel manoeuvring with the aid of tug(s) unless the master is in possession of the appropriate one or two tug endorsement on the pilotage exemption certificate.

Sections iv, v, ix and x shall not apply to the holder of a pilotage exemption certificate on vessels less than UMS gross 1,000 tonnes.

- (b) In addition, for the master of any vessel greater than 40 metres length overall, not being the holder of any pilotage exemption certificate; nothing in these directions shall permit that master to pilot::
- i. Where the master of such vessel can reasonably be expected not to have adequate knowledge of the harbour.
  - ii. Where the master of such vessel has inadequate command of the English language.
  - iii. When the main navigation channels, approaches or berths are unusually congested.

## **12) Variations**

The Harbourmaster may, upon written application, vary the rules in these directions, providing that overall harbour safety standards are maintained.

## **13) Liability**

The Auckland Regional Council shall not, in any case, be responsible for any loss arising from any negligence or misconduct of any Pilot, including the Harbourmaster when acting as a pilot, whilst in charge of any vessel or otherwise, nor for any damage from whatsoever cause arising, caused to any vessel whilst being piloted.

**John Lee-Richards**  
**Harbourmaster**  
**Auckland Regional Council**

**20<sup>th</sup> April 2007**