



These Bylaws apply to all Berth occupiers and users in Westhaven

Defined Terms

1. In these Bylaws:

“ACC” means Auckland City Council.

“Berth” means the marina berth and facilities used by you from time to time within Westhaven.

“Vessel” means your boat in Westhaven.

“We”, “our” and “us” mean ACC, a manager of Westhaven, and include ACC’s employees and agents.

“Westhaven” means the marina and facilities known as “Westhaven Marina”. It includes pier structures, grids, amenity blocks, foreshore, administration and parking areas and ramps.

“You” and “your” mean you as the joint or sole owner of, or person responsible for or in control of, the Vessel, and include your users, passengers and invitees.

Compliance with Legal Requirements and Instructions

2. You must, in using the Berth and the Vessel, at all times comply with these bylaws, all legal requirements or notices affecting or relating to the Berth and/or the Vessel, and any instructions from Westhaven staff.
3. You are responsible for ensuring your users, passengers and invitees comply with these Bylaws.

Parking Permit

4. Parking in the “yellow parallel lines” is only for authorised licensee users displaying a permit. All other users should use the white parking spaces.

Permit to be Displayed

5. Parking permits must be displayed in the front windscreen of any vehicle parked in a permit parking area, with permit dates clearly visible.

Failure to display this permit may result in the vehicle being towed at the owner’s expense.

Fastenings and security of vessel

6. You must provide adequate mooring lines for the Vessel. If the mooring lines are inadequate for any reason we have no liability and you indemnify us against all resulting claims.
7. We may require you by notice to repair inadequate mooring lines. You must comply in the notified time.
8. If you fail to comply with such request, we may repair such mooring lines on your behalf and recover all associated costs from you.

No alterations

9. You cannot make any alterations or additions to the Berth without our prior written approval.

Vessel dimensions

10. No part of your Vessel, when berthed at the Berth, is allowed to extend beyond the physical confines of the Berth (i.e. from the Berth face at the pier end to the outer pile at the entry to the Berth). If this occurs because you have misrepresented your Vessel’s dimensions to ACC, ACC may either immediately terminate your right to use your Berth without compensation, or relocate your Vessel to a suitably sized berth and require you to pay additional charges and relocation costs.

Use of facilities

11. You have reasonable use of water, power and other facilities at Westhaven along with other users. You cannot use the facilities for unlimited periods. If you require heavy or extended use special arrangements must be made with us. An extra charge may apply. Only appropriate fittings which comply with all relevant codes and regulations may be used.

Electrical connections

12. All Vessels connected to the Westhaven boatharbour’s electrical power outlet must have a current Electrical Warrant of Fitness, as required by the Electricity Regulations and AS/NZS 3004.1:2008.

No pollution

13. You shall not pollute Westhaven or discharge into the Westhaven boatharbour, any poisonous, noxious, dangerous or offensive substance or thing. You shall not discharge any sewage or empty toilet waste into the Westhaven boatharbour. Disposal of waste material may be made into suitable receptacles we provide.
14. Your Vessel must be equipped with either a sewage holding tank that can be discharged into a land-based pump out facility, or a suitable portable sewage holding tank that can be carried to and emptied at the amenities block.

Animals

15. No pets or animals are permitted in Westhaven without our consent. You must comply with our conditions of any consent. You must clean up any pet fouling left by your pet or any animal under your control.

No swimming

16. You must not swim or dive in Westhaven. Underwater maintenance of Vessels is allowed subject to any reasonable directions we give.

Navigation in the Marina

17. You must moor your Vessel at your Berth and manoeuvre your Vessel so as to avoid creating a danger, obstacle or inconvenience to other users, or obstructing public rights of navigation

No noise nuisance

18. All ropes, rigging and sails on your Vessel must be secured so they do not create noise. You shall not



create a noise nuisance, whether through parties or the use of television, radio, musical apparatus or any other form of sound reproduction or otherwise.

No storage on marina

19. You shall not store any of your property anywhere on your Berth finger without our permission.

No alcohol

20. You shall not consume alcohol in Westhaven except on private Vessels or licensed premises.

Use of fire hoses

21. You shall not use the fire fighting equipment for any other purpose than the fighting of fires.

Safety restrictions

22. You shall not store or bring into Westhaven any flammable liquids, gases or goods without our permission. The lighting of fires within the marina is prohibited.
23. The only exceptions are reasonable quantities of fuel suitable for Vessels' engines in tanks permanently installed in Vessels, and small quantities of fuel of 10 litres or less required for engines or stoves in small safe containers.

Refuelling

24. You must not refuel any boat in the Westhaven boatharbour except from suitable containers or at permanent refuelling facilities.

Children

25. You shall not permit or allow any child under the age of 12 years you are responsible for to enter into Westhaven unless accompanied by an adult.

No unlawful activities

26. You shall ensure that no unlawful activities are conducted from, or on, the Vessel or the Berth or within Westhaven.

Living on board

27. You shall not live on board the Vessel or

elsewhere in Westhaven without our permission. Sleeping overnight on the Vessel for more than two consecutive nights constitutes living on board.

28. If you are given permission to live on board the Vessel you may be charged a live on board surcharge as applicable at the relevant time.

Health and Safety

29. Copies of the Westhaven Hazard Register, Safety Commitment, Fire Procedure and Code of Practice are available for viewing at the marina office.

Bylaws

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