



MARINA RULES

THESE WESTHAVEN MARINA RULES (RULES) APPLY TO ALL PERSONS WHO OCCUPY A BERTH IN THE MARINA (WHETHER LICENSED, RENTED OR OTHERWISE PERMITTED BY THE MANAGER) AND ALL OTHER USERS OF THE MARINA.

DEFINED TERMS IN THESE RULES

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

“marina” means the marina and facilities known as Westhaven marina. it includes the berths, all structures, wharves, foreshore areas, parking areas, driveways, accessways, services, landscaped areas, toilets, launching ramps and other facilities constructed or placed on, or in, Westhaven marina.

“vessel” means your boat in the marina.

“we”, “our” and “us” means Auckland council, as the manager of the marina, and includes Auckland council's duly authorised officers, employees, contractors and agents.

“you” and “your” mean you as a user of the marina.

COMPLIANCE WITH LEGAL REQUIREMENTS AND INSTRUCTIONS

1. You must, in using the Marina (including the Berth and the Vessel), at all times comply with these Rules, all legal requirements or notices affecting or relating to the Berth and/or the Vessel, and any instructions given by us.
2. You are responsible for ensuring that any users, passengers and/or invitees that you bring or invite into the Marina comply with these Rules.

VEHICLES IN WESTHAVEN

3. All vehicles parked in the Marina must be licensed and hold a current Warrant of Fitness.
4. Parking in the “yellow parallel lines” is only for authorised users with a registered parking permit. All other users should use the white parking spaces.
5. Parking permits are registered through the web page permits.westhaven.co.nz. Parking at the Marina is monitored by plate recognition. Any vehicles parked that do not have the correct permissions registered on our website are liable to be ticketed.

FASTENINGS AND SECURITY OF VESSEL

6. You must provide adequate mooring lines for the Vessel. We do not accept any liability for any damage to the Vessel or other property due to inappropriate mooring lines or adjustments. We may require you by notice to repair inadequate mooring lines. You must comply within the notified time. 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

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

MAXIMUM DIMENSIONS OF BOAT

8. You must not, at any time, allow any part of your Vessel (including spars, bowsprits, anchors davits and tenders or any other thing affixed to the Vessel) to exceed the published or nominal dimensions of the Berth. Note that the published or nominal dimensions are less than the physical dimensions of the Berth and indicate the maximum dimension of an occupying vessel.

USE OF FACILITIES FOR PILE MOORING USERS

9. A loading area and dinghy racks are available at the beginning of AB pier for pile mooring users to access their Vessels. Water is also available in this location. Sewer pump-out is available alongside the fuel dock.
10. Pile mooring users must store their dinghies on their Vessel or on an approved dinghy rack and are strictly prohibited from storing dinghies or equipment on finger pontoons or piers.
11. No work of any kind may be undertaken in the loading area. Subject to availability and the restrictions of these Rules, a berth may be rented for permitted types of maintenance.

ELECTRICAL CONNECTIONS

12. All vessels using Marina electrical power outlets must comply with the AS/ NZS 3004 standards (and any replacement or other applicable regulations). There are three categories of power supply to vessels
 - a) Unattended Power Connection (UPC): Your boat must have an Electrical Warrant of Fitness (EWoF) and the lead you connect to your pedestal is Tag Tested (TT). EWOF



expire every FOUR years, and TT expires annually. If either the EWOFF or TT are out of date, you must not leave your vessel unattended.

- b) Attended Power Connection (APC): If vessel does not have an EWOFF, and you simply want to connect to the pedestal occasionally while you are onboard the vessel. To have an attended power connection you must have a valid TT, and you must remain onboard for the time you are plugged in. You must NOT leave the vessel plugged in and unattended. If the dockmasters find this, they will unplug the power supply.
- c) No Power Connection (NPC): If you do not wish to use Marina electrical power, you are not required to have a TT or EWOFF Power will not be supplied to the pedestal if you elect an NPC connection.
13. A responsible adult must remain on board the Vessel while it is connected to power. If you wish to connect to shore power and leave your Vessel unattended, you must have a current Electrical Warrant of Fitness (EWOFF). Your power lead must be rated IP67 (or higher) and fitted with a locking ring around the base of the plug.
14. When connecting to shore power, you must:
- Inspect your lead each time before use
 - Ensure your lead is tested and tagged at least once within each 12-month period and prior to the expiry of the current tag. Test the Residual Current Device on both the marina supply and your lead
 - Lock the securing ring at the marina supply
 - Ensure the lead does not create a trip hazard
 - Position the lead so it cannot be damaged by the movement of the Vessel
 - Ensure water cannot flow along the lead into the Vessel or socket outlet
 - Secure the lead in place
 - Have the lead visually inspected by a certifying electrician or inspector the first time it is used
 - Unplug the lead before leaving the Marina
15. Power use is charged for at the Marina on a user pays basis, at the rate specified by the Manager from time to time.
16. In respect of pile mooring users, no electrical supply is provided in the loading area. Pile mooring users must not use the power supply from a private berth under any circumstances – if power is required, a berth must be arranged through the Marina Office.

No POLLUTION

17. You shall not pollute the Marina or discharge into the Marina any poisonous, noxious, dangerous or offensive substance or thing. You shall not discharge any sewage or empty toilet waste into the Marina. Disposal of boat rubbish may be made into suitable receptacles we provide in our bin bays, but these must not be used for waste oil, oil filters, solvent, paint, flares, LPG cylinders, batteries or any other form of hazardous waste (refer to the A – Z Guide to Westhaven Marina).
18. Your Vessel must be equipped with 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 emptied responsibly in the correct sewage disposal facilities.

ANIMALS

19. No pets or animals are permitted on the floating structures without the consent of Marina management. You must clean up any pet fouling left by your pet or any animal under your control. Any pet or animal must be removed from the Marina if we consider (at our discretion) that it is causing an issue.

No SWIMMING

20. You must not swim or dive in the Marina. Underwater maintenance of Vessels is allowed subject to prior consent from the Marina Office. All divers are required to register with the Marina Office, and divers completing underwater maintenance must comply with best practice for diving, these Rules and any directions given by the Marina Office.
21. Vessel hull cleaning is not permitted in the Marina, except by a registered diver who is only permitted to remove a thin layer of slime.

NAVIGATION IN THE MARINA

22. 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

23. You must not create a noise nuisance in the Marina. All ropes, rigging and sails on your Vessel must be secured so they do not create noise.

No STORAGE ON MARINA

24. You shall not store any of your property anywhere on the pier, your Berth finger or otherwise on Marina grounds without our permission. Any property left in this way may be removed by the Manager.

No ALCOHOL

25. You shall not consume alcohol in the Marina except on private Vessels or licensed premises.

FIRE SAFETY

26. You must not use the firefighting equipment made available within the Marina for any purpose other than extinguishing fires. The lighting of fires, including fireworks and flares, within the Marina is strictly prohibited. If an open flame is required for repairs or maintenance, you must relocate the Vessel to an area approved by the Manager.

REFUELLING

27. You must not store motor spirits, petroleum, petroleum products, fuel, oil, liquified petroleum gas, compressed natural gas, kerosene or goods of a similarly dangerous or similarly inflammable nature on any Marina structure or area without our prior written approval.
28. You must not bring within the Marina any motor spirit, petroleum products, fuel oil, liquified petroleum gas, compressed natural gas, kerosene or goods of a similarly dangerous or similarly flammable character without our prior permission, except:
- reasonable quantities of fuel required for your Vessel's engines in tanks maintained to all appropriate and relevant standards and which are properly fixed and installed in the Vessel; and
 - small quantities of fuel (no greater than 10 litres) reasonably required for engines or stoves in small safe containers.
29. You must not refuel any boat in the Marina except at permanent refuelling facilities or in your Berth using suitable containers, in either case subject to any instructions from the Manager.

CHILDREN

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



NO UNLAWFUL ACTIVITIES

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

LIVING ON BOARD

32. You shall not live on board the Vessel or elsewhere in the Marina without our prior permission. Sleeping overnight on the Vessel for more than one night per week constitutes living on board. 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.
33. Strictly no staying on board permitted on the pile moorings or trailer parks.

MAINTENANCE RULES

34. The Marina is a recreational marina and not a marina where significant maintenance should be undertaken or planned.
35. No maintenance activities are to be undertaken where the activity is likely to impact on the enjoyment of other Marina users or the coastal marine environment. If you are unsure if potential maintenance works are appropriate or allowed, it is essential that you contact the Marina Office and ask.
36. Permitted maintenance works must be conducted from within the confines of the Vessel and should not be undertaken on the walkway or finger pier of any berth.
37. Only minor maintenance is permitted in the Marina water space, including works of the kind listed below (this list is a sample only of the types of items that can be completed):
- Engine servicing/oil change
 - Boat cleaning or polishing (excluding vessel hull cleaning)
 - Air-conditioning repair or servicing
 - Electrical or plumbing repairs
 - Brush painting – only during calm weather conditions and to a total area of less than 3 meters square (3m²); and
 - External power sanding – only to be conducted with a suitable extraction device (manufacturer attached) and or hand sanding only on a small area of not more than 3m² in total, and not for a total period more than more than 30 minutes.

38. Without limiting the Rules above, the following works are prohibited in the Marina:
- Sand or grit blasting
 - Spray painting
 - Repairs that turn into major repairs
 - Complete tenting of a vessel
 - Welding or angle grinding, or power cutting of steel; and
 - Major laminate or major fiberglass repairs.
39. You must not:
- Store materials on the walkway or finger piers
 - Allow any materials or substances created from repair or maintenance activities (including dust) to enter the marine environment
 - Dump large items of unwanted hardware such as fridges, or cabinetry in the rubbish bins – these must be taken away and disposed of off site or
 - Use trolleys to carry/transport oils, paints, resins or epoxies without suitable protections from spills, such as a liner.
40. We may stop any maintenance works that we consider unreasonably interfere with other users of the Marina, are of anything other than a minor nature, or that otherwise do not comply with these Rules.

CONTRACTORS

41. All contracted tradespeople must be registered via the Westhaven Marina Contractor Registration Process and conduct their work in accordance with these Westhaven Marina Rules, all applicable health and safety legislation (including the Health and Safety at Work Act 2015) and any other rules, regulations or bylaws issued by us from time to time.
42. All contractors must carry their own third-party liability insurance and ship repairers' insurance (as appropriate). A copy of this insurance policy is to be provided to the Marina prior to any contractor commencing works.
43. Responsibility lies with you, as owner of a Vessel, to first confirm that any contractor you invite into the Marina has suitable Third-Party Liability Insurance cover and is currently registered and approved by us to carry out works in the Marina.
44. Any damage to other vessels, the Marina or any other property that is caused by you, or your invitees or contractors, is your responsibility. We will not be liable for any damage or loss arising from maintenance works at the Marina.

HEALTH AND SAFETY

45. Copies of the Westhaven Hazard Register, Safety Commitment, Fire Procedure and Code of Practice are available online at westhaven.co.nz

ADVERTISING

46. Letter drops are not permitted in the Marina. You must not place any promotional material anywhere in the Marina (including but not limited to on vessels or berths in the Marina). Commercial advertising flags and advertising material onboard of Vessels is not permitted unless authorised in writing by the Marina Office and in the designated sales piers.

