



# Harbourmaster

## Harbourmaster's Office Operation of Emergency Response Vessels within the Auckland Region Navigation Safety Operating Requirements

### Foreword

The regions Search and Rescue (SAR) services are the responsibility of, and coordinated by;

- a. New Zealand Police, Maritime Unit (Maritime Police) for Category I Search and Rescue.
- b. Rescue Coordination Centre New Zealand (RCCNZ) for Category II Search and Rescue.

These are the only legally constituted Authorities with responsibility for Search and Rescue coordination in New Zealand.

The Maritime Police work in conjunction with the Rescue Coordination Centre New Zealand (RCCNZ). The Maritime Police operate a fleet of purpose built fast vessels capable of operating for extended periods and offshore. This fleet is enhanced by the availability of other government department vessels. All the vessels are available 24 hours and are manned by professional personnel. The services of other vessels and/or organisations may also be used to support Police or RCCNZ during a search and rescue operation.

The Harbourmaster is responsible in all emergencies, excluding SAR, on the regions waters that involve a vessel or any hazard to navigation.

The response to any Marine Oil Spill is also provided by the Harbourmaster's Office (Tier II) and Marine Pollution Response Service, Maritime New Zealand (Tier III). Vessels may be used in these situations such as fire fighting tugs, towage vessels and specialised vessels such as oil skimmers.

There are a significant number of vessels and people using the water of the Auckland region. The number of users and types of activities vary in different locations. The water users are supported by various organisations and clubs that may offer support and assistance services to their members and members of the public.

These organisations and clubs include Surf Life Saving, boating and yacht clubs, Coastguard and sailing



# Harbourmaster

schools. Many of these organisations will operate vessels in support of their members and/or activities. These include yacht club rescue vessels, Surf Life Saving RIB's and Personal Water Craft, and Coastguard vessels.

The provisions of Harbourmaster Directions, Maritime Rules and Bylaw include exclusions for 'emergency response vessels'. These vessels must be approved by the Harbourmaster and operate under strict requirements. These navigation safety operating requirements set down the manner in which these vessels must be operated. They have been compiled by the Harbourmasters Office in consultation with the search and rescue authorities (RCCNZ and Maritime Police).

## Preamble

These requirements set out:

- i. The area to which they apply
- ii. The vessels to which they apply
- iii. The operating requirements for vessels to which they apply.

## Definitions

**"Auckland pilotage area"** means that area defined as the Auckland pilotage area in Maritime Rule 90.

**"Emergency"** means an incident involving grave and imminent danger to person(s) or property

**"Emergency response vessel"** means any vessel approved by the Harbourmaster for use in emergency response and may include police, customs, Harbourmaster, naval, port company, coastguard, surf lifesaving vessels, and club patrol or rescue boats (when supervising club activities).

**"Fog"** means mist or fog reducing visibility to less than 1 nautical mile.

**"Fog routine"** means the vessel routing, reporting and calling procedures contained within the Operation of Vessels during Periods of Restricted Visibility, Navigation Safety Operating Requirements.

**"Passenger ferry"** means a ferry operating a scheduled service registered with the Auckland Transport (AT)

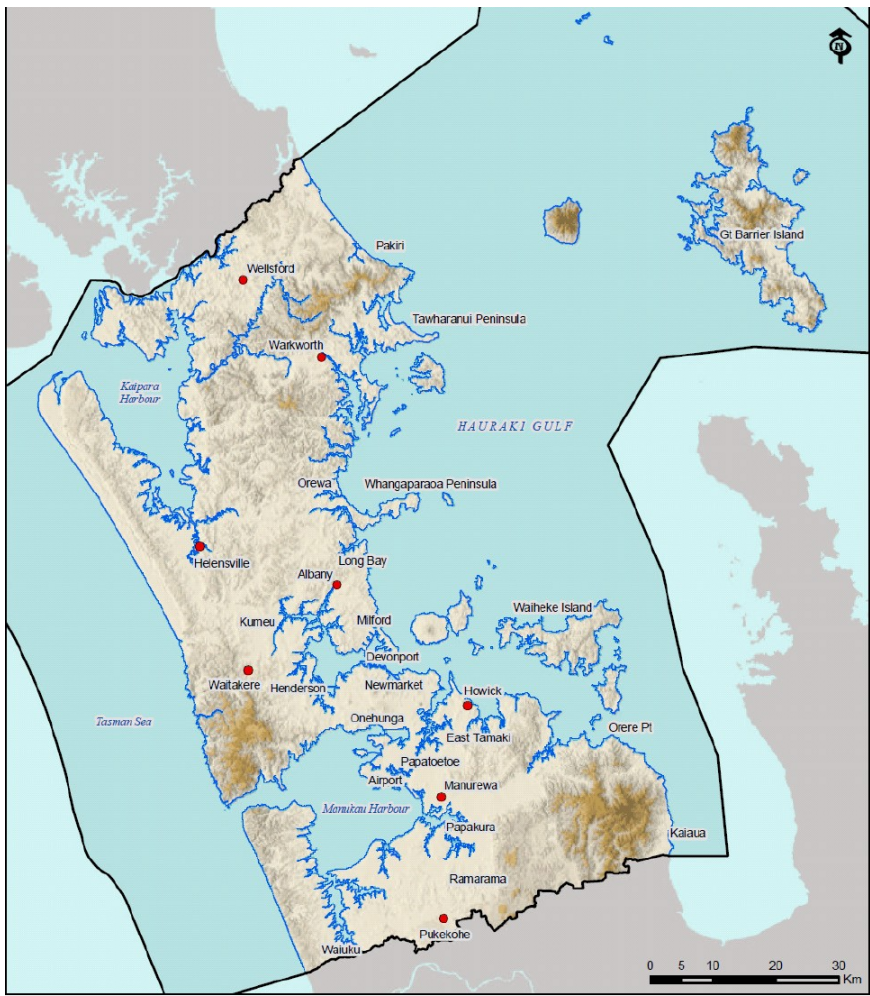
**"Restricted visibility"** means any conditions in which visibility is restricted by fog mist, falling snow, heavy rainstorms, sandstorms or other similar causes.



# Harbourmaster

## Application

These operating requirements apply to all Coastguard vessels operating within the Auckland region as shown in the map below.





# Harbourmaster

## Variation

The Harbourmaster may, upon written application, vary the requirements for specific vessels or time periods. This will be done on a case-by-case basis, and only where the overall harbour safety standards can be maintained.

## Purpose

To ensure the safe navigation of all vessels during emergency response and to ensure the public and other water users are not adversely affected by any emergency response vessel.

## Responsibility

It is the responsibility of the master or skipper (hereafter referred to as the master) for the safe navigation of their vessel. The master should have due regard to Maritime Rules, Harbourmaster Directions and Bylaw together with the practice of good seamanship. This would include the master's knowledge that recreational vessels on the Waitemata Harbour may not conduct themselves in a responsible and seamanlike manner.

In situations where a vessel is encountered that fails to navigate as required by the Maritime Rules, Harbourmaster Directions or Bylaw a report should be made to the Harbourmaster giving details of the offending vessel so follow up action can be taken.

## Approval of Emergency Response Vessels

An emergency response vessel must be approved by the Harbourmaster. A copy of this approval, and any additional Bylaw exemption must be carried onboard the vessel.

Where a vessel is under the direct supervision of the Maritime Police or RCCNZ (whichever is the responsible organisation for that SAR), and is responding to an incident involving grave and imminent danger to persons or property the Maritime Police or RCCNZ may authorise that vessel as an emergency response vessel for that particular incident.

## Clarification of Status

A vessel may only make use of any exemption when responding to an emergency (An emergency is defined as "an incident involving grave and imminent danger to person(s) or property") and the vessel has been tasked by either the Maritime Police, RCCNZ or the Harbourmaster's Office.



# Harbourmaster

When a vessel's master is unsure whether an incident allows them use of any exemption from a Harbourmaster Direction, Bylaw or Maritime Rule they should seek clarification from the statutory authority responsible for that incident. RCCNZ can be contacted via Maritime Radio on a 24 hour basis on VHF Channel 16.

The Harbourmaster's Office will ensure any vessel tasked by them to respond to an emergency situation is given clear instructions as to the status of the incident.

Where the incident is a search and rescue operation the Maritime Police (Cat I) or RCCNZ (Cat II) will task the vessel and are the statutory authority responsible.

The commencing of a "fog routine" as described in the Navigation Safety Operating Requirements, Operation of a Vessel During Periods of Restricted Visibility constitutes the Harbourmaster declaring the harbour in fog.

The Maritime Police and RCCNZ are delegated the authority to authorise a vessel to operate during a period of restricted visibility for an operation, or response for which they are the responsible Authority.

## Automatic Identification System (AIS)

The Auckland Council Navigation Bylaw requires certain vessels to carry AIS.

### 41 Automatic identification system

2. A person must not operate a fast commercial vessel within the Auckland pilotage area when the Harbourmaster has declared the area affected by fog, or operating under a fog routine, unless it has on board a fitted and operational Automatic Identification System.

## Light, Shape and Sound Signals

Every vessel must comply with the light, shape and sound signals prescribed in Maritime Rule 22. The possible disturbance to nearby residences caused by a sound signal is no reason to fail to make a required signal. Enforcement vessels operated by Maritime Police, NZ Customs or Harbourmaster may fit blue flashing lights and sirens.

An emergency response vessel, authorised by the Harbourmaster, may fit purple flashing lights to the vessel. These lights are to identify an emergency response vessel to another person involved in an incident. They may not be used at any other times.



# Harbourmaster

No siren(s) may be fitted or used by any vessel other than an enforcement vessel.

## Speed

The Bylaw and Maritime Rules set maximum speeds for certain areas and require a vessel travel at a safe speed. There are several clauses that allow various types of vessels to be exempt from the “5 knot rule” (Bylaw clause 8) and the “Inner Harbour 12 knot Area” (Bylaw map 7).

These exemptions are specifically for an operation where a vessel is unable to carry out its duty when complying with a clause e.g. a pilot vessel placing a pilot onto a ship where the ship cannot steer if it slows to 5 knots or below, or a vessel.

Working in a surf area, within 200 metres of the shore, needing to exceed 5 knots to remain ahead of a breaking wave. The exemptions do not allow a vessel to exceed a safe speed as required by Maritime Rule 22 and the Bylaw, and do not allow a vessel to exceed a speed limit when it can perform its duty without exceeding the speed limit.

There are unlikely to be any circumstances where an emergency response vessel will require use of any speed exemption during periods of darkness or restricted visibility. The likelihood of small vessels, unlit vessels and/or swimmer within 200 metres of the shore, and the possible adverse effects of passing closer than 50 metres to another vessel will, in all likelihood, preclude this type of operation as dangerous.

No exemption to a speed limit allows any vessel to exceed a speed limit when exiting from a marina, or similar area, or allow such vessel to exceed a speed limit simply because it wishes to arrive at its destination quickly. In all cases no vessel should cause any increased danger to other water users or its own crew by exceeding a speed limit regardless of any emergency the vessel master feels they should respond to.

## Bridge Team and Watch Keeping

A master must ensure that the vessels navigational team is properly prepared, briefed and equipped to undertake the role of safely operating the vessel. Incidents involving vessels losing navigational awareness and grounding, striking Aids to Navigation and colliding with marina breakwaters have been common. No vessel should proceed on a passage without full and proper preparation, and must maintain navigational awareness at all times.

Where a navigation team lose navigational awareness, or are unsure of any matter they must make the master fully aware of their uncertainty. A master should stop or slow their vessel when there is any loss of navigational awareness by the navigation team.

A master must maintain an appropriate level of lookout at all times and by all available means (this



# Harbourmaster

includes radar and radio). The posting of lookouts and the use of a closed loop reporting system by the lookouts is essential. All vessels should also keep a listening watch on VHF Channel 16. Vessels without multiple VHF sets installed should make use of the Dual Watch facility.

## Collision Avoidance

Maritime Rule 22 sets out the obligations of a vessel's master for the avoidance of collisions. A vessel navigating at high speed will close another vessel faster than may be expected by the master. Early assessment of a collision situation will allow for early action to be taken. A master can slow or stop their vessel to allow more time to assess a situation.

Where the emergency response vessel is the stand on vessel nothing in Rule 22 removes the obligation of that vessel to avoid a collision. There is no priority or status inferred to emergency response vessels that grants them any exemption from Maritime Rule 22.

## Maritime Rule 22.17 Action by stand-on vessel

- (1) If one of two vessels is to keep out of the way, the other must keep its course and speed.
- (2) As soon as it becomes apparent to the stand-on vessel that the vessel required to give way is not taking appropriate action in compliance with this Part:
  - (a) it may take action to avoid collision by its manoeuvre alone; and
  - (b) if it is a power-driven vessel in a crossing situation, if the circumstances of the case allow, it must not alter course to port for a vessel on its own port side.
- (3) When, from any cause, the stand-on vessel finds itself so close that collision cannot be avoided by the action of the give-way vessel alone, it must take whatever action will best avoid collision.
- (4) This rule does not relieve the give-way vessel of its obligation to keep out of the way.

## Notifications and Reporting

In addition to the reporting requirements for accidents and incidents contained within the Maritime Transport Act 1994 and by the Bylaw, the master of an emergency response vessel must report all instances when the vessel makes use of any exemption. Such reports shall be given verbally as soon as possible to the Harbourmaster, and as soon as practicable in writing.



# Harbourmaster

## Restricted Areas

An emergency response vessel is not exempted from the requirement to remain outside any restricted areas. Such areas are reserved for specific operations, purposes or persons. Where an emergency response vessel is responding to incident tasked by the Maritime Police, RCCNZ or the Harbourmaster's Office it may enter a restricted area for the purposes of that incident. Any entry into a restricted area must only be undertaken where the master is satisfied that the no person or property will be placed in danger by doing so.

### Restricted areas include:

1. Downtown ferry terminal area
2. Port Security and Customs areas around commercial wharves
3. Royal New Zealand Navy Defence area at Devonport Naval Base
4. Explosives safety areas at commercial wharves, Kauri Point, No. 6 inner anchorage and Browns Island anchorage.
5. Swimming only areas.
6. Any area declared by the Harbourmaster.

## Member Based and Assistance Services

All operations outside of those tasked by the Maritime Police, RCCNZ or the Harbourmasters Office are considered member based or assistance services. No exemptions apply to any vessel undertaking these operations.

Harbourmaster's Office

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24/09/2021