



# Nelson City Council Harbour Safety Policy

## **August 2023**

## **1. Purpose**

1.1. The Nelson City Council (Council) Harbour Safety Policy outlines the commitments and responsibilities towards maintaining maritime safety that the Council will use. The Policy:

- Provides a framework to ensure the Council meets its statutory and regulatory commitments within the waters of our region.
- Guides processes by which the harbourmaster is to undertake duties to maintain maritime safety within the waters of our region.

## **2. Context**

2.1. The Nelson Harbour is at the heart of the Nelson Community, both in location and spirit. Sitting within the Harbour is the hub of commercial maritime activity, Port Nelson.

2.2. The Port and Harbour Marine Safety Code 2020 (The Code) sets down a national voluntary standard for marine safety and the prevention of marine pollution in the operation of ports and harbours in New Zealand.

2.3. The statutory powers in the Maritime Transport Act 1994 (MTA) and other relevant legislation are the foundation for the roles, relationships and activities that are integral to achieving that standard.

2.4. Council is committed to participating in the Port and Harbour Marine Safety Code (2020) in a tripartite agreement with Maritime New Zealand (MNZ) and Port Nelson Limited (PNL).

## **3. Policy Principles**

3.1. The Policy introduces principles that will help guide Council to maintain maritime safety. The principles are:

- Use the Code and its supporting guidelines as a standard against which the NCC will measure itself and be measured by others.
- Ensure that the relevant assets of the harbour are managed safely.
- Enforce Bylaws and Harbourmaster Directions appropriately.
- Ensure that staff are properly trained for emergencies and contingencies.
- Identify measures to address conflicts of interest.
- Adequately resource the management of maritime safety in the harbour.

## **4. Scope**

4.1. The area of jurisdiction is defined within the Navigation Bylaws and the Port and Harbour Marine Safety Code application assessment for Nelson and Tasman Bay (The Code area).

## 5. Nelson City Council Commitments

5.1. The Council agrees to:

- Appoint a Harbourmaster office and provide resources to ensure a 24/7 response capability.
- Establish, fund, and maintain an effective Harbour Safety Management System that is consistent with requirements and guidelines of the Port and Harbour Marine Safety Code.
- Conduct regular risk assessments to ensure the risk profile of the harbour is properly understood and that all identified risks are being controlled as far as is reasonably practical.
- Regularly review navigation Bylaws and Harbourmaster Directions to ensure these instruments are fit for purpose and align with the requirements of statute.
- Routinely engage with key stakeholders including Maritime New Zealand, Port Nelson Ltd, Shipping and Fishing Companies to develop and maintain a shared understanding of maritime risks as relate to shipping in the harbour and regional waters.
- Encourage compliance among all harbour users with Navigation Bylaws, Harbourmaster Directions, the Maritime Transport Act 1994 and the associated maritime rules. A specific emphasis is placed on Maritime Rules Part 90 (Pilotage) and 91 (Navigation Safety).
- Remove sunken, derelict, or abandoned ships and other obstructions that are, or may become, an impediment to maritime safety.
- Ensure the provision of aids to navigation within harbour limits and code application areas as necessary to ensure safe navigation through the region's waters.
- Provide harbour users with relevant information to support maritime safety in the region.
- Provide opportunity for all harbour users to engage with the Harbourmaster and contribute to understanding risk in the harbour.
- Provide professional advice to the Council as required regarding any form of development affecting navigational safety within Nelson regional waters,
- Develop and maintain an Incident Management System to record all maritime safety incidents that occur and the response actions of the Harbourmaster.
- Maintain a Harbour Safety Plan that defines in detail the actions and activities the Harbourmaster undertakes to manage risk in the harbour.

## **6. References and relevant legislation**

- 6.1. [Maritime Transport Act 1994](#)
- 6.2. [Port and Harbour Marine Safety Code](#)
- 6.3. [Nelson City Council Navigation Safety Bylaw 2019 \(No 218\)](#)
- 6.4. [Maritime Rules Part 90: Pilotage](#)
- 6.5. [Maritime Rules Part 91: Navigation Safety Rules](#)