



Report 04.649
Date 15 November 2004
File J/2/1/2

Committee Environment
Author Mike Pryce Regional Harbourmaster

Reappointment of Honorary Enforcement Officers

1. Purpose

The purpose of this report is:

- to advise the Committee of the functions of Honorary Enforcement Officers;
- to recommend to Council the re-appointment of Honorary Enforcement Officers listed in *Attachment 1* for a period of three years.

2. Background

In December 2000, the Wellington Regional Council increased the area of coverage for the Wellington Regional Navigation & Safety Bylaws out to 3 nautical miles around the entire regional coastline.

Honorary Enforcement Officers provide their time voluntarily to assist in promoting safety on the water - they receive no remuneration or payment. They are not expected to specially patrol the harbour looking for boat owners infringing the regulations, but rather to observe and report during their own boating or recreational activities. They are not “water police”, although they do have the full support of the Wellington Police Maritime Unit.

Their most important role is to help to educate recreational water users about the Bylaws. They are also able to advise about educational courses that are available to improve seamanship and promote a better awareness of water safety.

With a wide variety of water sports now available, and with no requirement for licensing, the problem usually encountered is that of ignorance of basic safe boating practices and competing/conflicting uses of water space.

In recruiting Honorary Enforcement Officers, preference is given to selecting mature, experienced and active recreational water users who are familiar with water safety and its problems and who have usually demonstrated an interest in water safety.

3. Enforcement authority

These officers are appointed under s 5.1.3 of the Wellington Navigation and Safety Bylaws 2003 under powers given to Council by s 650B(1) of the Local Government Act 1974 (the Act).

Under s 650B (2) of the Act, the powers of Honorary Enforcement Officers are specified by the Council, within the limits set by the Act.

It is proposed that the Council limits the powers of Honorary Enforcement Officers to matters concerning pleasure craft only and solely for the purpose of navigation safety.

These powers should be:

- To issue directions (s 650C(3)). This is limited to instructing vessels to move from one area to another or to modify the manner in which they are being operated.
- To require persons appearing to be in charge of a vessel to stop and give his or her name and address if:
 - (a) a complaint has been received that there has been a breach of the Wellington Regional Navigation and Safety Bylaws 2003 or a breach of maritime rules involving navigation safety; and
 - (b) on investigation of the complaint, the Honorary Enforcement Officer is of the opinion that there has been a breach of the above Bylaws and maritime rules; or
 - (c) the Harbourmaster requests the Honorary Enforcement Officer to do so. (s 650E (2) and s 650E (3)).

4. Communication

A press release will be prepared.

5. Strategic Context

The appointment of such Honorary Enforcement Officers is a means to meet the Council's Take 10 element – Safety and Hazards and the target that there be “*no significant accidents in our harbours and coasts*”.

6. Recommendation

It is recommended that the Committee:

- (1) **appoints** as *Honorary Enforcement Officers* for a period of three years the persons listed in **Attachment 1**, and;
- (2) **grant** them the powers listed above.

Report prepared by:

Report approved by:

Mike Pryce
Regional Harbourmaster

Jane Bradbury
Divisional Manager,
Environment