

NELSON MARINA RULES

The following rules have been established to provide for the efficient and harmonious operation of Nelson Marina and for the safety of the Berth-occupiers and visitors to the Marina.

All marina users, Berth-occupiers, guests, contractors and the general public are bound by these rules when on Nelson Marina property.



ACTS AND BYLAWS

All persons are required to obey all Acts and Bylaws that may at any time be in force whilst in Nelson Marina.



SIGNS

Signs relating to the use of the Marina and directions issued by the Marina Manager are to be observed at all times.



HEALTH AND SAFETY

A copy of Nelson Marina's Health and Safety Policy is available in the Marina office for viewing. All Health and Safety rules must be abided by.



VESSEL SPEED WITHIN THE MARINA

Vessel speed within the Marina is restricted to 3 knots and is a no wake zone.



OBSTRUCTION OF ENTRANCES

No person shall obstruct any of the entrances to the Marina or use them for any purpose other than access to and from the Marina.



NAVIGATION AREA

No person shall moor or navigate any vessel within the Navigation Area so as to create a danger, impediment, obstacle or inconvenience to any other vessel.



BERTHING

All Berth lines will be sufficient to meet the current industry standard, for the purpose of

Berthing vessels; shall be of sufficient strength; and secure safely a vessel of the size and weight allocated to the Berth.

Where required by the Marina Manager the Berth-occupier shall pay the cost of fixing, repairing, and replacing any lines that fail the inspection of the Marina Manager.

Should the Berth lines prove to be inadequate to secure a vessel all liability rests with the Berth-occupier.

No person shall interfere with any Berthing line without good cause relating to safety of the vessel or safety of other vessels or persons unless authorised by the Marina Manager.

The Berth-occupier issued pursuant to this agreement shall ensure that all halyards, lines, ropes, rigging and sheets on the licensee's vessel whilst berthed in the Marina are secured so that they shall not create any excessive noise, or hazards.

No part of any vessel may overhang a jetty or walkway.



SERVICES

Services means power, water and any other services provided for the use and benefit of the Berth-occupier in the Marina:

Persons may use the Services provided for them on an occasional basis only.

All leads and appliances connected to the Marina's power outlets must comply with the relevant regulations. No leads shall be connected to shore power connections without a current electrical warrant of fitness.

If a person requires more regular use of any services then such use shall be subject to the prior written approval of the Marina Manager who may make an extra charge to cover the costs of providing such Services.

No person shall use any water supply in or around the Marina landing stages other than for washing down vessels, domestic or culinary purposes.

No person shall use any Services for a purpose for which it was not designed.



SECURITY

Berth-occupiers shall take all reasonable steps to protect any vessel occupying the Berth from theft and vandalism and shall keep all hatches and other openings closed and securely fastened when such vessel is not in use.



FIRE HAZARDS

Persons shall not do anything in the Marina which creates a fire hazard or which may contravene the regulations or bylaws of any Authority and, without limitation, shall not use firefighting equipment supplied by the Marina Manager for any purpose other than the fighting of fires.



DANGEROUS GOODS

No person shall bring into, store or use within the Marina any chemicals, inflammable gases, fluids or substances except in the ordinary course of using such items for recreational purposes.



NUISANCE

No person shall make any improper noise or interfere in any way with other persons lawfully in the Marina.

Noise shall be kept to a minimum at all times and no person shall create a nuisance by the use of television, radio, musical apparatus, or any other form of sound reproduction.

No person shall on or about a mooring or on or about any vessel occupying a Berth use abusive or improper language.

No person shall commit any act calculated to or likely to provoke or result in a breach of the peace or do or omit to do anything constituting or likely to constitute a public nuisance.

No unlawful activities shall be conducted from the Marina.



MARINA TROLLEYS

For the convenience of others, Marina trolleys must be returned to the jetty entrances immediately after use.



DOMESTIC RUBBISH

No person shall deposit any domestic rubbish or useless property in the Marina or upon Marina structures.

All rubbish shall be deposited in the receptacles provided.



DISCHARGE OF POLLUTANTS, LITTER AND RUBBISH

No person shall discharge any poisonous, noxious, dangerous or offensive substance or thing into or onto the Marina.

In particular, but without limitation, no person shall discharge any sewage or otherwise empty any latrines into the waters of the Marina or otherwise dispose of any garbage, oil, fuel or other material whatsoever into the Marina except into containers provided by the Marina Manager. Or do anything/fail to do anything that would cause deterioration of the waters of the Marina or the waters adjacent thereto.

No person shall in any part of the Marina:

Break or cause to be broken or throw or abandon, cast or leave, whether broken or not any glass or pottery object, tins, bottles, paper, paper wrappings, plastic bottles, bags or containers, plastic sheet, litter, rubbish, oil or other articles or thing likely to be unsightly or to cause any nuisance or danger to public health or safety;

Scale, clean or gut any fish or throw cast or leave or deposit any fish, or any portion of a fish or a carcass of any dead animal, or fowl or any vegetable matter likely to cause a nuisance, injury or danger to public health or safety, nor shall any person leave offensive matter in any vessel in the Marina.



WASTE OIL

Waste oil and oil and fuel filters must be disposed of in the waste oil containers located at the entrance to the boat yard.



SHARING OF MOORING

No person shall tie or raft a vessel to any other vessel moored in the Marina except in such area or areas of the Marina set aside by the Marina Manager specifically for that purpose.



NOTICE OF DEFECTS

Persons shall promptly notify the Marina Manager on becoming aware of any defect or damage to the Marina.



ALCOHOL

No person shall consume alcohol within the Marina except on private vessels or on licensed premises or other premises where consumption of alcohol is not prohibited by law.



STORAGE

No person shall store any property, gear or equipment under their control or direction at the Marina, without the prior written consent of the Marina Manager.



FISHING

Fishing is not permitted in any part of the Marina.



NO SWIMMING

Except where necessary for the inspection of the Berth-occupiers vessel, no person shall swim or dive within the Marina without prior approval in writing from the Marina Manager.



NO CYCLING, SKATEBOARDING OR SCOOTERING

No person shall cycle, skateboard or scooter or permit its guests, visitors, agents to cycle, skateboard or scooter on pontoons at any time.



LIVING ON BOARD

Living on Board is defined as more than two (2) consecutive days living on board the vessel.

Where Living on Board is permitted by the Marina Manager the following rules apply:

All Live-aboards must ensure that the nominated boat is equipped with a sewage holding tank that can be discharged into the land-based black water pump-out facility at the Marina or another suitable facility.

Living on board is by permit only, the maximum number of live-aboard vessels is three per pontoon or as specified by Council.

A list of Berth-occupiers waiting to live on board and their boats will be maintained in order of application date priority and available for public inspection in the Marina Manager's office.

The order of allocation shall be to the highest priority boat on the 'Waiting List' that best fills a Berth on the available pier.

Only owners and their immediate families are permitted to stay aboard.

Electricity consumption shall be limited to battery chargers and small household appliances such as television and radio. Electric heaters are not permitted.

Piers and finger piers must be kept clear at all times.

Animals (excluding caged birds) are not permitted on 'Live Aboard' boats except as permitted by the Marina Manager in writing and subject to any conditions the Marina Manager may require.

Shore side toilets and showers are to be used and no material is to be deposited overboard.

Any Live-aboard tenant who is away from the Marina with their boat for more than three months, but who continues to pay a permanent Berth fee, shall, on their return to the Marina, if they request to go on the Liveaboard waiting list, be placed at the bottom of that list.

Any Live-aboard tenant who does not live aboard their boat in the Marina for a period longer than three months shall lose their Live Aboard status.

Any permanent Berth-occupiers staying on their boat for more than five nights per month will be charged 'Visitor' rates and 'Visitor' rules Time Limit will apply.

'Live Aboard' tenants shall pay a 'Live Aboard' fee per month over and above their permanent mooring rate. This fee will be subject to regular review.



LIVE-ABOARD RESPONSIBILITIES

Help monitor security on piers and parking lots. Telephone police (phone +64 3 546 3840), or Nelson Marina office in the event of suspicious activities.

Report to Marina Manager any unusual conditions or activities (like broken street/pontoon lights, mooring lines, water pipes) needing attention.



WASHING

No washing is to be hung out on your vessel at any time.



VISITOR RULES

Visitors to the Marina are permitted to stay aboard their boats.

The maximum period of stay for visitors is three months per year, or a period of extension as agreed by the Marina Manager.

The "Visitors" rates shall apply. These shall be subject to regular review.



VISITING VESSELS

No person shall use or occupy a mooring in the Marina which has been set aside by the Council for visiting vessels except with the consent of the Marina Manager and then only on such terms and conditions and for such duration as specified by the Marina Manager.



ANIMALS

No person shall permit any animal under their control to enter or remain in the Marina unless properly controlled and provided it does not disturb other persons. All dogs must be kept on a leash and under proper control at all times.

Persons shall be responsible for promptly cleaning up and disposing of any droppings of any pets brought to the Marina by themselves, or their invitees, in a proper manner.



USE OF LANDING STAGES

No person shall use the Marina landing stages for any purpose other than for embarking or disembarking passengers or stores except with the prior approval of the Marina Manager and then on such conditions as the Marina Manager may impose.



ALTERATION OF BERTHS

No person shall alter or modify any structure or thing associated with or forming part of a berthing area without the written permission of the Marina Manager.

Only fenders approved by the Marina Manager may be used within the Marina.



SAFETY

Any person mooring or tying up a vessel in the Marina shall ensure that:

The vessel is properly and safely secured to whatever it is moored or tied to.

All access ways and waterways are kept clear. The vessel is in a good and safe state of repair. In the event of any accidental spillage into the Marina immediate steps are taken to notify the Marina Manager where the spillage poses a threat to any other vessel, property or thing, and with advice remedy any damage caused.

The name of the vessel is clearly displayed on the vessel.

There is on the vessel an adequate fire extinguisher or firefighting appliance.

No person shall commence or carry out any hot works on any vessel in the Marina involving welding; flame cutting; or grinding without the prior approval of the Marina Manager and Harbourmaster in writing, and any conditions imposed by the Marina Manager or Harbourmaster must be strictly observed.

Any repairs, alterations or works on or to any vessel in the Marina must not be undertaken without the prior approval of the Marina Manager in writing, and any conditions imposed by the Marina Manager must be strictly observed. All work must be carried out in a safe and proper manner by Contractors approved by the Marina Manager. Minor work may be undertaken on private vessels by the owner.

If the Marina Manager is of the opinion that any repairs, alterations or works are not being carried out in a safe and proper manner they may order that all work cease and every person carrying out such work cease until the Marina Manager is satisfied the work does not pose a risk to vessels, users, visitors, customers or the general public.

No person shall bring into or keep in the Marina any motor spirit, petroleum products, fuel oil, liquefied petroleum, gas, compressed natural gas, kerosene or goods without the permission of the Marina Manager provided that a vessel may store small quantities of fuel in safe

containers in quantities reasonably required for the vessel's engines or stoves.



EMERGENCY CONTACT

Every person shall advise the Marina Manager of the name and telephone number of a person other than the Berth-occupier who can be contacted by the Marina Manager in the event of an emergency.



CONTRACTOR ACCESS

The Berth-occupier is responsible for ensuring that any Contractor invited into the Marina complex has in accordance with the Marina's Health and Safety Policy, completed a Contractor Access Application Form and are registered and approved by the Marina.

The Berth-occupier must ensure and accepts responsibility to ensure that any contractor or tradesman invited into the Marina complex for the purpose of carrying out work on the Berth-occupier's vessel holds sufficient insurance to satisfy the insurance requirements of the Marina Management.

The Berth-occupier indemnifies and will keep indemnified the Marina Management against all actions, suits, claims, debts, obligations and other liabilities arising out the activities of any contractor invited by the Berth-occupier to work on the Berth-occupier's vessel.



DAMAGE TO THE MARINA

The Berth-occupier will be responsible for all damage to all Marina Property including docks, structures, pilings or property in the Marina and or vessels and persons using the Marina arising from any act or omission, neglect or default by the Berth-occupier or its agents, servants, contractors, employees or invitees relating to the use or storage of the vessel.

All incidents involving the damage to other vessels or Marina structures are to be reported to the Marina Manager as soon as practically possible.



VEHICLES

All vehicles must observe parking rules and speed restrictions as revised from time to time. Parked vehicles must display the appropriate Nelson Marina parking permit or proof of

payment to avoid incurring parking infringement notices.



VISITORS TO THE MARINA

Every Berth-occupier shall ensure that:

All of its invitees comply with the terms of this licence.

Any children under the age of 13 and for whom the person or its visitors are responsible, are accompanied by an adult.



LIEN

Nelson Marina shall have a right of lien or charge in respect of any vessel or other property in or about the Marina for the purpose of recovering all moneys due whether on account of non-payment of fees, debt collection cost incurred by the Licensor in respect of a licence, non-payment of other moneys due to Nelson Marina, recompensate for damage done, or otherwise howsoever.



INDEMNITY

The Berth-occupier shall indemnify the Marina Management against any loss, expense, legal liability, claims and costs incurred by the Marina Management arising as a result of the Berth-occupier's act or omissions or the acts or omissions of others to which the Berth-occupier has contributed or the acts or omissions of any person invited into the Marina by the Berth-occupier.



BERTH RENTAL LICENCE TO PREVAIL

The Marina Management may vary the rules by written notice to the Berth-occupiers. If there is any inconsistency between the provisions of the Marina Rules and the Berth Rental Licence, the provisions of the Berth Rental Licence shall prevail.



STANDARDS AND PRACTICES

Generally people must observe the standards and practices reasonable to be expected of a competent, reliable and considerate person in the Marina.

