

MARITIME TRANSPORT ACT 1994

NOTICE OF INTENTION TO DECLARE A MAJOR MARITIME EVENT

Pursuant to section 200A(3)(d) of the Maritime Transport Act 1994, I give notice that I have received from the

Auckland Regional Council

an application to declare the Louis Vuitton Pacific Series 2009 to be an event to which section 200B of the Maritime Transport Act 1994 applies for the period from 30 January 2009 to 14 February 2009 inclusive;

and that I intend to make a declaration to that effect by notice in the *New Zealand Gazette*.

Proposed area affected by the application

The area in respect of which the application is made is defined as follows:

General designated area

The area bounded in the north by an approximate east/west boundary between the north end of Takapuna Beach and Rangitoto Island around to an approximate north/south line from the Marine Rescue Centre to the North Shore. Between Rangitoto Island and Bastion Point the boundary passes to the north of Bean Rock lighthouse.

The exact positions of the boundary points for the area in respect of which the application is made are set out below. A map depicting the positions of the boundary points will be available at: <http://www.arc.govt.nz/environment/coastal-and-marine/harbourmaster/harbour-events.cfm>

Boundary Point	Latitude	Longitude
A	36 46.456 S	174 48.732 E
B	36 46.660 S	174 49.782 E
C	36 46.911 S	174 49.339 E
D	36 47.114 S	174 49.390 E
E	36 47.289 S	174 49.616 E
F	36 47.411 S	174 49.659 E
G	36 47.505 S	174 49.836 E
Special mark, Coastguard Bay		
H	36 47.693 S	174 49.989 E
I	36 47.804 S	174 50.183 E
J	36 48.250 S	174 50.282 E
K	36 48.347 S	174 50.357 E
L	36 48.563 S	174 50.844 E
M	36 48.545 S	174 51.295 E
N Bean Rock	36 49.995 S	174 49.872 E
O	36 50.510 S	174 49.605 E
P	36 50.661 S	174 48.885 E
Q	36 50.854 S	174 47.935 E
R	36 50.720 S	174 47.299 E
S	36 50.050 S	174 47.289 E
T	36 50.029 S	174 47.777 E
U Devonport Yacht Club jetty	36 49.885 S	174 48.220 E
V	36 49.799 S	174 48.400 E
W	36 49.820 S	174 48.601 E
X	36 49.766 S	174 48.777 E
Y	36 49.608 S	174 48.884 E
Z	36 49.524 S	174 48.891 E
AA	36 49.145 S	174 48.692 E
BB	36 48.892 S	174 48.508 E
CC	36 48.607 S	174 48.024 E
DD	36 48.210 S	174 47.965 E
EE	36 48.045 S	174 47.820 E
FF	36 47.967 S	174 47.534 E
GG	36 47.808 S	174 47.251 E
HH	36 47.259 S	174 46.619 E

Race course areas

Within the general designated area defined above there are four possible race courses. Each course is diamond shaped and 1.54 nautical miles long and 1.54 nautical miles wide. The exact positions of the boundary points for each course will vary as courses will be rotated depending on the wind direction on race day. The centre points from which each course will be rotated are as follows:

Course	Centre point - Latitude	Centre point - Longitude
Blue	36 47.445S	174 48.396E
Green	36 48.475S	174 49.324E
Red	36 49.465S	174 49.659E
Black	36 50.319S	174 48.352E

Proposed conditions and requirements

General designated area

Within the area defined above, the following conditions and requirements will apply:

- All vessels not subject to an exemption issued by the Auckland Regional Council's Harbourmaster are restricted to a maximum speed of 12 knots;
- No vessel may approach within 100 metres of any regatta yacht;
- Recreational and smaller commercial craft may transit the general area to which the application applies (excluding any race course in use) freely when entering or leaving the harbour, or observing the racing from a safe distance; and
- The wake provisions of the Auckland Regional Council Navigation Safety bylaw 3.25 will apply at all times. This may mean that recreational vessels will need to reduce their speed below the 12 knot maximum to comply in the vicinity of the race course in use.

Race course areas

The race course to be used on any given day will be publicly announced on an appropriate designated VHF channel, and other associated VHF sports channels. The boundaries of the course in use will generally be marked by buoys and anchored launches with flags but specific details of boundary markings will be publicly announced via a supplement published in the *New Zealand Herald* prior to the regatta. Additional supplements will also be available to the public.

Inside the race courses it is proposed that the following rules will apply:

- Only competing yachts, vessels used by the Race Committee, umpires and marshals, emergency vessels and vessels accredited by the event organisers or the Auckland Regional Council's Harbourmaster may navigate within the race course area during the period of racing operations for that day;
- Scheduled ferry services transiting the race area will, when necessary, and in agreement with the operating companies, be routed around the designated race areas for the day; and
- All vessels must be navigated in accordance with Maritime Rule Part 22: Collision Prevention.

Other conditions and requirements

When the red course is in use all vessels must remain outside the lines of yellow Harbourmaster buoys that will demark the boundaries of the red course and areas of shallow water.

The following applies to all areas specified above:

The Auckland Regional Council may:

- Order the suspension or abandonment of racing operations if, in the opinion of the Auckland Regional Council's Harbourmaster, adequate levels of public safety cannot be guaranteed. This power will be exercised in consultation with the New Zealand Police, the event organiser and Ports of Auckland Limited.
- Specify and vary conditions and requirements for the day-to-day management and conduct of activities within each area, for the purpose of protecting the safety of the public and competing yachts.

On race days the co-ordination and management of commercial shipping in Waitemata Harbour will be conducted jointly between the Auckland Regional Council's Harbourmaster; the Race Committee; and the Shipping Operations Supervisor and Senior Pilot, Ports of Auckland Limited, in order to minimise any potential conflict between commercial shipping and operations surrounding the Louis Vuitton Pacific Series 2009.

Proposed hours of operation

The proposed general hours of operation for the area covered by the proposed application are 0700 to 1900 hours (New Zealand Daylight Time) for the entire period covered by the proposed application. These hours are subject to change and will be determined on a daily basis and notified to the public in advance. The specific hours of operation will be announced on public broadcasting and marine communication channels.

Means of enforcement

Compliance with the above conditions and requirements will be enforced by appointed enforcement officers, as defined in section 200B(6) of the Maritime Transport Act 1994.

Under section 200B(5) of the Maritime Transport Act 1994, any person in charge of a ship, craft or seaplane who contravenes this notice commits an infringement offence and is liable to the relevant penalty prescribed in the Maritime Transport (Infringement Fees for Offences Relating to Major Maritime Events) Regulations 1999.

Application to enforcement officers

Enforcement officers may, in the course of their duties, be exempt from rules or conditions applying in respect of the areas to which the notice applies but must at all times navigate in accordance with Maritime Rule Part 22: Collision Prevention.

Comments on this notice

Any person may forward written comments on this proposal to –

Nicola Straker
Ministry of Transport
PO Box 3175
WELLINGTON 6140

or by email, n.straker@transport.govt.nz

provided such comments are received no later than 5 pm on Monday 12 January 2009. Comments are submitted on the presumption that they will be made public. If submitters do not wish this to occur, a statement to that effect should be made.

Dated at Wellington this 9th day of December 2008.

HON STEVEN JOYCE Minister of Transport