

THE FAR NORTH DISTRICT COUNCIL

MOORINGS CHARGES BYLAW 2002

Issued: 02 August 2002

To come into force as from: 10 August 2002

For the purpose of: imposing charges payable by persons who use or have the right to use pile or swing moorings within any coastal marine area that adjoins the district of The Far North District Council

MOORINGS CHARGES BYLAW 2002

BYLAW of The Far North District Council made in pursuance of the powers and provisions contained in the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992, the Local Government Act 1974, and every other enabling power and authority.

PART 1

1. **SHORT TITLE**

The short title of this bylaw shall be The Far North District Council Moorings Charges Bylaw 2002.

2. **EFFECTIVE DATE**

This bylaw shall come into force on the 10th day of August 2002.

3. **INTERPRETATION**

In this bylaw the following words and phrases shall have the meaning hereby assigned to them, unless there is something in the subject matter or in the context inconsistent with such meaning:

"Agent" means any person or company appointed by the Far North District Council to collect charges on behalf of the Far North District Council:

"Coastal marine area" means a coastal marine area as defined in section 2 of the Resource Management Act 1991:

"District Council" means The Far North District Council:

"Mooring" means any weight or article placed in or on the foreshore, or the bed of a harbour, navigable lake, navigable river, or the sea for the purpose of securing a vessel, raft, aircraft, or floating structure; and includes any wire, rope, buoy, or other device attached or connected to such weight or article, but does not include an anchor which is normally removed with a vessel, raft, aircraft, or floating structure when it leaves a site or anchorage:

"Regional Council" means The Northland Regional Council:

PART 2

MOORINGS CHARGES

4. The District Council imposes the charges set out in the First Schedule to this Bylaw, such charges being payable by persons (other than the District Council or Regional Council) who use or have the right to use any pile or swing mooring within any coastal marine area that adjoins the district of the District Council. The District Council may alter these charges from time to time by resolution publicly notified.
5. Any such charges may be collected by an agent on behalf of the District Council; and the agent shall specify in its invoices that the charges are being collected on behalf of the District Council.
6. Upon receipt of the charges specified in the First Schedule the District Council or its Agent will issue to the mooring user an appropriate receipt as proof of payment.
7. Where any such charges are collected an agent on behalf of the District Council pursuant to clause 5 of this Bylaw then the agent shall be entitled to retain an amount as may be agreed from time to time, as an administration charge.
8. The charges imposed under the authority of this bylaw shall be applied by the District Council for the purpose of wharf, jetty or pontoon maintenance, or the provision or maintenance of facilities or services that are or will become available for the use of persons using vessels entitled to use the moorings, and not for any other purposes.
9. The list of facilities whose costs shall be taken into account in determining the moorings charges shall be as follows:

Clansman Pontoon	Whangaroa Harbour
Marlin Pontoon	Whangaroa Harbour
Marlin Wharf	Whangaroa Harbour
Mill Bay Jetty	Mangonui Harbour
Waipapa Jetty	Bay of Islands
Kerikeri Jetty	Bay of Islands
10. In determining the amount of such charges the Council shall have particular regard to section 122F of the Local Government Act 1974.

FIRST SCHEDULE

The charges payable pursuant to clause 4 of this Bylaw shall be as follows:

For the period from 10 August 2002 to 30 June 2003 and for subsequent years
(unless altered by Council resolution):

\$25.00 (GST inclusive) per pile mooring or swing mooring.

The Far North District Council made the foregoing bylaw by resolution passed on the 2nd
day of August 2002, and ordered to come into force on the 10th day of August 2002.

THE COMMON SEAL OF THE)
FAR NORTH DISTRICT COUNCIL)
WAS HERETO AFFIXED IN THE)
PRESENCE OF:)

(Mayor)

(Chief Executive Officer)