

Decree No. 2022/ 50

**Designation of parts of the Minervahaven, Nieuwe Houthaven and Houthaven as an area where, with effect from 16 January 2023, moored ships, on the ground of the Regional Port Bye-laws for the North Sea Canal Area 2019, are prohibited from using a generator and/or operate a main and/or auxiliary engine.**

The Director of the Central Nautical Management North Sea Canal Area

**Having regard to:**

- Article 4.2 of the Regional Port Bye-laws for the North Sea Canal Area 2019, which provides that the Mayor and Aldermen may designate areas where inland ships are prohibited from using a generator or a main or auxiliary engine on board their ship;
- The Mandate of Nautical Powers Decree of the Mayor and Aldermen of the Municipality of Amsterdam, dated 3 December 2019, published on 3 January 2020, on the basis of which the Director of the Central Nautical Management North Sea Canal Area is authorised to designate these areas on behalf of the Mayor and Aldermen;

**Whereas:**

- The Director Central Nautical Management North Sea Canal Area is authorised, on behalf of the Mayor and Aldermen, to designate areas where it is prohibited to use a generator on board an inland ship;
- The jetties on the north side of the Minervahaven, the jetty in the Nieuwe Houthaven, and the north side of the Houthaven have been made suitable for and can be used by inland ships;
- A large number of houses have been built in the vicinity of these locations;
- Moored inland ships use on-board generators as well as their main and auxiliary engines for on-board power supply;
- The use of these generators and/or auxiliary and main engines causes noise pollution as well as deterioration of the air quality and thus causes a public nuisance and/or inconvenience to local residents;
- Local residents suffer public nuisance and/or inconvenience from this;
- Several complaints have been lodged with the Port of Amsterdam due to this public nuisance and/or inconvenience;
- In the immediate vicinity of the jetties on the north side of the Minervahaven, of the jetty in the Nieuwe Houthaven and on the north side of the Houthaven, shore-based power facilities (shore power cabinets engineered as electrical switch boxes) have been installed for the benefit of inland ships which are or wish to be moored there;
- Moored inland ships can use this shore-based power facility as an alternative to their own energy supply (batteries);
- The purpose of this Decree is to designate areas where moored inland ships are prohibited from using a generator, main engine and/or auxiliary engine.

**Has decreed the following:**

- I. To designate the areas in the Minervahaven, the Nieuwe Houthaven and the Houthaven where, with effect from 16 January 2023, moored ships are prohibited from using a generator, main engines and/or auxiliary engines.

- II. This Designation Decree concerns the areas indicated in Appendix N0676\_v02, dated 5 December 2022. This Appendix forms part of this Designation Decree.
- III. This Area Designation will come into effect after its publication in the Municipal Gazette;
- IV. This Designation Decree will also be published as an Announcement to Shipping IJmond North Sea Canal Area Central Nautical Management (*BASIJN*);
- V. This Designation Decree may be cited as Decree designating areas in the Minervahaven, Nieuwe Houthaven, and Houthaven where moored ships are prohibited from using a generator and/or operate a main and/or auxiliary engine.

Thus adopted on behalf of the Mayor and Alderman on 01 January 2023

The Director of the Central Nautical Management North Sea Canal Area

J.H.M. Mateyo

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*CC Port Office DHM  
Politie Team Water Havens (Police Marine Ports Team)  
Politie landelijke eenheid afdeling IJmond (Police Central Unit IJmond)  
Sector Schellingwoude  
Province of North Holland  
Stichting Waternet (Water company Waternet)  
Koninklijke Schuttevaer (interest group for inland skippers)*

*Please Note*

*In accordance with the Algemene Wet Bestuursrecht (the Dutch General Administrative Law Act), an interested party can lodge a notice of objection against a Decree within six weeks after publication. The notice of objection must be addressed to: Burgemeester en Wethouders van Amsterdam, Postbus 202, 1000 AE AMSTERDAM. The notice of objection must be signed and must contain at least the name and address of the person lodging the objection, the date, a description of the Decree against which the objection has been lodged as well as the grounds for objection. If you are represented by a third party, the third party must produce an authorisation.*

*You can submit an objection online [www.amsterdam.nl/bezwaar/jb](http://www.amsterdam.nl/bezwaar/jb). For this option you will need a DigiD (a digital personal identification).*

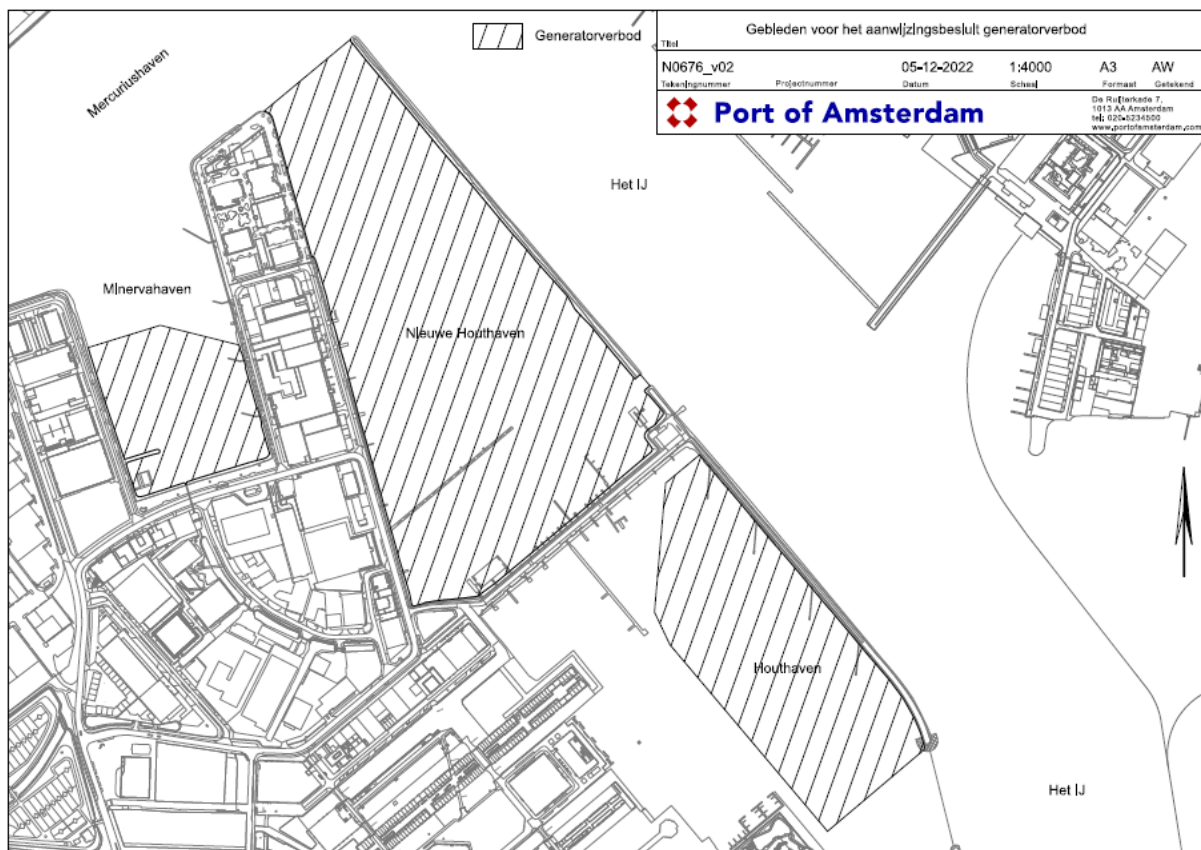
*The notice of objection has no suspensive force. If, pending the objection procedure, the situation requires a suspension or immediate relief, an application to grant suspension or provisional relief can be submitted to the judge in preliminary relief proceedings of the Rechtbank Amsterdam, Sector Bestuursrecht, afdeling lopende voorzieningen, Parnassusweg 226, Postbus 75850, 1070 AW AMSTERDAM.*

*You can also submit the application digitally at <https://loket.rechtspraak.nl/bestuursrecht>. For this option you will need a DigiD (a digital personal identification). Please visit the above-mentioned site for more information.*

*Filing an application for provisional relief is subject to court fees.*

**Appendix:**

**Areas for the Decree designating parts of the Minervahaven, Nieuwe Houthaven, and Houthaven as areas where moored ships are prohibited from using a generator and/or operate a main and/or auxiliary engine; number N0676\_v02, dated 05 December 2022**



**Explanation**

The Regional Port Bye-laws for the North Sea Canal Area 2019 were adopted by the municipal council of Amsterdam on 9 October 2019 and came into force on 4 January 2020 (Municipal Gazette No.43, dated 04 January 2020). The Bye-laws, which apply throughout the North Sea Canal area, contain rules and regulations to promote good port management, including the order, the safety and the environment of the port and the port's surrounding areas.

Section 4 (Safety and the Environment in the Port), article 4.2, includes the prohibition to use a generator, main engine and auxiliary engine. In accordance with article 4.2, paragraph 1, the Mayor

and Aldermen may designate areas where inland ships are prohibited from using an on-board generator or a main and/or auxiliary engine.

The jetties on the north side of the Minervahaven, the jetty in the Nieuwe Houthaven, and the north side of the Houthaven have been made suitable for the use by inland ships. Inland ships use these jetties as a lay-by for the purpose of waiting for cargo, taking supplies, preparing for the next voyage, or for other reasons.

Inland ships use their on-board generator for household appliances such as the freezer/fridge and for lighting and heating.

The use of generators and/or engines causes a lot of noise nuisance to people living in the neighbourhood. Complaints about this have also been received by Port of Amsterdam. Moreover, a large number of houses have been built in the vicinity of these jetties. The Director of the Central Nautical Management North Sea Canal Area has therefore decided to provide these jetties with shore-based power facilities for the benefit of inland ships which are or wish to be moored there.

These facilities consist of shore power cabinets (switch boxes) containing several connections. Using shore power will eliminate noise and odour nuisance from running generators. It will also reduce pollution due to particulate matter and CO<sub>2</sub>.

To prevent the use of other on-board engines, such as the ship's engine, a mobile welding generator, or an engine-driven pump, the prohibition also includes the use of a main engine or an auxiliary engine. At these berths/jetties, ships must switch off all their engines as soon as possible after the mooring has been completed.