

OPEN

MINUTE ITEM

ATTACHMENTS

Ordinary meeting of the
Planning and Regulatory Committee

Thursday 22 August 2019
Commencing at conclusion of ordinary Committee meeting -
Deliberation on submissions to Navigation Safety Bylaw Review
Council Chamber

Civic House

110 Trafalgar Street, Nelson

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Navigation Safety Bylaw

Presentation to assist deliberations 22/8/19

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Main Changes - lifejackets

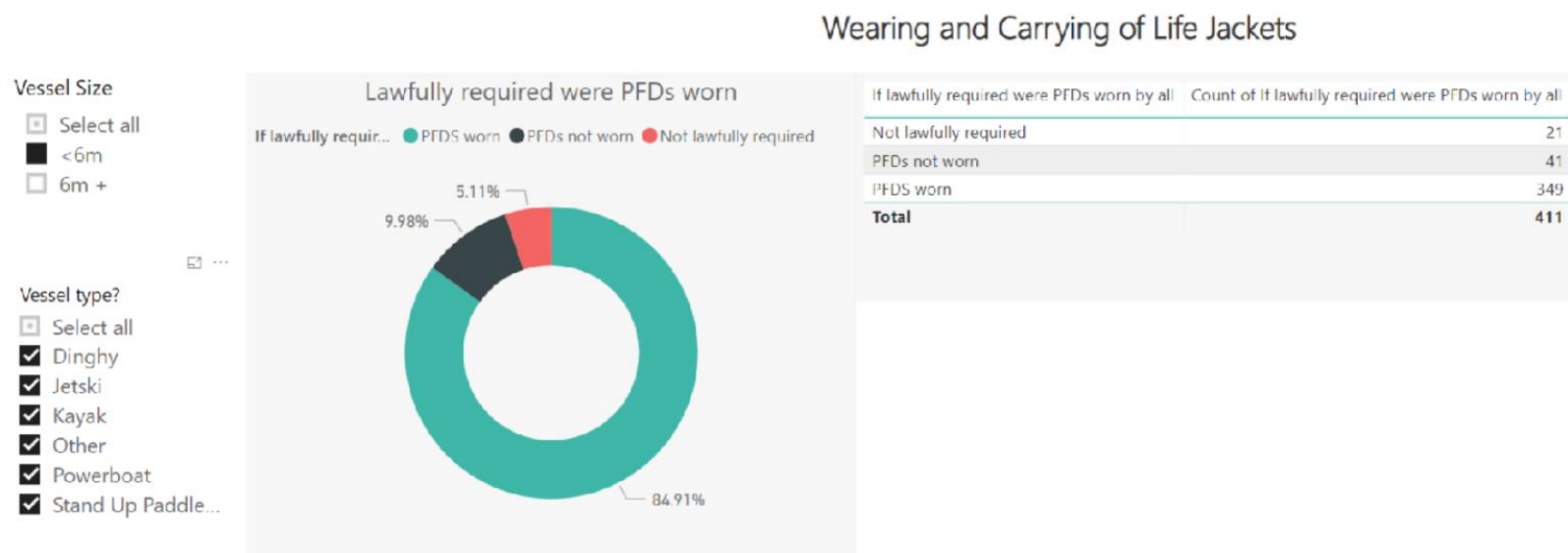
Proposed change (2.7)

- Require people in vessels up to 6m to wear lifejackets/ personal floatation devices
 - Except when sleeping, diving with wetsuits/drysuits or surfing

Why

- Safety – most drownings in boating accidents involve vessels under 6m and most accidents occur suddenly with no warning
 - Only a third of people in control of a vessel have completed either a day skipper's course or boatmasters course

Summer survey results



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- Two thirds of boating fatalities are preventable by the wearing of lifejackets – Maritime NZ
- Lifejackets can only save lives if they are worn. They are very difficult to put on in the water.
- Small boats can capsize when windy and the sea is choppy. Weather can change quickly.
- Past overseas studies show with the wearing made compulsory, deaths dropped by two thirds and wearing at least tripled.



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Label buoys and visible

Proposed change (2.16)

- Require marker buoys to be labelled and at least 50% afloat
 - The Bylaw already requires devices not to mimic navigation aids **or** permission from the harbourmaster is required before placing the device

Why

- Buoys can come adrift in storms and become a hazard themselves should they start to sink
 - The labelling enables the harbourmaster to inform the owner what action is required to stop it becoming a hazard

Close areas of the harbour

Proposed change (2.19)

- Harbourmaster may close specified areas of the harbour

Why

- Collision prevention – certain activities may need water users to keep away from a specified area
 - For navigation safety purposes only, not commercial reasons



Registration

Proposed change (2.26)

- Require vessels to be registered with the Council
 - Except when the vessel identifying name or number is already registered by other means - trailer registration or Yachting NZ

Why

- The current Bylaw requires vessels to be identified (like many bylaws in NZ). Identifying the vessel serves no purpose. Identifying the owner of the vessel may result in more efficient search and rescues



Person in charge

Proposed change (2.27)

- Require a person in charge of the vessel to be identified

Why

- Safety – this reinforces responsibilities for the safe operation of the vessel and everyone on board



Communication

Proposed change (2.28)

- Require two forms of communication (one if vessel is less than six metres)

Why

- Safety – most accidents occur suddenly with no warning, adequate communication is needed to raise the alarm

Appropriate communication



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The National picture

- Maritime rules apply to everywhere in NZ waters. **Part 91** rules set basic navigation standards that can be enforced by harbourmasters and regional council enforcement officers.
- The Maritime Transport Act 1994 allows regional councils to make navigation bylaws that are consistent with these rules.
- Bylaws can be reviewed more frequently than national rules and are updated to align with current safety practices

Consistency?

Harbourmaster Special Interest Group -
 work collectively;
 support MNZ lobby MoT for
 national rule changes;
 support bylaw changes in interim

Regional variances due to timing of reviews
 and whether current safety practices are
 adopted

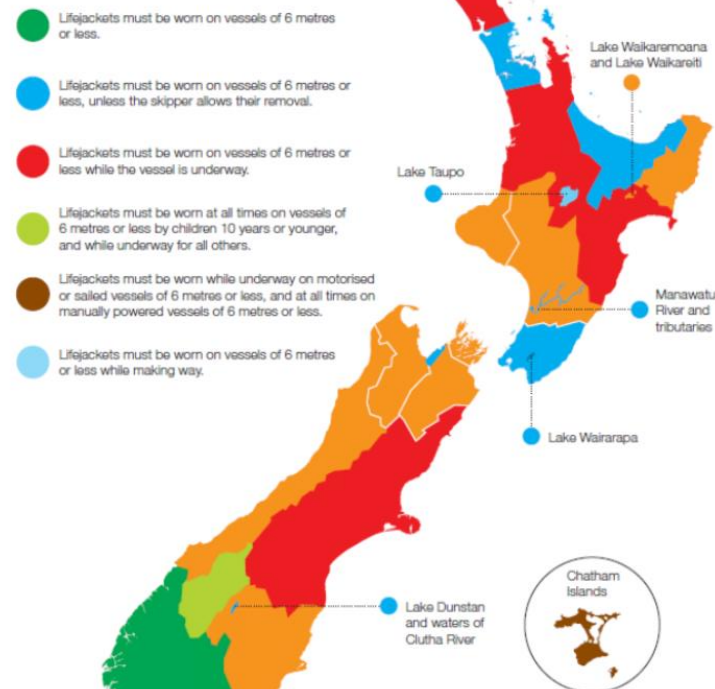
Delay in updating a bylaw until regional
 consistency is achieved carries risk of an
 incident occurring that could have been
 prevented

Lifejacket requirements: The national rule and local bylaws

The national rule

- There must be enough lifejackets for each person on board at all times. Lifejackets must be worn at the instruction of the skipper. (Rules Part 91).

Local bylaws



* Refer to actual bylaw for full details of the rules.

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The local picture

- Police intervention and rescue incidents (TOTS):
 - 2019 - 15
 - 2018 - 30
 - 2016 - 50
- NCC harbourmasters have been involved in 12 successful search and rescue operations and conducted over 3000 safety checks between 2017-2019
- Proposed amendments do not hinder yacht club events

Miscellaneous matters

- Biosecurity elements are not strictly navigation safety matters and are best dealt with under the specific regulations