

Submission in respect of the Navigation Safety Bylaw – review of clause 2.17 and schedule 7.1.5 under Local Government Act 2202

Submitter: Full name

Address:

Phone: Work

Home

I wish / do not wish to be heard in respect of my submission

Signature:

Occupation:

Date:

This submission relates to Clause 2.17 Visibility of kayaks and paddle craft.

I wish to make a submission on the proposed change to the Bylaw:

1. I believe that due process was not followed in the promulgation of the Bylaw and I would prefer to see this law abolished.
2. I believe strongly in the following:
 - a. A law should only be put in place where there is need – there have only been 2 fatalities involving a collision with a kayak over a very long period, so I do not believe there is a need.
 - b. I believe that kayaking and paddle craft organizations make a great effort to educate their members in water safety which includes visibility and seamanship on the water. This is supported by Coastguard, Maritime NZ, Water Safety etc. In addition boating organizations instil in their members the International Collision Regulations and the basic rule is keeping a good lookout on the water. This basic international rule should not be altered by a local body bylaw.

In the unfortunate situation where the law is not repealed then I wish to suggest that it be better worded:

3. That successful alternatives already used by conscientious safety conscious paddlers be offered in terms of improved day time visibility, so that where the bylaw reads kayakers shall wear “highly visible clothing or a highly visible PFD suitable for contrasting with the visibility conditions at the time,” it should be replaced with
“By day, taking at least one of the following actions:
 - i. paddling a brightly-coloured kayak or paddle craft;
 - ii. wearing a brightly-coloured PFD or paddle jacket;
 - iii. exhibiting a brightly-coloured flag on a small mast.
4. That thought is given to night lighting and that the following is taken into consideration:
 - i. Kayakers often paddle in groups for safety and a 2 nautical mile all-round white light will decrease paddler night vision and therefore their ability to keep a safe lookout and comply with the International Collision Regulations.
 - ii. That such a 2 nautical mile all-round white light is expensive – thereby making night paddling an exclusive exercise for those that can afford them.

- iii. That a certain company manufacturing these lights has a pecuniary interest in promoting their use, specifically by motivating for this clause to be included in the by-law.
- iv. That such a 2 nautical mile all-round white light is heavy and unsuited to lightweight paddle craft such as skin-on-frame kayaks that would be rendered unstable (whereas the current practice for these craft of a less energy consumptive all-round white light mounted on the paddlers back does not)
- v. That such a 2 nautical mile all-round white light requires mounting on aft deck bungees not present on surf skis or life saving skis
- vi. That such a 2 nautical mile all-round white light as manufactured by Hella is mounted on a heavy gauge pole that would be seriously dangerous to a kayaker coming ashore in surf if he were to capsize – the pole might spear the body and cause serious harm;
- vii. That currently used all-round white lights can be augmented by the carrying of a strong torch that can be directed towards oncoming vessels if deemed necessary to warn of kayaks ahead.

So few kayaks / paddle craft have been involved in collisions – why single out this group for a by-law?

Let's rather put limited resources into education and the support of good work being carried out by paddle clubs and NGO's.

Thank you for the opportunity to make this submission. May good sense and the Kiwi way guide you to a sensible decision.