

## Attachment H – Key themes and rationale from submitters by topic

### Section 1

Key themes and rationale from submissions regarding the proposed extension to the existing Kawarau Dam access lanes

Respondents who supported all or some of the proposed amendments:

- That a compulsory radio call added before traversing the bridge.
- That 'river left, left of the islands' (in the vicinity of the Kawarau Dam), be reserved for kayaking.
- User conflict between vessels and swimmers. Signage or information about no swimming needs to be installed.
- This area is important for whitewater kayaking. Consideration should be given to non-motorised only lanes that enable users to surf standing waves without risk of collision.

Respondents who opposed the proposed amendments:

- The access lane is too close to shore where there are moored boats and blind spots.
- The access lane be amended to stop before the tree located at the western side of the proposed access lane.
- This area is highly popular with swimmers, particularly near the tree with a rope swing and ladder.
- That a speed limit or other controls be applied within the upstream access lane to ensure the safety of those swimming in the area.
- Commercial jet boat use be restricted to the centre of the lake where there is less wash and potential for conflict with recreational lake users (including kayaks, boards and little sailboats), and better noise attenuation to the shore.
- That the access lane size be restricted to areas that are strictly necessary.

### Section 2

Key themes and rationale from submissions regarding the proposed amendments relating to vessel identification

Respondents who supported all or some of the proposed amendments:

- Will encourage public reporting of poor behaviour and other navigation safety issues, more effective enforcement and rescue efforts.
- Identification is common in other regions.
- Concerns related to compliance and uptake lag time.
- Concerns related to compliance of existing forms of identification and whether or not vessel owners will need to update existing forms of identification.
- Vessels such as kayaks should not be subject to identification requirements.
- Cameras should be used to capture those who are operating in an anti-social way.
- May change general attitudes and behaviours on the water.
- Vessels from outside of the district may be difficult to enforce.

Respondents who opposed the proposed amendments:

- That all vessels (powered and non-powered) should be required to be identifiable, not just those 6 metres or longer.
- Costs for vessel owners and administration costs.
- Impacts on the appearance of vessels.
- Alternative forms of identification should be considered, such as a vessel ownership card or licence.
- Insufficient explanation to support the waterway incidents and complaints that Council is trying to solve.
- Concerns about the timeframe for vessel owners to achieve compliance.
- Education should be considered ahead of enforcement and new identification requirements.
- A national system be relied on.
- Clause 18.1 be amended to remove the reference to needing to be read by the harbourmaster from a distance of 50 metres
- That the rules be amended to require vessel identification to be on one side of a vessel only.

### **Section 3**

Key themes and rationale from submissions regarding the proposed amendments relating to communication devices

Respondents who supported (or supported with other suggestions) the proposed amendments:

- The amendments are essential and would improve water safety.
- Best practice for safe and responsible boating.
- An approach that is commensurate to context is supported.
- Consider adding other devices, such as Automatic Identification System (AIS) devices to avoid collisions.
- The cost to vessel owners should be subsidised.
- Concern that audio/visual devices may not be effective to show distress.
- Satellite phones should be considered as part of the requirements.
- Use of VHF messages should be considered as a requirement to ensure that instant and wide signals are sent.
- Adjusting the requirement to one per group for paddle powered craft under 6 metres.
- Education at boat ramps is a good option to ensure compliance.

Rationale from those respondents who opposed the proposed amendments:

- A self-governance approach should be applied.
- The number of devices required should correspond to the number of people on board i.e. only one person - one device, two people or more – at least two devices.
- Better communication infrastructure is needed to ensure all forms of communication work across the district's waterways.
- Use education rather than regulation.
- Overly onerous on certain watercraft.

- That communication equipment should only be required when exceeding either 3km (or a distance to be determined) from the lake shore or when not visible from the lake shore.
- Only one form of communication be required.
- Costs to vessel owners.
- Devices should not be required for Lake Hayes and the Frankton Arm.
- That the 50 metre exemption zone be increased to 200 metres.
- Proposed clauses 19.3, 19.1 and 19.2 should not apply to a person participating in a wind sport activity within a declared recreational wind sport zone operating no more than 400m from the beach.
- That clause 19.3(b) be amended to read 'a person in charge of a non-powered vessel being operated within 50 metres of [another person with communication equipment or] the shore of a lake where they can communicate with a person using their voice or a whistle'.

#### **Section 4**

Key themes and rationale from submissions regarding the proposed amendments relating to temporary events

Respondents who supported all or some of the proposed amendments:

- Some events are weather dependent and occur with very little notice making it difficult to get approval. Timeframes for approval should be considered.
- Event organisers should have the right to appeal decisions made under the clauses.
- The process for considering events needs to be responsive and proactive.
- Concerns related to discretionary decision-making powers, the mechanism of approval and potential conditions.
- That an additional amendment be made to the clauses so 'that all commercial lake operators must be notified of any upcoming events on the water prior to the event by at least two weeks'.
- That the need to notify the Harbourmaster should be more specific rather than a blanket approach.
- That temporary waterway events clauses be amended to remove the need for approval from the Harbourmaster if an event is to occur in an already dedicated reserved area for that sport, and that 'reserved areas' be created for wind sports (sailing, foiling, etc.).
- That the temporary waterway events clauses be amended to add biosecurity as one of the matters over which the Harbourmaster can exercise discretion to require an approval of a temporary activity in Clause 33.

Respondents who opposed the proposed amendments:

- All events should be publicly notified.
- Jet boat races on the Clutha River / Mata-Au should only occur below the Albert Town bridge due to excessive noise and conflict with all the passive users.
- The current rules are sufficient.
- Unnecessary restrictions.

## Section 5

Key themes and rationale from submissions regarding the proposed amendments relating to Albert Town Bridge jumping

Respondents who supported the proposed amendments:

- A safety issue exists that could cause harm if not managed, and the proposed amendments offer a balanced, pragmatic approach that does not ban jumping while improving safety.
- Additional safety measures should be considered (i.e. jumping platform, water depth indicator, signage, barrier to prevent jumpers crossing the road), straining trees downstream of the Albert Town Bridge be removed, and relocating the nearby boat launching ramp.
- That all powered craft be excluded from the outlet to the Albert town bridge.
- Non-powered vessels should also use the passage lanes.
- Signage, education and enforcement will be important aspects of the proposed approach.

Respondents who opposed the proposed amendments:

- Jumping is a long-held tradition, and the proposed amendments will adversely impact this recreational opportunity.
- Jumping will continue despite intervention.
- Banning jumping all together would be more effective.
- The proposed amendments are not necessary due to a lack of incidents, accidents and drownings.
- NZTA Waka Kotahi would consider jumping illegal, and as such does not need to be addressed in the bylaw.
- There are fewer vessels during peak jumping periods due to existing bylaw clauses.
- The passage lanes push vessels closer to the boat ramp.
- Non-powered vessels should also have to use the passage lanes.
- The clauses should also specify where people can jump from, that no swimmers should cross the passageways, and no one should jump while vessels are approaching the passageways.

## Section 6

Key themes and rationale from submissions regarding the proposed amendments relating to vessel speed interpretation

Respondents who supported the proposed amendments:

- Enforcement of the clauses will be important.
- A low-speed zone on the Clutha River / Mata-Au from the lake outlet to below the Cardrona River confluence be introduced to reduce risk to swimmers/jumpers and noise issues.
- Some rivers and vessels enable travel at displacement upstream while being less than 5 knots with respect to the ground. While safe, this may be contrary to environmental or other considerations associated with a lack of uplift on that stretch of river. Conversely, downstream speeds may be excessive with respect to the ground (i.e.

faster than 5 knots) which may cause perception issues with the public, or safety issues with static objects in or above the water.

Respondents who opposed the proposed amendments:

- A complete ban of powered craft on the Clutha River / Mata-Au.
- The bylaw should not contain speed limit exceptions.
- If a vessel can't make it up the river at 5 knots then it shouldn't be there.
- Potential safety concerns with passive users.
- The current speed restrictions are suitable.

## **Section 7**

Key themes and rationale from submissions regarding the creation of a speed uplifting for the Clutha River / Mata-Au for commercial vessels

Respondents who supported the proposed amendments:

- Concern relating to swimming holes along the Clutha River / Mata-Au.
- Jet boats should not be allowed to travel during the summertime busy season.
- Education and enforcement will be important for vessel owners.
- The uplift relates to a crucial area and time for the commercial operators to have access to and from Lake Wānaka.

Respondents who opposed the proposed amendments:

- Concern for impacts on other recreational activities, such as angling.
- Commercial powered craft should be prohibited from the outlet to Albert Town bridge all year round. This would be easier to enforce and address conflicts between powered vessels and other users that create safety issues.
- Noise remains a problem to others walking and cycling the outlet track.
- The amendment encourages private vessels to operate in the same way.
- Detracts from the enjoyment of the area for other users.
- The rules should be the same for all users regardless of whether it's a business or private user.
- Clause 37.2 should be returned to the original permanent speed uplifting for the Clutha River as previously gazetted 3 February 1990<sup>1</sup>.

## **Section 8**

Key themes and rationale from submissions regarding the regarding the proposed minor corrections

Respondents who supported all or some of the proposed amendments include:

- The Bobs Cove ski lane is not illustrated on any of the draft bylaw maps.
- Concerns that some of the amendments (among other in the draft bylaw) will impact recreational opportunities and increase costs for vessel owners.

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<sup>1</sup> 'Between 1 December and 30 April no Commercial Vessel may proceed at any speed exceeding 5 knots in the area between the Outlet Camping Ground (GPS -44 39 45 N, 169 08 55 E) and the Albert Town Bridge (GPS -44 40 51 N, 169 11 26 E) unless expressly authorised to do so by a resource consent issued by Council'

- Lake Johnson is misspelt in the draft bylaw.
- Concern regarding priority given to commercial users.

Respondents who opposed all or some of the proposed amendments include:

- More engagement is needed on the minor amendments.