

YNZ Submission on the proposed Waikato Regional Council Navigation Safety Bylaws 21 February 2013

Submitted online

While YNZ is aware that these rules will be applied reasonably by local authorities, YNZ feels it is still important to highlight areas of concern in the wording of the proposed bylaws and any unintended consequences. With these types of regulations if read or applied by people not taking a practical approach to their application could bring about a negative impact on yacht club activities and their members ability to safely enjoy their sport, or find them liable in the event of an accident. I understand there is a separate document outlining the implementation of the bylaws however the wording in the bylaws forms the legal baseline.

2.4 Speed of Vessels

YNZ feels that that the exemption given to YNZ affiliated clubs under 2.4.4 (b) and 2.5.4 (b) should also extent to 2.4.1 (g) and 2.5.1 (g) as often for safety reasons vessels may need to exceed the 5 knot limit on Lakes such as Lake Ngaroto. The addition of 2.4.1 (g) and 2.5.1 (g) is sweeping and effects clubs operating sail training and racing.

2.4.5 (f) should also include support vessels for sailing. The same should apply for 2.5.5 (f).

2.8 Communication

The way that the bylaw is written, it requires all vessels to carry on board a means of communication. The bylaw leaves no room exception and reads over the top. Almost all sailing dinghies sailing from yacht clubs will not carry a communication device, nor do YNZ deem it necessary for them to do so. They are accompanied by rescue boats which will have a communication device. MNZ accept that an acceptable communication method for these sailors is making a distress signal with their hands.

YNZ suggest there should be an allowance made for these types of situations and is happy to discuss with Waikato Regional Council some wording around this.

5.6 Temporary Event Permit

I understand the intent of this bylaw is to help manage events that require exclusive use of an area. However as written it would require yacht clubs running any race to require a permit. Again, I understand that the council does not intend to seek that club should apply to run their Sunday racing, but the mechanism is there in the bylaw if it goes through as written and the council change its position then clubs would be in major strife, therefore NZ must object to the bylaw as written.

YNZ suggests a clause that exempts yacht clubs from this bylaw (with suitable conditions). It is not our intention that clubs would not have to comply if the council granted a temporary permit for a non-club event in the same waters i.e. if a powerboat race was to take place near where a yacht club sails, the club should make reasonable allowance as not to interfere with the event.

Wearing of PFD's in all vessels under 6m in length

Waikato Regional Council should adopt the view being taken by Maritime New Zealand and accept lifejackets/PFD that displays a recognised international safety mark rather than limiting its rules to those certified in New Zealand. Wording used in the YNZ Safety Regulations of Sailing 2013-2016: "PFD's, lifejackets and lifebuoys complying with specifications issued or approved by: (ii) a standards

organisation or certification authority recognised for the purpose by its respective government, will be accepted by YNZ provided the device bears an official mark certifying compliance with the relevant standard, and the device is used within the category of use for which it was certified, and the device is in sound condition in accordance with the specification within which it was certified.

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