

29 September 2017

Kevin Strickland
164 Barnett Ave, Best Island
RD1 Richmond 7081

Dear Kevin,

**NAVIGATION SAFETY BYLAW¹: TEMPORARY RESERVATION OF THE TRAVERSE,
(HUNTER BROWN), 08 OCTOBER 2017.**

I refer to your application received on the 28th September for a reservation of the Traverse for a rowing event associated with the Masters Games between 10:00 and 14:00 hours on 08 October 2017.

I note that you expect to have around 30 competitors at the event. I am pleased to advise that your application for a reservation has been approved between 10:00 and 14:00 hours on the 08th October 2017. This approval has been made solely on the basis of your written application and any subsequent information obtained from you as the event organiser. If you have not provided all relevant information this approval may be revoked at any stage.

The event or activity may only occur if it is carried out in accordance with:

1. information in the application and safety plan provided, and
2. the event approval conditions imposed by Council below.

If there is conflict between this approval and your safety plan, the conditions imposed by Council shall apply.

If a Harbourmaster (or representative) is observing the event, the Harbourmaster (or representative), or Council, in no way takes responsibility for managing the event's risk. If the Council representative deems the event organiser is not managing the event risk adequately, the Council representative will intervene. If this occurs, it is possible that the event will be suspended until further notice.

This approval and associated conditions have been granted in accordance with authority either directly available or delegated to the Harbourmaster by the Tasman District Council Consolidated Bylaw, Chapter 5; Navigation Safety 2015, or the Maritime Transport Act 1994 itself, unless otherwise specified.

Pursuant to the provisions of Bylaw 3.13, the area defined below is reserved for the expressed purpose of undertaking the Event. The following conditions will apply:

- (a) The temporary reservation shall be from 10:00 hours NZDT through until 14:00 hours NZDT on Sunday 08th October 2017.
- (b) The area in which this temporary reservation shall apply is all the area of water in the Traverse shown in green in the map on the next page.

¹ Any reference to a Bylaw that follows refers to the Tasman District Council Consolidated Bylaw, Chapter 5: Navigation Safety 2015. For more information, see www.tasman.govt.nz/recreation/boating-fishing/special-events-and-activities/



- (c) This letter affords exclusive navigation rights to the organisers of the Event within the area and for the period specified in (a) and (b) above. Policing of vessels not directly involved in the Event to control their entry to the reserved area is to be undertaken by the Event organiser as is necessary and allowed for below.
- (d) This event can be stopped by a warranted Harbourmaster or Enforcement Officer at any stage if he or she considers that it is no longer safe for the event to proceed.
- (e) The Event Safety Officer has ultimate control of the exclusion area (reserved area) during the event. The event organiser is responsible for ensuring hazards are managed adequately. The Event Safety Officer shall be responsible for, but not limited to:
1. Remaining contactable by Council representatives before the event, during the event and one hour after the event.
 2. Preventing unauthorised vessels, or persons, moving into the exclusion area (reserved area).
 3. Ensuring competitors remain inside the exclusion area (reserved area).
 4. Inspecting the exclusion area (reserved area) for hazards before the event starts.
 5. Ensuring he/she can effectively communicate with competitors and any support vessels if the event needs to be halted.
- (f) The Event organisers shall be responsible for ensuring that persons not involved in the Event but who appear to wish to enter the area, or do so, are approached and advised of the temporary reservation.
- Note: This is effectively a limited and temporary delegation of the powers of the Harbourmaster. Any person who breaches the terms of the reservation against the wishes or instructions of the Event organisers commits an offence and details should be reported to the Harbourmaster. The exercise of control shall be at the Event organisers' discretion. It is expected that all motorised vessels are excluded, but swimmers and other passive users may be allowed by the Event organisers on a case by case basis. A policy should be agreed upon and briefed to all Marshalls and other Event personnel prior to the Event.*
- (g) The organisers shall ensure that at least one support vessel with adequate communication to the organisers and observers ashore is in attendance, to provide first aid, fire and rescue services to participants. If using marine VHF radio for communication, then **Ch17** shall be used.
- Note: Channel 17 is a low power channel designated for marine sporting events.*

- (h) In the event of a cancellation or postponement, the event organisers shall contact the Duty Harbourmaster on 027 246 1904 by voice or voice message as soon as possible to advise of this. The Event shall be postponed or cancelled at the sole discretion of the Event Safety Officer.
- (i) The Event shall be conducted in accordance with the Event Safety Plan. Any modifications to this Plan should be notified to the Harbourmaster.
- (j) This document relates only to navigable water and does not afford any special rights or privileges on the adjacent public or private beaches, banks or land.
- (k) A copy of this letter shall be available for viewing from the organisers of the Event by any person who requires information about this suspension of the bylaws, and shall be read by or briefed to all participants and Event 'staff'.
- (l) The event will be listed on our website but due to the limited time available prior to the event we will not be able to advertise in the Councils Newline magazine as is our normal practice to satisfy event notification requirements.
- (m) Under Bylaw 3.13.1 (a) this reservation temporarily suspends the application of the Reserved Area status of the Traverse (Bylaw 3.7.1) (c), "Areas reserved for personal watercraft, novel craft etc" during the conduct of the organised water activity.
- (n) The Tasman Harbourmaster has notified the Mapua Water Ski Club (Kurt) and Kurt has agreed to notify the other club members that may otherwise have been using the traverse for their slalom water skiing as per their preferential use status in the Navigation Safety Bylaw 2015. Kurt's contact number is 021 758169

Advice Notice

1. Tasman District Council has assessed this application against the navigation safety obligations required by our Navigation Safety Bylaws and the Maritime Transport Act 1994.
2. Tasman District Council is not the responsible agency for assessing if your safety management plan adequately manages the risk for your event participants and support staff/volunteers except where the risk relates to navigation safety.
3. Tasman District Council has not assessed whether you meet your obligations under the Health and Safety in Employment Act 1992. This includes adequacy of rescue plans, first aid requirements, participant experience, training or safety equipment.

Best wishes for a safe and successful event.

Yours sincerely



Dan Cairney
Harbourmaster