

## SHOTOVER RIVER BYLAW 2020 – INFOMRAL CONSULTATION FEEDBACK

The parties involved in the informal consultation process included the Arthurs Point Community Association, Shotover Jet (Ngai Tahu), Harbour Masters, Jet Boating New Zealand, Otago Regional Council and Queenstown Lakes District Council Regulatory, Legal and Policy teams. An overview of the feedback received by the respective groups is detailed below.

- Shotover Jet –Shotover Jet operate within the concession area of the Shotover River via existing approved resource consent RM970219. The resource consent decision allows Shotover Jet the operation of up to four jet boats at any one time, within the Shotover River concession zone for the purposes of commercial jet boating, between the hours of 7.30am-9.00pm seven days a week. They are the delegated authority who currently review and issue permits for private craft to undertake recreational activities within the Shotover concession area. Shotover Jet believe the current bylaw is effective and that the current permitting system works well in ensuring public safety and navigation of craft within the concession zone. The public could be better served if the system were ‘modernised’ by allowing self-booking of the river outside of Shotover Jet operating hours. For permits during Shotover Jet operating hours, it is still necessary for coordination and approval by Shotover Jet. The associated infringement fees or penalties should be increased. If vessels are operated in the concession zone without a permit or outside of the permit conditions, the potential for a significant incident with injuries and possibly fatalities are a distinct possibility due. The current penalty fee does not reflect the seriousness of the potential outcome of breaches to conditions, and hence serve as an adequate deterrent.
- Central Otago Whitewater - The bylaw is effective in preventing kayakers and jet boats being on the water at the same time, as this is clearly a dangerous mix of river users. However, it does this through the imposition of an onerous permitting system that indiscriminately restricts public access to our awa. Could the system be changed to allow any river users free, unencumbered use of the river after business/school hours (from 5pm until 8am)? This would maximise public access (e.g. before/after work/school) while still maximising the commercial use (from 8am till 5pm). Could there be appropriate signage and online messaging preventing the need for river permits.
- New Zealand Jet Boating - In a summary sense, JBNZ considers that the Bylaw has worked well to manage watercraft. It is understood that Queenstown Lakes District Council has delegated responsibility for all watercraft activities within the Concession Area to Shotover Jet who consider the circumstances for all proposed activities and issue permits subject to sensible and reasonable conditions activities on the Shotover River within the Concession Area. This more so involves access to and use of the waterway during periods of commercial jet boat activity where the permit holders coordinate their activities about the commercial jet boat operations. JBNZ considers this coordination is both important and necessary to maintain safety for all users of the river. JBNZ notes that the above works well when the commercial jet boats are operating on the river. The question arises with use of the river by

other users outside the commercial jet boat operations. JBNZ is unsure if they, and other users, can obtain permits to access the river, and how appropriate coordination of these activities can be maintained to ensure safety for everyone.

- Arthurs Point Community Association - The bylaw is effective in providing a safe environment for Shotover Jet and the occasional recreational user to coexist on the river. The negative of the bylaw is it solely reliant on a commercial entity allowing individual access to the river. Having the ability to use the river recreationally in such a small window (after 7pm in summer) limits the community's accessibility to the river. We feel that the river should be more accessible to recreational users who both live in Arthurs Point and the wider Queenstown community. This could be achieved by having set days where there is no commercial operation on the river and earlier finish times for commercial jet boats. Earlier finish times would also reduce noise pollution for the residents of Arthurs Point in the evenings.
- Otago Regional Council – Have stated that the current bylaw works as intended, which is to restrict access and prevent incidents occurring without permit. The ORC believe the infringement system and amounts currently utilised are effective and did not provide comment on whether or not any changes need to be considered.
- QLDC Regulatory, Legal and Policy Teams – The Shotover River Bylaw 2015 has been reviewed by Council officers, and it has been concluded that a Bylaw is still required to effectively manage and control public access to the Shotover River Concession Area in order to promote maritime safety for the users of the river. Regulatory enforcement staff have commented that the bylaw is effective in regards to achieving its purpose. It effectively manages the concession area of the Shotover River via the permit system. Limited complaints are received and these are managed by the Regulatory team and the Harbour Master. The infringement fees related to the bylaw provide a suitable deterrent for restricting people from the concession area. In the past two months, four separate infringements have been issued to private jet boat operators who have operated within the concession area. The importance of the Bylaw has been highlighted recently with more and more private vessels being owned by members of the public. The risk of a serious incident would be extremely high, without appropriate restrictions and provisions in place. QLDC has received minimal complaints from members of the public regarding the Shotover River Bylaw 2015 since its implementation.