

Draft Navigation Safety Bylaw 2026 feedback

* Compulsory question

Your contact details

Only your name will be publicly visible as part of your submission.

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Do you wish to speak to your submission at a public hearing?	<input type="radio"/> No

Please make sure you have provided your contact details (email and/or phone number) so we can be in touch to arrange a time. Hearings can be in person or online. Hearings will be livestreamed.

Hearings will be sometime in late February to March 2026 (date will be confirmed closer to the time).

Your feedback

Please give us your feedback on the changes to the Navigation Safety Bylaw 2020, as outlined in the Draft Navigation Safety Bylaw 2026. What would you change? What do you support or not support?

Submission on Draft Navigation Safety Bylaw 2026 – Clause 9 (Swimming near landing places)

Dear Otago Regional Council team

Thank you for the opportunity to comment further on the Draft Navigation Safety Bylaw 2026. I appreciate the intent of clause 9, which is clearly aimed at reducing conflict and improving safety around landing places such as boat ramps, wharves, and jetties.

I would like to suggest a clarification to clause 9 to help avoid unintended interpretation and to ensure the shared safety responsibilities of swimmers and vessel operators are clearly understood.

As currently drafted, clause 9(1)(a) could be interpreted by some users as a general prohibition on swimming from, or within 50 metres of, a landing place. My understanding, however, is that the clause is intended to prohibit swimming only where it interferes with the berthing, launching, retrieval, or departure

of vessels – not to ban swimming outright in these areas.

This distinction is important in areas such as Macandrew Bay, where boat ramps are located in mixed-use coastal waters that are regularly and lawfully used by swimmers, paddleboarders, and other low-profile water users.

I am particularly keen that any clarification does not reduce or dilute the responsibility of vessel operators. Swimmers are legally present in many areas of Otago Harbour, including near landing places when they are not interfering with vessel movements. Vessel operators should therefore continue to navigate with due care, maintain a proper lookout, and operate at safe speeds appropriate to areas where swimmers may reasonably be expected to be present. It is important that vessels cannot assume that the absence of a reserved swimming area means there will be no swimmers in the water.

To support clarity and shared understanding, I respectfully propose the following clarification be added to the bylaw:

Proposed clarification – Swimming near landing places

(1) For the avoidance of doubt, nothing in clause 9 prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel.

(2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place.

(3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places.

An accompanying explanatory note could further assist public understanding, for example:

Explanatory note:

This clause clarifies that recreational swimming near landing places is not prohibited in itself, but must not interfere with vessel movements. It also reinforces shared responsibility between swimmers and vessel operators in areas of mixed use.

I believe this clarification would reduce confusion, support safe shared use of the harbour, and align well with the intent of the bylaw and existing maritime rules.

Thank you for considering this submission and for your ongoing work to improve navigation safety across Otago Harbour.

Regards

Francois Lambrechts
Dunedin

Upload any supporting documents (optional)

Upload any documents you have to support your feedback, or upload your feedback itself. For visual and audio feedback, please include the links in a document.

Accepted file formats: PDF, Word, Excel, JPG, PNG.

Max size of each file: 5 MB

Maximum number of files you can upload: 3

About you (optional)

What area do you live in?

Which age group are you in?

Which of the following describe/s you? Select all that apply.

Please specify.

