



# New Zealand 04.2 Canoeing

## Waterways in the news

The NZRCA AGM was held on an unexpectedly sunny Dunedin day in July. We welcome Simon Callaghan as our new communications officer. Max Grant was voted Canoeist of the Year, a long overdue award. His profile is later in the newsletter. The meeting also recorded its thanks to Belinda Green for her continued voluntary work for the NZRCA, and Christchurch Whitewater Canoe Club who have again donated 10% of the entry fees from their Brass Monkey Race series to the NZRCA.

In this "age of submissions", particularly over water rights, there seems to be more and more battles to fight. Over the last few months NZRCA people have been busy out there:

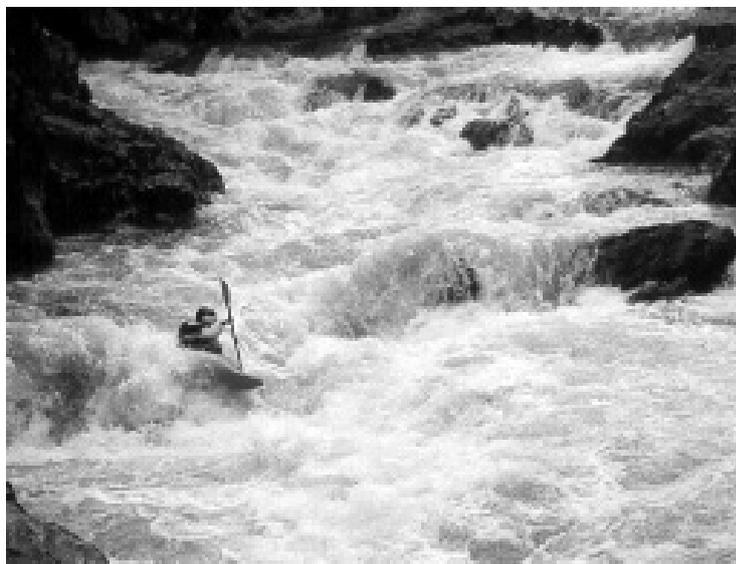
- Submitted on the Resource Management Act Review and met with the Associate Environment Minister.
- Attended the Resource Management Law Association Conference
- Submitted to the Tasman District Council on the proposed Jet Boat speed uplifting on the Buller
- Submitted on the application to amend the Buller Water Conservation Order to abstract water from the Gowan
- Submitted on the Standards NZ Risk Management Guide
- Hugh Canard represented kayakers at the Living Rivers Seminar in Timaru.
- Submitted on the Wairehu playhole to the Taupo District Council
- Met with the Swiftwater Rescue Education Trust
- Met with NZOIA about instructor criteria and the river rescue and safety course syllabi
- Attended Environment Court mediation with Mighty River Power over Fuljames / Ngaawaparua flows
- Met with an NZOIA kayak assessor about the NZRCA River Rescue and Safety course instruction
- Met with the Inland Revenue Department about the Rivers Trust
- Enrolled with the Water Programme of Action Stakeholder Reference Group. This will be an absolutely key organisation over the next few years, after the Project Aqua heads-up the Government has formed this group to draft a national plan for managing the use of all of NZ's waterways.
- Corresponded with the usual suspects: Government Departments, MSA, Regional Councils, Power companies, you name it.

The next few years may turn out to be pivotal in the history of river management in this country. There is increasing competition for resources, and for the first time management is being nationalised. Don't hesitate to get involved.

## Spring 2004

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Steffan Lamont on the Mangahao. Be there, October 30 !

## About New Zealand Canoeing

New Zealand Canoeing is the official newsletter of the New Zealand Recreational Canoeing Association (NZRCA) Inc. NZ Canoeing is published quarterly and distributed free to around 1,000 members of the NZRCA throughout New Zealand/Aotearoa.

The views expressed in New Zealand Canoeing are those of the individual authors and do not necessarily represent those of the Executive of the New Zealand Recreational Canoeing Association.

NZ Canoeing welcomes advertising from organisations associated with recreational canoeing. Please contact us for our advertising rates, and find out how to show your products and services to kayakers around NZ. Thanks to contributors and advertisers and the myriad of e-mail correspondents for their contributions to this issue of NZ Canoeing. May the rivers flow for you!

Contributions of articles, trip reports, classified advertisements, and letters for publication are gratefully received.

Please send items to:  
The Editor  
PO Box 284  
Wellington  
[editor@rivers.org.nz](mailto:editor@rivers.org.nz)

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## NZRCA Executive & Officers

as elected at the NZRCA AGM

Patron  
Hugh Canard  
Christchurch  
[patron@rivers.org.nz](mailto:patron@rivers.org.nz)

President  
Robin Rutter-Baumann  
Christchurch  
Ph: 025 2121-621  
[president@rivers.org.nz](mailto:president@rivers.org.nz)

Vice-President  
Mike Birch  
Taupo  
[vice-president@rivers.org.nz](mailto:vice-president@rivers.org.nz)

Treasurer  
Rob Wells  
Dunedin  
[treasurer@rivers.org.nz](mailto:treasurer@rivers.org.nz)

South Island Conservation  
Maree Baker  
Dunedin  
[conservation@rivers.org.nz](mailto:conservation@rivers.org.nz)

North Island Conservation  
Duncan Catanach  
Wellington  
[niconservation@rivers.org.nz](mailto:niconservation@rivers.org.nz)

Safety  
Glenn Murdoch  
Dunedin  
[safety@rivers.org.nz](mailto:safety@rivers.org.nz)

Education  
Steffan Lamont  
Christchurch  
[education@rivers.org.nz](mailto:education@rivers.org.nz)

Access  
Graeme McIntyre  
Palmerston North  
[access@rivers.org.nz](mailto:access@rivers.org.nz)

NZ Canoeing Editor  
Tony Ward-Holmes  
Christchurch  
Ph: (03) 384-5575  
[editor@rivers.org.nz](mailto:editor@rivers.org.nz)

Communications  
Simon Callaghan  
Gore  
[communications@rivers.org.nz](mailto:communications@rivers.org.nz)

Membership  
Alan Bell  
Wellington  
Ph: 04 570 0232  
[membership@rivers.org.nz](mailto:membership@rivers.org.nz)

Webmaster  
Jonathan Hunt  
London  
[webmaster@rivers.org.nz](mailto:webmaster@rivers.org.nz)

Administration  
Anne Smith  
Wellington  
[admin@rivers.org.nz](mailto:admin@rivers.org.nz)

## Be Prepared - Save a Friend, Save Yourself

Do a River Safety or River Rescue course and gain knowledge that could give you the edge to make a difference. Subsidies for NZRCA members: \$60.

We have the money to help you, take it - we can't use it for anything else. The form to claim the subsidy is on our website. Print it out, fill it in and post it.

Take control! Organise a group of people you paddle with, or from your club. Find an instructor on the website (look under Safety, then Safety Course) and organise a time to suit you. Many will travel to you if need be.

Course page: <http://www.rivers.org.nz/education/safetycourses.php>

**It's easy!**

## Newsplashes

### Le Race Appeal

Astrid Andersen, (organiser of the Le Race Christchurch to Akaroa cycle race, in which a competitor died in a road accident) has won her appeal against her conviction for criminal nuisance and has had her conviction quashed. The problem with the Criminal Nuisance statute is that it is very open to interpretation, but essentially the judgement concluded that that the "criminal liability rests in concepts of recklessness rather than negligence, at least where section 145 of the Crimes Act is invoked."

This is very good news for all organisers, instructors and guides in the outdoors. It is still a mystery why the crown expended quite so much energy on the prosecution but a precedent has definitely been set by this case.

### Access to Middle Matakai

Mick Hopkinson posted a note on the NZRCA website forums noting that the property at the get-out for the Middle Matakai has been sold. There are now two owners and three leasees. Previously there was only one person who we could seriously irritate, now there are five! He has talked to the new owners and they are happy to try and maintain the status quo as far as allowing us to continue to use the access.

To make this work we have to think about minimising our impact though. Pick up all litter, including other people's.

### Rangitata

One major win has been successfully defending the appeal against the Rangitata Water Conservation Order. NZRCA SI Conservation Officer Maree Baker comments:

After 4 years of hard work, Fish and Game, with the support of the NZRCA and local kayakers, rafters and outdoor professionals have won the case for a Water Conservation Order on the Rangitata River.

Relevant to white water recreation are the Court's findings that the upper Rangitata, the Gorge, and the Arundel section are outstanding on a national basis: the upper Rangitata for kayaking, the Gorge for kayaking and rafting, and the Arundel section for "water based recreation" as one of the best examples of its type of grade 2 to 3 white water with easy access and safe boating, making it ideal for instruction, team building, personal growth/development courses, multisport and simple recreation.

The Court also found that these and other sections of the river are outstanding for salmon habitat, angling amenity, and native bird habitat. In order to protect all of these values as a whole, the Court recommended that no further abstraction above what is currently taken be allowed at normal flows. Currently approximately a third of the Rangitata's flow is abstracted for irrigation and stock water.

The NZRCA took part in the Environment Court hearing, which spanned 7 weeks of hearing time in 2003 and 2004. Expert evidence was presented by Doug Rankin, Wayne Keenan (Peel Forest OPC), Hugh Canard (NZRCA Patron), Jonathan Hay (UCCC), Anna Williams (Aoraki Polytech), Grant South (Hidden Valleys) and Tussock (Rangitata Rafts). The Environment Court issued its decision on the 6th of August. The decision largely confirmed the original findings of the Special Tribunal, in front of which the NZRCA also presented its case in support.

This is a great outcome for the NZRCA and reflects a lot of hard work over the last four years from the NZRCA, its supporters, and those who took their own time to give evidence at the hearing. The WCO

## Releases

Mangahao: Saturday, 30 October. Make sure you're there for this classic grade 4 event.

Pukaki: Feb 12 & 13.

Tekapo Course: Oct 23-25, Nov 6&7, Nov 27&28 (working bee and release), Jan 1-4, Jan 22&23 (working bee), Jan 29&30, Feb 5&6.

Tekapo River: Nov 13&14, Dec 11&12, Jan 15&16

As always check the website, [www.rivers.org.nz](http://www.rivers.org.nz) and click on Events and Releases, to see the latest release schedules and any last minute changes.



## Risk and Recreation.. Reflections on the the Buller drowning, January 2002

By Tony Ward-Holmes. Thanks to Brett Whiteley, Graham Charles, Pip Lynch and Dave Moore for input.

Brett Whiteley would like to thank NZRCA for the support he has received during this time, particularly Janet Nicol and Robin Rutter-Baumann.

In January 2002, Tim Jamieson, a student on an instructed Tai Poutini Polytechnic trip, was drowned after pinning on a log in Rodeo rapid on the Lyell Creek section of the Buller. The MSA have jurisdiction for all accidents involving water-borne craft, including kayaks on rivers, and so investigated the accident using one of their usual marine accident investigators. One of the conclusions of the resulting report was that one of the instructors that day, Brett Whiteley, should be "severely censured". The Police opened a case investigating laying charges of criminal nuisance against Brett, who instructed the group in which Tim was paddling, and against Peter Kettering who was the chief instructor that day. This case was open for two and a half years, however after expert opinion was sought overseas the Police decided that no charges would be laid.

Currently a Coroners Inquest is being conducted in Nelson. The inquest has been very positive for many involved and has helped to resolve some misconceptions. The media has painted the inquest in a very different light however, with the Nelson Mail and other newspapers around the country leading with a headline of "Instructors close ranks after kayak death" and printing sensational but unsubstantiated quotes such as "No one had been willing to speak to police about the accident for fear it would jeopardise their livelihood"

Nothing of the sort occurred. In fact the Police approached a few organisations, including the NZRCA, for advice on who they should employ to review the MSA report and the evidence against Brett and Peter. The advice of NZRCA safety officer Glenn Murdoch was that there was probably no such person in New Zealand due to conflicts of interest, and that they should look offshore. The police eventually found two highly qualified expert witnesses, Marcus Bailey (Head inspector of the UK Adventure Activities Licensing Authority) and Charlie Warlbridge (a director and former safety officer for the American Whitewater Affiliation).

Accidents such as this are always tragic for all participants, family and friends, however this particular accident has been responsible for considerable controversy in the kayaking and instruction worlds. This article will not delve into many of the details of the accident. They have been considered elsewhere, and the jury is no longer out, in fact it was not summonsed at all. There are wider issues that still need discussing, however, such as the role of the MSA in the accident, and the liability of people recreating in the outdoors.

Role of the MSA

Subsequent events have proven the MSA report to be seriously flawed. Both overseas experts employed by the Police strongly disagreed with the findings of the MSA report. The report was not useful in its recommendations to avoid future such accidents, and was arguably irresponsible in its opinions and recommendations.

NZOIA instructor Graham Charles was employed as a consultant for this report by the MSA but was allowed little input by the investigator in this instance and disagreed with many of the recommendations. On the question of culpability, Graham agreed that Brett had made an error of judgement and that he should be censured. However Graham commented: "...we hadn't found any grounds for negligence or any other 'criminal' thing... Brett was to be censured by his representative body - NZOIA and that was it - no more". This critical distinction did not appear in the published report.

NZRCA are extremely disappointed by the investigator's attitude to expert advice as we have spent years attempting to convince MSA that whitewater qualifications are required to investigate a whitewater accident. They certainly would not appoint a kayak instructor to investigate an oil tanker spillage. A chronic problem with the MSA is that they have jurisdiction over whitewater kayaking, yet they have no knowledge of the subject, and often refuse to seek any. This has led to the current trifecta of fiascos: Rule 91 still effectively makes whitewater paddling illegal through its buoyancy aid and navigation provisions; MSA have been pressuring EBOP (Environment Bay of Plenty) to remove not only Rock A but Rock B as well from the Rangitaiki River; and the police case against Brett Whiteley and Peter Kettering.

Progress has been made on the investigator front at least, as NZIOA assessor Ian Logie has been employed for the last two whitewater accident reports, ie: the drownings on the Waikaia and the Crooked. Our last communication from MSA is that while they will endeavour to use experts in future cases they cannot guarantee to do so due to budget constraints.

Liability in the outdoors

The MSA report assumes an instructor has absolute responsibility for a student, and that if an accident happens, it must therefore be the instructor's fault. On this point one of the overseas experts, Marcus Bailey, made the following comments: "Tim was well into the strange transitional phase between being a student and being a leader which exists with leader training. One cannot expect to stop being a guided and instructed student one day and become an aware self reliant leader the next "

Marcus's comments illustrate the paradox nicely.. how can you instruct in a risky environment, without the students being exposed to risk? And how much risk should you attempt to remove, if the students are themselves going on to become instructors, or even just paddle in a non-

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instructed environment where they must make their own decisions?

It is not a black and white issue. At one extreme might be something like the sinking of a commercial jet boat, where the operator has not ensured all clients are wearing life jackets and one such client drowns. Maritime law would be broken in such a case, and criminal nuisance may not be the most serious charge faced.

At another extreme is the likes of guiding Mt Everest. If Rob Hall had survived and Doug Hansen died in 1996, would Rob Hall have been prosecuted for criminal nuisance? Possibly a moot question as it was not in NZ jurisdiction. How about any of the three guides in the avalanche on Mt Tasman, had they survived? Most people would say not. You cannot expect to recreate in the outdoors without accepting some level of risk. If you want to avoid that risk, you can stay home.

Paddling is generally not as dangerous as mountaineering, however risk is still inherent to the activity. In his comments on the MSA report, Charlie Warlbridge wrote: "Whitewater rivers are natural features of the landscape, not engineered thrill rides. They contain many hazards, both obvious and unseen. These dangers can never be fully catalogued".

Authorities need to recognise that many outdoors activities are inherently risky, and that "Not taking reasonable care to prevent a foreseeable harm to a person" (which is how Standards NZ defines negligence in their draft Risk Management Guide) is an inappropriate definition of negligence in many contexts, such as whitewater paddling. Currently the wording of the criminal nuisance law is too harsh for situations where the participants voluntarily engage in activities that are inherently risky. Organisations such as the Police, MSA, OSH, Coroners and the Government need to understand this. Fortunately this case did not get to court but the process still took two and half years to resolve and was at considerable cost to those involved.

Arguably mistakes were made in the Buller incident, both beforehand and on the day. Instructors, organisers and the like are human and make human mistakes. In this case, expert opinion was that any mistakes that may have occurred did not constitute criminal negligence; they were simply oversights, error of judgements, such as happens to all of us in paddling but which we are normally lucky enough to get away with.

Marcus Bailie concluded "I strongly disagree with the recommendation that Brett be severely censured for his failure to scout the rapid carefully beforehand and for failing to lead the students down the rapid. If this is seen as a serious fault then New Zealand either will not have a future generation of white water leaders and guides, or worse, the new generation of leaders will have no experience of leading"

Relevance to clubs and individual paddlers

So far most of the discussion has been relevant to professional instruction. The NZRCA represents many

clubs and individual paddlers throughout the country. Many instructors happen to be members, however the NZRCA does not directly represent instructor's interests. So is this case relevant to canoe clubs, trip leaders and volunteer instructors?

According to advice to us from SPARC (Sports and Recreation NZ), if a club or person takes any money from trip participants, eg: gear hireage, paying a club instructor's petrol money, then money has changed hands and so the same rules apply as for any commercial enterprise. Their solution is to advise that you document all possible hazards, and all possible responses to the hazards, and to document your documentation in case someone wants to investigate you.

What most of the NZRCA executive think of SPARC's advice is not printable. Fortunately this case indicates that the level of care expected by law does vary with the situation. It is true of course there is a duty of care involved. Club instructors and trip leaders do need to take all reasonable steps to prevent harm, but their liability if things go wrong will depend on the circumstances and participants.

A natural hazard?

One specific detail of the Buller accident should be mentioned as it does not appear anywhere in the MSA report. A contributing factor is that the log in question wasn't there by accident. It was placed there by Transit NZ, apparently in an effort to try to protect the hillside and highway above from being undermined in times of high water. Normally a tree (such as the one which used to be in "One night stand" rapid just upstream) would be easily visible from above. In this case it was not, as the body of the tree was well buried in the boulder bank and all branches were cut off, leaving just the stump of one fork which was only exposed in times of unusually low water. Unfortunately even then it was difficult to see as it was downstream of a rock, in the main flow. This is not common; usually a tree would be on the outside of a bend or on the upstream side of a rock. The tree was quietly removed by Transit NZ not long after the accident, as reported in the NZRCA website forums. Organisations altering riverbeds should consult with river users before making such alterations. I would have thought the RMA would require them to do so.

Where to from here?

In terms of the accident itself:

- In this specific case the hazard was hidden, only rarely exposed and not well known. Rodeo is not a rapid people would normally scout. Arguably, knowledge of this hazard should have been better communicated amongst all paddlers, including private paddlers as well as instructors. If you notice an unusual hazard such as this, take note of it for your future trips and consider warning others, eg: by posting to the rivers website forum.

Other actions which can reduce the risk of accidents in general include:

- Check the NZRCA website for river hazards.. go to [www.rivers.org.nz](http://www.rivers.org.nz) and click on the "Access, Touring and Hazards" forum. While NZRCA agrees with Charlie Warlbridge's comment on it being impossible to catalog all hazards, it is a good idea to check if someone has found a hazard significant enough to warn people about.

- Take a safety and/or rescue course. Courses are not just about rescue, they teach you to think about rescue scenarios when you're paddling. Prevention is better than cure. Next time you are assessing if you should run that difficult line, and thinking about where you might end up if you blow it, also think about how people can help you. If they can't get to you, and you're not 99% (or whatever) confident of getting it right, maybe you should wait another day.

- Remember, paddling means risk. Risk is a numbers game. Treat it as such.. don't ask yourself "will I or won't I make the move?" That is too black and white. Instead ask yourself how many times out of 100 you will make it. And how many times out of 100 you'll survive if you don't. Then decide whether to scout, run, or walk that rapid.

In terms of liability:

- While the NZRCA believes the procedures recommended by SPARC are too bureaucratic for most clubs, it is worth thinking about some kind of operations manual for club trips, instruction courses and events. The objective should not be to provide for accident investigators though. The objective is to identify all measures which reasonably would need to be taken to fulfill your duty of care.

## Canoeist of the year

Max Grant is the 2004 Canoeist of the year. Graeme McIntyre tells us why:

Over many years Max has turned his sport into his life. From a young lad kayaking on a weedy lagoon to being one of New Zealand top kayaking designers and manufactures. Max started messing around in boats at an early age and has always been interested in the making of kayaks, starting with the bits of wood and canvas in his parent's back yard over the school holidays.

In 1961 he joined the Palmerston North Canoe Club and spent many years as a member and on the committee of that club. Max spent most of his time in those early days training and competing in flat-water racing. In 1975 with his interest in white water kayaking gaining momentum he and a handful of others formed the Ruahine White Water Club, and was elected to the executive position of slalom commodore on the N.Z.C.A. During the following 13 years he also held the executive positions representing Instruction, Polo, and Safety, and he was awarded the NZCA Bullion Blazer at a Christchurch AGM in the late 80's for his services to kayaking in New Zealand.

Max has always had and still has an attitude of getting as many people into kayaking as he could, and has run not 100's but 1000's of introduction to kayaking or beginners trips. With this endless encouragement of beginners, he has seen the benefits on some of the young people that he literally pushed into the water become well recognized international paddlers with some representing NZ at Commonwealth and Olympic Games in the various disciplines.

Max has played a leading part in exploring a number of rivers. Max's Drop on the Upper Rangitikei river was named after him after a harrowing journey in the old fiberglass kayaks, and he was part of the team that traversed the Rangitikei River over 5 days from it's source down to the sea at Tangimoana.

For those who don't know Max, he is a well-liked easygoing person that is not keen on the limelight. It has been very hard to find out any history of his kayaking experiences and dates. Some we have found are listed below but these are only the tip of the iceberg of Max's achievements and his giving to the sport.

- Represented NZ in 1966 - 70 Flat water racing in

Continued on page 11...

## Wise Up To The White Stuff 2

Matt Barker of the Auckland University of Technology continues with the second in his series of safety articles.

In the first article in this series we looked at the principles of safe paddling, but on occasion even the best-laid plans go awry. Any paddler may misjudge the skill/challenge balance or perhaps come across another group of boaters in trouble so it is vital that every paddler is aware of the principles of rescues and the techniques needed to carry them out.

Here we will look at the principles of rescue. These principles should ensure that any techniques that you use to solve rescue scenarios will have a greater chance of quick and efficient success and not add to the crisis situation.

Any situation that calls for a rescue is, by its very nature, an uncontrolled and unplanned occurrence; it is therefore vital that, as quickly as possible, it becomes a planned and controlled event. The moving aquatic environment is such a dynamic setting that quick thinking and decisive action are required in order to bring an, often escalating, situation to a quick and successful resolution.

One major dilemma with the white water rescues is that you cannot call for a time out; the situation is likely to get more life threatening and harder to successfully resolve, the longer you leave it. It is therefore necessary to have a rescue attempt started as soon as possible, but then to have multiple plans in action at any one time. So often, would-be rescuers get stuck into a loop, trying to make a doomed plan work instead of trying something new or coming at the problem from a different angle. Multiple plans allow a rescue party to change tack quickly without wasting valuable time having to start from scratch. A simple plan will be faster to set up and it will soon become apparent whether it will solve the rescue or not. In the meantime, the groundwork for more complex plans can be undertaken which can quickly take over in the event of an unsuccessful first attempt. The minimal first plan will have had its chance to solve the problem simply and with least equipment. Rescue attempts are often over complex, not using time and resources to optimal effect.

In order that multiple plans can take place at the same time it is imperative that these attempts are coordinated. The most experienced rescuer must resist being sucked into the hands-on rescue effort, but rather should distance themselves. From this perspective they can set other plans in motion, give advice and most importantly, step back and objectively assess the likely merits of the rescue systems that are being used. The rescue coordinator can quickly assess the various strategies, directing the focus and manpower to where it will be most effective.

Lets now look at the principles of rescue and their implications.

**Principle of Personal Safety:** You must be careful not to add to the state of crisis; every action you take must be seen as a carefully calculated risk. You must minimise the potential for putting yourself and your fellow rescuers in danger. Don't allow the situation to escalate through hasty or ill thought through plans and actions.

**Principle of Victims Best Interests:** Everything you do must be in the interests of the victim's safety; don't put the victim in more danger than they originally were. Think about stabilizing the situation and then resolving it.

**Principle of Simplicity:** Simple rescues are fast to set up and often get the job done with a minimum of equipment, which in turn leads to a quick solution of the predicament. Simple systems by their nature cut frictional losses to a minimum, allowing the pulling forces generated to have most effect. More people will be able to set up simple systems than complex ones, allowing delegation and better use of your resources. Uncomplicated systems mean that there are less ropes, knots and karabiners to get tangled up in or jam up. Less is often more, when it comes to rescues.

**Principle of Maximum Usefulness:** In every rescue situation it is vitally important to fully utilise your resources to make an expedient rescue. One of your key resources is manpower; people must be in the position of maximum usefulness and know what roles they have.



The advertisement for RaSdex features a large logo at the top left, a central image of a person in a kayak, and a vertical strip of three smaller images on the right showing various rescue scenarios. Below the central image is a list of products, and at the bottom is contact information.

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This is where having the rescue manager is so important, they can delegate responsibility and direct the personnel to the most demanding places and roles. For the equipment carried to be most useful it is often necessary to have, not the most specialised gear but the most versatile. Specialised gear often has only one use and if that particular function is not necessary then it is rendered completely redundant. Of more use is a smaller selection of non-specialised gear that can do a greater variety of functions, in that way you have more of your bases covered with a more compact, lighter set of equipment.



**Principle of Clean Rope:** Selecting appropriate gear and knots is imperative. Knots need to be releasable under load and/or be able to pass through a pear shaped karabiner. Rescue ropes should have any knots or handles removed from the loose end so that the end of the rope can pass harmlessly through any belay or anchor if it is necessary to release the system. It is accepted that clean throw bag rope is harder to hold onto but in the event of a swimmer becoming tangled in the throw rope (just ask anyone who has swum through a stopper or been pendulumed through a big swirly on the end of a rope) and the rescuer has to let go of their end, then a clean rope is far less likely to jam in the boulders on the river bank or bed thus avoiding a life threatening scenario. If there is any danger of the rescuer not being able to hold on to the rope or losing their footing then the rope should be belayed. It is also important to put the bag end where it is unlikely to become jammed in the system, riverbank or bed where ever possible.

**Principle of Presumed Insanity:** Never underestimate the power of a nearly drowning son to try to save them self at any cost, even at the expense of the rescuer. Always assess the mental state of the victim before getting within arms reach and know how to get them off should they grab you. Don't let the victim drown the rescuer.

**Core Principles of Gear Recovery:** Rescues should never be confused with gear recovery; rescues need instant action to avoid the situation spiralling out of control, and people are in mortal danger. In gear recoveries people are not in danger except of a long walk or a night out under the stars and, as such, the rules of engagement have a very different focus. Of primary importance is to not endanger anybody.

**Principle of Least Risk:** Is the recovery of someone's gear really worth it? How much is it worth in relation to someone's life or even a finger or scar, should anything go wrong? What value would you put on it compared to the value of your boat and paddle? Therefore, time is of little consequence

and careful consideration must be made and the time taken to double-check and ensure everybody's safety. Try all the least risk options first and then carefully consider the possible consequences before anyone tries a method where there is potential for injury. It is important to remember that the use of ropes, knives and water, moving or not, all carry risks and the risk/reward balancing act has got to be thought through very carefully. The greatest material gain I have ever made in a gear recovery situation has been a box of beers but I reckon I've put myself in a few compromised situations for that \$20 gain and in hindsight most of them were not worth it, certainly my wife and kids wouldn't think so. Never let the situation or bravado get in the way of rational thought, particularly in gear recoveries.

**Principle of Clear Communication:** When the time pressure is off in gear recoveries it is doubly important that mistakes are not made in your communications. Check, recheck, and then confirm all instructions and actions before any attempt at recovery is made, so that all parties are aware of what is happening and what their roles are to be. Mistakes can be very costly in both time and peoples lives.

**Principle of Using Natural Forces:** Make it easy, let nature help you. Working downhill and with the flow of water wherever possible will mean that recoveries are usually easier and quicker to complete.

**Principle of Diminishing Returns:** Use the minimum mechanical advantage that gets the job done, over complex and too great a mechanical advantage use up valuable equipment, cause greater friction, use up rope length and create less movement at the item to be recovered compared to greater movement at the

## Sanitising Our Wild Places

By Mark Jones, Auckland University of Technology.

I'm following with fascination the corollary to the two drowning tragedies at the Rock A-B rapid that have happened on the Rangitaiki River in recent years. The MSA, after conducting an investigation into the drownings, has advised Environment Bay of Plenty that preventative action must be taken. It made recommendations that river users be informed about the danger, and, if possible that the hazard be eliminated, (the hazard being the underwater gap between two rocks which trapped and drowned the two rafters). EBOP has interpreted the latter recommendation as moving the van-sized rock and is seeking support for a digger to change the hydrology of the rapid.

The proposal involves a thirty tonne excavator smashing its way to the site through native bush, building itself a platform out into the river from the surrounding terrain and shifting the rock in question out of the main flow of the current. Apart from the obvious environmental destruction that will be wrought by this intervention there are legal and philosophical implications that make this a dangerous precedent for our recreation lands.

Rock A is a nasty trap for the unwary, no doubt about it- a double killer. But I question EBOP having any legal or even moral obligation to manage this hazard, or others on undeveloped wild land, on behalf of outdoor adventure seekers.

Rock A is one of many rocks on the Rangitaiki that have the potential to trap and drown. The very next rock downstream, Rock B is also a sieve with the same potential. And if the next rapid, "Jeff's Joy" is paddled unchecked and contains a tree strainer, this would almost certainly end in a fatality. There are countless submerged logs down-stream of here that could catch a swimmers life jacket and hold them beneath the water such that they would drown. All are hazards that are part of paddling down a wild river. This is what the Rangitaiki is, a wild river, untamed and unmanaged, not one hundred percent safe to paddle. There is no problem here- this is the case for every river in NZ. The Rangitaiki River is not a man-made concrete channel provided by EBOP for public recreation, it is a piece of nature with inherent hazards and dangers.

White water rafting and kayaking are adventure activities and the hazards and dangers are part of the attraction for those that undertake them. It is the public's right to choose the level of risk they wish to be exposed to- this is not something for bureaucrats in distant offices to determine. Rock A is a problem for the recreational paddlers and rafting companies to deal with. Both can make an informed choice about paddling this rapid or not. A convenient portage track exists on river left for those wishing to avoid it. Reducing the grade of this rapid, which will happen if Rock A is moved out of the main river flow, is a poorly considered response- a tragedy for the Rangitaiki and for adventure.

The MSA's recommendations are not impractical or hare-brained. Signage to inform naive river users of this hazard and it's potential is a good idea. If possible, blocking up the

hole in a lowered flow is a sensible response. The landscape has always been altered to mitigate hazards. However, when government agencies, and other land managers, extend this intervention to destroying the very recreation resource and removing the challenge on our behalf, where does it end? Will Rock B be next? Will Marlborough Council remove the boulder that resulted in the double drowning tragedy on the Clarence River? Will more deaths on Cook result in via ferrata cables to mitigate the hazard of falling? It must



not begin for it can have no end.

EBOP, in bold print on their request for consent, state "EBOP also have the option to close this section of river completely to all river users due to the current high risk to public safety and their legal obligation to local council to manage this known hazard." This threat of closure is a disturbing interpretation of EBOP's duty and jurisdiction. Will similar authorities close rivers and mountains and anywhere else that claim lives and are deemed a risk to public safety? No one is made to undertake adventurous activities. When they do so voluntarily, by implication, people accept the inherent risks. When officials assume risks on our behalf in these places there begins a serious erosion of the personal responsibility that has always been esteemed by outdoor recreationalists. It's esteemed because looking out for ourselves is the thing most likely to keep us out of trouble.

I'm unsure under which legislation EBOP believes they have a legal obligation to manage wild lands under their charge? Whatever the stick being wielded, surely it is a departure from the intent of the law as it opens a can of worms; in accepting responsibility for Rock A, does EBOP then also acknowledge its responsibility for every other rock that poses a danger on the river, and for every tree that falls into the river creating a hazard.

Our recreational wildlands are the last preserve of personal accountability- a place where we gauge the risks and wager as we will, accepting the consequences of our actions or inactions. We should fight to preserve this as a right, not a privilege that can be taken away by bureaucrats. Hand in hand with that right to adventure is the responsibility to avoid recklessness and to respond proactively to tragedy. If we don't do this, people who have little understanding of outdoor values or for the ideals of adventure, will continue to make these decisions on our behalf. The decisions, like this one will make little sense to recreationalists. For bureaucracy understands neither the beating heart of the wilds, nor enchantment with adventure. It understands the lowest common denominator, the refuge of closure, and artless blanket-rulings.

EBOP claims to be the caretaker of our natural resources for present and future generations, but its wrecking-ball response belies its mission: "Working with

**COTY, cont. from page 7**

- Australia.
- Organized the Slalom for the Commonwealth Games on the Rangitata in 1974.
- Cook Strait crossings and expeditions to Dusky Sounds and Fiordland, circumnavigating the Chatham and Pitt Island, and Stewart Island, as well as many other sea kayaking adventures.
- Competed in the first Iron man at Wanaka in 1980, and many other races as the kayaker in in multisport events.
- First person to kayak many NZ rivers, including the Upper Rangitikei, Mangahao, Tongariro.
- Competed in World Firefighters games in Auckland and Australia collecting many medals in kayaking. 30 years of club trips that ranged from beginners level to grade 5.
- Executive member of N.Z.C.A. for



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