

## **MDC Eastcoast Bylaw Submission**

Evidence presented by Mark Wills

I am Mark Wills; I have owned a Work Safe training and consulting company for 6 years.

I will start with a question: Has a Bylaw ever been passed without scientific evidence presented on the subject?

In the case of this Bylaw hearing, I will present evidence on what I know as unsafe use of Quad bikes/ATV (being the exact vehicle) on the Marlborough Southeast coast. MDC has raised a need for a Bylaw to be on the Eastcoast beach for safety reasons. Some facts to consider.

Training works.

1. Serious injury between 2010 – 2021 Marlborough has the lowest Quad bike accident rates in all New Zealand; the last recorded serious accident was in 2010. (Appendix 1)
2. Waikato for the same period = 120 accidents, including 16 deaths.
3. Quad bike fatalities in Marlborough since 2006, zero.

RAWE has educated Quad bike use along the East coast; the proper education delivers the right results. No reports of any accidents or complaints of bad behavior that I am aware of.

ATVs are designed to travel over all terrains, and they can do this while causing no or little damage to an ecosystem. One of the MDC scientists stated that "he doesn't know if they have more downward pressure than a person." The answer is they do not, by a large margin.

There was a split in the ECPG because they would not discuss the downward pressure of a quad bike. From a training perspective, a Quad changed from ATV because people were trying to take them places, they were not designed to go. I stood in this room in 2012 and received the most proactive employee for the Marlborough Health & Safety Award

I want the commissioners to look at the speed limits for Quads on the beach, the same as the MDC adopted new speed restrictions recently in Blenheim.

The 50k speed limit driving through Blenheim for cars, trucks, vans, motorbikes in their hundreds if not thousands travel through Blenheim daily and don't cause incidents/accidents regularly, and there are way more pedestrians there than on the wide Eastcoast beach.

Putting a 50km per hour speed limit in place, including a 25km speed restriction within the proximity of other beach users, would further enhance the concerns of any safety issues, given no problems have ever been raised other than in this Bylaw.

**Question:** How many people have reported Quad bike incidents on the east coast, for being run over, or had near misses?

I have personally transported many people back from tramping the beach, people from the Cape suffering from near hypothermia. 381 tampers needed assistance in Nelson and Marlborough this year along.

Over the years, with my expertise in Quad bike safety, I have stopped and talked to people on the beach, education has worked, now that the beach is a lot wider than pre-earthquake, no safety issues ever reported and even more unlikely with the widened beach.

Using safety to drive this Bylaw by MDC is false. There is another agenda at play.

Appendix 1

Quad Bike Serious Harm Notifications (HSE), and Notifications of Notifiable Injury or Illness (HSWA) Received by WorkSafe New Zealand by Region  
(01 January 2010 to 07 October 2021)

SHI/NNII Notifications	Calendar Year												Total
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020#	2021**	
Auckland	5	5	2	3	2	0	7	3	1	2	2	0	32
Bay of Plenty	4	4	1	2	3	1	0	5	2	3	1	5	31
Canterbury	4	12	6	7	8	3	8	4	9	4	4	4	73
Gisborne	2	2	2	6	5	0	1	0	2	0	0	1	21
Hawkes Bay	8	8	8	8	1	3	5	5	4	1	1	1	53
Manawatu-Whanganui	3	5	7	3	3	3	4	4	5	4	2	3	46
Marlborough	1	0	0	0	0	0	0	0	0	0	0	0	1
Nelson	1	3	0	0	1	1	1	0	0	0	1	0	8
Northland	5	1	1	2	4	2	1	0	1	4	1	1	23
Not Defined	1	1	2	1	0	1	0	0	0	0	0	0	6
Otago	7	4	6	12	9	4	13	8	4	4	3	1	75
Southland	8	9	13	7	12	7	4	4	3	4	4	2	77
Taranaki	0	0	1	2	3	2	2	3	1	1	2	3	20
Tasman	0	1	1	0	0	0	1	0	0	0	0	0	3
Waikato	6	14	13	14	13	11	14	6	12	2	8	7	120
Wellington	3	2	4	3	1	4	5	0	3	4	0	0	29
West Coast	2	2	0	1	0	2	3	3	1	3	2	0	19
<b>Total</b>	<b>60</b>	<b>73</b>	<b>67</b>	<b>71</b>	<b>65</b>	<b>44</b>	<b>69</b>	<b>45</b>	<b>48</b>	<b>36</b>	<b>31</b>	<b>28</b>	<b>637</b>

Source: WorkSafe New Zealand Case Management System

Data Extracted: 21 October 2021

Note: \*\* - The last recorded notification of harm for 2021, was on the 07 October 2021.

Note: Reporting Period changed to 2010 to 2021.

Confirmed Quad Bike Workplace Fatalities Notified to WorkSafe New Zealand  
(1 January 2006 to 16 January 2021)

Confirmed Fatalities	Calendar Year																
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 <sup>#</sup>	2021	Total
Auckland				3		1											4
Bay of Plenty		2							1		3						6
Canterbury			1						1		1			1			4
Gisborne							1										1
Hawke's Bay						1	1			2	1		1	1	1*	1	9
Manawatu-Whanganui	1		1						1	2		1			1		7
Northland	1				3		1			1			1				7
Otago			1						1			1		1			4
Southland		1				1			1								3
Taranaki				2					1						3		6
Waikato	1	1	2		1	1	1	2		2		1	1	2	1		16
Wellington			1				1	1		1					1		5
West Coast					1					1		1					3
<b>Total</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>5</b>	<b>7<sup>#</sup></b>	<b>1</b>	<b>75</b>

Source: WorkSafe New Zealand Fatalities Register

Data Updated: 21 October 2021

Industry: All Industries

Note: # - The last confirmed workplace fatality was on the 16 January 2021.

The statistics show the number of quad bike fatalities and quad bike related serious harm incidents, notified under the Health and Safety in Employment (HSE) Act 1992 and Health and Safety at Work (HSWA) Act 2015. The statistics do not include fatalities in the Maritime or Aviation sectors or due to work-related crashes on the road as these are investigated by Maritime New Zealand, the Civil Aviation Authority and the NZ Police respectively.