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Maritime news making waves in 2010

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SafeSEAS CleanSEAS



Catherine Taylor at
MNZ's Wellington office.

Greetings and welcome to the first issue of *Safe Seas Clean Seas* for 2011.

As we go to press, our thoughts are with the people of Canterbury struck by last month's devastating earthquake. In New Zealand, being the small nation that it is, if we have not been directly affected by the earthquake, we all know of someone who has – whether it be from the loss of their home, their workplace, their job, or more devastatingly, the loss of friends and family – our hearts are with them.

I was privileged to be able to visit Christchurch recently and offer support to our staff who were caught up in the quake. While they and their families thankfully escaped the worst of the devastation, we all feel for those who were not so lucky.

MNZ's Lyttelton office, which was at the centre of one of the worst hit areas, has been extensively damaged. Christchurch staff will be operating out of temporary offices in Rangiora, until Lyttelton – along with much of the rest of Christchurch – can be rebuilt. We will continue to support them and their families as they get on with the task of rebuilding their lives, alongside the people of Canterbury.

Meantime, it has been a busy summer for many at MNZ, with staff and volunteers spending time at boat ramps and on the water offering advice to the boating public on safety matters. Many have reported that more lifejackets are being worn, which is really encouraging – we hope the wearing of lifejackets will become as automatic as putting on a seatbelt in a car.

Unfortunately, many of our people have also been called out to accidents and incidents over the summer – this is of

concern to us and we now have a number of investigations underway.

MNZ has recently launched a new online accident reporting system that will make it quicker and easier for people to report maritime accidents and incidents. We hope the new system will lead to increased reporting of accidents and incidents, which will in turn give MNZ better information on key factors leading to problems on the water and allow us to better target these areas.

Elsewhere at MNZ, work is continuing on the QOL and MOSS reviews – there are updates on both in this issue. We appreciate the feedback and input we have received from industry so far as we undertake these vital reviews, and we will keep you informed of developments as they progress. We are also moving ahead with the funding review of MNZ, following a recommendation from last year's independent value for money review. The aim of this is to make sure that taxpayers and the maritime industry continue to get the right services delivered in the right place at the right cost.

MNZ's diverse work is highlighted in our feature "Maritime news making waves in 2010", which profiles some of the stories that made the news last year. From the investigation into the sinking of **Ady Gil** in the Southern Ocean, to the RCCNZ-led search for three Tokelauan boys missing in a runabout and eventually found after 50 days floating in the Pacific – these stories illustrate how varied our work is.

I hope you enjoy this issue.

Catherine Taylor
Director of Maritime New Zealand



Cover story

Shaun Quincey's solo trans-Tasman crossing on **Tasman Trespasser II** was followed closely by media.

MARITIME NEWS MAKING WAVES IN 2010

It was another busy year for news in the maritime sector. Among the stories that caught the media and public's attention were a high profile collision, dramatic rescues, a mysterious disappearance, and tragedies in the Southern Ocean. Here, we recap a few of the stories that dominated the headlines...

Dramatic collision

The year got off to a busy start for all the wrong reasons, following a collision in the Southern Ocean between the Japanese vessel **Shonan Maru No. 2** and the New Zealand-registered whaling protest vessel **Ady Gil** in early January.

The incident made headlines worldwide and sparked a 10-month investigation by MNZ, which found masters of both vessels had contributed to the collision. The accident report's findings were circulated around the world, supporting the International Maritime Organization and various governments' calls for masters involved in protest action to exercise restraint and make the safety of life at sea their highest priority.



QOL project goes full steam ahead

MNZ launched a major review in February aimed at improving seafaring qualifications and operational limits (QOL) to better meet the future needs of the maritime sector. More than 500 people across the country took the opportunity to attend the 17 roadshow seminars MNZ hosted to explain the proposed changes. The level of interest was reflected in the substantial number of submissions received during the consultation period, which closed in November. MNZ is now reviewing and refining the framework.

Trans-Tasman rower monitored

RCCNZ was on standby to launch a rescue operation in February for a solo rower attempting to cross from Australia to New Zealand. Shaun Quincey's row boat, **Tasman Trespasser II**, had flipped twice in heavy seas when he was just inside New Zealand's search and rescue waters, having rowed about 784 nautical miles across the Tasman from Australia.

Mr Quincey decided to push on, and RCCNZ continued to monitor his progress towards New Zealand. He completed the 54-day, 1,190 nautical mile journey on 14 March, 33 years after his father became the first solo rower to cross the Tasman in the opposite direction.



A collision between the Japanese vessel **Shonan Maru No. 2** and New Zealand-registered whaling protest vessel **Ady Gil** prompted an in-depth investigation by MNZ.



Shaun Quincey on **Tasman Trespasser II**. Photo (and cover): James Frankham, New Zealand Geographic.



The search for **Tafadzwa** and its skipper, Paul van Rensburg, dominated headlines in March. Photo: RNZAF.

The search for **Tafadzwa**

The search for South African yachtsman Paul van Rensburg captured public attention for several weeks after he was reported overdue on a voyage from Tauranga to Gisborne in March.

Mr van Rensburg set sail from Tauranga on his 11 metre steel yacht **Tafadzwa** on Friday, 12 March, accompanied by his dog Juanita, with the expectation that he would arrive in time to start work in Gisborne the following Monday morning. RCCNZ began coordinating a large-scale search when he did not arrive as expected.

Extensive coastal and oceanic searches by a Royal New Zealand Air Force (RNZAF) P3 Orion and three other aircraft over three days – covering approximately 96,000 square nautical miles (or 328,000 square kilometres) and far beyond the computer-predicted drift of a disabled yacht – failed to locate any sign of the missing vessel. The search was suspended on 18 March.

On 28 March, an RNZAF Orion on a training exercise found **Tafadzwa** about 60 nautical miles west of the Chatham Islands. The yacht's sails were up, though badly torn, and there was no sign of activity on deck. Mr van Rensburg was not found on board, but his life raft, distress beacon and other emergency equipment were all there. His dog, Juanita, was in the cockpit, alive.

With limited evidence available, MNZ's safety inquiry into the yacht's fate was inconclusive. The GPS equipment on board showed only the last 24 miles of the yacht's journey. The last position marked on the on-board navigational chart was just east of Cape Runaway on East Cape at 3am on 13 March, the morning after Mr van Rensburg left Tauranga. Sadly, Mr van Rensburg's fate remains a maritime mystery.

Collision conviction

In March, a skipper who drove his 14 metre launch into a trimaran near Waikawa Bay in Queen Charlotte Sound in 2009 was sentenced in the Blenheim District Court. The skipper pleaded guilty to operating a vessel in a manner that caused unnecessary danger or risk to those on board the trimaran, by failing to keep a proper lookout as required by Maritime Rule 22.5. He was convicted and fined \$2,500 and ordered to pay reparation of \$5,000 to the family of six, who were on board the trimaran at the time of the collision.

MNZ supports spill response

A blow-out on the Deepwater Horizon rig in the Gulf of Mexico in April caused what is thought to be the largest marine oil spill in the history of the petroleum industry. The ensuing clean-up was one of the largest response operations ever undertaken, with US authorities calling for assistance from spill response experts around the world, including MNZ's own Marine Pollution Response Service (MPRS) staff.

Six people from MPRS, three from MNZ, and one from the Auckland Regional Council were invited to help. A press conference hosted by MPRS at the conclusion of the deployments attracted intense national and local media interest.



MPRS's Scott Read (left) and Dayne Maxwell answer media questions.

MOSS project gathers pace

A project launched in April to overhaul New Zealand's commercial vessel safety framework made significant advances during the year. The public was consulted on a proposed new maritime operator safety system (MOSS) – a less complex system that will also improve operator safety. It is intended that MOSS will replace the existing safe ship management system. In total, 115 written and oral submissions were received in response to the formal consultation with stakeholders and special interest groups. Those submissions have been analysed and are currently being considered by the MNZ Authority.

Fatal decision

In July, a recreational jet boat driver was convicted following a fatal accident in December 2008. The jet boat struck a shingle bar on the Matukituki River east of Wanaka and flipped, killing a British doctor and injuring two other passengers. The skipper admitted a charge of "operating a vessel in a manner causing unnecessary danger or risk". He was convicted, fined \$2,500 and ordered to pay reparation of \$25,000 to the family of the British doctor.

Helicopter crash

In October, RCCNZ launched an intensive search after a helicopter and its two occupants went missing near Invercargill. Sadly, searchers found the crashed Robinson R22 helicopter and its deceased occupants the following day, about 1 nautical mile south-east of Colyers Island, inside Bluff Harbour. Helicopters, Coastguard air patrol and vessels from Bluff and Riverton worked alongside police and RCCNZ to find the two men and the downed aircraft.

Double tragedy in the Southern Ocean

The tragic loss of two South Korean fishing vessels in separate accidents inside New Zealand's search and rescue region generated headlines around the world. In August, the foreign-chartered 82 metre trawler **Oyang 70** capsized and sank within 10 minutes, 400 nautical miles east of Dunedin, with the loss of six lives. Thankfully, 45 of the remaining crew were recovered, due to the quick response of nearby vessels, including the New Zealand trawler **Amaltal Atlantis**, in a rescue mission coordinated by RCCNZ.

Then, in December, the South Korean-owned and operated **No. 1 Insung** sank about 1,000 nautical miles (1,850 kilometres) north of McMurdo Base. Twenty-two crewmen died when the 58 metre long-liner with crew from Korea, China, Indonesia, Vietnam, the Philippines and Russia sank in freezing waters. Twenty survivors were recovered from the water by nearby vessels in another rescue mission coordinated by RCCNZ.



Tragedy struck in the Southern Ocean when **Oyang 70** (pictured) capsized in August, with the loss of six lives.

Survival stories

While 2010 had its share of losses on the water, there were also some amazing stories of survival.

In early October, a search was launched for three Tokelauan boys who went missing from Atafu Atoll in Tokelau in a small runabout. Despite an extensive aerial and on-water search assisted by RCCNZ over several days, no trace of the boys or their vessel was found and the search was suspended.

Miraculously, 50 days after the boys had set out, a Sanfords tuna boat found them alive 700 nautical miles from home. It emerged that, after a night of drinking, they had taken the island's newest boat to find a girl from another atoll who one of the boys had taken a liking to – she lived 432 nautical miles away.

A family of four missing in a 4 metre boat for almost a week near Kiribati in October had their own tale of survival, after being found safe and well following an internationally coordinated rescue mission. The man and woman in their fifties and two boys aged

seven and eight left Ukiangang for the 6.5 nautical mile trip to nearby Tikurere Islet in their small runabout.

An alarm was raised when the group did not arrive as expected, and authorities in Kiribati requested RCCNZ assistance with the search. RCCNZ drew up a search area plan and coordinated an RNZAF P3 Orion to help with the search, along with the Joint Rescue Coordination Centre Honolulu, which tasked the United States Coast Guard (USCG) cutter **Rush** and its HH-65 Dolphin helicopter to help. The Orion aircraft searched an area of about 4,200 square nautical miles, with the small craft located 5 nautical miles outside the northern extremity of the search area, east of Ebon atoll.



A family of four found after almost a week at sea. Photo: USCG.



Photo: www.facebook.com/lifeflightnz

On New Year's Eve, two men were plucked from the water more than 12 hours after their runabout capsized in heavy seas off Wellington's south coast. The boat had been reported overdue to police the previous evening and RCCNZ took over the search and rescue operation at 6am, after one of the crew made it to shore earlier that morning. Three helicopters and four vessels were tasked, with the police launch **Lady Elizabeth IV** providing onsite coordination. One of the two men still missing was sighted by a helicopter at about 10am and minutes later the third man was spotted nearby.



A better 2011?

Fourteen fatalities were recorded in the recreational sector in 2010, compared with 24 in the previous year (which was the second-highest total ever recorded by MNZ). The number of deaths in the commercial sector more than doubled, increasing from four in 2009 to nine in 2010. None of the commercial fatalities in 2010 were New Zealand nationals. All agencies will be working together for a much-improved 2011.

QOL review framework refined

Following last year's successful roadshow about proposed changes to qualifications and operational limits (QOL) and numerous submissions received during consultation, MNZ is reviewing and refining the proposed framework. Further work is also being done to assess its potential impacts.

All submitters will be sent a response by the end of March, after any changes to the proposed framework have been tested and the revised framework developed.

The framework is due to be presented to the MNZ Authority for consideration in the first half of this year, and considerable work will then be required for it to be written into maritime rules. There will be further consultation with the sector at that stage.

The process and timetable for introducing the new QOL framework will be developed in consultation with the industry. It is likely to begin during 2013, with transition from the old qualifications to new ones.

The next critical stages of the QOL project are being led by Andrew Clapham, who was appointed in November to finalise the review and lead the implementation and transition to the new framework. He gained his public and private sector experience with organisations in New Zealand and South Australia.

Andrew explains that the project team has not yet begun the process of rewriting the relevant maritime rules. "Our focus has been on getting the framework right first, so that the rules support a modern maritime structure," he says. "As we start to write the rules, we will maintain an open, collaborative approach, so that the outcome supports industry needs and provides for an internationally respected, sustainable, safe and modern commercial maritime sector."

MOSS development moves forward

The review of MNZ's commercial vessel safety management system is progressing, with the submissions panel meeting three times late last year to consider recommendations for the proposed new maritime operator safety system (MOSS). Presentations to the panel continued through to March.

The MOSS submissions panel is now working through the recommendations for changes arising from the submissions. The MNZ Authority will shortly be making recommendations to the Minister of Transport as a result of the submissions, as the Minister must approve

the proposals before they come into effect. Entry into force, however, would follow some time later, so that the support structure for any new system can be put in place.

MNZ funding review announced

The Ministry of Transport and MNZ have started a review of the basis on which MNZ is funded.

The need for a funding review was a key issue identified by last year's value for money review of MNZ. The value for money review, commissioned by the MNZ Authority and carried out by Ernst & Young, also identified opportunities to ensure that taxpayers and the maritime industry continue to get the right services delivered in the right place at the right cost.

"The funding review will enable us to look at options to put in place robust and defensible funding arrangements that will support business operations within MNZ and in the maritime regulatory environment, and balance the range of maritime community interests," says MNZ Director, Catherine Taylor.

MNZ and the Ministry of Transport will develop a discussion document setting out a range of funding options for consideration by the Minister of Transport. A reference group of sector representatives will be involved in developing options for this document, which is due to be completed by October 2011.

SSM requirements still apply

As MNZ continues with the development of MOSS, commercial vessel operators are reminded they need to stay focused on meeting the requirements of the current system.

Under MNZ's review, it is proposed that the rules governing SSM – Maritime Rules 21 and 46 – will become Rules 19 and 44, and SSM will change to the maritime operator safety system (MOSS).

Many operators have commented that they consider the MOSS proposal as 'final' and are already aligning themselves and their systems away from SSM and towards MOSS. This is not the case, as the final shape and implementation of MOSS has not yet been decided.

MNZ is currently still considering options for how MOSS may be implemented, and this is likely to take some time. Operators will however, be given ample opportunity to transition from the old system to the new, once it is finalised and an implementation programme developed.

In the meantime, operators are advised that SSM is still the current standard they will be audited and assessed against.

While SSM and MOSS are similar in principle, for example with respect to operators being ultimately responsible for the safe operation of their vessels, MOSS will focus on the safety of the entire operation, with the aim of making it easier for operators to follow and of providing MNZ with greater regulatory oversight.

These include:

- operators taking responsibility for their own safety
- staff training and induction
- health and safety, including hazard management
- emergency procedures
- vessel and equipment maintenance
- system review.

MNZ also encourages operators to consider the proposed changes to SSM and how these could impact on their businesses. The proposed changes can be viewed on the MNZ website at www.maritimenz.govt.nz/Consultation/MOSS-consultation.

Although the initial submission phase for MOSS has closed, industry will have the opportunity for further input during the final decision and implementation phases.

New faces at MNZ



Andrew Broad, Auckland Maritime Safety Inspector

A former marine engineer who trained as a ship systems specialist and shipwright, Andrew is enjoying the role as one of MNZ's Auckland-based Maritime Safety Inspectors (MSIs).

Andrew is part of a team of MSIs who work from New Zealand's 10 major ports, carrying out port state control inspections of foreign vessels and safety inspections of domestic vessels.

Andrew also brings a wealth of maritime experience from his time as a qualified marine surveyor in his native UK and as a former safe ship management surveyor in New Zealand. Added to his resumé is expertise in ship damage control and as an instructor in sea survival and advanced fire fighting techniques, as well as management of large ship-building projects.

He says the ability to work with a range of sectors across the maritime industry and make a positive difference was what attracted him to the MSI role. "I hope to build on my understanding of all parts of the marine sector and play a positive role in providing sound relations between MNZ and the industry through listening, training support, understanding and positive liaison, while also ensuring the regulatory requirements are met."



Andrew Berry, Manager Marine Pollution Response Service (MPRS)

Andrew joins MPRS after a career in marine biology and the New Zealand Police, the latter involving diverse and challenging roles, such as child abuse investigation, running a police station, and deployment to Afghanistan.

Andrew's role is to provide leadership and strategic direction at MPRS around New Zealand's response and preparedness to oil spills within our exclusive economic zone.

He says the ability to combine emergency management, leadership and marine science into one role was a very unique opportunity, and was what attracted him to the job.

"I hope to enhance MPRS and its staff into a centre of excellence for oil spill response and preparedness, while building on its reputation and maintaining its contribution to international forums.

"I'm excited by the opportunity to work with a dedicated and committed bunch of people in an organisation where I can make a contribution."



Helen Algar, Principal Policy Advisor, Funding Review

Helen's role is to lead the recently announced funding review of MNZ and the funding review project team.

She says the review's focus is on recommending robust funding arrangements for MNZ's work in maritime regulation. This will involve balancing the needs and expectations of the maritime community and the government, and recognising New Zealand's obligations under maritime conventions.

An experienced public servant who has worked in senior management roles for a number of departments and served a number of government ministers, Helen is excited by the opportunity to build on last year's value for money review of MNZ, and to help develop more robust funding arrangements for the organisation into the future.

Helen says she is fortunate to have a great team with her driving the project, with its key focus in the next few months on better understanding the work of MNZ and establishing a sector reference group to provide input into the review. The team will develop robust principles to assess how MNZ's activities should best be funded, work closely with the Ministry of Transport to link into wider transport policy and ensure the Minister is kept informed.



Roy Ellams, Manager Technical Services

With more than 30 years in the maritime industry, including project work in the United Kingdom and China, Roy brings a wealth of knowledge to MNZ's technical services team.

He says key goals are to build, manage and motivate a dedicated and cohesive team and ensure the efficient and effective provision of technical advisory services and outputs to MNZ stakeholders.

"The type of work I've been fortunate enough to enjoy over the last nine years in the maritime training and vessel construction fields has involved bringing positive and tangible change to business practices, and I hope to bring the same to MNZ. Technical services is a relatively new team within the maritime services unit, so this role represents a huge opportunity to make a real difference to MNZ and its clients."

Roy says key goals over the next few months will be to continue to recruit additional skilled staff to the team and focus on improving working processes and service delivery.



Paul Vorwerk, Environmental Analyst

Paul, a marine biologist, joins MNZ after a stint as a technical advisor for the International Tanker Owners Pollution Federation Ltd, which involved deployment to various oil spills around the world to provide advice on clean-up methods and compensation for maritime oil spills.

In his role at MNZ, Paul will provide advice on the development of maritime environmental policy within New Zealand and on international forums, while also assisting in the development of New Zealand's spill response capability and reviewing monitoring reports from the offshore oil industry.

Paul says his goals include helping to improve controls on international shipping in Antarctica and furthering the understanding of the environmental effects of the offshore oil industry, to ensure it develops in an appropriate manner.

Wear your lifejacket
– it's that simple



**Look after your family,
look after your mates,
and look after yourself
– wear a lifejacket**

For safety tips and info go to
www.maritimenz.govt.nz
or **0508 22 55 22**



MARITIME
NEW ZEALAND

Fun for all – Aqua Have-A-Go Day



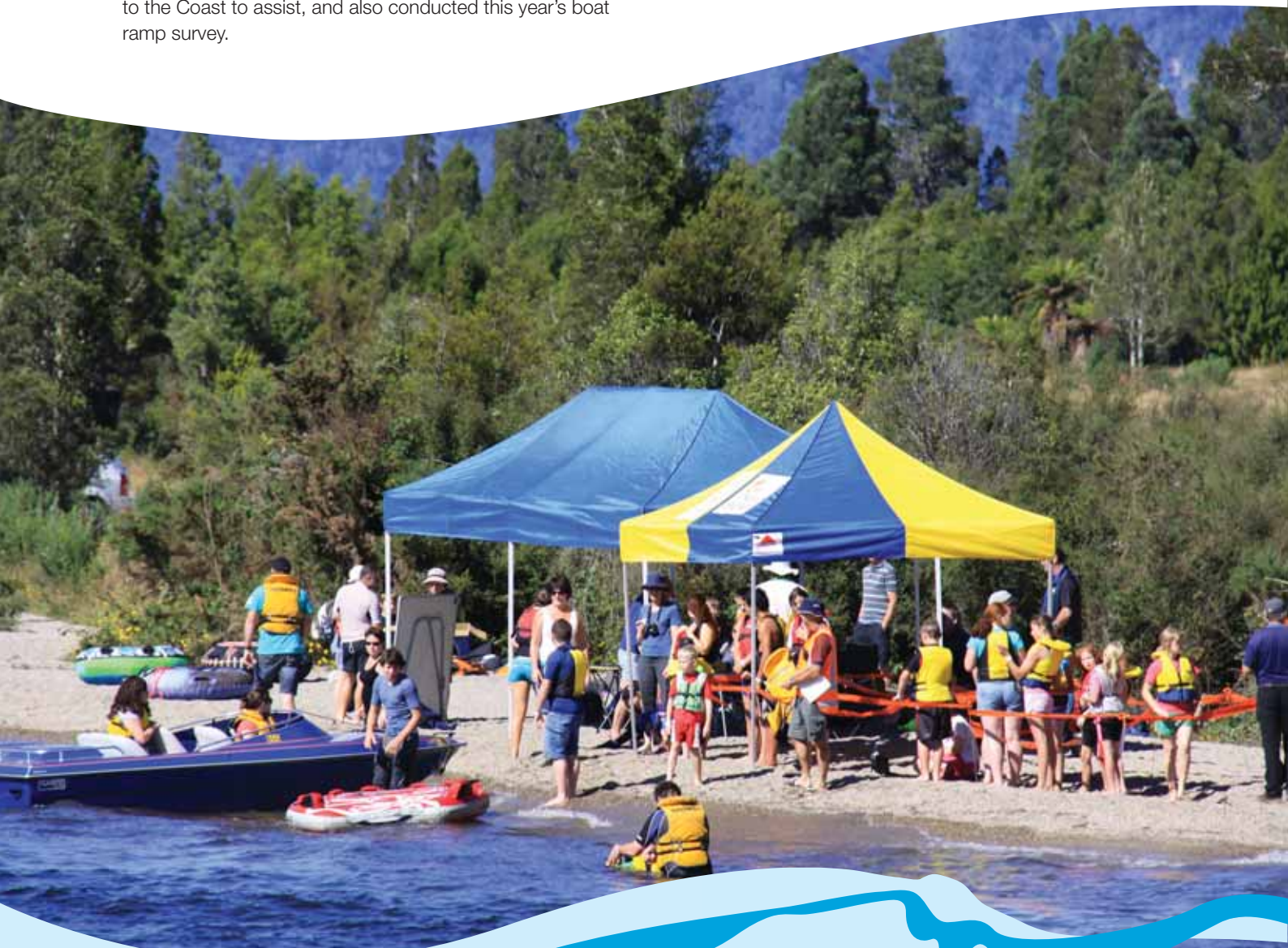
The sun rose to a perfect day for the fourth Aqua “Have-A-Go Day” on the West Coast’s Lake Brunner in late January. Using the same format as previous years, the lake shore was divided into sections for different activities, to be enjoyed by people who would not normally have the opportunity to try their hand at water sports.

More agencies got involved this year, with Sport West Coast coordinating the day and MNZ, Coastguard Boating Education, Surf Life Saving, Water Safety New Zealand, Yachting New Zealand and St John Ambulance all playing a part. But the people who did the real work on the day were the members of local clubs – Lake Brunner Yacht Club, the West Coast Jet Boat Association, and the kayaking and multi-sport clubs.

MNZ safe boating advisors from Christchurch came over to the Coast to assist, and also conducted this year’s boat ramp survey.

Jet boat rides were a popular activity once again, with children of all ages lining up to be fitted with a lifejacket before joining the queue for a ride on a biscuit or jet boat.

Unlike last year, when conditions proved too calm in the morning, a gentle breeze across the lake allowed the yachts to sail throughout the day. Kayaks were as popular as ever, with participants taking a ride after receiving instruction on shore. A duck race offered children some rowdy competition, and others simply enjoyed playing in the water.







The Folau Malu group aims to promote boating safety among Pacific peoples.

Folau Malu (Journey Safely) group promote boating safety

MNZ has teamed up with ACC and Coastguard Northern Region on an initiative designed to promote safe boating among Pacific peoples.

The Folau Malu (Journey Safely) programme aims to better communicate safe boating messages to Pacific Island communities in Auckland.

Members of the group recently completed a Coastguard day skipper course, the first phase of their training to become MNZ safe boating advisors. Once qualified, they will join a nationwide network of about 180 volunteer advisors, who liaise with regional council harbourmasters and Coastguard to provide boaties with safety advice and information.

Ceri Davis, Team Manager of Injury Prevention at ACC, says the Folau Malu team members were chosen for their proven ability to interact with their communities and communicate safe boating messages. They are Atonio Tuipea, Filipo Motulalo, Neil Fa'amatala So'onalole, Siakumi Finau, Christopher Motulalo, Petelo Vili Tonga, Sanele Poluleuligaga and Robert Rhodes.

MNZ Maritime Safety Inspector Alistair Thomson says education is crucial to make sure vessel skippers make the best decisions on the water. He says MNZ welcomes any applications from others interested in joining the group. "Through the work of the Folau Malu group and others, we want to raise awareness and improve safety on the water."

Extending a helping hand to boaties

A near tragedy almost seven years ago prompted Wayne Middleton to take up a role in boatie education. He and his wife, riding jet skis during a family outing at Lake Hood near Ashburton, observed a heavily overloaded boat heading out from shore with a baby on board and no lifejackets. When the boat capsized, they were close enough to pluck the 10-month-old infant out of the water.

In other ways, says Wayne, becoming involved as an MNZ safe boating advisor was a natural progression. He enjoys being on the water at any time and has been involved with boating for 25 years, including enjoying a variety of watersports with his teenage sons and spending time beachside at a family bach in Kaikoura. About five years ago, he joined a Coastguard unit and became a Coastguard skipper and course tutor, before joining the ranks of MNZ's volunteer safe boating advisors about three years ago.

He describes being a safe boating advisor as a fairly informal role, but one that makes a useful contribution to improving boatie behaviour. He sees it as being about education rather than enforcement.

Once a year, Wayne helps run a boat ramp survey in his area, which asks boaties a series of informal questions, with names and addresses not required. The survey helps to build a picture of boatie behaviour and to identify changes that may need to be promoted to the wider boating community.

Wayne also sometimes helps out on the MNZ stand at boat shows. He enjoys meeting people, so it's not hard to front up to strangers, and the feedback they give is invariably positive. Over time, he says he's seeing a greater move towards wearing lifejackets on board boats, but there's still a need for people to learn about and adopt other safe boating practices, such as checking the weather forecast before they head out.



Wayne Middleton was presented with Coastguard's Captain Mike Little Award for the South Island tutor of year, 2010.

Join the safe boating advisor network

Across New Zealand, there's a network of volunteer safe boating advisors ready to help boaties safely use and enjoy our waterways, and to advise skippers how to make the best decisions on the water.

The approximately 180 voluntary advisors are appointed by MNZ and work on behalf of the organisation. Their role is to educate the boating public and raise awareness about the legal requirements and safe boating practices in their region.

MNZ's recreational boating team supports safe boating advisors with training and resources to help them carry out their role. In turn, safe boating advisors help with campaigns and events, such as boat shows and fishing competitions.

They also usually work closely with the local harbourmaster to build a shared understanding of navigation safety issues in their area.

To be eligible for a role as a safe boating advisor, you must have a Coastguard Boatmaster Certificate (or equivalent qualification) and have been involved in boating for at least five years. If you'd like more information about becoming an advisor, including the criteria and training offered, contact the MNZ recreational boating team on freephone 0508 22 55 22 or email recreational.boating@maritimenz.govt.nz.

Nationwide audit of Part 35(2) holders

MNZ's safety and environmental audit team is conducting a nationwide audit of training providers that have approval under Part 35(2).

Part 35(2) relates to industry-specific training and the issue of certificates of competency by organisations that operate vessels. It can apply to craft of 6 metres or less in overall length, or to non-passenger boats that are not fishing boats, are no longer than 15 metres and operate only within restricted limits.

Councils or university departments required to take water samples from a lake are examples of organisations that might operate these types of vessels. Under maritime rules, a certificate of competency is ordinarily required, but the organisation may be eligible to apply for Part 35(2) approval to satisfy this requirement.

To be approved, a training framework must:

- continually review the framework to ensure it remains relevant for the organisation (but may not change it without authorisation from MNZ)
 - notify MNZ if the person delegated to issue the certificates of competency for the organisation changes.
- Under the Maritime Transport Act 1994, all holders of maritime documents are subject to audit, with charges as set out in the Shipping (Charges) Regulations 2000. A copy of these regulations can be found online at www.legislation.govt.nz.
- For more information about Part 35(2), go to the rules pages of the MNZ website at www.maritimenz.govt.nz/rules or email the safety and environmental audit team at seat@maritimenz.govt.nz
- keep complete records of all the Part 35(2) participants in the organisation's training framework

Gulf spill discussion to feature at MLAANZ Conference

The practical and legal implications of the Gulf of Mexico oil spill for New Zealand are among key topics to be discussed at a maritime law conference next month.

Hosted by the Maritime Law Association of Australia and New Zealand (MLAANZ) in Taupo from 7–8 April, MNZ staff will be involved in a number of presentations and discussions on various regulatory issues currently affecting the maritime sector.

This includes updates on MNZ's proposed new maritime operator safety system, the qualifications and operational limits (QOL) review, and participation in a panel discussion

of implications for the New Zealand oil industry and regulatory environment following the Deepwater Horizon spill.

MLAANZ is inviting its members and those with an interest in maritime law issues to attend the conference.

For more information on registering for the conference or MLAANZ's New Zealand branch, visit www.mlaanz.org

Framework to regulate ocean fertilisation

New Zealand, through MNZ, has joined other maritime nations in developing a framework to regulate the controversial practice of ocean fertilisation.

The practice involves adding nutrients, such as iron, to the ocean to stimulate the growth of phytoplankton. This is believed to remove carbon dioxide (CO₂) from the atmosphere, through plankton absorbing the gas and taking it to the seafloor as they die and sink. However, there are widespread doubts about the effectiveness of ocean fertilisation and concerns over its potential harm to the environment.

In October last year, the International Maritime Organization (IMO) completed and adopted by consensus the Assessment Framework for Scientific Research involving Ocean Fertilisation. MNZ contributed to the framework development through submissions jointly authored with Australia and by attending IMO meetings in London.

The agreement also committed parties to the longer-term goal of regulating ocean fertilisation and other activities that have potential to harm the marine environment. This groundbreaking achievement opens the door for regulation of other forms of marine geo-engineering that could pose environmental risks.

Ocean fertilisation is claimed to mitigate climate change (potentially earning carbon credits internationally) and to stimulate productivity in wild fisheries, but research so far has not shown it to be effective in reducing atmospheric CO₂.

It is also considered to be likely to cause nutrient robbing, which occurs when an increase in productivity in one region causes a proportional decrease somewhere else.

As well, there are concerns about potential negative effects on the marine environment from increased nutrient loading and phytoplankton blooms.

In recent years, international entities have proposed ocean fertilisation projects for the Tasman Sea and Southern Ocean that could impact on New Zealand's interests, and a domestic initiative has been considered as a commercial venture.

In 2008, in response to environmental concerns and the interest shown in using our country as a base for ocean fertilisation activities, a cross-agency working group led by the Ministry of Transport decided to allow scientific research, but gave commercial ocean fertilisation activities the thumbs down. The group adopted the following position:

Taking into consideration the Convention on Biological Diversity and the IMO Scientific Group Statement of Concern, New Zealand formally adopts a position supporting a regulatory regime that allows legitimate scientific research, but does not permit commercially driven ocean fertilisation activities until such time when the science and IMO deem such activities justifiable.

Beacon rescued from tip

Two years on from the decommissioning of the 121.5 Megahertz (MHz) emergency distress beacon network, there's still the odd search undertaken for a discarded beacon, with one recently "rescued from a rubbish tip". People have answered the call to switch to the 406MHz distress beacon network, but a few have not disposed of their obsolete beacons appropriately, sparking costly search missions.

On the upside, increased numbers of people registering their 406MHz distress beacons means that the number of call-outs for false alarms is on the wane, and it has also meant that RCCNZ can reach emergency contacts and launch a more targeted response when there is a genuine emergency.



Mark Bond and Barry Shepherd from Taupo police and Taupo Rescue Helicopter pilot Nat Every at the Taupo tip where a distress beacon was found. Photo: New Zealand Police.

Updates to maritime rules

Part 81 – Commercial Rafting Operations

The Minister of Transport signed off Maritime Rules Part 81 for commercial rafting operations at the end of August 2010.

This part replaces Section 2 of Part 80, which dates from 1999 and will take effect on 1 April 2011.

While the original rules are considered to have been mostly adequate, the new rules extend safety requirements to raft hire operations and raft guide training. They also introduce new standards for raft guide training in first aid and river rescue.

The rules are designed to better fit their purpose by being more risk-based. The stringency of the existing adventure-focused rules has been relaxed for lower risk activities (such as raft fishing), which is expected to reduce compliance costs for a number of operators.

Part 21 – Safe Ship Management Systems: Amendment 2010

This amendment changes the status of the approval of a safe ship management (SSM) company so that approval now constitutes a maritime document. The change, which came into force on 1 December 2010, does not affect the validity of existing approvals.

Rule Part 21 establishes the requirements for New Zealand commercial vessels to have safe ship management procedures, as set out in Section 17 of the Maritime Transport Act 1994 (MTA).

Part 21 has two sections: Section 1 applies to New Zealand vessels that travel on international voyages; Section 2, to which the 2010 amendment relates, applies to the majority of New Zealand commercial vessels.

Vessels covered by Section 2 are required to operate an SSM system that has been approved by the Director of MNZ. The Amendment 2010 changes the legal status of the Director's approval to a maritime document issued under Part 5 of the MTA.

The amendment was prompted by the High Court decision in *Survey Nelson v Director of Maritime New Zealand* issued in March 2010. The proceedings concerned judicial review of the Director's decision to withdraw the organisation's approval as an SSM organisation.

Justice Simon France held that, based on the interpretation of the rule, the approval of an organisation to be an SSM organisation was not a maritime document. He recorded that he was reluctant to come to such a decision and recommended that the law should be urgently amended to provide for the approval as a maritime document.

Making the approval a maritime document enables the Director to oversee and regulate SSM organisations using the mechanisms for maritime documents under the MTA. The amendment also means that SSM organisations are covered by the MTA's procedural protections for maritime document holders.

No specific arrangements are required to implement the amendment, as existing approvals are now deemed to be maritime documents, and there are no additional compliance costs.

Rule Part 81 – Commercial Rafting Operations will take effect on 1 April 2011.



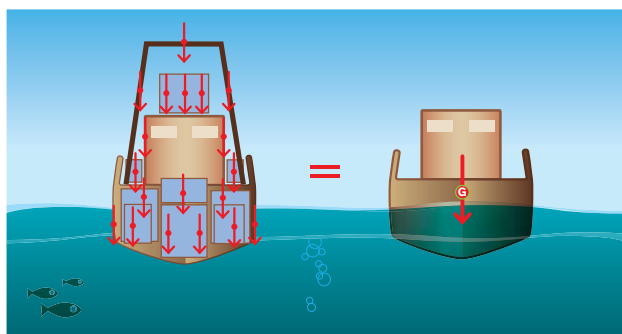


A guide to **FISHING VESSEL STABILITY**

Stability made simpler – new vessel resource launched

MNZ has launched a new resource demystifying the science of vessel stability to support the fishing industry.

Former commercial fisherman Maurice Davis says the information has been presented in a way that hopefully makes it easier for fishermen to understand the mechanics of stability and the way their boat can be affected by different forces. Now a Dunedin-based naval architect, Maurice says some fishermen tend to look at inclining tests, hydrostatic tables and graphs as “witchcraft”, but that the guide is about “taking the witchcraft out of it”.



That's echoed by MNZ industry liaison advisor and former fisherman Darren Guard. “Although parts of the resource may look complicated at first glance, they are not,” he says. “I encourage all fishing skippers and crews to sit down and have a good look. I've been through it myself and now fully understand what all those graphs in the stability book mean,” he jests.

Darren says standards have come a long way since the early 1990s, when fishing vessels too often rolled over – often because of poor stability caused by overloading, compounded by poor weather and other factors.

MNZ's nautical analyst Alexander Munro, who was responsible for developing the resource, adds that while major improvements have been made to vessel stability through the introduction of maritime rules, standards and safer loading practices, MNZ is keen to publicise the ‘educational aspects’ of fishing vessel stability more widely to the industry. “Although these guidelines have been developed for the fishing industry, the principles relating to the importance of stability and the basic forces that create or reduce stability are relevant to the whole maritime industry,” he says.

“The aim of these resources is to take the focus on vessel stability and education to the next level – firstly, by providing a clearer understanding of how the stability of a boat is created and maintained, and secondly, by providing an increased awareness of the most important stability hazards fishing vessels are exposed to.

“Because the stability of a vessel is something you rely on – not only for your livelihood, but also your life – understanding each of the factors that reduce stability is important, so that they can be planned for,” says Alexander. “It's ultimately the skipper or crew's actions that ensure the vessel operates safely and, even with a compliant, properly maintained vessel, the wrong operational decision can still cause a capsized.

“Armed with this expanded understanding and awareness, MNZ hopes the New Zealand fishing fleet can avoid potentially dangerous situations and continue to make improvements to the safety of those working in the industry.”

A Guide to Fishing Vessel Stability is available in booklet format as a PDF.

The booklet can be downloaded from MNZ's website: www.maritimenz.govt.nz and will be available in hard copy later this year.

New boarding qualifications available

White-water boarding qualifications are now available on the New Zealand Qualifications Framework.

MNZ has been working with Skills Active Aotearoa and the New Zealand Rafting Association (NZRA) to develop the new qualifications, in consultation with the white-water boarding sector. NZRA, the industry body that represents rafting, now represents white-water boarding as well.

White-water boarding is also known as river boarding or river sledging, depending on the type of craft used.

The new qualification is consistent with the New Zealand raft guide qualification for trip planning and preparation, as well as for river rescue skills. It has one award for guides and another for senior guides.

During multi-level assessments run by NZRA in Rotorua and Queenstown in late 2010, white-water boarding assessors were put through their paces by two Skills Active registrars to ensure the assessment process is robust and consistent with the quality of assessments in the rafting sector.

The new assessors set plenty of challenging scenarios for the guide candidates who showed they were capable of guiding to the national standard.

The qualification process has been well accepted by industry and the guides appreciate having their skills recognised through the new awards. MNZ safety advisor Colin Sonneveld acknowledges the efforts of the commercial river boarding and river sledging sector, as well as NZRA and Skills Active Aotearoa in developing and supporting the new white-water boarding qualifications.

MNZ is in the final stages of reviewing the safety guidelines for commercial white-water boarding operations, which were first published in February 2009. The revised guidelines will reflect the new qualifications, as well as other advances in the sector.

New white-water boarding qualifications are now available on the New Zealand Qualifications Framework.



Technical details

Location: latitude 34°26' south, longitude 172°41' east

Elevation: 79 metres above sea level

Construction: concrete tower

Tower height: 10 metres

Light configuration: modern rotating beacon

Light flash character: white light flashing once every 12 seconds

Power source: batteries charged by solar panels

Range: 19 nautical miles (35 kilometres)

Date first lit: 1941

Automated: 1987 **Demanned:** 1987

More on this and other lighthouses is available on our website:

▶ www.maritimenz.govt.nz/lighthouses



Keeping the lights on – Cape Reinga

Cape Reinga's light is one of the first that ships see when arriving from the Tasman Sea and North Pacific Ocean. Arguably New Zealand's best-known lighthouse, Cape Reinga lighthouse was not the first in the area – it replaced an earlier lighthouse on nearby Motuopao Island, off Cape Maria Van Diemen.

The original Maria Van Diemen Lighthouse was built in 1879. Access was always a problem and, to overcome the difficulty of getting a boat across the rough seas, a flying fox was built between the island and mainland in 1886. Although intended only for supplies and mail, keepers and their families also travelled across the channel in the flying fox's basket.

When an assistant lighthouse keeper's wife was swept to her death off the rocks near the lighthouse in 1933, the decision was made to build a new tower on the mainland at Cape Reinga. Completed in 1941, the lighthouse at Cape Reinga was the last watched lighthouse built in New Zealand.

Wartime blackout restrictions meant the new light had little use for its first few years. Threat of an invasion was a very real fear for the keepers at Cape Reinga. In 1918, during World War 1, the German raider **Wolf** was seen anchored in nearby Twilight Bay and, only months earlier, the passenger ship **Wimmem** was sunk by a mine 16 miles off the cape, killing 26 people. Also that year, a mine drifted onto the mainland opposite the lighthouse. Although the keepers reported its presence during the night, it exploded before the army arrived to investigate. The blast cracked the windows of one of the keeper's homes.

Despite these events, it was considered unlikely that the enemy would bomb the lighthouse, because it offered as much help to an alien ship as to an allied vessel.

Operation of the Cape Reinga light

When it came into service in 1941, the lighthouse was powered by diesel-generated electricity. The station was automated and the last keeper withdrawn in 1987.

In April 2000, the original light and associated equipment were removed and replaced with a modern rotating beacon illuminated by a 50 watt tungsten halogen bulb. The power for the new light at Cape Reinga is supplied from battery banks charged by solar panels and the light is monitored remotely from MNZ's Wellington office.

Life at Cape Reinga light station

Cape Reinga was a two-keeper station. One of the least accessible lighthouse stations in the country when it was built, access was improved over time, and by the mid-1960s the keepers were hosting upwards of 200 visitors a day.

A school was established at the cape in 1951, which the keepers' children attended. When it shut a decade later, the children travelled to another school nearby.

Access to Cape Reinga lighthouse

Cape Reinga lighthouse is accessible to the public, but there is no access to the inside structure. Thousands of people visit the lighthouse each year. It presents an impressive sight, looking out from the top of the North Island to the meeting of the Tasman and Pacific oceans.

Online accident reporting launched

The launch of online accident reporting will make it quicker and easier for people to report maritime accidents and incidents to MNZ.

The organisation has developed a new online reporting system so commercial operators and recreational boaties can report accidents, incidents or serious harm injuries online by completing and submitting an electronic form directly to MNZ.

All masters and skippers are required by legislation to report accidents, incidents or serious harm injuries to MNZ as soon as practicable.

MNZ uses the information to track trends in accidents, incidents, serious harm and fatality statistics and to get a clearer picture of where it needs to focus its efforts or develop resources or rule amendments.

The new reporting system has been developed with input from industry stakeholders from the jetboat, rafting, fishing, passenger and recreational sectors. Their feedback has been incorporated into the final design.



MNZ Investigations Manager Steve van der Splinter says the new online system will make it quick and simple for people to meet their reporting obligations.

"This system is easy to use and readily available to anyone with access to the internet.

"People will find it easier to report, which makes it easier for us to collect accurate information on what's happening out on the water."

Mr van der Splinter said paper forms are still available to use for those who preferred them, but consultation made it clear most would prefer to use online reporting.

Report accidents online using the link on MNZ's home page, or go to:

www.maritimenz.govt.nz/report-online

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Maritime fatalities 2010

From 1 January to 31 December 2010 there were **23** fatalities – **9** in the commercial sector and **14** in the recreational sector.

This compares with 4 commercial and 24 recreational fatalities for the same period in 2009.



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