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Fishing Sector Action Plan – partnership for safety

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SafeSEAS CleanSEAS



Keith at MNZ's
Wellington office.

Welcome to the September issue of *Safe Seas Clean Seas* – it has been a very busy three months for Maritime New Zealand (MNZ), both internally and externally, since the last issue in June.

In July I spoke with all MNZ staff about what kind of organisation we need to become if we are to meet the challenges of operating in a modern maritime environment. I believe we need to make a strategic shift in MNZ's approach, to become evidence-based, intelligence-led and risk-focused.

MNZ is committed to implementing a number of significant changes over the next 12 months and beyond. In particular, the Maritime Operator Safety System (MOSS) and embedding the Health and Safety in Employment Act (HSEA) mean that we will be focusing much more on operators (not just vessels), safety systems, and outcomes (safe, secure and clean seas).

We already do some or even most of these things, but only to a limited extent. The changes will mean a big shift in focus – which will involve some major changes in functions and roles. The first of these is a change to the business group structure, which has seen two new positions established and filled. Harry Hawthorn is the new General Manager Maritime Compliance and Sharyn Forsyth is General Manager Maritime Standards. Both are featured on the back page of this issue.

Now is the ideal time to starting thinking about this shift in focus. MOSS is to be implemented in July 2013 and the Qualifications and Operational Limits (QOL) project is on the same timeline.

For MOSS to work well, MNZ needs to address some wider issues, including the need for a coordinated approach to

collecting information/data, so we can get a clear view of the risks that we need to manage. In addition, MOSS will deliver a lot of information to MNZ about vessels and operators. We need to be set up to collect, analyse and use this information to help prioritise what we do.

Outside the organisation, there has also been significant news around a number of other key projects.

As many of you will be aware, the owners of **Rena** have appointed a salvor to remove the remaining bow section to below the water level. This is good news for New Zealand, and I believe it marks an important milestone in the incident.

Safety at sea is also the focus of the Fishing Sector Action Plan, launched in August by Labour Minister Kate Wilkinson and Associate Transport Minister Simon Bridges. Along with MOSS and QOL, a key element of the plan is the development of amendments to Rule 40D, covering the design and construction of fishing boats, and their equipment.

These amendments came into force on 2 August – the same day jet boat driver licensing was introduced for commercial operators on rivers. Associate Minister Bridges announced both initiatives to widespread support from the sectors.

Also in this issue, we mark World Maritime Day, with this year's theme the sinking of the **Titanic** 100 years ago. That tragedy cost 1,503 lives, but had at least one positive outcome – it was the catalyst for the International Convention for the Safety of Lives at Sea (SOLAS), which is in place to this day.

I wish you good reading.

Keith Manch

Director of Maritime New Zealand



Fishing Sector Action Plan marks growing partnership for safety

The Fishing Sector Action Plan was launched on the fishing vessel **Steve Mayree** at Queens Wharf in Wellington on 2 August.

The Fishing Sector Action Plan was jointly launched in August by the Minister of Labour, the Hon Kate Wilkinson, and the Associate Transport Minister, the Hon Simon Bridges at Queens Wharf, in Wellington.

Widespread support for the plan reflects the industry's desire to reduce the rate of injuries and fatalities, MNZ General Manager Maritime Services, Sharyn Forsyth said.

The plan was prepared by MNZ in partnership with FishSAFE, and with the support of the Accident Compensation Corporation and the Ministry of Business, Innovation and Employment.

FishSAFE is a fishing industry-led government partnership that aims to improve safety in the commercial fishing sector in New Zealand. It was set up in 2004 and is supported by MNZ, the Seafood Industry Council (SeaFIC) and the Accident Compensation Corporation.

"Building on the foundation created by FishSAFE, the plan represents a partnership between the government, employers and employees to make the industry safer," said Ms Forsyth.

"The fishing industry has worked constructively to improve safety, particularly in the in-shore fleet. While there is still work to be done, this partnership forms a strong foundation for success."

Commercial fishing is one of the most dangerous jobs in New Zealand. Nearly 7.5 percent of the approximately 7,000 workers in the industry are injured in accidents each year – nearly twice the percentage for the nearest sector (mining and quarrying). Between 2001 and 2011, 33 fishermen were killed doing their job.

The plan introduces a number of initiatives to improve safety, by:

- improving crew competency, including proposed updates to the Qualifications and Operational Limits (QOL) framework
- ensuring maritime rules about vessels and equipment lead to improved safety
- introducing a proposed new Maritime Operator Safety System (MOSS)
- getting better information on risks and injuries in the industry
- improving communication to people in the fishing industry.

"What the safety system emphasises is that safety is something that must be considered every day. It is not just a case of ensuring a vessel is safe when it is surveyed, the operator has a responsibility to make sure the operation as a whole is safe," said Ms Forsyth.

Minister Wilkinson said all workers had the right to do their jobs in safety.

"People working in the fishing industry are exposed to a wide range of hazards. Their work can be physically demanding, the hours long and the maritime environment provides an element of unpredictability to the workplace," said Minister Wilkinson.

"It's critical that any plan aimed at reducing the accident toll in the fishing industry takes that environment into account – that's why the Fishing Sector Action Plan focuses on making sure fishermen are appropriately qualified and fishing vessels are appropriate for the work they do.

"There is no excuse for anyone to be put in danger, suffer serious injury or lose their life while on the job," said Minister Wilkinson.

Associate Minister Bridges said last month's introduction of changes to Maritime Rule 40D, relating to vessel and equipment design and construction, showed that important steps are already being taken to put this plan into action.

"The social cost of workplace harm in the fishing sector is too high to ignore. We are working to improve safety across the maritime industry by bringing in a clear, logical and flexible safety management system that can adapt to changes in the industry while ensuring safe operations."

"MOSS and QOL and other changes being introduced will give operators more flexibility to meet their safety obligations, while ensuring greater transparency and accountability to MNZ for safe operations."

Doug Saunders-Loder, President of the New Zealand Federation of Commercial Fishermen, said the industry welcomed the three-year plan.

"Commercial fishing is by its very nature a dangerous occupation and while our industry has taken steps to reduce the risks, the action plan provides a further practical framework that is targeted on specific areas like vessel safety improvements, better understanding of risks and lifting crew competency," he said.

Chairman of the New Zealand Rock Lobster Industry Council, Andrew Branson, said "we acknowledge and accept responsibility for our own safety at sea in the same way that we do for managing sustainable utilisation of our rock lobster fisheries resources.

"The Fishing Sector Action Plan provides our industry with a framework and tools to enable a greater level of self-management. This in turn further aligns the New Zealand rock lobster industry with an over-arching fishing industry strategy of 'managing our own ship'," said Mr Branson.

Chief Executive of the New Zealand Seafood Industry Council Peter Bodeker said the partnership approach was critical to the success of the plan.

"The plan has actively involved the industry through FishSAFE...This shared leadership approach between industry and government is key to ensuring real and sustainable changes are made to our industry's health and safety performance."



Chair of the New Zealand Rock Lobster Council Andrew Branson (left), Hon Simon Bridges, Hon Kate Wilkinson, President of the New Zealand Federation of Commercial Fishermen Doug Saunders-Loder and MNZ Maritime Safety Inspector and FishSAFE mentor Gary Levy at the launch.



Amended fishing boat rule reflects safety and industry needs

Amendments to Maritime Rule Part 40D covering the design and construction of fishing boats, and the equipment used on them, will improve safety, lift compliance and better meet the needs of the fishing industry.

The changes are one of the elements of the Fishing Sector Action Plan, which has the overall objective of improving safety on fishing vessels.

The amendments make Part 40D more applicable to vessels less than 24 metres in length, which make up more than 90 percent of the 1,070 vessels in the New Zealand fishing fleet.

Announcing the changes, which came into force on 2 August, Associate Transport Minister Hon Simon Bridges said structural and equipment failures accounted for 26 percent of fishing injuries in 2009/10.

"The fishing industry is one of our most dangerous, with 28 fatalities between 2002 and 2010. The amended rule helps address this social cost.

"In addition, the rule changes reflect recent lessons from maritime incidents, which can have significant consequences for crew safety and the seaworthiness of fishing ships."

These amendments work to ensure the rule is appropriate for the age, range and scale of ships in New Zealand's commercial fleet.

"A 2005 inspection of a random selection of small fishing vessels showed that compliance with Part 40D was extremely poor. An industry working party found that the rule was largely unworkable for the vessels it was intended to regulate. The amendments, which have been developed in close consultation with the sector over several years, ensure that the rule is appropriate for the majority of vessels in operation."

Associate Minister Bridges said the cost to the sector was expected to be minimal – and in some cases, costs would be reduced.

"The aim is to reduce ambiguity and ensure requirements are practical and effective for all fishing vessels.

The changes make it clear who is responsible for compliance, which will help improve consistency of interpretation across the sector."

MNZ General Manager Maritime Services, Sharyn Forsyth, said the amendments reflect existing best practice in the fishing industry.

"Previously, parts of 40D were not well-aligned with the constraints of small fishing vessels," she said. "Many of the changes have been made to make the rule appropriate for all ships in New Zealand's commercial fleet, and proportionate to risk levels on different-sized ships.

"Lessons from accidents and incidents are also reflected in the amendments."

Several new requirements will mitigate the risks of fire and flooding, which can have serious consequences for fishing vessels.

While many changes update the rules to reflect common industry practices, substantial new structural requirements will be applicable to newly constructed fishing vessels.

Other changes to the rules include:

- updated collision bulkhead requirements that are more practical for existing and new vessels
- more flexible hatch cover requirements for small vessels
- new specifications for equipment and fittings that limit the spread and impact of engine room fires
- updated design and construction standards to reduce the risk of flooding
- alternative guardrail and bulwark requirements applicable when navigation safety may otherwise be impeded
- modified requirements regarding electrical system documentation
- new breathing apparatus requirements applicable to small ships with a heightened risk of gas leaks from refrigeration systems.

The amendments will also remove the need for, and therefore the cost of, design approval for imported ships that already meet the stringent Australian National Standard for Commercial Vessels.

QOL consultation continues engagement

Public consultation on the maritime rules giving effect to the new Qualifications and Operational Limits (QOL) framework is planned to take place during October and November. Information, including the new Rule Parts 20, 31 and 32, the advisory circulars, and invitations to comment, will be posted on the MNZ website: maritimenz.govt.nz/qol.

The QOL Review and the subsequent development of a new framework have already been widely shared with the maritime community. The consultation process will continue that engagement to ensure that the rules accurately reflect MNZ's intent – to develop a world-class qualifications framework that supports a modern maritime sector.

"Recognising competence is at the core of the framework, which focuses on defining and measuring competence through practical assessment and examination," says QOL programme manager Andrew Clapham. "This clear, logical framework will give seafarers greater flexibility to enter or move within the maritime sector in response to changing demands."

The maritime qualifications and operating limits rules regime affects around 3,000 New Zealand commercial vessel operators and 13,000 seafarers. The current rules were made nearly 15 years ago, with much of their content carried over from pre-existing regulations from the 1950s.

Ad hoc changes have addressed isolated issues, but the rules have become increasingly out of step with the needs of today's maritime sector. They are complex, highly prescriptive, and difficult for industry and seafarers to understand.

Issues include:

- barriers to entry into the commercial maritime sector caused by outdated, inflexible rules and a focus on prescription rather than experience and competence
- qualifications and syllabuses out of step with advances in technology and changes in the domestic maritime sector
- operating limits that do not properly take into account modern vessel capabilities
- increased costs for MNZ, and vessel operators and seafarers, because of complexity and over-prescription.

The new rules are aligned with international conventions – Standards of Training, Certification and Watchkeeping (STCW) and STCW-F (for fishing vessels). Under these rules, seafarers and employers in the commercial shipping and fishing sectors will benefit from:

- the removal of unnecessary barriers to entry and career progression
- competency-based rather than prescriptive experience requirements
- recognition of all relevant sea-going experience
- qualifications that match contemporary industry needs
- a simpler, more logical qualifications structure.

"Introducing competency-based qualifications consistent with international standards will ensure New Zealand seafarers and operators will continue to have access to international markets," said Andrew.

Competencies

A competency-based framework already supports the international STCW licences issued by MNZ, with maritime training institutions working to model syllabuses. A working group made up of MNZ, industry training organisation Competenz, training providers and industry representatives recently finished developing a competency framework for the five non-STCW Certificates of Competency (or licences) on the new QOL framework.

"These licences – Skipper Restricted Limits (SRL), Qualified Deck Crew (QDC), Marine Engineer Class 6 (MEC6), Master Yacht <24m near coastal, and Skipper Coastal / Offshore <24m – are a critical first step for those needing a stepping stone into the industry," says Andrew. "We have also aligned the competencies developed for these licences with STCW-F."

"A real benefit of developing a competency framework is that it offers a number of different methods for a seafarer to demonstrate they are competent. The package for SRL, for example, includes a task book, on-board assessment and an oral examination, as well as an approved training course."

"The real advantage of all this is that it will enable people to enter the industry more quickly – and more competently – than the present rules, with their excessive seetime requirements, allow."

Andrew makes the point that implementation of the new rules will be supported by significant operational improvements at MNZ to deliver efficiencies, including the introduction of online processing.

"These new rules – and the opportunities they offer – support major changes in the qualifications regime that will benefit the maritime industry. I would urge anyone with a stake in the sector to take this opportunity to read, understand and have their say."

MOSS on a roll

The Maritime Operator Safety System (MOSS) programme team is on track to get Maritime Rule Parts 19 and 44 to the Ministry of Transport in October to enable sign-off by the Minister by the end of the year and implementation in mid-2013. Once signed off, the rules, advisory circulars and MNZ's response to submissions made during the consultation round in June will be posted on MNZ's website.

Planning for MOSS transition and implementation is well underway. This includes entry control into MOSS – for both operators and surveyors – audit, and also involves major changes to the way in which regulatory survey will be carried out under MOSS.

How MNZ plans to raise the standard and improve the consistency of survey was a major area of concern for submitters during the MOSS consultation. Survey consistency is something that MNZ is determined to get right.

All MOSS surveyors will be required to meet MOSS standards. MNZ will improve standards and consistency of survey by:

- implementing stronger entry control for surveyors into MOSS – including developing a competency framework that formally specifies the combination and level of knowledge, skills and behavior required
- working with surveyors to establish consistent interpretation and application of survey standards
- increasing MNZ's support for and education of surveyors
- exiting poor surveyors from MOSS.

A key part of this work is developing the survey guidelines to help surveyors consistently interpret the standards set out in the Part 40-series maritime rules.

"Many of the rules are currently left open to interpretation and discretion – over 200 references to surveyor 'discretion' were identified when we started looking at this work," says programme manager John Oldroyd. "Helping surveyors interpret these rules also puts a strain on MNZ resources, as surveyors rely heavily on support from the safety systems management team."

The MOSS team has set up a survey working group, which includes a number of surveyors, to draw up these guidelines. "We see this as an important part of establishing and building a relationship with the surveying community and using their expertise to help improve standards and consistency," says John.

A request for expressions of interest from surveyors received over 30 positive responses. "We're delighted with this, as it shows the high level of investment the industry is prepared to put into developing the future state under MOSS."

Two of these surveyors are part of the working group, with others acting as subject matter experts, as required. Material will be available to the wider survey community for review and comment.

The working group's objectives are to identify and assess areas in the rules that:

- require surveyors to use their discretion
- are ambiguous or where standards are missing
- have redundant requirements or that require operators to apply for exemptions (which are highly resource intensive for MNZ to process).

The working group will provide content for guidelines and will also develop a review process to ensure the guidelines can be kept up to date.



"Search called off for missing crew..."

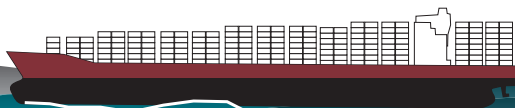
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- ▶ plan for weather
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Minimising **Rena's** long-term impact a priority

A major aerial survey of the Bay of Plenty coast has been carried out to assess the lasting impact from **Rena** debris. A fixed-wing aircraft with a GPS tagging camera flew over an area from East Island on the East Cape, up along the Western Bay and Coromandel coasts as far as Great Barrier Island.

Former Braemar Howells operations manager Simon Valentine was on board for the five-hour flight, which also took in offshore islands such as Mayor and Motiti. "We were able to enter almost every bay and cove in perfect debris-spotting conditions," he said. "We now have to analyse the hi-res photos taken to complete a report, but what we saw was pleasing – no significant debris."

A fast response vessel was working the Coromandel coast towards the end of August, with divers used to swim ashore and remove debris from inaccessible bays and rocky coves between Hahei and Whangamata.

Braemar Howells clean-up teams have had a good month with tonnes of debris recovered – including plastic beads mixed with smaller flotsam from Matakana Island, Waihi Beach and the Coromandel during August alone.

Cutting and lifting operations have been progressing well, with salvors Resolve lifting close to 70 tonnes of steel from the forward section of the **Rena** wreck in just one day using a Bell 214 helicopter. The total material removed from the forward section now exceeds 200 tonnes, and the focus continues to be the reduction and removal of the forward section. The barge **Kapua** has been busy ferrying scrap from the wreck to Tauranga for recycling.



A Resolve salvor uses a torch to cut away a section of **Rena's** bow.

Recycling the spoils

The Braemar Howells recovery team earlier recovered 167 tonnes of butterfat from the **Rena** wreck and repackaged it for recycling into biodiesel.

Braemar Howells operations manager Neil Lloyd said that re-packaging the butterfat was a tricky task because the product was in bladders that had 'ballooned' out of shape when the cardboard boxes they were in disintegrated.

"We designed equipment that allowed us to squeeze the semi-soft material into one metre containers holding one tonne each. It was like juggling with jelly."

"Without the efforts of our team, including distressed cargo, port and waste specialists, and our local environmental partner, this would have been dumped into a landfill site. Instead, the processed butterfat will go towards powering vehicles," he said.

Mr Lloyd said that over the course of the **Rena** recovery project, some large quantities of cargo have been recycled. "It's a small environmental coup to be able to recycle such big quantities of a cargo, which at one stage was earmarked as waste."

"It should be noted that these efforts are ongoing – we are committed to maximising every possible recycling opportunity."

"The owners and insurers of **Rena** are pleased with the quantities of material we have been able to re-use or recycle," Mr Lloyd said.

At the beginning of July, Braemar Howells had 140 containers of recovered cargo on the books. "We've managed to recycle 60 containers out of that – including steel scrap, timber and milk fat. In one week alone, 41 container-loads of steel scrap have been sent for recycling."



A recovered butterfat package waits for processing.



*Dotterel expert John Dowding with an endangered New Zealand dotterel, one of 60 pre-emptively caught during the aftermath of the **Rena** grounding.*

Dotterel set for breeding season

Environmental clean-up specialists Braemar Howells has been busy cleaning a New Zealand dotterel habitat site on Matakana Island, with the breeding season under way.

Braemar Howells community liaison coordinator Adam Desmond said clean-up operations were being managed across the coast, but recent priority has been put on getting the dotterel breeding site on Matakana Island clear of debris.

Surveys of areas favoured by breeding dotterels were completed on Matakana Island in July, and collection of debris has since been under way. This flotsam includes plastic gloves, plyboards, plastic beads, timber, and food packets.

“We have made it an absolute priority to clear the Matakana dotterel site so that we don’t interfere with their breeding season. **Rena** recovery work will not take place on the island during the breeding season as endangered wildlife will always take precedence,” Adam said.

Meanwhile, Massey University is tracking wildlife that spent time at the oiled wildlife response facility following the **Rena** grounding.

Sixty threatened dotterels were caught to prevent them from becoming oiled – a process known as pre-emptive capture. These birds were housed in captivity for three months until the risk of oiling had passed and they could be returned to the wild.

Post-release monitoring of these birds started as soon as they were released, and will continue for a minimum of 12 months.

The key objectives of this programme are to:

- estimate the effects of the oil spill on the New Zealand dotterel populations in the Bay of Plenty
- investigate dispersal and survival of New Zealand dotterels following their release
- assess the impact of pre-emptive capture on breeding success.



Safety first on voyage back in time

Two double-hulled waka on a 10,800 nautical mile round trip to Rapanui (Easter Island) will be navigated using traditional methods – by the sun, stars, tides, and movement of birds and marine life – but no chances are being taken when it comes to safety.

Before their departure last month, MNZ Industry Liaison Advisor Mark Thompson worked closely with members of Te Taitokerau Tarai Waka (t/a Arawai Ltd), the charitable trust that owns the two waka, **Te Aurere** and **Ngahiraka Mai Tawhiti**.

The waka gained non-SOLAS certification and certificates of compliance as novel vessels under Maritime Rule Part 40G.

“The certification does not compromise the intention of the voyage to sail according to traditional methods, but it means that we have done everything possible to ensure they have a safe trip,” Mark said.

“The safety equipment on board each waka would be on a par with yachts in the Volvo Ocean Race.”

This includes distress beacons and survival gear, and navigation equipment to ensure the waka are not sailing into danger. But Julian Joy, director of Arawai Ltd, emphasised this equipment would not be used unless an emergency arose.

“Only one member of the crew on each waka will have access to the modern equipment,” he said. “We are navigating using traditional methods but our navigators today obviously do not have the skills or experience of their counterparts in ancient times. As such, we are taking safety very seriously.”

Life for the crew will not be comfortable by modern standards, with neither waka equipped with a cabin or other modern facilities. The crew of 12 on each waka will share eight berths – four in each of the hulls.



*Te Aurere – one of two double-hulled waka making a 10,800 nautical mile round trip using traditional navigational methods.
Photo: Te Aurere, copyright Navigator Tours Ltd.*

“Whakapapa (genealogy) has contributed to the selection of the crew – this is a special historical voyage,” Julian said. “Comfort levels are not a high priority.”

But the waka have a proven track record of seaworthiness. Both were built by Northland navigator Hector Busby with **Te Aurere** built in 1992 and **Ngahiraka Mai Tawhiti** launched last year.

Stan Conrad has been skipper of **Te Aurere** since its maiden voyage to Rarotonga in 1992.

“On the way up to the islands we had three or four 24-hour storms – and we caught a bit of a storm that lasted two and a half days on the way back. We were about 100 nautical miles off North Cape riding out the storm and we could hear (on the radio) about six yachts in the area experiencing difficulty. We were fine – a bit wet but reasonably comfortable given the conditions.”

Stan says the waka will take four to five weeks to reach Rapanui, travelling at four to six knots.

“That’s nice and comfortable,” he says. “We’ve done 10 or 11 knots with the full set of sails up with a good beam wind.”

Like the rest of the voyaging canoe community around the Pacific, safety is a priority says Stan.

“We know the risks and we make sure we are managing them appropriately,” he said.

The progress of the waka can be followed on the internet via a waka tracker link on the project’s website:

<http://wakatapu.com>



A licence to thrill

Jerry Hohneck, New Zealand Commercial Jet Boat Association president, speaks at the jet boat driver licence launch.

Overwhelming support for the introduction of driver licences for commercial jet boats operating on rivers reflects the consultative approach to developing Maritime Rule Part 82: Commercial Jet Boat Operations – River.

The new rule was announced in July by Associate Transport Minister Simon Bridges, and is the result of extensive work by MNZ, the New Zealand Commercial Jet Boat Association (NZCJBA) and the industry.

It introduces a new driver licence, and driving test for new drivers, as well as ongoing competency checks for all drivers.

Associate Minister Bridges said the rule provided an additional safety assurance for passengers, with 370,000 passengers being carried each year by 49 operators.

“While the inherent risks of jet boating provide the ‘thrill’ factor that attracts passengers from all over the world, the introduction of the jet boat driver licence and competency checks give passengers and the public added assurance that these risks are being managed appropriately,” he said.

Previously drivers were required to have 50 hours experience and to complete a familiarisation period on the rivers on which they worked.

The driving test moves the focus to establishing driver competency rather than a focus on experience.

“We’re moving from a view that if a driver has spent 50 hours operating then they are competent, to one of competency-based assessment which recognises that people learn at different rates. It is essential that drivers reach a certain competency standard, as opposed to simply achieving a minimum number of operating hours.”

Existing drivers have 12 months from 2 August to apply for the new licence, which includes a requirement that they are a ‘fit and proper person’ under the Maritime Transport Act.

The rule, which addresses eight recommendations by the Transport Accident Investigation Commission (TAIC), also makes driver log books mandatory, and includes design and construction changes, such as emergency exits and footrests, that provide greater passenger protection.

MNZ Deputy Director Lindsay Sturt said the rule reflects existing good practice in the industry, with a high level of voluntary take-up of the new safety measures.

“Operators are keenly aware of the importance of safety and risk management – their standards are extremely high,” he said.

NZCJBA president Jerry Hohneck said the new driver licence showed the maturity of the industry in New Zealand.

“It represents a benchmark in jet boating, not just in New Zealand but on a global level, and is the culmination of a lot of work by MNZ, the industry, and the NZCJBA.

“Commercial jet boat operators in New Zealand take risk management extremely seriously and safety is of paramount

importance. We are always looking for ways of improving safety processes and the introduction of a driver licence is part of that.”

Tourism Industry Association (TIA) chief executive Martin Snedden said the new rule would further strengthen New Zealand’s adventure tourism sector.

“It’s critical that ‘adventure’ remains in adventure tourism, but the industry has a responsibility to ensure that these experiences are being delivered within a strong safety framework,” he said.

The rule came into effect on 2 August.



Associate Transport Minister Simon Bridges (fifth from left) amid a line-up of the first drivers to receive jet boat licences.



Minister Bridges and others in a post-launch thrill ride.



A clown helps spread the lifejacket wearing message at the Auckland Boat Show in May.

Don't be a clown this summer – check you're good to go

If your boat has been under wraps for the winter, it's time to start thinking about what you need to do before taking to the water again.

"Labour Weekend is the traditional start of the summer boating season, but that doesn't mean your boat and gear will be up to scratch and ready to go if it's been sitting idle. Even if you have taken to the water over winter, it's good to take stock of your gear and boat's condition – much like replacing your smoke alarm batteries when daylight saving kicks in," said Baz Kirk, MNZ's Manager Commercial and Recreational Liaison.

The start of the summer boating season is usually a busy time for Coastguard, who often get called out to tow boats that haven't been checked properly after being bought or haven't been maintained and have broken down.

MNZ's "Don't be a clown" campaign focuses on the importance of skippers taking responsibility to ensure everyone on board their vessel wears a lifejacket with a tag line that aims to encourage skippers to step up and issue the lifejacket challenge – "If you're not on board with lifejackets, you're not on board".

Results from the annual recreational boat ramp survey carried out in January and February this year showed that 94% of vessels surveyed had all (38%) or some (56%) of people on board wearing a lifejacket.

"That's a fantastic result, with most vessels (99%) meeting the legal requirement to *carry* enough lifejackets of the right size and type for everyone on board. We're encouraging skippers to make sure that all on board are *wearing*

lifejackets, particularly when there's greater risk, such as when crossing a bar or in bad weather," said Baz.

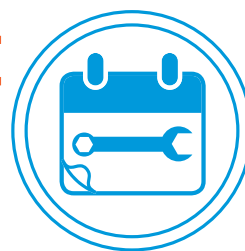
The fact is that anyone can get into trouble at any time, no matter how experienced they are or how calm the water is. "Trouble usually happens so quickly that you don't have time to find your lifejacket and put it on, or locate your emergency comms equipment. Wearing a lifejacket, carrying a way of calling for help and being prepared can make all the difference," says Baz.


One of the disappointing results from the boat ramp survey was a decrease in the number of boaties carrying emergency communications equipment – carriage of VHF radios, distress beacons, cellphones and flares were all down on the previous year's results.


Most people (91%) carry a cellphone, but only half (53%) of those put the cellphone in a plastic bag. "The simple act of putting your phone in a bag will probably save your phone if it ends up in the water and it could save your life," says Baz. While cellphones shouldn't be relied on as the main means of calling for help, they're a good back-up if there's coverage in the area you're boating in and they're easy to keep on you.


If you want to have trouble-free boating, make sure that your vessel and equipment is in good working order before you take it out. If you're new to boating, then check out the courses Coastguard or your local boating club has on offer.


Summer safety checklist




 **Service your engine.** Schedule an annual service and make regular visual checks to ensure your boat's engine is up to the job.

 **Check and change your fuel.** If your boat has been out of the water for a while, it pays to replace old fuel with clean, fresh fuel. Never assume your trip will run exactly according to plan – always plan to use a third of your fuel for the trip out, a third for the trip back, and have a third in reserve to allow for anything unexpected.


 **Give your boat a good once-over.** Take a thorough look and make sure everything on your boat is in good working order. Start in one place and work your way around the boat, checking everything, inside and out. If you find anything that is damaged or worn, repair it properly or replace it.

 **Check your lifejackets.** Make sure that lifejackets are still the correct size (especially for children), in good condition and suitable for the type of boating you do. A crotch strap is recommended for all lifejackets, especially children's, and these can easily be retrofitted.

If you have an inflatable lifejacket, make sure it's checked and serviced, and regularly check that the gas cylinder is properly secured and not corroded.

 **Check your equipment.** Look at all of the equipment on your boat and make sure it's in good working order and you have everything you need. Check expiry dates on flares and fire extinguishers, and replace them if they're out of date. Make sure the boat's battery is professionally checked so that it will be capable of operating all electric equipment and have enough strength to start the motor. After lying idle over winter, batteries have a habit of providing a start or two before failing completely.

Check batteries on portable equipment such as torches, radios and your GPS, and replace them if you need to. Make sure your distress beacon's registration is up to date.

 **Prepare for an emergency.** Look at where your safety equipment is stored. Can you access it easily in an emergency or after a capsize? Put together a floating 'grab bag' that contains all the emergency gear you will need should your boat capsize.

Make sure that someone else knows how to operate the boat if the skipper can't. Before you go out, brief your crew or passengers on what to do if things go wrong, and practise different scenarios – be mentally prepared for the unexpected.

Stay safe on the water



Wear your lifejacket or personal flotation device (PFD). Maritime law requires ALL skippers to carry enough lifejackets of the right size for everyone on board but we recommend that lifejackets are worn, especially by children and non-swimmers. Lifejackets must also be worn in any situation where there is an increased risk to safety.*



Check the marine weather forecast before you go. And keep checking the forecast while you are out, using VHF channel 16 or NowCasting on channel 21–23. If in doubt, don't go out.



Carry at least two reliable forms of emergency communication that will work when wet. A distress beacon (EPIRB or PLB) and a handheld, waterproof marine VHF radio are the most reliable forms of emergency communication. Flares (red handheld, orange smoke and red parachute or rocket) are another useful way to signal that you need help. If carried, cellphones should be inside a resealable plastic bag, but should not be relied on as your only form of communication.



Don't go overboard on alcohol. Alcohol impairs judgment and balance, and its effects are exaggerated on the water. Consumption of alcohol increases the risk of hypothermia and will reduce your survival time if you end up in the water.



Make a trip report. Let someone responsible know where you're going and when you expect to be back.



Obey the 5 knot rule. Be considerate to other water users. Keep a lookout, stick to safe speeds and be patient, so that everyone can enjoy the water.

* Some regions also have bylaws in place making it compulsory for lifejackets to be worn in certain circumstances, so check with your regional council.



New resources smooth PWC compliance process

Use of personal water craft or PWCs (often called jet skis) is one of the fastest-growing activities in recreational boating. Increasing numbers of commercial operators hire out PWC for river, harbour and offshore touring, either to individuals riding independently or to people in escorted groups.

In their early days, PWCs could carry only one person at a time. Underpowered and unstable, they were confined to sheltered, enclosed waters. But over time, PWCs have evolved into powerful and sophisticated four-stroke engine vehicles, with greatly improved stability and the capacity to carry up to four people and travel long distances, including when more than 200 metres from shore.

With their heightened popularity and greater capacity has come the need for more regulatory oversight, to ensure all PWCs used in commercial operations are safe for their intended use. MNZ has worked closely with operators to develop and refine a set of resources to help them navigate the formal processes for meeting the requirements. These resources provide guidance on how to comply with Rule 40G, which is the applicable rule for PWCs.

Some of the regulatory requirements for PWCs have been around for a while. Since 1998, craft that are longer than 3.5 metres and operated further than 200 metres from

shore have been required to be in Safe Ship Management. Commercial operators who rent out PWCs need to ensure they assess the people who hire them and provide adequate training in their use.

The amendment to Rule 40G covers novel craft (vessels not covered by parts 40A–40F). It requires commercial owner/operators to provide a safety case for the PWCs they operate. The safety case includes a safety management system for PWCs. They must also gain a certificate of fitness (based on an initial survey) for each PWC and an approval issued by the Director for the safety case.

Note that PWCs less than 3.5 metres long and operated within sight of their base or within 200 metres of shore may be registered with the Ministry of Business, Innovation and Employment (MBIE) as an amusement device, instead of gaining MNZ certification.

The MNZ resources for PWC operators consist of safety guidelines, templates and checklists. The information in the resources was developed and refined using feedback from about 15 different operators.

The resources step operators through the processes of preparing a safety case for the PWC, having the vessel surveyed to obtain a certificate of fitness, and submitting the safety case to MNZ for approval.

MNZ has checklists and templates available and can provide contact details for the surveyors approved for 40G survey. Email mark.thompson@maritimenz.govt.nz

Know the 'rules of the road' on the water

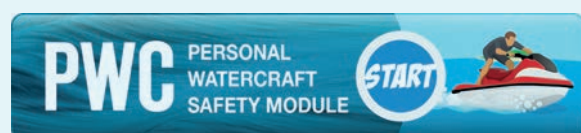
The appeal of riding PWC or jet skis lies in the exhilaration and fun they provide, but they need to be operated in a way that keeps everyone safe.

MNZ and Coastguard urge anyone using PWCs to make sure they know the 'rules of the road' before they head out on the water:

- check the marine weather before you go out
- let someone responsible know where you're going and when you plan to be back
- wear a lifejacket
- carry two forms of emergency communication that will work when wet
- avoid alcohol.

Test your PWC skills online

Coastguard Boating Education has an exciting online interactive game that challenges the skills and knowledge of PWC riders. The player makes decisions before taking a virtual trip, and receives feedback about their choices. They then take the PWC out of the virtual marina, making decisions and observations as they go, avoiding obstacles and eventually, if their decisions are the right ones, returning safely. There are time limits for each choice, which affects the total score.



To test your PWC knowledge and skills, visit <http://expert.cbes.org.nz/pwc/>

Lifejacket and PFD standards identified



The Director of MNZ has identified the national and international standards for lifejackets or personal flotation devices (PFDs) that substantially comply with the types of device described in New Zealand Standards series NZS 5823.

Under Maritime Rule Part 91, lifejackets must meet New Zealand Standard 5823:2005 – specification for buoyancy aids and marine safety harnesses and lines – or another national or international standard accepted by MNZ. These now include United States, Australian, European and ISO (International Organization for Standardization) standards.

Under Rule 91.2, the Director has discretion to determine which devices certified by a recognised authority to a national and international standard substantially comply with the New Zealand standard for buoyancy aids.

Advisory Circular Issue No. 91-2 September 2012 sets out the lifejackets and PFDs that comply or substantially comply with NZ Standard 5823 under the following categories: type 401 (open waters lifejackets); type 402 (inshore waters PFDs); type 403 (buoyancy vests); type 405 (buoyancy garments); type 406 (specialist PFD – kayaking, white-water rafting, and jet and power boat racing); and type 408 (specialist PFD – white-water rafting, and jet and power boat racing).

This advisory circular is available on the MNZ website, maritimenz.govt.nz

Surviving disaster – The Titanic and SOLAS

In 1914, two years after the Titanic disaster of 1912, in which 1,503 people lost their lives, maritime nations gathered in London adopted the International Convention for the Safety of Life at Sea (SOLAS Convention), taking into account lessons learned from the Titanic. The 1914 version was superseded by SOLAS 1929, SOLAS 1948, SOLAS 1960 (the first adopted under the auspices of the International Maritime Organization) and SOLAS 1974. SOLAS 1974 is still in force today, but it has been amended and updated many times. The regulations relating to life saving appliances and arrangements, contained in chapter III of SOLAS, a new version of which entered into force on 1 July 1998, are intended to ensure that in the event of a catastrophe at sea, passengers and crew have the greatest chances of survival. Improved design and equipment, better fire protection, satellite communications, rescue planes and helicopters and trained personnel also contribute to improved safety at sea.

Ice patrol

In the first SOLAS 1914, after the Titanic disaster, ice patrols in the north Atlantic were set up and continue to be a SOLAS requirement.



Speed of navigation around ice

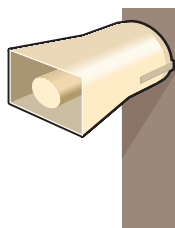
The Commission into the Titanic ruled the loss was due to collision with an iceberg brought about by excessive speed at which she was being navigated.

Under SOLAS, when ice is reported on or near his course the master of every ship at night is bound to proceed at a moderate speed or alter course.

Public address system

There was no public address system on the Titanic and news filtered to the passengers slowly, adding to the disorder and confusion.

Under SOLAS, all passenger ships must be fitted with a public address system.



Training of crew in lifeboat drill

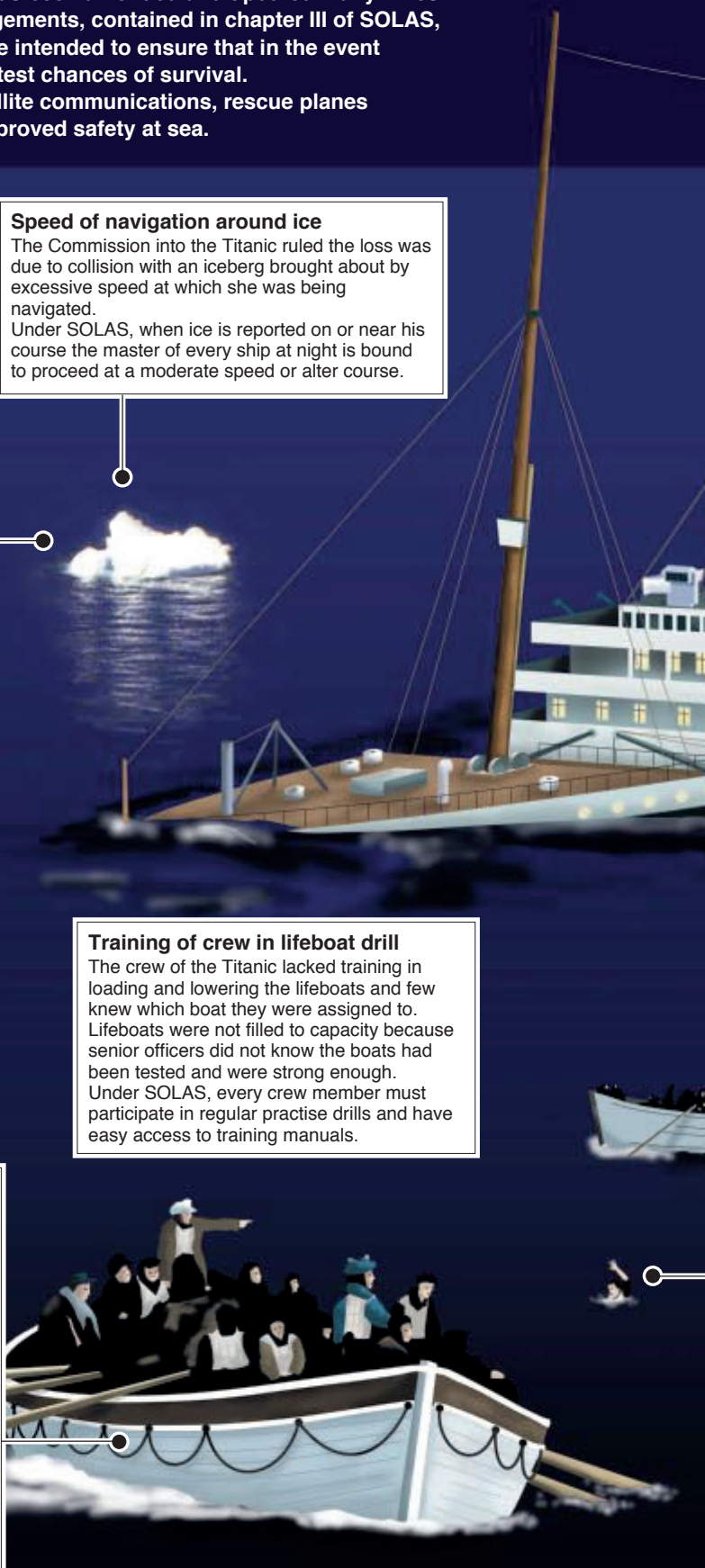
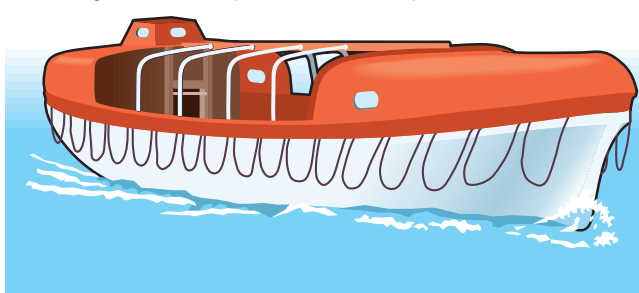
The crew of the Titanic lacked training in loading and lowering the lifeboats and few knew which boat they were assigned to. Lifeboats were not filled to capacity because senior officers did not know the boats had been tested and were strong enough.

Under SOLAS, every crew member must participate in regular practise drills and have easy access to training manuals.

Lifeboat design

Some people died from hypothermia in the Titanic lifeboats because they were open and gave no protection against the cold.

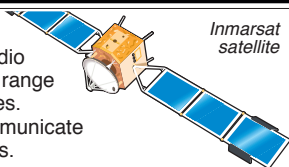
Under SOLAS, lifeboats must be fully or partially enclosed. On passenger ships, partially enclosed lifeboats can be used as they are easier to get into, but they must have a collapsible roof to fold across.



GRAPHIC: LIZ GOULD ©

Distress alert

The Titanic used radio which had a limited range of 200 nautical miles. Ships can now communicate globally via satellites.



Inmarsat satellite

Marconi radio wires

Helicopters and rescue planes

Unavailable in 1912, helicopters and rescue planes are now used to locate, search for and rescue survivors.

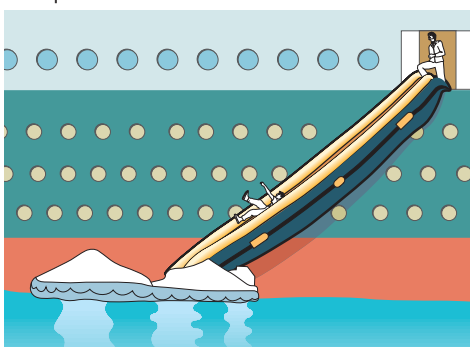


Lifeboat drill

No lifeboat drill was held on the Titanic. Under SOLAS chapter III an 'abandon ship' and fire drill must take place weekly on all passenger ships.

Evacuation chutes

Passengers on the Titanic jumped from windows and doorways into the lifeboats as they were lowered, often injuring themselves or other passengers. New emergency evacuation chutes are both safer and quicker.

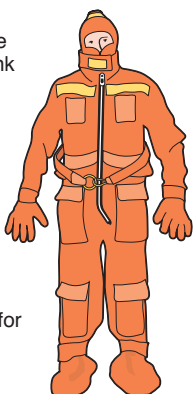


Number of lifeboats

The Titanic did not have enough lifeboats for all passengers. Under SOLAS, passenger ships must carry enough lifeboats (some of which can be substituted by liferafts) for all passengers, plus liferafts for 25%.

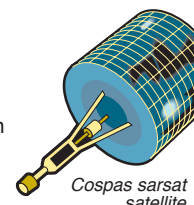
Immersion suits

The sea temperature when the Titanic sank was below freezing point and many people died in the water from hypothermia. Under SOLAS, a specific number of immersion suits must be carried on both passenger and cargo ships, mainly for the crews of rescue boats.



Location

The land station at Cape Race, Newfoundland and ships other than the Carpathia and the Californian heard the Titanic distress call but the airwaves were crackling and the Titanic's position was misinterpreted. With EPIRBs and global positioning systems, the position of a ship in distress can be automatically sent.



The Carpathia

Received distress call at 12.25am. Travelled 58 miles and picked up first lifeboat at 4.10am.

Radio waves

The Californian
Stopped because of the ice less than 20 miles from the Titanic. Did not approach until after 6.00am when the Carpathia was spotted. Arrived at 7.30am - too late to rescue any survivors.

The Titanic
Hit iceberg at 11.40pm and sank at 2.20am.

Distress watch

The Californian was less than 20 miles away but the radio officer had gone off duty when the distress messages were sent. Under SOLAS, every ship while at sea must maintain a continuous watch on the distress and safety frequencies.



Sharyn Forsyth



Harry Hawthorn

New MNZ managers appointed

MNZ is committed to implementing a number of significant changes over the next 12 months. The Maritime Operator Safety System (MOSS) and Qualifications and Operational Limits (QOL) projects and embedding the Health and Safety in Employment Act (HSEA), in particular, means that MNZ will be focusing more on operators' safety systems (not just vessels) and outcomes (safe, secure, clean seas).

MNZ is making strategic and internal changes to become a stronger evidence-based, intelligence-led and risk-focused organisation where work is guided and directed by a clear operating model, good information, analysis and a comprehensive systemic understanding of the issues at hand.

This has led to a change to the business group structure. Sharyn Forsyth was appointed to the newly created position of General Manager Maritime Standards, taking up the role on 30 August. With more than 14 years at MNZ (formerly General Manager Maritime Services), Sharyn brings a

wealth of knowledge and expertise to the role, and will provide valuable representation and advice to stakeholders and the wider maritime community.

Harry Hawthorn, former General Manager of the **Rena** Response Group, has been appointed to the newly created position of General Manager Maritime Compliance from 30 August. Harry's extensive experience in compliance and successful oversight of the **Rena** response made him a strong candidate for the position, and he is looking forward to the challenges of his new role.

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Maritime fatalities 2012

From 1 January to 30 June 2012 there were 19 fatalities – **12 in the commercial sector and 7 in the recreational sector.**

This compares with 3 commercial and 9 recreational fatalities for the same period in 2011.



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ISSN: 1175-7736