

Letters to the editor are encouraged from readers who wish to say nice things, raise an industry concern or even get something off their chest. Letters are published in good faith and may be abridged if too verbose or on the edge of being libellous. In fact, in 15 years we have only refused to publish two letters. For this reason, while we will protect an author's identity if requested by "name withheld on request", letters must be clearly marked by name and address, signed or emailed as verification of authenticity. Letters not clearly signed may not see the light of day.

CRAZY RULES

Dear Sir

Despite having tried for months, the Minister of Fisheries, Phil Heatley, refuses to meet with locals to discuss the crazy new rules for the Marlborough Sounds' blue cod fishery.

He refuses to accept the rules are flawed and will see the setting up of a concession fishery for commercial (fishing companies) and introduce rules that effectively make criminals out of locals who legally catch bigger fish in areas outside the actual management area.

It is absolutely crazy to demand amateur fishers put any fish outside of the very narrow slot between 300-350mm back in the water while virtually all of the sounds remain open to commercial fishing.

How you can justify us putting fish back for sustainability reasons while a commercial cod potter or trawler has open access defies belief. It gets worse. If fishers venture out into open waters outside the management area and legally take fish of a larger size, they are not allowed to take those fish home through the controlled area.

This can only be described as a disgusting abuse of regulatory power by a government which has rolled back regulations in favour of commercial fishers in other areas.

The New Zealand Recreational Fishing Council is extremely disappointed in the way the minister and his department have bastardised the ideas still under discussion by the amateur working group, and claim they are re-opening the fishery, when in fact they are doing the exact opposite.

Geoff Rowling, President, NZRFC

CONSTRUCTIVE DIALOGUE

Dear Sir

I read Alan Moore's letter, Industry Issues, in the January/February issue with much interest.

While I do not agree with much of what Alan says, I appreciate the openness and passion with which he states his position. As with any public sector organisation, it is right that Maritime New

Zealand be open to comment and constructive criticism from those it serves. This is healthy, and far preferable to "whispered mutterings" in dark corners!

Having had the privilege of working with the current director of Maritime NZ for some time now, I offer a different perspective from that of Alan.

It is the role of the Maritime New Zealand Authority to appoint the director on behalf of the Minister of Transport and the New Zealand public. As with other public sector chief executives, the position of director of Maritime NZ requires someone with a range of skills and attributes, not least of which is strong and decisive leadership.

The authority supports the work the director has done, and values the leadership she has demonstrated while engaging with the industry to improve safety across the maritime sector. We are aware, too, of the effort she has put in to develop constructive relationships across a broad and diverse sector.

The director has indicated she will stand down when her term in office ends in November. Our expectation is that the new director we appoint will be equally committed to continuing the significant progress already made under her leadership, including implementing key projects such as the MOSS and QOL frameworks.

So, while Alan and I have different views on some key points in his letter, I encourage him and others to continue to engage in constructive dialogue with Maritime NZ. This enables us to build partnerships and foster relationships that will ultimately benefit the industry as a whole.

David Ledson, Chairman, Maritime NZ Authority

ROTOROA ISLAND

Dear Sir

I enjoyed reading Carol Forsyth's article in the March/April issue about the vessels that served Rotoroa Island, and I am looking forward to visiting the island in the near future.

There is one significant vessel missing from Carol's story, the *Lady Roberts*. She was one of 62 45ft (13.7m) wooden ►

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towboats built at Auckland by the United Ship and Boatbuilders Ltd during the Second World War.

In his book *New Zealand Naval Vessels*, Bob McDougall notes that the government sold the *Lady Roberts* in 1955/56 and she became the Salvation Army launch servicing Rotorua Island until 1960, when she was sold to become the fishing vessel *Kaiata*. It appears from this information that the *Lady Roberts* served the Salvation Army for at least four years.

Keep up the good work with your great magazine.

John Hager, Warkworth

DEVONPORT WHARF

Dear Sir

Just a comment on Trevor Coppock's article about callous boaties and the wharf fishermen.

It would have been good if Trevor had researched the facts a little before writing that piece. Devonport Wharf does not have a 200m exclusion zone around it and never has. Under the Auckland Harbour Navigational Safety by-laws (section 2.8) it is just an obstruction, so it has no exclusion zone.

The same by-law, section 2.8 (1), also states no-one is allowed to obstruct navigable waters nor impede access to any wharf, which one could argue the fishermen are. Section 2.8 (2) goes on to state no-one shall place any obstruction, and specifically states "including fishing apparatus" in, on or near navigable waters if it is liable to restrict navigation or cause damage to vessels, along with a few other things.

Having been one of the numerous boats which have suddenly lost propulsion due to a fishing line around our propeller, there is a history of fishermen catching boats in a manner likely to cause damage.

Trevor also would have known there is a local council by-law which states fishing is prohibited from Devonport Wharf and that has been there for as long as I can remember, as was a lot of signage saying just that. There were many signs but the last one I saw had been pulled down and was being used as a bait board by one of the fishermen.

As for the end of Wynyard Wharf, I believe that is technically a road administered by the Land Transport Safety Authority. I'd tend to think they wouldn't be happy with people fishing off a road and it is probably illegal to do so, not that I know for sure. While talking about the Wynyard, I see Trevor has left out just how many beer bottles, cans and other objects are thrown at passing boats.

Leaving out the rights or wrongs of either of those two points above, I would expect anyone fishing, effectively, in the entrance to New Zealand's busiest marina and not expecting to have many boats pass close is somewhat naive and totally unrealistic.

In saying all of that, most boaties know people often fish from those two spots and some do cast their lines out a surprisingly long way and are getting longer, so do try to give the structures plenty of room. But the fishermen must also realise the harbour is busy at times. Many ferries use Devonport Wharf and it can be a very busy bit of water, so when things like that are happening it can be very hard to safely give the fishermen enough room to have their lines out, especially those with a good throwing arm.

Also, if the fishermen continue to cast their lines out directly in front of an oncoming boat, they must expect they can easily have their lines fouled by that boat.

In short, the boats do have rights to be where they are and it's actually the fishermen breaking by-laws. Yes, I will fully admit some boats have an "attitude" to the fishermen but I can also say that it is not one-sided and there is a section of fishermen who seem to try and target any boat that comes within casting range.

It's far from the one-sided argument Trevor has put forward. At times attitude is displayed by both factions and at times it is unnecessarily aggressive.

The harbour is big enough for both parties, but sometimes it just isn't. If both sides can acknowledge that and make allowances for it we should be able to live together better than in the past and is currently seen from time to time, even if one side is technically breaking many by-laws in doing what they are, those being the fishermen.

Grant Macduff, Devonport, Auckland

PS. Great mag by the way Keith, the only boating-related one I read these days. Good to see so much solid content rather than the "fluffy fillers" used in most others.

MARITIME RULES

Dear Sir

The statement that "... skippers of private vessels are under no obligation ... to have any knowledge of the Maritime Rules..." in the March/April issue is somewhat startling.

In fact, the rules make no such distinction between private or commercial boats or their operators. The rules apply to all boats: end of story. Anyone who operates a boat must therefore know the rules in order to observe them.

The suggestion of the right-of-way vessel turning to port at the last moment to avoid a collision is interesting, too. Section 22.17 (2) (b) says "... if it is a power-driven vessel in a crossing situation, if the circumstances of the case allow, it must not alter course to port for a vessel on its own port side." The reason for this cannot be overstated.

If the right-of-way vessel turns to port at the last moment it could coincide with the last-minute action of the give-way vessel doing the correct thing and turning to starboard. This, at a time when both vessels' (skippers) have simultaneously run out of time, room, options and ideas, is a potentially horrific situation!

Ian Butchart, Paihia

MIKE PIGNÉGUAY RESPONDS:

In your first paragraph, you comment that my statement "... skippers of private vessels are under no obligation ... to have any knowledge of the Maritime Rules..." is somewhat startling. I agree with you, it is startling that this is so.

You have unfortunately missed out "(apart from a moral one)", with regards to the obligation. Apart from where in the rules it says: "Every vessel must...", there is really no reference to a private (small boat) yacht skipper in New Zealand having to know, by law, the rule of the road, although in section 22.2 Definition, under Owner (e), it could be argued that this could be the rule that would oblige every skipper to know the rules.

They can, however, be prosecuted under maritime law for being ignorant of the rules, and there may well be other regulations/laws I am unaware of that pertain to the obligations of the private mariner.

However, the point I was trying to make was that anyone can buy a boat of practically any size and take it out on the water without having to have any kind of qualification or recognition that they have some knowledge of the rules of the road. They certainly have a moral obligation, but how many people recognise that?

You will be aware no doubt as to the on-going discussion between professional maritime organisations and Maritime New Zealand regarding licensing private boat operators. Both the government and Maritime NZ are not at all interested in doing this and are just saying that education is the only way - not

compulsory, just voluntary.

So, until every boatie recognises they indeed have a moral obligation to learn the rules, we shall continue to have a lot of close-quarter situations, and worse. Unfortunately, unqualified mariners do not always cause these incidents.

The remainder of your letter appears to agree with what I wrote about altering course to port when being a "stand-on vessel". It was Mel Bolton of the *Classique* who said I should have altered course to port, as that was what he assumed I was going to do. I go on to state quite clearly that by doing so I would have broken two rules, 22.17 and 22.7 (3).

Does what I have said here clarify your concerns? I would be glad to hear from you, so please feel free to do so.

RIVER JETS

Dear Sir

Professional Skipper arrived in the mailbox on Saturday and that was it for the weekend, for it is most informative and a must-read from cover to cover magazine, one that you and your crew can be rightly proud of.

I loved "Yachtie learns to give way the hard way" and commend Mike Pignéguy for his demonstrated professionalism.

Your cover article on the sea jet boat was of particular interest. It clearly brought into question the safety practices of the river jet boats, both from a manning qualifications point, and regarding their actions on our lakes and rivers. When will they learn that safe navigation means travelling at speeds and distances that are safe for the prevailing conditions and visibility.

To travel at 70kph within centimetres of rocks, cliffs, willows, sandbanks and blind corners with a boat load of tourists and claim that's thrilling is just ludicrous. By continuing to ignore the safety factors, sooner or later the odds are you are going to wipe out big time.

If these skippers on the new sea jet boats can give an equally exciting time safely without scaring the crap out of the passengers, one has to ask Maritime New Zealand why do the same rules not apply to the river jet boats.

Or is it because river jet boat drivers do not have to hold a maritime qualification, they are immune to the rules and the odd time you kill someone does not count.

It is sad to note in your fine magazine the growing number of river jet serious harm or fatalities occurring, and Maritime NZ appears reluctant to do anything for fear of having a negative effect on local tourism earnings.

Such is the value of the dollar, when life is cheap.

Bryan Martin (MSHT retired), Auckland

HONEST STORIES

Dear Sir

We have been receiving your magazine intermittently over the last year via a local chandler, who is always most helpful and reserves us a copy when he can.

We find *Professional Skipper* to be one of the most informative marine publications around, one while obviously focused on the New Zealand marine scene carries a wide range of information and world news.

We work predominantly in the western Pacific, and it is mainly through your magazine that we can stay abreast of events and not feel isolated.

I must compliment you on your boat features, because it is nice to read honest stories about new vessels and working boats written by a professional who is creditable and not written as paid advertorial, like similar publications from the Australia/Asia Pacific region.

Besides this, your editorials are inspiring, for nowhere have I

read such down-to-earth writings on maritime issues that clearly tell the reader and/or the subject of the editorial, "What part of this writing do you not understand?"

Your words demonstrate your command of the maritime industry and must at times rattle down the corridors of the powers that be. You are correct. The Pacific Islands is a graveyard of small ships, with many past their use-by date waiting to die.

Pacific Islanders know no difference when they put their trust in the master of the vessel and God in the hope the vessel is safe, because they have little choice.

Thank you for your committed voice. I can well imagine the state of the ship concerned, and if your assessment is correct, you might have just saved some innocent lives.

Benny Johansen, Master, MV Sapphire

SPIRIT REFIT

Dear Sir

The account in the March/April issue about the *Spirit of New Zealand's* recent major refit when a new engine was installed will be of interest to many who have sailed in her as permanent and volunteer crew and as trainees.

When the ship was nearing 25 years of age, the Spirit of Adventure Trust Board had to start considering her future and the possibility of replacing her.



Commercial vessels of this age are generally at about the end of their economic life, due to the competitive element requiring improved, modern design and new, expensive technology. However, a vessel deliberately designed to be "old-fashioned" with an inefficient rig and a labour-intensive operation for youth development voyages called for different considerations.

The board sought advice on the condition of the hull and other essentials. It was advised that little more was required to keep her in operation for many more years, apart from the present adequate maintenance schedules, combined with some upgrading of her electrical and ancillary equipment. Nevertheless, the board decided to replace the main engine to provide an added safety factor, and took the opportunity of the extended refit period to carry out some extra work, which would also enhance her effective operational life.

Although the *Spirit* is intended to spend most of her life under sail, she was built with a motor principally to increase the margin of safety, especially when sailing with young people on board.

It also assisted in keeping her to the sometimes tight schedule required to meet the home travel arrangements planned for her trainees. Like the bowthruster fitted when she was built, the motor was necessary to assist in berthing.

Rigged as a barquentine, the *Spirit of New Zealand* has a huge amount of windage in her masts and spars even when no sail ▶

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is set. This adversely affected her performance under power, significantly reducing her speed under the old motor in strong headwinds.

In the view of many of us, she was originally underpowered for a vessel built as a sail-training ship, but the article about her is not correct in referring to her two groundings resulting from insufficient power.

When she was completed in 1986 she was powered by an old Gardner 8L3 eight-cylinder diesel, a superb example of that manufacturer's reconditioned and thoroughly reliable engines. Slow-revving and dependable, it developed 172kW but was heavy on fuel.

The new, more powerful motor has added operational convenience and, more importantly, has contributed significantly to her safe operation for the many more years of her expected life as New Zealand's world-acclaimed sail training ship.

Note: Sail Training International is responsible for the International Tall Ships Races and supports the world's sail training movement. It voted the Spirit of Adventure Trust as the 2010 winner of their Sail Training Organisation of the Year trophy.

Captain Barry Thompson, Vice-patron, Spirit of Adventure Trust

KEY ROLE

Dear Sir

Given the key role Maritime New Zealand plays in the maritime industry through its safety, security and marine protection regulatory functions, informed comment and robust debate on what we do is always welcome.

It was therefore disappointing to read the comments made by Alan Moore (Industry issues) in the January/February issue of

Professional Skipper, which contained a number of inaccurate and uninformed claims.

While one-line statements are easy to make, putting those statements into context and making a fair assessment is not so easy. Unfortunately, your readers did not get the benefit of this in his letter.

Firstly, Mr Moore wrongly credits the previous administration of Maritime NZ with a range of initiatives it did not deliver, including Maritime NZ's election to the IMO Council, safety initiatives with stevedores and input into the government's adventure tourism review. These were delivered under my leadership.

He then goes on to comment that Maritime NZ's accident investigations team is "populated with policemen rather than mariners", but fails to mention the high quality of the investigations conducted or of the accident reports produced. I encourage people to read these reports, which are of an excellent standard and enhance our understanding of the factors that contribute to maritime incidents and accidents.

In another example, he mentions "protracted ... expensive litigation that the industry will fund", again without giving readers the full context.

A key part of my role as director is to respond to the concerns of the industry, and where necessary, take appropriate action to ensure the consistent application and maintenance of safety standards. I make no apologies for acting as a regulator should on the industry's behalf.

Meanwhile, Maritime NZ continues to actively engage with the maritime industry to effect changes that will make a difference. We need look no further than the MOSS and QOL projects, which have been developed in response to industry demand, to see proof of this. These projects are aimed at reducing compliance costs to the industry and make it simpler for operators to meet the rules, while helping ensure a modern, world-class maritime sector. That has to be good for everyone.

Finally, it is my privilege to lead a team of dedicated and professional staff who are genuinely committed to making a difference to our maritime community. This includes people with a range of skills and talents, including those with extensive maritime knowledge and experience, many of whom work alongside the industry on a daily basis. The organisation is also led by a hardworking and vastly experienced senior management team, with support from an authority that understands and is committed to the industry it serves.

Catherine Taylor, Director, Maritime New Zealand

INCIDENT REPORT

Dear Sir

In response to Gordon Pope's letter in the March/April issue of *Professional Skipper*, I wish to clarify some of the points he raised regarding the close quarters situation between his vessel, the *Tierra Del Fuego* and the passenger ferry *Foveaux Express*, of which I was the skipper at the time.

I agree with Mr Pope that the entry in the Maritime New Zealand incident report does differ slightly from the actual events. I submitted a detailed report to Maritime NZ detailing the events as I saw them from the moment I first detected the *Tierra Del Fuego* on radar approximately eight miles away, up until the time the two vessels passed.


Unfortunately, trying to explain all this in a couple of sentences on the Maritime NZ incident form can be difficult, so some of the details were left out when I wrote it.

The main issue I wish to clarify is that the *Foveaux Express* did slow down to approximately five knots, and had done so

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before visual contact was made. I also turned to port when it was realised that the *Tierra Del Fuego*, which was the give way vessel, was maintaining her course and speed and crossing my bow. The two crewmembers on board the ferry at the time can confirm this.

The photograph provided has been taken after the *Tierra Del Fuego* has passed, and the *Foveaux Express* has continued on. I was also not aware that the *Tierra Del Fuego* was dredging for oysters, as Mr Pope mentions in his letter.

I treated it as a target on the radar that was approaching from my port side, so I maintained course and speed as required under the collision regulations until such time as it became clear the *Tierra Del Fuego* was not going to give way.

Mr Pope is not the only one who gets upset when inconsistencies are printed, and hopefully the incident can now be laid to rest.

Deon Johnson, Stewart Island

DEAD ALBATROSS

Dear Sir

I am writing to you concerning a statement you made in an article in the November/December issue which said that in 2008 a royal albatross was found dead on Taiaroa Head in Dunedin with 272 pieces of plastic in its stomach.

This statement is incorrect. I was the person who collected and counted the 272 pieces and the albatross was found dead on Midway Atoll, Hawaii.

However, the plastic was displayed in the Royal Albatross Centre in Dunedin. Unfortunately, someone has misinterpreted an email we sent out to people who requested more information on the bird and the issue and this exact statement has been replicated in articles all around the world.

Albatross in the southern hemisphere feed in areas where there is very little marine rubbish and as a result, they have been found to consume very little plastic.

All the same, a very important message is being spread.

Kate Hewson, Environmentalist

NOTHING DONE

Dear Sir

The director of Maritime New Zealand has been waging a campaign against one safe ship management company for the past three years on the basis of her safety concerns.

A senior surveyor for a multi-national company made a statement at a surveyor seminar that their company policy was, "following up work lists is too time consuming and costly, so we don't do it".

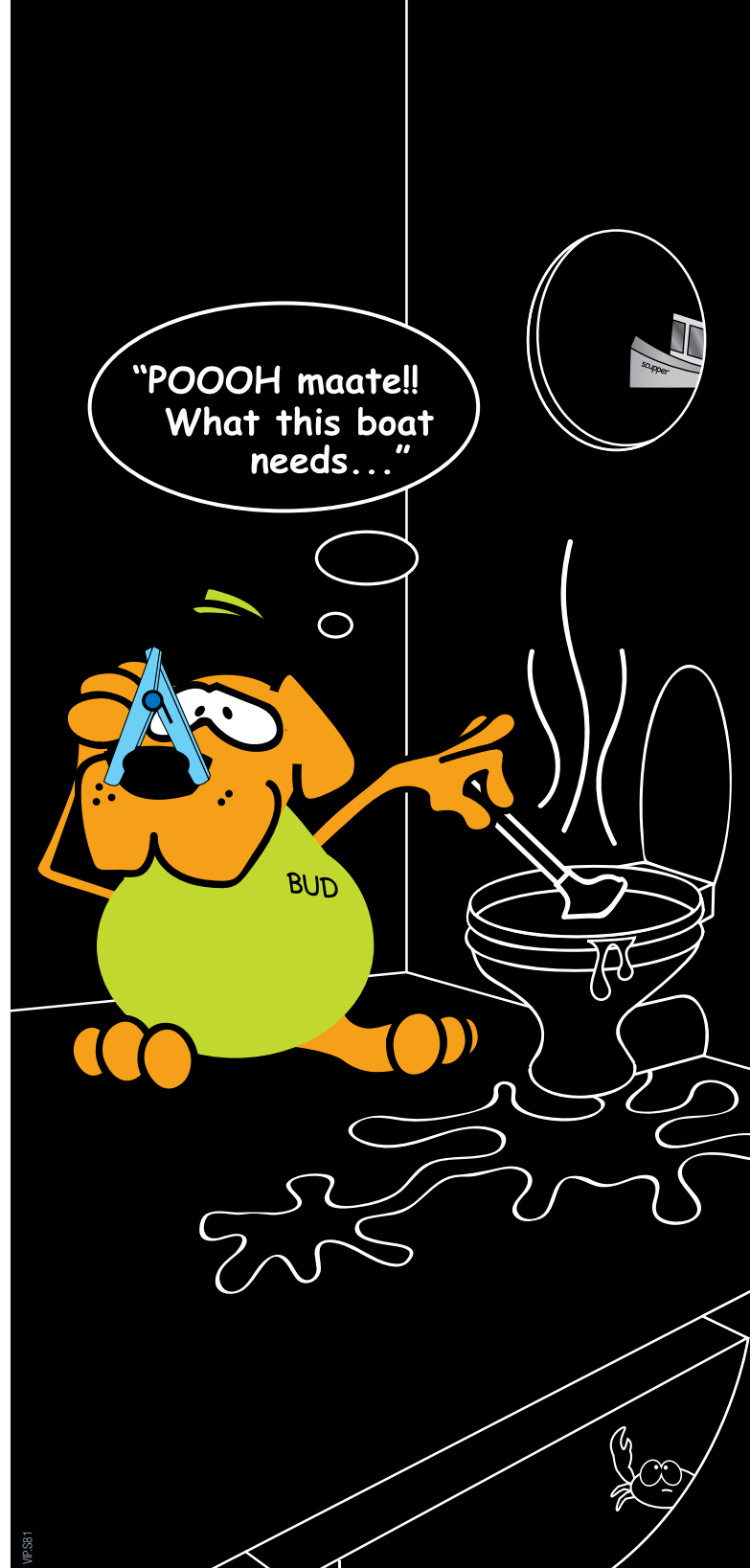
It would appear that surveyors for this company have signed fit for purpose documents in blatant disregard for the rules for an indeterminate period. If a work list is issued then it must be closed out before the vessel is deemed to be fit for purpose.

The statement was made in front of the manager of safety management systems at Maritime NZ and I believe nothing has been done about it, which is surprising, because it should have prompted a major investigation.

It would appear that Madame Director is only concerned about safety when it suits her to be so. Anything concerning safety, no matter how small, is of huge consequence for a New Zealand owned and operated company, but major breaches of the rules are of no consequence when it concerns a multi-national company.

It would appear that actual hard evidence is not to be considered by a bureaucracy that considers "anecdotal evidence" to be solid proof.

Bill Dixon, Stoke 



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