

# Storm in a teacup or a teacup in a storm?



BY KARYN VAN WIJNGAARDEN, LLB, BSC, SOLICITOR WITH OCEANLAW NEW ZEALAND

Everywhere you turn in the media, there are stories of drama on our waters – be that lake, river or sea. It seems that despite being a nation fundamentally reliant on the water for production, recreation and export we sometimes struggle to get ourselves sorted in the preparedness and safety stakes when it comes to being on, or near the water. It is always better, and usually cheaper in the long run, to put preventative measures in place rather than fix a problem once it has happened. The best case in point of the environmental impacts of a maritime accident, and the first to everyone's lips, is the *Rena*.

Being a remote island nation, New Zealand is reliant on the maritime sector to import and export the vast majority of its consumable products. The question is: Are the calls for stronger measures a storm in a teacup, or is there really a need to address issues and avoid being caught out with unsuitable measures the next time a "storm" hits? If so, what measures are contemplated, and how would they work?

There has recently been a suggestion for compulsory shipping lanes, or designated shipping routes, around the coast of New Zealand, creating shipping "highways" for vessels that are over a certain gross tonnage. While many of the fundamental aspects of shipping activity would not change, such as abiding by the collision prevention regulations and the embarkation of pilots at pilot stations, the thinking seems to be that vessels would create less risk to themselves, each other and the environment by having regulated shipping routes that are monitored. The dual measure of establishing shipping lanes and implementing monitoring systems are termed "vessel traffic services", or VTS. Operation of a VTS system is requires substantial training, conducted by an approved training provider.

VTS is an internationally recognised navigational safety measure, established by the International Convention on the Safety of Life at Sea 74/78. Chapter V (Safety of Navigation), Regulation 12 provides for Vessel Traffic Services and recognises that VTS "contributes to safety of life at sea, safety and efficiency of navigation and protection of the marine environment, adjacent shore areas, work sites and offshore installations from possible adverse effects of maritime traffic".

Chapter V of SOLAS also provides that governments may establish VTS when, in their view, "the volume of traffic or the degree of risk justifies such services". The calls for greater measures of controlling vessels, both small and large, in New Zealand's waters are becoming louder. But there is always a risk of a knee-jerk reaction to a perceived risk: Do the risks justify the implementation of a national VTS? How far should education go, and where should regulation start?

The International Maritime Organisation is the only

internationally recognised organisation that can establish a traffic separation system. Practically, this means that our government would have to have any vessel routing system approved by the IMO prior to its implementation. Other countries have successfully implemented traffic management and monitoring systems, some of which deal with areas of particular danger, such as the Great Barrier Reef.

While we are an island nation, we are also a small nation. That means there are a finite number of dollars to spend on making our maritime environment as safe as possible, both in terms of the lives of those on the water and the impacts that recreational and commercial activities have on our natural environment.

Currently the New Zealand Nautical Almanac, "Notices to Mariners" section sets out a voluntary code for vessels carrying oil and other harmful substances in bulk. That code prescribes shipping routes around the coast of New Zealand in quite some detail. For example, the recommended approach to Whangarei from the south is: proceed through Colville and Jellicoe channels keeping at least 3nm off the land and thence to the pilot station.

While there will always be an argument in favour of strict regulation, the key consideration is whether the risk justifies the introduction of the traffic management system. The volume of traffic around the New Zealand coast is certainly not insubstantial, but that cannot be the only consideration for implementation. The costs associated with the implementation and on-going monitoring of a VTS are a factor; for example, the training requirements for personnel are substantial and are not currently able to be provided in New Zealand.

Maritime New Zealand has said that no decisions will be made on the issue of VTS until the Transport Accident Investigation Commission Report on the grounding of the *Rena* is published, which is expected to be in March this year. Perhaps a lower cost alternative in the short term is to extend the voluntary code that is already in place to apply to a wider range of vessels. This will provide the beginning of a "best practice" guide for vessel personnel, which is what some commentators have called for.

Masters of vessels operating on our coast should be experts, or "masters" of their role. Some, as was seen in the *Rena* incident, are unable to manage the various pressures that are placed upon them. But the great majority do, every day. Is putting in a strict regulation and monitoring system a knee-jerk reaction to this risk? Whatever the future may be for the regulation of coastal shipping in New Zealand, there are many factors to consider. Whether, in all the circumstances, the implementation of VTS is justified is just one of them.



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14 New St, Nelson. PO Box 921, Nelson 7040. T +64 3 548 4136. F +64 3 548 4195. Freephone 0800 Oceanlaw. Email justine.inns@oceanlaw.co.nz www.oceanlaw.co.nz