



New Zealand Maritime Museum HUI TE ANANUI A TANGAROA

Maritime Transport Operator Plan (MTOPlan)

As per Maritime Rules Part 19.

Name: Regional Facilities Auckland Limited (operating as New Zealand Maritime Museum)



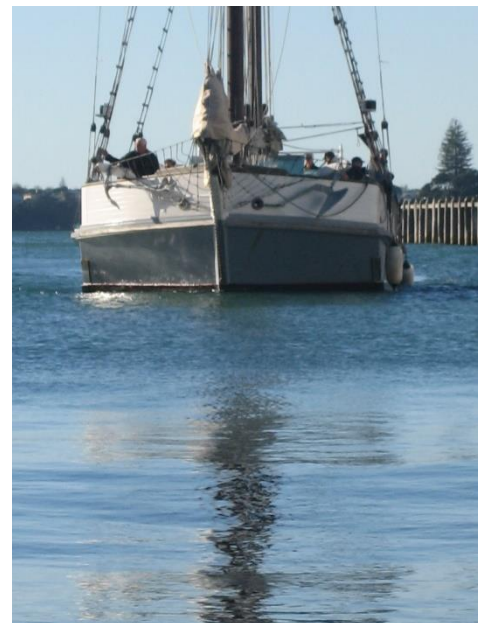
BREEZE (*above left*)

PUKE (*above right*)

TED ASHBY (*right*)

Overview:

The New Zealand Maritime Museum (NZMM) operates four heritage vessels offering short harbour excursions in support of the educational and operational aims of the Museum.



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1. Maritime Transport Operator Details:

Full Name of Maritime Transport Operator:

Regional Facilities Auckland Limited

Person or persons responsible for the following:

Person(s) responsible for compliance	Area of responsibility			
	The maritime transport operation	Resourcing of the maritime transport operation	Crew training & competency assessments	Operational decisions (including the control & scheduling of maintenance & internal quality assurance)
Vincent LIPANOVICH	x			
Bruce GENTRY		x		
Chris INGRAM			x	X

Primary Harbours or Ports from which the maritime transport operation is conducted:

Auckland Harbour, Auckland Inshore limits

The category or categories and the activity or activities of maritime transport operation that will be conducted under the Maritime Transport Operator Certificate:

Category (as per Survey Cert)	Activities
Passenger	Charter services/Tourism

Ship Details:

Ship Name	Number
BREEZE	104468
PUKE	124121
TED ASHBY	105484

Personnel details:

Record of all employees/volunteers required to hold a certificate of competency issued under the Act in accordance with the applicable Maritime Rules.

Name	Qualification held & cert/VOS number	Certificate Expiry date	Medical Expiry Date	First Aid Cert. expiry date
Stuart BIRNIE	CLM 4538 VoS 2999	Ring fenced	24 Sept 2020	24 Jan 2022
Norbert BORGES	ILM 3720 & CLM 3720 VoS 2160	Ring fenced	31 Oct 2020	28 Feb 2022
John BRIAND	CLM 3773 VoS 3242	Ring fenced	12 July 2021	22 Feb 2021
Bob HAWKINS	CLM2837 VoS 2179	Ring fenced	13 Dec 2021	15 Oct 2019
Allison Jane HOWARD	ILM NO:2 0804 VoS 3320	Ring fenced	2 Aug 2021	9 Jun 2022
Chris INGRAM	SRL 14012<24m, passenger , MRROC NZL12381	30/08/2021	21 Jan 2021	19 Jun 2021
Wayne MacDONALD	ILM NO2 1579 VoS 2195	Ring fenced	23 Feb 2021	19 Aug 2021
Gavin McGREGOR	ILM NO2 0555	Ring fenced	3 Sept 2021	19 Dec 2020
Roy PURVIS	SRL-12600 <24m, passenger, RRCRT	30/11/2020	19 Oct 2020	25 Aug 2019
Johan SAAYMAN	SRL 17972<24m, passenger	12/2/2024	24 Jan 2021	20 Mar 2021
Kieran WICKMAN	SRL 18080	06/03/2024	20 Dec 2020	25 Sept 2019

Contact details for shore-based personnel responsible for managing trip reports and emergency responses:

Name	Contact phone number	Alternative number
Chris MURRAY	09 373 0808	021 366 755
Lio VEATUPU	09 373 0803	027 221 4214

Duties of Master (Marine Transport Act 1994 - (MTA))

(1) The master of a ship shall—

(a) Be responsible for the safe operation of the ship on a voyage, the safety and wellbeing of all passengers and crew, and the safety of cargo carried; and

(b) Have final authority to control the ship while in command and for the maintenance of discipline by all persons on board; and

(c) be responsible for compliance with all relevant requirements of this Act and regulations and maritime rules made under this Act, except in an emergency when, in the interests of safety, immediate action in breach of this Act or of regulations or maritime rules made under this Act is necessary; and

(d) where an emergency requires that in the interests of safety an action is necessary that breaches this Act, or regulations or maritime rules made under this Act, as soon as practicable, notify the Director of the action and the circumstances which necessitated it and, if requested by the Director, provide to the Director a written report in respect of the action.

(2) For the purposes of subsection (1)(c), a breach of any prescribed requirement is permitted only if—

(a) The emergency involves a danger to life or property; and

(b) The extent of the breach of the prescribed requirement goes only as far as is necessary to deal with the emergency; and

(c) There is no other reasonable means of alleviating, avoiding, or assisting with the emergency; and

(d) The degree of danger involved in complying with the prescribed requirement is clearly greater than the degree of danger involved in deviating from it.

(3) Nothing in subsection (1)(c) permits—

(a) The breach of any prescribed requirement as to the seaworthiness of a ship; or

(b) The operation of a ship by a person who does not hold the appropriate maritime document; or

(c) The operation of a ship by a person who does not have authority to operate that ship.

(4) Every master commits an offence and is liable on conviction to a fine not exceeding \$5,000 who, without reasonable excuse, fails to comply with subsection (1)(d).

The role of Ship's Master (Health & Safety at Work Act 2015 – (HSWA))

Under the MTA*, ships' masters must be certified and they have significant responsibilities.

The master:

- is responsible for the safe operation of the ship on a voyage, the safety and wellbeing of all passengers and crew, and the safety of cargo carried
- has final authority (while in command) to control the ship and maintain the discipline of all people on board
- Is responsible for compliance with all relevant requirements of the MTA*, regulations and maritime rules.

Although a master has special responsibilities under the MTA*, when they work for a maritime operator as an employee, or as a contractor, they are also a 'worker' under HSWA*.

The relationship between the operator and master

Maritime operators and masters both have duties under HSWA*.

Some of these duties overlap while others are different.

In practice, the maritime operator and the master must work together to meet their duties.

Although the duties of a maritime operator and a master are slightly different, they address the same or similar things with regard to health and safety.

The duties are shared or partially shared and the degree of responsibility depends on the circumstances of a given situation.

The duties of the maritime operator and the master apply at the same time.

The master is in control of the ship when it is at sea.

While the operator may not be present, they must still fulfil their duty to ensure that the ship operates safely. The operator cannot contract out or transfer their duties to the master or anyone else.

In practice, the operator must make appropriate arrangements with the master to ensure that the operator's duties are met when the ship is at sea.

Duties of workers (skippers & crew)

While at work, a worker must—

- (a) Take reasonable care for his or her own health and safety; and
- (b) Take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and

(c) Comply, as far as the worker is reasonably able, with any reasonable instruction that is given by the PCBU* to allow the PCBU* to comply with this Act or regulations; and

(d) Co-operate with any reasonable policy or procedure of the PCBU* relating to health or safety at the workplace that has been notified to workers.

***MTA – Marine Transport Act 1994.**

***PCBU – Person Conducting a Business or Undertaking. (*Individual person or an organisation*).**

***HSWA – Health & Safety at Work Act 2015.**

2. Training

Master Induction and training

- Before being appointed as Master on one of the NZMM vessels, the person must complete and sign the Master Induction – (Appendix 1).
- This Maritime Transport Operator Plan and Vessel Specific Procedures must be understood before taking any responsibility within the maritime transport operation.
- Completed sign off sheets will be stored in each Masters Personnel file in the office as well as electronically.

Crew induction and training

- Crew will complete and sign the Crew Induction (Appendix 2)
- This Maritime Transport Operator Plan and Vessel Specific Procedures must be understood before taking any responsibility within the maritime transport operation.
- A NZMM Master may conduct crew training, and complete Appendix 2 sign-off.
- All relevant documentation will be stored in each crew's personnel file in the office as well as electronically.

Drills & ongoing training

- Each Master will complete a drill for each emergency procedure at intervals not exceeding 12 months.
- Masters & crew will complete refresher training on Safety Equipment Location and the Maritime Transport Operator Plan at intervals not exceeding 12 months.
- Where it is not practical to undertake a simulated drill, then the crew and Masters will discuss the procedure and familiarise themselves with the operation of the associated equipment.
- Master & crew competency will be monitored on an on-going basis by observation, feedback and examining the outcome of any drills, incident, accident or hazard reviews.
- Crew will undertake refresher training if they have not worked on board the vessel within the preceding 6 months or at any time increased competency is required.
- All drills will be recorded primarily in the Vessel Logbook.
- At a suitable time thereafter, records of all drills will be recorded in the Drills Logbook by the Master & retained on board. Drills logs will be archived with Ships Logs.
- Any training outcomes that may require changes to procedures contained with this Maritime Transport Operator Plan are recorded on the Record of Maritime Transport Operator Plan reviews (see section 7 Review). This may result in an immediate review or be considered at the next review.

Masters and crew are encouraged to provide feedback on the effectiveness of these policies and procedures to one of the persons responsible for compliance named in Section 1 of this document.

Procedures for checking and ensuring currency of qualifications of crew:

- Masters will provide a copy of their qualifications and certificates. These are stored in hard copy and electronically.
- Relevant expiry dates will be checked regularly and Masters reminded of any expiry dates coming up.

3. Safe Operating Procedures

Note: Refer to Vessel Files for vessel specific procedures.

Our vessels are to be operated at all times in a safe and efficient manner observing all Maritime New Zealand in-force maritime and marine protection rules.

We also abide by all local Navigation Safety Bylaws. A copy of relevant local Regional Council Navigational & Safety Bylaws is kept on board.

All of our vessels are to be operated within any Plan Approval Limits, Survey Conditions and Stability requirements. These and all vessel certificates are located in each vessel's Vessel File.

The NZMM Vessels Policy and Vessel Specific Operating Procedures supplement the procedures in this Maritime Transport Operator Plan.

Appropriate shore-based and vessel-based procedures address all reasonably foreseeable hazards in the maritime transport operation including the following:

a) Adverse weather/fog

- LISTEN to marine weather forecast.
- ADJUST speed, turn on navigation lights, post extra lookout(s) and use all available navigational aids during restricted visibility.
- MAKE safe return to berth as soon as practical
- STORE gear low and keep decks and scuppers clear.
- WEAR appropriate safety equipment (lifejackets, harnesses etc) as deemed appropriate by the Master.
- APPLY sunscreen if working in exposed conditions.
- **Fog** – USE sound signals, regularly plot a fix on chart or mark on plotter (when available) in addition to the above. Abide by local Navigation Safety Bylaws (e.g. Auckland Harbourmaster's "Operation of Vessels during periods of Restricted Visibility").

b) Anchoring/mooring/berthing

- KEEP hands & feet clear of dangers
- KEEP loose clothing out of the way.
- DISPLAY correct day shape and/or night lights
- WATCH for surge, i.e. long and slow swell, let out more anchor chain or find protected anchorage
- STOW loose ropes
- REFER to Vessel Files for operational specifics and approved processes.
- Crew to be capable of operating the anchoring equipment in an emergency.

c) Crossing Bars – (from the National Code of Practice for Bar Crossings.)

- Extreme caution must be exercised & if in doubt STAY OUT/IN

- Ensure adequate reserve fuel and provisions to enable vessel to remain at sea or divert to another port should adverse bar conditions prevail on their return.
- Masters should be aware of factors that determine vessel's stability:
 - free-surface effect of liquids
 - Additional weights on deck
 - Loss of stability that occurs if deck enclosures or bins suddenly fill with water
 - Any modifications to vessel that may be detrimental to stability
 - The movement of weights within the vessel including people.
- Masters should be aware that all bars have areas of broken water containing air, which can severely reduce stability and handling of vessel
- Night time crossings are more hazardous and should be avoided if possible
- Vessels attempting to cross a bar at or near low water are more likely to experience adverse conditions than at high water.

Before you cross the bar:

- Seek local knowledge on the bar
- Check the weather, tide and bar conditions
- Contact Coastguard or Maritime Radio immediately prior to crossing
- Ensure vessel has adequate stability & loads are secure & stable
- Batten down the hatches
- Lifejackets must be worn and all crew & passengers must be awake & alert
- Approach at a moderate speed
- Post lookout to monitor sea conditions astern
- Communicate your successful crossing to Coastguard or Maritime Radio
- If in doubt – don't cross
 - Avoid ebb tide. (Recommended time: 30mins either side of HIGH tide.)

It is ultimately the Master's responsibility to determine whether to cross a bar.

d) Close quarters (collision prevention)

Master and OoW must be conversant with Maritime Rules Part 22 – Collision Prevention

e) Drug & Alcohol Policy

Refer also to NZMM Worker Induction Handbook Drug & Alcohol Policy

- DO NOT bring any alcohol on board without the approval of the Master
- DO NOT consume any alcohol:
 - During the period 8 hours prior to sailing or prior to night watch duties at anchor
 - At anchor when the weather forecast indicates that the vessel could be required to weigh anchor at short notice
 - When vessel is underway
 - When passengers are on board
 - Without the specific approval of the Master
- ENSURE all crew are fit for duty at all times

- LIMIT alcohol consumption if passengers become disruptive and if necessary return to port.
- INFORM Master of any medical condition and/or medication prior to sailing.
- INFORM Master of prescription medication dosage in the event of an emergency.
- DO NOT bring any non-legal substances on board any vessel.
- POSTPONE trip if the Master is concerned about the safety of any crew or passenger.
- REPORT concerns to Museum Management if concerned about a Masters ability to operate the vessel
- NOTIFY Museum Management if crew do not meet any of the above conditions.

f) Enclosed spaces

An Enclosed Space is a space with no or limited natural ventilation, not designed for continuous occupation and which may contain a dangerous atmosphere, e.g. engine compartment.

- INFORM someone before going into an enclosed space
- REGULARLY open and close escape route hatches and doors to ensure all clips & hinges are working freely from both sides
- KEEP ladders clear and unobstructed.
- VENTILATE where possible.

g) Open Hatches

- CLOSE when not in use
- SECURE back when open
- ADVISE crew and other workmen on-board that a hatch is open
- ROPE off and use signage if appropriate.

h) Environmental control – Protecting the oceans for our future

- BRIEF crew on the legal requirements and waste management practices.
- MONITOR to ensure compliance.
- See also section 4 “Emergency Procedures – Pollution”.

Garbage

- REMIND crew & passengers that no garbage will be disposed into the sea at any time
- STORE garbage in a suitable secure rubbish bin located on each vessel
- REMOVE all garbage from the vessel at the end of each trip.
- DISPOSE in a suitable rubbish receptacle ashore.

Chemical Waste

- USE environmentally friendly alternatives wherever possible
- STORE securely, in original containers
- DISPOSE all wastes ashore in a suitable facility.

Oily Waste

- STORE securely, oily rags or waste & take ashore for disposal.
- NO oily waste is to go overboard at any time.
- REPORT any oil leaks from machinery to the Master immediately

- TAKE steps to stop the oil leak and contain any spillage.
- REPAIR all leaks from machinery as soon as possible.

Sewerage

- DO NOT discharge untreated sewerage closer than 500 metres from shore, a mataitai reserve or marine farm or closer than 200 metres from a marine reserve, or further if an applicable local bylaw is in effect.
- USE very small quantity of bleach and other chemicals for toilet cleaning purposes.

i) Fatigue Policy

- There will be a maximum of three sailings per day per crew for regular scheduled sailings (excluding Puke); no more than two sailings without a break of 1 hour. Puke trip duration normally is 20 minutes, thus will require a break after about 2 hours.
- ADJUST passage plans to ensure that the vessel is operated safely within the capabilities of the crew.
- MONITOR crew for obvious signs of tiredness on joining the vessel.
- PLACE seasick crew where they can recover most quickly
- PREVENT dehydration by drinking fresh water
- DETERMINE the ability of crew to respond in an emergency for all passage and trip decisions
- AGREE on the appropriate response to fatigue which could include rests period, lighter duties or being relieved of duty for an appropriate period of time
- PRIOR to signing on to the vessel, all crew to be 'fit for duty'.
- MONITOR crew for signs of fatigue during operations
- ENSURE proper rest breaks are given & taken
- PROVIDE lighter duties if a rest break is not possible
- ROSTER crew appropriately and according to their capabilities.

j) Passenger Safety

Safety Briefing:

- SHOW lifejacket location and fitting
- INFORM them of the relative hazards
- EXPLAIN the garbage policy
- EDUCATE them on their role in any emergency

Passenger Count

- COUNT passengers on board
- RECORD passenger numbers in ships logbook
- NOTE numbers on Trip Report form for shore staff.

Disabled Passengers

- REFER to Vessel Manual for specific guidelines.

k) Transferring crew & passengers

- SET mooring lines so vessel lays parallel to the wharf/pontoon & doesn't swing too much
- USE permanent handrails and/or steps on side of vessel if practical
- DO NOT take risks.

l) Pre-departure checks

- CONSIDER current & forecast weather conditions
- CHECK that vessel maintenance is up to date
- CHECK the Defect book
- COMPLETE engine checks
- ENSURE vessel steering is operational
- COMPLETE radio check
- ENSURE oil pressure and water temperature is correct
- REFER to Vessel's Files for specific checks
- COMPLETE a Vessels Plan & Food Plan for extended passages.
- FILL IN logbook
- BRIEF crew on operations for the day
- STORE all bags & other supplies safely & securely
- MAKE trip report to shore base person stating People On Board, intended destination & estimated time of arrival/return.



m) Post trip checks

- TURN OFF/ON required sea cocks
- COMPLETE ship's log
- NOTE any defects in the Defect Book (*if necessary*)
- REMOVE rubbish and dispose ashore
- SECURE mooring lines and lock cabin/hatches.
- REFER to Vessel File for specific checks.

n) Refuelling

- CHECK tank levels and continuous observation during refuelling
- AGREE to a plan for how to immediately stop refuelling if a spill occurs
- NO smoking, cell phones, hot work or naked flames whilst refuelling
- KEEP in communication with pump attendant
- ENSURE Spill kit is to hand and scuppers blocked
- NOTE amount bunkered in vessel log
- REPLACE spill kit if necessary
- REFER to Vessel File for specifics.

o) Marine Mammals – as per the Marine Mammals Protection Regulations 1992.

- Do not disrupt the normal movement or behaviour of any marine mammal
- If marine mammal becomes disturbed or alarmed, leave the area
- Do not cause a marine mammal to be separated from its group or cause any group to be scattered
- Do not throw food or rubbish near or around any marine mammal
- Keep a steady speed & direction except in case of an emergency
- Place engines in neutral or switched off immediately to enable passengers to watch any marine mammal
- Do not disturb or harass any marine mammal
- Do not cut off the path of a marine mammal or prevent it from leaving the vicinity
- When less than 300 metres from a marine mammal, move the vessel at a constant slow speed no faster than the slowest marine mammal in the vicinity or at idle or ‘no wake’ speed
- When departing the area, proceed slowly at idle or ‘no wake’ speed until at least 300 metres from nearest marine mammal, except if it is a dolphin
- If marine mammal is a dolphin, increase speed gradually but not exceeding 10knots within 300 metres of any dolphin.

Whale specifics – as above, plus:

- Swimmers to stay more than 100 metres from a whale
- Vessels not to approach within 50metres of a whale
- If whale approaches a vessel, the skipper to manoeuvre the vessel to keep out of the path of the whale and maintain a distance of 50metres from the whale.
- If three or more vessels are watching the whale, do not approach within 300metres of any whale
- If two or more vessels are watching an unaccompanied whale, the skippers should co-ordinate their approach and manoeuvres
- Do not approach within 200 metres of any female baleen or sperm whale that is accompanied by a calf or calves
- Whale to be approached parallel to the whale and slightly to the rear of the whale
- Do not make any loud or disturbing noises near whales
- Abandon any contact with a sperm whale if it abruptly changes its orientation or starts to make short dives between 1-5 minutes duration without showing its tail flukes.

Dolphin specifics – as per the Marine Mammal section above, plus:

- Do not proceed through a pod of dolphins
- Swimming with dolphins & seals is permitted unless there are juvenile dolphins or a pod of dolphins that includes juvenile dolphins
- Inform swimmers before they enter the water that at the sound of the vessel horn, all swimmers must return to the vessel immediately
- Do not make any loud or disturbing noise near dolphins or seals except to sign to swimmers to return to the vessel
- Do not approach within 300 metres of a pod of dolphins or herd of seals if three or more vessels are also watching them

- Where two or more vessels approach an unaccompanied dolphin or seal, the skippers should co-ordinate their approach and manoeuvres
- Dolphins should be approached from a direction that is parallel to the dolphin and slightly to the rear of the dolphin.

4. Emergency Procedures

Emergency Response Procedures have been prepared for the following events:

a) Fire

- RAISE alarm
- REASSURE passengers
- FIGHT fire
- CALL for assistance
- MONITOR heat in surrounding compartments & cool if necessary
- PREPARE to abandon ship
- REPORT to NZMM as soon as possible
- REPORT to Maritime NZ and Worksafe NZ as soon as practicable
- Refer to Section 5 for Procedures for Accident and Incident reporting

b) Overdue vessel procedure

- The Master should contact shore-based personnel to update the trip report in the event of the vessel being delayed.
- If shore-based personnel responsible for managing trip reports and emergency responses are concerned about the vessels' whereabouts, they should first attempt to contact the vessel by all means possible.
- If unable to make contact with the vessel, shore-based personnel must call the Sailing Master or Operations Manager.
- If neither of them can provide an update on the vessel's whereabouts, shore-based personnel must contact:
 - Maritime Radio on 0800 627 484; **OR**
 - Police on 111

Depending on the circumstances, these organisations will probably put out an All Stations Bulletin seeking sightings or other information on the missing vessel and will contact Rescue Co-ordination Centre of NZ.

In the event of a known emergency contact RCCNZ directly on 0508 472 269 or on VHF Channel 16.

Once Police, Maritime Radio or RCCNZ have been contacted, the situation will be public knowledge, so shore-based personnel should contact the CEO to advise.

c) Pollution

- **Oil & Oily Waste** – Oil or oily water must not be discharged into the sea.
- Assess the spill and determine whether or not it is safe to proceed with response procedures;
- Take immediate action to isolate the source and limit or contain the spill for example by shutting down pumps and closing valves;
- Small Tier 1 oil spills will be contained or mopped up using the emergency spill kit near the pump.
- If you have been unable to contain the spill report to one of the following depending on location:

- Northland Regional Council's 24hour Environmental Pollution Hotline on 0800 504 639.
- Auckland Harbourmaster 24hour Emergency Duty Officer on 09 362 0397 (Press 0 after hours).
- Waikato Regional Council on 0800 800 401
- Bay of Plenty Regional Council's 24/7 Pollution Hotline on 0800 884 883
- You must make a report even if it is only suspected that a spill has occurred. If unable to contact the Regional Council, report the spill immediately to Rescue Coordination Centre of NZ (RCCNZ) on 0508 472 269.
- Mobilise appropriate spill equipment and personnel to commence clean-up;
- Clean-up should be undertaken so that the area affected is returned as near as possible to its natural state prior to the spillage.
- Any incident should be recorded in the vessel logbook by the master.

d) Person overboard

- RAISE alarm
- KEEP visual contact
- THROW flotation device into water
- POINT to person in the water
- MANOEUVRE vessel within safe proximity of the person overboard
- Recovery crew to don lifejackets
- RECOVER person and keep warm, provide medical assistance if necessary
- CALL for assistance if required
- REPORT to NZMM as soon as possible
- REPORT to Maritime NZ and Worksafe NZ as soon as practicable
- Refer to Section 5 for Procedures for Accident and Incident reporting

e) Medical emergency

Ascertain as accurately as possible the extent of the injury or illness

If life threatening or serious

- Call for immediate assistance
- Follow strictly any medical advice given to stabilize the patient
- Proceed with best possible speed toward assistance or nearest port
- Keep radio contact with shore base and continually update on the situation
- Assist with evacuation of patient when assistance arrives or at port.
- Report to Maritime NZ and Worksafe NZ as soon as practical
- Refer to Section 5 for Procedures for Accident and Incident reporting

Minor Injury/illness

- Make patient as comfortable as possible
- Monitor situation for any signs of deterioration
- Always recommend or refer patient to a doctor or the hospital on return to berth

f) Mechanical failure, including loss of propulsion or steering

Loss of Propulsion

- If sailing, continue to sail to safe location to anchor.
- If under power either anchor or raise sails and sail to a safe location to anchor as safety demands.
- Call for assistance and/or attempt to remedy the situation
- Report to Maritime NZ and Worksafe NZ as soon as practical
- Refer to Section 5 for Procedures for Accident and Incident reporting

Loss of steering

- Refer to Vessel File for specifics on emergency steering
- If able to use throttles or sails to control direction of vessel, manoeuvre vessel to where safe to anchor; or
- If unable to control vessel using emergency steering throttles or sails, anchor immediately.
- Call for assistance and/or attempt to remedy the situation.
- Report to Maritime NZ and Worksafe NZ as soon as practical
- Refer to Section 5 for Procedures for Accident and Incident reporting

g) Stricken vessel, including due to grounding, collision, capsized or sinking

- RAISE alarm
- ASSESS situation
- SECURE safety of passengers and crew
- CALL for assistance if necessary
- CONSIDER
 - Beaching the vessel
 - Stability effects of flooded compartment
 - Stemming the flow of water by shutting valves or blocking hole
 - Starting pumps
 - Abandoning ship, but always remain on vessel for as long as it is safe
- REPORT to NZMM as soon as possible
- REPORT to Maritime NZ and Worksafe NZ as soon as practicable
- Refer to Section 5 for Procedures for Accident and Incident reporting

5. Reporting Notifiable Events

Owner/Operator and Skipper's Responsibilities:

Section 31 of the **Maritime Transport Act 1994** requires the **master/skipper** of any New Zealand ship, or of any foreign ship in New Zealand waters, (or the **owner/operator** of a ship in some instances) to notify **Maritime New Zealand** as soon as practicable, if the ship is involved in a **mishap** that results in serious harm to a person, or in an **accident or incident**. If a death has occurred the Police should also be informed.

Part 2, Sub-part 5 Section 56 of the **Health & Safety at Work Act 2015** states that a PCBU* must, as soon as possible after becoming aware that a notifiable event arising out of the conduct of the business or undertaking has occurred, ensure that the regulator is notified of the event.

In the **Maritime Transport Act 1994**, unless the context otherwise requires,

ACCIDENT means an occurrence that involves a ship and in which—

(a) A person is seriously harmed as a result of—

(i) Being on the ship; or

(ii) Direct contact with any part of the ship, including any part that has become detached from the ship; or

(iii) Direct exposure to the **wash of the ship** or interaction (other than direct contact) between **2 ships**; or

(iv) being involved in the **salvage** of any ship— except where the injuries are self-inflicted or inflicted by other persons, or when injuries are to stowaways hiding outside the areas normally available to passengers and crew; or

(b) The ship sustains damage or structural failure that—

(i) Adversely affects the structural strength, performance, or **seaworthiness** of the ship; or

(ii) Would normally require major repair or replacement of the affected component; or

(iii) Poses a threat to the safety of people on board the ship; or

(c) There is a complete or partial **failure of machinery** or equipment that affects the seaworthiness of the ship; or

(d) There is a loss of, or damage to, or movement of, or change in the state of, **the cargo** of the ship which poses a risk to the ship or other ships; or

(e) There is a significant loss of, or significant damage to, **property** (not being the cargo carried by the ship) or the property of any person (whether or not on board the ship), whether or not the loss or damage arises from an interaction between 2 ships; or

(f) There is a loss or escape of any substance or thing that—

(i) May result, or has resulted, in serious harm to any person; or

(ii) May pose a risk, or has resulted in damage, to the ship or other ships; or

(iii) May pose a risk, or has resulted in damage, to any property (whether or not on board the ship); or

(g) A person **is lost at sea** (whether or not subsequently found) or is missing; or

(h) The ship is **foundering, capsizing, being abandoned, stranding, missing, or has foundered, capsized, been abandoned, stranded, been in a collision, or has had a major fire on board.**

MISHAP means an event that—

(a) Causes any person to be harmed; or

(b) In different circumstances, might have caused any person to be harmed

INCIDENT means any occurrence, other than an accident, that is associated with the operation of a ship and affects or could affect the safety of operation.

The **Health & Safety in the Workplace Act 2015** states:

NOTIFIABLE INJURY OR ILLNESS

(1) In this Act, unless the context otherwise requires, a **notifiable injury or illness**, in relation to a person, means—

(a) Any of the following injuries or illnesses that require the person to have immediate treatment (other than first aid):

(i) The amputation of any part of his or her body:

(ii) A serious head injury:

(iii) A serious eye injury:

(iv) A serious burn:

(v) The separation of his or her skin from an underlying tissue (such as DE gloving or scalping):

(vi) A spinal injury:

(vii) The loss of a bodily function:

(viii) Serious lacerations:

(b) An injury or illness that requires, or would usually require, the person to be admitted to a hospital for immediate treatment:

(c) An injury or illness that requires, or would usually require, the person to have medical treatment within 48 hours of exposure to a substance:

(d) Any **serious infection** (including occupational zoonosis) to which the carrying out of work is a significant contributing factor, including any infection that is attributable to carrying out work—

(i) With micro-organisms; or

(ii) That involves providing treatment or care to a person; or

(iii) That involves contact with human blood or bodily substances; or

(iv) That involves handling or contact with animals, animal hides, animal skins, animal wool or hair, animal carcasses, or animal waste products; or

(v) That involves handling or contact with fish or marine mammals:

(e) Any other injury or illness declared by regulations to be a notifiable injury or illness for the purposes of this section.

(2) Despite subsection (1), **notifiable injury or illness** does not include any injury or illness declared by regulations not to be a notifiable injury or illness for the purposes of this Act.

(3) In this section,—**Animal** has the same meaning as in [section 2\(1\)](#) of the Animal Welfare Act 1999

Fish has the same meaning as in [section 2\(1\)](#) of the Fisheries Act 1996.

Marine mammal has the same meaning as in [section 2\(1\)](#) of the Marine Mammals Protection Act 1978.

NOTIFIABLE INCIDENT

(1) In this Act, unless the context otherwise requires, a **notifiable incident** means an unplanned or uncontrolled incident in relation to a workplace that exposes a worker or any other person to a serious risk to that person’s health or safety arising from an immediate or imminent exposure to—

- (a) An escape, a spillage, or a leakage of a substance; or
- (b) An **implosion, explosion, or fire**; or
- (c) An **escape of gas or steam**; or
- (d) An escape of a **pressurised substance**; or
- (e) An **electric shock**; or
- (f) The **fall or release from a height of any plant, substance, or thing**; or
- (g) The **collapse, overturning, failure, or malfunction** of, or damage to, any plant that is required to be authorised for use in accordance with regulations; or
- (h) The collapse or partial collapse of a structure; or
- (i) The collapse or failure of an excavation or any shoring supporting an excavation; or
- (j) The inrush of water, mud, or gas in workings in an underground excavation or tunnel; or
- (k) The interruption of the main system of ventilation in an underground excavation or tunnel; or
- (l) **A collision between 2 vessels, a vessel capsize, or the inrush of water into a vessel**; or
- (m) Any other incident declared by regulations to be a notifiable incident for the purposes of this section.

(2) Despite subsection (1), **notifiable incident** does not include an incident declared by regulations not to be a notifiable incident for the purposes of this Act.

NOTIFIABLE EVENT

In this Act, unless the context otherwise requires, a **notifiable event** means any of the following events that arise from work:

- (a) The death of a person; or
- (b) A notifiable injury or illness; or
- (c) A notifiable incident.

Under Health & Safety in the Workplace Act 2015 (HSWA), the site of a **notifiable event** is not allowed to be disturbed until an inspector says so. This means:

- **the work set-up should not be changed and work that could interfere with the scene of the event should stop**
- **Any plant, substances or other things involved in the event should stay where they are and not be altered.**

The persons conducting a business or undertaking (PCBU) can still help an injured person, or remove a deceased person, or make the site safe so that another notifiable event doesn't happen. Work can continue in other parts of the workplace.

The most important thing is to prevent further harm. A PCBU can also do things at the site if they are told to by a police officer, or if an inspector says they can.

Procedures for accident and incident reporting:

- It is the Master's responsibility to submit an Accident, Mishap or Incident Report to MNZ as soon as practical.
- It is the owner's responsibility to report any notifiable injury, illness, incident or event to Worksafe NZ.
- Details of any accident, mishap or incident will be recorded in the vessel's logbook immediately or as soon as practicable thereafter
- Where possible, two or more witnesses will provide their account of events independently (preferably using the Witness Statement Form in Appendix 3 of this document).
- Accident/Incident Report (Appendix 4) will be completed as soon as practicable and given to one of the Responsible Persons named in Section 1 of this document.
- UPDATE the Accident & Incident Register in Risk manager at a suitable time.
- INVESTIGATE all accidents and incidents to determine if corrective action needs to be taken
- CHANGE procedures and/or complete further training as required if necessary.
- NOTE any changes to the Maritime Transport Operator Plan in Appendix 5.
- REMEMBER, that the Master is responsible for reporting all incidents, accidents and mishaps to Maritime New Zealand.

6. Hazard Register

All reasonably foreseeable safety risks and hazards in the Maritime Transport Operation:

MTA 1994 Part 1 interpretation:

Hazard means an activity, arrangement, circumstance, event, occurrence, phenomenon, process, situation or substance (whether or not arising or caused on board a ship) that is an actual or potential cause or source of harm: and hazardous has a corresponding meaning.

Pre-Control			Post Control		
Activity	Hazard/ Risk	Risk Rating prob/ severity	Risk Controls	Risk Rating	Person responsible for implementing
Fire	Injuries & vessel damage	High	No smoking on board, regular maintenance, safety equipment & training	Moderate /Low	Master
Overdue Vessel	Sinking, engine failure, bad weather	High	Trip reports to shore-based person, maintenance up to date, follow procedures.	Low	Master and shore-based person
Pollution	Damage to environment	Moderate	Follow procedures, training	Low	Master
Person Overboard	Drowning, injury	Low	Procedures and training	Low	Master
Medical Emergency	Injury, death	Moderate	Training and procedures	Low	Master
Mechanical Failure	Explosion, injury,	Low	Regular maintenance, survey and safe procedures	Low	Maintenance team and Master
Stricken Vessel	Drowning, injury, sinking	Low	Trained Masters, trained crew, safe procedures	Low	Master
Berthing	Injury, damage, drowning	Moderate	Trained Masters and crew, safe procedures	Low	Master
Party Cruises	Drowning, injury	Moderate	Alcohol policy implemented	Low	Master
Crossing bar	Drowning, injury, damage	High	Trained Masters, trained crew, safe procedures	Moderate to low	Master
Man Aloft	Injury, death	High	Trained crew, safe procedures	Moderate to low	Master
Refuelling	Fire, explosion	Moderate	Trained Masters and crew, safe procedures	Low	Master

7. Information Management

Review

- CONDUCT reviews annually or when necessary, for example as a result of Continuous Improvement Review (see below).
- OBTAIN the consent of the owner prior to amending the Maritime Transport Operator Plan
- RECORD review information in the Record of Maritime Transport Operator Plan Reviews (Appendix 5).
- INFORM all persons named in the Maritime Transport Operator Plan of changes and have them sign that they have read & understood the amendments (Appendix 6)
- REPLACE hard copies as listed below.

Continuous Improvement Review

- REVIEW the outcome of any hazard, incident or accident reports, crew feedback from operations and training, customer feedback, peer discussions with other operators and information contained in Maritime New Zealand publications.

Distribution and Storage of the Maritime Transport Operator Plan

- Masters and Crew will receive a copy of the Maritime Transport Operator Plan upon joining the Museum
- The Maritime Transport Operator Plan will be available on each vessel.
- The Maritime Transport Operator Plan will also be in the Administration Office.
- The Maritime Transport Operator Plan will be stored electronically on the NZMM computer server.

Also on each Vessel are:

- Vessel File (vessel certificates & specific procedures)
- Current Defect Book
- Current Maintenance Book
- The current Vessel Log Book

Off the Vessel and stored in the office are:

- Vessel Files (hard copy and electronic)
- Previous vessel Log Books
- Completed Maintenance Plans
- Expired Safety Equipment Certificates

Procedures for logging and managing trip reports:

- Harbour sailings departing from the museum –
 - The Master will ensure a 'Trip report' form is completed and handed to the custodian/security/line handler
 - Custodian/Security/Line handler to hand over forms to person in the Kiosk/Front desk.

- For sailings outside Auckland Harbour Limits
 - Trip reports will be logged with shore-based personnel at the beginning and end of each trip stating the number of people on board, destination and estimated time of arrival at the destination.

APPENDIX 1 Master Induction

ALL Masters who work on our vessels **MUST** complete this process.

Please circle the appropriate word and initial in the space provided	Yes/No	Initials
Do you have any medical condition that may cause safety concerns, prevent you from doing certain tasks, or increase the likelihood of a medical incident? If yes, please indicate what the medical condition is: _____	Yes/No	_____
Are you taking any medication that may cause safety concerns or increase the likelihood of a medical incident? If yes, please indicate what the medication is: _____	Yes/No	_____
I acknowledge that I have read and understood the Maritime Transport Operator Plan and been briefed on the safe operating procedures.	Yes/No	_____
I acknowledge that I am responsible for leading and instructing the crew.	Yes/No	_____

I acknowledge that I have read and understood all safety information and instructions supplied to me as part of this induction process. I am prepared to meet my obligations and responsibilities under Maritime Operator Safety System and the Health and Safety at Work Act, 2015.

Master _____

Signature _____

I acknowledge that I am familiar and understand with how the vessel handles when at sea. I acknowledge that I am familiar with and understand how to use all navigational, machinery, vessel systems and safety equipment on board the vessel. I acknowledge that I have read and understood the vessel specific procedures.			
BREEZE	NAUTILUS	PUKE	TED ASHBY
Signature:	Signature:	Signature:	Signature:
Sailing Master:	Sailing Master:	Sailing Master:	Sailing Master:
Date:	Date:	Date:	Date:

APPENDIX 2 Crew Induction

ALL crew who work on our vessels **MUST** complete this process.

Please circle the appropriate word and initial in the space provided.	Yes/No	Initials
Do you have any medical condition that may cause safety concerns or prevent you from doing certain tasks or increase the likelihood of a medical incident? If yes, please indicate what the medical condition is: _____	Yes/No	_____ _____
Are you taking any medication that may cause safety concerns or increase the likelihood of a medical incident? If yes, please indicate what the medication is: _____	Yes/No	_____ _____
I acknowledge that I am prepared to follow all lawful instructions of the Master.	Yes/No	_____ _____

I acknowledge that I have been briefed on hazards and safety procedures as outlined above, and that I have read and understood all safety information and instructions supplied to me as part of this induction process. I am prepared to meet my obligations and responsibilities under Maritime Operator Safety System and the Health and Safety at Work Act, 2015

Name of crew _____

Crew's signature _____ Date _____

Master's name _____

Master's signature _____ Date _____

I acknowledge that I have been given a safety tour of the vessel

I acknowledge that I have read and understood all hazard notices posted on the vessel.

I acknowledge that I have been shown the vessel's Hazard register and been advised of the hazard management process aboard the vessel.

I acknowledge that I have been shown the location of the safety equipment on board the vessel.

BREEZE	NAUTILUS	PUKE	TED ASHBY
Signature:	Signature:	Signature:	Signature:
Master:	Master:	Master:	Master:
Date:	Date:	Date:	Date:

APPENDIX 3 Witness Statement

Vessel:		
Date & time occurred:		
Person taking statement:		
Witness details		
Name:		
Contact:	P:	M:
	E:	
Address:		
Marine Experience:		
Please give a detailed description of the accident/incident:		
<i>(Continue over if necessary...)</i>		
Witnesses signature:		

APPENDIX 4 Accident/Incident Report

Person making statement				
Your role				
Vessel				
Time & date of incident/accident				
Location				
Conditions at scene (visibility, wind)				
Your description of events that took place	<i>(Continue over if necessary...)</i>			
Injuries				
Already reported accident/incident	MNZ	Yes/No	Worksafe	Yes/No
Signed				
Date				

APPENDIX 5 Record of MTOP Reviews

Review number	Review Date	Notes, review findings & record of changes	Next review due
1	18/10/2017	Original Operator Plan revised & updated.	Sept 2018
2	18/07/2018	Operator Plan revised & updated.	July 2019
3	27/06/2019	Updated persons responsible, updated list of Masters and included certificate expiry dates, reworded Drills, updated shore based personnel, changed nomenclature Vessel Manuals to Vessel Files, included Duties of Master under MTA 1994, included Role of Ship's Masters (HSWA) Updated Hazard Register, added Bar Crossings Marine Mammals Accident & Incident reporting as per MTA & HSWA Safe Operational Procedures, revised Overdue Vessel Procedure and Stricken Vessel Procedure. Revised Information Management Procedures, Appendix 1, 2, 4,	July 2020
4	July 2020	<ol style="list-style-type: none"> 1. Added Auckland Inshore limits to Primary Harbours (section 1). 2. Updated shore-based personnel details (section 1). 3. Updated requirements for Master induction (section 2) 4. Added explanation of "surge" and action to take for anchoring (section 3) 5. Added clarification to Close Quarters (section 3) 6. Added definition of Enclosed Space (section 3) 7. Added clarification to Fatigue control (section 3) 8. Removed reference to "Gangways" – not used (section 3) 9. Moved paragraph "Passenger Safety" to before "Marine Mammals" (section 3) 10. Moved "Procedures for accident and incident reporting" to section 5 	July 2021

APPENDIX 6 Signatories to MTOP Review

I have read and understood this Maritime Transport Operator Plan:		
Vincent Lipanovich		Date:
Bruce Gentry		Date:
Chris Ingram		Date:
Lio VEATUPU		Date:
Chris MURRAY		Date: