



**Review of Submissions on:**

**Draft Standard – Requirements for  
Vessels Arriving in New Zealand**

MAF Biosecurity New Zealand  
Ministry of Agriculture and Forestry  
Wellington  
New Zealand

**28 September 2007**

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Biosecurity Standards  
MAF Biosecurity New Zealand

**REVIEW OF SUBMISSIONS ON:  
DRAFT STANDARD – REQUIREMENTS FOR VESSELS ARRIVING IN  
NEW ZEALAND**

28 September 2007

Approved for general release

Clive Gower-Collins  
Biosecurity Standards Group Manager  
MAF Biosecurity New Zealand

## INTRODUCTION

The draft standard **Requirements for Vessels Arriving in New Zealand** was notified on the MAF Biosecurity New Zealand web-site, on 1 June 2007. The closing date was 16 July with an extension granted to NZ Defence to 31 July.

MAF BNZ received submissions from the following:

- |    |   |               |
|----|---|---------------|
| 1. | Ian Shirkey, Bain Shipping Ltd  | 6 July 2007   |
| 2. | John Gardner, Ministry of Health  | 6 July 2007   |
| 3. | Michael Smith   | 15 July 2007  |
| 4. | Morris Van Voornveld, Adsteam Agency Ltd                                | 18 July 2007  |
| 5. | John Pfahlert, The Petroleum<br>Exploration & Production Association NZ | 17 July 2007  |
| 6. | Fiona Bancroft, Department of Conservation                              | 17 July 2007  |
| 7. | Lt Commander Phil Wiig, New Zealand Defence Force                       | 6 August 2007 |

This document summarises the issues raised in the submissions, and presents the MAF BNZ response to each.

Appendix 1 contains the copies of full submissions.

## RESPONSE TO SUBMISSIONS

### 1. Ian Shirkey, Bain Shipping Ltd

1.1 The protocols in the standard are manageable for the ship industry. The discretionary component (risk targeting) is supported as sealing of meat lockers for no reason as has met with resistance from some operators in the past.

*MAF Biosecurity New Zealand comment:*

Accepts supporting comments.

### 2. John Gardner, Ministry of Health

2.1 No conflicts with MoH requirements at this time. Liaison to consider operational detail at a later date is invited.

*MAF Biosecurity New Zealand comment:*

No issues raised with standard. Agree that need to liaise with Ministry of Health on operational detail.

### 3. Michael Smith

3.1 Yachts cannot always provide 48 hour advance notice and may only have radio as their means of communication. Therefore there is a need to make standard more flexible for yachts in giving notice of arrival. Also need to publicise the requirements through information sources most used by the yacht operators as failure to communicate the requirements could result in arriving yachts being unprepared, non-compliant and subject to penalties.

*MAF Biosecurity New Zealand comment:*

Accept comment - Standard will include option for yachts to give pre-arrival advice before leaving their last port of call. Also a communications project is planned that will target yachts through their normal communications and networks.

3.2 Approved places of first arrival need to be available for arrival on all coasts or could result in undeclared arrivals occurring. Therefore need to retain an approved place of first arrival on the West Coast of South Island

*MAF Biosecurity New Zealand comment:*

West port will be included as an Approved place of First Arrival as it has now been re-approved.

3.3 Fully vaccinated and vet cleared dogs should not be secured using a \$10,000 bond as this is beyond the budget of most cruisers.

*MAF Biosecurity New Zealand comment:*

Dogs must be secured on board until cleared for entry to NZ or transferred to quarantine (only dogs from Australia are exempt from need for entry into quarantine). The bond is only one of the means available to an inspector to ensure a dog is secure on board. The amount of the bond is unlikely to be the maximum amount of \$10,000. The standard will be reworded to make this clearer.

3.4 Suggestions are made for better ballast water management for biosecurity.

*MAF Biosecurity New Zealand comment:*

Suggestions for improved ballast water management will be taken into account in future revision of the ballast water import health standard.

#### **4. Morris Van Voornveld, Adstream Agency NZ Ltd**

4.1 Please confirm that risk profiling will involve more than just the type of vessel and / or nationality of the crew and port of registration.

*MAF Biosecurity New Zealand comment:*

As stated, risk assessment will consider past compliance, type of vessel and cargo, and countries visited as well as other factors.

4.2 In the introduction define “written”. Does it also include electronic means where applicable / appropriate?

*MAF Biosecurity New Zealand comment:*

The Act does not require that the permission be “written”. This word will be removed from the introduction. Permissions may be written, electronic or even verbal in some situations.

4.3 In Terms & Definitions, it is stated the Masters Declaration can either be delivered on arrival or 48 hours before. Which is correct as in the details it states that it must be received 48 hours before?

*MAF Biosecurity New Zealand comment:*

Both are correct. 48 hours before arrival is required for all vessels except those with no means of sending the declaration such as some yachts. This will be made clearer in the standard.

4.3. Regarding Information Requirements before Arrival, are all ports willing and able to accept completed forms by e-mail? Faxing forms has been the norm for some time.

*MAF Biosecurity New Zealand comment:*

Sending forms by fax or email is still permitted (as stated in the draft standard). Border agencies will be moving to electronic systems in the long term.

4.3. Clarification is required on what is included under Other Waste. Does this include engine room sludge which is pumped ashore into a tank truck and taken for recycling?

*MAF Biosecurity New Zealand comment:*

Engine room sludge does not require MAF inspection before being pumped ashore. This will be made clear in the standard.

4.4 What is a MAF Ballast Water approved treatment? Where do we find this information?

*MAF Biosecurity New Zealand comment:*

To date no treatments have been approved. Approved treatments will eventually need to meet the requirements of guidelines under the International Maritime Organisation (IMO) Ballast

Water Convention. MAF will adopt treatments approved under IMO guidelines possibly through revision of the Import Health Standard for Ballast Water from Other Countries. The first group of treatments are currently going through the IMO approvals process.

4.5 Under Action on Non-Compliance in the covering letter, ship's agents are not mentioned. Involving the ship's agent will help speed the process of improving vessels' compliance/understanding.

*MAF Biosecurity New Zealand comment:*

Agree. Involvement of the ship's agent is already part of the inspection process.

## **5. John Pfahlert, The Petroleum Exploration & Production Association of NZ**

5.1 Under Terms and Definitions the term "arrival" is defined as arrival in New Zealand. How does this apply in the case of arrivals at a floating production, storage and offloading vessel (FPSO) operating in NZ's EEZ? For ballast water, the current law seems to relate only to discharges within internal water and the territorial sea not the EEZ.

*MAF Biosecurity New Zealand comment:*

Currently inspector's powers under the Biosecurity Act only extend from land to the outer limit of the contiguous zone (24 miles from land). Options such as new legislation are under consideration under the initiative by Minister of Environment on improving environmental regulation in New Zealand's exclusive economic zone. Meanwhile operators of FPSO's and vessels arriving at FPSOs will be asked to voluntarily comply with environmental/ biosecurity border requirements such as ballast water requirements.

5.2 Galley wastes and foodstuffs are allowed to be minced up and discharged to sea by the Marine Protection Rules under the Maritime Transport Act. The standard should make it clear that such wastes only need to be properly contained in ports.

*MAF Biosecurity New Zealand comment:*

The Marine Protection Rules only apply beyond the 12 mile limit. Under the Resource Management (marine Pollution) Regulations 1998, discharge from ships of garbage including food waste is not permitted inside New Zealand's internal waters and within 3 nautical miles from internal water's outer limits. The standard will be amended to require galley and food waste to be properly contained and not discharged while the ship is in port but also while it is within the above zone.

5.3 The section on hull fouling potentially affects rigs, support vessels and off-take tankers which may arrive with fouling because it is impractical to clean the sub surface structure prior to arrival and cleaning once they arrive would mean loss of expensive operating time. Further discussion of this issue is suggested once the Biofouling survey of the ENSCO 56 rig has been carried out.

*MAF Biosecurity New Zealand comment:*

Agree that rigs and vessels associated with the oil and gas extraction industry are potentially a high biosecurity risk due to biofouling. The intention is to work with the industry to develop practical solutions to address this including looking at the factor of distance from shore as an ameliorating factor.

**Fiona Bancroft, Department of Conservation**

6.1 Include a definition of “stores” and “domestic vessel”. Definition of “contamination” should not include contamination as related to sea containers.

*MAF Biosecurity New Zealand comment:*

These areas will be addressed in the standard.

6.2 Special mention is made of Asian gypsy moth (AGM) from Russian ports but the Department would like this broadened to address AGM from ‘at risk’ Asian countries such as Japan.

*MAF Biosecurity New Zealand comment:*

It is intended that profiles will be developed for all significant risk species for vessels and inserted into a vessel information system that will give alerts to inspectors when vessels at risk of carrying the pest are about to arrive. This will also give details on the type of inspection and treatments (if required) appropriate for the particular pest. AGM will be the first profile to be developed. At this stage we are collating information on the likely risk of a vessel contracting AGM from various ports in Japan, China and North and South Korea. This detail is not included in the standard apart from a section on AGM from Russian ports which is included because a certification system has been developed under a novel agreement with Russian authorities.

6.3 Comment is made that the Inspection Dispensation is to save low risk vessel operators berthing time and to facilitate faster unloading of goods, passengers etc. The Department notes that there is a risk of non compliance once this dispensation is provided and would expect MAF BNZ to audit the appropriateness of this process during the early stages of its introduction to ensure this is not the case. The Department further suggests that at a minimum this clause should be reviewed on a regular basis to ensure that no unforeseen biosecurity risk/non compliances are occurring.

*MAF Biosecurity New Zealand comment:*

It is intended that when a vessel becomes a low risk vessel, it will be subjected to less inspection. This will save the operators’ time, as noted in the submission, and effort assisting with the inspection, and thus act as an incentive to operators to take steps for vessels to become low risk vessels. As suggested regular review of vessels with low risk status is required and is part of the requirements. There will be inspection of a randomly selected 10% of low risk vessels to address the issue of vessels becoming less well managed for biosecurity over time. Also the inspection process includes all low risk vessels being visited at least once every two years. In addition if the vessel fits any profiles for specific pest organisms this would override the low risk status.

6.4 Under Holds and decks the Standard requires that contaminants from previous cargos are disposed of 'appropriately'. Further details should be provided for those risk goods not covered by other import health standards including prescriptive measure for on deck contaminants such as animal excrement, plant waste etc.

*MAF Biosecurity New Zealand comment:*

Agree that an omission has been made. The standard will be amended to replace 'appropriately' with 'will be landed through a MAF-authorized system'.

6.5 Under Ballast Water Requirements a direction to not discharge ballast water can be given if an inspector is not satisfied with the exchange procedure of the boat. What happens if this boat then undertakes travel on an internal route for an extended length of time? What compliance and enforcement procedures are in place to ensure that the boat does not discharge water as it travels around NZ coast?

*MAF Biosecurity New Zealand comment:*

The direction to withhold ballast discharge in New Zealand remains in force for the entire time the vessel is in New Zealand waters. On leaving the country, a vessel is required to complete details on the ballast water declaration of any discharges made in New Zealand before returning the original copy to MAF. The current means of checking that the declarations are true and that vessels have obeyed the direction is through spot checking vessels at last port in New Zealand by means of examining the ship's logs and loading instructions. Also a ballast tank probe will be available in a year or less. Specialist ballast water inspectors are utilised under the inspection process and their role includes continuing to make masters aware of the ballast water requirements and why they are needed. A random 20% of vessel arrivals, as well as those with a poor history of compliance in this respect, will receive full ballast water inspection.

6.6 The section on hull fouling indicates that an inspector can direct specific actions in relation to hull fouling if they consider the boat poses a 'severe' risk. This seems a pretty high test given the propensity for hull fouling to be exotic species and potentially include unwanted organisms. Clearer guidance on the level that is acceptable should be provided for.

*MAF Biosecurity New Zealand comment:*

Guidelines will be available to assist inspectors in the interpretation of 'severe risk' in relation to hull fouling and action that can be taken under the Standard. It is intended that action will be taken only on severe cases of hull fouling at this stage. Analysis of a biofouling survey of two years of vessel arrivals is currently underway and results will guide the development of specific controls on various vessel types. In the interim this measure is intended to address biofouling that can be identified as a risk on the basis of existing circumstantial evidence.

6.7 Under Passengers and Crew, the Department suggest that a further sentence should be added to make it clear that passengers and crew should not remove food from the ship when they go ashore.

*MAF Biosecurity New Zealand comment:*

Agree that it would be useful to add a clause, under Passengers and Crew, drawing attention to the requirement, as already stated under Foodstuffs, not to remove food without permission of an inspector.

6.8 The note at the bottom of Appendix 1 indicates that Westport can no longer be effectively used as a place of first arrival. If that is the case then it should be removed from the list.

*MAF Biosecurity New Zealand comment:*

Westport will now be included in the list of Approved Places of First Arrival as it has now been re-approved.

**Lt Commander Phil Wiig, New Zealand Defence Force**

7.1 There are no major issues in the standard for the New Zealand Navy for returning vessels. The revised procedures may enable a more efficient processing if its vessels meet the inspection dispensation criteria after three consecutive arrivals back to New Zealand. It is accepted that there will be implications which will need to be addressed for e.g. returning food stores on the Canterbury; dunnage (natural fibre mats); ballast water procedures; dogs on board for some operations.

*MAF Biosecurity New Zealand comment:*

Accept supporting comments. Some areas highlighted which the New Zealand Navy will need to address through renewing its standing orders to operate under the revised standard.

## **APPENDIX ONE: COPIES OF SUBMISSIONS**

### **SUBMISSION 1 - Ian Shirkey, Bain Shipping Ltd**

Appears that the proposed changes to v/l inspection protocols are manageable and sensible as there is a discretionary component now in some areas.

Masters/Owners will also appreciate the change to compulsory sealing of meat lockers as this is always met with some reluctance when new provisions have to be obtained when the vessel has no intention of off-loading their stocks or becoming a risk in any other manner.

Regards  
Ian Sharkey

### **SUBMISSION 2 – John Gardner, Ministry of Health**

No formal submission, holding response received.

### **SUBMISSION 3 – Michael Smith, Yacht cruising sector**

My interest in the standards is as a armchair sailor, I regularly read other's sailing reports on the internet in webpage form, from a cruising point of view and are often amazed how important the customs and MAF people in various countries are to the nation's reputation as a cruising ground or holiday destination.

We as a tourist nation, often get selected for our friendly people and officials and for the beauty of our country by visiting Yachts and when we are mentioned on sailing sites such as Sailnet.com and Noonsite, together with Lattitude, we, as a country, generally receive great write ups. Long may this continue.

May I mention that Australia is currently in the not recommended zone as the port of entry officials had changed the regulations for visiting yachts to require them to report their near entry at least 96 hours or 8 days before arrival, while this is relatively easy to do on a large ship with satphone etc, for a small boat with only VHF on board this is not possible from either a range or data transmission capacity.

The regulations were also not widely known, either to cruising clubs or embassys where most sailors without internet access routinely ask as to requirements before coming to a country by yacht. As you would no doubt know, sailing is not a reliable point to point method of transport and what can be a simple 5 day trip one week can easily become a two week battle against the elements, and customs in Australia has perhaps become more attuned to the speed and reliability of powered commercial vessels and their modern communication capabilities.

For New Zealand not to acquire the same poor reputation as Australia, could it be written into the regs that while the requirements are strict to assist in protecting our boarders, every assistance will be given to help cruisers comply with the regs and alternative methods to e-mail and web access for the latest regs be made available, perhaps confirming the relevant reg to incoming boats as they report in by VHF, and routinely sending cruising clubs the latest regs.

We only became aware of the new draft by our normal updates that we get from the Maf site automatically. Had we on a craft outside New Zealand we would not have known anything about the changes.

The bad publicity from unannounced or website only changes, as in Australia, can be immense and cause great hardships for cruising folk. :-)

We recently heard of three different boats that were welcomed into Australia by VHF and then at customs inspection, slapped with a notice to prosecute because they had not declared their arrival 8 days in advance, they were not aware of the reg change and had checked with appropriate normal channels prior to leaving for Australia. One had even come from New Zealand and had been told by New Zealand Customs that Australian customs would be told about their departure from New Zealand and pending arrival in Australia, so they were doubly concerned when advised of the prosecution.

It would be a simple matter for customs to ask boats as they report in, are they in receipt of the latest regulation dated ..... and if not, the operator could relay any concerns customs might have, and if they are in danger of breaching a reg by ignorance of a changed reg, then they should be given the opportunity to turn away from the port and return when they comply.

In these cases similar to the above, unaware yachties mentioned in the newspaper, for an Australian entry port, the change from old 3 hours to the newer 48 hours notice, and then to the newest 96 hours notice was unknown and the cruisers could have been told of the change on reporting in and then they could have altered their port of entry to comply with the new regs, which incidentally were not originally intended for yachts and furthermore, the relevant details on the Australian customs website specifying they were not intended for yachts was removed once the court case about the fines was published in the paper, this means that any other yachts that had checked the website well before arriving, and did not check moments before actually entering the port were then unaware and substantially at risk of prosecution.

This sort of thing doesn't add to the biosecurity or customs greatly, but does present the country in a bad way. We must be doubly careful to prevent the same thing happening here.

Most countries in the world, including America, Canada and England, still only require that visiting yachts call when in VHF range and book a visit from the customs, some countries even specify that if no customs are available due to the late hour, then yachts may tie up and call the customs in the morning !

When we consider that for a great part of our coastline, the coast is unmonitored and anyone wishing too could enter easily without notice, it becomes more important to encourage those visiting legally, to come to a convenient port and be checked, it is in our own country's interest to have a friendly and welcoming, but vigilant customs and Maf, if we do not, we will risk the downturn of visits or an increase in undeclared visits, both of which could adversely affect our economy.

We appreciate that in making the customs and Maf cost effective, one can't have offices in every port, but to not have one at all on the West Coast of the South Island appears to this writer, to be risking undeclared visits, most cruisers are on a budget and few would consider a fee of more than the

cost of a flight from say Australia, at \$ 200, to be acceptable to clear customs, and yet from my reading of the regs, a clearance in Westport would entail a trip from Christchurch for 2 or more officers and back, and the cost would be approx \$ 700.

The other point I would like to make is that for a fully vaccinated and vet cleared dog at point of last country visited, travelling on board, the cost of a up to \$ 10,000 bond would be behind that of most cruisers budgets. I would further add that most humans are more likely to pose a health risk via air travel than dogs on board a boat.

Lastly, could the regs strongly encourage the widespread use of anti fouling inside the ballast tanks of large boats, and the requirement to constantly refresh the water whilst outside NZ waters, I do note that it is recommended to do so well out of NZ waters and this is good, but if a general consensus amongst boat owners world wide encouraged constant water change, then perhaps water taken on at a far away country would not be then offloaded at the 200 Nautical mile point but rather, replaced well before that.

I thank you for allowing this submission and hope that by doing so, I can play some small part in protecting our coastlines and achieve a continued good reputation for New Zealand as a cruising destination. :-)

#### **SUBMISSION 4 – Morris van Voornveld, Adstream Agency (NZ) LTD**

After reading through the draft, I would like to make the following comments –

- 1) Risk Profiling – Please confirm that this will involve more than just the type of vessel and / or nationality of the crew and port of registration.
- 2) Introduction – What is the definition of written? Does it also include electronic means were applicable / appropriate? If so, you would need to reflect that in your introduction.
- 3) Terms & Definitions – Masters Declaration : you say that it can either be delivered on arrival or 48 hours before, which is correct as in the details it states that it must be received 48 hours before?
- 4) 5.3. Information Requirements before arrival: are all ports willing and able to accept completed forms by e-mail, as it has certainly not been my experience that they are, faxing forms has been the norm for some time.
- 5) 6.3. Other Waste – Some clarification please, from a first reading of this section, it would appear to include everything including engine room sludge which is pumped ashore into a tank truck and taken for recycling, are you saying that we would have to contact MAF for that as well? Concerns with sweepings, etc from the holds is understandable, but I can not see what the concerns are with what may come from the engine room, can you clarify as I am unaware of anyone contacting MAF about discharges ashore from the engine room for disposal.
- 6) 6.6. Ballast Water – What is a MAF approved treatment? Where do we find this information?
- 7) Action on Non-Compliance – Suggest you change the wording to ship's owner or agent and / or operating company. (If you want improvements made by vessels that may not be up to scratch, involving the agent will help speed the process up far more so than just contacting the ship's owner or operating company).

#### **SUBMISSION 5 – John Pfahlert, Petroleum Exploration & Production Assn. of NZ**

This submission is made by the Association on behalf of its members.

1. Section 4 defines the term “arrival” of a vessel in New Zealand. This matter may be of relevance to the oil and gas industry because we now have FPSO’s arriving in the EEZ. It should be made clear whether the FPSO moorings are “ports” for the purposes of this legislation.

The definition of “port” does not appear to include FPSO – such an installation not being an “anchorage, harbour or wharf”. Neither section 5.1 nor Appendix One mention an FPSO. Two such vessels are under construction, and/or shortly to arrive in New Zealand. We note that the Tharua ironsands off-take buoy is included.

The IHS for ballast water refers to “New Zealand” and the internal waters and territorial sea, not the EEZ. We suggest some further thought needs to be given to the definition of what constitutes “arrival” in New Zealand – even if the consequences for oil and gas installations are minor.

2. Sections 5.3 & 6.6 relate to ballast water and the current law. It is not clear how this law is currently being applied to rigs and FPSO off-take tankers.

3. Section 6.2 seems to conflict with IMO/MARPOL and our Marine Protection Rules, where galley wastes and foodstuffs are able to be minced and discharged to sea. Perhaps some clarification is required to note that containment of foodstuffs on the vessel applies only to vessels actually in port.

4. Section 6.7 has the potential to affect rigs, support vessels and off-take tankers. We recognise the need to have further dialogue with Biosecurity New Zealand about the potential for hull fouling of rigs operating in New Zealand waters. In most cases it will be impractical to clean the sub surface of drilling rigs prior to arrival. Most rigs operate a long distance from shore and there is no evidence that adverse effects are occurring. Indeed it is difficult enough to contract rigs to come to New Zealand at present. They generally cost US\$500,000 a day to hire. Mobilizing a rig to get to New Zealand is typically US\$15m.

We suggest you wait until the results of the survey of the ENSCO 56 is completed and then we have discussions on this matter.

If required, I am happy to meet with you to discuss the points raised in this submission.

## **SUBMISSION 6 – Fiona Bancroft, Department of Conservation**

Overall the Department is satisfied that this standard will assist in mitigating the risk that this pathway poses.

The Department does however note that following:

- Page 5 - the second sentence should read minimum rather than minimal.
- The definition of 'stores' and 'domestic vessel' should be included in the Terms and Definitions Section as this would assist readers in understanding requirements of relevant sections. Note that the definition for contamination includes a reference to sea containers which are excluded from this standard. While the definition is likely to be standard, its inclusion in this situation could cause confusion. It is important to include a clear definition for domestic

vessel, particularly in relation to those vessels that remain in the country for a year or more which could inadvertently be seen as domestic instead of cleared.

- Section 5.4 - This last paragraph of this section deals primarily with the risk of AGM from Russian ports. The Department would however like to see this requirement broadened to include 'at risk' Asian countries, particularly in the event that offshore risk assessments indicate that outbreaks are occurring. Japan for example has a reasonably high incidence of AGM on used cars and there seems to be no reason to believe that similar levels of infestation are not occurring on boats berth a car loading ports. I note that Asian countries are lightly referred to at the end of appendix 2 but we believe this risk should be detailed upfront in the document
- Section 5.5 - The Inspection Dispensation section indicates that vessels with a clear record of compliance with the requirements of this standard, over three consecutive visits, may be assessed as low risk and will subsequently be eligible for dispensation from Inspection. We note that normal clearance inspections are free so presumably this dispensation is to save the operator berthing time and to facilitate faster unloading of goods, passengers etc. The Department notes that there is a risk of non compliance once this dispensation is provided and would expect BNZ to audit the appropriateness of this process during the early stages of its introduction to ensure this is not the case. The Department further suggests that at minimum this clause should be reviewed on a regular basis to ensure that no unforeseen biosecurity risk/non compliances are occurring.
- Section 6.4 - the third paragraph indicates that a range of material must be disposed of 'appropriately'. Further details should be provided for those risk goods not covered by other import health standards. The standard details clearly how kitchen waste for example should be disposed off. We suggest that some prescriptive measure should also be stated for on deck contaminants such as animal excrement, plant waste etc in a similar vain.
- Section 6.6 - Ballast water requirements. We note that a direction to not discharge ballast water can be given if an inspector is not satisfied with the discharge procedure of the boat. What happens if this boat then undertakes travel on an internal route for an extended length of time? What compliance and enforcement procedures are in place to ensure that the boat does not discharge water as it travels around NZ coast? The Department is aware that research is being undertaken to look at ballast water testing and id but presumably this is sometime off operational use.
- Section 6.7 - the second paragraph indicates that an inspector can direct specific actions in relation to hull fouling if they consider the boat poses a 'severe' risk. This seems a pretty high test given the propensity for hull fouling to be exotic species and potentially include unwanted organisms. Clearer guidance on the level that is acceptable should be provided for.
- Section 6.10 - the Department suggest that a further sentence should be added to make it clear that passengers and crew should not remove food from the ship when they go ashore.

Appendix 1 - the note at the bottom of this appendix indicates that Westport can no longer be effectively used as a place of first arrival (lacks infrastructure to support clearance). If that is the case then it should be removed from the list.

### **SUBMISSION 6 – LT Commander Phil Wiig, New Zealand Defence Force**

I reviewed all the documentation and associated attachments and noted nothing is going to cause our vessels any major headaches upon returning to NZ. Clearly the revised procedures may in fact enable a more efficient processing once the art 5.5 Inspection Dispensation criteria has been meet by all our ships over their future 3 consecutive returns into a first port of entry.

6.1 Containers. The new ship Canterbury has a huge capability that the New Zealand Defence Force has not had before and the implications for carrying foodstuffs for other ships (on an Agency basis) will equally require careful planning, IF a major programme change has a subsequent return to NZ before off loading the stores.

6.5 The dunnage criteria was a worthy flag as it forces consideration to our shock mats (large heavy duty natural fibre rope mats) and their subsequent disposal when beyond effective use.

6.6. CANTERBURY and ENDEAVOUR both have ballast water capability, albeit processes aren't envisaged to change under the revised draft as process is in compliance with standard IMO guidelines.

6.8 Animals. Whilst our sailors don't have pets onboard instances in the past and future will predicate embarking DOC dogs to assist that Agency in the conduct of their duties when supporting resupply and taskings on outer islands, albeit within NZ EEC. A number of other scenarios also may cause dogs to be embarked. NZ Police/Customs/Defence whereby a dog(s) maybe embarked for specific operational taskings.

In summary, please forward copy of the final document in due course to LTCDR Tim Vowles.