

# SEAFOOD

NEW ZEALAND



December 2022 | Volume 30 | No. 06 | Issue 277

New Sydney Fish Market takes shape

Port in a Storm exhibition benefits lost mariners

Celebrating Christmas Day at sea



## SUPPORTING YOU TO

# STAY ON COURSE

A strong, resilient, viable commercial seafood sector is in all our interests. It provides you with a living. It feeds New Zealanders. And it ensures that our coastal communities can thrive.

But being a member of our seafood community isn't always easy. We need to have each other's backs. FirstMate is an organisation to support our seafood whānau. We want you and everyone around you to have not only what they need to survive, but thrive.

FirstMate offers a friendly ear to talk about anything on your mind or causing you difficulty. Things like:

- › Building personal and business resilience
- › How to navigate regulations
- › Any issues you are having mentally and/or physically
- › How you can make all your hard work pay off financially.

For support or advice call

**0800 ADRIFT**

0800 237438

[www.firstmate.org.nz](http://www.firstmate.org.nz)



**first  
mate**

SUPPORTING OUR  
SEAFOOD WHĀNAU

# 16



## Features

- 08 Never landlocked for long
- 16 **Cover Feature:** New Fish Market rises from Sydney's Blackwattle Bay
- 26 Port in a Storm exhibition benefits lost mariners
- 40 A proper navigational watch

## In this issue

- 04 From the Chief Executive
- 05 Martin Bosley travels the Yellow Brick Road
- 12 News: Net sounder technology ban under review
- 14 News: Havelock Mussel Festival gearing up for 2023
- 22 News: Sydney Fish Market auction goes high tech
- 30 FirstMate: Those who feed us are worth fighting for
- 32 MPI: Focus on innovation in 2023
- 33 Sustainable seas: Shaping the seaweed sector

# 8



# 26



- 36 FishServe: Happy New Year
- 37 Deepwater Group: Chatham Rise orange roughy survey results
- 44 Chefs on seafood: Celebrating Christmas Day at sea
- 47 Recipe: Filipino poached snapper
- 48 Careers: A career across continents and cars
- 50 Opinion: Has forfeiture had its day?
- 52 Obituary: John Connelly

## EDITORIALS

Published by Seafood New Zealand Ltd.

### Postal Address:

PO Box 297  
Wellington 6140  
New Zealand

### Physical Address:

Level 12, 7WQ  
7 Waterloo Quay, Pipitea  
Wellington 6011  
Phone: +64 (0)4 385 4005  
www.seafood.co.nz



### Editorial enquiries:

Email: [editor@seafood.org.nz](mailto:editor@seafood.org.nz)

### Advertising enquiries:

Karen Olver  
Phone: +64 (0)4 802 1513  
[advertising@seafood.org.nz](mailto:advertising@seafood.org.nz)

### Subscriptions:

Seafood New Zealand is published for the New Zealand seafood industry. It is also available on subscription in New Zealand and overseas. Subscription rates are available on request. Seafood New Zealand is produced bi-monthly (six issues per annum).

### Your Say:

Contributions of a nature relevant to the seafood industry are welcomed and industry participants are encouraged to contribute. Letters to the Editor should be signed and carry the writers' full names and addresses.

### General:

The reproduction of articles and materials published in Seafood New Zealand, in whole or in part, is permitted provided the source and author(s), as applicable, are acknowledged.

[editor@seafood.org.nz](mailto:editor@seafood.org.nz)

However, all photographic material is copyright and written permission is required to reproduce it in any shape or form. Articles and information printed in Seafood New Zealand do not necessarily reflect the opinions or formal position of Seafood New Zealand Ltd unless otherwise indicated.

All material published in Seafood New Zealand is done so with all due care as regards accuracy and factual content. The publishers and editorial staff, however, cannot accept responsibility for any inadvertent errors and omissions that may occur.

ISSN 1172-4633 (Print)

ISSN 2538-0834 (Online)



## From the Chief Executive

The resilience of the industry through the challenges faced in 2022 was on show at both the Federation of Commercial Fishermen's Conference in Napier in June, and at the Seafood New Zealand conference in Nelson in August.

The federation conference, widely expected to reflect the frustration and anger at regulatory change, was a lot more upbeat than many were expecting. This is not downplaying the very real hardships many were going through, nor does it mean it was all cheerful optimism, but what it showed was, when everything is thrown at this industry, they almost always find a way through.

There is a Mexican proverb that says – *They tried to bury me, but they didn't know I was a seed.*

In Nelson, the mood was even better, helped by an exemplary line-up of presenters, and also the relief that we were not having to cancel the annual conference for the third year in a row – despite the weather's best efforts.

Yes, fuel, crewing, regulations, and other spiralling costs were front of mind, but in the midst of extremely testing times, the industry was finding ways to innovate and move further toward a more efficient, more environmentally responsible, and world-leading sector.

Case in point was young Nelson fisherman Dom Talijancich who, with business partner Toby Bailey, spent the lockdown years inventing, designing, and trialling a camera and artificial intelligence (AI) system to identify what fish species are entering the net, and the quantities of different species accumulating in the net during the tow. Why? Because there wasn't existing technology available, and he knew it would help him fish more efficiently and more sustainably.

The system comprises an underwater camera that can be attached inside the trawl net, species recognition software, and a screen on the bridge.

As fish come into the camera's field of view, the system's software detects and identifies the species and transmits the data through the water, up to the vessel – in real time.

This demonstration of the passion driving young fishers is not an isolated incident. There are many examples of the younger generation stepping up and thinking differently – it is this enthusiasm that will help our industry thrive.

And it's not just the young ones – there are also plenty of examples of the fishers who continue to trailblaze as they have for decades, who are constantly looking for ways to do better.

Sure, there's frustration at some of the changes underway, and we can all look back and suggest a better way of handling things, but it says something about the psyche of those in the industry that they're not just fighting for the status quo, they are fighting to be a better industry despite the challenges.

Whether you're working over the Christmas break, or have the luxury of some time off, be sure to enjoy some time with family and friends.

See you in 2023.

**Dr Jeremy Helson**  
**Chief Executive**

# Martin Bosley travels the Yellow Brick Road

Tim Pankhurst



Celebrity chef Martin Bosley.

A business that matches seafood catches and harvests with the country's top eateries is in good hands, as celebrity chef Martin Bosley is the new owner of seafood distributor Yellow Brick Road (YBR).

The business with 300 clients across restaurants, cafes, lodges, and hotels the length and breadth of the country is a vital link between those who harvest and catch and those who cook.

Bosley was the sales manager for seven years before buying YBR from Nelson-based Kono.

The business model is a boon for both those depending on continuity of supply and those selling their seafood.

Fishers at sea send their catch details to YBR, Bosley forwards the details to chefs, and they reply with their orders. He takes care of the logistics, usually without sighting or handling any of the product and it is ready for the plate.

"The fish are out of the water no more than 36 hours," he says.

The progression to a high-profile fishmonger is a natural one for Bosley.

When he opened his eponymous upmarket restaurant in Oriental Bay in the 1990s, which operated for 13 years, he intended it to focus on seafood but found the choice was severely limited.

"I understand from the chefs' side," he says. "I know what they're after. I know what their struggles are.

"I had to learn about the fishing industry. I've got the best of both worlds now. I don't have to scrub out the kitchen at the end of the night, I get to go into restaurants every day and I get to work with seafood."

He is looking to broaden the portfolio and has begun importing spanner crabs from Queensland and "caviar" from Victoria's Yarra Valley. The Australian version of caviar is eggs milked from salmon and served in several ways, including smoked or soy, gin, shiraz-infused.

One of the most in demand products is Ora king salmon but the supply is severely limited.

"My allocation is six sides and two whole fish a week,"



Bosley (left) with another happy customer, Astoria chef Simon Dixon.

Bosley says. "I could sell five times that. I've got one client who would take the six sides."

He has started selling Akaroa salmon as well.

That is despite the salmon price being hiked 15 percent to \$53 a kilo.

But it is snapper that remains the number one choice, despite attempts to promote lesser-known species.

"Chefs always say they want something different to vary the menu," Bosley says.

"I'll say, how about some butterfish? And the answer is, oh, I'll have 10 kilos of snapper.

"You try to sell blue cod to Aucklanders and, unless they're Asian, they'll say, 'what?'

"What they know is snapper and hapuku. If the species the customer wants isn't there, they don't go,

'okay, I'll have gurnard'. They tend to walk out because all they know is snapper.

"We try to get them beyond the standard snapper gig and have had some success with lesser-known varieties like alfonsino. We sell kahawai when we can get it. And we should be selling a whole lot more flatfish."

Bosley is passionate about seafood and sees great potential.

"If you want to promote New Zealand as having a regionally diverse cuisine, it falls to seafood to do that. We produce beef and lamb and dairy from one end of the country to the other and it is indistinguishable. The only truly regional product we have is our fish. There are even differences in the same species – Whitianga and west coast snapper are different."

Seafood on the menu can be a nightmare for chefs and owners because supply can be so uncertain. No other primary produce is so subject to the vagaries of weather and other factors.

The beauty of the YBR model is chefs know what is coming and they also know it will be top quality.

The biggest challenge is getting enough product – the demand is always there.

September this year was particularly challenging.

"It was really tough," Bosley says.

"Shitty weather, diesel costs, not many going out, others staying out longer to fill up, the end of the fishing year, no crew.

"One supplier cancelled 17 of our orders because 23 of his workers were no shows and he had to close a whole processing line. Or no fillets, we can only supply whole fish.

"What is this? Post-Covid you don't go to work?"

There is no doubting Bosley's own work ethic. He has been self-employed most of his life.

It was an immense culture shock to join the corporate Kono at the age of 50.



Snapper still the most popular fish choice by far. Image: Chris Sisarich.

But it proved a good fit. "I couldn't ask for a better organisation to work with," he says.

"They were inordinately indulgent of me and allowed me to get on with it."

He still works out of Kono's Courtenay Place office in central Wellington.

The Kono principals were also hugely supportive when Bosley suffered a serious accident and had to take six months off and another 12 months working from home while he recovered.

He nearly lost a leg when an aluminium ladder he was standing on to cut a hedge collapsed. He suffered multiple compound fractures of his left leg and the jagged metal nearly severed his foot.

When the wounds became infected, surgeons proposed amputating his leg below the knee. He refused on three separate occasions in a protracted recovery.

"I had to learn to walk again," he says.

"I'm still getting weekly trauma counselling. It is not just physical, it's a mental thing. You don't trust your body any more, you don't trust your brain.

"Every crack in the pavement was a chasm. Every twig was a log. It is mentally exhausting being on such high alert. The house had become my safety compound.

"I was no good in groups of more than four. I would freak out. It has been a long, hard road back but I'm fantastic now."

He decided he wanted to be his own boss again and approached Kono to sell the YBR business he ran.

Bosley has recovered his self-confidence to the extent he has become a councillor on the South Wairarapa District Council as a representative of his hometown Greytown, elected unopposed.

"I never had any political aspirations whatsoever," he says.

"There were three vacancies in Greytown and only one candidate and a number of people suggested I stand. There was a lot of talk about the lack of people getting involved so I decided to step up.

"Greytown has got an opportunity to prosper as a big-small town that cares about its environment and cares about its community.

"All councils have similar issues – three waters, rates, infrastructure."

When I ask what he is going to do about the potholed, unsealed road out to my bach on the Wairarapa coast, he laughs. He may have to get used to questions like that.

Despite his new commitments, Bosley continues to do outside catering, including a lavish Christmas party this month for a lobbying firm.

He was also at Toast Martinborough last month, opening oysters at the Moy Hall winery.

"I love it. I could stand there for hours opening oysters. Fifty percent of the business is oysters, five different varieties. We sell shitloads."

He can happily polish off two dozen at a sitting, preferably of different types.

Anyone who has been to the oyster bar in New York's Grand Central Station, or Hog Island in San Francisco, will appreciate the celebration of oysters and their multiple variations.

"They just reflect everything in their environment in a way no other protein does," Bosley says.

Chefs like Simon Dixon at the revamped Astoria in central Wellington hugely value the YBR connection.

"You always get great quality of service and great quality of product," he says.

"I never have to send anything back. It never smells, the eyes are firm. You always know what you are going to get.

"It makes my life easy."

# Never landlocked for long



Aitken with Large Mouth Nannygai on board *Trimmer*.

**Zach Aitken is a Queensland-based fisher who is not new to being featured in the *Seafood NZ* magazine, having made the very first issue 30 years ago at the age of 13. Janan Jedrzejewski catches up with him to talk about living a life at sea.**

Zach Aitken, 43, has been in the fishing industry all his life, literally from the day he was born.

"I was born in Tauranga and first day out of the hospital, dad picks me up, on his boat, and took us across the harbour back to the 'mount' (Mount Maunganui).

"Apparently, he used to just chuck me in the fish bin and I used to slide around the deck, and then I started actually crewing for him when I was about seven on the cray boats on the weekends, in between school."

Aitken was doing cray fish and bottom longline trips for hāpuku and bluenose on his father's vessel, *Sam Pietro*. He recalls his first three-month trip in the South Pacific on *Mata Whao Rua* when he was 10, trolling for albacore.

"That was one of the best trips I can remember, it was awesome," he says.

"We ended up taking the fish straight from the South Pacific to Fiji and straight to the canneries up there."

After that life-changing experience, school life wasn't cutting it, so his parents pulled him out and put him on correspondence, where he completed the last four years of his studies on *Atu*, while long lining for tuna.

Unsurprisingly, Aitken became the youngest person to be awarded a tuna handling certificate in 1993, news that made it to the pages of the first *Seafood NZ* magazine.



Aitken, aged ten, trolling for albacore in the South Pacific with his father.

"That was pretty fun," Aitken says.

"Apparently, the instructor was saying, talking to the old man afterwards, that I was telling (teaching) him things.

"I knew more about some things, more than what he was teaching us.

"I think I knew that there wasn't really other young fellas doing what I was doing; it probably just made me more cocky, I suppose... I'm cutting tuna that was getting sent to Tokyo market selling for \$100 kilo plus sometimes.

"I don't think anything like that is done anymore, with the tuna handling side of things. "

However, that was just the beginning of his unique career path. In 1994, when Aitken was 15, the family moved to Australia and ran emu farms in New South Wales, where he says they "had a three-and-a-half-thousand-acre farm out there (in the bush).

"We would just run around building fences and chasing emus for a few years."

After that ended in 1997, he went back and forth between Australia and New Zealand; working on *Triton* snapper longlining in Aotearoa for a year; then back to Australia, longlining for tuna in Brisbane on *Tiwi Pearl*; before bottom lining for hāpuku and bluenose in New Zealand again, until 2001, when he was 22.

Aitken's nomadic tendencies led him to do a stint in the UK, and his career trajectory illustrates clearly how the industry pulls together, both at home and overseas, to help each other out when it comes to seeking new opportunities.

"Through that time when I was bottom lining out of Tauranga, I met a guy, (now) a mate of mine, that was



## Young Man With A Mission

At 13 years Zach Aitken has probably had more fishing experience than many fishermen of twice his age. In fact he has been fishing with his father Peter Aitken part-time for most of his 13 years and full time on the "F.V. ATU" for the past two years.

On board the "Atu" Zach does his school work by correspondence and "after school" and on weekends he carries out his fishing work. According to Peter, Zach is an excellent deck hand and is proficient in all aspects of deckwork and watchkeeping. For instance Zach attended the June '93 Tuna Handling Course run at Tauranga by Andy Smith and later Andy stated that Zach already knew more than he could teach him.

There's little doubt that Zach at age 13 is the youngest to ever hold a Tuna Handling Certificate. One for the record books for sure. Peter Aitken should have no doubt as to who is going to follow in his footsteps when he gives it up - or even well before.



A clipping from Aitken's first appearance in the *Seafood NZ* magazine, 30 years ago.

on one of the cray boats. We used to give them our bluenose heads for cray bait.

"He was from England and was involved in fishing over there with the crabbing. So, he gave me a whole heap of contacts for the big super crabbers and that over there."

This spurred Aitken to head for England, where he spent two years fishing out of the North Sea in Scotland, catching lobsters on *Edward Henry*, followed by another 12 months working in the English Channel, catching crabs on smaller boats.

FEATURE



Aitken runs his own mud crabbing business.

In 2004, Aitken went back to Queensland and ‘got stuck on land’ for about two years, doing landscaping. However, despite his land-based adventures, Aitken is always keen to return to the sea.

“It just always calls you back, don’t it?”

“When I finished the five years in the Southern Ocean, I was working my way up the ranks and staying on board, doing back-to-back trips. The first two years, I think I’d be at home for a couple of months for the whole two years. I just put time in.”

Even after he ‘hit the wall pretty hard’ from burnout and told himself he’d never go back to fishing, when he stepped off the boat, he still always knew he would return.

A range of things motivate him to continue to work at sea, most notably the excitement and pushing limits.

“When I was younger on the tuna boats, I was obviously a kid, but I was doing a job. I’d get up at four o’clock in the morning, do my schoolwork until midday, then I worked on deck until I was told to go to bed.

It was just about filling boats up. There’s nothing better. You know, just get out there and catch as much as you can and come in with a boat full of fish.

“Of all the boys (that) have sort of stayed on (my

# OCEANLAW NEW ZEALAND

*The only law firm in the South Pacific dedicated to the sea*



New Zealand’s specialist fisheries and maritime law practice delivering results to the country’s seafood industry since 1998.

Our practice is one of the country’s pre-eminent advisers in this specialist field.

We look forward to serving you in the future.



Mike Sullivan  
Partner  
021 274 3590  
mike@oceanlaw.co.nz



Justine Inns  
Partner  
027 2275 324  
justine@oceanlaw.co.nz



Hamish Fletcher  
Partner  
027 220 5122  
hamish@oceanlaw.co.nz



Karyn van Wijngaarden  
Partner  
021 323 884  
karyn@oceanlaw.co.nz



Hayley Campbell  
Senior Solicitor  
027 533 1350  
hayley@oceanlaw.co.nz



Kim Proctor-Western  
Special Counsel  
027 4800 690  
kim@oceanlaw.co.nz

Montgomery House, 2nd Floor, 190 Trafalgar Street, Nelson 7010. Freephone 0800 Oceanlaw. [www.oceanlaw.co.nz](http://www.oceanlaw.co.nz)



A sunset captured in Shoalwater, Queensland, while out crabbing.

father's boat), the original few that were there were all good hands. So, when I went and started working for other people, that's what I expected to work with. That's why I wanted to go to all the hardest places and all the roughest places and all the things that was pushing limits. I wanted to work with guys that were good at what they did.

"I think it's that excitement, the challenge, of not really knowing where your next pay is going to come from but it's more satisfying when it all works out. It's a lot better than just knowing that you have to do a nine-to-five and it's going to be in the bank."

Now, Aitken is an independent mud crabber, starting in 2016 and getting his own license the following year. He's been running his own operation

crabbing since and, for him, nothing compares to his lifestyle and the freedom he has.

Working in an office would be 'boring as shit', he laughs.

"Doing my own operation, no one tells me what to do. I'll just do it. If I want to work harder, work hard. If I don't, then I don't.

"I think if I was sitting in the office, even if I've got a job library or whatever, and then someone says, 'go and do this' and 'go do that', I don't think I could handle that. I'd lose my shit really quick.

"I don't really enjoy anything else, so I will keep going with it as long as I can.

"I just try and make my operation better each season with how I do things and the right markets for my product."

**CHATHAM ISLANDS EMPLOYMENT OPPORTUNITY.**

**WE ARE LOOKING FOR STAFF FOR THE FOLLOWING POSITIONS IN 2023:**

FISH PROCESSING STAFF

TRUCK DRIVER

MAINTENANCE ENGINEER FOR PLANT AND VEHICLES

TRAINEE MANAGEMENT AND ADMINISTRATION STAFF.

**HOURS ARE DEPENDENT ON FISH LANDINGS WITH FULL JOB**

**DESCRIPTIONS AVAILABLE ON APPLICATION. ACCOMMODATION PROVIDED.**

IF YOU ARE LOOKING FOR A LIFESTYLE CHANGE, COME TO CHATHAM ISLAND FOOD CO TO EXPERIENCE WHAT THIS RUGGED AND REMOTE ISLAND HAS TO OFFER — YOU MIGHT JUST END UP STAYING! PLEASE EMAIL YOUR CV TO **GREG ROAKE** AT **HELLO@CHATHAMISLANDFOOD.COM**.

**CHATHAM ISLAND FOOD CO**



# Net sonder technology ban under review

Tim Pankhurst

A ban on new technology that increases trawl efficiency and reduces environmental impacts is under review.

Fisheries New Zealand (FNZ) has called for submissions on a proposal to revoke the prohibition on the use of net sonde cables that is seen as outdated and outmoded by the deepwater sector.

Deepwater Group (DWG) Chief Executive Aaron Irving says there is wide support for the proposal. DWG represents 45 quota-holding seafood companies that operate more than 60 commercial deepwater vessels and employ approximately 8500 people.

“New Zealand is the only fishing nation where the use of enhanced trawl sonar equipment is prohibited,” Irving says. “This is equipment that allows fishers to see the seabed ahead of them as they fish for the healthy protein that people rely on commercial fishers to catch, such as hoki, orange roughy and southern blue whiting.

“There were legitimate reasons for this, forty years ago, particularly in regard to the white-capped albatross population, but there are now long-standing, proven protections in place.

“Bird streamers or tori lines, bafflers and other measures have markedly reduced the probability of encountering bird strikes when using trawl gear and have made the reintroduction of this technology possible.

“We welcome a review by the regulator, Fisheries New Zealand, of this regulation, which inhibits more efficient harvesting.”



Deepwater Group chief executive Aaron Irving argues a net sonder review is widely supported and long overdue. Image: Steve Hussey.

This anomaly has been acknowledged by FNZ, who describe in their proposal what commercial fishers have been saying for a long time – that this is a missed opportunity for sustainable fishing practice, and that fishers are already using, or are prepared to use, the methods that mitigate any risk associated with the cable.



A White-Capped Albatross.

The cable under review acts as a third wire in addition to the two wires attached to either end of the trawl and relays a live video feed on the position of the net and the trawl doors in relation to the surface and the seafloor, the position and movement of fish schools ahead and the quantum of fish entering the cod end.

“Three oft-raised concerns are impacts on protected species, carbon emissions and loss of fishing gear,” Irving says.

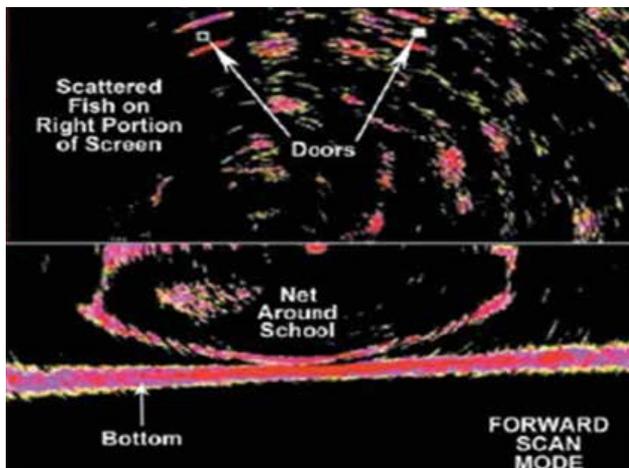
“Reducing the number of trawl events, their duration and the precision with which the gear can be directed will all impact positively on reducing these causes of concern.

“Put simply, better equipment allows us to catch the same amount of fish for people, as fixed under the Quota Management System, more quickly. It means we use less fuel and less energy and we spend less time interacting with the seafloor. Fishers can also come back home from sea sooner.”

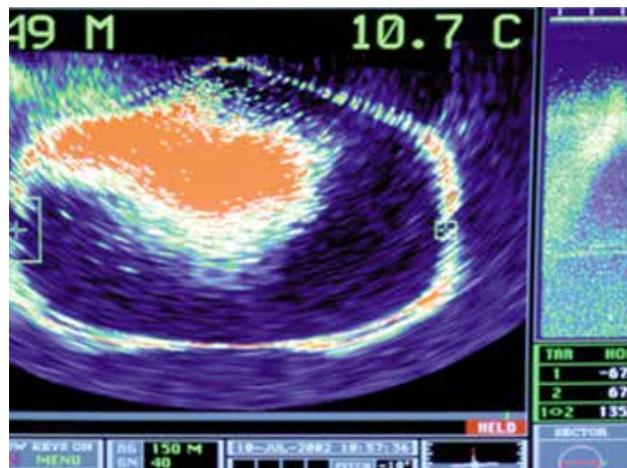
There have been considerable advances in wireless technology used by the fishing sector but deepwater fishing remains challenging.

“The net may be a kilometre deep and a kilometre behind the vessel, but it may be pushed by currents and it may be skewed,” Irving says. “It’s a bit like landing an aeroplane on a windy narrow strip in the dark.

“A direct net sonde video link would reduce that uncertainty.



Wesmar trawl sonar display showing trawl doors in relation to school of fish and fish school in net.



Furuno trawl sonar display showing the outline of net and fish school, as well as usual depth and water temperature.

“If the gear is asymmetrical, then catch efficiency is compromised and there is an increased chance of unwanted catch.”

The leap to trawl sonar is like seeing the whole view through a car’s windscreen, rather than through the rear-vision mirror.

This is especially relevant to the New Zealand deepwater fleet which generally fishes in much deeper waters, 600 to 1000 metres, compared with the usual 400 to 600 metre range of northern fisheries.

The development of broad beam multifrequency transducers coupled with video and laser measuring enables differentiation of a school’s acoustic signal and calculation of the biomass of each segment, the DWG said in its FNZ submission. This real time delivery through a fixed cable allows far more certainty in the biomass estimates than from single-frequency hull-mounted acoustic surveys, especially where there are mixed species issues, or when aeration under the hull in poor weather affects signals.

Net sondes were developed and went into commercial use in the 1950s following the development of hydroacoustic technology (SONAR) during World War Two. Their popularity with the German fleet targeting pelagics such as herring and mackerel is the source of the net sonde term – net sounder in English.

The technology has since taken another leap forward and net sondes have become trawl sonars that have hugely increased information gathering and provision capabilities.

Irving says the proposal is widely supported.

“The call was made more than a year ago by the Prime Minister’s Chief Science Advisor, Dame Juliet Gerrard, who, in her March 2021 report on the future of commercial fishing, recommended reducing barriers to innovation and empowering fishers to innovate and improve environmental outcomes.”

Crown research institute Plant and Food Research also supports the technology.

“While the broader context needs to be considered, enabling power and high-speed data transmission through a third wire from the trawl supports the development of real time high-resolution imaging and data gathering technologies,” says Mark Jarvis, business manager of seafood technologies.

“Such capability would open the door to systems that enable greater by-catch reduction and effective bottom contact measuring and monitoring.

“At the same time, this new technology would reduce the hazards to fishers associated with unexpectedly large catches and enable a range of operational practices that increase fishing efficiency while providing reliable data to support the reduction of environmental impacts”.

If, or once, the technology is approved, its takeup is voluntary.

Systems are expensive, as much as \$500,000, and will have the greatest application in deep water.

Two cable types are used, copper and fibre optic, with the former being more robust and able to be repaired.

The cables are subject to abrasion and bending and shear forces in such a robust environment and need to be configured in harmony with the net.

Fisheries consultant and longtime endangered species advocate Richard Wells says “when the regulation is revoked, DWG will look to support any deepwater vessels considering equipping with apparatus that needs a data transmission cable to ensure the best mitigation of seabird risk.

“This model, applied in conjunction with FNZ for over a decade, is practical and provides good results.”

Seabird warp captures have been reduced by 75 percent since the DWG’s formation in 2006. This is most marked in the squid fishery, which is the highest-risk fishery, and also the most highly observed and documented.

# Havelock Mussel Festival gearing up for 2023

The annual Havelock Mussel and Seafood Festival at the gateway to the picturesque Marlborough Sounds is back on Saturday March 11, 2023, after being cancelled in 2022.

The Jordan Luck Band is confirmed as the headline act and celebrity chef Simon Gault will be the culinary star.

Event contractor, Kara Fielding, says it is a celebration of the iconic Green Shell mussel, King Salmon, and the Pacific oyster and this will be the 19th time it has taken place.

Attracting up to 4000 attendees each year, the festival is strongly supported by the commercial seafood industry. Cornerstone partners are the Marine Farming Association and Sanford and NZ King Salmon, Port Marlborough, Cawthron, NIWA, Kono, Marlborough Oysters, and Cloudy Bay Clams.

The festival was created to promote and enhance the understanding and appreciation of the NZ Greenshell Mussel. After all, Havelock is the Greenshell capital of New Zealand.

Since then, the festival has grown to celebrate some of the other locally grown seafood, New Zealand King Salmon and the Pacific Oyster.

The festival is a not-for-profit event and has contributed over \$300,000 to the local community since its inception.

The initial idea was put up at a community meeting instigated by Derek Brown in Havelock in 2004 which was attended by marine farmer Aaron Pannell of Marlborough Oysters – and the inventor of the ground-breaking flip-farm method of producing the delicacy.



Jordan Luck and his band are the headline act in 2023.

“As a mussel industry representative and someone who appeared to offer a few good ideas, I found myself elected chair of the founding committee,” Pannell says.

“However, it was a real team committee effort that first year as we were all learning from scratch and the learning curve was incredibly steep, but we had great industry and community support, and that’s what really made it work.”

He says the first festival took them by surprise, with over 5000 people attending. He admits it was chaos.

“There weren’t enough toilets or rubbish bins, and I lost my voice, but despite the bedlam, we had the beginnings of a very successful festival.”

These days, the festival attracts top class talent but remains a family-focused affair.

Celebrity chef Simon Gault, one of New Zealand’s most-respected food leaders, will be entertaining in the NZ King Salmon culinary tent, as well as hosting private cooking classes.

Kiwi musical legends the Jordan Luck Band, will be supported by roots-rockers Lost Tribe Aotearoa, vibrant country singer Jody Direen, and duo Genre Fluid.

New on the programme for 2023 is a new R18 VIP area, located side of stage, offering a locally inspired seafood lunch, and its own bar with limited complimentary drinks, shade, and seating.

There will be a new MasterChef style cooking competition supported by Nelson Marlborough Institute of Technology, which will encourage youth and home cooks to show off their talents.

Fielding says for those who want to make the most of their time whilst in Havelock and at the festival, they will be offering a twilight mussel cruise on the evening prior to the festival, or, for something a little different, a bird watching cruise on Sunday after the festival.

The Marine Farming Association Industry tent once again offers the opportunity to learn about the local industry, and kids can be kept entertained at the National Institute of Water and Atmospheric Research (NIWA) Kids Zone.

Finally, the festival wouldn’t be complete without the public mussel opening competitions and the famous intercompany mussel opening competition including the Guinness World Record attempt.

Tickets are available before the big day and at the gate, unless sold out prior.

\$45 for general admission, under 16s free entry with an adult.

Tickets available at [www.havelockmusselfestival.co.nz](http://www.havelockmusselfestival.co.nz)

OUTSTANDING NZ  
2023  
- Food -  
**PRODUCER  
AWARDS**



**WE'RE SEARCHING FOR  
OUTSTANDING NZ SEAFOOD COMPANIES**

The Outstanding NZ Food Producer Awards celebrate Kiwis who harvest, grow and make top quality food and drink.

In their seventh year, a team of at least 20 food professionals have assessed more than 2000 products since 2018 ensuring these Awards are a leading quality mark in the New Zealand food industry.

The 2022 Supreme Champion was Chatham Islands Food Co, the first time the Supreme Award has been made to a seafood company.



**Tora Collective**  
Seafood New Zealand Water Champion 2021



**Chatham Island Food Co**  
Supreme Champion 2022 &  
Seafood New Zealand Water Champion 2022

Could your seafood company be the  
2023 Seafood New Zealand Water Champion?

Entries close Friday 10 February 2023.  
Champions announced April 2023.

For more information  
[outstandingfoodproducer.co.nz](http://outstandingfoodproducer.co.nz)

Thanks to the support of:



# New Fish Market rises from

Rising out of Blackwattle Bay, with Pyrmont's ANZAC Bridge as a backdrop, are the piles for the 20,000 square metre footprint of the new Sydney Fish Market. Lesley Hamilton travelled to Sydney to see the progress.



# Sydney's Blackwattle Bay

The new Sydney Fish Market as depicted from the east entrance.

## COVER FEATURE



Sydney Fish Market operates for 36 hours non-stop at Christmas.

Over 400 piles have been driven into the Bay, which Sydney Fish Market chief executive Greg Dyer has watched from his office in the current adjacent premises .

The new build is a massive undertaking that will create 700 jobs during construction and Dyer expects the current workforce of approximately 500 at the market will double once the new building is operational.

“It’s very exciting to watch this happening,” says Dyer.

“They’re building a cofferdam, which is an enclosure in the Bay to enable construction and pumping 65,000 cubic litres of sand and gravel into it, take the water out and then they will have a flat surface to build the foundation of the new building.”

The adjacent existing market will be demolished,

### The Christmas marathon by the numbers



**36 hours** – Sydney Fish Market retailers trade non-stop from 5am on the 23<sup>rd</sup> of December until 5pm on the 24<sup>th</sup>



**100,000** – the number of customers through the door in that time



**350 tonnes** – the amount of seafood traded across the site in 36 hours



**120 tonnes** – of prawns are sold. That is 55 kilograms every minute



**70,000 dozen** – oysters are sold. That is 390 oysters every minute





Greg Dyer beside the piles that will become the new Sydney Fish Market.

and a mix of residential, retail, and commercial space will go on the site.

The basement car park level of the new building will be below the highwater mark, the operations floor will sit on ground level underneath the main retail floor. The fourth and top level will be the mezzanine level where the seafood school and offices will be located.

"The building has been designed to be long and low. It will not be visible above the trees across the road at Wentworth Park and it will look north up the Bay to ANZAC Bridge. The public will be able to access the building from three sides. On the eastern side the stairs will look very like those at the Sydney Opera House with a wonderful big walkway up into the retail space."

The existing retailers and wholesalers will all move over to the new market and there will be new retailers coming in.

"There will be about a 40 percent increase in the retail space."

Dyer says there were three million visitors to the market pre-Covid and he expects they will attract up to 6.5 to 7 million in the new building.

"We have to be an efficient, effective, operating fish market which delivers on supply chain solution logistics for the seafood industry, but we have to be so much more."

The current market has more visitors than almost any other Sydney attraction and it is that level

of support that has the New South Wales (NSW) government happy to stump up \$750 million for the rebuild. It will own the building. Dyer says they will have a 50-year lease at advantageous terms.

"They can see that the investment in this building will pay for itself over time."

The market will be linked with the existing Barangaroo Foreshore Walk, a shared 1.5-kilometre cycle and pedestrian track.

"So, you can have a great foreshore walk from Circular Quay, through Barangaroo Reserve, and finish with a glass of wine at the new Sydney Fish Market."

Dyer says it will be a very much upgraded food experience in the new facility and they are about to go to market to find suitable new retailers.

"We also plan to run a new event business where we have weekly, monthly, and quarterly events that will attract Sydneysiders. He is planning for one of those events to be a New Zealand seafood week.

He says describing the old building as 'tired' is being kind.

"It's so tired it's sound asleep," he says.

"It needed a revamp and there were various schemes that were proposed for that over 10 to 12 years. There was a proposal that was put to government, where Sydney Fish Market had an independent arrangement with a developer, and we put that unsolicited to the NSW government. They said no, we would rather fund it ourselves.



Artist impression of the new Sydney Fishmarket, designed by Danish architects 3XN.

“I do not think I am exaggerating when I say we will be the third iconic structure on the Sydney Harbour, along with the Opera House and Harbour Bridge.”

He says it will be a magnificent building not just in architectural terms, but also as an extraordinary visitor destination and adds that fundamentally, it needs to work for the industry to promote its seafood product.

“It will be transformational in every sense. People from all over the world will want to come and see this. People ask me what example we are using as a template for how we should develop this, but there is almost nothing like it anywhere in the world. When you look at the combination of event space, retail space, restaurant space, and vibrant operating seafood market, there really is nothing it will be able to be compared to.”

He says he went up to Japan’s new seafood market in Toyoso, which has also been built on reclaimed land in Tokyo’s harbour.

“And it is wonderful, but it doesn’t have the consumer and retail element that the new Sydney Fish Market will have.”

The building is architecturally striking, designed by Danish architects, 3XN, who have also designed the Shenzhen Natural History Museum in China and the Cube in Berlin, a multi-tenanted office building within a sculpture.

He says the operational requirements of the new building will be quite different and a lot of thought has gone into them.

“At the moment, the product comes in, it is displayed on that operational, auction floor and goes back out on the same level. This building has different levels, so we have to move product between those levels.”

Completion date is estimated to be the end of 2024 and occupied in early 2025. Dyer says there will be no lag between the old and new premises.

“The plan is to move out of the old building on Friday night and start operating in the new building on the Monday.

“As with most new builds, you spend a lot of time getting it out of the ground and then once it is out, it goes up pretty quickly. I think this building will be the same. It is a massive building, but only rises four levels, so I imagine once it starts emerging from the water it will be fast.”

It takes serious government confidence, and a certainty of your market to spend this amount of money.

Dyer agrees that Australians have a particular passion for seafood but says a lot of it is driven even higher by Asian Australians.

“We have a big multi-cultural population, and it is no longer such about an Aussie throwing a prawn on



Fresh New Zealand snapper on sale at Sydney Fish Market.

the barbie. Probably as much as 40-50 percent of our throughput now is based on that Asian market. That has seen a lot of our lesser-known fish species now achieve a better retail value because they are familiar to a different consumer."

He says there is a big opportunity to really move the focus from other proteins to seafood with the new initiative.

"Australians will want to be assured that the seafood they eat is responsibly sourced. We have the benefit in Australia and New Zealand of having some of the best managed fisheries in the world. What we don't do particularly well, is tell everybody about that. We intend to use the new premises to tell that story. We will have multimedia opportunities for people to see where the seafood comes to them from the boat to the plate in a really compelling way."

Dyer is pleased that the current Australian government seems set to embrace country of origin labelling right the way through to a restaurant menu.

"This is really significant for us. The good news for New Zealand is that Australians regard New Zealand seafood almost in the same way they regard their own. I would like to see QR codes on menus so people can point their phone camera at it and see the entire story of the seafood they are ordering – all the way back to the fisher."

He says there is a big growth opportunity for New Zealand seafood in the new market.



New Zealand scampi is headed for the Aussie Christmas barbeque.

**"Australians will want to be assured that the seafood they eat is responsibly sourced. We have the benefit in Australia and New Zealand of having some of the best managed fisheries in the world."**

"We can't possibly produce enough seafood to feed the Australian population from our waters and the new market could take significant increases in seafood from New Zealand."

Christmas is a big deal for Sydney Fish Market but other big weekends like Easter or even the footie finals also have Australians buying seafood in volume.

"We are open day and night before Christmas, and the numbers through the door are staggering, even in the early hours of the morning."

This Christmas Day, there will be many Australians and New Zealanders tucking into some of the world's most sustainable seafood.

The hard work and continuing environmental stewardship of our fishers should be celebrated at Christmas and throughout the year.

# Sydney Fish Market auction goes high tech

Lesley Hamilton



Greg Dyer and Mathew Wassnig.

Times are changing at the Sydney Fish Market, with new technology slipping alongside the traditional and longstanding Dutch auction.

In Nelson earlier this year to attend the Seafood New Zealand conference, Sydney Fish Market chief executive Greg Dyer and general manager of business development, Mathew Wassnig, took time out to talk about SFMblue, an online trading platform that will revolutionise seafood trading.

Dyer says the Dutch auction has been, and will continue to be, a very effective way to market seafood, five days a week. It has been an effective marketing tool for generations of fishers.

The Dutch auction works by starting with a higher price than the seller expects and descends incrementally until a buyer stops the auction by accepting the price currently offered.

This type of auction originated in Holland and has become the most widespread way to auction perishable goods. In the Netherlands they have marketed their tulips since the 17th century and some accounts have the same method going back as far as Babylonian times.

Dyer says it is essentially a reverse clock; "it starts at a particular price and winds backwards until a buyer stops the clock and at that very instant the seafood lot is sold at that price.

"It's incredibly efficient as a way of auctioning as we can trade 4,000-5,000 lots in a two- or three-hour period. Whereas if the clock was going the other way it could take us all day to get through the auction," says Dyer.

The Dutch auction is not going anywhere and will continue to be the benchmark pricing mechanism for seafood in Australia, but a new online platform has been launched alongside the physical auction which has a number of advantages.



The Dutch auction goes back generations at Sydney Fish Market.

Dyer says the Dutch auction is a blunt instrument.

“It depends on you being there on the day to bid and depends what product is available on that day. It is the ultimate in supply/demand equations, but it doesn’t suit a lot of suppliers, especially those who have particularly fixed costs of production. It doesn’t suit them because it has an uncertain outcome and therefore does not allow them to set a fixed price for their product. They have less control over the pricing of their goods. I am talking the big aquaculture companies for example that have very predictable production cycles and the last thing they need at the end of that production cycle is an unknown auction price.”

And that’s where the new online platform SFMblue

comes in.

“We needed to extend the type of transactions to give certainty of price and we needed to expand the nature of the product that we trade,” says Dyer.

“We were also constrained by the footprint of the site. Currently our buyers are predominately buying their seafood on site but with an online platform they could buy from wherever they were, so it will dramatically expand our footprint of buyers and also substantially increase the range of product we are able to trade.”

Those who love the current Dutch auction can be assured that as much product as ever will be traded that way even with SFMblue up and running.

“We intend to more than double the throughput of



The Dutch auction live.



The new online platform.

our business in totality with the addition of online trading.”

Dyer says another advantage will be the ability to trade frozen product and processed product.

“It really is an extension of who we are and what we do. We are unique in the neutrality of our market making – there is no one else who sits in that neutral role between buyers and sellers.”

New Zealand seafood going through Sydney Fish Market varies from year to year but usually ranges between 13 and 17 percent of the total seafood throughput.

Dyer believes SFMblue will grow that.

“There are some significant, high-quality producers in New Zealand, and we think that the online environment may well suit their business model in a way that the auction did not.

“We are hopeful that everyone on the supply side will give it a go. We think it will help them improve their yield. It certainly gives them greater certainty of price so it will allow people to go and fish with certainty knowing they will get a particular price in return, so we are hopeful everyone will give the new platform a go. Literally as the fish is coming out of the ocean, someone can list that product for sale,” says Dyer.

He says there are a lot of people on the supply side that

are really keen to see how SFMblue can transform the way they do business.

“An important feature is, if a buyer registers a particular species, as soon as that species is listed for supply, that buyer will get a notification that it is available.

“A buyer can actually specify they want 200 kilos of a particular product, for example, and ask through SFMblue if there is a someone that can supply that for them. So, fishers can supply to order.”

Matt Wassnig says there are three primary channels that you can sell product through SFMblue.

“You can list your product pre-auction, so that means your product is destined for sale at Sydney Fish Market and you can list that product for sale at any time up until the time it gets auctioned. So, it can be listed while it is still on the boat, while it is being packed, or while it is in transit to Sydney. If it sells in the interim period, before it gets to auction, we will take that stock away, ready it for forward freighting or collected, and then the remainder – any that doesn’t sell, will go forward to be sold at the auction.

“The main method is direct sales. That is, achieving a sale before you despatch the product and once sold you send it off to fulfil that order.

“The third channel is Aquafuture, which is largely for the aquaculture sector but is also quite relevant to some of the wild catch sector, particularly those who have some visibility over what they are likely to catch in the future. They can advertise that product months in advance, particularly around key periods when buyers are looking to secure volumes of certain species a long way in advance. This is around periods like Christmas and Easter when buyers know they will need the product in volume.

Dyer says, no matter which method of SFMblue is used, he believes it’s “a really fabulous piece of software” that is going to help seafood buyers and sellers get a better outcome.

**MARINE ENGINEERING**

**“Proven Abilities” Worldwide**

Stark Bros is fully conversant with all aspects of the ship repair industry, from afloat maintenance to full dry docking and survey work, and the skills associated with a strong boatbuilding foundation. With the combination of specialist personnel, facilities, equipment, knowledge and experience of ships and the marine industry, Stark Bros Ltd is able to provide a high level of service and expertise at competitive prices.

**Ph: +64 3 328 8550**  
P.O. Box 144, Lyttelton, New Zealand  
[www.starkbros.co.nz](http://www.starkbros.co.nz)

**STARK**  
BROS LTD LYTTELTON NEW ZEALAND

SHIP REPAIRS  
BOAT BUILDING  
DRY DOCKING  
ENGINE REPAIRS

# Talley's



## 2022/2023



## ALBACORE TUNA SEASON

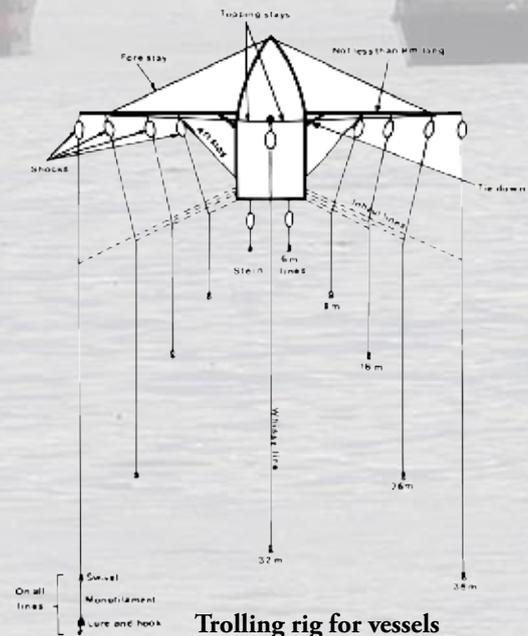
Talley's wish to welcome all Albacore Tuna fishermen to the South Island fishery where we operate the only complete chain of tuna receiving depots.

### These buying stations are:

• Picton	Alf Reid		027 450 0501
• Nelson	Shannon Bloomfield	03-548 0109	021 277 2849
• Motueka	Nic Langridge	03-528 2800	021 284 2400
• Tarakohe	Alf Reid		027 4500 501
• Westport	Cheyenne Amai	03-788 9175	021 353 912
• Greymouth	Geoff Drake	03-769 9070	021 743 074
• All other Ports	Geoff Drake	03-769 9070	021 743 074

This season we will, as usual, offer our now legendary shore assistance to all vessel owners and crews.

- Speedy discharge
- Cleaning and sanitisation of fish holds
- Diesel at very competitive prices
- Use of our slurry bins
- Speedy payment
- Ice supplied



We would like to buy your tuna, and will unload your vessel at any of the above buying stations.

We will help you gear up your vessel so if you need assistance please phone us.

Should you have a vessel that needs a skipper or, be a skipper who needs a vessel, please don't hesitate to call us. We welcome all enquiries.

PLEASE CONTACT

Doug Saunders-Loder

Talley's Group Ltd - PO Box 5, Motueka 7120

Telephone: 03 528 2823 - Cell: 021 527 472

# Port in a Storm exhibition benefits lost mariners

A photographic exhibition in Nelson has showcased the beauty and power of Port Nelson and those who work there, as Fiona Terry reports.



Cole captures the size of *Solomon Jade* from the slipway.

Nelson resident Debra Cole has a whole new appreciation for New Zealand seafood and the work and dedication that goes into getting it to our plates – and it's all thanks to a unique photographic initiative sparked by Covid lockdown and fuelled by a special curiosity for Port Nelson.

It started when, due to Level 4 restrictions, Cole and her husband Peter began exploring by foot the roads near their waterfront apartment. In contrast to the hushed streets, inside the Port's warehouses and yards, people were busy with their industry – boatbuilders, fishing crews, slipway teams, stevedores, and other maritime workers.

"We're very lucky, we live right across the street from the Port and I've always been intrigued by its inner

workings," says Cole, who took early retirement from her corporate job in the United States several years ago.

"My curiosity piqued during lockdown."

She started taking a camera on her walks and when lockdown ended, contacted the businesses to get a closer look at the work that had continued on, despite the uncertainty around them.

After two and a half years of people opening their doors to welcome her and her camera, Cole had thousands of images. "I wanted to honour the businesses and proud men and women who are the lifeblood of our community," she says. As a thank you to those involved, Cole exhibited 22 of her photographs recently at the nationally renowned Suter Art Gallery Te Aratoi o Whakatū in Nelson.



Spray from a water pressure hose on the deck of *Solomon Jade*.

Having quickly grown to deeply appreciate the maritime industry, she also pledged 100 percent of her income from sales of the works from the exhibition, to be donated to the New Zealand Shipwreck Welfare Trust - an organisation formed over 120 years ago dedicated to safety and providing immediate financial support to families impacted by shipwrecks around the New Zealand coast.

Cole called her exhibition *Port in a Storm* as a metaphor not only to the hive of activity it was throughout Covid, but also as a nod to the challenging nature of many of the jobs.

Her keen interest in photography started over a decade ago, but as a financial executive in the US she had little time to indulge her passion, aside from some workshops and short courses in colourful places like Cuba and New York City.

"I use a Leica Q2," Cole says.

"I wanted one for years. It's a camera ideally suited to street photography and environmental portraiture because of its small size and fixed lens. It isn't off-putting to my subjects and doesn't get in the way. The fixed, wide-angle 28mm lens has its limits and forces me to move to find the right angle."

She prefers early morning or late afternoon because of the light but sometimes tides, events or specific activities dictated otherwise.

More familiar with a birds-eye view from her apartment

overlooking the water, Cole quickly began to see the Port from a whole new perspective. The feature photo of the exhibition – of tuna boat *Solomon Jade* – is one that speaks to this.

With the vessel towering above her on a slipway, the photo shows part of it engulfed by what on first impressions looks like smoke but is spray from a pressure-washer, held by a man on a raised platform.

"The early morning sun is behind the boat in this image and I like the way it captures the light, graphics and the human element, with some mystery around what's happening," says Cole, who became a New Zealand resident four years ago.

"A lot of these places are understandably off limits to the general public, so I was fortunate to have been given access. Once you get up close, the sheer scale, majesty and size of a ship is both humbling and awe-inspiring. I still remember my first time on the slipway. Watching a vessel emerge from the sea onto dry land is other-worldly."

Another of her exhibition photos shows a port scene that includes the view through a vessel's large propellor. "I was trying to get different angles, moving around the ship and finding myself right underneath."

Sometimes Cole went out on The Ferry - Nelson's small passenger ferry operated by Bruce Robertson - to



Donna Wells of FinestKind.



Tall tales – tuna at Port Nelson.

get another perspective of the waterside and wharves. As someone who admits she has no sea legs, this meant stepping out of her comfort zone.

“I found the details quite fascinating: mechanical workings, the weathered wharf piles - there are decades of stories within them.”

Cole was surprised by the variation of industry within the port and always impressed by those she photographed.

“They carried on, despite me being there, and were very gracious and accommodating, but didn’t really have time for much conversation.”

Part way into her project she realised she didn’t have many images of women.

“I mentioned it when I was at Harry’s Fish Shop one day and it was suggested I contact Donna Wells - the director and owner of FinestKind Ltd.

“Wells has been in the business for decades and was completely enthusiastic and supportive with time, energy and resources, from the first time we spoke.”

Cole was so taken with a quote on Wells’ website that, with her permission, she’s used it in her exhibition. *‘The sea has always been unforgiving. You can’t afford to get it wrong. We always talk about the price of fish, but the true cost of it is the people who don’t come home.’*

“I photographed Wells with her first fishing boat Kiwi.



View through a propellor.

She has some great stories and knows tons of people in the industry. I also have a photo of her wearing a knit hat given to her by her employees as a gift. The logo on the hat is 'Boss Lady'- obviously a term of endearment for a terrific employer."

With so many thousands of images, one of the hardest parts of organising the exhibition, was selecting just 22.

"The photos in the exhibition tell a cohesive story," says Cole.

"My hope is the images provide a different way of looking at the Port and introduce my audience to some of the interesting people I met."

She opted for black and white for a more abstract, contemporary feel. It also works well with the dramatic cloudscape she captured, but she quickly had to learn the importance of tonal range to ensure the images presented not only pure white but also pure black.

Instead of prints framed in the traditional way with glass, she sought a more simple approach.

"Initially, I wanted to print on metal as it seemed fitting with the subject. However, I eventually settled on prints mounted onto Dibond - a composite panel between two thin aluminium sheets."

The photos were printed by Big Pic in Wellington and fittingly the exhibition pieces have their own sea-faring connection, as Sam Curtin of Good Sheet who mounted



Debra Cole at the exhibition at Nelson's Suter Gallery.

the prints, delivered them by hand, taking them on the Interislander ferry from the Capital, then driving them to Nelson to ensure they arrived undamaged.

"This journey for me has been a learning process," says Cole.

"I now have a deeper appreciation for and understanding of the myriad of professions within the Port - and have so much more to learn.

"It has been a privilege and the experiences rich. I have met some lovely people and made friends along the way. This is my way of returning the generosity of those who so kindly opened their doors to me."

# Those who feed us are worth fighting for



**FirstMate New Zealand is a charity set up to support the health and wellbeing of hardworking people and their whānau across the commercial seafood sector. In each issue, the team behind this pilot project will share how it's going, the challenges the industry face, and the people that are ensuring it thrives.**

It's been a tough year with fuel prices rocketing and general price increases across the board.

"I don't want to sound all doom and gloom because there is a much for us to be thankful for - but I also don't want to negate how hard it's been for many of our fishers and aquaculture whanau", says Darren Guard, managing director Guard Safety, which supports FirstMate operationally.

"There is a journey of change happening right now in the seafood sector, with new cameras, Dolphin Threat Management Plan (TMP) restrictions, electronic reporting, and policy coming that is impacting all of us.

"You add in the Fisheries Amendment Act changes and there is a lot that our fishers, aquaculture workers and their whanau are grappling with. Everyone is trying to find new mode of operations after Covid.

"But no one is alone and FirstMate is here to support them through the voyage. As with all voyages there will be peaks and troughs but rest assured, FirstMate are here to try to smooth the waters.

"I'm passionate about our sector and I believe in us. Every fisher, every seafood worker, every single one of you, adds value and provide an amazing product to feed the world.

"Those who feed us are worth fighting for."

Geoff Donley, FirstMate chair, says "it's both humbling and an indication of how tough things are, that fishers and their whanau know who we are and know how to get in contact.

"We've been approached by people from across the country and people who haven't reached out before are beginning to get in contact for advice and

support, with 15 new contacts in the last month alone.

“Our goal is to offer people and businesses the support they need to better navigate the pressures and complexities that come with the job and rise to any potential challenges.”

There are a wide range of reasons for why people connect with FirstMate.

“Our seafood whānau have been in touch to talk to us about everything from Covid to quota cuts, to electronic reporting support to compliance and policy stressors,” Donley says

“In the early days, the vast majority called about the impact of the TMP as the measures around the country to enhance Hector and Maui dolphin protections took a toll on many of our whanau. The closure of large areas of the sea, and the banning of fishing methods that people relied on, put some people out of business.

“Fishers and their whanau often just needed a friendly ear that understood what they’re going through. For some who contacted FirstMate, we were able to connect them with counselling support, welfare support, business services or administration services.

“FirstMate helped talk people through what changes meant for them, how they could adapt their operation, or transition to something new.”

FirstMate is run by people who understand what it means to be part of New Zealand’s dynamic and challenging seafood industry. The team has a deep knowledge of the seafood sector and they know what you might be going through because many of them have been through it too. Now, they want to give something back to the sector by helping others.

Currently, FirstMate have 13 navigators on hand to offer that support. And next year, the focus is on bolstering their numbers so there are more people in every port in New Zealand.

“We know that when you pick up the phone or email us, it’s a huge step”, Guard says.

“You may have been thinking for some time about where to get advice and support, and taking that moment, getting in contact – it’s courageous but we know it can be intimidating too. We’re here to let you know that it doesn’t matter how big or small the issue is – we’ll understand. And there will never be any judgement. We will always put you first. And we’ll always try to find a way to help you, either directly or by connecting you with the people that can”.

FistMate’s recent fisher workshops, with Ministry for Primary Industries (MPI), proved to be a success, having facilitated and arranged the workshops connecting fishers with MPI and the policy writers so everyone is informed and educated about changes coming.

“These workshops help the industry to have an opportunity to put their viewpoint forward,” Guard says.



FirstMate in numbers, 2019-2022.

“We know that MPI got a lot from hearing from you too. It was a worthwhile collaborative experience, and we hope to support more communication between industry and Fisheries NZ.

“If we’re not talking, we’re not moving forward.”

# Focus on innovation in 2023

Dan Bolger, Deputy Director General, Fisheries New Zealand

While the Covid lockdowns seem like a long time ago, ongoing impacts continue to present some real challenges for the seafood sector. A tight labour market, supply chain disruptions and rising fuel costs have made 2022 a tough year for many.

However there has been good news as well. Seafood exports hit \$1.9 billion in the year to 30 June, an increase of nine percent on the previous year. Aquaculture played a key role here – exports increased by 16 percent on the previous year which is a 9 percent rise from pre-Covid-19 levels.

New Zealand has also had success this year in securing Free Trade and WTO Agreements which will mean more of the sale price coming back to the seafood sector.

## Regulatory changes in 2022

New Zealand’s seafood, both wild-caught fish and aquaculture, are recognised for their taste,

quality, and sustainability. These make our seafood products sought after across the world.

Given the importance of the fishing sector to coastal communities and all of New Zealand, it is key that we build on our strong reputation through an ongoing focus on fisheries sustainability and environmental performance, as well as looking for more ways to create value.

Key regulatory changes progressed this year. The Fisheries Amendment Act was passed by Parliament and came into force on 1 November. Notably, the Act made significant changes to landings and discards rules, which will be progressively introduced over a four-year implementation period. As we go through that implementation period there will be consultation on how the rules apply to individual fisheries.

There has also been progress towards on-board cameras, with the first group of vessels now set to have their cameras installed by March 2023. On-board cameras will strengthen transparency and enhance verification of data to enable more informed management fisheries management decisions.

Thank you for the feedback you have provided along the way and for the efforts that you are putting in to work through the impacts of these new requirements. We know that changes can create extra pressure and we will work closely with the sector during the implementation period.

## Looking forward to 2023 – innovation and an Industry Transformation Plan

Ensuring industry and Government take the right action at the right time is crucial to ensuring the fishing sector is successful. Fisheries New Zealand is partnering with the fishing industry to develop an Industry Transformation Plan (ITP) – one of eight such plans being developed across a range of industries.

ITPs are created through partnership between businesses, workers, Māori, and Government. The plan will set a vision for commercial fishing and identify the key actions to achieve this.

Your input into this process will be important and there will be opportunities next year to feed back on the progress of this work.

After a busy and often challenging year, I hope you are able to take a break over the summer. And to those who will be working through – keep safe.



Dan Bolger.

# Shaping the seaweed sector



Image: Scott Sinton, Greenwave NZ.

A roadmap has been created that not only explains the huge potential of Aotearoa New Zealand's seaweed sector, but also how to begin unlocking it.

The Seaweed Sector Framework was released in October and provides a roadmap of priorities and knowledge gaps. It was developed out of the Sustainable Seas *Building a seaweed sector* project.

Project lead Rob Major, a marine scientist at Cawthron Institute, says the framework stems from a series of reviews to figure out what was known about the seaweed industry in New Zealand.

That work produced useful reports, but also revealed a lack of knowledge about the seaweed sector, and how to progress it.



Nigel Bradly, EnviroStrat chief executive.

The research team started to talk to people involved or interested in the industry to figure out what was needed to fill those gaps.

"We held workshops, and talked to Māori leaders who were really interested in the potential of seaweed, and aquaculture in general," Major says. "We talked to a whole range of researchers, from ecologists through to chemists – to get a better understanding of the chemicals and bioactives in seaweed."

Industry case studies from AgriSea, CH4 Global, Kelp Blue, Pacific Harvest, Premium Seas, and Te Whānau-ā-Apanui fed into the framework. It was important to engage with industry people, Major says.



Seaweed project lead Rob Major.



Image: Scott Sinton, Greenwave NZ.

“We had some good conversations about the barriers and risks that are affecting the industry and preventing people from entering it.”

One of those barriers is regulation, and the way seaweed sits between various acts, which hamper aquaculture and the supply chain. Researchers also talked extensively with regulators to identify barriers and priorities for regulatory change.

The document is aimed not just at industry, but regional councils and central government agencies who develop regulation that effects the seaweed sector.

Major says wild harvesting can't provide the volumes of seaweed needed to support a growing sector, so seaweed needs to be farmed to create that supply.

EnviroStrat chief executive Nigel Bradley, who was part of the research team for Building a seaweed sector says the industry in Aotearoa New Zealand is still incredibly nascent.

Bradley says the framework prioritises what needs to happen and is market-led.

“Understanding what the priority markets are, or should be, allowed us to work backwards.”

He says there's a lot of misunderstanding about the opportunities in seaweed, and the framework tries to address that.

“For example, in New Zealand we shouldn't be producing seaweed to sell as food products in the Asian market, because they already grow seaweed there, they've been doing it for hundreds of years.”

Instead, the competitive edge lies in high-value products for niche markets, such as health and beauty, food, animal feed supplements, and biostimulants.

Bradley says the sector being so new provides a wonderful opportunity for the framework to influence the sector before it's fully developed.

“This enables us to identify and prioritise opportunities to achieve the vision that rimurimu (seaweed) contributes significantly to New Zealand's economy and supports thriving ecosystems, communities, and culture.”

To read the framework, visit: <https://www.sustainableseaschallenge.co.nz/seaweed-sector-framework/>

### **About Sustainable Seas National Science Challenge**

Sustainable Seas is a 10-year research programme with the vision that Aotearoa New Zealand has healthy marine ecosystems that provide value for all New Zealanders. It has funded more than 60 interdisciplinary research projects that bring together around 250 ecologists, biophysical scientists, social scientists, economists, and mātauranga Māori and policy experts from across Aotearoa New Zealand. It is funded by MBIE and hosted by NIWA. For the latest research, tools and resources, sign up for the newsletter: [sustainableseaschallenge.co.nz/newsletter](https://www.sustainableseaschallenge.co.nz/newsletter)

WE'RE TAKING BOOKINGS FOR 2022/23 RIGHT NOW!

Connie S



Seamount Enterprise



Columbia II

## YOU'LL FIND THE BEST CREW AT VESSEL WORKS!

With a 350-tonne mobile vessel hoist, deep water access, and 6,300sqm of hardstand. **Vessel Works** is quickly becoming the destination of choice for working boat owners who want great service, reasonable rates, and the freedom of an open yard.

Our refit wharf is designed for alongside refit works for vessels up to 60m. This berth allows for crane, truck, and forklift access to vessels for a variety of in-water maintenance activities.

To book your space give us a call.

P: +64 7 577 7270

E: [INFO@VESSELWORKS.CO.NZ](mailto:INFO@VESSELWORKS.CO.NZ)

[vesselworks.co.nz](http://vesselworks.co.nz)

TAURANGA,  
BAY OF PLENTY

VESSEL  
WORKS

# Happy New Year

Caroline Read, Chief Executive FishServe



From left to right; Greg Walters, John Olver, Gerhard Wissing, Michael Young, Poornima Kapadia, with Deepna Dahya, front.

It was fantastic being able to host the quota managers in our new digs this October, as the busy end of the fishing year brings us all together. It's a good time to meet and strengthen bonds across the industry - and there is a lot that needs to get sorted as we tick over to a new fishing year.

From a month before the start of the fishing year to the 16 October, we are hard at work making sure the gazetted Cost Recovery Levy Rates and TACCs are



Caroline Read.

loaded into FishServe, before the Annual Catch Entitlement (ACE) is balanced against year-end catch, and deemed values calculated.

Alongside all the statutory Quota Management System (QMS) requirements, we also support the annual set up of industry led initiatives that allow sub-stock

management of hoki, orange roughy, oreo dories, and tarakihi as well as ACE shelving for a number of fishstocks.

Success for us at FishServe is fishers waking up on 1 October not only knowing their ACE allocation, but they can also go fishing legally. Two of the heroes in FishServe that make this happen are John Olver (Technical and Regulation Manager) and Deepna Dahya (Client Services Manager).

About a month before the end of the fishing year, the Cost Recovery Levy Rate notice is gazetted and a few weeks later the TACC and Deemed Value Rates notice is gazetted. Olver not only updates the FishServe system with this data but works in the lead up to the end of year with the SREs on any ACE shelving that is going to occur and any changes to sub-stock management levels. This, together with the evaluation of minimum holding levels and any changes to quota management areas, all go in to ensuring that the ACE allocations generated on 1 October are accurate and correct.

Following the start of the fishing year, Dahya's team are busy supporting fishers as they make their final trades and balance out their ACE for the previous year ahead of Deemed Value invoicing and the allocation of any underfishing ACE (carry forward). Deepna says she "enjoys the annual meeting with the quota Managers to tidy up the year-end transfers and to catch up on the mood of the sector".

# Chatham Rise orange roughy survey results

Tim Pankhurst

Orange roughy stocks on the Chatham Rise are in good health judging by an extensive winter survey.

A successful acoustic and biological survey programme of the Northwest and Northeast Chatham Rise orange roughy (ORH) spawning stocks was carried out on Sanford's San Waitaki during a 30-day voyage from mid-June to mid-July.

Orange roughy migrate to both underwater features and flat grounds to spawn in late June, or early July. For most of the year, the fish are dispersed over a wide area at lower densities. It is only during spawning that the roughy form densely packed schools that make them suitable for acoustic surveys. These surveys provide snapshot biomass estimates of the spawning population that form a key input into the stock assessment process and the subsequent setting of quota.

The dual objectives of the commercial and scientific voyage were for the vessel to fill up and for a credible scientific survey programme to be completed. Surveying was carried out mainly during vessel downtime while fish were being processed and dedicated charter time was used where survey operations delayed normal fishing operations.

Ongoing cooperation between scientists and bridge officers during the voyage meant that San Waitaki was able to meet its catch target without compromising the survey program, according to the voyage report.

Acoustic Optical System (AOS) surveys were completed on Morgue and Graveyard hills in the northwest, and at Rekohu, Spawn Plume and Mt Muck to the northeast. These were complemented by vessel acoustic surveys. Each location received sufficient survey

effort to provide a good understanding of the spawning stock.

Some minor technical issues were resolved early in the survey and recording of high-quality AOS and vessel-based acoustic data was achieved for the duration of the survey program. Biomass estimates will be forthcoming for all locations.

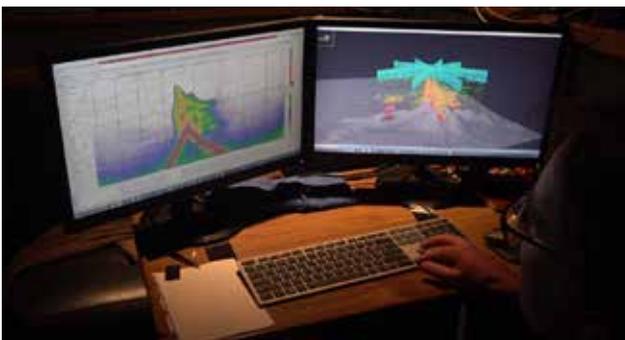
The key observations were:

- A very large aggregation of orange roughy observed on all sides of the Morgue extinct volcanic feature
- Graveyard held only a small amount of roughy, as was found in 2013 and 2016.
- Substantial aggregations across a reasonably large area at Rekohu but biomass did not appear to be as large as in previous years. Rekohu received a lot of survey effort as the aggregations were very mobile and never really settled as spawning progressed (as we had seen in 2013 and 2016), hence surveying was quite challenging.
- The Spawn Plume aggregation was also quite mobile but less so than Rekohu and good aggregations were surveyed.
- Good aggregations were seen on Mt Muck. Previous surveys observed high aggregation variability over 24-hour cycles, so it was pleasing to achieve two AOS surveys during periods when good aggregations of orange roughy were present.

The biological sampling program covered all catches during the voyage and served to comprehensively monitor the build-up to the spawn and achieved or surpassed the number of otolith samples required to be collected as a basis for age-structure determination from each of the survey locations.

Sampling of orange roughy included recording of individual standard lengths, weights, sex, and spawning condition from samples of 100 fish and collection of otoliths from 25 – 100 fish, with a target of 500 otolith samples from each surveyed aggregation. Bycatch species composition was determined by weight and number of individuals per species and lengths were recorded for abundant species.

Trials of the Seafloor Monitoring Automated Recording of Trawl Camera (SMART-Cam) were carried out.



On the left screen: A large school of orange roughy on Morgue. On the right screen: 3-D image showing feed layer in blue and orange roughy below. Image: Tim Ryan, bathymetry NIWA.



A rare day of calm out on the Chatham Rise. Image: Tim Ryan.

Automated operation with seamless transfer of images from trawl deck to bridge was successful. Image quality was good when the trawl headline was close to the seafloor. The trials provided an understanding of what adjustments are needed to improve image quality at higher headline heights.

The Sealord AOS was the primary survey tool for estimating biomass, using echo integration methods. It consisted of a sled-style platform attached to the headline of the vessel's demersal trawl net. This system was built as a collaborative project involving Sealord and CSIRO starting in 2012. For this survey, the AOS housed a two-frequency acoustic system (38 and 120 kHz) based on Simrad ES60 transceivers. The system was battery-powered with all data logged to internal storage media.

The voyage was considered a complete success with each of the priority spawning locations receiving comprehensive survey coverage that was well-timed with respect to the peak spawning period, and with the vessel meeting its catch objective of 600 tonnes. San Waitaki has excellent seakeeping capability and is acoustically quiet, providing high-quality acoustics from the hull sounder in all but the worst of weather conditions.

CSIRO voyage leader Tim Ryan thanked Sanford general manager fishing Colin Williams and deepwater fleet manager Darryn Shaw for their support of the survey.

"The voyage was a huge success," he said. "Our surveys involved deploying sophisticated acoustic and camera instruments, using these to conduct transect lines across the orange roughy aggregations. This required a high level of skill from the ship's officers and crew. To their credit, they remained committed to the task even when at times catch rates were being affected. Importantly both survey and catch objectives were achieved through close cooperation between all parties.

"San Waitaki proved to be an excellent platform and it

was a pleasure to work with Captain Tom Jackman, 1st Mate Deon Hatfield and indeed the entire ship's complement. The success of this voyage will help ensure sustainable harvest of the Chatham Rise orange roughy into the future."

The survey was commissioned by the Deepwater Group and funded by ORH 3B quota owners. Biological sampling and survey management were completed by Rob Tilney of Thalassa Fisheries Support. The survey results will be presented to a meeting of Fisheries New Zealand's Deep Water Working Group this month for review and acceptance after which they will be used in updated stock assessments of the two Chatham Rise stocks in early 2023. This survey model allows biomass surveys to be conducted at a marginal cost to quota owners while producing robust outcomes for use in stock assessments.

The Deepwater Group has commissioned over 30 acoustic biomass surveys of orange roughy in New Zealand waters since 1998.

"DWG continues to engage with a variety of scientific institutions towards achieving improved fishery performance with respect to the environment, most recently with particular emphasis on assessing and mitigating the benthic effects of fishing gear," says chief executive Aaron Irving.

"It is encouraging to see the continuing recovery of a prize species that were severely overfished in the 1980s following its discovery.

"We fish it conservatively to the extent its sustainability is recognised by the Marine Stewardship Council which has applied its gold standard accreditation."

The San Waitaki catch was frozen at sea in dressed form and further processed into fillets back on shore in New Zealand.

It is bound for the US ready-to-consume market, according to Sanford's Colin Williams.

The whole fish market in China has declined from previous volumes but demand remains strong in the US.



# CORPORATE GIFT IDEAS *for christmas*

It's time to think about Seasonal gifts or those essential clients and staff. Here are some fantastic industry-relevant ideas to consider. Our products are all designed and printed in New Zealand (except teatowels). Please email or call for pricing, as this depends on availability and quantity.

**Call Terry on 0274 862 862 or email [terry@theartfultrout.nz](mailto:terry@theartfultrout.nz)  
[www.theartfultrout.nz](http://www.theartfultrout.nz)**

Have a great lead-up to Christmas and New Year!  
Nga mihi

## *Kaimoana o Aotearoa*

### SEAFOOD OF NEW ZEALAND 2023 CALENDAR

A4 calendar opens to A3 size. Each month features a different species with common and Māori names. New Zealand holidays and phases of the moon included. The last pages feature a new stylised poster featuring 75 seafood species.  
[www.theartfultrout.nz](http://www.theartfultrout.nz) for more details

## *Kaimoana o Aotearoa*

### SEAFOOD OF NEW ZEALAND JIGSAW PUZZLE

The iconic New Zealand seafood poster re-designed as a 500-piece 688mm x 493mm jigsaw puzzle featuring 72 seafood species from the oceans of Aotearoa with common and Māori names. Fun and educational for the whole family.  
[www.theartfultrout.nz](http://www.theartfultrout.nz) for more details

### ICONIC NEW ZEALAND SEAFOOD POSTERS

As seen in all the best fish and chip shops. These posters are printed to quality poster paper stock at standard A1 size (594mm x 841mm). Small quantities can be couriered rolled or larger flat. Cardboard tubes are available as flatpacs. Call or email us for more info.

### ICONIC NEW ZEALAND SEAFOOD TEATOWEL

The iconic New Zealand seafood poster printed on a 100% cotton teatowel.



# A proper navigational watch

Chris Carey



Inshore vessels alongside in Westport.

When Ministry for Primary Industries (MPI) fishery observers started reporting on all things maritime, it raised the collective hackles of the fishing industry. Where are their maritime Certificates of Competency (CoCs) that give them the right to assess what is and what isn't, safe? Otherwise, it is at best a point of view and highly subjective which can impact on whether your fishing ship leaves port on not.

Reports of vessels not keeping a proper watch have really got fishermen fired up, and while directed more at the smaller inshore vessels, deep water fishing ships are also not immune.

A draft 2022 Maritime New Zealand document titled *Watchkeeping, Guidelines for fishing vessel owners and operators*, says "too many incidents, accidents, and near-misses happen because of poor watchkeeping".

"People can get hurt, and vessels and the environment can be damaged, when no-one is keeping a proper lookout – not to mention the loss of income if your vessel is out of action, and possible loss of insurance or increase in premiums. Failure to maintain a proper lookout can have serious consequences, including compliance action."

The Health and Safety at Work Act 2015 (HSWA) requires you to provide a safe workplace not only for your crew, but also passengers, contractors and visitors to your vessel.

Maritime Rule Part 22.5 which applies to any watercraft

from a paddle board, jet ski, tinny, a yacht, fishing vessel, passenger ferry or super tanker, whether the operator of that craft holds a maritime CoC or not, clearly states that "every vessel must at all times maintain a proper look-out by sight and hearing, as well as by all available means appropriate in the prevailing circumstances and conditions, so as to make a full appraisal of the situation and the risk of collision".

The rule does not say by sight or hearing, and I'd suggest you can't keep a proper lookout as required by the rule if you are not actually looking.

"At all times" simply means by day by night [24/7], when steaming to and from the grounds, when actively fishing, out the back gutting or down below casing up, on the pick, or 'shut down' laid-to and drifting.

Playing devil's advocate, where does 'shutting down' at night while leaving 'two reds up' or a bright all-round white anchor light, with deck lights blazing, the volume on the VHF and AIS cranked right up, an alarm sector set on the ARPA, comply with the 'by sight' requirement of the rule?

Anchored alone in a sheltered, isolated bay is one thing and for the most part, probably ok, but drifting in close proximity to other fishing vessels who may be actively engaged in fishing, or laid-to, or adjacent to a shipping lane, is another.

Again, I would argue that when the OOW leaves the navigation bridge on a modern deep sea fishing vessel, whether to visit the loo or complete paperwork in the office, they are not keeping a proper look-out. Strategically positioned screens are only an electronic aid to vision which may fit the “as well as by all available means” criteria and it doesn’t matter the number, location or size, they do not replace the “by sight” component of the rule.

In a 2010, MNZ published a Safety Notice which stated:

“It has been noted that elements of the fishing industry, such as long-liners fishing for tuna, regularly adopt the working practice of drifting for periods of the night. A recent accident where a ship ended up stranded on a beach, and previous vessel collisions, has once again highlighted the risks associated with this practice. Drifting without setting a watch-keeper is a practice frequently being adopted by two person-crews to permit both persons to sleep between fishing operations.

During this practice the wheelhouse is often left unattended, and some vessels are using the navigational lights which communicate that the vessel is “Not Under Command”. There are a number of hazards associated with this practice and a number of elements that do not comply with maritime rules and the collision prevention regulations.”

Part 22.2 describes a vessel not under command as “a vessel which through some exceptional circumstances is unable to manoeuvre as required by this Part and is therefore unable to keep out of the way of another vessel”.

Further MNZ guidance notes also state “A ship which intentionally stops its main propulsion engine and drifts has not broken down, it does not fit the “exceptional circumstance” criteria or been disabled. If there is no exceptional circumstance involved in the decision to drift, the skipper must appreciate that they are breaching maritime law if they indicate that the vessel is “Not Under Command” through the use of two vertical round red lights, when in fact she is not.”

Likewise, “A vessel which, although fully operational elects to drift, is still ‘Under Way’ within the meaning of the COLREGs and must therefore comply with all the requirements of the regulations relating to a vessel under way and must keep out the way of an approaching vessel when required to do so (Rule 22.8). For this reason, engines must be ready for immediate operation.”

So, while Not Under Command lights of a vessel obviously laid-to, would see most seafarers taking action in ample time to keep clear, because that vessel doesn’t actually meet the ‘exceptional circumstances’ criteria, she must start up and manoeuvre if required to do so under the Rule.

None of which you can do because you were counting sheep.

“The correct lights for a drifting vessel are those of a Power-Driven Vessel (PDV) when underway, namely masthead, side, and stern lights. Deck lights may be switched on to increase the range at which the vessel may be detected however the deck lights must not obscure the navigation lights which must always be visible to an approaching vessel. The anchor light must not be shown for this circumstance.”

Why? Because you’re underway, not at anchor.

You’ve always done it this way, and nothing’s ever happened. Decades without incident doesn’t make it right. It just makes you lucky.

Irrespective of guidance material, MNZ as our regulator is obliged to investigate every incident fairly and impartially and within the rules and while there is no absolute apportionment of blame, (i.e., no one is 100 percent innocent or guilty), where an incident occurs it’s the degree of apportioned blame that determines how much you’re going to have to dig into your pockets.

Managing fatigue is a major component of Bridge Resource Management (BRM) because falling asleep at the wheel, bumping into someone, or running aground can ruin your entire day. Owners and operators are

**msnz**  
Marine Services NZ Limited  
Specialists in Dredge Anchors, Mooring, Jetties & Construction Dredge

- Screw Anchoring for accurate positioning & strong holding power
- Block Positioning to ensure compliance
- Commercial Diving for inspections and maintenance
- Barging for logistical support
- Mooring for Vessels 5m to 40m in length

[www.marineservicesnz.com](http://www.marineservicesnz.com) | (03) 573 8045 | [info@marineservicesnz.com](mailto:info@marineservicesnz.com)

## FEATURE

required to identify the fatigue hazard, document it in the ship's MTOP and apply adequate measures such as have sufficient crew aboard and managed watch rosters (problematic for smaller vessels with limited crew numbers) to mitigate the risks from fatigue.

MNZ has a wealth of guidance material available on their website including how to write a fatigue management plan.

Rule 31 – Crewing and Watchkeeping, further outlines the requirements of the owner and master of a ship to ensure there is sufficient qualified crew to operate the ship safely.

Keeping a proper navigational watch is not just about looking out the window. Rule 31 also requires the owner or master of a ship to have in place, procedures to ensure each seafarer is fit for duty. Crew members also have a personal responsibility to ensure they are fit for duty, and they understand the impact of fatigue, stress, alcohol or drug consumption on their ability to carry out their duties.

The International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) 1995, along with the Health and Safety at Work Act 2015 (HSWA) also outline the owners and operators' responsibilities regarding the health and safety of workers.

"The master of a fishing vessel must ensure that

navigational watchkeeping arrangements are adequate and any person engaged in navigational watchkeeping duties on the ship meet the minimum requirements set out in Chapter IV of the Annex to STCW-F, or depending on your operating limits, according to the standards in the Document for Guidance on Training and Certification of Fishing Personnel."

The STCW Code also requires of the master and owner of a ship to establish and enforce rest periods for watchkeeping personnel and those seafarers whose duties involve designated safety, security or marine environmental duties.

You've got quota to catch, manage fatigue and keep a proper navigational watch and there's just you and your deckie. You can't stay awake 24/7, so how does that work?

Therein lies the problem and I do not have an answer for this. Every way you turn, the rules, regulations, conventions all point to the same conclusion, that of sufficient and qualified crew. A factory trawler can always call someone with a maritime CoC up from deck to cover for the Skipper or Mate if he has to leave the bridge or otherwise cannot keep a proper navigational watch, but an inshore fishing boat with two crew does not have this luxury.

When guidance material from Worksafe and HSWA 2015 state: "As a Person Conducting a Business or

# Houseboats for the homeless

**Allan Rooney, a respected advocate for the inshore fisherman, gives his views on watchkeeping.**

"When the current government announced funding for FirstMate (a wellbeing initiative for stressed fishermen) I knew they were going to drop the boom on us, I just didn't know from how high," Rooney says.

"We're to follow the current watch keeping rules and manage fatigue. How's that going to work when there's only two of us?"

Rooney suggests that instead of spending millions on cameras, why not put the money to good use and fund watchkeeper or make electronics like AIS compulsory.

"This will wipe out the albacore fleet off the west coast. There are no shipping lanes out there; I'm lucky if I see three vessels a year on AIS way on the outside."

Rooney says when drifting during the tuna fishery, the rule of thumb is for vessels to heave -to 1nm from other vessels, and so as not to confuse people, and to put Not Under Command lights up.

"Even boats with three crew will have two of them

pick the pace up through the day, so the third crew has had enough rest to be able to do a 11pm to 5 am watch. Then it's back to bed for him for a minimum of four hours sleep."

Fishing out of Greymouth is very weather dependent and because of the size of Rooney's boat he only fishes around 130 days a year.

"When we're trawling for flats, we don't stop for six days and nights. In saying that, if we are getting buggered through lack of sleep, we'll anchor up in Bruce Bay for eight hours with an all-round white light up, VHF on channel 6, the sounder and plotter alarms on and it's off to bed for both of us.

"There's got to be a bit of practicality here. It's all very well an observer saying they 'don't feel safe' - it's not their livelihood or their family's future on the chopping block."

Rooney questions the role of MPI fishery observers in determining if a vessel is operated safely.

Undertaking (PCBU) you must ensure that the health and safety of workers and others are not put at risk from your work. You must first try to eliminate a risk so far as is reasonably practicable. Which means you must first consider what is possible and reasonable in your circumstances to ensure health and safety.

“Consideration of cost should only take precedence over safety when it is grossly disproportionate to the risk. If this is not possible, you must minimise the risk so far as is reasonably practicable.”

The extent of the liabilities under HSWA should not be underestimated by owners and operators, who must, so far as be reasonably practicable, consult, cooperate and coordinate activities with other PCBUs who have health and safety duties in relation to the same matter, otherwise known as overlapping duties. Thus, where you have a placement notice to carry an MPI fishery observer, as the owner and operator you are required to consult with the observer and their PCBU (MPI Fisheries Observer Services) to manage the health and safety of that observer when aboard your vessel.

During this consultation, one would hope there is a degree of pragmatism from MPI Observer Services and their expectations around watchkeeping.

However, the bottom line is the regulations around watchkeeping remain unchanged and unless re-written

which is highly unlikely as they are an international convention to which New Zealand is a signatory, it would take international agreement to change any part of the rule.

If you fail to keep a look out, you’re very likely to be in breach of not only the ColRegs but also HSWA, this legislation becoming more and more a part of the instrument of prosecution. HSWA has the biggest bite of all of them and under HSWA, the penalties are severe.

There’s no easy answer. While rules 22 – Collision Regulations and 31 – Crewing and Watchkeeping are clear cut with no grey area, the conditions under which these boats operate in, are anything but.

The costs of catching fish today have escalated to a point where many fishermen are teetering on the brink of barely scraping by or going under. To suggest they are lumbered with further financial burden by carrying an extra crew member in order to comply with regulations, for the most part is simply not possible due to the vessel’s crewing status, or because this would be the fiscal nail in the profitability coffin.

Unless workable solutions can be found, our inshore fishery which we rely on for a feed of fresh snapper, tarakihi, gurnard, blue cod, even the humble shark-n-taties, risks becoming a memory and one we’re unlikely to see return in the foreseeable future.

“On what grounds can an observer claim your operation is unsafe, when we operate under MOSS with an approved MTOP, hold a current Certificate of Safety and have been audited regularly to ensure compliance?

“If they (observers) don’t hold a current, validated maritime Certificate of Competency (CoC), it’s just an uninformed opinion, nothing more.”

With fish prices remaining largely unchanged for decades and fuel accounting for about 60 percent of his running costs, Rooney says “I’m paying myself part of a wage just to keep my deckie on full pay because he’s really good and I can’t afford to lose him. If I could afford an extra crew, I would take one to take some pressure off, but I can’t. It’s financially impossible.

“We are past doomed on all the one- and two-men boats. I might as well tie the boat up and walk away because we are on our knees. Why not just put it in the too hard basket and leave us alone or perhaps they should put us all out of our misery and buy our boats.

“They could reuse them for houseboats for the homeless. All the years, all the effort I’ve put in, paying tax and employing people, what a dismal way to go out from this industry after fifty odd years.”



Allan Rooney.

# Celebrating Christmas Day at sea

Fiona Terry & Lesley Hamilton

Dean Gibbons knows just what his crew on *Tokatu* like for Christmas lunch at sea.

**As most of us celebrate Christmas lunch at home with our families, spare a thought for our fishing crew at sea on Christmas Day – but don't feel too sorry for them, because as we found out, they are very well looked after. Fiona Terry spoke to the chef onboard the Sealord vessel *Tokatu* and Lesley Hamilton to the chef on *Amaltal Enterprise*.**

As the man in charge of the kitchen aboard Sealord's state-of-the-art vessel *Tokatu*, Dean Gibbons knows how lucky he is to be cooking with catch straight from the ocean and takes great pride in making sure everyone's tastes are catered for. He will definitely be cooking fish this Christmas day, not just because his crew members – especially those from the Philippines – love it to be on the menu, but also because he has access to the freshest seafood on offer.

"It's great cooking with such fresh fish," he says.

"I don't know any other way now because I've been doing it for so long."

Having been on the boats at Sealord for 16 years, this is his eighth Christmas at sea. His planning for the special day starts weeks ahead, especially considering there's no dashing back to the shops for forgotten items off the list.

"As well as fish, I'll serve ham, turkey, and lamb, with new potatoes, six salads and also veggies, as well as plenty of desserts – I love baking special desserts," he says.

His final produce order is submitted a week before sailing, and at Christmas time always includes some extra treats for everyone - usually a box of chocolates. He also makes a special effort to mark the occasion by decorating the mess and galley with lights and a tree from home.

"I'll be cooking for 51 crew members who're working different shifts, so it's the only day when lunch will be the same as the later meal – so that



*Amaltal Enterprise* in Lyttleton Harbour.



Rebecca Hawker runs the kitchen on *Amalal Enterprise*.

everybody has a chance to have Christmas dinner and the special pudding and treats - so for me it's quite an easy day. There'll be so much variety, the crew won't have to eat the same thing twice."

Added to this there'll be special sauces, mince pies, and traditional Christmas fruit cake.

With over 20 of the Filipino crew returning home finally in November after being aboard for ten months due to Covid restrictions, he even cooked an early Christmas dinner – in October – so those who'd miss out on the boat's feast during the December voyage could get a taste for Christmas at sea aboard a New Zealand vessel.

"The Filipinos really loved the turkey," says the father of three adult sons.

"It's really important still for them that I also include fish because most of them love it - and we have such a great variety to cook with. We get some great catch – recently I had 10kg snapper to work with. I fetch the

fish straight from the factory, whole, and fillet it myself because everyone working in there is so busy."

He always takes great pride in the variety and quality of what he produces from his spacious and gleaming stainless-steel galley, whether it's Christmas or not.

His career in catering began in 1990 when he went to Australia to stay with his uncle. The 19-year-old got an apprenticeship that included one day a week at chefs' college on a four-year course. When he returned to New Zealand, in 1994 he desperately wanted a job on a deep-sea fishing boat but just missed out on an opportunity aboard a vessel. Instead, he found himself catering for over 600 residential university students, overseeing the team in the kitchen, then moving to the Air Force Base at Woodbourne. He spent three years there, until his boss at the time – who knew someone at Sealord – asked if anyone wanted to try out on a boat.

He couldn't believe his luck. A fan of recreational



Tokatu factory staff at the vessel's launch.



Roast turkey is on the menu on *Tokatu* and *Amaltal Enterprise*, as well as other traditional favourites.

fishing and attracted to fishing vessels by the pay and time off, he was delighted to land the job on *Rehua*.

The crew show great appreciation for his food, though it's quite a different experience as a cook on a floating factory, he says. "It's a bit different to cooking in a restaurant where people take a while over their food – these guys tend to eat so fast because they're here for maybe ten minutes then want to either get back to work or go to bed. They'll say thank you though – there's a few who always makes a point of thanking me."

Having experienced cooking overseas, he much prefers working with New Zealand supplies. "New Zealand produce is so flavoursome – the fish is delicious and there are so many varieties, the potatoes are much nicer to prepare, and even the carrots are sweeter and juicier."

He enjoys fishing in his off time too when he returns to *Turakina*, near *Whanganui*, going out on his boat *Scars1* – named after his first granddaughter *Scarlet*. As much as he plans his Christmas meal in advance, he won't know until closer to the day what fish he'll be cooking as that will depend on where the vessel heads. "New Zealand fish I think is the best," he adds. "I love working at sea – I was attracted by the money, but it's like having a really close family."

Over on *Amaltal Enterprise*, *Rebecca Hawker* will be heading out to sea again in the second week of December and she will be well prepared for Christmas lunch.

While *Hawker* now heads the vessel's galley, the *Motueka* woman has been in the industry doing a variety of jobs for 11 years. She started with *Talley's* onshore in processing, and then moved to the vessels. She admits she didn't like being in the factory on the boats as much but loves where she is now. It took her five years as 'Galley Girl' doing the 2am start for the 4am breakfasts before she graduated to head of the galley, where she starts at 8am and works through until midnight.

*Amaltal Enterprise* will have 42 crew hungry for Christmas lunch and she knows from past years there will

be plenty of leftovers for dinner. She is going 100 percent traditional and there will be truckloads of it.

"You've got to make it special. All they have is work. I try to make it so they don't feel they are missing out. They're all very young out there now. You know, 17 to early thirties. And their mums have done everything for them, so I really want to make it like home for them.

"They all continue working on Christmas Day, with no time off, so that's another reason I really want to make it special for them.

"We set the tables, we have Christmas crackers, a Christmas tree and lights, and decorations, and last year I blew up 200 balloons. Even if there is a birthday throughout the trip, I make sure I have decorations for that as well. Last Christmas on the boat we had two birthdays the same day as well, so we made sure to celebrate those as well.

"They really love it. Even the big, tough boys with their stickers, their tattoos on, they love it too even if they pretend not to. They're just boys."

This year they will have turkey, champagne ham, pork belly, roast chicken, roast vegetables and six salads.

"Oh, and we have to do garlic prawns for them, they love those."

The crew also get hors d'oeuvres when they arrive and have a huge spread of desserts that *Hawker* makes for them.

"I have such a sweet tooth I have to make lots of desserts, so they get at least seven. I do brandy snaps, pavlova, trifle, sponge rolls, truffles, and berries.

"It is insane. It takes me three days to prep the lunch."

"I have to brine and salt the turkey and make the stuffing – usually I do most things by myself but one year the engineers had some time, so I got them to carve the meat – the filleters were too busy in the factory.

"We even have non-alcoholic champagne corner.

"And we have the Christmas carols going. The boys say they don't like them, but they have to put up with them because it wouldn't be Christmas without *Snoopy's* Christmas playing."

# Filipino poached snapper



Sealord chef Dean Gibbons, currently whipping up delicious crew food on board *Tokatu*, serves up a recipe that was originally shared with him by the Filipino crew members.

Although Filipinos love a traditional Christmas turkey, Gibbons says it's still important to include this beloved fish dish over the holidays.

Cooking time will depend on the size of the fish. Around 10 minutes per inch of thickness is a good rule to follow. For example, a

small-medium tarakihi takes about 15 minutes. Make sure it's lost its translucent appearance and don't forget it will continue to cook when removed from the oven.

For this recipe, Gibbons says snapper is preferred but any other white fish will do in a pinch. Read the full interview on page 44.

## Ingredients

1 red onion, chopped or sliced  
2 red chillies, chopped  
6 pieces of garlic, chopped  
200g fresh ginger, chopped

## Method

1. Place the snapper in a baking tray.
2. Place onion, chillies, garlic and ginger on fish and pour 300ml white vinegar over fish.
3. Cover with tin foil, steam, or bake in oven 180 degrees until it flakes.

# A career across continents and cars



Ambler is the market co-ordinator for China and the Middle East.

Kate Ambler, Sealord market co-ordinator for China and the Middle East, has a remarkable career.

In the 25 years she has been with the company, Ambler has spent 12 years at sea, followed by land-based roles that have included Human Resources (HR), Accounts, Health & Safety (H&S), Procurement, Sales, Admin, the Laboratory, and most recently Supply Chain. Her work has taken her to the Antarctic, the USA, and Tasmania, and if she took up all the offers from customers wanting to host her in the countries to which she sells fish, the world could truly be her oyster.

It was quite by chance that Ambler came to the Sealord whānau in 1997.

"I answered a phone call from my flatmate's skipper and cheekily asked if he had a job for me as well," says Ambler, who had been working in hairdressing and food service/hospitality.

Ambler joined *Pakura*, working in the vessel factory for three trips, then returning to Sealord on *Aorere*, followed by five years on *Aoraki*, until that vessel was sold.

"By that time, I'd become one of the more experienced factory crew and, after talking to Pete Connolly, secured a job on the *Rehua*," she says.

"I'd enjoyed my time at sea and being part of a crew was a great feeling. I made awesome friends. It's hard physical

work and the weather could be challenging to work in, though I loved it when it was rough.

"There were the perks of the amazing views, incredible sea-life, snow-capped mountains, and sunsets like you could never imagine. I really have had some amazing times and the ocean will never be out of my system."

Ambler was at sea for 12 years before swapping to full-time land-based roles.

"During trips off or gaps in my work I'd started working on site in Nelson in HR. When others heard I was available they also started to give me work, including some H&S projects and jobs in engineering and reception."

It was a role in the laboratory that lured Ambler to reset her compass away from life at sea, moving later to join the Wetfish Admin team.

Working with the teams on land opened her eyes to new possibilities and, never afraid of a challenge, Ambler grasped every opportunity that came her way. To her surprise, that led her back to sea again in 2008.

"I bumped into the vessel manager of the joint venture boat *Janas* one day along Fleet Street and asked him when he was next heading to the Antarctic," Ambler says.

"He casually asked if I'd like to join the crew, and I casually answered 'yes'."

A few weeks later, Ambler was heading out as the vessel's

administrator, for the most incredible three-month trip. She worked 12-hour shifts but would often finish her paperwork early and help on deck or in the factory, so her previous vessel experience came in handy.

The trip sticks in Ambler's mind as a true highlight – having seen penguins, seals, breathtaking icebergs and incredible views.

"That was really amazing. I don't think I've ever seen such beautiful sights."

After the three months, and some more time at sea on *Independent 1*, Ambler settled back to life on land, joining the team in accounts. From there, she moved to the procurement department, looking after a number of vessels in sourcing supplies like engineering parts, factory supplies and PPE.

"That was quite cool and I found my time in accounts was really helpful because I was already familiar with the suppliers through having dealt with the invoices. And, of course, having spent time on the vessels I knew a lot of the crew members so it was great to be able to interact with them again."

Then after a short move to the planning team, looking after the Ukrainian vessels, Ambler took up another new opportunity working as coordinator for the company's then fresh fish sales programme.

"We worked with customers from all over the world, which I really enjoyed. It was fast-paced - liaising with the vessels and factory - and felt a bit glamorous dispatching fresh product for next-day delivery across the globe to the likes of LA or Dubai.

"My experience at sea was really helpful, although a lot of people had no idea I'd worked on the vessels before, or that I really understood how fishing worked. I'm still in touch with some of the customers we had back then, which is really cool."

When the fresh fish programme stopped eight years ago, Ambler was asked to work alongside the sales team as market coordinator – the role she still holds. Her territory covers 'Rest of World' which initially involved markets that hadn't already been established.

"It's been mighty challenging and I actually really like that, but I also get to work closely with our sales guys that look after the market, so I now also cover China, Africa, Central and South America and, should we look at new opportunities, I could well be involved in that too. I love it because I've always wanted to travel, so part of me feels like I kind of am."

Five years ago, Ambler proudly represented Sealord at a seafood show in Chicago while in the USA visiting family.

"That was really amazing seeing the city and the National

**"I really like the industry, but most especially Sealord and how we do what we do. I feel that we do things the right way and I like that."**



Ambler has a bit of a sweet spot for cars.

Restaurant Association Expo and the sheer size of the event was definitely eye opening for me."

In her current role, working out the logistics of getting products to many different markets can be challenging with the hold-ups and shipping schedule changes caused by Covid.

"It's bloody hard work but there's something really interesting about exports. I really enjoy it, I get quite a sense of satisfaction when I get the containers on the ocean on the way to their final destination without problems," says Ambler, who has a sweet spot for cars and volunteers at the Nelson Classic Cars Museum.

Through that, Ambler gets to drive some beautifully restored and cared-for vehicles, including most recently a luxurious pink Cadillac for a Breast Cancer Rally. Her other passion is American-style charcoal barbecuing – something she says she's a little obsessed with and her friends enjoy as they usually get to sample.

"When I first took that trip on a Sealord vessel, I thought I might do maybe a couple of years at sea and see how it goes. I didn't really have any idea of what I wanted to do, but I was happy to see if I liked it - and I loved it.

"I really like the industry, but most especially Sealord and how we do what we do. I feel that we do things the right way and I like that."

# Has forfeiture had its day?

Kim Proctor-Western, Special Counsel, Oceanlaw, Nelson

From time to time, articles pop up in the media showing dissatisfaction with the current vessel forfeiture regime under the Fisheries Act 1996.

As noted by Oliver Lewis in his 2021 article *\$52 million of forfeited fishing boats quickly returned to service* (Business Desk), environmental groups have slammed the “paper forfeiture” regime, saying it isn’t consistent with public expectations.

But is this really a surprising outcome? Forfeiture is a blunt instrument with all the finesse and refinement of a sledgehammer being used to crack a nut... the result is usually entirely unsatisfactory, and a little messy.

Forfeiture is the mandatory outcome in the majority of cases where a commercial fisher is convicted of a fisheries offence. It does not matter whether the offence was intentional or how serious the breach actually was. In the amateur context, your boat could be forfeited for taking seven blue cod in the Marlborough Sounds. The daily limit for blue cod in parts of the Marlborough Sounds is two, thus taking more than six blue cod is a serious non-commercial offence, for which automatic forfeiture of property used in the commission of the offence (i.e. the boat) applies.

What about circumstances where the offending was not intentional and occurred as a result of mistakes by a skipper or the crew? Should that crew and the company have done better? Yes, they should, absolutely. This is often acknowledged by pleas of guilty to the charges that were laid.

But is it fair and just that a \$1 million or sometimes multi-million-dollar vessel be permanently forfeited for those offences? Could it be said the impact of a permanent loss of the vessel on her crew, the company and potentially its mum and dad investors is justified and proportional to the offence? Usually, the answer to that question is no, absolutely not.

That is why the court routinely grants relief. Fisheries offences are offences of “strict liability”,

which means individuals and companies can be convicted of fisheries offences without ever intending to commit that offence or even doing the acts that actually constitute the offence – that is, they are responsible for others’ actions.

That is why the Act provides that any person who claims an interest in the forfeited property can seek relief from the forfeiture of that property. An order for relief from forfeiture can only be made when the court is satisfied that it is necessary to avoid “manifest injustice”.

Whether the permanent and full loss of something is manifestly unjust will differ depending on the circumstances of the individual making the application for relief, including the value of the asset and the circumstances of the offending. For example, for one person the loss of a car through someone else’s offending may be deserving of relief: for someone else, it may not. The granting of relief is never a guaranteed outcome, and each case will be judged on its own merits.

A second, more fundamental question arises: Is automatic forfeiture an appropriate outcome for breaches, many of which will now be easily identified by personnel in the Ministry for Primary Industries (MPI), sitting in a nice cosy office using the latest geo-spatial positioning and video technology?

In the past, forfeiture has been justified on the basis it responds to the inherent difficulty in detecting offences by creating significant deterrence. But these days, with geo-spatial reporting, vessel monitoring and very soon cameras, is this proposition even based on fact?

Thirdly, how does deterrence even work for mistakes? The question is rhetorical. It doesn’t. The prospect of forfeiture and fines can ensure focus is placed on the need to comply and to put strategies and processes in place to ensure compliance, but it cannot eliminate the human factor and our seemingly inherent human ability to drop the ball on occasion.

In my role as a lawyer, I have seen that, even with the best systems and processes and tools, and with the best intentions, the most diligent of us still get it wrong from time to time. Sometimes it leaves me shaking my head. How did that happen? But one thing is for sure, it does happen.

It is often said that forfeiture is a draconian remedy, a sentiment I would entirely agree with. It is unsurprising that when a court is able to assess the gravity of the specific offences and the impact permanent forfeiture would have on the livelihoods of ordinary, everyday workers, that the court grants relief and gives these boats back – for a substantial fee.



Kim Proctor-Western.

I am certainly not condoning breaching the rules or downplaying the significance of when such events occur, but the current forfeiture regime is unfair, arbitrary and, in the amateur context in particular, there are also real access to justice issues that arise.

The current Ministry of Justice requirements are that an application for relief must be commenced in the civil jurisdiction by way of filing a statement of claim, notice of proceedings and a list of documents, together with payment of a filing fee of \$200. Add the cost of a lawyer to draft these documents and the advertising costs, which the court routinely regards as a minimum redemption fee, and it all adds up.

Even without a lawyer's assistance, the costs can range from a minimum of \$400-800 to get relief. In the context of amateur cases, there are many more examples of forfeiture of boats and fishing gear to be found. While criminal jurisdiction routinely deals with people acting for themselves, our observation is that civil jurisdiction is somewhat less user-friendly for such applicants.

I am aware that MPI is working on a solution to this particular issue, with an emphasis on removing these hurdles for individuals acting on their own behalf and returning forfeiture to the criminal jurisdiction/sentencing court where these matters were heard in the past. This is where it belongs. Kudos to MPI for that work.

Another unique access to justice issue arises because of the forfeiture regime. Under the Fisheries Act 1996, it is not possible to obtain a discharge without conviction unless there are "special reasons" justifying the non-forfeiture of the property (vessel), illegal fishing gear and fish. Thus, even if the court is satisfied there is ample evidence to establish that the consequences of a conviction would be out of all proportion to the gravity of the offence, including forfeiture, a defendant cannot access a discharge because there are no special reasons.

The test for special reasons is a high one and very difficult to establish. Further, the special reasons must relate to the offence and not the offender. A person can be charged when they haven't themselves committed the acts that make up the offence.

Under the Fisheries Act, other persons may be deemed responsible for the acts of others. In those cases, the special reasons argument must relate to that offence committed by another. This seems an extraordinarily high threshold for discharge, more than for any offence of a similar nature on the statute books.

I would go as far as saying the forfeiture regime is broken. At one end, it prevents access to remedies, for those who in my book should be entitled to a remedy; it falls substantially below public expectations; and it is a cumbersome and unwieldy beast to work with.

I am not even certain it is appropriate or justified in all but the most serious cases. But then, at the other end,

it does not work for the most serious cases either as vessels are routinely returned.

Is the answer placing forfeiture in the hands of the court in the form of a discretionary additional penalty at sentencing? I am not certain, but it might be a place to start. The Fisheries Amendment Bill sets up forfeiture as a discretionary penalty to be imposed by the court where one incident of unlawful discarding has occurred. Finally, you may think, a sensible approach. Wait though, there is a sting in the tail. If a commercial fisher is charged and then convicted in the same case, with two or more discarding offences, the boat is gone, and the fisher is automatically banned for three years from holding any licence, approval, permission or fishing permit.

The fisher is also banned from engaging in fishing or any activity associated with the taking of fish, and from deriving any beneficial income from activities associated with the taking of fish. That's right, this clause in the amendment bill would allow a permit holder (commercial fisher) to be banned for discarding two fish (on different days), one fish for each charge.

If MPI chose to lay separate charges, this is what the proposed law says must happen. While MPI/Fisheries New Zealand would likely say, "We would never do that ..." why are we allowing laws to be put in place where it could!

There are no second chances or warnings with this law, and no ability to modify behaviour or to be deterred from doing it again. Deterrence is an underlying purpose of sentencing found in both the Sentencing Act 2002 (s 7) and the Fisheries Act 1996 (see s 254).

But with this new proposed banning law, a commercial fisher on their first trip to court facing more than one discarding charge would be banned if convicted; however, if they were faced with other charges, they would get a second or even a third chance before banning kicked in.

This is a government bill introduced by the same government which recently passed the Three Strikes Legislation Repeal Act 2022, repealing the mandatory sentencing regime commonly known as the three strikes law.

As noted earlier this year by law professor Andrew Geddis, the three strikes law was described by former Minister of Justice, Andrew Little as "absolutely absurd" and the "high watermark of policy stupidity". From where I sit, this banning law isn't too different.

No wonder the courts are inclined to give boats back. I foresee a number of cases where relief from banning is also granted, as the courts attempt to inject some realism and proportionality into the penalties imposed in fisheries cases where unlawful discarding offences are involved.

**This article by Oceanlaw was first published in *Professional Skipper* magazine and is republished here with permissions.**

# John Connelly

Tim Pankhurst

John Connelly died on November 20, three months short of his 20th anniversary as president of America's National Fisheries Institute (NFI) when he was due to retire.

He was 61.

Connelly was a global seafood industry leader and a good friend to New Zealand.

He was a master of the anecdote to illustrate complex issues, often incorporating the wisdom of his life's companion, wife Margaret. His folksy, affable manner, that saw him described as an amiable sweater-wearing professor, was backed by a sharp mind and the ability to engage with vigour if need be.

He likened the US seafood industry when he joined it in 2003 to the pre-Bismarck German states of the 1860s, with each sector fighting its own battles.

He set about transforming the institute into a highly effective advocacy group that united the varied fisheries, spanning the entire seafood supply chain, encompassing public policy, media relations, public health and nutrition.

Connelly was equally comfortable lobbying Congress and regulatory agencies as he was talking to consumers or contesting incorrect media accounts.

He took a measured approach to media coverage, believing most journalists wanted to get the story right, that most needed help with context in an area they were usually not familiar with, and most welcomed industry inputs.



John Connelly - small in stature but huge in influence.



He rated *The Promise* campaign developed by Seafood New Zealand to build industry reputation and public trust in the wake of unfair and inaccurate campaigning by Auckland University academics and activist environmental groups and encouraged its presentation to the International Coalition of

Fisheries Associations meeting in Rome.

Connelly was a keynote speaker at the Seafood New Zealand conference in 2016 where he praised New Zealand as a global seafood leader that gained far more kudos overseas than it did at home.

He noted innovations such as Precision Seafood Harvesting, leadership at international forums, and New Zealand's number one position in marine resource management in a study of 53 maritime countries.

He advocated changing the narrative, to fully fished or sustainability managed rather than exploited.

And to measuring catches in annual number of meals, nearly one billion in New Zealand's case, rather than to tonnages landed or harvested.

Connelly graduated from the College of the Holy Cross in Worcester, Massachusetts with a degree in history and later gained an MBA at night school, through Virginia's George Mason University.

He was a US naval officer, retiring as a Navy captain specialising in political and military affairs. From 1990, he represented the chemical industry for 13 years before joining seafood.

He was regarded by staff as a hard-working boss whose naval officer pedigree taught him to lead from the front, a warm-hearted father figure who cared deeply about those around him.

His NFI colleagues also described him as a tough, honest, and funny man – with a twinkle in his eye, a deep faith, and a story for every occasion.

Connelly was diagnosed with bile duct cancer in March. He is survived by his wife Margaret and four children.

"My saddest days are the ones where we learn of the loss of the leaders that built our industry," he said prior to his diagnosis.

His colleagues are mourning a man who made one of the biggest contributions to that seafood industry.

The NFI has established The John Connelly Intern Scholarship at the College of the Holy Cross.

A memorial ceremony in his honour will be held at the Global Seafood Market conference in Palm Springs, California in mid-January.



# AOTEAROA QUOTA BROKERS

QUOTA TRADER + QUOTA MARKET REPORTS + QUOTA MANAGEMENT + QUOTA CONSULTANCY + AQUACULTURE

## ACE FOR LEASE

BCO1, BC08	PAD	SSK3
ELE1	PAR1, PAR9	STN1
FLA1, FLA2, FLA3, FLA7	POR1, POR3	SWO1
GAR2, GAR3, GAR8	RCO	TOR1
GMU	SCH1, SCH4, SCH7, SCH8	TRE7
HPB4, HPB5	SPD	
JDO3	SPE3, SPE4	
KAH1, KAH8	SPO1, SPO8	
LIN3, LIN4, LIN6	SQU	

## QUOTA SHARES FOR SALE

BUT5  
FLA3  
FLA7  
PAD1  
STN1  
LIN7, SCH7

## EQUIPMENT WANTED

Luff Hauler

## BOATS FOR SALE

7.5m LOA, Alloy, 150Hp Volvo Penta Turbo, pot hauler, ideal live fish or marine farm work - \$80,000 + GST

13.7m steel fishing vessel, 160Hp Doosan, pot hauler, Accomodation for 4 - 5 - \$225,000 + GST

**DOMINIC PREECE**  
Managing Director

PHONE (03) 383 7282 | MOBILE 027 406 0419 | [quotabroker@xtra.co.nz](mailto:quotabroker@xtra.co.nz) | [www.aotearoaquota.com](http://www.aotearoaquota.com)  
HEAD OFFICE | PO Box 6420, Dunedin North, Dunedin 9059



## OPERATIONAL WORKPLACE SAFETY

- Health & Safety videos and E-learning
- Training
- Operational risk assessments
- Full safety system creation
- At sea service
- MOSS audit support
- COVID-19 Policies and Procedures support



YOUR PARTNER  
IN HEALTH & SAFETY

Contact us today: 027 436 2396 or 021 041 6283  
[www.guardsafety.co.nz](http://www.guardsafety.co.nz)

[www.splashzone.co.nz](http://www.splashzone.co.nz)  
All enquiries to Richard or Jean  
[fish.man@xtra.co.nz](mailto:fish.man@xtra.co.nz) or 027 230-2333

BNS CRA HPB KIN

TRU

TRE

TAR

SNA

PAU MOK SCH SPO

**ACE & SHARES**

Inshore Parcels

North Island

**WANTED**

BCO

WAR

GUR

LIN

Wishing you the FINEST KIND of Christmas



FinestKind.co.nz

Celebrating 22 Years on 1 December 2022



### 5354 COASTAL TRAWLER TROLLER.

NEW 5 year survey September 2022.  
LOA 16.47m x B 5.2m x D 2.7m. Built 1981.  
Whangarei Engineering. Caterpillar D3408  
Twin Disc box 4.52:1. Kortz Nozzle.  
Ford / Dunlite 20kVA generator. 2 station steer.  
Ice hold 25 tonnes bulk (43m3). 700 lki bins  
5 Berths. Good galley saloon. Very good  
electronics including WASSP system.  
Well known well maintained trawler in  
the same family 1983. **SOLE AGENCY \$500,000**



5331 STERN TRAWLER  
L24.95m. Built Australia '90  
Main Caterpillar 3412  
Aux Caterpillar 3306 &  
Doosan. 96kVA alternator  
Chiller hold 105m3 80tns  
bulk or 35 tns in 1100 bins  
Trawl winches 8 tons pull  
Survey 200 miles to 6/2023  
Major refit 2020-2022  
**\$2,750,000 NEGOTIABLE**



5318 AUTO LINER  
22.5m x 6.1m x 3.2m  
Cummins KT19 500hp (2016)  
Perkins 80kVA genset  
Cummins 100kVA genset  
Fresh or Freezer holds = 30 ts  
Ice maker. Water maker  
Mustad auto line system  
8 berths. Good electronics  
**NEGOTIABLE - \$99,000**



5309 LONG LINER TROLLER  
L15.5M x B4.9m x D2.3m  
Detroit 6/71 180hp  
Sea Wasp 10kVA genset  
5,000 litres fuel  
Fish rooms 9 tonnes total  
Long line drum. Tuna poles  
Good electronics  
Survey 100 miles May 2026  
**PRICE REDUCED \$175,000**



5359 TRAWLER TROLLER  
L 14.11 x B 4.23 x D 2.77  
Detroit 6/71 174hp  
Fuel 4,500L. Water 500L  
Ice hold 7 ton/140 bins  
Double drum winches  
Area 7 flounder quota  
available. Survey limits  
Coastal restricted to VHF  
coverage **\$100,000**



5366 LIQUIDATION SALE  
L19m x B6m x D2.8m  
Gardner 8L3B 189hp  
Doosan driving hydraulics  
Westerbeke genset  
Fish hold 30t chiller -5degC  
40 mile reel - bottom lining  
2 x 10 mile reels. Tuna poles  
Survey 100 miles TP 9/2023  
**BEST OFFER WANTED**



5372 TRAWLER TROLLER  
L 16.22 x B 5.07 x D 2.5m  
Gardner 8LXB 180hp  
Kohler 11kVA genset  
Staffa spilt winches. Tuna  
poles. Refrigerated fish  
hold 250 bins  
Offshore survey  
100 miles to October 2027  
**\$350,000**

### 5371 VERY CAPABLE DEEP WATER TRAWLER

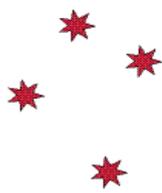
LOA 19.81 x B 5.54 x D 3.07  
1981 Timber - built by Hoedemaekers  
Main Cummins KT19 272kW  
Aux Isuzu & 25kVA generator  
Twin Disc 516 5:1 gearbox  
Fuel 7,500 litres in 2 tanks. Water 2,000 litres  
2 x refrigerated fish holds 560 bins or 35 tonnes bulk  
5 berths. New galley. Good electronics  
Split winches. **SLIPPED NOVEMBER 2022**  
**READY TO GO FISHING**

**POA**



All prices indicated are plus GST unless otherwise stated.

**150 VESSELS AT**



# WESTPORT DEEP SEA FISHING SCHOOL

**2023 Maritime Training - All courses on demand**

*Advanced Deckhand Fishing*

Skipper Restricted Limits, Skipper Coastal Offshore, MEC6 & MEC5

STCW Basic, FPF, PST, PSSR, EFA

Refresher training for PST & FPF

We are pleased to offer practical training for MNZ licences on our vessel

*Blyth Spirit.*

Complete part or all of MNZ Training Record Books while on the program.



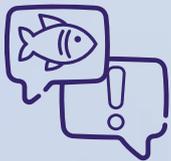
CONTACT Peter: 027 450 7585 | 0800 DEEP SEA | 0800 333 7732 | [peter@deepsea.co.nz](mailto:peter@deepsea.co.nz)

[www.deepsea.co.nz](http://www.deepsea.co.nz)

**SFMblue**

# A WHOLE NEW MARKET AT THE CLICK OF A BUTTON

**SFMblue is an online digital trading platform connecting buyers, suppliers, fishers and wholesalers of quality seafood. It is a fast, intuitive, and user friendly tool that will transform the way you trade seafood.**



## **DIVERSE RANGE & ACCESS**

Easy and efficient procurement and ordering tool for purchasing seafood.



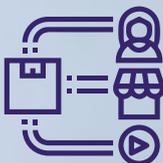
## **SET PRICE SALES**

Use SFMblue to sell fresh product at set price, including while it's in transit to auction.



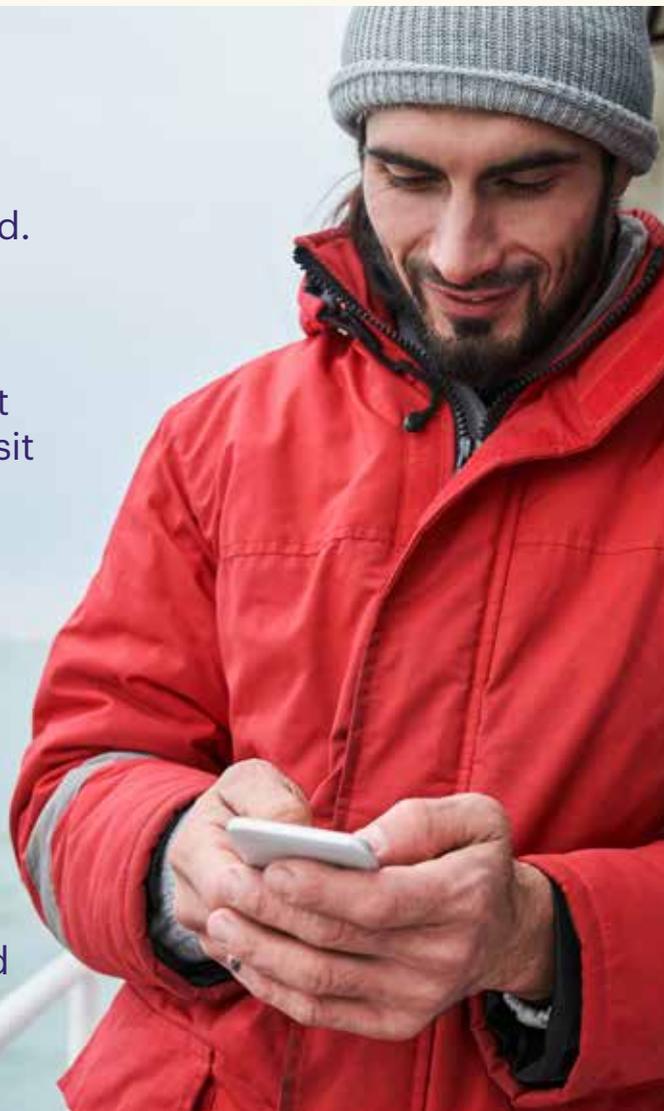
## **TRACKING & TRACEABILITY**

Receive notifications on how your purchase is tracking and when it's available to collect.



## **NEW SALES CHANNELS**

No longer just a market for fresh seafood. List your frozen, processed or long-life product on SFMblue.



Scan the QR code or head to [SFMblue.com.au](https://www.sfmblue.com.au) for more information on how you can join today.



Contact us:  
+612 9004 1188  
[info@sfmblue.com.au](mailto:info@sfmblue.com.au)