

PB\*1540

# Marine Incident

<b>Region File No</b> <input type="text"/>	<b>HO File No</b> 410 - 6 - 27	<b>Region</b> Brisbane	<b>Status</b> Closed	<b>Date closed</b> 22/02/97	<b>Cat</b> 2	<b>Investigate?</b> Yes
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<b>Reporting Agency</b> Qld Transport	<b>Reported via...</b> F3071 Marine Incident Report	<b>Reported on...</b> 25/03/97	<b>Next review</b> 02/03/2000
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**Office**  \*\*\* **Incident involved**  \*\*\*

**Pollution?**  No

**Reason Closed** Investigation Completed - No action required  
**Investigating Agency** Qld Transport

**Officer** MARCHBANK, Peter

**Position of Incident - Latitude and Longitude should be entered in decimal format**

<b>Lat</b> <input type="text"/> 27-24-228S	<b>Long</b> <input type="text"/> 163d 348E	<b>Water/Landmark</b> <input type="text"/> Flat Rock off Point Lookout
<b>Bearing</b> <input type="text"/>	<b>Distance (nm or m)</b> <input type="text"/>	<b>Location</b> <input type="text"/> Offshore
<b>Date</b> <input type="text"/> 22/02/97	<b>Time</b> <input type="text"/> 02:50 PM	

**Type of Incident**

Capsizing

**Incident Severity**

<b>Fatalities</b> <input type="text"/> 0	<b>Minor Injuries</b> <input type="text"/> 0	<b>Severity</b> <input type="text"/> Ship Damaged
	<b>Serious Injuries</b> <input type="text"/> 0	

**Environmental Conditions**

<b>Weather</b> <input type="text"/> Clear	<b>Visibility</b> <input type="text"/> Good	<b>Water</b> <input type="text"/> Choppy	<b>Time of Day</b> <input type="text"/> Day	<b>Wind Speed</b> <input type="text"/> Moderate (force 3-4 / 8-16 knots)
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**General Ship Information**

Select types of ships involved in incident:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input checked="" type="checkbox"/> REC Motorboat |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC                  |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input type="checkbox"/> REC Sailboat             |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat    |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat            |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown                  |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)                 |   |

**Ships involved**  
Recreational only

**Contributing Factors**

- |  |   |
|--|---|
| <input type="checkbox"/> Human               | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient planning    |
| <input type="checkbox"/> Excessive speed     |   |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

- Capsizing - North Stradbroke Island - 29/1/00

**Action Log - should summarise key investigative milestones, data modifications and include attachments**

**24/1/01** Investigating Officer's report/recommendations and additional comments by MSO D Adams noted. File referred to S/A Investigations for consideration of MSO Adams recommendations.

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Last updated: 18/12/2003 02:06:06 PM by Christopher F Campbell-Thomson/Peninsula/qdot/au  
Date entered: 16/10/2000 12:58:08 PM by Anne M Senden/Pinkenba/MetroNorth/qdot/au

Released under RTI - DTPMR

# PBP30645

# Marine Incident

Region File No  HO File No  Region  Status  Date closed  Cat  Investigate?

Reporting Agency  Reported via...  Reported on...  Next review

Office  Incident involved

Pollution?

Reason Closed   
Investigating Agency

Officer

### Position of Incident - Latitude and Longitude should be entered in decimal format

Lat  Long  Water/Landmark   
Bearing  Distance (nm or m)  Location   
Date  Time

### Type of Incident

### Incident Severity

Fatalities  Minor Injuries  Serious Injuries  Severity

### Environmental Conditions

Weather  Visibility  Water  Time of Day  Wind Speed

### General Ship Information

Select types of ships involved in incident:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input checked="" type="checkbox"/> REC Motorboat |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC                  |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input type="checkbox"/> REC Sailboat             |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat    |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat            |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown                  |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)                 |   |

Ships involved

### Contributing Factors

- Human
- |  |   |
|--|---|
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Excessive speed     | <input type="checkbox"/> Insufficient planning    |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

Vessel swamped while drift fishing near Flat Rock Pt Lookout. No injuries. Helicopter airlift.

Action Log - should summarise key investigative milestones, data modifications and include attachments

Last updated: 18/12/2003 01:59:32 PM by Christopher F Campbell-Thomson/Peninsula/qdot/au  
Date entered: 21/02/2000 01:39:19 PM by Sharyn A Durley/Maritime/qdot/au

Released under RTI - DTMR

PB\*1702

# Marine Incident

Region File No	HO File No	Region	Status	Date closed	Cat	Investigate?
<input type="text"/>	2 - 14 - 3611	Brisbane	Closed	15/08/97	2	Yes

Reporting Agency	Reported via...	Reported on...	Next review
***	***		02/03/2000

Office	***	Incident involved	***
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Pollution?

Reason Closed Global Op  
 Investigating Agency Qld Transport

Officer MARCHBANK, Peter

**Position of Incident - Latitude and Longitude should be entered in decimal format**

Lat	<input type="text"/>	Long	<input type="text"/>	Water/ Landmark	East of Flat Rock
Bearing	<input type="text"/>	Distance (nm or m)	<input type="text"/>	Location	Partially smooth waters
Date	15/08/97	Time	11:00 AM		

**Type of Incident**

**Incident Severity**

Fatalities	<input type="text" value="0"/>	Minor Injuries	<input type="text" value="0"/>	Severity	Ship Damaged
		Serious Injuries	<input type="text" value="0"/>		

**Environmental Conditions**

Weather	Visibility	Water	Time of Day	Wind Speed
Clear	Good	Calm	Day	Light (up to force 2 / 1-7 knots)

**General Ship Information**

Select types of ships involved in incident

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input type="checkbox"/> REC Motorboat         |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC               |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input type="checkbox"/> REC Sailboat          |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat         |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown               |
| <input checked="" type="checkbox"/> COM Pax       | <input type="checkbox"/> COM Non-pax (Sail)                 |  |

Ships involved  
 Commercial only

**Contributing Factors**

- |  |   |
|--|---|
| <input type="checkbox"/> Human               |   |
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Excessive speed     | <input type="checkbox"/> Insufficient planning    |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

Vessel Naiad Dive capsized by large wave no injuries minor damage.  
 Laspe of attention by master & not keeping a proper look out.  
 Third such incident this year at flat rock second for this master notice to mariners or chart note required.  
 NFA

Action Log - should summarise key investigative milestones, data modifications and include attachments

Last updated: 18/12/2003 01:59:38 PM by Christopher F Campbell-Thomson/Peninsula/qdot/au  
Date entered: 21/02/2000 01:39:14 PM by Sharyn A Durley/Maritime/qdot/au

Released under RTI - DTMR

**Marine Incident Investigation Summary  
1997**

**File Updated** 18/09/97

**File No.** 2-14-3611

<b>Date</b> 16/08/97	<b>Vessel</b> Naiad Dive	<b>Type</b> Motorboat	<b>Masters Name</b> Sch.4 Part 4 s.6 PI
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<b>Incident</b> Capsizing	<b>Category</b> 2	<b>Region</b> Brisbane	<b>Investigation By</b> RHM Brisbane
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<b>Comments</b> Vessel capsized by large wave, no injuries, minor damage	<b>Contributing Factors</b> Lapse of attention by Master, not keeping a proper lookout	<b>Result/Recommendations</b> Third such incident this year at Flat Rock, second for this Master - Notice to Mariners or Chart Note required
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<b>Action Required</b> Memo to RHM Brisbane	<b>By whom</b> T/AHM Brisbane	<b>Finalised</b> 18/09/97
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**ENTERED TO CASEMAN**

Released under R.I.P.A. 1982

**PB\*2050**

# Marine Incident

<b>Region File No</b> <input type="text"/>	<b>HO File No</b> 410 - 6 - 27	<b>Region</b> Brisbane	<b>Status</b> Closed	<b>Date closed</b> 11/04/98	<b>Cat</b> 2	<b>Investigate?</b> Yes
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<b>Reporting Agency</b> Qld Police Service	<b>Reported via...</b> F3071 Marine Incident Report	<b>Reported on...</b> 14/04/98	<b>Next review</b> 02/03/2000
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**Office**  \*\*\* **Incident involved**  \*\*\*

**Pollution?**  No

**Reason Closed** Investigation Completed - No action required  
**Investigating Agency** Qld Transport

**Officer**

**Position of Incident - Latitude and Longitude should be entered in decimal format**

<b>Lat</b> <input type="text"/>	<b>Long</b> <input type="text"/>	<b>Water/Landmark</b> Flat Rock - North Stradbroke Island
<b>Bearing</b> <input type="text"/>	<b>Distance (nm or m)</b> <input type="text"/>	<b>Location</b> Smooth waters
<b>Date</b> <input type="text"/> 11/04/98	<b>Time</b> <input type="text"/> 07:00 PM	

**Type of Incident**

\*\*\*

**Incident Severity**

<b>Fatalities</b> <input type="text"/> 0	<b>Minor Injuries</b> <input type="text"/> 0	<b>Severity</b> Ship Damaged
<b>Serious Injuries</b> <input type="text"/> 0		

**Environmental Conditions**

<b>Weather</b> Clear	<b>Visibility</b> Good	<b>Water</b> Choppy	<b>Time of Day</b> Night	<b>Wind Speed</b> Light (up to force 2 / 1-7 knots)
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**General Ship Information**

Select types of ships involved in incident:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input checked="" type="checkbox"/> REC Motorboat |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC                  |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input type="checkbox"/> REC Sailboat             |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat    |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat            |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown                  |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)                 |   |

**Ships involved**  
Recreational only

**Contributing Factors**

- |  |   |
|--|---|
| <input type="checkbox"/> Human               | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient planning    |
| <input type="checkbox"/> Excessive speed     |   |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

Tinny swamped and sank at Flat Rock. Rescue helicopter called and the boat was later salvaged. No injuries.

Action Log - should summarise key investigative milestones, data modifications and include attachments

Last updated: 18/12/2003 02:04:26 PM by Christopher F Campbell-Thomson/Peninsula/qdot/au  
Date entered: 21/02/2000 01:39:20 PM by Sharyn A Durley/Maritime/qdot/au

Released under RTI - DTMR

## Memorandum

13 JAN 1997

**TO: Captain J Regan  
Senior Adviser (Investigations)**

**SUBJECT: "Rigid Too", injury to passengers, Point Lookout, 29/12/96**

### Investigation Report

The "Rigid Too" is a dive boat operated by the Stradbroke Island Scuba Centre and on the day in question had taken 9 divers out to dive on Flat Rock, off Point Lookout. Just prior to their return to shore the vessel encountered a freak wave off which the vessel fell heavily causing a couple of injuries to two of the divers.

This investigation has found that:-

- 1) The dive master briefed all the divers before going out on the trip.
- 2) vessel was anchored in the lee of Flat Rock, ie on the WNW side being the lee from the SE wind and E'ly swell.
- 3) After the allotted half an hour 7 of the 9 divers surfaced alongside the boat.
- 4) the remaining two divers surfaced 300 meters away in a southerly direction contrary to their briefing,
- 5) the vessel had to up anchor and proceed to pick them out, taking the vessel out of the lee of the Rock.
- 6) After having retrieved the two divers the Master had to turn the boat into a freak wave to avoid being swamped, then fell heavily off the back side of the wave causing the injuries.

This incident probably would not have occurred if the all the divers had adhered to their briefing before going out. The Master says that he took the matter up with the two divers concerned.

The Master did not fill out a Marine Incident report form, but seeing that he reported the incident directly and within 24 hours, plus his report was detailed enough he has not been asked to do so. A Marine Incident report form has been mailed to him for future use.

It is recommended that no further action be taken in this matter as there has been no fault or wrong doing on the part of the Master of "Rigid Too"

(Capt P J Marchbank)

**TEMPORARY ASSISTANT HARBOUR MASTER (BRISBANE)**

1. Incident Report on boat "Rigid Too" <sup>2-7-773a</sup>  
Registration no.

DATE OF INCIDENT : 29.12.96

TIME : 3pm.

PLACE : FLAT ROCK - PT. LOOKOUT

SKIPPER & DIVE MASTER :

INCIDENT : A LARGE SWELL LIFTED UP THE BOAT AND AS IT CAME DOWN TWO DIVERS SUFFERED MINOR INJURIES.

WEATHER CONDITIONS : SOUTH - EAST WIND 5 - 10 KNOTS  
SWELL 1 - 1.5 m.  
WATER VISIBILITY 25 m.

### DETAILS

At 1.45 pm on 29.12.96 with 9 qualified scuba divers on board "Rigid Too" 9 left for a dive at Flat Rock after a safety brief on the beach prior to departure. We launched the boat on Flinders beach near Adder Rock.

2

Old dive regulations and suggested a dive plan of the area. After a 30 minute dive seven divers surfaced next to the boat and came on board according to the suggested dive plan.

As I was putting some of the gear away one of the divers on the boat drew my attention to the fact that the two remaining divers (namely [redacted] and his dive buddy

Sch.4 Part 4 s.6 PI

[redacted] were approximately 300 metres away from the boat; well away from the planned dive site.

They had their safety sausages inflated and were drifting away from the boat.

We picked up the anchor immediately and motored towards the two divers to pick them up.

As soon as the 2 divers were on board and I turned the boat into the swells a freak two metre swell emerged in front of our boat and I had to drive into it in order for the boat not to be swamped.

After riding up the swell the boat was airborne for a few seconds until it hit the water again.

I turned around to ask if everybody was OK. [redacted] Sch.4 Part 4 s.6 PI had his hand on his back with a look of pain but said "just keep going".

Approximately 10 minutes later when we landed back at Flinder's Beach [redacted]

[redacted] showed me his swollen and bruised [redacted] [redacted] Then he informed me that as the boat came down one of the air tanks flew out of the special tank holder and hit his [redacted] slight bruise [redacted] as well.

I brought [redacted] back from the beach on the boat to our shop. but [redacted] [redacted] walked back through the park.

On arrival at the shop I made [redacted] comfortable, elevated his injured [redacted], put ice on it and called the ambulance.

The ambulance officer wrapped his [redacted] and took him to Dunwich Hospital for further checks and treatment. He also took [redacted] as well.

This is the completion of my report.

[redacted]

**MARINE INCIDENT REPORT - 99142****PARTICULARS****THE VESSEL**

The vessel involved in this incident is a 6.3 metre Naiad ridged inflatable powered by a 115 h.p. Yamaha outboard with a centre console as a steering position, 2.2 m beam and a maximum load displacement of 1400 kg or 18 people. Attached is a full list of specifications given by Naiad at Wynnum Marine, the manufacturers.

**AREA OF INCIDENT**

The area the incident happened is a strip of beach known as flinders Beach which is situated on North Stradbroke Island (refer attached chart extracts of area).

Flinders Beach is a local name for this area that is why it is not shown on Queensland Transport charts. The area of beach has a gutter which is situated approximately 100-200 metres from the beach which allows vessels to be launched off the beach into relatively calm water.

**VESSEL OWNERSHIP**

The owner of the vessel JL 176 Q is the Underwater Research Group Queensland which is a club which has an address of [REDACTED] Yeerongpilly. The vessel was registered at the time of the incident and is current until the 17 December 2000 as a recreational vessel.

**THE CLUB**

The club is a registered club with the name Underwater Research Group of Queensland and is open to the public and currently has approximately 90 members who all pay a joining fee to become a member.

The club owns a 6.3 metre RIB which club members can use as long as they are with authorised members of the club. The guide lines to become an authorised person are set within the club.

To take the vessel out on the water you need to have an authorised driver of the vessel on board. This person must be on board for the vessel to be operated and stand on the right hand side of the person driving and oversee the vessel's operation and take over if they do not think the person is operating safely. This is whether the driver of the vessel has a Recreational Ship Master's Licence or not.

Along with a joining fee the member must make a donation and depending on how big the donation is, has a bearing of how many dive trips you may go on. The donation gets you to the dive site on board the 6.3 metre vessel and back again and any money left outstanding is put into an account and is used for maintenance to replace the vessel when the time comes.

## THE INCIDENT

At approximately 1100 hours on 26 September 1999 the Underwater Research Group of Queensland (URGO) were aboard the 6.3 metre RIB and returning to flinders Beach from Flat Rock with nine (9) persons on board with all their diving gear after completed a dive.

At this stage the person in control of the vessel was [redacted] with the person responsible for the vessel being [redacted] who was standing beside [redacted]. It is unclear which side [redacted] was standing on as there has been conflicting stories given by the passengers during the Record of Interview.

It is also unclear as to events leading up to the incident as there are also conflicting stores about whether the wave zone was assessed or not.

The vessel then appeared to fall off the back of the wave, then picked up by a following wave and turned over and swamped, thus damaging the canopy. Most persons were thrown clear with dive weights being lost along with some other personal gear from various persons.

The vessel was then swam into the beach and any lost gear retrieved, if found.

## COMMENT

My investigation has found the following.

The sea conditions on the day were moderate with choppy conditions and a wind of approximately 10-15 knots. The driver of the vessel, [redacted] while holding a Recreational Ship Master's Licence was inexperienced on the operation of a vessel of this size and also in a wave zone. It is my opinion that this was a contributing factor to the incident.

[redacted] was in control of the vessel with passengers on board who had no idea of [redacted] driving ability and the only relationship the passengers had to [redacted] was that they were all members of the same club on the same trip. The person in charge of the vessel has a duty of care to the passengers on board.

The vessel would have been carrying approximately 1000 - 1200 kg. Which would have been within the 1400kg guide lines. But not being a commercial vessel it does not have to meet any survey requirements eg stability and performance and therefore it is hard to evaluate the operation of the vessel in open waters. There were inconsistencies in who was in charge of the vessel and who was perceived to be in charge by the passengers on board and by the driver <sup>ch.4 Part 4 s.6</sup> and also the authorised person being [redacted] in this case.

This not only puts the driver of the vessel in two minds of action to take as he is not in full charge of the vessel.

This situation also puts the passengers of the vessel in grave danger as their lives are in the hands of a person in control of the vessel but not in charge.

On a recreational vessel carrying passengers this is a recipe for disaster.

On a commercial vessel eg a dive boat, the person in control of the vessel is also in charge and holds a manning certificate which means the person has successfully completed a practical and theory evaluation by an accredited person from Queensland Transport to say the person can operate the type of vessel in the conditions of which the person is capable in operating.

The club obviously sees a need for persons to achieve higher training than a Speed Boat Driver's Licence or Recreational Ship Master's Licence to be in charge of the vessel or they would not require an authorised officer within the club to drive the vessel, because the U.R.G.Q. is not an authorised training provider and is not able to issue an authorised Manning Certificate.

#### **HISTORY OF VESSEL TO DATE**

On 23 August 1998 the same vessel had an incident where the vessel took water over the bow and broached the vessel overturning it throwing the crew and effects out of the vessel.

Marine Incident # 98103 investigated by Allan Nichol, Senior Sergeant, with Brisbane Water Police.

Post Incident on 26 September 1999.

This vessel has also been swamped after this incident and is being investigated by W. Flegg from the Brisbane Water Police.

In total, approximately 25-30 persons have been thrown out of this vessel in an uncontrolled way within the last 18 months in similar incidents.

## CONCLUSION

This incident is within the meaning of Marine Incident as prescribed in Transport Operations (Marine Safety) Act, Section 123 (2).

I consider that while this is a marine incident, the Marine Incident form needs to be filled out by the master of the vessel which in my opinion, is not  as he was not the master but this will not change my final recommendations.

There are two main factors that I believe caused this incident.

An inexperienced driver of the vessel.  
A vessel with suspect stability and performance.

## RECOMMENDATIONS

1. No further action be taken towards  Sch.4 Part 4 s.6 the person who submitted the Marine Incident form as it is my opinion that  while being in control of the vessel and holding a Recreational Ship Master's Licence, was not in charge of the vessel as he was not an authorised driver within the club.  does not come under the definition of the word master as he was not in charge of the vessel.
2. That this quasi commercial club cease operation until all/and any outstanding investigations can be finalised and assessed by the Regional Harbour Master and establish whether this operation can proceed legally as it is. The reason for this cease of operation would be to prevent any further similar incident happening and preserve life (money is paid for a trip aboard the vessel if only a small one).
3. The vessel appears to have suspect stability/performance when under way and under load. The vessel needs to be fully surveyed by a qualified surveyor and have conditions put on its survey, like all other commercial ridged inflatable dive boats in the industry.

The vessel also needs to be operated by a person who holds a commercial manning certificate as the vessel is carrying paying passengers and is over 6 metres. This will put a qualified person behind the helm as master of the vessel and this would eliminate the problem of who is perceived to be in charge of the vessel.

Please find enclosed in this report:-

- Record of Interviews with persons involved
- Maps of area
- Specification of vessel involved
- Survey conditions for similar vessels
- Passengers list
- List of questions asked by Club to become an authorised driver within the Club.
- Ex tracks form Transport Operations (Marine Safety) Act to support investigation.

I have to report that on 20 December 1999, I attended  accompanied by Senior Field Officer B. Barry to investigate Marine Incident 99142. I introduced myself as a Shipping Inspector to  and produced my Authority Badge No. BF 117 for his perusal.

At approximately 1958 hours I conducted the following Record of Interview with  in official note book 2700 on pages 75-87.

Q1 "What is your full correct name and address?"

A.

Q2 "What is your date of birth?"

A.

Q3 "What is your occupation?"

A.

Q4 "Do you remember the incident involving a rigid inflatable boat on 11 September 1999?"

A.

"Yes"

Q5 "Are you the owner of the vessel?"

A.

"No"

Q6 "Who is the owner of the vessel?"

A.

"The club is, Underwater Research Group Queensland."

Q7 "How long have you been a member of this club?"

A.

"This year."

- Q8 "Did you fill out this marine incident form?"
- A. "Yes, all bar some bits, the club filled out the rest."
- Q9 "Is everything in this form true and correct?"
- A. "Yes"
- Q10 "Did you sign this form?"
- A. "Yes"
- Q11 "Were you in charge of the vessel on the day of the incident?"
- A. "I was under instruction."
- Q12 "Who was in charge of the boat?"
- A. Sch.4 Part 4 s.6 PI
- Q13 "Have you driven this vessel before?"
- A. "Yes, steered it."
- Q14 "How many times have you steered the vessel?"
- A. "A couple."
- Q15 "Can you describe the incident in your own words for me?"
- A. "I came into the beach on the back of a wave. The wave dropped away.   said, 'wait for the next one'. The next one picked it up and the front dug in and it slid over sideways and turned it over."
- Q16 "What do you estimate the size of the waves were at that time?"
- A. "Not big, small."
- Q17 "Do you know what the tide was doing at that time?"
- A. "I can't remember."
- Q18 "How many other persons were on board at the time of the incident?"
- A. "Nine altogether."

Q19 "What was the purpose of the journey?"

A. "Dive trip."

Q20 "What time did you commence your journey?"

A. "About 8 or 9 in the morning."

Q21 "Was anyone injured in the incident?"

A. "No"

Q22 "Was there any damage to the vessel?"

A. "Yes, oh yes."

Q23 "What type of damage?"

A. "The canopy smashed the windscreen, all the instruments."

Q24 "Is the vessel insured?"

A. "Yes"

Q25 "Do you know who with?"

A. "No"

Q26 "How many trips have you done with the club in that vessel?"

A. "Half a dozen."

Q27 "Do you pay club membership?"

A. "Yes"

Q28 "How much is that?"

A. "100 bucks a family."

Q29 "Do you pay to use the vessel each time?"

A. "I don't really pay to use it as such."

Q30 "What does your membership money pay for?"

A. "I don't know."

Released under RTI - DTMR

Q31 "Do you ever pay for fuel or anything else to do with the vessel?"

A. " No, just dive ticket."

Q32 "How much does a dive ticket cost?"

A. "That varies, It depends, between 10-15 dollars, depends on how many tickets you buy."

Q33 "How many tickets would \$10 get you?"

A. "One"

Q34 "What does that one ticket entitle you to?"

A. "To go out in the boat and Driver."

Q35 "Was there a list of persons who were present on the 11 September 1999 at the time of the incident?"

A. "Yes, there was a list."

Q36 "What relationship to the persons that go on the trip?"

A. "Just club members."

Q37 "Was any other equipment lost in the incident?"

A. "My dive computer, dive weights, papers, lost various gear."

Q38 "Who gave you permission to use the vessel?"

A. "The club does."

Q39 "Are these trips pre planned?"

A. "Oh yeah."

Q40 "What qualifications do you hold to drive a vessel?"

A. "Recreational Ship Master's Licence."

Q41 "How long have you held the licence?"

A. 

Sch.4 Part 4 s.6 PI
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Released under RTI - DTMR

Q42 "How would you describe your driving ability of the 6.4 m vessel you were in, on the day?"

A. "I have limited or no experience in a wave zone."

Q43 "Did you feel comfortable bringing the vessel in with [ ] beside you?"

A. "Yes, with [ ] there."

Q44 "Had you driven the vessel all the way back from the dive zone area?"

A. "Yes, at least part of the way to try and get a bit of time up on it."

Q45 "Do you think you could have done anything different to stop the incident from happening?"

A. "Hard to know."

Q46 "Did you know the area you were in?"

A. "No"

Q47 "Where were the passengers sitting or standing in relation to your position steering?"

A. "A few forward and rest sitting on the sponsons but [ ] was standing on my right hand side."

Q48 "Do you have anything further to add to this Record of Interview?"

A. "No, I don't think so."

Q49 "Do you wish to read these notes?"

A. "No"

Q50 "Do you wish to sign these notes?"

A. "No"

Particulars for [ ] given by [ ]

Sch.4 Part 4 s.6 PI

Released under RTI - DTMR

[redacted] was thanked for his time and co-operation and we then continued on patrol.

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I further have to report that on 14 January 2000 I attended 293 Queen Street, Level 2, Brisbane and accompanied by Field Officer A. Spicer to investigate Marine Incident # 99142. I introduced myself as a Shipping Inspector to [redacted] and produced my Authority Badge No. 117 for his perusal.

At approximately 1310 hours I conducted the following Record of Interview with [redacted] in official notebook 2792 on pages 56-75."

Q1 "What is your full correct name and address?"

A.

Sch.4 Part 4 s.6 PI

Q2 "What is your date of birth?"

A.

Q3 "What is your occupation?"

A.

Q4 "Do you hold a speed boat driver's licence?"

A.

"Yes," (sighted [redacted])

Q5 "How long have you held the speed boat driver's licence?"

A.

Q6 "Do you remember the marine incident which happened off Flinders Beach on North Stradbroke Island on 11 September 1999 which involved a Rigid Inflatable Boat being swamped?"

A.

"Yes"

Q7 "Were you on board that vessel?"

A.

"Yes"

Q8 "Are you the owner of the vessel?"

A. "No"

Q9 "Who is the owner?"

A. "Underwater Research Group of Queensland."

Q10 "How did you come to be on the vessel on 11 September?"

A. "Club dive weekend."

Q11 "Who is the owner of the club?"

A. "Private members club, not for profit."

Q12 "Are you a member of the club?"

A. "Yes"

Q13 "How long have you been a member of the club?"

A.

Q14 "Do you hold a position in the club?"

A. "Not presently."

Q15 "How much does it cost to be a member?"

A. "\$60 a year, annual fee."

Q16 "Is there any other money paid to join?"

A. "Yes, \$15 joining fee."

Q17 "What does that \$60 annual fee pay for?"

A. "Just the right to attend the club, go on dives and outings."

Q18 "Have you seen this marine incident form before?"

A. "No"

Q19 "Did you help  fill out this form?"

A. "No"

- Q20 "Just by looking at this form, is it a true and correct report of what happened on 11<sup>th</sup> September?"
- A. "Yes"
- Q21 "Who is the director of the club?"
- A. "No directors, it is private."
- Q22 "Is there a President?"
- A. "Yes"
- Q23 "Who is the president?"
- A. Sch.4 Part 4 s.6 PI
- Q24 "Who was in charge of the rigid inflatable boat on the day of the incident?"
- A. "Whoever is a licensed driver. The group as a whole."
- Q25 "Who was in charge of the vessel at the time of the incident?"
- A.   was the licensed driver."
- Q26 "Was   under directions from you?"
- A. "He was under observation. He was licensed driver and was under observation by me. I was standing to the right. Under club rule I have authority to take over if the vessel's not competently handled."
- Q27 "Were you giving   any instructions prior to the incident taking place?"
- A. "We were talking about line of approach and the gutters."
- Q28 "Was   asking any type of directions or assistance from you prior to the incident?"
- A. "Only when approaching for a line of approach."
- Q29 "How would you describe your ability to operate the 6.4 metre rigid inflatable boat?"
- A. "I am an experienced driver."

Q30 "How many times have you operated the rigid inflatable boat in a surf zone?"

A. "A lot, heaps of times."

Q31 "Are you familiar with the area the incident happened?"

A. "Yes, I've been in and out of it six times."

Q32 "Can you describe the incident in your own words?"

A. "Yep, <sup>Sch.4 Part 4 s.6 P</sup> took the boat from the beach out through the gutter. There was probably 1 metre surf and out to Flat Rock, completed the dive and drove back with a following sea, probably winds fresh and a little to 12-15 knots and he landed up alright and got on the back of the wave and you could see the waves banking on the beach on the outer sand bar which formed the gutter. The wave dropped away and another wave came through and picked the boat up to about 45° and put the noose under water. The boat filled with water and the next one rolled the boat and everyone got thrown out and I got caught under most momentarily. There was one other person under with me. Nobody was injured and we swam into the beach."

Q33 "Was there any damage done to the vessel?"

A. "Top super structure, the canopy and electrics, we saved the motor."

Q34 "Was any gear lost?"

A. "Not substantial, all weight belts."

Q35 "What speed were you doing prior to the incident?"

A. "4-5 knots, the speed of the wave."

Q36 "How many passengers were on board?"

A. "Eight all up, but 9 possibly."

Q37 "How much dive gear was on board?"

A. "8 tanks, 8 Regs, 8 masks, 8 weight belts."

Q38 "Where were the passengers sitting prior to the incident?"

A. "The driver stood up, me to the right, one passenger left, one either side of the console, forward sitting on the console. The rest aft on the tubes."

Q39 "What relationship were the passengers to you?"

A. "Club members."

Q40 "What was the purpose of the journey?"

A. "Club dive trip."

Q41 "Was it a training trip in any way?"

A. "No"

Q42 "Do you hold any qualifications to train people?"

A.

Q43 "Is the club an authorised training provider?"

A. "The club provides no form of training."

Q44 "Were you doing any research during the trip?"

A. "No"

Q45 "Who pays for the fuel in the vessel?"

A. "The club."

Q46  told me about a dive ticket you can buy, can you explain that?"

A. "You make a donation."

Q47 "Is there a set donation one ticket would cost?"

A. "No, it is based on how many donations you made."

Q48 "And what does the donation get you?"

A. "The right to use the boat or be on the boat in the future ??, also maintenance, it is cost recovery, we use the ticket as proof they have made a donation."

Q49 "Is the club run at a profit?"

A. "No, any surplus is used to replace the vessel."

Q50 "Who gives you permission to use the vessel?"

A. "The club has policies and procedures and a list of authorised drivers with areas they can operate. The committee delegates the boat captain and dive captain."

Q51 "Is the boat captain in charge of the vessel when it is taken out on a trip?"

A. "No, it depends."

Q52 "Are the authorised drivers in charge of the operation of the vessel?"

A. "They might be, they might not. There must be an authorised driver present when the person driving the vessel is not authorised by the club, whether they are licensed or not."

Q53 "Is [redacted] an authorised driver with the club?"

A. "No"

Q54 "Have you ever had to fill out a marine incident form before?"

A.

Q55

A.

Q56

A.

Q57 "Do you have anything further to add to this Record of Interview?"

A. "No"

Q58 "Do you wish to read these notes?"

A. "No, I don't have any need to."

Q59 "Do you wish to sign them?"

Released under RTI - DTMR

A. "No, I haven't read them"

[redacted] was thanked for his time and assistance and we then continued on patrol.

I have to report that on 21 January 2000 I attended [redacted] accompanied by Field Officer A. Spicer, to investigate Marine Incident # 99142. I introduced myself as a Shipping Inspector to [redacted] and produced my authority Badge No. 117 for his perusal.

At approximately 1310 hours I conducted the following Record of Interview with [redacted] in official note book 2792 on pages 76-84.

Q1 "What is your full correct name and address?"

A.

[redacted]  
Sch.4 Part 4 s.6 PI

Q2 "What is your date of birth?"

A.

[redacted]

Q3 "What is your occupation?"

A.

[redacted]

Q4 "Do you hold a speed boat driver's licence or recreational ship master's licence?"

A.

"No"

Q5 "Are you a member of the Underwater Research Group Queensland Dive Club?"

A.

"Yes"

Q6 "How long have you been a member?"

A.

[redacted]

Q7 "Do you hold a position within the club?"

Released under RTI - DTMR

A.

Q8

"What does that involve?"

A.

Q9

"How many trips have you been on with the club?"

A.

"Quite a few."

Q10

"Do you remember the incident where the U.R.G.Q. 6.4 metre rigid inflatable boat was swamped off North Stradbroke on 11 September 1999?"

A.

"Yes"

Q11

"What was the purpose of the journey?"

A.

"Just a dive, a bit of fun diving off flat Rock."

Q12

"Were you hurt in the incident?"

A.

"No"

Q13

"Did you lose any gear?"

A.

"Yes"

Q14

"What gear did you lost?"

A.

"Weight belt, mask, and fins and gloves and safety sausage."

Q15

"Who was in control of the vessel at the time of the incident?"

A.

Sch.4 Part 4 s.6 PI

was the driver the  was one side, and  was the other."

Q16

"Who was in charge of the vessel for the day?"

A.

"It would have been 

Q17

"Can you explain the rules within the club about an authorised driver?"

A.

"Yes, we have a check list within the club. Blokes who did it got a certificate to say they were boat handlers."

- Q18 "Could you drive a club vessel without being an authorised driver?"
- A. "Oh yes, but you must have an authorised driver stand beside you. He would be to make sure that driver was doing the right thing"
- Q19 "Do they instruct the person driving how to drive the vessel?"
- A. "Yes, they've had a few days on the bay with blokes, just drive it, they stand on the port side."
- Q20 "Who was the authorised driver when [redacted] was driving on the 11<sup>th</sup> September?"
- A. "I'm not sure if it was [redacted] Sch.4 Part 4 s.6 PI
- Q21 "Being a club member could you take the vessel out without an authorised driver on board?"
- A. "No"
- Q22 "Have you ever been on board the rigid inflatable boat before during a Marine Incident?"
- A. "No"
- Q23 "Has there been any incidents since the 11<sup>th</sup> September?"
- A. "No, just the one I was telling you about when the boat filled with water a bit. A bit over the bow and a wave over the stern just seated a few people."
- Q24 "Where did that happen?"
- A. "In the middle of Moreton Bay."
- Q25 "Do you have anything further to add to this Record of Interview?"
- A. "No, just the seas were very slight, it wasn't rough."
- Q26 "Do you need a speed boat driver's licence or recreational ship master's licence to be an authorised driver?"
- A. "Yes"
- Q27 "Do you wish to read these notes?"

A. "No, it's okay."

Q28 "Do you wish to sign them?"

A. "Yeah"

[redacted] was thanked for his time and assistance and we then continued on patrol.

I have to report that on 8 February 2000 I attended [redacted] accompanied by Senior Field Officer B. Barry, to investigate marine incident # 99142. I introduced myself as a Shipping Inspector to [redacted] and produced my authority badge number 117 for his perusal.

At approximately 0900 hours I conducted the following Record of Interview with [redacted] in official note book 2777 on pages 34-41.

Q1 "What is your full correct name and address?"

A. [redacted] Sch.4 Part 4 s.6 PI

Q2 "What is your date of birth?"

A. [redacted]

Q3 "What is your occupation?"

A. [redacted]

Q4 "Do you hold a recreational ship master's licence or speed boat driver's licence?"

A. "Yeah, I've got a coxswain's ticket."

Q5 [redacted]

A.

Q6 "Are you a member of the Underwater Research Group of Queensland Dive club?"

Released under RTI - DTMR

A. "Yes"

Q7 "How long have you been a member?"

A.

Q8 "How many trips have you done with the club?"

A. "Maybe 20 to 30"

Q9 "Do you remember the incident where the U.R.G.Q. 6.4 R.I.B. was swamped off North Stradbroke on 26<sup>th</sup> September 1999?"

A. "Yeah"

Q10 "Can you explain that incident?"

A. "We were coming back into the beach after being at Flat Rock and  was at the helm and  was standing beside him on the starboard side. We stopped outside the break zone and there was some discussion between  and  asked  if he felt comfortable to bring the boat into the beach. I presumed it was  got on to the back of the wave and started to go in and then we fell off the back of the wave and then the next wave picked us up and boat broached and rolled over and we all went in the water and a head count and some people swum straight to the beach and others picked up some gear which was floating around."

Q11 "What was the purpose of your journey?"

A. "Diving"

Q12 "Were you hurt in the incident?"

A. "No"

Q13 "Did you lose any equipment?"

A. "Only my weight belt and sunglasses."

Q14 "Who was in control of the R.I.B. at the time of the incident?"

A.  Sch.4 Part 4 s.6 PI

Q15 "Who was in charge of the vessel?"

A.

- Q16 "Can you explain the rules within the club about authorised drivers?"
- A. "They have a training program within the club to become an authorised driver."
- Q17 "Are you an authorised driver within the club?"
- A. "Yeah, I am now."
- Q18 "Were you at the time of the incident?"
- A. "Yep"
- Q19 "If you were not an authorised driver, can you drive the vessel?"
- A. "If you are in training you can."
- Q20 "Is that training within the club?"
- A. "Yeah"
- Q21 "Can an authorised driver take the vessel out by themselves?"
- A. "You need a minimum of four persons."
- Q22 "How do you plan a trip?"
- A. "An authorised driver needs to approach the boat captain."
- Q23 "Would a person without being authorised by the club, be able to organise a trip and go?"
- A. "No"
- Q24 "Does an authorised driver need to be on board for any trip?"
- A. "Yeah"
- Q25 "Was Sch.4 Part 4 s.6 PI in charge of the vessel for the whole trip you were on, on 26<sup>th</sup> September 1999?"
- A. "Yeah"
- Q26 "Do you have anything further to add to this Record of Interview?"

A. "No"

was thanked for his time and assistance and we then continued on patrol.

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I have to report that on 8 February 2000 I attended   
 accompanied by Senior Field Officer B. Barry, to investigate Marine Incident # 99142. I introduced myself as a Shipping Inspector to   
 and produced my authority badge number 117 for his perusal.

At approximately 1000 hours I conducted the following record of Interview with  in official note book 2777 on pages 43-50.

Q1 "What is your full correct name and address?"

A.

Sch.4 Part 4 s.6 PI

Q2 "What is your date of birth?"

A.

Q3 "What is your occupation?"

A.

Q4 "Do you hold a licence to drive a vessel?"

A.

"I do now."

Q5 "Are you a member of the U.R.G.Q. dive Club?"

A.

"Yes, my number is

Q6 "How long have you been a member?"

A.

Q7 "Do you hold a position within the club?"

A.

Q8 "How many trips have you been on with the club?"

A. "About 200"

Q9 "Do you remember the incident where the U.R.G.Q. 6.4 R.I.B. was swamped on North Stradbroke Island on 26<sup>th</sup> September 1999?"

A. "Yes"

Q10 "Can you explain that incident?"

A. "We had come in from Flat Rock and hung out the back of the surf zone and picked up a wave we thought was suitable. The back wave was a lot bigger and it speared us into the sand and picked up the back and pulled it over. The canopy was ripped off and everyone was thrown clear and swamped with the swags."

Q11 "Who was in control of the vessel at the time of the incident?"

A.  Sch.4 Part 4 s.6 PI he was being assisted by

Q12 "What do you mean by assisted?"

A. "He had not done much driving of the boat and had just joined the club so  was just giving advice."

Q13 "Who was in charge of the vessel at the time of the incident?"

A.  was."

Q14 "Can you explain the Club rules about an authorised driver?"

A. "Basically there is boat handling course you have to do the paper work questionnaire and then you have to go out with an authorised driver and do navigation and handling skills.

1. Member of the Club
2. You need a Boat Licence
3. Navigation courses
4. Driving skills
5. Questionnaire about boat and bay "

Q15 "Who was the authorised driver on the 26<sup>th</sup> September 1999 at the time of the incident?"

A.  was, he was the instructor."

Q16 "Was  an authorised driver?"

A. "He was in training."

Q17 "Could have [redacted] operated the vessel without an authorised person on board?"

A. "No, basically the boat cannot go out without an authorised boat driver on it."

Q18 "What was the purpose of the journey?"

A. "Just a dive trip"

Q19 "Did you get hurt during the incident?"

A. "No"

Q20 "Where does the authorised driver stand on the vessel?"

A. "On the right of the person driving the boat or driving."

Q21 "Do you have anything further to add?"

A. "No, that's about what happened."

Q22 "Do you wish to read these notes?"

A. "No, you're right."

Sch.4 Part 4 s.6 PI was thanked for his time and consideration and we then continued on patrol.

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I have to report that on 8 February 2000 I attended Springwood Rover Service Centre to investigate Marine Incident 99142, and accompanied by Senior Field Officer B. Barry. I introduced myself as a Shipping Inspector to [redacted] and produced my authority Badge No. 117 for his perusal.

At approximately 1312 hours I conducted the following Record of Interview with [redacted] in official note book 2777 on pages 51-58.

Q1 "What is your full correct name and address?"

A.

Sch.4 Part 4 s.6 PI

Q2

"What is your date of birth?"

A.

Q3

"What is your occupation?"

A.

Q4

"Do you hold a licence to drive a vessel?"

A.

"Yes, I do"

Q5

"What type of licence?"

A.

Q6.

"Are you a member of the Underwater Research Group of Queensland Dive Club?"

A.

"Yes, full member."

Q7

"How long have you been a member?"

A.

Q8

"How many trips have you been on with the club?"

A.

"Just one."

Q9

"Do you remember the incident where the U.R.G.Q. 6.4 R.I.B. was swamped off North Stradbroke Island on 26<sup>th</sup> September 1999?"

A.

"Yep, I was a passenger."

Q10

"Can you explain that incident?"

A.

"We had a single dive and approached the beach coming in on a wave, fell off the back of the wave. The following wave came over the back of the boat and the bow went down and appeared to hit the bottom and the boat flipped and I went underneath. I wasn't trapped, I looked for the daylight and swam out."

Q11

"What was the purpose of the journey of the Dive Club trip?"

A. "Dive trip"

Q12 "Were you injured in the incident?"

A. "No"

Q13 "Did you lose any equipment?"

A. Sch.4 Part 4 s.6 PI

Q14 "Who was in control of the boat at the time of the incident?"

A.   was in charge of the vessel but there was a driver under instruction."

Q15 "Was   in charge of the vessel for the whole of your dive trip?"

A. "He was in charge while the boat was in transit"

Q16 "Where was   situated to the driver at the time of the incident?"

A. "On the driver's left"

Q17 "Can you explain the rules within the club about authorised drivers?"

A. "I haven't read the regulation."

Q18 "Are you an authorised driver?"

A. "No"

Q19 "Could you take the vessel out without an authorised driver?"

A. "No"

Q20 "What is the duty of the authorised driver?"

A. "Ensure the safety of the persons on board and comply with Department of Transport rules along with club rules."

Q21 "Do you have anything further to add to this Record of Interview?"

A. "No"

Q22 "Do you want to read these notes?"

A. "No"

Q23 "Do you wish to sign these notes?"

A. "No"

Interview recommenced at 1340 hours

Q24 "Did the authorised driver give any instruction to  prior to entering the wave zone?"

A. "No, he didn't"

Q25

A.

Q26

A.

Interview completed 1345 hours.

Sch.4 Part 4 s.6 PI

was thanked for his time and co-operation and we then continued on patrol.

SUMMARY OF QUESTIONS TO PERSONS ON BOARD UNDERWATER RESEARCH GROUP OF QUEENSLAND VESSEL RE INCIDENT.

- Money does change hands for dive trip
- Authorised driver must be on board when vessel is taken out.
- Authorised driver oversees operation of vessel and gives advice and would take over if vessel was being operated unsafely.
- The other passengers on the list were unable to be contacted to be interviewed to date.

For your consideration.



R. SMALL  
FIELD OFFICER

D. GARNETT  
A/DISTRICT MANAGER  
QUEENSLAND BOATING & FISHERIES PATROL - PINKENBA

Released under RTI - DTMR

URGQ MARINE INCIDENT\SMALL\16.3.00

P13780

28/07/2003

PBP32810

# Marine Incident

Region File No  HO File No  Region  Status  Date closed  Cat  Investigate?

Reporting Agency  Reported via...  Reported on...  Next review

Office  Incident involved

Pollution?

Investigating Agency

Officer

DEPT OF TRANSPORT  
MINERAL HOUSE  
8 AUG 2003  
RECEIVED

## Position of Incident

Lat  Long  Water/Landmark   
 Bearing  Distance (nm or m)  Location   
 Date  Time  NMSC Loc

## Type of Incident

LOSS OF SHIP  NMSC LOSS OF SHIP

## Incident Severity

Fatalities  Injuries  Severity   
 Fatalities:  Serious Injuries  NMSC Severity:

## Environmental Conditions

Weather  Visibility  Water  Time of Day  Wind Speed

## General Ship Information

Select types of ships involved in incident

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Passenger            | <input type="checkbox"/> COM PWC (jetski)         | <input type="checkbox"/> REC Houseboat |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-passenger        | <input type="checkbox"/> COM Sailboat             | <input type="checkbox"/> REC Speedboat |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Speedboat | <input type="checkbox"/> COM Other                | <input type="checkbox"/> REC Other     |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Motorboat            | <input checked="" type="checkbox"/> REC Motorboat | <input type="checkbox"/> Unknown       |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Houseboat            | <input type="checkbox"/> REC PWC (jetski)         |  |
| <input type="checkbox"/> COM Hire & Drive (Speed) | <input type="checkbox"/> COM Hovercraft           | <input type="checkbox"/> REC Sailboat             |  |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Paddle (row) boat    | <input type="checkbox"/> REC Paddle (row) boat    |  |

Ships Involved

Total Damage (\$)

## Contributing Factors

### Human

- |   |   |
|---|---|
| <input type="checkbox"/> Alcohol or drugs   | <input type="checkbox"/> Insufficient fuel                                  |
| <input type="checkbox"/> Commercial pressure  | <input type="checkbox"/> Insufficient maintenance                           |
| <input type="checkbox"/> Excessive speed  | <input type="checkbox"/> Insufficient planning                              |
| <input type="checkbox"/> Fatigue  | <input type="checkbox"/> Navigation error - failure to keep proper lookout  |
| <input type="checkbox"/> Inadequate training of crew                                      | <input type="checkbox"/> Navigation error - lack of knowledge or experience |
| <input type="checkbox"/> Inappropriate advice to ship - Harbour Control or Port Authority | <input type="checkbox"/> Navigation error - other                           |
| <input type="checkbox"/> Inappropriate advice to ship - Pilot                             | <input type="checkbox"/> Navigation error - violation of Colregs            |

SAL-

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo

- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs

- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary**

27/07/03-Kamarin [redacted] Upturned vessel found 30metres SW of Flat Rock, Nth Stradbroke Island. I  
POB. Fatality-Nth Stadbroke Island Moreton Bay

**Action Log**

Last updated: 06/08/2003 10:30:02 AM by Ross G Hughes/cp3/qdot/au  
Date entered: 06/08/2003 10:17:26 AM by Ross G Hughes/cp3/qdot/au



Werner Bundschuh  
29/07/2003 03:40 PM

To: Christopher F Campbell-Thomson/Peninsula/qdot/au@QDOT, Glen R Murrie/cp1/qdot/au@qdot,  
Kevin J White/cp1/qdot/au@qdot, Wayne B Bryan/cp1/qdot/au@qdot  
cc:  
Subject: Update on - vessel missing off Point Lookout

----- Forwarded by Werner Bundschuh/cp1/qdot/au on 29/07/2003 03:39 PM -----



● **Kumar J Fernando** 29/07/2003 03:33 PM

To: John R Watkinson/cp1/qdot/au  
cc: MSQ.IssuesAlert, Richard C Johnson/cp3/qdot/au@qdot, Werner Bundschuh/cp1/qdot/au@qdot,  
Geoffrey Z Smith/cp3/qdot/au@qdot, Peter J Marchbank/cp3/qdot/au@Qdot  
Subject: Update on - vessel missing off Point Lookout

The upturned vessel has been located 30 Metres South West of 'Flat Rock' (North Stradbroke Island).  
Police have confirmed the identity of the vessel. Police divers are looking for the missing person   
Sch.4 Part 4 s.6 (Regard).

**Sent by:** Kumar Fernando

**Title:** A/Manager Marine Safety (Brisbane)

Marine Operations (Brisbane)  
MacArthur Avenue East  
PINKENBA QLD 4008

Phone: 3860 3557

Fax: 3860 3540

----- Forwarded by Kumar J Fernando/cp3/qdot/au on 29/07/2003 15:16 -----



● **Kumar J Fernando** 28/07/2003 10:45

To: John R Watkinson/cp1/qdot/au@qdot  
cc: MSQ.IssuesAlert, Richard C Johnson/cp3/qdot/au@qdot, Werner Bundschuh/cp1/qdot/au@qdot,  
Geoffrey Z Smith/cp3/qdot/au@qdot, Peter J Marchbank/cp3/qdot/au@Qdot  
Subject: MSQ Issues Alert - vessel missing off Point Lookout

**MARITIME SAFETY QUEENSLAND**  
**ISSUES ALERT REPORT**

**What has happened?**

A 6 metre aluminum boat bearing registration number  is missing.

**When did it happen?**

The vessel departed at 0600 hrs 27 July 03.

**Where has it happened?**

The vessel departed from Point Lookout, North Stradbroke Island.

**Who is involved? (e.g. individuals/companies/government agencies/Members of Parliament)**

The occupant/s of the vessel - unknown to MSQ at this stage.

**What action has been taken by Maritime Safety Queensland?**

The water police has commenced search and rescue operations.

**Sent by:** Kumar Fernando

**Title:** A/Manager Marine Safety (Brisbane)

Marine Operations (Brisbane)  
MacArthur Avenue East  
PINKENBA QLD 4008

Phone: 3860 3557

Fax: 3860 3540

Released under RTI - DTMR

PBP33272

# Marine Incident

<b>Region File No</b> 04/062	<b>HO File No</b> 720/4336	<b>Region</b> Brisbane	<b>Status</b> Closed	<b>Date closed</b> 30/08/2004	<b>Cat</b> 3	<b>Investigate?</b> Yes
---------------------------------	-------------------------------	---------------------------	-------------------------	----------------------------------	-----------------	----------------------------

<b>Reporting Agency</b> Qld Transport	<b>Reported via...</b> Fax	<b>Reported on...</b> 03/05/2004	<b>Next review</b> 17/05/2004
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**Office** Pinkenba **Incident involved** \*\*\*

**Pollution?** No

**Reason Closed** Investigation Completed - No action required  
**Investigating Agency** Qld Transport

**Officer** MORAN, Elias John

**Position of Incident - Latitude and Longitude should be entered in decimal format**

<b>Lat</b> -27.4000	<b>Long</b> 153.5500	<b>Water/Landmark</b> 4nm North East of Point Lookout
<b>Bearing</b>	<b>Distance (nm or m)</b>	<b>Location</b> Smooth waters
<b>Date</b> 02/05/2004	<b>Time</b> 08:50 PM	

**Type of Incident**

Collision with a fixed object

**Incident Severity**

<b>Fatalities</b> 0	<b>Minor Injuries</b> 0	<b>Severity</b> Ship Damaged
<b>Serious Injuries</b> 0		

**Environmental Conditions**

<b>Weather</b> Clear	<b>Visibility</b> Good	<b>Water</b> Calm	<b>Time of Day</b> Night	<b>Wind Speed</b> Light (up to force 2 / 1-7 knots)
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**General Ship Information**

Select types of ships involved in incident:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input type="checkbox"/> REC Motorboat           |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC                 |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input checked="" type="checkbox"/> REC Sailboat |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat   |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat           |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown                 |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)                 |  |

**Ships involved**  
Recreational only

**Contributing Factors**

- |  |   |
|--|---|
| <input type="checkbox"/> Human               | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient planning    |
| <input type="checkbox"/> Excessive speed     |   |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Describe the contributing factor**

Other material factor

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

02.05.04 n- Vessel [redacted] hit Flat Rock & was holed & taking on water. No injuries. BWP towed [redacted] to Manly Boat Harbour.

26/8/04. [redacted] not holed, slight damage to outer fibreglass hull. Water enter via stern gland. Gland tightened up and leak stopped.

tightened up and leak stopped.

Unfamiliar noise coming from engine bay- master went below but could not locate source of noise.  
Master stayed below for approx 5 minutes.

**Action Log - should summarise key investigative milestones, data modifications and include attachments**

File returned to Brisbane water  
Police re attention  
14/9/2004 - received by IU -  
recommendations confirmed.  
Caution letter sent.

[Copy of Summary text for  
printing]

02.05.04 n- Vessel [redacted] hit Flat Rock & was holed & taking on water. No injuries.  
BWP towed [redacted] to Manly Boat Harbour.

26/8/04. [redacted] not holed, slight damage to outer fibreglass hull. Water enter via stern gland. Gland  
tightened up and leak stopped.

Unfamiliar noise coming from engine bay- master went below but could not locate source of noise.  
Master stayed below for approx 5 minutes.

Vessel was then to Manly Harbour and then continued to Mooloolaba and repairs effected \$990:00.  
No injuries- master only person onboard.

Recoomended no further action taken and matter to be filed.

[end copy]

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Last updated: 14/09/2004 11:36:49 AM by John R Kavanagh/cp1/qdot/au  
Date entered: 07/05/2004 02:24:40 PM by Leigh A Russell/cp3/qdot/au

Released under RTI - DTMR



## Memorandum

Maritime Safety  
Queensland

Queensland Transport

Our ref: 720/00994

Your ref:

Date: 26 August 2004

**To** Mr Kumar FERNANDO  
Acting Manager Marine Safety

**Subject** Vessel [redacted] - collided with Flat Rock off Point Lookout on 2/5/04

**Investigating Officer** E.J. MORAN MSO PBP 33272

On the 17 August 2004 I was directed by Mr Kumar FERNANDO acting manager marine safety to attend to follow up investigations in relation to a marine incident which occurred at 2050 hrs on the 2 May 2004. The incident was initially investigated by the Brisbane Water Police and they recommended that no further action will be required by that agency.

On the 26 August 2004 I contacted the master/ owner of the vessel [redacted] Sch.4 Part 4 s.6 PI who permanently resides at

[redacted]

### Incident

[redacted] stated that he was proceeding north approx 3 nautical miles east of Point Lookout alone on his vessel [redacted] which is a 10 metres sailing yacht with New South Registration No [redacted]. He stated that sailing conditions were good with light westerly winds, full moon and good visibility.

He stated that at about 2050 hrs he heard an unfamiliar sound coming from the engine bay and he put the vessel on auto pilot and went below to investigate. He stated that from the heading he had set on his auto pilot his yacht should have missed flat rock by half a mile.

He stated that he was below for a period of approx 5 minutes as the source of the noise was difficult to locate and whilst he was below he felt his yacht bump into something. He immediately returned to the weather deck and on arrival he noticed that Flat Rock was extremely close and he was sailing past the rock.

[redacted] stated that he then inspected his vessel externally with the aid of a torch and noticed minor hull damage to the starboard side. He stated that his vessel had taken a small amount of water onboard and this entered through the stern gland.

Enquiries  
Telephone +61 7  
Facsimile +61 7

[redacted] was then towed to Manly Harbour and then continued his voyage to Mooloolaba where he had the ship slipped and effected repairs to the fibreglass. The total cost of repairs including slipping, three days hard stand and fibreglass repairs was \$990:00. [redacted] stated that he was not injured during the incident.

### Conclusion

Sch.4 Part 4 s.6 [redacted] is a master with many years experience sailing his private yacht in open waters. He stated that he was aware of the location of Flat Rock from previous voyages.

The course plotted by [redacted] should have enabled his yacht to past Flat Rock at a distance of approx. half a mile.

The source of the noise emanating from the engine bay was difficult for [redacted] to locate and this required him to remain below longer than expected.

The light westerly breeze would have pushed the yacht side ways and subsequently causing it to collide with Flat Rock.

### Recommendations

[redacted] appeared to take all possible action to plot a course on his auto pilot that would allow his yacht to past Flat Rock safely while he was below. It is possible that a wind gust had pushed his yacht side way on a collision course with the rock. I recommend that no further action be taken and the matter filed.

[redacted]  
E.J. MORAN  
Marine Safety Officer

PBP37823

# Marine Incident

<b>Region File No</b> 10/144	<b>HO File No</b> 	<b>Region</b> Brisbane	<b>Status</b> Closed	<b>Date closed</b> 10/01/2011	<b>Cat</b> 4	<b>Investigate?</b> No
---------------------------------	-----------------------	---------------------------	-------------------------	----------------------------------	-----------------	---------------------------

<b>Reporting Agency</b> Qld Transport	<b>Reported via...</b> F3071 Marine Incident Report	<b>Reported on...</b> 26/11/2010	<b>Next review</b> 01/01/2011
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**Office** Pinkenba **Incident involved** \*\*\*

**Pollution?** No

**Reason Closed** Investigation Completed - Refer for administrative action  
**Relevant Act**  
**Investigating Agency** Qld Transport **Officer** WILLIAMS, Justin

**Position of Incident - Latitude and Longitude should be entered in decimal format**

**Lat** -27.3833 **Long** 153.5500 **Water/Landmark** Nth Stradbroke Island  
**Bearing** **Distance (nm or m)** **Location** Partially smooth waters  
**Date** 30/10/2010 **Time** 07:00 PM

**Type of Incident**

Grounding unintentional

**Incident Severity**

**Fatalities** 0 **Minor Injuries** 0 **Severity** Ship Damaged  
**Serious Injuries** 0

**Environmental Conditions**

**Weather** Hazy **Visibility** Good **Water** Choppy **Time of Day** Night **Wind Speed** Moderate (force 3-4 / 8-16 knots)

**General Ship Information**

Select types of ships involved in incident

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> COM Fishing              | <input type="checkbox"/> COM Non-pax (Non-specific) | <input type="checkbox"/> REC Motorboat           |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)   | <input type="checkbox"/> REC PWC                 |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input type="checkbox"/> COM Non-pax (Houseboat)    | <input checked="" type="checkbox"/> REC Sailboat |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)   | <input type="checkbox"/> REC Paddle (row) boat   |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)   | <input type="checkbox"/> REC Houseboat           |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)          | <input type="checkbox"/> Unknown                 |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)         |  |

**Ships involved**  
Recreational only

**Contributing Factors**

- Human**
- |  |   |
|--|---|
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient maintenance |

- Excessive speed
- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Insufficient planning
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

30.10.10 - [redacted] was washed onto Flat Rock, North Stradbroke Island [redacted] immediately called May Day and activated his Epirb Beacon. He received immediate attention from Seaway Tower, Brisbane Coast Guard and the AGL helicopter crew.  
 Desktop Investigation conducted by DM

Desktop investigation conducted by DM.  
10.1.11 Caution letter sent

**Action Log - should summarise key investigative milestones, data modifications and include attachments**

11.10 Desktop Investigation conducted by DM.

10.1.11 Caution letter sent

NFA required

10.1.11 File Note added Sch.4 Part 4 s.6 PI

PBP37823   oc  File Note   AIR.30.10.10.doc

FILE CLOSED 04/03/2011 COMPLIANCE UNIT

Last updated: 04/03/2011 09:13:54 AM by Sean J Glen/cp1/qdot/au  
Date entered: 22/12/2010 08:24:22 AM by Melissa A Fenton/cp4/qdot/au

Released under RTI - DTMR

## File note

**File number** PBP37823 - 10 /144

**Subject** [REDACTED] ADU767N - GROUNDING UNINTENTIONAL - NORTH STRADBROKE ISLAND - 30.10.2010

**Author** Justin WILLIAMS

**Date** 24 December 2010

- 
- 0920 hours, Officer WILLIAMS called C [REDACTED] – owner of the ship [REDACTED] [REDACTED] – made enquires into a marine incident that occurred at Flat Rock, North Stradbroke Island – 30.10.2010.

[REDACTED] states;

- I was plotting my position on paper chart with my GPS and thought I was further north of Flat Rock. Suddenly I was in the surf and I hit a rock, I immediately let off my 406 Epirb and called the seaway tower at Southport. I was in contact with the coast guard at Manly. A rescue helicopter arrived at Flat Rock and was able to land safely to rescue me.
- I was the only person on board and I was not injured.
- My ship is insured and is currently being repaired at East Coast Marina.
- My ship was towed off the Rock by the coast guard at Manly.
- The whole situation was very scary and upsetting.

WILLIAMS's states;

- I am of the opinion this can be a desk top investigation with a cautionary letter sent to [REDACTED] to maintain a proper watch for any future activities on the waterways.

R

PB\*1682

# Marine Incident

Region File No	HO File No	Region	Status	Date closed	Cat	Investigate?
<input type="text"/>	2 - 14 - 3592	Brisbane	Closed	16/08/97	2	Yes

Reporting Agency	Reported via...	Reported on...	Next review
***	***		02/03/2000

Office	***	Incident involved	***
--------	-----	-------------------	-----

Pollution?

Reason Closed Global Op  
 Investigating Agency Qld Transport

Officer MARCHBANK, Peter

**Position of Incident - Latitude and Longitude should be entered in decimal format**

Lat	<input type="text"/>	Long	<input type="text"/>	Water/ Landmark	Flat Rock North Stradbroke Island
Bearing	<input type="text"/>	Distance (nm or m)	<input type="text"/>	Location	Partially smooth waters
Date	16/08/97	Time	04:15 PM		

**Type of Incident**

**Incident Severity**

Fatalities	<input type="text" value="0"/>	Minor Injuries	<input type="text" value="0"/>	Severity	Ship Damaged
		Serious Injuries	<input type="text" value="0"/>		

**Environmental Conditions**

Weather	Visibility	Water	Time of Day	Wind Speed
Clear	Good	Choppy	Day	Moderate (force 3-4 / 8-16 knots)

**General Ship Information**

Select types of ships involved in incident

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> COM Fishing   | <input type="checkbox"/> COM Non-pax (Non-specific)         | <input checked="" type="checkbox"/> REC Motorboat |
| <input type="checkbox"/> COM Hire & Drive (Other) | <input type="checkbox"/> COM Non-pax (Boat share)           | <input type="checkbox"/> REC PWC                  |
| <input type="checkbox"/> COM Hire & Drive (Sail)  | <input checked="" type="checkbox"/> COM Non-pax (Houseboat) | <input type="checkbox"/> REC Sailboat             |
| <input type="checkbox"/> COM Hire & Drive (Motor) | <input type="checkbox"/> COM Non-pax (Hovercraft)           | <input type="checkbox"/> REC Paddle (row) boat    |
| <input type="checkbox"/> COM Hire & Drive (PWC)   | <input type="checkbox"/> COM Non-pax (Paddle/row)           | <input type="checkbox"/> REC Houseboat            |
| <input type="checkbox"/> COM Hire & Drive (House) | <input type="checkbox"/> COM Non-pax (PWC)                  | <input type="checkbox"/> Unknown                  |
| <input type="checkbox"/> COM Pax                  | <input type="checkbox"/> COM Non-pax (Sail)                 |   |

Ships involved  
 Commercial/Recreational

**Contributing Factors**

- |  |   |
|--|---|
| <input type="checkbox"/> Human               | <input type="checkbox"/> Insufficient fuel        |
| <input type="checkbox"/> Alcohol or drugs    | <input type="checkbox"/> Insufficient maintenance |
| <input type="checkbox"/> Commercial pressure | <input type="checkbox"/> Insufficient planning    |
| <input type="checkbox"/> Excessive speed     |   |

- Fatigue
- Inadequate training of crew
- Inappropriate advice to ship - Harbour Control or Port Authority
- Inappropriate advice to ship - Pilot
- Inappropriate advice to ship - Vessel Traffic System
- Inappropriate instructions to crew - other
- Inappropriate instructions to crew - poor communications
- Inattention
- Inexperience or lack of knowledge
- Insecure mooring
- Insufficient crew numbers
- Navigation error - failure to keep proper lookout
- Navigation error - other
- Navigation error - violation of Colregs
- Operational error - other
- Other (Human)
- Overloading
- Poor communications
- Poor ship to shore communications
- Violation of standard procedures
- Violation of statutory rules or standards

**Material**

- Bridge or navigation failure
- Electrical failure
- Equipment failure - other
- Fuel or gas leak
- Hull failure
- Inadequate stability - other
- Inadequate stability - overloading
- Inadequate stability - shifting cargo
- Inappropriate hull or equipment - construction fault
- Inappropriate hull or equipment - design fault
- Inappropriate hull or equipment - insufficient maintenance
- Insufficient safety equipment
- Machinery failure
- Other (Material)
- Shore structure badly designed built or maintained

**Environmental**

- Abnormal tidal conditions
- Bar conditions
- Floating or submerged object
- Hazardous season (cyclones etc)
- Hazardous waters - coral reefs
- Hazardous waters - lack navigation aids
- Hazardous waters - shifting channel
- Hazardous waters - uncharted hazards
- Heavy traffic area
- Other (Environmental)
- Poor visibility
- Sea state
- Wash of passing vessel
- Wind

**Summary - description of incident including events leading up to and following incident**

Collision occurred at Point Lookout with a vessel still at anchor. no injuries.

Navigation error violation of Collision Regs.

Breach  sec 43 (1) (2) (a), Sec 211 (1) (2).

Sch 4 Part 4 s 6 P1

Action Log - should summarise key investigative milestones, data modifications and include attachments

Last updated: 18/12/2003 02:01:26 PM by Christopher F Campbell-Thomson/Peninsula/qdot/au  
Date entered: 21/02/2000 01:39:13 PM by Sharyn A Durley/Maritime/qdot/au

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DEPT. OF TRANSPORT  
MINERAL RESOURCES  
23 OCT 1997  
REC

2

**Marine Incident Investigation Summary**  
1997  
File Updated 21/10/97 File No. 2-14-3592

Date 16/08/97	Vessel Beachcraft Explorer	Type Fish/ Motorboat	Masters Name Sch.4 Part 4 s.6 PI
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Incident Collision	Category 2	Region Brisbane	Investigation By RHM Brisbane?
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<b>Comments</b> Collision occurred at Point Lookout with Beachcraft at anchor. No injuries.	<b>Contributing Factors</b> Navigational error, violation of Collision Regs inappropriate licence	<b>Result/Recommendations</b> Breach s 43 (1) (2)(a), s 211 (1)(2) Breach s 43 (1) (2)(a), s 211(1) (2), s 61(1)
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<b>Action Required</b> Prosecute (documents sent 21/10/97)	<b>By whom</b> TOMS	<b>Finalised</b>
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1. [Redacted]

2. file

3. NFA.

23/10/97

Cleveland Court 18 May 98

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**Memorandum**

**TO:** Capt P J Marchbank  
A/Senior Advisor (Investigations)

**SUBJECT:** [REDACTED] BEACHCRAFT EXPLORER, Collision, Flat Rock,  
Point Lookout, 16/8/97

Investigation Report

This incident occurred at about 16:15 hrs on the Afternoon of 16th August 1997 when the fishing ship '[REDACTED]' collided with the anchored fishing ship "BEACHCRAFT EXPLORER" about 30m south of Flat Rock, Point Lookout, N Stradbroke Island.

This investigation has found that:-

- 1) The BEACHCRAFT EXPLORER is a 6.7m vessel registered with the QFMA (MACM) for the taking of marine specimens for aquarium purposes.
- 2) the ship was at anchor just south of flat rock with two persons on board, the master and his deckhand, they were both on deck at the time but at work and not aware of any vessels around them.
- 3) [REDACTED] is a 15m trawler registered with both Queensland Transport and the QFMA (FVJH) and based at Southport.
- 4) The ship was heading northwards in the vicinity of Flat Rock not fishing at the time but had her booms rigged and extended.
- 5) The Master and the deckhand were on the after deck working with no one forward keeping a look out.
- 6) [REDACTED] port boom collided with the BEACHCRAFT EXPLORER, the crew of the latter vessel had to jump into the sea to escape the collision and injury.
- 7) The master of the BEACHCRAFT EXPLORER did not hold the appropriate licence for the vessel and his occupation. The Master held a South Australian Private Motor Boat licence and was operating a commercial ship.

**Determination**

It is therefore determined that the cause of the incident was the failure of both Masters to keep a proper lookout - in direct contravention to Rule 5 of the Collision Regulations

**Recommendation**

That both Masters be breached under TOMSA for failing to operate a ship safely, operating a ship to cause a marine incident and the Master of the BEACHCRAFT EXPLORER be breached for being in appropriately licenced to be master of a commercial ship.

[REDACTED]  
(Capt P J Marchbank)

**TEMPORARY ASSISTANT HARBOUR MASTER (BRISBANE)**

*Office of Regional Harbour Master, Brisbane is certified to Quality Standard AS/NZS ISO 9002:1994*

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## Memorandum

Queensland Department of Transport

Our Ref: 97086

Your Ref:

Date: September 16, 1997

**TO: Capt. J Littleton  
A/RHM Brisbane**

SAC(1) FILE 149

**SUBJECT: Flat Rock, Point Lookout**

I wish to report that over the last nine months there have been three similar but separate incidents in the vicinity of Flat Rock, Off Point Lookout, N Stradbroke Island.

Two have resulted in the capsizing of the craft involved, with one vessel being sunk and not recovered. There have luckily been no injuries or loss of life.

The Incidents themselves were:-

30/12/96 - RIGID TOO - A dive boat operated by Stradbroke Island Scuba which fell off the crest of a very big freak wave.

22/2/97 -  A 7m Recreational half cabin cruiser which was swamped and sank by a very big wave.

16/8/97 - NAIAD DIVE - A rigid inflatable dive boat operated by Stradbroke Island Scuba capsized by a big freak wave

It is noted that all incidents occurred with clear weather, E-SE'ly winds 5-15 knts, and with a FALLING TIDE. The lack of keeping a proper lookout also was an attributory factor in all cases.

As an aid to help educate mariners who frequent this area it is suggested that a warning notice be incorporated on the Queensland Boating and Safety Chart Southport-Caloundra. The notice highlighted in Red would be on the dangers of encountering freak waves in the vicinity of Flat Rock, especially on a falling tide.

(Capt P J Marchbank)

**TEMPORARY ASSISTANT HARBOUR MASTER (BRISBANE)**

Marine Operations Base  
MacArthur Avenue East  
Pinkenba Qld 4008

Enquiries: Capt P J Marchbank  
Telephone: (07) 3860 3556  
Facsimile: (07) 3860 3560

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## Memorandum

**TO:** Capt J Regan  
Senior Advisor (Investigations)

**SUBJECT:** "NAIAD DIVE", Capsizing, Flat Rock, Off Point Lookout 15/8/97



### Investigation Report

This incident occurred at about 11:00 hrs on the morning of 15th August 1997 when the rigid inflatable dive vessel "NAIAD DIVE" capsized off Flat Rock, Point Lookout.

This investigation has found that:-

- 1) The NAIAD DIVE is a Class 2D rigid inflatable dive vessel operated by Stradbroke Island Scuba Centre, Point Lookout.
- 2) The vessel was on a trip to check on the sea water visibility.
- 3) The vessel anchored to the East of Flat Rock after looking around at the weather etc before doing so.
- 4) The weather at the time was good, calm sea, light winds from the SE, good visibility and a falling tide..
- 5) Having just anchored the vessel was swamped and capsized by a large swell.
- 6) The four people were assisted by the crew of two boats fishing near by.
- 7) The large swell appeared to affect on the dive boat anchored to the east of the rock and not those vessels fishing to the south of it..

### Determination.

The cause of the accident appears to be the freak wave. Having just anchored it can not be said that the keeping of a lookout would have avoided the incident. The vessel anchored into the sea and swell.

### Recommendation

There have been a number of similar incidents of large waves swamping or capsizing vessels in this area. Maybe some education program should be looked at or a Notation/Warning on the Boating and Fishing Chart for this area.



(Capt P J Marchbank)

**TEMPORARY ASSISTANT HARBOUR MASTER (BRISBANE)**

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Marine Operations Base  
MacArthur Avenue East  
Pinkenba Qld 4008

Enquiries: Capt P J Marchbank  
Telephone: (07) 3860 3552  
Facsimile: (07) 3860 3560

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