







**LX**  
**800**









Released under RTI - DTN









Released under RTI - DTMR





K149-M

LX  
800

HYDRASTAR  
www.hydrastar.com  
MADE IN THE USA





**K149-M**

**CATEGORY 4**

**ATLANTA**

Under RTI - DTMR









Released under RTI - DTMP





Released under RTI



19-M





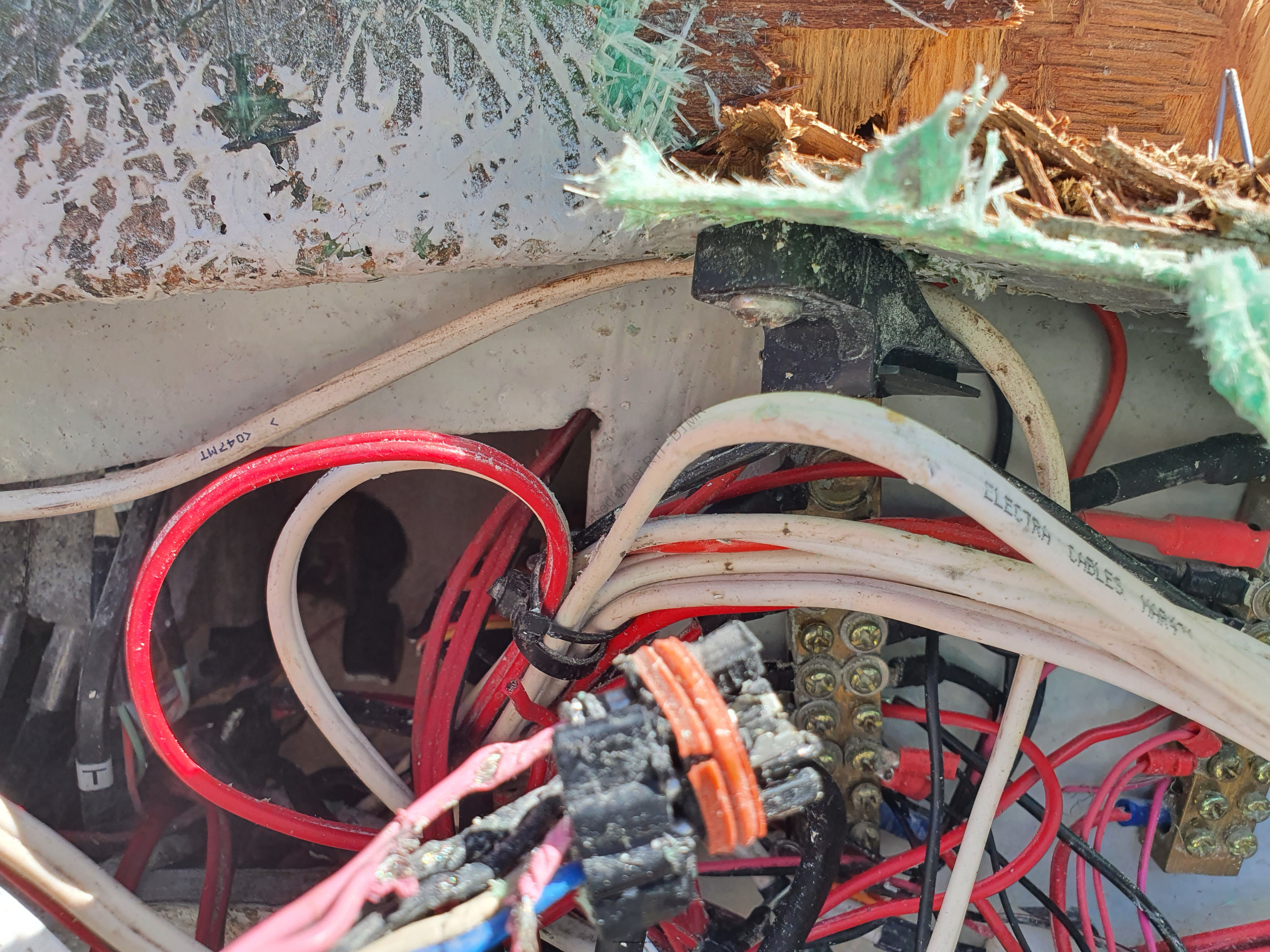


Released under RTI/DIA









7  
1047MT

ELECTRA  
CABLES

T





4042MT

ELECTRA CABLES MAR 94









Released under RTI-5TMR



















GPSMAP 751XS

S 21°09'56.2"  
E149°14'40.8"  
3.54<sup>n</sup><sub>m</sub> 154<sup>o</sup><sub>M</sub>

Chart Selection

Review

Navigate To

Create Waypoint

Measure Distance

Information

Back

Home

Mark

Menu

GARMIN



GPSMAP 751XS

S 21°09'56.2"  
E 149°14'40.8"  
3.54 <sup>n</sup><sub>m</sub> 154 <sup>e</sup><sub>m</sub>

Chart Selection

Review

Create Waypoint

Measure Distance

Information

80m

Back

Home

Mark

Menu

GARMIN



GPSMAP 751XS

S 21°09'54.6"  
E 149°14'40.6"  
49.9 m 343 m



GARMIN



GPSMAP 751XS

S 21°09'54.6"  
E 149°14'40.6"  
49.9 m 343 M



Measure Distance

Set Reference

Stop Measuring

Back

Home

Mark

Menu

GARMIN





Maritime Safety  
Queensland

BAILEY





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4

FUCHS

Small blue can on the floor





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YAMAHA

stroke

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Reel Time  
MACKAY

MAC KAY











RTI-1901 - Photographs - Page 46 of 66



EXPLOSIVE-EXPLOSIF  
EXPLOSIVO  
EXPLOSIVSTOFF

Aluminum/Magnesium Alloy.

and disposal visit [www.comet-m.com](http://www.comet-m.com)

LOT NO.

222

[illegible]

Expiry date/  
Date d'expiration

Manufactured/  
Fabriqué à

**RED HANDEFLARE**  
**FEU A MAIN ROUGE**  
USE FOR DAY OR NIGHT USE  
STAND WITH BACK TO WIND  
CAUTION: THE FLARE IS  
DISTRIBUTED IN THE  
SIGHTED AREA

**RED HAND SIGNAL**  
**FEU A MAIN ROUGE**  
USE ONLY WHEN  
STAND WITH BACK TO  
CAUTION SIGNAL  
DURING NIGHT  
USE ONLY WHEN  
STAND WITH BACK TO  
CAUTION SIGNAL  
DURING NIGHT

HAND RED PL VESSEL IS  
AIRCRAFT OR VESSEL, BUILDING

Do not use after expiry date

Chlorate, Black Powder, Barium Nitrate, Potassium Nitrate, Zinc Oxide.

Conforms to  
Australian Standards 2092

Conforms to  
Australian Standards 2092

Date of Expiry:

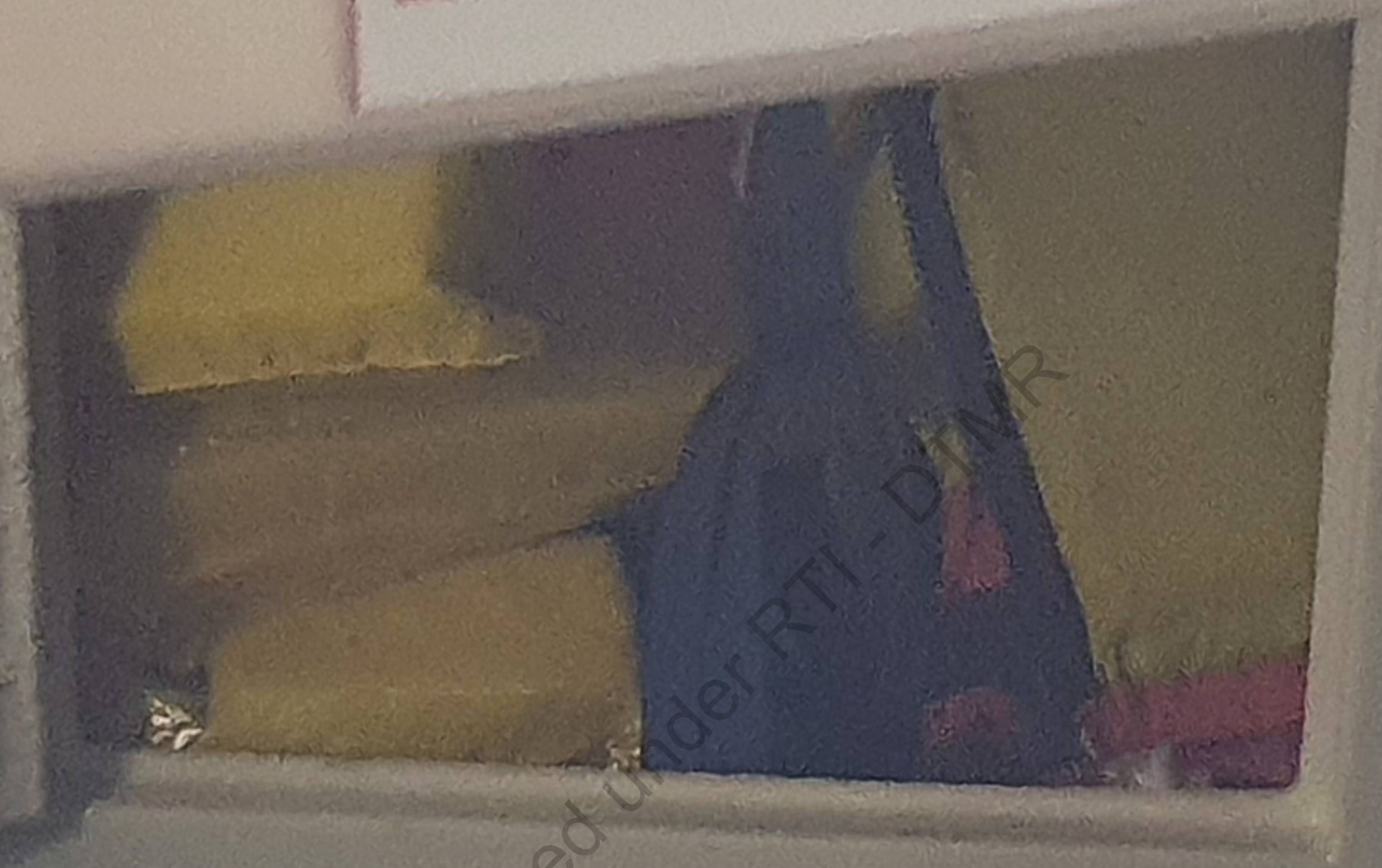
120

三

## WARNINGS:



LIFE JACKETS



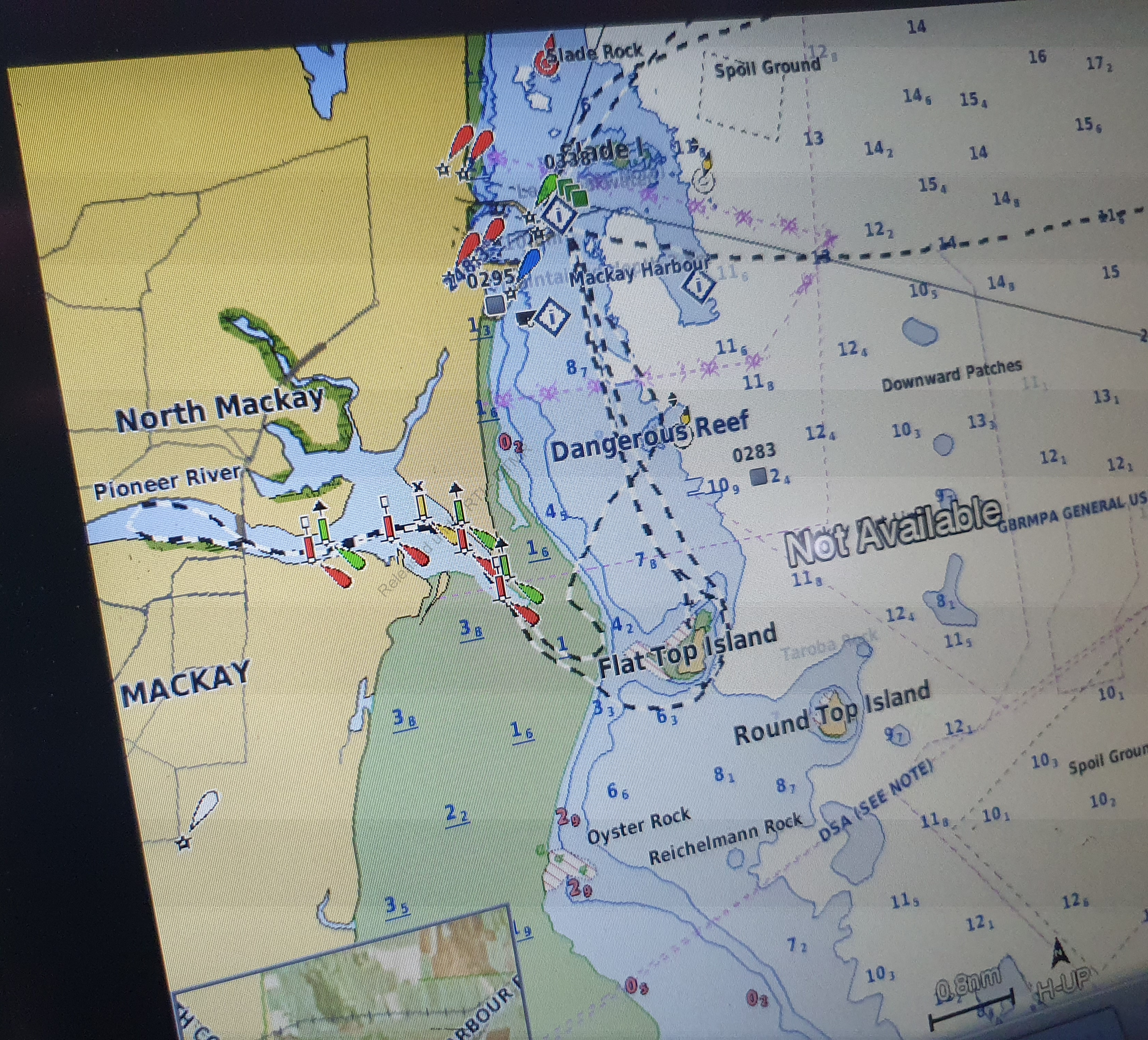
Released Under RTI - DMR



LIFE JACKETS









SA (SEE NOTE)

DSA (SEE NOTE)

Mackay Po

4<sub>2</sub>

7<sub>8</sub>

3<sub>6</sub>

11<sub>2</sub>

Flat Top Island

Not Available  
Taroba Rock

3<sub>3</sub>

6<sub>3</sub>

7<sub>5</sub>

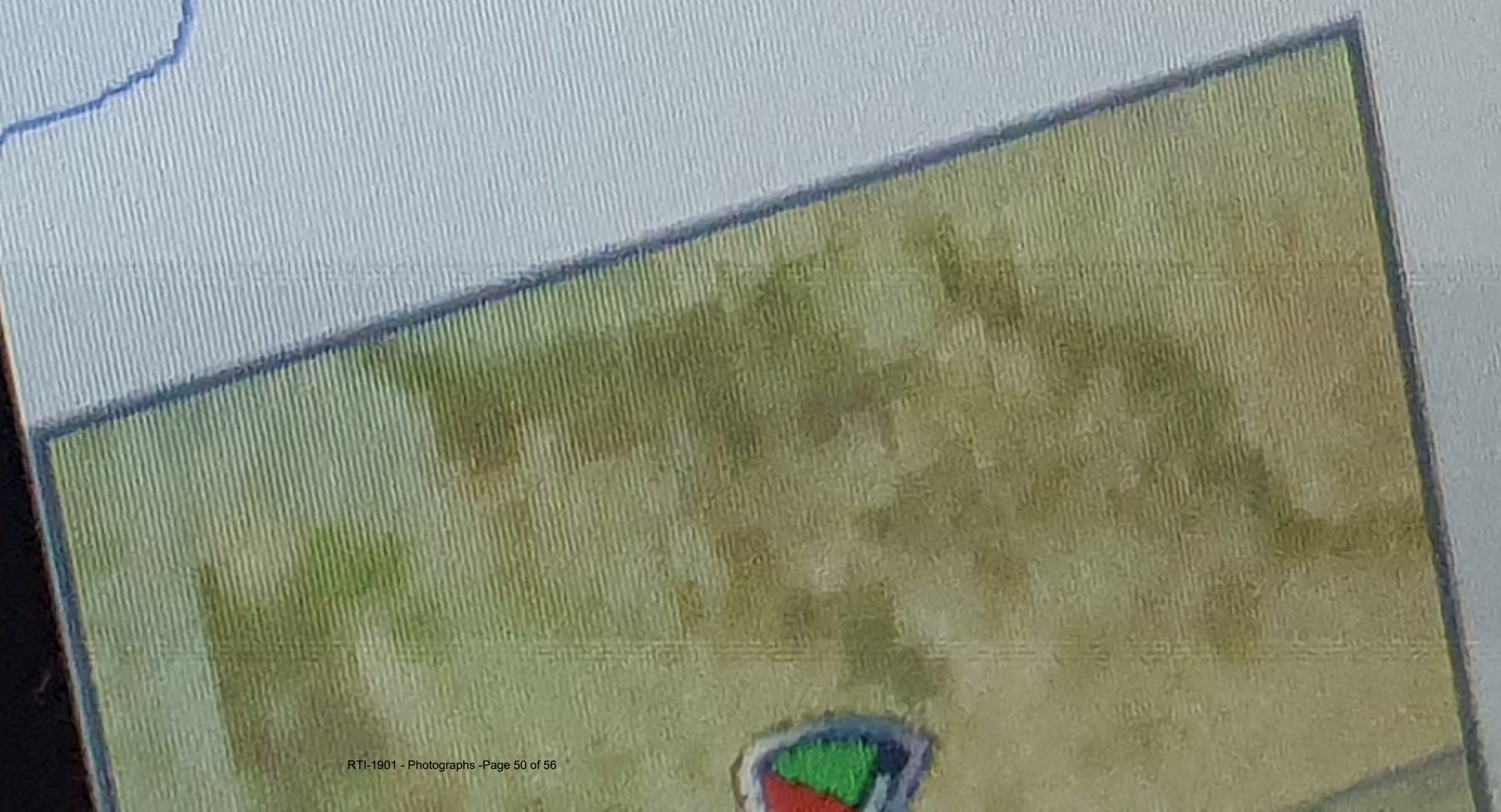
8<sub>1</sub>

0.2mm

RINGS

Home

Released under RTI







Released Under E.O. 13526

Not Available

300ft

H-UP

Menu

Stop





Released  
RTI - DTM

WLL 5T  
SWL 15T





GARMIN HD

Released under RTI

SWL15T





Released under RTI





Released under





Released under RTI - DTMR



# Marine & Pollution Incident Investigation Report

Title:

Collision between ships 'Removed' 'Removed' and DCV  
'Reefraph' UVI - 458263 at Flat Top Island Mackay.

Incident date: 07/05/2021

Category: Category 3

CaseMan no: MSC2559-2021  
(N/A for TOMPA incidents)

<b>Investigator</b>	Nicholas Vernalls
<b>Position</b>	Marine Officer
<b>Division</b>	Mackay Region
<b>Regional office</b>	Mackay
<b>Address</b>	Level 3 44 Nelson St Mackay QLD 4740
<b>Contact number</b>	(07) 4944-3700
<b>Email</b>	nicholas.w.vernalls@msq.qld.gov.au
<b>Report date</b>	



# Summary

Regional office:	<input type="text" value="Mackay"/>	DMS File No:	<input type="text" value="230/012893"/>		
Incident date:	<input type="text" value="07/05/2021"/>	Time of incident:	<input type="text" value="6:50 PM"/>	Date reported:	<input type="text" value="07/05/2021"/>
Category:	<input type="text" value="Category 3"/>	Incident type:	<input type="text" value="Collision Between Ships"/>		
MSQ attended:	<input type="checkbox"/>	Officers attending:	<input type="text"/>	Contact No:	<input type="text"/>
QPS attended:	<input type="checkbox"/>	Officers attending:	<input type="text"/>	Contact No:	<input type="text"/>
QAS attended:	<input type="checkbox"/>	Officers attending:	<input type="text"/>	Contact No:	<input type="text"/>
QBFP attended:	<input type="checkbox"/>	Officers attending:	<input type="text"/>	Contact No:	<input type="text"/>
Aquatic event:	<input type="checkbox"/>	(copy of permit attached)			

## Evidence

[Add evidence](#)[Remove evidence](#)

## Location

Body of water / landmark:	<input type="text" value="Flat Top Island Mackay"/>		
Latitude:	<input type="text" value="-21.1663"/>	Longitude:	<input type="text" value="149.2446"/>
<small>Latitude &amp; longitude must be recorded in decimal format for entry into the CaseMan system. All coordinates in deg/min or deg/min/sec format must be converted to decimal degree format for entry. For example 16°30'S would become -16.5000 degrees.</small>			
Waters:	<input type="text" value="Smooth waters (incl. tidal rivers &amp; creeks)"/>		

## Conditions

Weather:	<input type="text" value="Clear"/>	Visibility:	<input type="text" value="Fair"/>
Water:	<input type="text" value="Calm"/>	Wind:	<input type="text" value="Light (up to force 2 / 1-6 knts)"/>
Tide:	<input type="text" value="Incoming"/>		

## Pollution

Source	Ship: <input type="checkbox"/>	Land: <input type="checkbox"/>	Unknown: <input type="checkbox"/>		
Pollutant	Sheen: <input type="checkbox"/>	Diesel: <input type="checkbox"/>	Bilge: <input type="checkbox"/>	HFO: <input type="checkbox"/>	Other: <input type="text"/>
Extent	<input type="text"/>	or	<input type="text"/>		
	Size of slick (length and width in metres)		Litres		



## Ships involved

[Add ship](#)[Remove last ship](#)

### Ship 1.

Ship name :

Removed

Owners name:

Removed

Owners address:

Ship type:

Recreational

Ship class:

Recreational

Ship description:

Fibre Glass Catamaran

Reg no:

Removed

Boat mark:

RUF: ☐

Registering authority:

QLD Gov

Port of registry:

Mackay

Registration expiry:

24/02/2022

Length (in metres):

10

Beam (in metres):

Construction: Fibreglass

Engine type:

Outboard

No. of engines:

2

Total power (kW):

450

Last monitoring date:

Written direction:

Previous incidents:

### Master of ship 1.

Masters name:

Removed

Masters address:

Home phone:

Mobile phone:

Not relevant

Work phone:

Email address:

Removed

Statement/ROI: ☒Coercive powers used: ☐

Date of birth:

Removed

Place of birth:

Removed

### Add deceased or injured persons on ship 1.

[Add inj. person](#)[Remove inj. person](#)

### Add crew on ship 1.

[Add crew](#)[Remove crew](#)



Name:

Removed

Address:

Phone:

Not relevant

Email address:

Removed

Statement:

☒

Coercive powers used:

☐

Position:

Deckhand

Marine licences:

RMDL

ESS:

Employment history:

Crew on ship 1.

Add offence details for ship 1.

Add offence

Remove offence

Add witness

Add witness

Remove witness

Name:

Part Refuse Sch.4 Part 4 s.6 Personal information

Address:

Part Refuse Sch.4 Part 4 s.6 Personal information

Home phone:

Mobile phone:

Not relevant

Work phone:

Email address:

Coercive powers used:

☐

Statement provided:

☒

Evidence adopted:

☐

Name:

Part Refuse Sch.4 Part 4 s.6 Personal information

Address:

Home phone:

Mobile phone:

Not relevant

Work phone:

Email address:

Coercive powers used:

☐

Statement provided:

☒

Evidence adopted:

☐

Name:

Part Refuse Sch.4 Part 4 s.6 Personal information

Address:

Part Refuse Sch.4 Part 4 s.6 Personal information

Home phone:

Mobile phone:

Not relevant

Work phone:

Email address:

Coercive powers used:

☐

Statement provided:

☒

Evidence adopted:

☐



## Ship 2.

Ship name :	Reefraph		
Owners name:	Removed		
Owners address:	Part Refuse Sch.4 Part 4 s.6 Personal information		
Ship type:	Fishing	Ship class:	Class 3
Ship description:	Haines Monohull		
Reg no:	458263	Boat mark:	K149-M RUF: <input type="checkbox"/>
Registering authority:	AMSA	Port of registry:	Mackay
Registration expiry:			
Length (in metres):	7.2	Beam (in metres):	Construction: Fibreglass
Engine type:	Outboard	No. of engines:	2 Total power (kW): 225
Last monitoring date:		Written direction:	
Previous incidents:			

## Master of ship 2.

Masters name:	Removed		
Masters address:	Part Refuse Sch.4 Part 4 s.6 Personal information		
Home phone:		Mobile phone:	Not relevant Work phone:
Email address:		Statement/ROI:	<input checked="" type="checkbox"/> Coercive powers used: <input type="checkbox"/>
Date of birth:	Part Refuse Sch.4 Part 4 s.6 Personal information	Place of birth:	Part Refuse Sch.4 Part 4 s.6 Personal information

## Add deceased or injured persons on ship 2.

[Add inj. person](#)[Remove inj. person](#)

## Add crew on ship 2.

[Add crew](#)[Remove crew](#)



Name:	<div>Part Refuse Sch.4 Part 4 s.6 Personal information</div>		
Address:			
Phone:	<div>Not relevant</div>	Email address:	<div>Part Refuse Sch.4 Part 4 s.6 Personal information</div>
Statement:	<input checked="" type="checkbox"/>	Coercive powers used:	<input type="checkbox"/>
Position:	Deckhand	Marine licences:	
ESS:		Employment history:	

Crew on ship 2.

Add offence details for ship 2.

Add offence

Remove offence

Add witness

Add witness

Remove witness

Released under RTI - DMP



# Summary of facts—explain incident & investigations conducted

## The Incident

Include full particulars of vessels, voyage and location of incident.

On the 7th May 2021 at about 1730 hours the recreational vessel [Removed] was alongside in the Mackay Marina.

The owners, [Removed] were onboard. They had dinner at about 1810 hours and departed the marina at about 1836 hours.

They headed for Flat Top Island to anchor for the night. As they were approaching a possible anchorage on the Southern side of Flat Top Island they have collided with another anchored vessel.

After the collision they have noticed the commercial symbols on the anchored vessel as a commercial fishing vessel. The occupants of [Removed] have searched the area for anybody who may have been on the commercial vessel.

Another recreational vessel has been in the area and has come over to assist.

[Removed]

rt Refuse Sch.4 Part 4 s.6 Personal  
ormation

have attended also to help.

The commercial vessel has sustained significant damage to the hull above the waterline and the fixed canopy has been destroyed.

The commercial vessel owner [Removed] has attended with his deckhand and another person who has driven them there in his vessel.

[Removed]

as started his vessel and returned to the Marina.

[Removed]

and the [Removed] vessel have returned to the Marina also.

The other recreational vessel in the area has continued to fish.

## The Investigation

On the 7/5/21 at about 2046 hours MO Vernalls Missed a call from QBFP ([Remov]  
On the 8/5/21 at about 0904 hours Vernalls spoke to QBFP ([Remo] regarding the MI. ([Remo]  
informed that the commercial vessel at anchor may not have had his anchor light on. Discussed



who to submit the MI report to. Vernalls advised that the commercial operator should submit a report to AMSA and Vernalls would follow up a report from the recreational vessel.

On the 10/5/21 at about 0733 hours Vernalls received emails from Townsville Area Manager Max Haste. Photo's and contact details of the two vessel owners were also received.

At about 0800 hours Vernalls called the owner of the recreational vessel [Removed] [Not relevant] to discuss the incident. He was driving and I said I would call him back after 1000 hours.

At about 0815 hours Vernalls called AMSA to inform them about the incident due to DCV involment. Requested an AMSA Officer attend this morning to inspect the DCV. Spoke to [Removed] who confirmed she would get an officer to contact me regarding the inspection. Vernalls received no call back.

At about 0830 hours Vernalls called the owner of the commercial vessel ([Removed] mb [Not relevant]). Spoke briefly about the incident. He stated that he anchored at Flat Top Island at about 1620 hours on Friday the 7th May 21. He then left the vessel at anchor and went ashore to get a part for his pump. He returned at about 7 pm to find his vessel had been hit. He retrieved parts of his vessel and drove it to the Marina. The vessel was put on its trailer and stored at the Mackay Marina Hard Stand. He stated his anchor light is hard wired direct to the Battery isolator so it would have been lit.

At about 1028 hours Vernalls called [Removed] at Whitsunday Water Police to confirm the Police were not attending and he said that they were not.

At about 1100 hours Vernalls and MO Richards inspected the commercial vessel. Took photo's, recorded the coversation with a digital recorder. [Removed] inspected the wiring to the anchor light. Found that the anchor light was damaged however could have been operational at the time if the battery isolator was made, light and wiring was servicable and batteries were charged when the vessel was left at anchor. Owner enquired if he could remove items from the vessel. Vernalls said he would confirm with AMSA.

At about 1205 hours Vernalls called AMSA again after not receiving a call back and no Marine Safety Inspector would talk to Vernalls. Vernalls left a message with the operator for an MSI to call back. No one called back.

At about 1430 hours Vernalls called [Removed] and advised him to contact AMSA about removing items from his vessel as MSQ had concluded the inspection of the his vessel.

At about 1440 hours Vernalls arranged an inspection of the recreational vessel for Wednesday 7th May at 0900 hours.

On the 12/5/21 at about 0900 Vernalls and [Removed] inspected the recreational vessel [Removed] [Removed]. Took Photo's of the damage toward the bow if each hull and on the STBD deck area forward. Inspected and took photo's of safety equipment and the GPS. Took photo's and inspected the navigation lights. All safety equipment was onboard as required and the side lights and mast head lights were all working. The mast head lights consisted of steaming, stern and anchor. Recorded a version from the owner and passenger [Removed].

At about 1154 hours Vernalls called the owner of the other vessel in the area at the time [Removed] [Part Refuse Sch.4 Part 4 s.6 Personal information] He called Vernalls back and arranged for him to attend the office at 1500 on the 13th to record a version and gain a witness statement.

At about 1200 hours Vernalls called the deck hand on the commercial vessel [Removed] [Part Refuse Sch.4 Part 4 s.6 Personal information]. He



informed he was in Yepoon so Vernalls sent him an email so he could reply with his version of events.

At about 1503 hours Vernalls received an email from [Redacted] with his version.

On the 13/5/21 at about 0900 hours Vernalls checked with VTS about ship movements in the Mackay Harbour as [Redacted] said he got held up by a container ship between 1800 hours and 1845 hours. VTS confirmed that the Marina warning lights went on at 1839 hours and went off at 1937 hours and the ship Pioneer left the Harbour between these times.

At about 1500 hours Vernalls gained a witness statement from an independent witness [Redacted] Recorded his version.

On the 14/5/21 Vernalls typed a statement for [Redacted] and emailed it to him.

On the 15/5/21 Vernalls received video recordings from [Redacted] Video's confirmed time of departure and it was after sunset and dark.

On the 17/5/21 Vernalls received an email from [Redacted] with written statements from witnesses [Redacted] and [Redacted]. They arrived at the incident site after the collision and observed [Redacted] at the Marina after sunset.

On the 17/5/21 [Redacted] signed a statement at MSQ Mackay and gave a USB to Vernalls.

On the 19/5/21 [Redacted] signed a statement.

On the 28/5/21 Vernalls gained a version of events from [Redacted] A copy was given to [Redacted] after the interview.



# Contributing factors

Contributing factors are not the cause of the marine incident but rather factors that may have contributed to the incident taking place or its severity. All factors that potentially contributed to the incident should be recorded here.

## Human contributing factors

- |  |   |
|--|---|
| <input type="checkbox"/> Alcohol or drugs  | <input type="checkbox"/> Insufficient crew numbers                        |
| <input type="checkbox"/> Commercial pressure   | <input type="checkbox"/> Insufficient fuel                                |
| <input type="checkbox"/> Excessive speed   | <input checked="" type="checkbox"/> Insufficient maintenance              |
| <input type="checkbox"/> Fatigue   | <input type="checkbox"/> Insufficient planning                            |
| <input type="checkbox"/> Inadequate training of crew                                 | <input type="checkbox"/> Navigation error—failure to keep proper lookout  |
| <input type="checkbox"/> Inappropriate advice to ship—Harbour Control/Port Authority | <input type="checkbox"/> Navigation error—other                           |
| <input type="checkbox"/> Inappropriate advice to ship—Pilot                          | <input checked="" type="checkbox"/> Navigation error—violation of Colregs |
| <input type="checkbox"/> Inappropriate advice to ship—Vessel Traffic System          | <input type="checkbox"/> Operational error—other                          |
| <input type="checkbox"/> Inappropriate instructions to crew—other                    | <input type="checkbox"/> Overloading                                      |
| <input type="checkbox"/> Inappropriate instructions to crew—poor communications      | <input type="checkbox"/> Poor communications                              |
| <input type="checkbox"/> Inattention   | <input type="checkbox"/> Poor ship to shore communications                |
| <input type="checkbox"/> Inexperience or lack of knowledge                           | <input type="checkbox"/> Violation of standard procedures                 |
| <input type="checkbox"/> Insecure mooring  | <input type="checkbox"/> Violation of statutory rules or standards        |

Other (human):

## Material contributing factors

- |   |  |
|---|--|
| <input type="checkbox"/> Bridge or navigation failure     | <input type="checkbox"/> Inadequate stability—shifting cargo                                 |
| <input checked="" type="checkbox"/> Electrical failure    | <input type="checkbox"/> Inappropriate hull or equipment—construction fault                  |
| <input type="checkbox"/> Equipment failure - other        | <input type="checkbox"/> Inappropriate hull or equipment—design fault                        |
| <input type="checkbox"/> Fuel or gas leak                 | <input checked="" type="checkbox"/> Inappropriate hull or equipment—insufficient maintenance |
| <input type="checkbox"/> Hull failure                     | <input type="checkbox"/> Insufficient safety equipment                                       |
| <input type="checkbox"/> Inadequate stability—other       | <input type="checkbox"/> Machinery failure   |
| <input type="checkbox"/> Inadequate stability—overloading | <input type="checkbox"/> Shore structure badly designed built or maintained                  |

Other (material):

## Environmental contributing factors

- |  |   |
|--|---|
| <input type="checkbox"/> Abnormal tidal conditions             | <input type="checkbox"/> Hazardous waters—uncharted hazards |
| <input type="checkbox"/> Bar conditions                        | <input type="checkbox"/> Heavy traffic area                 |
| <input type="checkbox"/> Floating or submerged object          | <input type="checkbox"/> Poor visibility                    |
| <input type="checkbox"/> Hazardous season (cyclones etc)       | <input type="checkbox"/> Sea state                          |
| <input type="checkbox"/> Hazardous waters—coral reefs          | <input type="checkbox"/> Wash of passing vessel             |
| <input type="checkbox"/> Hazardous waters—lack navigation aids | <input type="checkbox"/> Wind                               |
| <input type="checkbox"/> Hazardous waters—shifting channel     |   |

Other (environmental):



# Findings

Add findings

Remove last finding

1. Independent witness statement Part Refuse Sch.4 Part 4 s.6 Personal information Removed stated he saw the navigation lights of Removed and no other lights before and after the collision. +
2. Part Refuse Sch.4 Part 4 s.6 Personal information Removed statement confirmed the two vessel involved in the collision to be Removed and a commercial dive boat.
3. Witness Statement from the owner and passenger Removed stated three look outs were posted. Removed was steering the vessel at the time of the collision. All lights were dimmed in the Removed. The time of the collision was Removed. +
4. Removed Part Refuse Sch.4 Part 4 s.6 Personal information and Part Refuse Sch.4 Part 4 s.6 Personal information Removed stated they observed the Removed alongside in the marina after sunset and when it was dark. +
5. Removed stated he was steering the 'Removed' at the time of the collision. He was looking out and navigating using his GPS. He saw navigation lights of a vessel in the distance just prior to the collision. All lights were of and the GPS was set. +
6. The deck hand, Part Refuse Sch.4 Part 4 s.6 Personal information on the commercial fishing vessel 'Reefraph' stated the anchor light worked the previous night. He confirmed the vessel owner and he left the vessel at anchor in the afternoon near Flat Top Island. He stated he did not. +
7. Inspection of the commercial vessel 'Reef Raph' at the hardstand, Vernalls and Removed looked at possible issues in regard to the vessel being unlit. Owner insisted the vessels anchor light is connected directly to the battery via a bus bar. +
8. Inspection of the recreational vessel showed all safety gear and navigational lights required were operational.
9. Significant damage was sustained to the 'Reefraph'. The canopy was removed from the vessel. The hull above the water line was damaged. The anchor light was broken. +
10. The recreational vessel Removed had minor damage to both hulls forward and to the deck area on the Starboard side where the guard rail bolts to the deck. +
11. +
12. +

## Conclusions

No witnesses observed an anchor light on the anchored commercial vessel 'Reef Raph', including an independent witness in the area at the time of the collision.

Look outs were posted on the recreational vessel Removed before the collision and no one saw an anchor light.

The owner and deck hand of the commercial vessel 'Reef Raph' did not observe the anchor light lit before departing the vessel at about 1600 hours and leaving it unmanned at anchor.

The deck hand of 'Reef Raph' stated they did not isolate the batteries prior to leaving it at anchor and that the anchor light works if the batteries are on.

MSQ's inspection of the commercial vessel could not confirm if the anchor light was operational before the collision.

Due to an independent witness not observing an anchor light on the 'Reef Raph' before the collision it is likely the vessel was not lit.

Recommend closing the incident with no final action taken against the recreational vessel owner Removed. Removed Also no final action against the commercial vessel owner Removed as MSQ can not prove beyond a reasonable doubt that the anchor light was not operational at the time of collision.

AMSA may wish to investigate why the commercial vessel was left unmanned at anchor with no look out/ watch keeper.



## Completed actions

Acknowledgement letter sent <i>(Not applicable to TOMPA incidents)</i>	<input type="checkbox"/>	Attached	<input type="checkbox"/>
CaseMan file closed or reassigned <i>(Not applicable to TOMPA incidents)</i>	<input checked="" type="checkbox"/>	Attached	<input type="checkbox"/>
Marine incident categorised	<input checked="" type="checkbox"/>	Attached	<input type="checkbox"/>
Ship inspection report (monitoring inspection completed)	<input type="checkbox"/>	Attached	<input type="checkbox"/>
Written direction issued	<input type="checkbox"/>	Attached	<input type="checkbox"/>
Photographic evidence taken	<input checked="" type="checkbox"/>	Attached	<input type="checkbox"/>
Exhibits seized	<input type="checkbox"/>	Attached	<input type="checkbox"/>
Witness statements	<input checked="" type="checkbox"/>	Attached	<input type="checkbox"/>
MIN issued	<input type="checkbox"/>	Copy attached	<input type="checkbox"/>
Evidence	<input type="checkbox"/>	Attached	<input type="checkbox"/>
Other	<input type="checkbox"/>	Attached	<input type="checkbox"/>
POLREP form sent	<input type="checkbox"/>	Copy attached	<input type="checkbox"/>
CaseMan incident, ship and person records updated and validated	<input checked="" type="checkbox"/>	<div>Nick Vernalls</div> <div>By whom (enter name)</div>	



# For consideration by Compliance Section

No further action required—copy of file forwarded for review—original file retained in region and closed.

---

## Report completed by

Name:

Position:

---

## Report endorsed by

Name:

Position:

---

## CaseMan updated by

Name:

Position:

---



1. Independent witness statement Part Refuse Sch.4 Part 4 s.6 Personal information Removed stated he saw the navigation lights of Removed and no other lights before and after the collision.
2. Part Refuse Sch.4 Part 4 s.6 Personal information Removed statement confirmed the two vessel involved in the collision to be Removed and a commercial dive boat.
3. Witness Statement from the owner and passenger Removed stated three look outs were posted. Removed was steering the vessel at the time of the collision. All lights were dimmed in the Removed. The time of the collision was about 1850 hours and it was dark. Provided video footage departing the marina in the dark before the collision. She did not see any lights on the anchored commercial fishing vessel prior to or after the collision.
4. Removed Part Refuse Sch.4 Part 4 s.6 Personal information and Part Refuse Sch.4 Part 4 s.6 Personal information Removed stated they observed the Removed alongside in the marina after sunset and when it was dark.
5. Removed stated he was steering the Removed at the time of the collision. He was looking out and navigating using his GPS. He saw navigation lights of a vessel in the distance just prior to the collision. All lights were of and the GPS was set to dim. The radar and auto pilot were off. He was experienced at operating at night. He followed tracks on his GPS from previous trips. His navigation lights were on and working. Confirmed the vessel he hit was a commercial diving vessel. He had a conversation with the commercial vessel owner Removed who said he had nothing and his vessel was broken down.
6. The deck hand, Part Refuse Sch.4 Part 4 s.6 Personal information Removed, on the commercial fishing vessel 'Reefraph' stated the anchor light worked the previous night. He confirmed that the owner and he left the vessel at anchor in the afternoon near Flat Top Island. He stated he did not observe the anchor light on however it should have worked as it is on if the battery isolator is on and they did not isolate the batteries. He stated that the Removed the skipper of Removed and he returned at about 1900 hours and saw the damage to Removed vessel.
7. Inspection of the commercial vessel 'Reef Raph' at the hardstand, Vernalls and Removed looked at possible issues in regard to the vessel being unlit. Owner insisted the vessels anchor light is connected directly to the battery via a bus bar arrangement. Removed tested that upon de-isolating the batteries that the bus bar's became live and also that two wires which feed off the bus bar were live and feeding in the direction of the canopy. These two wires had been broken, most likely due to the canopy being torn from the vessel from the impact. Upon closer inspection it looks plausible that these wires did feed the anchor light and would suggest that if the battery isolator was turned on the anchor light would become lit. But without knowing if there is any further switching arrangement between the batteries and busbars and further investigation to confirm the snapped wires were linked to the anchor light there still remains doubt. Also, it is unknown if the batteries were in good condition at the time of the incident. As of the inspection this morning the voltage was 10.9V.
8. Inspection of the recreational vessel showed all safety gear and navigational lights required were operational.



9. Significant damage was sustained to the 'Reefraph'. The canopy was removed from the vessel. The hull above the water line was damaged. The anchor light was broken.
10. The recreational vessel Removed had minor damage to both hulls forward and to the deck area on the Starboard side where the guard rail bolts to the deck.

Released under RTI - DTMR



# MARITIME SAFETY QUEENSLAND STATEMENT OF WITNESS



Department of  
Transport and Main Roads

Statement No	1	Date	18/05/21
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## Statement of

Name of Witness	Part Refuse Sch.4 Part 4 s.6 Personal information	Date of Birth	Part Refuse Sch.4 Part 4 s.6 Personal information	Age	Part Refuse Sch.4 Part 4 s.6 Personal information
Occupation					

## Shipping Inspector/Authorised Officer/ Marine Safety Inspector taking statement

Name of Inspector	Nicholas William Vernalls	Position	Marine Officer	Reg No.	T306
Region	Mackay				

Part Refuse Sch.4 Part 4 s.6 Personal information states:

- 1.
- 2.

Part Refuse Sch.4 Part 4 s.6 Personal information

3. On Friday the 7<sup>th</sup> May 2021, I went fishing in my Removed Part Refuse Sch.4 Part 4 s.6 Personal information  
Part Refuse Sch.4 Part 4 s.6 Personal information it's a 4 m tinnie.

4. At about 1830 to about 1900 we launched the boat from the River St boat ramp in the Pioneer River.
5. It was a dark night and the ocean was smooth and I think it was a bit cloudy, couldn't really see that far.
6. After launching I drove the boat out of the Pioneer River and around the Southern side of Flat top island to go fishing.
7. As we came around the Southern side of Flat Top Island I remember seeing some lights. It looked like a big boat with lights shining.
8. The lights were together and were red, green and white.
9. We started to turn to go around him.
10. I didn't see any other boats or lights.
11. The lights disappeared for a short time and then reappeared. I thought he might have just went around the island.



12. I then saw some torches shinning in my direction.
13. I went over to see.
14. So I went over and saw the other boat parked there with no lights on, no one onboard.
15. The damaged boat was pretty big. It had two outboards. The hull was normal. It was a diving boat. It had a door in the side of it. He had a tank above where the motors sit.
16. We went over and spoke to them. The boat was about 30 to 40 foot. I think it was a catamaran. It had two Yamaha 300's on it. It had a cabin. There was a man, Removed  
Removed I think.
17. I didn't see much damage to this boat.
18. I heard them say that they didn't see this boat and that they hit it.
19. We talked to them for a bit and I gave them my details and then we went off fishing.
20. The depth of water where they were was about 10 to 12 m.
21. I took Remo over to the damaged boat in my boat.
22. Then I think Removed turned up in another boat, centre console bigger than Removed
23. Then I heard them talking and then the owner of the other boat that got hit turned up. He was in a centre console with about a 60 on it. There were three people in this boat.
24. I didn't hear what was said then. I was fishing.
25. I saw the damaged boat head back toward the marina.
26. I saw the other boats head back toward the marina after that.
27. I fished for a while and then went back in the Pioneer River to the boat ramp and trailered the boat and went home.

Part Refuse Sch.4 Part 4 s.6 Personal information

**Justices Act 1886**

I acknowledge by virtue of section 110A(5)(c)(ii) of the *Justices Act 1886* that:

1. This written statement by me dated 19/05/2021 and contained in the pages numbered 1 to 2 is true to the best of my knowledge and belief; and
2. I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

Signature Not relevant .....

Signed at Part Refuse Sch.4 Part 4 s.6 Personal information 19 day of May 2021