



Your ref MSQ25355
Enquiries 44 218 114

Department of
Transport and Main Roads

25 August 2022

personal information

Dear personal

On the 16 August 2022 Maritime Safety Queensland was advised that a vessel known as Trinity Castle was involved in a marine incident when the vessel collided with A arm of Magnetic Island Marina and other vessels. You have been identified as the owner and master of the vessel Trinity Castle, Queensland registration personal

While you have spoken to Queensland Police Service in relation to the matter it is a requirement under section 125 of the Transport Operation (Marine Safety) Act 1994 to report all marine incidents to a Shipping Inspector and by way of an approved form. The owner or master has 48 hours from the time of the incident to contact a Shipping Inspector, MSQ, to provide a detailed report of the incident.

MSQ has not received a report from you as the owner and master of the Trinity Castle regarding the marine incident that occurred on the 16/08/2022. You have 7 days from the date of this letter to provide a reasonable excuse why you have not submitted a marine incident report. Failure to take action in regard to this letter will result in MSQ issuing you a Marine Infringement Notice for failing to comply with S125 (3).

Further to the action required above, you have 7 days from the date of this letter to provide MSQ with evidence that you hold insurance cover for the vessel Trinity Castle as described in Transport Operations (Marine Pollution) Act 1995. The act sets out the requirement for a vessel over 15 meters to have a current certificate for insurance to the value described in Regulation. The certificate must be always available for inspection.

The Transport Operations (Marine Pollution) Regulation 2018 describes the certificate must state the vessel is insured for \$10 million wreck recovery and \$250 thousand pollution response cover. Failure to provide proof you have a current certificate of insurance and that certificate states amounts described above, MSQ will take further compliance action against you.

Maritime Safety Queensland
Townsville
Marine Operations Base, 60 Ross Street, South Townsville QLD 4810

Telephone +61 7 44 218 114
Website www.msq.qld.gov.au
Email tsv.marineofficers@msq.qld.gov.au
ABN 39 407 690 291

All the information in relation to these matters can be found on the MSQ website. You can contact this office direct on 44 218 114. Email correspondence should be sent to tsv.marineofficers@msq.qld.gov.au attn Mark Chown.

Yours sincerely

NR



Mark Chown
Marine Officer

Released under RTI - DTMR



Our ref MSQ25355-2022
Enquiries 44 218 114

Department of
Transport and Main Roads

31 August 2022

personal information

Dear personal inf

Marine Incident Report Number MSQ25355-2022

I acknowledge receipt of your marine incident report regarding a marine incident involving your vessel registration number personal which occurred on the 16 August 2022.

Maritime Safety Queensland's official marine incident report number is MSQ25355-2022.

You may be asked to quote this number when making enquiries regarding this marine incident. Your insurer may also require you to provide this number if making an incident-related insurance claim.

Yours sincerely

NR

Mark Chown
Marine Officer.

Townsville
60 Ross Street, South Townsville

PO Box 1921, Townsville, Queensland 4810

Telephone 07 44 218 114
Website www.msq.qld.gov.au
Email tsvmarineofficers@msq.qld.gov.au
ABN 39 407 690 291

Mark A Chown

From: [personal info] M[NR] <[personal info]@police.qld.gov.au>
Sent: Thursday, 25 August 2022 3:07 PM
To: Mark A Chown
Subject: Images damaged Cat





Warm regards,



personal info

Senior Constable [4032600](tel:4032600) | Magnetic Island Police
Station, Townsville
Queensland Police Service

[7 Granite Street, Picnic Bay QLD](#)

T: [\(07\) 47785270](tel:(07)47785270) F: [\(07\) 47581110](tel:(07)47581110)

Email: personal.inf@police.qld.gov.au

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Released under RTI - DTMR

Mark A Chown

From: Mark A Chown
Sent: Thursday, 25 August 2022 1:14 PM
To: personal inf [NR]
Subject: RE: Marine Incident Nelly Bay Marina

Good afternoon SC Hay,

As per advice received from SGT per Water Police won't be looking into the Marina Incident in Nelly Bay.

MSQ has taken the information on and created a case file, however given the details you have already provided, I don't believe there is anything in it.

I was hoping you may be able to provide some information on a cat that sustained damage during the incident. NR
NR has been less than forthcoming with the marine incident report that would give that detail.

personal has also failed to report in the correct form. At this stage the only outcome will be a fine to persona for failing to report to MSQ by of appropriate form.

Thank you for your assistance and advice on this matter.

Kind Regards,

Mark Chown
Marine Officer (Waterway Operations - Townsville) | Waterways Management
Maritime Safety Queensland Branch | Customer Services, Safety and Regulation Division
Department of Transport and Main Roads

P: 07 4421 8114 | M NR

60 Ross St., South Townsville Qld 4810
GPO Box 1921 | Townsville Qld 4810
mark.a.chown@msq.qld.gov.au
www.msq.qld.gov.au
www.tmr.qld.gov.au

From: personal inf [NR] personal inf@police.qld.gov.au>
Sent: Wednesday, 17 August 2022 8:13 PM
To: Mark A Chown <Mark.A.Chown@msq.qld.gov.au>
Subject: FW: Marine Incident Nelly Bay Marina

Just further to my last,

We haven't made any further inquiries other than reviewing the CCTV this afternoon.

I did take a sketchy video on my ipad but the CCTV was holding up to the 11/05/2022 (over three months) and provides a good view of the incident if you need to collect it. NR did say he is still unable to complete a download. The CCTV was consistent with versions supplied.

Warm regards,



personal info

Senior Constable 4032600 | Magnetic Island Police Station,
Townsville
Queensland Police Service

7 Granite Street, Picnic Bay QLD
T: (07) 47785270 F: (07) 47581110
Email: personal.in@police.qld.gov.au
PO Box 119, Magnetic Island QLD 4819

DTMR

From: [personal.in](#)[NR]

Sent: Wednesday, 17 August 2022 14:42

To: [personal.info](#)[OSC] <personal.info@police.qld.gov.au>

Cc: Mark A Chown <Mark.A.Chown@msg.qld.gov.au>; [personal information](#) <personal.information@police.qld.gov.au>

Subject: FW: Marine Incident Nelly Bay Marina

Good afternoon Sergeant,

I just spoke with Chris from your office as to advice on whether water police or MSQ would take over the investigation. He advised based on the preliminary investigation completed yesterday that due to no evidence of a serious offence including dangerous op/due care an attention that it would be most likely MSQ that take over investigation of the incident?

Could you confirm and advise Mark CHOWN of MSQ on your next availability. I understand that you're on a day off today. Thanks Sergeant.

I'll hold off on any further investigation other than securing the CCTV which I'll try do this afternoon.

Warm regards,

personal info



Senior Constable 4032600 | Magnetic Island Police Station,
Townsville
Queensland Police Service

7 Granite Street, Picnic Bay QLD
T: (07) 47785270 F: (07) 47581110
Email: Hay.BradleyM@police.qld.gov.au
PO Box 119, Magnetic Island QLD 4819

Revised Under

From: Mark A Chown <Mark.A.Chown@msq.qld.gov.au>
Sent: Wednesday, 17 August 2022 14:30
To: [personal information]@police.qld.gov.au>
Cc: [personal information]@police.qld.gov.au>
Subject: Marine Incident Nelly Bay Marina

CAUTION: This email originated from outside of Queensland Police Service. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon SGT [per],

Can you advise if anyone from your team will be investigating the Marine Incident that occurred in the Magnetic Island Marina on the 17/08/2022.

I have CC'd [personal] into this email as he has been dealing with the incident to date.

Kind Regards,

Mark Chown
Marine Officer (Waterway Operations - Townsville) | Waterways Management
Maritime Safety Queensland Branch | Customer Services, Safety and Regulation Division
Department of Transport and Main Roads

P: 07 4421 8114 | M: [NR]
60 Ross St., South Townsville Qld 4810
GPO Box 1921 | Townsville Qld 4810
mark.a.chown@msq.qld.gov.au
www.msq.qld.gov.au
www.tmr.qld.gov.au

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**SHIPPING INSPECTOR'S DECLARATION THAT A SHIP IS
UNSEAWORTHY AND MUST NOT BE OPERATED**
Transport Operations (Marine Safety) Act 1994, section 172AA

NR

I, Mark Chown. Marine Officer, am appointed as a shipping inspector under part 13 of the *Transport Operations (Marine Safety) Act 1994* (the Act).

Under section 172AA(2) of the Act, a shipping inspector may, by written notice attached to a ship, declare the ship to be unseaworthy and must not be operated other than in a way approved by the shipping inspector. Further, under section 172AA(5) of the Act, a shipping inspector may, by written direction, require the owner or master to remove the ship from Queensland waters within a period stated in the direction and in a way approved by the shipping inspector.

FACTS AND CIRCUMSTANCES

- You are the owner of a ship named the Voyager, registration VC401Q (the ship), which is currently tied alongside at Ross Haven Marine.
- I reasonably believe that the ship is unseaworthy.
- I made observations of the ship on 25/08/2022 which formed my reasonable belief the ship is unseaworthy.
- MSQ officers were notified of a Marine Incident in the Magnetic Island Marina on the 16/08/2022.
- As a result of the marine incident the ship sustained substantial damage to the bow area.

I DECLARE, pursuant to section 172AA(2) of the Act, that the Ship is unseaworthy because of the following:

1. The ship has sustained significant damage to the bow area.
2. A full assessment can not be made until the ship is on the hard stand.

I FURTHER DECLARE, pursuant to section 172AA(2) of the Act, that the Ship must not be operated, other than in the following way:

1. For the purpose of removing the Ship from Queensland Waters in accordance with the below direction given under section 172AA(5) of the Act.
2. Once the ship is removed the ship can not be returned to Queensland Waters unless a safety report is provided to a Shipping Inspector from a competent person.

I DIRECT, pursuant to section 172AA(5) of the Act, that you remove the Ship from Queensland Waters by in the following way:

1. Remove the Ship from Queensland Waters in compliance with all applicable Local, State and Federal Laws by 4pm 02 September 2022.
2. A full safety inspection be carried out by a competent person before being returned to the water.

PLEASE NOTE

It is an offence under section 172AA(3) of the Act to contravene a declaration made under section 172AA(2). The maximum penalty is \$27,570 for an individual or \$137,850 for a corporation.

It is an offence under section 172AA(6) of the Act to contravene a direction made under section 172AA(5) without a reasonable excuse. The maximum penalty is \$27,570 for an individual or \$137,850 for a corporation.

If you have any queries regarding the above, I may be contacted on 44218114 or email tsv.marineofficers@msq.qld.gov.au

NR

Mark Chown
Shipping Inspector, T367
Maritime Safety Queensland

DATED AT 60 ROSS STREET THIS 26 DAY OF AUGUST 2022.

**SHIPPING INSPECTOR'S DECLARATION THAT A SHIP IS
UNSEAWORTHY AND MUST NOT BE OPERATED**
Transport Operations (Marine Safety) Act 1994, section 172AA

INFORMATION NOTICE

You have been issued a Shipping Inspector Declaration (the Declaration) because a ship that you are the owner or master of is unseaworthy and must not be operated. The Direction also requires you to remove the ship from Queensland waters within the period stated, and in the way approved, in the Declaration. The Declaration has been issued pursuant to section 172AA of the *Transport Operations (Marine Safety) Act 1994* (the Act). This Notice contains information to assist you with complying with the Declaration.

What to do now

- Make sure you read the Declaration to understand what it requires of you. If you do not understand what is required, contact the nominated Marine Safety Queensland (MSQ) Officer to discuss.
- If the ship is too big to remove from Queensland waters yourself, you are strongly encouraged to engage the services of a reputable salvor to undertake the work required. The nominated MSQ Officer can provide you with a list of salvors who undertake work for the Department of Transport and Main Roads in the area.
- To ensure that you do not inadvertently breach other marine safety, marine pollution, or environmental legislation you are strongly encouraged to submit a written salvage plan prior to attempting removal of the ship from Queensland waters. The plan must take into account safety and environmental factors. A satisfactory plan will be approved by the Shipping Inspector prior to undertaking any removal work.
- Any action you take to comply with the Declaration must comply with all relevant Local, State and Commonwealth Laws. If you are unsure as to which Laws may apply, you are encouraged to contact the relevant agency.
- You are encouraged to maintain regular contact with the nominated MSQ Officer to keep MSQ apprised of your progress in complying with the Declaration.

It is important you understand if you fail to comply with the Declaration you may commit an offence which carries a maximum penalty of \$27,570 for an individual or \$137,850 for a corporation. Further, MSQ may seek an Enforcement Order from the District Court in order to remove the ship from Queensland Waters and dispose of it. Any expenses incurred in obtaining the order and removing and disposing of the ship may be recovered from you as a debt payable to the State.

Mark A Chown

From: [personal information]@gmail.com>
Sent: Wednesday, 31 August 2022 9:18 AM
To: Mark A Chown
Cc: [personal in]
Subject: Certificate of Currency Q272233 attached
Attachments: Certificate of Currency - Q272233.pdf

RE: Marine Incident 16/08/2022 involving MV Trinity Castle

Subject: Certificate of Currency Q272233

Dear Sir,

I apologize for this late report but have addressed it here. As per your request to provide evidence that I hold insurance cover for the vessel Trinity Castle, please find attached my current insurance policy with Club Marine.

The police report number for this incident is QP 2201403075. As a witness [NR] of [NR] [NR] will supply a statement on request.

Statement of facts

On Tuesday 16 August 2022, at approx 3pm, I entered Magnetic Island marina skippering my vessel Trinity Castle, registration [personal]

The boat's speed was approx 4 knots. As I approached A arm I selected *amidships* on the Morse. When opposite MV Fiddler I engaged *astern* on the Morse to reduce my speed to dead stop. At this point I was not aware that the Morse control had failed and it was, in fact, still engaged *ahead*.

As I approached the wharf I increased the rev astern waiting for the prop to bite. It did not respond. I immediately engaged the bow thruster full-to-port to clear the wharf. Unfortunately this manoeuvre did not have enough time to make a substantial difference to the boat's course.

I alerted crew to brace for impact. The vessel clipped the corner of A wharf at the vacant berth A8 and tipped to port on impact. The boat then transited the short distance to B arm, impacting with MV Hakuna Matata.

I immediately turned off the motor and went forward to inquire if anyone was hurt or injured. I went back to the wheelhouse and checked my vessel for water ingress and damage.

Being satisfied that we were sound, I selected *amidships* on the Morse and started the motor to move away from the vessel that I was laying against. My boat immediately surged *forward*, indicating a problem with the control. I closed the motor down and drifted to berth A8 where the vessel was successfully secured.

Yours faithfully,
[personal inform]

17 August 2022

PLEASURE CRAFT INSURANCE

Policy Number **Q272233** Member Number **personal**

Cruiser Details
2002 16.7m CUSTOM BUILT

personal information

YOUR CRUISER INSURANCE

*Boating's
just better with
Club Marine!*

Dear **personal**

As requested by you recently, please find enclosed your Certificate of Currency for the above policy.



This Certificate of Currency is current only at the date of issue.

ANY QUESTIONS?

Please call 1300 00 CLUB (2582) - we'll be happy to help you.

Kind regards,

NR

Karen Te Maipi
CEO, Club Marine Ltd

CHECK THE MARKET VALUE

Make sure you check the market value shown in your policy schedule to see if the cover and sums insured are still appropriate for you. It should represent your boat's current market value.

We recommend you review this amount and change it if you feel it is too high or too low.

TO MAKE A CLAIM CALL:

CLUB MARINE ASSIST
1300 00 CLUB (2582)

MANAGE YOUR CLUB MARINE POLICY ONLINE, WHEN IT SUITS YOU

- ✓ Renew your cover
- ✓ Update your policy
- ✓ Certificate of currency

It's simple to do, just choose the change or service you need and complete it easily and quickly online at www.clubmarine.com.au/managepolicy. If the service you require is not listed, simply call us on 1300 00 CLUB (2582). So we can protect your privacy, you will need to provide your member/client number and policy number, postal address postcode, and date of birth.

Important information

Club Marine Limited ABN 12 007 588 347, AFS Licence No: 236916 acts as an agent for Allianz Australia Insurance Limited, ABN 15 000 122 850, AFS Licence No: 234708 in issuing policies and handling claims. We do not provide any advice on this insurance based on any consideration of your objectives, financial situation or needs. Before making a decision about it please refer to the Product Disclosure Statement (PDS). The PDS and Target Market Determination are available online by visiting clubmarine.com.au or by calling us on 1300 00 CLUB (2582). From time to time we may send you information or offers on other Allianz products, which may be relevant and of interest to you. If you do not want to receive this information or offers, please call us on 1300 00 CLUB (2582) to advise.

If are registered for GST purposes, your input tax credit entitlement is or is based on the GST amount shown, Please note that, in accordance to the GST law relating to insurance premiums the GST amount may be less than 1/11 of the total payable.

Club Marine Assist is provided by Club Marine Limited. Vehicle Assist and Trailer Assist are provided by AWP Australia Pty Ltd ABN 52 097 227 177 trading as Allianz Global Assistance. Terms and conditions apply. Terms of service are available on clubmarine.com.au.





Pleasure Craft Insurance Schedule

INSURED VESSEL
 2002 16.7m CUSTOM BUILT

TYPE OF POLICY
 Pleasure Craft

POLICY NUMBER
 Q272233

POLICY

Insured	personal info	
Registered for GST for your boat?		No
Period of insurance		
Effective date	11/12/2021	
Expiry date	4:00pm EST on 11/12/2022	
Insurer	Allianz Australia Insurance Limited ABN 15 000 122 850 AFS Licence No. 234708	
Policy Type and Reference		
	Pleasure Craft Insurance Policy Reference CML POL AUS 0221	
No Claim Bonus Rating	1	
Protection Points	2	
Document Delivery Preference		Email
Nominated Email Address	helmsmannmarine@gmail.com	

COVER

Type of Cover Market Value*

*Market Value - Means the sale value of the Boat immediately prior to the claimed loss or damage taking into account the condition and location of the Boat. Claims for Total Loss will be settled on the current Market Value of the Boat at the time of the loss.

It is your responsibility to ensure that the market value shown in your policy schedule represents the boat's current market value. We recommend you review and alter this amount if you feel it is too high or too low.

You should include the value of Equipment and Accessories and Personal Effects in the Market Value you provide us for cover of these items.

Sum Insured - Market Value you have provided us

Section 1 Boat	\$315,000
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Limit of Liability

Section 2 Third Party	\$10,000,000
Section 3 Injury	\$50,000

Excess: Your Contribution To Any Claims

Basic Excess	\$2,000
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General Conditions

- Speed of boat up to 60 knots
- The boat is for private use only
- Transit cover is not included
- Excluding Water Skiers Cover
- Equipment and Accessories cover is included

Boat Location

PEN/BERTH MOORED AT MAGNETIC ISLAND

VESSEL

Hull Details

2002 16.7m CUSTOM BUILT

Construction Steel

Boat Name TRINITY CASTLE

Motor Details

2002 235.0 h.p. JOHN DEERE INBOARD/SHAFT
RG6081A131628

Released under RTI - DTMR

Additional Conditions and Endorsements Apply To The Policy

The following condition(s) and/or endorsement(s) apply to this insurance. Where applicable, they will replace any items, conditions or exclusions contained in the Policy Document.

Geographic Limits

250 nautical miles off mainland Australia, Tasmania, New Zealand North and South Islands.

3.3 Skiers cover for Boat Tender

Section 2 of the Policy is extended to cover the activity of water-skiing or aquaplaning when You and/or any person with Your permission are using Your Boat Tender (using only recognised and commercially manufactured Water Ski Equipment and subject otherwise to the same conditions, exclusions and limitations as the optional cover for Water Skiing detailed in the Policy wording).

4.2 Excess

All claims under Section 1 and property Damage claims under Section 2 of the Policy are subject to the following Excesses, but in the event of a claim arising from a single event affecting multiple components of the Boat, the total Excess applied will not exceed the basic Excess shown in the Policy Schedule.

Section 1:

Hull \$2,000

Motor \$1,000

Equipment & Accessories \$200

Boat Tender \$200

Personal Effects \$200

Section 2:

Property Damage \$2,000

5.6 Moored Boats on Swing Moorings at Airlie Beach and Shute Harbour

The cover provided under this Policy will not apply to any claim for loss or Damage whilst Your Boat is moored on a swing mooring or Your own anchor and tackle at Airlie Beach or Shute Harbour unless We agree to extend cover in writing. Note that the Boat's permanent mooring location must be declared and agreed to by Us in writing and that the agreed mooring location will appear on Your Policy and Renewal Schedule.

8.2 TOMPA 3 - boats up to 35m:

Cover for Removal of Wreck Liability is increased to \$10,000,000 for liability incurred under the Transport Operations (Marine Pollution) Act 1995 (Qld).

11.0 Transit Cover Excluded

The Policy provides no cover when the Boat is being transported by road, rail, air or sea-going vessel other than transit to/ from a location related to the occasional slipping, cradling and launching of the Boat for the purpose of maintenance or repair and for launching and/or retrieval attached to a commercial hard stand or storage/dry rack facility.

21.2 Named Cyclone

In the event of a named cyclone warning You must make every reasonable endeavour to remove the Boat to a cyclone proof shelter or mooring or take other reasonable precautions as may be necessary to safeguard the Boat. In the event of a claim for loss or Damage to Your Boat caused by a named cyclone an excess equal to 15% of the total repair costs will apply regardless of any other excess provisions in the policy or endorsed onto the policy.

Mark A Chown

From: Mark A Chown
Sent: Wednesday, 8 March 2023 10:17 AM
To: NR
Subject: RE: Hakuna Matata

Good morning NR

I acknowledge receipt of the report from the Marine Surveyor.

Please take this email as confirmation the notice issued to your vessel has been removed.

As discussed on the phone earlier, in the coming days I will close off the marine incident file and send you confirmation once complete via a closure letter.

Thank you for your assistance in this matter and I wish you safe boating in the future.

Kind Regards,

Mark Chown
Marine Officer Grade 3 (Waterway Operations – Townsville) | Waterways Management
Maritime Safety Queensland Branch | Customer Services, Safety and Regulation Division
Department of Transport and Main Roads

P: 07 4421 8114 | M: NR

60 Ross Street | South Townsville | QLD 4810
PO BOX 1921 | Townsville QLD 4810

mark.a.chown@msq.qld.gov.au
www.msq.qld.gov.au
www.tmr.qld.gov.au

From: NR
Sent: Wednesday, 8 March 2023 10:01 AM
To: Mark A Chown <Mark.A.Chown@msq.qld.gov.au>
Subject: Fw: Hakuna Matata

Hi Mark

Please find copy of Marine Survey for my vessel Hakuna Matata with all repairs carried out to my satisfaction. I look forward to your confirmation of updated records.

Today I will be launching the said vessel back into the marina as discussed.

Many thanks

NR

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: personal informa <info@bsfmmarine.com.au>
To: NR
Cc:
Sent: Wed, 8 Mar 2023 at 9:49 am
Subject: Hakuna Matata

Hi [redacted] NR

Please see attached letter of seaworthiness for your records.

Kind Regards

[redacted] perso



[redacted] personal informa - Owner

[redacted] personal inf - Owner & Admin Support

Boat State & First Mate- Marine Surveying and Services

Phone: [redacted] NR

Email: info@bsfmmarine.com.au

Web: www.bsfmarine.com.au

Townsville Qld 4813

Released under RTI - DTMR

Mark A Chown

From: NR
Sent: Wednesday, 8 March 2023 10:01 AM
To: Mark A Chown
Subject: Fw: Hakuna Matata
Attachments: 230308 NR Hakuna Matata.pdf; image001.jpg

Hi Mark
Please find copy of Marine Survey for my vessel Hakuna Matata with all repairs carried out to my satisfaction.
I look forward to your confirmation of updated records.
Today I will be launching the said vessel back into the marina as discussed.
Many thanks

NR

[Sent from Yahoo Mail on Android](#)

— Forwarded message —

From: personal informat <info@bsfmmarine.com.au>
To: NR
Sent: Wed, 8 Mar 2023 at 9:49 am
Subject: Hakuna Matata

Hi NR

Please see attached letter of seaworthiness for your records.

Kind Regards

person



personal informat - Owner

personal info - Owner & Admin Support

Boat State & First Mate- Marine Surveying and Services

Phone NR

Email: info@bsfmmarine.com.au

Web: www.bsfmarine.com.au

Townsville Qld 4818

Released under RTI - DTMR



Boat State & First Mate

Marine Surveying & Services

Townsville OLD 4818

Tel: NR

Email: info@bsfmmarine.com.au

Web: www.bsfmmarine.com.au

Facebook: Boat State and First Mate

08/03/2023.

To Whom it may concern,

On Wednesday 08/03/2023, I attended Rosshaven Marine to inspect the seaworthiness and safety for use of "Hakuna Matata" a 2007 Voyager Catamarans V1270 HIN: AU-SCAVC401E707 after repairs had been carried out by a third party.

The repairs come after some moderate damage occurred to the deck area above the waterline on the port side hull and the port side aft sponson running down to the waterline after a collision by another vessel.

As a qualified Shipwright and Marine Surveyor, I am satisfied that the repairs have been carried out and were completed to a professional standard. I can confirm that this vessel is now seaworthy and safe to be used in the capacity as which it was designed and manufactured to.

If any party would like to discuss my findings in more detail, please contact myself directly.

Kindest Regards

personal inform

Boat State & First Mate Marine Surveying and Services.

Released under RTI - DTMR

23 May 2023

personal information

Dear personal in

Re: Marine Incident Report MSQ25355 – Trinity Castle personal – Collision – Magnetic Island Marina, Nelly Bay – 16/08/2023

I am writing to you about a marine incident MSQ25355 when your vessel displaying registration identifiers personal collided with marine infrastructure and vessels in the Magnetic Island Marina, Nelly Bay on the 16/08/2023.

Maritime Safety Queensland (MSQ) is the government authority responsible for investigating marine safety incidents. I have reviewed all the information and statements obtained from you relating to this incident and I appreciate your assistance in the information you have provided.

MSQ has found that the incident occurred due to a mechanical failure locking the gear controls.

You are reminded of your general safety obligation to ensure all vessels under your control are operated safely at all times. Where a marine incident has occurred due to the operation of a ship, the owner / master may be in contravention of this obligation. Penalties may apply.

I advise that MSQ does not propose to take any further action against either yourself or anyone else in relation to this matter.

If you have any questions at all, please contact MSQ Townsville on telephone 44 218 114.

I wish you safe boating in the future.

Yours sincerely

NR

Mark Chown
Marine Officer

Our ref MSC3366
Your ref MSQ25355
Enquiries 44 218 114

Department of
Transport and Main Roads

23 May 2023

NR



Dear ^{NR}

MSQ has concluded the investigation into the marine incident (MSQ25355) that occurred on the 16/08/2022, when the *TRINITY CASTLE* collided with marina infrastructure and vessels in the Nelly Bay Marina. MSQ found that a mechanical failure caused the incident jamming the gear controls.

Your vessel *HAKUNA MATATA* displaying registration personal was issued a S172AA notice as a result of the incident. I acknowledge receipt of a letter dated the 08/03/2023 stating your vessel was returned to a seaworthy condition and closed the S172AA notice as complete.

If you have any further questions in relation to this matter, please give me a call on 44 218 114.

Yours sincerely

NR



Mark Chown
Marine Officer



Marine Incident Investigation Report

Case Ref: MSC3366-2022

Date: 23/05/2023

To: Area Manager Townsville

Copy to:

Prepared by: CHOWN, Mark A

Category: 3

Subject: personal informatio collided with pontoons at Magnetic Island Marina

1. PURPOSE OF INVESTIGATION

To investigate a marine incident and possible breaches of TOMSA, and provide advice and recommendations on safety and/or policy issues.

2. SUMMARY OF MARINE / POLLUTION INCIDENT

16/08/2022, 02:00 PM. Collision with fixed object. Magnetic Island Marina. Vessel Trinity Castle collided with Marine Berths at Magnetic Island Marina

3. SHIPS INVOLVED

Ship 1 Name/Rego: TRINITY CASTLE person

Ship 1 Type: Motor Boat

Ship 1 Engine Type:

Ship 1 Owner: personal inf

Ship 2 Name/Rego: VOYAGER perso

Ship 2 Type: Yacht

Ship 2 Engine Type: Inboard Diesel

Ship 2 Owner: NR

4. MASTER OF SHIP (if applicable)

Ship 1 Master: personal in

Licence details: Licence details not recorded

Ship 2 Master: Master not recorded

Licence details:

5. SUMMARY OF INVESTIGATION

On the 16/08/2022 NR from Magnetic Island Marina contacted MSQ and advised a vessel had collided with the marina pontoons, broken A arm and damaged a few bots. MSQ emailed NR a Marine Incident form to filled out - requiring the details of the vessels involved. NR advised there was no pollution in the water. The vessel TRINITY CASTLE being operated by master personal in collided with pontoons and other vessels after not being able to select reverse to stop the vessel. The vessel had only just come off the hard after repairs and general maintenance. One other vessel HAKUNA MATATA was extensively damaged on the bow of the catamaran causing the vessel to be removed from QLD waters for repairs.

6. FINDINGS

Trinity Castle had a mechanical failure when a gear shift link broke as the vessel entered the Marina causing the master personal i to be unable to select reverse.

7. CONCLUSION / RECOMMENDATION

The vessel was in good condition and the mechanical failure could have happened at any time. MSQ to close the file NFA.

8. CASE REVIEWED

Reviewed by Area Manager: 09/06/2023

Reviewed by Compliance Unit: N/A

Case Finalised: 09/06/2023

MSID RTI Case Report (MSC3366)



Case - MSC3366 - Case Finalised - Closed AM - MSQ25355
 Trinity Castle collided with pontoons at Magnetic Island Marina

Case Reference	MSC3366-2022
DMS Container	230/04086
Subject of Case	MSQ25355 Trinity Castle collided with pontoons at Magnetic Island Marina
Operation Name	
TOMSA	Yes
TOMPA	No
National	No
Category	3
Status	Case Finalised - Closed AM
Region (Lead)	Townsville
Investigator (Lead)	CHOWN, Mark A
Summary of Facts	<p>On the 16/08/2022 NR [redacted] from Magnetic Island Marina contacted MSQ and advised a vessel had collided with the marina pontoons, broken A arm and damaged a few bots. MSQ emailed NR [redacted] a Marine Incident form to filled out - requiring the details of the vessels involved NR [redacted] advised there was no pollution in the water.</p> <p>The vessel TRINITY CASTLE being operated by master personal i collided with pontoons and other vessels after not being able to select reverse to stop the vessel. The vessel had only just come off the hard after repairs and general maintenance.</p> <p>One other vessel HAKUNA MATATA was extensively damaged on the bow of the catamaran causing the vessel to be removed from QLD waters for repairs.</p>
MSQ Attended	Yes
MSQ Officer/s	MO Chown, Webber and Sherley. Attended site the following week.
MSQ Contact No.	
QPS Attended	No
QPS Officer/s	
QPS Contact No.	
QAS Attended	No
QAS Officer/s	
QAS Contact No.	
QBFP Attended	No
QBFP Officer/s	
QBFP Contact No.	
Other Agencies	No
Other Agency Officers	
Other Agency Contact/s	
Case Assigned	25/08/2022
Case Accepted	25/08/2022
Expected Days to Complete	182
Completion Due Date	23/02/2023
Case Complete	23/05/2023
Case Checked (AM)	9/06/2023
Case Closed - Prosecution	
Case Closed - Admin Action	
Case Closed - AMSA	
Case Closed - Coroner	
Case Closed (CU)	
Case Closed - Finalised (AM)	9/06/2023

Case Closed - Finalised (CU)	
Review Action Required	No
Review Action Completed	No
Conclusion	The vessel was in good condition and the mechanical failure could have happened at any time. MSQ to close the file NFA.
Finalised - NFA	Yes
Finalised - Education	No
Finalised - Formal Warning	No
Finalised - Infringement	No
Finalised - Prosecution	No
Finalised - Administrative	No
Total Hour of Effort	13.25
Notes	
Refer for CU Action	No
Findings	Trinity Castle had a mechanical failure when a gear shift link broke as the vessel entered the Marina causing the master personal to be unable to select reverse.

Role	Involved Ship
Ship Unit	01
Ship Damage/Loss	
Ship Registration Type	
Details	
Notes	
Ship Type	Motor Boat
Ship Name	TRINITY CASTLE
Ship Registration	persona
Former Names	
Previous Registration	
Make/Model	Steel
Length (m)	
Beam (m)	
Year Built	
Hull Material	
Primary Colour	
Power Description	
Number of Engines	
Engine Type	
Total Kilowatt Power	
Total Horse Power	
Identification Number (HIN/SIN)	
Notes	

Role	Involved Ship
Ship Unit	02
Ship Damage/Loss	Major Damage
Ship Registration Type	Recreational
Details	
Notes	
Ship Type	Yacht
Ship Name	VOYAGER
Ship Registration	person

Former Names	
Previous Registration	
Make/Model	Voyager V1270 Freedom
Length (m)	12.7
Beam (m)	6.6
Year Built	2007
Hull Material	Fibreglass/GRP
Primary Colour	White
Power Description	Steyr
Number of Engines	2
Engine Type	Inboard Diesel
Total Kilowatt Power	141.7
Total Horse Power	190
Identification Number (HIN/SIN)	AUSCAVC401E707
Notes	Tica



Role	Witness
Ship Unit	
Injury Status	
Details	
Notes	
Customer Reference No.	NR
Family Name	
First Name	
Middle Names	
Gender	
Date of Birth	
Place of Birth	
Nationality	
ATSI	
Also Known As	
ABN	
Photograph	
Full Name	NR
Email	magneticmarina@bigpond.com
Business Phone	47582417
Mobile Phone	NR
Other Phone	
Home Phone	
Notes	TICA



Role	Owner / Master
Ship Unit	01
Injury Status	
Details	
Notes	
Customer Reference No.	NR
Family Name	personal i
First Name	
Middle Names	
Gender	Male
Date of Birth	NR
Place of Birth	
Nationality	
ATSI	
Also Known As	
ABN	
Photograph	
Full Name	personal informat
Email	
Business Phone	

Mobile Phone	NR
Other Phone	
Home Phone	
Notes	TICA



Role	Owner
Ship Unit	02
Injury Status	
Details	
Notes	
Customer Reference No.	NR
Family Name	
First Name	
Middle Names	
Gender	
Date of Birth	
Place of Birth	
Nationality	
ATSI	
Also Known As	
ABN	
Photograph	
Full Name	
Email	NR
Business Phone	
Mobile Phone	NR
Other Phone	
Home Phone	
Notes	Tica

Role	Stakeholder
Ship Unit	
Details	
Notes	
Name	Maggie Island Marina
Customer Reference No.	
Organisation Type	Business
Registered Number	UNKNOWN
Registration State	QLD
Australian Business Number	
Registration Status	REGD - Registered
Registered Date	25/02/2015
Deregistered Date	
Previous Registered Names	
Common Known Names	
Email	magneticmarina@bigpond.com
Business Phone	
Mobile Phone	NR
Other Phone	
Home Phone	
Notes	Mobile number is for NR

Notes	
Type	Data Entry
Task Title	Create MSID file, DMS container, Link known entities
Status	Task Complete
Task / Entry Date	25/08/2022
Task / Entry Time	14:21

Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	2
Due Date	25/08/2022
Days to Due Date	305
Status Indices	1
Task Description (Running Sheet)	
Completed Date	25/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Draft and send letter to persona
Status	Task Complete
Task / Entry Date	25/08/2022
Task / Entry Time	14:22
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	1.5
Due Date	25/08/2022
Days to Due Date	305
Status Indices	1
Task Description (Running Sheet)	Draft and sent letter for perso to offer a reasonable excuse why the MI was not reported and requesting copy of a current insurance document.
Completed Date	25/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Contact owner of other involved vessel
Status	Task Complete
Task / Entry Date	26/08/2022
Task / Entry Time	09:30
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	0.5
Due Date	26/08/2022
Days to Due Date	304
Status Indices	1
Task Description (Running Sheet)	Contacted NR owner of vessel hit by the Trinity Castle while moored at Magnetic Island Marina. NR confirmed ownership of the vessel. Confirmed it had sustained significant damage to the bow of the vessel. The vessel is currently alongside at Ross haven marina waiting to be lifted onto the hard stand. MSQ explained based on the photos received from QPS Magnetic Island a S172AA notice will be issued to the vessel.
Completed Date	26/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Draft and send S172AA notice with information sheet
Status	Task Complete
Task / Entry Date	26/08/2022
Task / Entry Time	10:00
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	2
Due Date	26/08/2022
Days to Due Date	304

Status Indices	1
Task Description (Running Sheet)	Drafted a S172AA notice, emailed notice to NR [redacted] email address and mailed a hard copy to his residential address.
Completed Date	26/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Draft and send MI acknowledgement letter
Status	Task Complete
Task / Entry Date	31/08/2022
Task / Entry Time	12:00
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	1.5
Due Date	31/08/2022
Days to Due Date	299
Status Indices	1
Task Description (Running Sheet)	Received an email from [redacted] with a copy of ins certificate and a report in words only as a replacement for an approved marine incident report. MSQ drafted and sent an email with an acknowledgment letter, email describing next steps from MSQ. Letter also sent to [redacted] postal address.
Completed Date	31/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Received phone call from [redacted]
Status	Task Complete
Task / Entry Date	31/08/2022
Task / Entry Time	12:45
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	0.25
Due Date	31/08/2022
Days to Due Date	299
Status Indices	1
Task Description (Running Sheet)	[redacted] explained he will be alongside at Ross Haven Marine for a few days and will meet MSQ at his vessel either Thursday 01 of Friday 02 September. MSQ to call prior.
Completed Date	31/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Attend Ross Haven Marine and inspect involved vessel
Status	Task Complete
Task / Entry Date	31/08/2022
Task / Entry Time	10:00
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	1.5
Due Date	31/08/2022
Days to Due Date	299
Status Indices	1

Task Description (Running Sheet)	Attended Ross Haven Marine and inspected vessel for damage. Damage was visible on the bow of the vessel from the impact of Trinity Castles bow. Damage also noted on the stern of the vessel were impact had occurred with the pontoon. Photos taken and recorded in AXOM program BWC used as well. Saved to AXOM as per BWC evidence handling policy.
Completed Date	31/08/2022
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Draft and send closure letter to person
Status	Task Complete
Task / Entry Date	23/05/2023
Task / Entry Time	13:35
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	1
Due Date	23/05/2023
Days to Due Date	34
Status Indices	1
Task Description (Running Sheet)	Emailed only
Completed Date	23/05/2023
Notes	

Notes	
Type	Running Sheet Entry
Task Title	Closure letter pers
Status	Task Complete
Task / Entry Date	23/05/2023
Task / Entry Time	13:38
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	1
Due Date	23/05/2023
Days to Due Date	34
Status Indices	1
Task Description (Running Sheet)	Sent in the post to address recorded in TICA
Completed Date	23/05/2023
Notes	

Notes	
Type	Data Entry
Task Title	Close MSID file link remaining entities and DMS documents
Status	Task Complete
Task / Entry Date	23/05/2023
Task / Entry Time	13:49
Assigned / Recorder	CHOWN, Mark A
Region	Townsville
Hours of Effort	2
Due Date	23/05/2023
Days to Due Date	34
Status Indices	1
Task Description (Running Sheet)	
Completed Date	23/05/2023
Notes	

Type	Case Trigger
Details	
Notes	

Marine Incident No.	MSQ25355-2022
Incident Type	Marine Incident
Date	16/08/2022
Time	14:00:00:ttt
Caseman ID	
Incident Report Details	Vessel Trinity Castle collided with Marine Berths at Magnetic Island Marina
Water Type	Smooth
Coordinates	
Latitude	-19.158093
Longitude	146.854054
Location Name	Magnetic Island Marina
Region	Townsville
Weather Conditions	Clear
Visibility Conditions	Good
Water Conditions	Calm
Swell Height (m)	
Wind Speed	
Wind Direction	
Type of Marine Incident	Collision with fixed object
Incident Consequence	Moderate damage to ship
Public Interest	Public interest unlikely
Highest Ship Class	Recreational
Compliance Weighting	0
Weighting Reason	
Original Rating Score	10
Final Rating Score	10
Category	3
Fatalities (No.)	0
Injuries - Serious (No.)	0
Injuries - Minor (No.)	0
Minor Damage (Ships)	0
Moderate Damage (Ships)	0
Major Damage (Ships)	1
Lost Ships	0
Pollution Category	
Pollution Source	
Pollutant	
Pollution - Extent (Length)	
Pollution - Extent (Width)	
Pollution - Extent (Area)	
Pollution - Extent (Volume)	
Pollution - Discharge Been Stopped?	No
Pollution - Photos Taken	No
Pollution - Video Taken	No
Pollution - Samples Taken	No
Pollution - Samples Taken By	
Pollution - Statutory Authority	MSQ
Pollution - Combat Authority	MSQ
Pollution - Response Brief	
Notes	
(H-N1) Failure to comply with ColRegs	No
(H-N2) Insufficient voyage planning	No
(H-N3) Excessive Speed	No
(H-N4) Navigation Error - Other	No
(H-P5) Inadequate training	No
(H-P6) Inappropriate instructions to crew	No
(H-P7) Communications Failure	No
(H-P8) SMS Failure	No
(H-O9) Inattention	No
(H-O10) Inexperience/lack of knowledge	No
(H-O11) Bridge Watch keeping failure	No
(H-O12) Insufficient crew numbers	No
(H-O13) Mooring Failure	No
(H-O14) Insufficient maintenance	No

(H-O15) Overloading	No
(H-O16) Operational error - other	Yes
(M-V1) Bridge or Navigation Failure	No
(M-V2) Electrical system failure	No
(M-V4) Propulsion system failure	Yes
(M-V5) Hull Breach	No
(M-V6) Equipment failure - other	No
(M-V7) Fuel or gas leak	No
(M-DC8) Inadequate stability - shifting cargo	No
(M-D9) Inappropriate hull/equipment - Construction	No
(M-DC10) Inappropriate hull/equipment - design	No
(M-DC11) Vessel construction failure - other	No
(M-SS12) Shore structure design	No
(M-SS13) Shore structure maintenance	No
(M-SS14) Gangway/Boarding Ladders	No
(E-H15) Floating or Submerged object	No
(E-H17) Hazardous waters - uncharted hazards	No
(E-H16) Wash of passing vessel	No
(E-H18) Hazard - other	No
(CF1) Insufficient safety equipment	Yes
(CF2) Tidal conditions	No
(CF3) Bar conditions	No
(CF4) Hazardous season (cyclones etc)	No
(CF5) Hazardous waters - obstructions	No
(CF6) Poor Visability	No
(CF7) Sea state	No
(CF8) Wind	No
(CF9) Heavy traffic area	No
(CF10) Medical condition	No
(CF-11) Alcohol / Drugs	No
(CF12) Fatigue	No
(CF13) Failure to wear lifejackets	No
(CF14) Failure to wear engine kili lanyard	No
MR-T Value	4
MR-C Value	6
MR-PI Value	0
Days Since (Incident)	314.5

Type	Case Outcome
Details	
Notes	Notice issued other vessel involved
MSC Reference	
DMS Container	230/03974
Action Type	Notice
Jurisdiction	TOMSA
Notice Type	s172AA TOMSA Shipping Inspectors Written Direction
Issue Date	26/08/2022
Offence Date	
Offence Time	
Offence Date (End)	
Offence Time (End)	
Offence Name	
Location	
Coordinates	
Latitude	
Longitude	
Agency	MSQ

Officer Name	machown
Officers Region	Townsville
Action Due Date	2/09/2022
Finalised Date	
Due Date Countdown	297.5
Status Indices	1
Notes	
Days Since (Issue Date)	304.5
Days Since (Finalised Date)	
Days Since (Offence)	

Role	Mentioned In
Details	
Notes	
Document Type	External Agency Report
Document Title	ASIC search
DMS Item No.	E103826
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Outcome of
Details	
Notes	
Document Type	External Agency Report
Document Title	Surveyor letter NR
DMS Item No.	E103827
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Mentioned In
Details	
Notes	
Document Type	Other
Document Title	Emails
DMS Item No.	E103828
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Subject Of
Details	

Notes	
Document Type	Other
Document Title	Letter to perso
DMS Item No.	E103829
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Subject Of
Details	
Notes	
Document Type	Other
Document Title	MIR Acknowledgement letter
DMS Item No.	E103830
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Outcome of
Details	
Notes	
Document Type	Other
Document Title	S172AA notices
DMS Item No.	E103832
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Subject Of
Details	
Notes	
Document Type	Other
Document Title	TICA details
DMS Item No.	E103834
Other Reference	
Publish Date	
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

Role	Outcome of
Details	
Notes	
Document Type	Other
Document Title	Closure letter pers
DMS Item No.	E103833
Other Reference	
Publish Date	23/05/2023
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	

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Role	Outcome of
Details	
Notes	
Document Type	Other
Document Title	Closure letter to NR
DMS Item No.	E103831
Other Reference	
Publish Date	23/05/2023
Details	
Embedded (Picture)	
Hyperlink	
Document Text	
Source Reliability	Not Evaluated
Information Truth	Not Evaluated
Notes	



NO SHOES

Released under RTI - DTMR





Release @ 01/01/2019 - DTMB







Released under RTI - DTMR





Released under RTI-DUMP



Released under RIAA DTMR

Released under RTI - DTMR

Released under RTI - DTMR



Released under RTI - DTMR





Released Under RTI - DTMR





VOYAGER
CATAMARANS

Released Under RTI - DTMR



personal information

NO SHOES

Released under PTTI DMMR