

PBP38603

Marine Incident

Region File No 11/114	HO File No 	Region Brisbane	Status Closed	Date closed 23/09/2013	Cat 4	Investigate? Yes
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Reporting Agency Qld Transport	Reported via... F3071 Marine Incident Report	Reported on... 10/11/2011	Next review 03/12/2011
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Office Pinkenba **Incident involved** ***

Pollution? No

Reason Closed Regional Investigation Completed - Refer to Compliance Unit
Relevant Act
Investigating Agency Qld Transport **Officer** BALDWIN, Luan

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

Lat 27.1833	Long 153.0667	Water/ Landmark	Scarborough Anchorage
Bearing	Distance (nm or m)	Location	Smooth waters
Date 25/10/2011	Time	05:30 PM	

Type of Incident

Collision between ships

Incident Severity

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

Environmental Conditions

Weather Clear	Visibility Good	Water Choppy	Time of Day Day	Wind Speed Strong (force 5-7 / 17-33 knots)
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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 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
Commercial/Recreational

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

Describe the contributing factor

Derelict ship - no owner floated and caused damage to another ship.

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

On the 25.10.2011 commercial fishing vessel 'Sea Mist' and White Sailing Vessel were at anchor when sailing vessel dragged anchor and collided with 'Sea Mist' causing significant damage to vessel.
 17.01.12 - Owner of FSJU called to provide further information regarding this MIR. Two vehicles were seen moving the unknown vessel
 FS.II would like

seen moving the unknown vessel. See also the report of the vessel 'Sea Mist' and White Sailing Vessel. FSJU would like contact details for the owners of these vehicles so he can submit a claim for damages. was towing the dinghy that was used to get out to unknown vessel for it to be moved. MAFENTO

07.12.12 - Report reviewed by the AMB (J.W) and closed at a regional level, letter sent to owner.

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

<copy for printing purposes>

On the 25.10.2011 commercial fishing vessel 'Sea Mist' and White Sailing Vessel were at anchor when sailing vessel dragged anchor and collided with 'Sea Mist' causing significant damage to vessel. 17.01.12 - Owner of FSJU called to provide further information regarding this MIR. Two vehicles were seen moving the unknown vessel. FSJU would like contact details for the owners of these vehicles so he can submit a claim for damages. was towing the dinghy that was used to get out to unknown vessel for it to be moved. MAFENTO

07.12.12 - Report reviewed by the AMB (J.W) and closed at a regional level, letter sent to owner.

<end copy>



img-Z070847-0001.pdf img-Z070848-0001.pdf

On the 23rd September 2013, this and other open Caseman Files, over 18 months old, were reviewed by staff from the Compliance Unit. This file fulfils the requirements, that dictate that the file can be closed with no further action. Marc Bailey Senior Investigations Officer.

Last updated:	23/09/2013 08:30:17 AM	by	Marc X Bailey/cp1/qdot/au
Date entered:	23/11/2011 02:37:14 PM	by	Sarah R Pike/cp3/qdot/au

Marine Incident Report



Queensland Government
Maritime Safety Queensland

This form is to be completed by the ship Owner or Master at the time of the incident and returned, with all supporting documents, to your local Maritime Safety Queensland regional office or Queensland Police Service (Water Police) or Queensland Boating and Fisheries Patrol Office.

Incident description

Position of incident

Latitude Longitude Body of water/Landmark Bearing Distance

Location Inland waters Smooth waters Partially smooth waters Offshore Date Time

Type of incident

Collision
 between ships
 with a fixed object
 with floating object
 with an animal
 with overhead obstruction
 with submerged object
 with wharf

Grounding
 unintentional
 intentional

Capsizing
 sinking
 swamping
 flooding

Loss of ship
 Structural failure
 Loss of stability
 Fire
 Explosion
 Person overboard

Onboard incident
 falls within ship
 crushing or pinching
 other onboard injury

Other personal injury
 hit by propeller or ship
 water ski incident
 parasailing incident
 diving incident
 other personal injury caused by operation of ship

Incident Severity Rating

No. of ships involved Note - if more than 2 ships were involved attach details on a separate sheet

Fatality No. of persons Injury No. of persons

Ship lost Damage to property only
 Ship damaged No damage

Environmental Conditions

Weather Clear Hazy Cloudy Rain Flood Other

Water conditions Calm Choppy Rough Very Rough Strong current

Wind speed None Light (up to force 2 / 1-7 knots) Moderate (force 3-4 / 8-16 knots)
 Strong (force 5-7 / 17-33 knots) Gale (force 8 and above / more than 33 knots)

Visibility Good Fair Poor

Time of day Day Night Twilight

Wind direction Wind coming from

Ships involved

Own ship

Ship owner's details
 Owner's name
 Telephone (business hours) Telephone (after hours)
 Address
 Ship details
 Name of ship
 Official Registration no. Registering Authority
 Length (metres) Beam (metres) Year built
 No. of passengers on board No. of crew on board

Other ship

Ship owner's details
 Owner's name
 Telephone (business hours) Telephone (after hours)
 Address
 Ship details
 Name of ship
 Official Registration no. Registering Authority
 Length (metres) Beam (metres) Year built
 No. of passengers on board No. of crew on board

Continued over page ...

Ships involved - continued

Own ship

Type

passenger PWC (jetski) sailing boat
 non passenger motorboat houseboat
 fishing speedboat rowing boat
 hire & drive (planing hull) catamaran

Other (describe) _____

Commercial USL Class _____ Recreational
 Fishing _____

Engine

Outboard Inboard/Outboard
 Inboard Petrol None
 Inboard Diesel Other (please specify) _____

No. of engines Engine power

Hull material

Steel Ferro-cement
 Fibreglass/GRP Timber
 Marine alloy
 Other (describe) _____

Damage to ship

Lost Moderate damage (damaged but ship remains seaworthy)
 Major damage (ship unseaworthy) No damage

Other ship

Type

passenger PWC (jetski) sailing boat
 non passenger motorboat houseboat
 fishing speedboat rowing boat
 hire & drive (planing hull) catamaran

Other (describe) _____

Commercial USL Class _____ Recreational
 Fishing _____

Engine

Outboard Inboard/Outboard
 Inboard Petrol None
 Inboard Diesel Other (please specify) _____

No. of engines Engine power

Hull material

Steel Ferro-cement
 Fibreglass/GRP Timber
 Marine alloy
 Other (describe) _____

Damage to ship

Lost Moderate damage (damaged but ship remains seaworthy)
 Major damage (ship unseaworthy) No damage

Persons involved

Own ship

Deceased or injured persons

Name of deceased or injured person _____

Gender Date of birth

Male Female

Address _____

Telephone (business hours) Telephone (after hours)

Injury status

Fatality Missing person
 Serious injury Minor injury (not requiring hospital treatment)

Activity of injured or deceased

Person in charge (Master) Jet-skier
 Person at helm Surf ski/surf board rider
 Crew Swimmer
 Passenger on vessel Diver
 Water-skier Other
 Para-flier

Other ship

Deceased or injured persons

Name of deceased or injured person _____

Gender Date of birth

Male Female

Address _____

Telephone (business hours) Telephone (after hours)

Injury status

Fatality Missing person
 Serious injury Minor injury (not requiring hospital treatment)

Activity of injured or deceased

Person in charge (Master) Jet-skier
 Person at helm Surf ski/surf board rider
 Crew Swimmer
 Passenger on vessel Diver
 Water-skier Other
 Para-flier

Continued
next page . . .

Persons involved - continued

Own ship

Masters details

Master's name

Gender

Male Female

Date of birth

Licence type and grade (e.g. Master 5)

COXSWAIN

Licence no.

Issuing Authority

Queensland Transport

Issue date

Expiry date (if applicable)

28/3/2000 / /

Address

Telephone (business hours)

Telephone (after hours)

Watchkeeper / Person at the helm

Role

Master Crewmember Passenger

Name

Gender

Male Female

Date of birth

Licence type and grade (e.g. Master 5)

Licence no.

Issuing Authority

Issue date

Expiry date (if applicable)

Address

Telephone (business hours)

Telephone (after hours)

Other ship

Masters details

Master's name

Gender

Male Female

Date of birth

Licence type and grade (e.g. Master 5)

Licence no.

Issuing Authority

Issue date

Expiry date (if applicable)

Address

Telephone (business hours)

Telephone (after hours)

Watchkeeper / Person at the helm

Role

Master Crewmember Passenger

Name

Gender

Male Female

Date of birth

Licence type and grade (e.g. Master 5)

Licence no.

Issuing Authority

Issue date

Expiry date (if applicable)

Address

Telephone (business hours)

Telephone (after hours)

Continued over page ...

Privacy Disclaimer

Maritime Safety Queensland provides this form under the *Transport Operations (Marine Safety) Act 1994* to assist in the management and limitation of adverse occurrences in Queensland waters. Some of the information may be released to other Queensland government agencies and marine authorities. Authorised departmental staff have access to this information and will not disclose your details to any other third party without your consent or unless required by law.

SCARBOROUGH

*
Vessel B

*
Vessel A

NEWPORT

BOTH VESSELS WERE AT ANCHOR WHEN VESSEL B DRAGGED ANCHOR AND RAN INTO VESSEL A CAUSING SIGNIFICANT DAMAGE TO VESSEL A.

TO DATE I HAVE BEEN UNABLE TO LOCATE THE OWNER OF VESSEL B.

10-11-2011.



24 November 2011

COPY

Dear

Marine Incident Report Number PBP38603

I acknowledge receipt of your marine incident report regarding a marine incident involving the vessels **Seamist FSJU** and **Unknown Sailing Vessel**.

Maritime Safety Queensland's official marine incident report number is **PBP38603**.

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

fw Captain Richard Johnson
Regional Harbour Master (Brisbane)

Maritime Safety Queensland
Marine Operations
MacArthur Ave East
PINKENBA QLD 4008

ABN 13 200 330 520

Our ref 11/114
Your ref PBP38603
Enquiries Justin Williams
Telephone +61 7 3860 3557
Facsimile +61 7 3860 3540
Website www.msq.qld.gov.au



Memorandum

Our ref
Your ref
Date 15 December 2011

To David Mainwaring – Shipping Inspector TO28

Subject **Authority to Sign off Marine Incidents on behalf of the Area Manager, Brisbane**

I, Adrian Hawes, Acting Assistant Regional Harbour Master, hereby authorise you to finalise any files on Marine Incidents under the *Transport Operations (Marine safety) Act 1994* that may be sent to you from my office.

This authority permits you to act for the Area Manager Brisbane concerning Marine Incidents only until 15 February 2012.

Adrian Hawes
Acting Assistant Harbour Master Brisbane

Department of Transport and Main Roads

Enquiries 3120 7165
Telephone +61 7
Facsimile +61 7



FYI: MIR - PBP38603
Melissa A Fenton to: Sarah R Pike
 Cc: Justin Z Williams

17/1/12
 DTMR

From: Melissa A Fenton/cp4/qdot/au
 To: Sarah R Pike/cp3/qdot/au@qdot
 Cc: Justin Z Williams/cp3/qdot/au@qdot

Hi Sarah,

Owner of FSJU called to provide further information regarding the above MIR. He is chasing contact details on the below vehicle registrations so he can submit a claim for damages. I did not provide any contact information to him due to privacy regulations, although I did update the MIR with the below information and advised that this will be forwarded to Justin to investigate further.

17.01.12 - Owner of FSJU called to provide further information regarding this MIR. Two vehicles were seen moving the unknown vessel. FSJU would like contact details for the owners of these vehicles so he can submit a claim for damages. was towing the dinghy that was used to get out to unknown vessel for it to be moved. MAFENTO

Kind regards,

Melissa Fenton

Administration Officer | Marine Operations (Brisbane)

Maritime Safety Queensland | Department of Transport and Main Roads

Ground Floor | Pinkenba Marine Operations Base | MacArthur Avenue East | Pinkenba Qld 4008

P: (07) 38603562 | F: (07) 38603540

E: melissa.a.fenton@msg.qld.gov.au

W: www.msg.qld.gov.au

Tomorrow's Queensland: strong, green, smart, healthy and fair - www.towardQ2.qld.gov.au

Please consider the environment before printing this email



Released under MIA



Marine Incident Referral Report

Maritime Safety
Queensland

Queensland Transport

To Mandy Nixon, Manager (Compliance)
Date 29 February 2012

Subject CaseMan No - PBP38603
Ship name – “Seamist” (FSJU) vs unknown yacht
Location – Scarborough Anchorage, Moreton Bay
Date of incident – 25 October 2011

Executive Summary

The 9 metre fishing vessel “Seamist” was at anchor at Sarborough anchorage on 25 October 2011 when it was reportedly struck by an unidentified yacht approximately 14 m in length. “Seamist reports that the damage sustained was significant. The extent of damage to the unknown yacht is not known.

owner of “Seamist” provided a statement in which he named the owner of the unidentified yacht as one and provided a mobile telephone number for No address was given for and the yacht’s registration number was not provided.

Calls made to number were answered by a recorded message which advised that no calls were being taken by that number.

Recommendation

I recommend that no further action be taken regards this matter

Approved: David Mainwaring on behalf of Area Manager

Signature: _____

Date: 29 February 2012

Telephone: 3120 7165

Memorandum

Our ref PBP38603
Your ref 230/00392
Date 29 February 2012

To Luan Baldwin, Area Manager, Pinkenba

Subject **Marine Incident PBP38603 – Collision between vessels due to dragging anchor**

I refer to a marine incident which occurred on 25 October 2011 at 1730 hrs when the fishing vessel "Seamist" (FSJU) was reported to have been struck by an unidentified yacht that dragged anchor at Scarborough Anchorage.

No persons were reported to have been injured; however, the owner of "Seamist" reported moderate damage to his vessel.

The owner of "Seamist" is _____ submitted a marine incident report which was received at Pinkenba on 10 November 2011, in which he claimed that the vessel that struck "Seamist" was a white sailing vessel approximately 14m in length.

_____ also submitted a supplementary report dated 22 November 2011, addressed to Sarah Pike at MSQ, Pinkenba, in which he stated that the owner of the yacht that struck "Seamist" was one _____ and that the matter was reported to Sergeant Gordon THIRY of the Brisbane Water Police.

I have tried on several occasions to contact _____ at the number provided. The recorded message from _____ telephone advises that no incoming calls are being taken. Consequently, I have not been able to confirm one way or another whether _____ white yacht was involved in this alleged marine incident.

Under the circumstances it is recommended that no further action be taken unless more information is received by MSQ, and that _____ is advised of the situation.

D. Mainwaring
Shipping Inspector T028

Department of Transport and Main Roads

Enquiries 3120 7165
Telephone +61 7
Facsimile +61 7



QUEENSLAND
GOVERNMENT

Our ref 230/00392
Your ref PBP38603
Enquiries Justin Williams

Department of Transport and Main Roads

Maritime Safety Queensland
Marine Operations (Brisbane)
MacArthur Avenue East
Pinkenba Queensland 4008

5 August 2012

Telephone +61 7 3860 3538
Facsimile +61 7 3860 3571
Website www.msq.qld.gov.au

Dear

I refer to a Marine Incident Report submitted to Maritime Safety Queensland (MSQ) involving a collision between an unidentified white timber sailing ship and the ship "Seamist", fishing symbols FJSU. The incident was reported to have taken place at Scarborough anchorage, Deception Bay on 25 October 2011.

MSQ was pleased to hear that there were no injuries sustained as a result of this incident and that no subsequent events have occurred.

As a result of the investigation, it has been deemed there is insufficient evidence to pursue this matter in magistrate's court.

Maritime Safety Queensland does not propose to take any further action in regards to this matter.

MSQ will, however be pursuing other legislative matters in relation to this unidentified sailing ship.

If you require any further information relating to this correspondence, please contact Mr Justin Williams, Area Manager (Brisbane) on 3860 3538.

I wish you safe boating in the future.

Yours sincerely

Captain Richard C. Johnson
Regional Harbour Master (Brisbane)



Marine incident report update of info .

to:
sarah.r.pike
22/11/2011 10:09 AM
Hide Details
From:

To: <sarah.r.pike@msq.qld.gov.au>

My name is _____ i have filed a report with use a few weeks ago about a marine incident in the
scarborough anchorage on the 25th of october 2011 ...
I am updating the owners details of the other vessel involved his name

I reported the incident to a Sergeant 7273 , Gordon Thiry of the Brisbane Water Police
I have been unable to get much help from the marina operators with locating and contacting the owner of
the vessel involved in the incident and am worried that i will not get my boat repaired as a result ..
My boat was anchored in the anchorage for 12 months , in that time it was cut off twice , had 10 crab pots
tangled with my anchor and also 3 lengths of wire and some tin all causeing my boat to drag anchor and
become a boating hazzard .
There are crab pots all through the anchorage which none of are marked legally and the owners have no
respect for the boats that are anchored there ...
Can use please help me to sort this problem out please ..
YOUR SINCERELY

File Procedures Reports Scores Settings Window Help

Close

Certificate Details

Certificate: C014090 Made: New Status: Active
 Type: Certificate of Competency Status Date: 24/05/2000

Competency Level: CC05SW411

Name: IN: 11961
 Birthdate: Gender: Male

Current Details | Dispatch | Comments | STCW Regulations

Issue Date: 28/03/2000 Date Printed: 28/03/2000 STCW Type: NR
 Original Expiry Date: Perpetual Current Expiry Date: Perpetual Date Revalidated:
 Port of Lodgement: Brisbane Issue Location: Brisbane
 Approver/Authoriser: John Wilkinson Colour Blind?:
 Replaces Certificate: Replaced By Certificate: Date Replaced:
 Exam Centre: Pinkenba (M) Exam Date: 20/03/2000
 File Number: 715/10635 Drivers Licence:

Endorsements | Photo | History | Summary | Close

File Procedures Reports Scores Settings Window Help

Close

Person Details

Name: Title: IN: 11961 CRN:
 Birthdate: Gender: Male File Number: 715/10635 Eyes: Hazel
 Town of Birth: Mackay Qld State: Country: Hair: Brown
 Height: 175 cm Nationality: Australian Resident:

Contact Details | Certificates

Residential Address:
 Postal Address:
 Phone:
 Email:

Certificate	Type	Level	Status
C014090	Certificate of Competency [CC05S]		Active

Report: 14 of 14 Page: 1 of 1

Profile | Medical | Short Courses | Oral Exams | Report | Personal | History | Dispatch | Close

Marine Incident Investigation Report

Title: Collision between ships at anchor

Incident date: 25/10/2011

Category: Category 4

CaseMan no: PBP38603

Investigator	Luan Baldwin
Position	Marine Officer
Division	Maritime Safety Queensland
Regional office	Pinkenba
Address	MacArthur Avenue East Pinkenba QLD 4008
Contact number	(07) 3860-3569
Email	luan.l.baldwin@msq.qld.gov.au
Report date	28/11/2012

Summary

Regional office: DMS File No:

Incident date: Time of incident: Date reported:

Category: Incident type:

MSQ attended: Officers attending: Contact No:

QPS attended: Officers attending: Contact No:

QAS attended: Officers attending: Contact No:

QBFP attended: Officers attending: Contact No:

Aquatic event: (copy of permit attached)

Evidence

Evidence seized:

Location

Body of water / landmark:

Latitude: Longitude:

Latitude & 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.

Waters:

Conditions

Weather: Visibility:

Water: Wind:

Tide:

Ships involved

Add ship

Remove last ship

Ship 1.

Ship name :	Seamist		
Owners name:			
Owners address:			
Ship type:	Fishing	Ship class:	Non-USL/NSCV
Ship description:	Trawler		
Reg no:		Boat mark:	FSJU RUF: <input type="checkbox"/>
Registering authority:		Port of registry:	
Registration expiry:			
Length (in metres):	9	Beam (in metres):	3 Construction: Wood
Engine type:	Inboard (diesel)	No. of engines:	1 Total power (kW):
Last monitoring date:		Written direction:	
Previous incidents:			

Master of ship 1.

Masters name:			
Masters address:			
Home phone:		Mobile phone:	
		Work phone:	
Email address:		Statement/ROI:	<input type="checkbox"/> Coercive powers used: <input type="checkbox"/>
Date of birth:		Place of birth:	

Add deceased or injured persons on ship 1.

Add inj. person

Remove inj. person

Add crew on ship 1.

Add crew

Remove crew

Add offence details for ship 1.

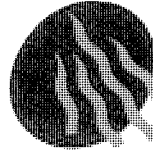
Add offence

Remove offence

Add witness

Add witness

Remove witness



SEIZURE NOTICE

NOTICE OF INTENTION TO SEIZE ABANDONED PROPERTY *Transport Operations (Marine Safety) Act 1994, section 175A*

Date of Notice: 03 November 2011

Description of abandoned property: unnamed Ferro-Concrete Yacht aground adjacent to the channel to the Albatross Canal, Deception Bay.

Where and when property was found: On the mud bank adjacent to the channel to Albatross Canal on 27 October 2011.

If the abandoned property described above is not removed by 5:00 pm on 03 December 2011, a shipping inspector may seize and remove the abandoned property from Deception Bay in a way approved by the Regional Harbour Master (Brisbane).

Statement for the purposes of section 175A (5) of the *Transport Operations (Marine Safety) Act 1994*:

If no one claims the abandoned property within the time stated above and a shipping inspector seizes and removes it, the shipping inspector may, having regard to the value and condition of the abandoned property --

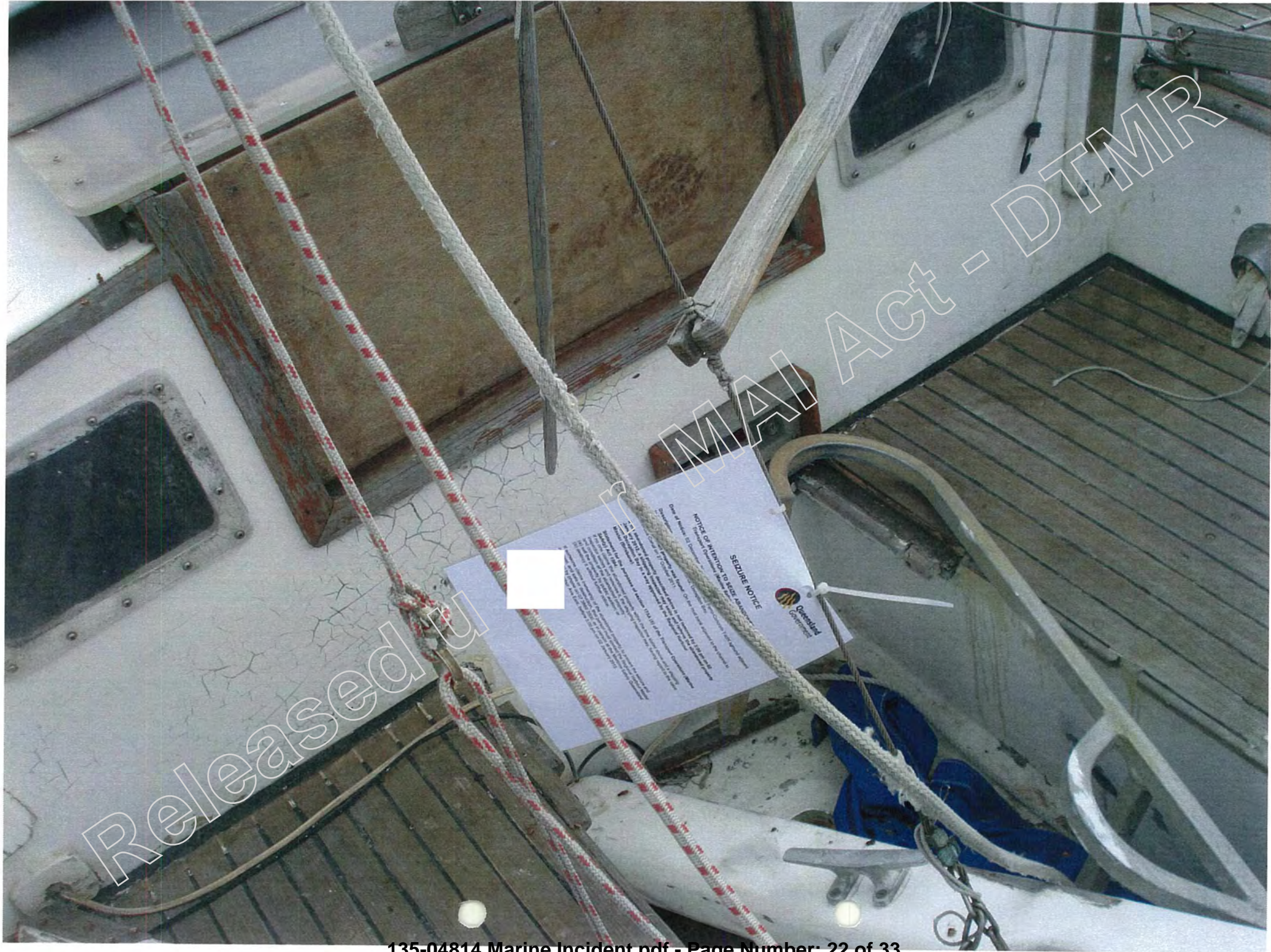
- (a) sell the property by public auction; or
- (b) destroy it without further notice.

If someone claims ownership of the abandoned property, to prevent the seizure and removal, and sale or destruction, that person must contact the Regional Harbour Master (Brisbane) by phone on 07 5477 8425, or in person at the Maritime Safety Queensland office at Macarthur Ave East, before 5:00 pm on 03 December 2011.

James B. O'Connor
Shipping Inspector T214
Maritime Safety Queensland

A person appointed as a shipping inspector pursuant to part 13 of the *Transport Operations (Marine Safety) Act 1994*.













Shipping Inspector's Declaration Ship is unseaworthy and must not be operated

Transport Operations (Marine Safety) Act 1994, section 172AA

Privacy Notice: Maritime Safety Queensland collects personal information on this form for the purpose of issuing this Shipping Inspector's Declaration under 172AA of the Transport Operations (Marine Safety) Act 1994. Authorised officers will have access to this information and will not disclose your personal details to any third party without your consent or unless required or authorised by law.

I, JAMES BERNARD O'CONNOR, a shipping inspector under part 13 of the

Transport Operations (Marine Safety) Act 1994 have, on this 2ND day of DECEMBER 20 13, in

Queensland waters / on land adjacent to Queensland waters, namely:

DECEPTION BAY ADJACENT TO REDCLIFFE AIRPORT.
(Describe Queensland waters or land adjacent to Queensland waters)

inspected the CHIHO (the ship), registration/boat mark _____
(Name of ship) (Registration number / boat mark)

I **DECLARE**, by this written notice, that the Ship is unseaworthy because (describe why the ship is unseaworthy)

LOSS OF WATERTIGHT INTEGRITY, COMPROMISED STABILITY, THROUGH WATER INGRESS AND FREE SURFACE EFFECT

And I **DECLARE THAT THE SHIP MUST NOT BE OPERATED**, other than in a way approved by me, namely (describe how the Ship can be operated)

COMMERCIAL SALVAGE OPERATION TO FACILITATE REMOVAL FROM QUEENSLAND WATERS. REMOVAL TO AN APPROPRIATE MARINE FACILITY ON LAND.

IF YOU FAIL TO COMPLY WITH MY DECLARATION, YOU MAY COMMIT AN OFFENCE WHICH CARRIES A MAXIMUM PENALTY OF \$20,000 FOR AN INDIVIDUAL OR \$100,000 FOR A CORPORATION. (This penalty is current at time of printing)

Further, I **REQUIRE YOU**, _____

of _____
Personal Information

as the Ship's owner / master, **TO REMOVE THE SHIP FROM QUEENSLAND WATERS** before 12:00 am/pm on 08/01/2014
in a way approved by me, namely (describe how the Ship is required to be removed from the water)

through commercial salvage by the most direct route.

IF YOU FAIL TO COMPLY WITH MY DECLARATION, YOU MAY COMMIT AN OFFENCE WHICH CARRIES A MAXIMUM PENALTY OF \$50,000 FOR AN INDIVIDUAL OR \$250,000 FOR A CORPORATION. (This penalty is current at time of printing)

Shipping inspector's signature _____ Number T214 Office PINKENBA Date of issue 02/12/13

Owner's or Master's name _____ Owner's or Master's signature _____

Note: Commercial registration will not be renewed if a Written Direction is current on the ship.

Pink Copy: Master
Green Copy: Owner
Yellow Copy: File
Buff Copy: Book

D 000030

SSA Multimedia Services
Form F4441
V01 May 2011



Queensland
Government

Memorandum

Our ref 230/00392
Your ref PBP38603
Date 5 December 2012

To Area Manager (Brisbane)

Subject Marine incident investigation file – (File No...PBP38603)

I enclose a copy of the following marine incident (Category 4) investigation file:

Incident type Collision between ships at anchor

Participant ship/s Seamist FSJU

Chiko- unregistered

Location Scarborough Anchorage, Deception Bay

Date 25/10/11

I have carefully considered the following:

- ✓ the marine incident is a one-off event
- ✓ no injuries were suffered by any person
- ✓ there appears to be no criminal negligence by any party
- ✓ the event is not one of a series of events forming a course of conduct

Consequently, I have decided to close the investigation file at area level by way of closure letter.

You may be pleased to review the investigation file and update the CaseMan record to show the Head Office container ID. I suggest that no further compliance action is required by your section.

Please contact me if you have any queries about the file.

Luan Baldwin- Marine Officer (Brisbane)

Department of Transport and Main Roads
Maritime Safety Queensland
Transport Safety Branch

Enquiries Luan BALDWIN
Telephone +61 7 3860 3569
Facsimile +61 7 3860 3540

Item

ITEM DETAILS

Item ID:	26196 - MOM	Item Type:	Letter
Date Created:	07/11/2013	Project ID:	
Date Captured:	07/11/2013	Sub Project ID:	
Item Format:	Physical	Other Reference:	
Circulation:		Copies Sent To:	
Subject:	Follow up letter to l advising current position of vessel and request to confirm ownership		
Function Term:	VESSEL MANAGEMENT	Activity Term:	RECREATIONAL SHIPS (15 METRES OR LESS)
Container Title:	Investigation - registration for vessel Chio -	Container ID:	245/01185[1]

ADDRESSEE

Name:	Address:
	Personal Information

ACTIONS & OWNERSHIP

Author:	James B O'CONNOR	Corporate Author:	Marine Operations - Pinkenba
Author Title / Position:	Marine Officer Grade 3	Complaint Classification:	
Business Unit:	Brisbane Operations		
Action Officer:			
Home Location:	Safety Compactus	Last Movement Date:	07/11/2013

SECURITY & ACCESS

Security Classification:	UNCLASSIFIED INFORMATION
Security Access:	Unrestricted

ADDITIONAL INFORMATION

Description / Additional Info:

Posted 07.11.13

DOCUMENT CONTENTS



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Queensland
Government

Department of
Transport and Main Roads

Our ref 230/00392
Your ref
Enquiries (07) 3632 7531

07 November 2013

Personal Information

Dear |

I am writing to you in reference to your ship, "Chiho". The vessel is now in the mangroves of Deception Bay, adjacent to Redcliffe Airport.

On 20 December 2011, Marine Officer Luan Baldwin, a shipping Inspector appointed under the Transport Operations (Marine Safety) Act 1994, requested that you supply proof of ownership for your ship.

Maritime Safety Queensland has not received any correspondence from you which would satisfy the above request.

It has also come to the attention of Marine Officers investigation a report of a possible Marine Incident that your Ship is unregistered.

Section 56 of **Transport Operations (Marine Safety) Act 1994**, states that a Regulation may require registration of ship.

56 Regulation may require registration of ship

A regulation may require the owner of a ship to register the ship as a commercial ship, fishing ship or recreational ship.

And section 61 of **Transport Operations (Marine Safety) Regulation 2004** States that it is a requirement for owner must register unless they have a reasonable excuse.

61 Owner to register ship

(1) The owner of a ship to which part 5, division 2 of the Act applies must register the ship unless the owner has a reasonable excuse.

Maritime Safety Queensland

Macarthur Ave East
Pinkenba Qld 4008

Telephone +61 7 3632 7531
Facsimile +61 7 3632 7571
Website www.msq.qld.gov.au
Email james.b.o'connor@msq.qld.gov.au
ABN 39 407 690 291

Before further action is taken you are invited to supply this office with "proof of ownership" and "registration" for your ship, "Chiho". Your reply should be in written and should reach this office no later than close of business 29 November 2013.

It is also requested that you advise Maritime Safety Queensland of your immediate plan to remove your vessel from the mangroves.

If you have any further questions please contact Mr James O'Connor on 3632 7531 who will be able to assist you.

Yours sincerely



Capt Richard C. Johnson
Regional Harbour Master - Brisbane

Released under



Queensland
Government

Department of
Transport and Main Roads

Our ref 230/00392
Your ref
Enquiries (07) 3632 7531

02 December 2013

Personal Information

Dear

I am writing to you in reference to your ship, "Chiho". The vessel remains in the mangroves of Deception Bay, adjacent to Redcliffe Airport.

On 20 December 2011, Marine Officer Luan Baldwin, a shipping Inspector appointed under the Transport Operations (Marine Safety) Act 1994, requested that you supply proof of ownership for your ship.

On 07 November 2013 I wrote to you advising that Maritime Safety Queensland had not received any correspondence from you which would satisfy the above request.

It has also come to the attention of Marine Officers investigation a report of a possible Marine Incident that your Ship is unregistered.

Section 56 of **Transport Operations (Marine Safety) Act 1994**, states that a Regulation may require registration of ship.

*56 Regulation may require registration of ship
A regulation may require the owner of a ship to register the ship as a commercial ship, fishing ship or recreational ship.*

And section 61 of **Transport Operations (Marine Safety) Regulation 2004** States that it is a requirement for owner must register unless they have a reasonable excuse.

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As you have previously stated that you are the owner of this vessel please find attached a Shipping Inspectors Declaration under section 172AA of the Transport Operations (Marine Safety) Act 1994.

The direction is to you to remove the vessel, "Chiho" from Queensland Waters by commercial salvage prior to 12:00 PM on 08 January 2014.

It is also requested that you advise Maritime Safety Queensland of your immediate plan to remove your vessel from the mangroves.

If you have any further questions please contact Mr James O'Connor on 3632 7531 prior to the 14 December 2013 who will be able to assist you.

Yours sincerely

 Capt Richard C. Johnson
Regional Harbour Master - Brisbane