



Australian Government

Australian Transport Safety Bureau

# Collision off Cape Moreton, Queensland – 11 April 2002



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Investigations commenced on or before 30 June 2003, including the publication of reports as a result of those investigations, are conducted in accordance with the *Navigation (Marine Casualty) Regulations 1990*, made pursuant to subsections 425(1)(ea) and 425 (1AAA) of the *Navigation Act 1912*.

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## Collision involving *Forum Samoa II* and *Seabreeze II*

### The collision

At 0401 on 11 April 2002, the fishing vessel *Seabreeze II* collided, bow on, with the starboard side of the general cargo ship *Forum Samoa II*. There were no injuries to any person on either vessel, but the collision resulted in damage to the bow of the fishing vessel, which returned to port for repairs.

Neither vessel was keeping an adequate lookout before the collision and this report, as do many previous reports of collisions, emphasises the need for all vessels to maintain a proper lookout at all times.

### *Seabreeze II*

*Seabreeze II*, built in 1969 and registered as a commercial fishing vessel, operates out of Mooloolaba, Queensland. It has a length of 19.66 m and the hull and upper works are of steel. The wheelhouse is forward and the working deck, which can be illuminated by floodlights, is aft. The vessel is fitted with a 272 kW Cummins diesel engine driving a single fixed-pitch propeller.

Navigation equipment includes radar and a GPS (Global Positioning System) plotter. The plotter, which is used as the prime means of

navigating while trawling, records all past tracks of the vessel together with fishing-related information.

At the time of the incident, the vessel had a crew of three, of which the skipper and mate, both appropriately qualified and with years of experience on fishing vessels, shared the watches.

At 1415 on 8 April 2002, *Seabreeze II* sailed from Mooloolaba to trawl for prawns north-north-east of Cape Moreton. The vessel trawled at night and anchored by day.

Early on 11 April 2002, *Seabreeze II*, trawling on autopilot, was steering 010°(T) at 2.5 knots. At about 0315, the skipper observed a radar target some 12 miles distant, but, under the impression that a cargo ship would keep clear of his vessel as he was fishing, he made no further observations of it.

When the mate came on watch at 0330, his discussion with the skipper related only to the GPS plotter and their trawling. There was no mention made of other vessels in the vicinity.

The mate sat in the wheelhouse chair, looking at the GPS plotter. He neither used the radar nor attempted any visual lookout. At about 0400, he suddenly noticed a large dark shape crossing from port to starboard, immediately ahead. He pulled the throttle back and took the engine out of gear, but could not prevent the fishing vessel from colliding with the other vessel, at right angles, amidships on its starboard side.

The skipper was awakened by the collision and, returning to the wheelhouse, took the controls, while the mate checked the vessel for damage. The skipper attempted to contact the ship by VHF on channel 16, but received no reply.

**FIGURE 1:**  
Fishing vessel *Seabreeze II*



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At about 0407, the skipper informed Brisbane Radio that a ship with a blue or black hull and a white wheelhouse, heading south-east, had been in collision with his vessel about 9½ miles north-north-east of Cape Moreton. He provided Brisbane Radio with part of the name of the ship, soon afterwards identified as *Forum Samoa II*, which had sailed from Brisbane that night bound for Sydney. The skipper added that the fishing vessel's bow had been damaged and that he was returning to Mooloolaba.

**FIGURE 2:**  
***Seabreeze II*: Wheelhouse**



The next day, while *Seabreeze II* was at Mooloolaba for repairs, a marine safety officer from Queensland Transport carried out an inspection and noted that the vessel was equipped with the correct navigation and trawl lights and that they were all in working order.

### ***Forum Samoa II***

*Forum Samoa II* is a Samoan flag general cargo ship of 650 TEU capacity and has a deadweight of 8 127 tonnes at a summer draught of 7.22 m. The vessel was built in China in 2001 and has an overall length of 126.4 m. It is powered by a five-cylinder B&W diesel engine of 4 975 kW, driving a controllable-pitch propeller and giving it a service speed of 16 knots.

*Forum Samoa II* is classed with Germanischer Lloyd and owned by Millennium Hawk

Shipping of Cyprus. At the time of the incident, it was on charter to Pacific Forum Line of New Zealand.

The ship's navigation equipment includes 3 cm and 10 cm radars, each fitted with an automatic radar plotting aid (ARPA).

At the time of the incident, the vessel had a complement of 23. The master was from New Zealand, the officers and crew were from Samoa, Tonga, Fiji and Poland. All were appropriately qualified.

At 2312 on 10 April 2002, *Forum Samoa II* sailed from the container terminal at Fisherman Islands in Brisbane, bound for Sydney. After the pilot disembarked, *Forum Samoa II* commenced its passage to Sydney on autopilot, on a course of 117°(T) at 16 knots. The visibility was good when the master handed over at about 0230 on 11 April to the second mate and left the bridge.

At about 0330, the AB (able-bodied seaman) on lookout duty reported to the second mate that there was a white light about thirty degrees on the starboard bow. The second mate was talking to a friend on another ship using HF (high frequency) radio, but he initiated a plot of the other vessel using ARPA. He told the AB to maintain a watch on the other vessel and altered the ship's course, 4° to port, before resuming his radio conversation.

At about 0345, the AB saw a green light close to the white light on the vessel that he had reported earlier. He reported the green light to the second mate who assumed that it was a starboard sidelight and that the other vessel would pass clear to starboard. He altered course again, a further 3° to port.

At about 0355, when the AB handed over to his relief, an ordinary seaman, he informed him of the vessel to starboard. At about the same time, the second mate ended his radio conversation and went to the chart table to write up the log.

**FIGURE 3:**  
***Forum Samoa II***



With the second mate apparently busy, the seaman on watch attempted to identify the lights on the other vessel using a reference program on a desktop computer at the aft end of the wheelhouse. When he returned to the bridge front, he suddenly saw a mast, with lights on it, passing extremely close to the starboard side and called out in alarm to the second mate.

The second mate immediately engaged manual steering and applied 15° of port rudder. The seaman went to the starboard bridge wing from where he saw a vessel about two ship lengths astern. The second mate and the seaman had apparently not heard or felt any impact and they assumed that the other vessel had passed clear.

The second mate heard the fishing vessel's calls to the ship on VHF, but he did not acknowledge them. He also heard its communications with Brisbane Radio, but he did not respond or inform the master of the incident. At 0410, when handing over to the mate, the second mate informed him of a 'near miss' with the fishing vessel.

The master only learned of the incident at about 0750, when the ship's agent in Brisbane called him. The agent had been informed by the Brisbane harbour master that the ship had been in a collision with the fishing vessel.

## Interviews

Investigators from the ATSB interviewed the master, officers and lookouts of *Forum Samoa II* and the skipper and crew of *Seabreeze II*. During these interviews, the second mate and the seaman on duty at the time of the collision did not provide the ATSB with frank or accurate accounts of events.

The second mate did not mention his radio conversation with his friend, which was later reported to the ATSB, and it became apparent that he was attempting to conceal the fact that he had not been keeping a proper lookout. It also became apparent that he had not realised that the two vessels were in danger of colliding. In addition, he initially denied hearing the fishing vessel's attempts to contact the ship after the collision and its subsequent calls to Brisbane Radio. Later, however, he admitted to having heard all the calls from the fishing boat.

The seaman on duty on *Forum Samoa II* at the time of the collision did not mention that, just before the collision, he had been trying to identify the lights of the other vessel with the aid of the computer in the wheelhouse.

## Night orders

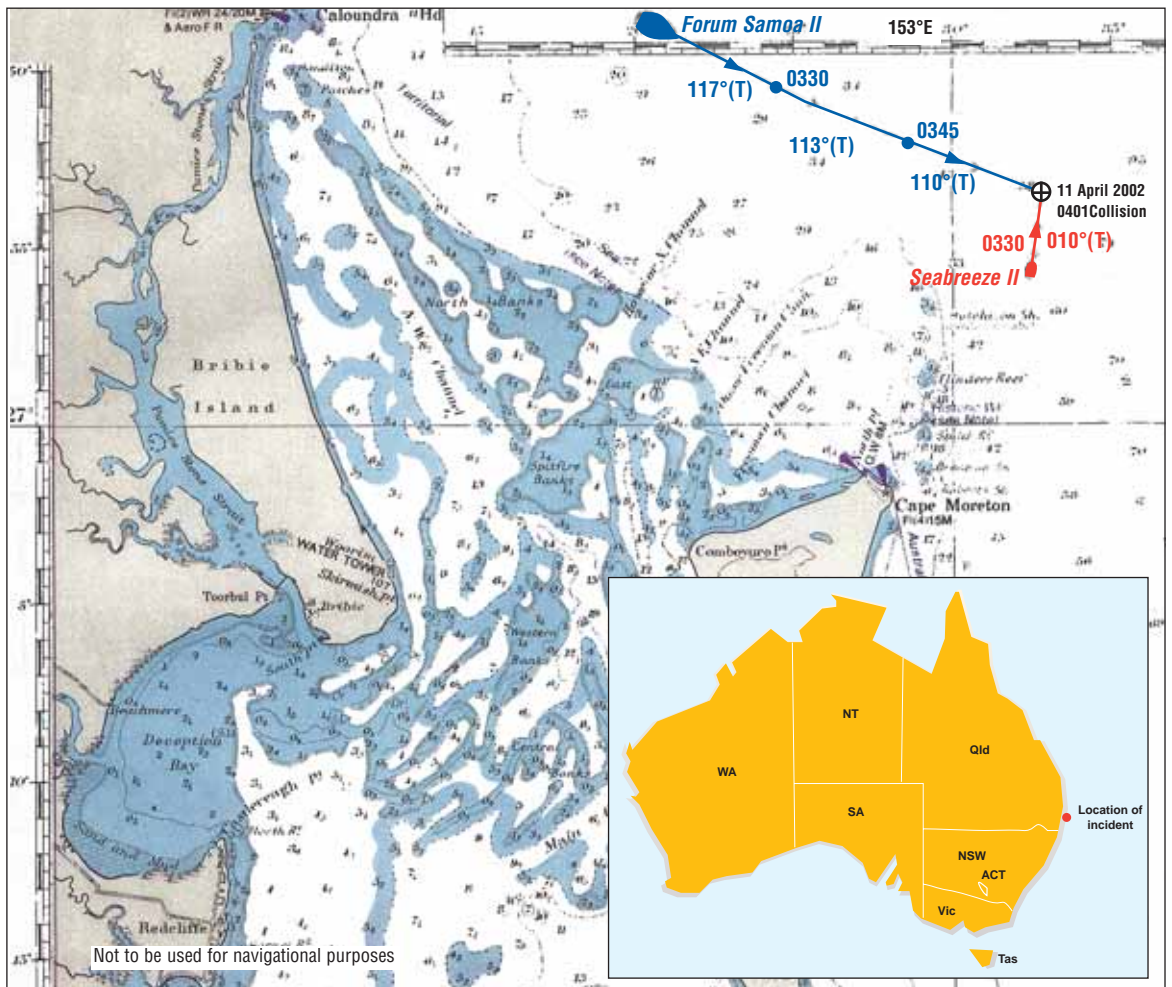
On *Forum Samoa II*, the master's night orders included instructions that a good lookout was to be maintained at all times and that the officers should not hesitate to call him if required.

On *Seabreeze II*, when the skipper handed over to the mate, there was mention neither of the target that the skipper had seen on radar, nor of other vessels in the vicinity.

## A proper lookout

The International Regulations for the Prevention of Collisions at Sea, 1972, as amended, (the Colregs) apply to all vessels at sea. In accordance with Rule 5, both vessels were obliged to 'maintain a proper lookout by sight and hearing as well as by all available means...so as to make a full appraisal of the situation and of the risk of collision'.

**FIGURE 4:**  
Portion of chart Aus 364 showing tracks of *Seabreeze II* and *Forum Samoa II*



On *Forum Samoa II*, the AB reported the green and white lights that he saw on the other vessel, but the second mate paid little attention to his reports.

The second mate was preoccupied with his radio conversation with his friend. He was not aware that the vessel to starboard was displaying the appropriate lights for a vessel engaged in trawling, and that the green light was not a sidelight. Neither was he aware that the other vessel was crossing from starboard to port.

It is probable that the second mate neither made visual checks on, nor did he take compass bearings of, the other vessel which would have alerted him to the possibility of a collision. If his claim that he acquired the

fishing vessel using ARPA is correct, then he did not continue to check the radar to determine whether the possibility of collision existed.

The evidence indicates that the navigation lights on the fishing vessel were illuminated and that the port sidelight on *Seabreeze II* should have been visible at a distance of at least two miles. Although the second mate and both lookouts mentioned using binoculars to check the lights of the other vessel, none of them saw the port sidelight. They had not been keeping a proper lookout at the time and, at interview, they did not provide the ATSB with factual information.

The skipper of *Seabreeze II* was aware of other fishing boats in the area and had seen *Forum*

*Samoa II* on radar about 12 miles off but, at the change of watch, he had not informed the mate of the presence of the ship. He was relying on ships to keep clear of his vessel and neither plotted nor maintained a visual check of the approaching ship.

The mate of *Seabreeze II*, who only became aware of the ship when a collision was inevitable, was using the GPS plotter to navigate and was neither keeping a visual lookout nor using the radar.

## Responsibilities between vessels

In accordance with Rule 18 (a) (iii), a power driven vessel underway is required to keep out of the way of a vessel engaged in fishing.

*Forum Samoa II* was required to keep out of the way of *Seabreeze II* and, under Rule 16 (action by a give-way vessel) was required to take early and substantial action to keep clear of that vessel.

Rule 17 (action by a stand-on vessel) required the fishing vessel to maintain its course and speed. However, this rule also states that the vessel required to maintain its course and speed (*Seabreeze II*) may take action to avoid collision by her manoeuvre alone, as soon as it became apparent that the vessel required to keep out of the way, the give-way vessel, (*Forum Samoa II*) was not taking appropriate action.

The requirements of Rule 17, however, were rendered academic as the mate on *Seabreeze II* noticed the ship only moments before the collision.

Had the timing of events been only slightly different, causing the ship to run into the fishing vessel, the outcome would almost certainly have been more serious for the crew of *Seabreeze II*.

## Communication

The second mate had heard the skipper of the fishing vessel explain to Brisbane Radio that there had been a collision. The ship was obliged, under the provisions of the United Nations Convention on the Law of the Sea, to

stop and render assistance after the collision, if practicable and necessary. However, it did not do so. It was also obliged to inform the fishing vessel of its name and port of registry and of the port which it had left and to which it was bound. Instead, the ship continued on at full speed as the second mate ignored all VHF calls from the fishing vessel.

It is also a matter of significant concern that the second mate did not inform the master of the collision and that several hours had elapsed before the master learned of the incident from the ship's agent in Brisbane.

## Competence

The second mate, who had been at sea since 1992, as a deck cadet on inter-island ships, obtained the required sea time on a foreign-going ship in 1996 to enable him to sit the exam for a second mate's (foreign-going) certificate of competency. He sat for his second mate's certificate in 1998, obtaining the certificate in 1999 together with certificates for radar and ARPA. He returned to sea on inter-island ships and, in 2001, lectured as a temporary lecturer at the maritime college in Fiji, before joining *Forum Samoa II* at the end of 2001.

Despite his qualifications and apparent experience, he displayed little appreciation of the basic requirements for safe watchkeeping.

## Conclusions

These conclusions identify the different factors contributing to the incident and should not be read as apportioning blame or liability to any particular individual or organisation.

Contributing factors to this incident were:

### On the ship;

- The second mate was not keeping a proper lookout, and allowed himself to be distracted by his radio conversation with his friend,
- The second mate did not attempt to identify the type of vessel that had been reported to him. He made an unjustified

assumption that the green light was a sidelight and that the other vessel would pass clear to starboard,

- The second mate did not check the ARPA or take compass bearings of the fishing vessel, either of which would have indicated the possibility of a collision,
- The seaman on duty when the collision occurred was trying to identify the fishing vessel's lights using a computer in the wheelhouse. He was not keeping a proper lookout,
- No one on the bridge saw the fishing vessel's port sidelight.

#### On the trawler;

- In an inadequate handover, the skipper did not inform the mate of the presence of any other vessels,
- The mate did not keep any lookout, either visual or by radar.

### ATSB investigations

Since 1991, the ATSB and its predecessor, the Marine Incident Investigation Unit, have published 22 reports of collisions involving ships and fishing or other small vessels. Eight of these collisions have occurred since the ATSB was formed on 1 July 1999. Two collisions resulted in the loss of the fishing vessels involved and the deaths of their skippers.

The ATSB has also published two safety bulletins, Nos. 01 and 02, on ships and fishing vessels. The bulletins emphasise the fact that the safety of fishermen and others in small craft is a cause for continuing concern.

Fishermen claim that near-miss situations are common and bulletin No. 01 states that 'the fact that a collision occurred indicates that the lookout aboard the ship was ineffective. In a few cases, it is probable that the lookout was non-existent'. The bulletin goes on to state that every vessel, whether fishing or not, must keep a proper lookout.

This incident involving *Forum Samoa II* and *Seabreeze II*, in good visibility, is unlikely to have occurred if a proper lookout had been maintained on both vessels.

### Recommendations

The ATSB recommends that:

#### MR20030049

Shipowners, managers and masters of ships ensure that the requirements for a proper lookout are understood and practised by bridge watchkeepers.

#### MR20030050

Owners, operators and skippers of fishing vessels or sailing or other small craft ensure that a proper lookout is maintained at all times when a vessel is at sea. The requirement for a proper lookout exists whether or not a fishing vessel is engaged in fishing.

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