

Incident Report  
Close Quarters Situation  
*Washington & Rose Croix*  
1 September 2005  
Class C



# NARRATIVE

On 1 September 2005, at 0900 hours New Zealand Standard Time (NZST), fishing vessel **Rose Croix** was outbound from Tauranga Harbour. At the same time, refrigerated cargo ship, **Washington** was inbound, heading about 240°(T) towards 'A' Beacon.

At 0905 hours, **Rose Croix** was seen crossing from **Washington's** port side on a steady bearing.

Since **Rose Croix** did not alter course, **Washington** sounded one prolonged blast on the whistle.

Seeing that a close quarters situation was going to develop, the Pilot on board **Washington** attempted to make contact with **Rose Croix** on VHF radio, channel 12. He also discussed the situation with the ship's Master and they decided to alter course to starboard.

As **Washington** started to turn to starboard, the Skipper of **Rose Croix** answered the Pilot's call on the radio and said he thought **Washington** would alter course to pass his vessel. **Rose Croix** then altered course to starboard and the two vessels passed each other by.

## Navigational Safety

### Maritime Rules

**Rose Croix** and **Washington** were power-driven vessels crossing so as to involve risk of collision. Since **Washington** was on **Rose Croix's** starboard side, **Rose Croix** should have kept out of the way as required by **Maritime Rule 22.15**.

**Maritime Rule 22.16** required **Rose Croix** to take early and substantial action to keep well clear and **Rule 22.17(1)** required **Washington** to keep its course and speed. As soon as it became apparent on board **Washington** that **Rose Croix** was not taking appropriate action, **Washington** took action in accordance with **Rule 22.17(2)**.

**Washington** was about to enter the Port Approach Area when **Rose Croix** was seen in the main channel, heading approximately 029°(T). Since **Washington** was required to keep its course and speed, and therefore unable to turn to port to enter the channel, **Rose Croix** was impeding its way, which was contrary to the requirement of **Maritime Rule 22.9(b)**.

While proceeding along the course of the fairway, **Rose Croix** did not keep as near to the outer limit of the fairway which lay on its starboard side as was safe and practicable, as required by **Maritime Rule 22.9(a)**.

With a draft of approximately 2.2 m, **Rose Croix** was not confined to the shipping channel.

### Navigational Safety Bylaws

**Section 6.3.4** of the Bay of Plenty Regional Navigation and Safety Bylaws 2004, requires the Master of any vessel to navigate so as not to impede the navigation of any vessel of 500 gross registered tonnage or more.

The gross tonnages and lengths of the two vessels involved were as follows:

| Vessel Name       | Gross Tonnage | Overall Length (m) |
|-------------------|---------------|--------------------|
| <b>Washington</b> | 6 154         | 137.50             |
| <b>Rose Croix</b> | 42            | 13.63              |

## Perspective from *Rose Croix*

Outbound from the port of Tauranga, *Rose Croix* headed directly towards 'A' Beacon.

About half a mile from the beacon, the Skipper of *Rose Croix* saw *Washington* about 40° on the starboard bow, approaching the channel from the north-east. The Skipper expected *Washington* to turn to port to enter the channel and thought that if he maintained course, the two vessels would pass clear of each other. By that time *Rose Croix* would have been well to the port side of the channel.

The Skipper said that *Washington* was proceeding slowly and there should have been ample time to pass clear.

## The Skipper of *Rose Croix*

The Skipper held a Commercial Launchmaster's Certificate issued on 30 April 1992. He said he had worked in fishing boats for the last 25 years and had been working as Skipper out of the port of Tauranga for the last 13 years. He had not previously been involved in any incidents of this nature.

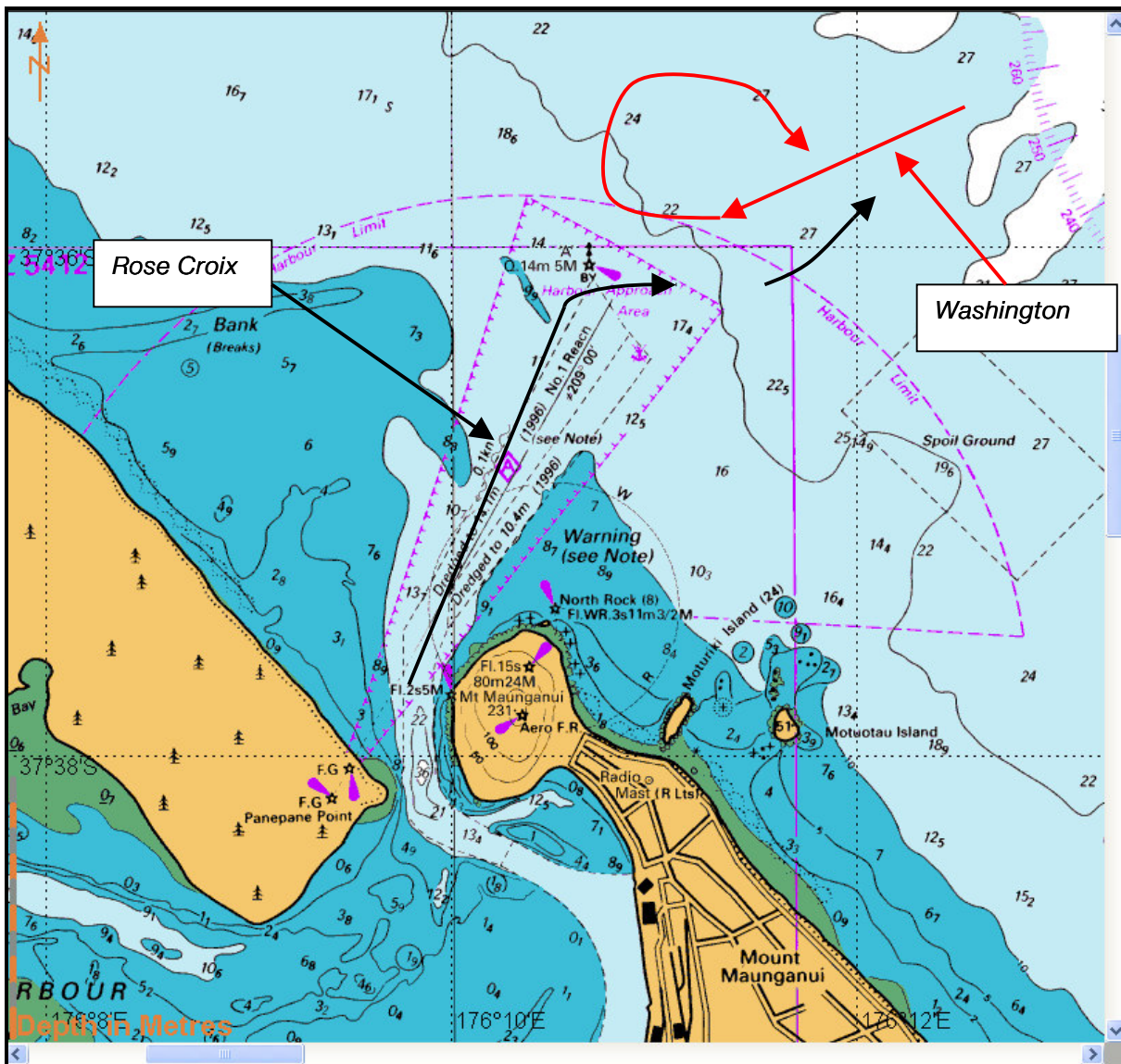


Figure 1  
Chart NZ5413 – Approaches to Tauranga

## LESSONS LEARNT

The Environment Bay of Plenty Harbourmaster issued the Skipper of **Rose Croix** with an Infringement Offence Warning Notice for failing to comply with directions and impeding the safe navigation of a vessel of gross tonnage over 500.

## SAFETY RECOMMENDATIONS

1. It is recommended that Maritime New Zealand censure the Skipper of *Rose Croix* for failing to comply with **Maritime Rules 22.9(1) and (2), 22.15 and 22.16**.
2. It is recommended that the Maritime New Zealand MSI in Tauranga and Environment Bay of Plenty jointly develop an information leaflet on *Safe Navigation in Harbour Approaches* for the Port of Tauranga, and use it as an educational tool for small commercial and recreational boats operating in the area.