

Class B Accident Report

***Tokerau & Kawau Kat***  
**Collision**

At Auckland on 11 December 2004

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**Maritime Safety**

MARITIME SAFETY AUTHORITY OF NEW ZEALAND  
*Kia Maanu Kia Ora*



**REPORT NO: 04 3624**

***TOKERAU & KAWAU KAT – COLLISION***

Whilst departing from the ferry terminal in Auckland, *Tokerau* collided with the berthed *Kawau Kat*.



**PHOTOGRAPH 1 - TOKERAU**

## Details of Vessel, Owner & Management, Classification, Navigational Equipment, Manning & Crew:

<b>Name of Vessel:</b>	<i>Tokerau</i>
<b>Vessel Type:</b>	Restricted Passenger
<b>Port of Registry:</b>	Auckland
<b>Flag:</b>	New Zealand
<b>IMO/MSA/Official No.:</b>	MSA 100711
<b>Built:</b>	1971
<b>Construction Material:</b>	Steel
<b>Length Overall (m):</b>	15.24
<b>Maximum Breadth (m):</b>	5.8
<b>Gross Tonnage:</b>	38
<b>Net Tonnage:</b>	16.39
<b>Propulsion:</b>	General Motors 12V71
<b>Safe Ship Management (SSM) Company:</b>	SGS-M&I
<b>Accident Investigator:</b>	Andrew Hayton

- **Owner Details**

The owner of the vessel had recently purchased it.

- **SSM Certificate**

The vessel did not have a valid SSM certificate at the time of the incident.

- **Skipper Details**

The Skipper was 42 years old. He had held an Inshore Launch Masters Certificate of Competency since 2002 and was an experienced commercial fisherman. He had only been Skipper of *Tokerau* for one day prior to the accident.

- **Crew Details**

In addition to the Skipper, there were three crew onboard at the time of the accident. None of them held any maritime qualifications, but they had experience in sailing on various vessels. The vessel's owner was one of the crew.

- **Manning Details**

There were 68 passengers onboard at the time of the accident.

- ***Kawau Kat***

***Kawau Kat*** was berthed and unmanned at the time of the accident

## NARRATIVE

On Saturday 11 December 2004, at approximately 1640 hours NZDT (New Zealand Daylight Time), *Tokerau* departed Bayswater marina. It proceeded across Waitemata Harbour towards the Auckland Ferry Terminal. After some difficulty manoeuvring, due to the wind conditions, it berthed port side alongside to the western face of Pier 3B (See Figure 1). The vessel was longer than the floating pontoon and its stern overhung the pontoon. The vessel was made fast with a spring line forward and a spring line aft.

Shortly after berthing, passengers commenced embarking. The passengers were employees and friends of the vessel's owner. *Tokerau* was to take them to the Riverhead Hotel for a Christmas function.

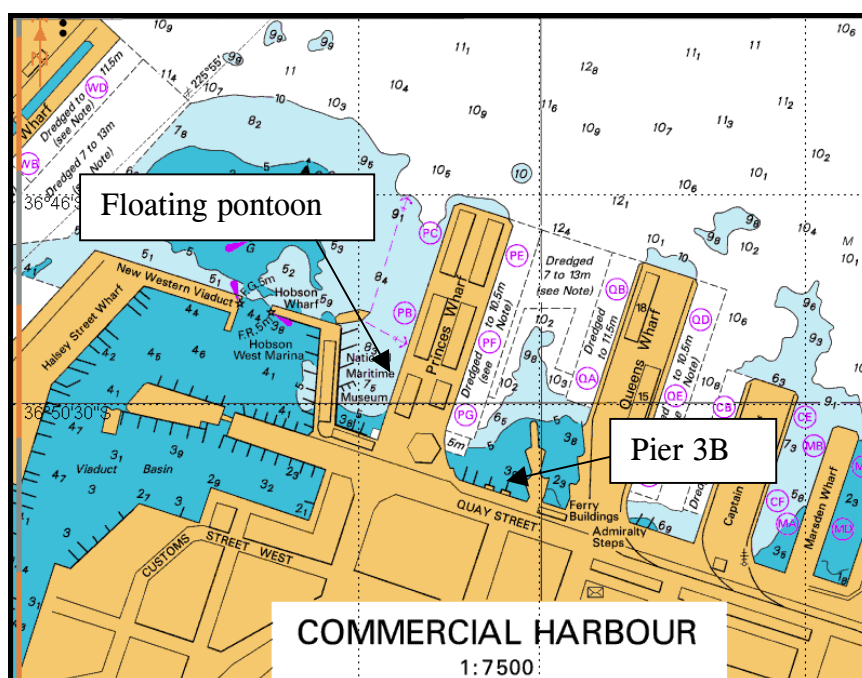
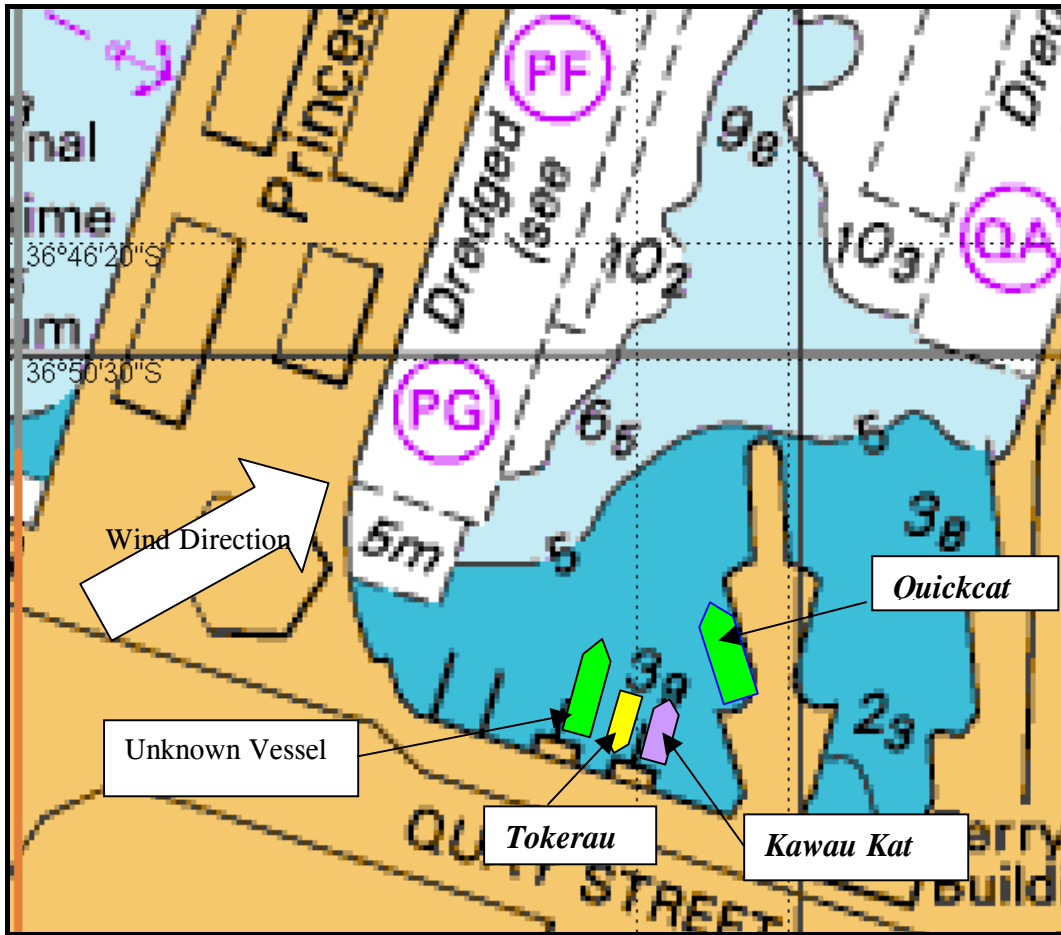


FIGURE 1

At approximately 1730 hours, *Tokerau's* mooring lines were cast off and the Skipper operated the engine astern. As soon as the stern of *Tokerau* cleared the pontoon, the wind commenced pushing the vessel's stern to port towards the berthed Fullers ferry, *Quickcat* (See Figure 2).

The Skipper put the engine full ahead and the helm hard over to starboard in an attempt to avoid colliding with *Quickcat* and in order to clear an unknown vessel berthed at Pier 3A. The vessel started turning to starboard but in doing so, *Tokerau's* port shoulder made contact with the starboard bow of *Kawau Kat*, which was berthed on the eastern face of Pier 3B (See Figure 2).



(Not to scale)

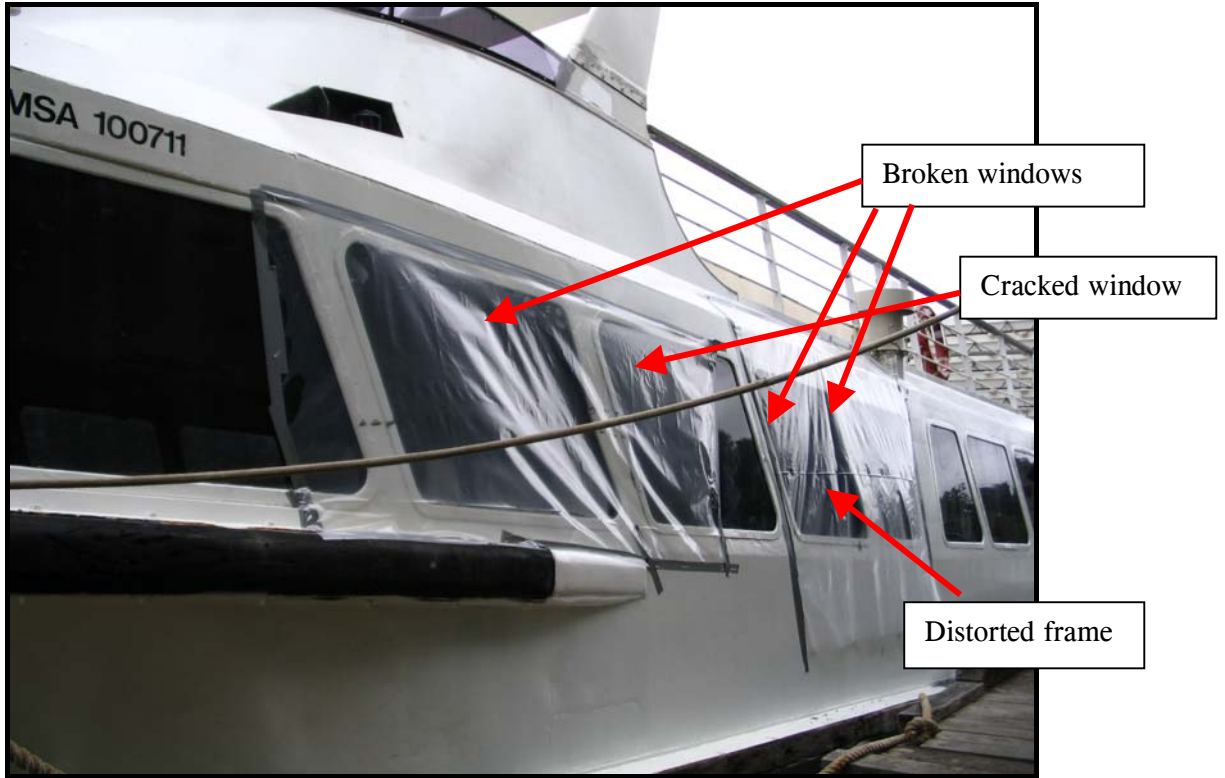
FIGURE 2

*Tokerau* suffered three shattered windows and one cracked window on its port side, whilst *Kawau Kat* incurred superficial damage to its starboard bow and stem.

The Skipper manoeuvred *Tokerau* clear of the ferry berths and proceeded to the western side of Princess Wharf. He berthed *Tokerau* alongside the floating pontoon to assess the damage. 15 passengers elected to disembark from the vessel at this stage in order to make their own way to the Riverhead Hotel.

The Skipper and owner decided that the vessel was still seaworthy and resumed the voyage to Riverhead with the remaining 43 passengers.

The Maritime Safety Authority detained *Tokerau* upon arrival at Riverhead.



**DAMAGE INCURRED BY *TOKERAU***

## **FINDINGS**

The actual wind at the time of the accident was estimated by the Skipper to be between 25 and 35 knots from the southwest. The sea was calm within the basin and the tide was ebbing.

*Tokerau* is a single screw vessel. It is believed that the vessel is fitted with a right hand turning propeller although the Skipper is unsure.

No safety briefing was given to the passengers upon boarding.

The Skipper did not ensure that the crew were adequately trained.

The Skipper received no training from the owner prior to taking command of *Tokerau* for the first time.

The Skipper was a personal friend of the vessel's owner and was acting as Skipper as a favour to the owner. He claims to have received no payment or reward for his services.

The owner of *Tokerau* also owns the Riverhead Hotel.

The owner and Skipper claim that the voyage was a recreational voyage as there were no paying passengers onboard.

The Safe Ship Management company surveyor claims that he instructed the owner that the vessel was unseaworthy and it was not to make any voyages except one straight to a shipyard for slipping.

The Skipper had sailed from the ferry terminal to Riverhead on Friday 10 December 2004, in order to familiarize himself with the approaches to Riverhead.



## **SAFETY RECOMMENDATIONS**

1. The owner of the vessel should ensure that the Master and crewmembers are fully conversant with the operation of the vessel prior to conducting a passage.
2. There is a very fine line between a recreational voyage and a commercial voyage with regards to a vessel conducting a passage with friends and employees of the owner as passengers. Safe Ship Management (SSM) exists to ensure that vessels are maintained to a high level and are operated in a safe manner. *Tokerau* did not have a valid SSM Certificate at the time of the incident. The SSM Company responsible for the vessel had found the vessel to be in poor structural condition and insisted that it was not to conduct any commercial voyages until it had been slipped for repair. In spite of this, the owner decided to go ahead with a 'recreational' voyage with 68 passengers onboard.
3. It is recommended that the Maritime Safety Authority should continue to monitor the operation of *Tokerau* closely to ensure compliance with all relevant legislation. At the time of writing this report, *Tokerau* is still under detention at Riverhead.
4. It is recommended that the Owner be censured for undertaking a trip carrying 43 passengers in breach of the advice given by the SSM Company Surveyor who recommended the vessel proceed directly to the slip for repairs as the vessel was unseaworthy.