

Accident Report

# Rufus & Bosanova

## Collision

North of Rangitoto Island, Hauraki Gulf  
on 13 June 2004

KEEPING YOUR SEA SAFE FOR LIFE



**Maritime Safety**

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



**REPORT NO: 04 1113**

**VESSEL NAME: RUFUS & BOSANOVA**

**CASUALTY DETAILS:**

**Date of Casualty:** 13 June 2004

**Time of Casualty:** 0900 hours New Zealand Standard Time (NZST)

**Casualty Type:** Collision

**Casualty Location:** North of Rangitoto Island, Hauraki Gulf

**Weather Forecast Area:** Colville

**Investigator:** Ian Howden



**REPORT NO: 04 1113**

**VESSEL NAME: RUFUS & BOSANOVA**

**VESSEL 1 DETAILS:**

**Ship Name:** *Rufus*

**Ship Category:** Power

**Registered Length (m):** 4

**VESSEL 2 DETAILS:**

**Ship Name:** *Bosanova*

**Ship Category:** Power

**Registered Length (m):** 6



# SUMMARY

*Rufus* was at anchor when a 6 metre Stabicraft, *Bosanova*, travelling at an estimated speed of between 25 and 30 knots, collided with the vessel. The Skipper managed to dive overboard to safety just before the impact.

## 1. KEY EVENTS

- 1.1 On 13 June 2004, at approximately 0710 hours New Zealand Standard Time (NZST), the recreational vessel *Rufus* departed Takapuna boat ramp to fish in the Hauraki Gulf. The Skipper was the only person on board.
- 1.2 At approximately 0730 hours, *Rufus* anchored in approximate position 36° 44.9' S 174°50.7' E, approximately one nautical mile north of Rangitoto Island, and commenced fishing.
- 1.3 At approximately 0830 hours, the recreational vessel *Bosanova* departed Takapuna boat ramp for Rakino Island. On board was the Skipper and three crew.
- 1.4 At approximately 0845 hours, the Skipper of *Rufus* observed *Bosanova* travelling directly towards his position and determined the vessel was on a collision course.
- 1.5 The Skipper positioned himself at the stern and shouted and waved in an unsuccessful attempt to attract the attention of those on board *Bosanova*.
- 1.6 The Skipper jumped into the water immediately before *Bosanova* collided with *Rufus*, causing substantial damage.
- 1.7 Afterwards, the Skipper of *Bosanova* returned to the position of the collision and assisted the Skipper of *Rufus* from the water.
- 1.8 *Bosanova* then towed the wreck of *Rufus* to the Takapuna boat ramp.

## 2. KEY CONDITIONS

- 2.1 *Rufus* is a 4 metre Fyran open aluminium vessel, powered by a 5.9 kW motor.
- 2.2 *Bosanova* is a well equipped 6.05 metre HT (hard top) model Stabicraft cabin vessel, powered by an 85.7 kW motor. Unladen, the vessel weighs 767 kilograms.
- 2.3 The Skipper of *Rufus* was an experienced recreational boater but has no maritime qualifications.
- 2.4 The Skipper of *Bosanova* had owned *Bosanova* for approximately one year and had limited boating experience. He held no maritime qualifications at the time of the accident.
- 2.5 The damage to *Rufus* was extensive. The vessel was valued at \$4 000 by the owner and was written off by her insurers.
- 2.6 *Bosanova* sustained minimal damage to her hull.
- 2.7 The estimated speed of *Bosanova* at the time of impact was between 25 and 30 knots.
- 2.8 The Skipper of *Rufus* had been at anchor for approximately one and a half hours, on an ebb tide, with his vessel heading southwest. He heard the noise of an approaching vessel and saw *Bosanova* approaching from an angle of approximately 45° on the starboard bow. He quickly determined *Bosanova* was probably going to collide and positioned himself at the stern, in readiness to jump. He could see two persons, alongside each other, at the steering station on *Bosanova*. They were facing one another and not keeping a lookout. After jumping overboard and whilst still underwater he heard the impact. After being assisted from the water, he was given every assistance by the crew of *Bosanova*.
- 2.9 After departing Takapuna boat ramp, the Skipper of *Bosanova* proceeded in a north easterly direction. Approximately five minutes before the collision, the sun began to affect his vision and he was altering course periodically to avoid looking directly towards the sun. The Skipper was not wearing sunglasses. He thought he was in area where anchoring was prohibited as it was near the main shipping channel to Auckland Harbour. The Skipper and three passengers were all standing up before the accident. They were conversing and none of them saw *Rufus*. The Skipper had limited experience of the area and was not aware that recreational fishing vessels could be anchored near the seaward entrance of the Rangitoto Channel. He conceded his lack of knowledge was the cause of the accident and that he should have been travelling at a slower speed or on an alternate course, where his vision was not compromised by the sun.

- 2.10 The nearest prohibited anchoring area was located 1.6 miles to the west of where the accident occurred.
- 2.11 The weather conditions at the time of the accident were clear with light winds and seas.
- 2.12 Sunrise was at 0731 hours. At 0840 hours the sun would have still been low enough on the eastern horizon to compromise the vision of a helmsman on any vessel travelling from west to east.

**Collision Prevention Rules:**

**Maritime Rule 22.5 - Look-Out**

*“Every vessel must at all times maintain a proper look - out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions, so as to make a full appraisal of the situation and the risk of collision.”*

**Maritime Rule 22.6 - Safe Speed**

*“Every vessel must at all times proceed at a safe speed so that proper and effective action to avoid a collision can be taken and the vessel can be stopped within a distance appropriate to the prevailing circumstances and conditions.”*

*In determining a safe speed, the following factors must be among those taken into account:*

- (1) *For all vessels—*
- (a) *The state of visibility:(MSA emphasis)*
  - (b) *The traffic density, including concentrations of fishing vessels or any other vessels:*
  - (c) *The maneuverability of the vessel, with special reference to stopping distance and turning ability in the prevailing conditions:*
  - (d) *At night, the presence of background light such as from shore lights or from the back scatter of the vessel's own lights:*
  - (e) *The state of wind, sea, and current, and the proximity of navigational hazards:*
  - (f) *The draught in relation to the available depth of water.*

### **3. CONTRIBUTING FACTORS**

*N.B. These are not listed in order of importance.*

- 3.1 The inexperience of the Skipper of *Bosonova*.
- 3.2 Compromised visibility caused by the sun low on the horizon.
- 3.3 The failure of the Skipper to wear sunglasses.
- 3.4 The speed of *Bosonova*.

## 4. CAUSE

### **Human Factor**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Failure to comply with regulations | <input type="checkbox"/> Drugs & Alcohol              | <input type="checkbox"/> Overloading   |
| <input type="checkbox"/> Failure to obtain ships position or course    | <input type="checkbox"/> Fatigue                      | <input type="checkbox"/> Physiological |
| <input checked="" type="checkbox"/> Improper watchkeeping or lookout   | <input checked="" type="checkbox"/> Lack of knowledge | <input type="checkbox"/> Ship Handling |
| <input checked="" type="checkbox"/> Misconduct/Negligence              | <input type="checkbox"/> Error of judgement           | <input type="checkbox"/> Other . . .   |

### **Environmental Factor**

- |  |   |                                    |   |
|--|---|------------------------------------|---|
| <input type="checkbox"/> Adverse weather | <input type="checkbox"/> Debris           | <input type="checkbox"/> Ice       | <input type="checkbox"/> Navigation hazard      |
| <input type="checkbox"/> Adverse current | <input type="checkbox"/> Submerged object | <input type="checkbox"/> Lightning | <input checked="" type="checkbox"/> Other . . . |

### **Technical Factor**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Structural failure | <input type="checkbox"/> Wear & tear            | <input type="checkbox"/> Steering failure                   |
| <input type="checkbox"/> Mechanical failure | <input type="checkbox"/> Improper welding       | <input type="checkbox"/> Inadequate firefighting/lifesaving |
| <input type="checkbox"/> Electrical failure | <input type="checkbox"/> Inadequate maintenance | <input type="checkbox"/> Insufficient fuel                  |
| <input type="checkbox"/> Corrosion          | <input type="checkbox"/> Inadequate stability   | <input type="checkbox"/> Other . . .                        |

*N.B. Environmental Factor Other = Visibility*

**4.1** The Skipper of *Bosonova* failed to keep a proper lookout.

## 5. OPINIONS & RECOMMENDATIONS

- 5.1 The Skipper of *Bosanova* failed to keep a proper look out and navigate the vessel at a safe speed, in accordance with **Maritime Rule Part 22.5 - Lookout and Part 22.6 - Safe Speed**.
- 5.2 The Skipper of *Bosanova* failed to navigate his vessel safely and in doing so endangered the life of the Skipper of *Rufus* and caused substantial damage to *Rufus*. In addition he endangered his own life and that of his crew.
- 5.3 The Maritime Safety Authority has investigated a number of accidents where anchored vessels have been struck by vessels when the individuals on the helm were not keeping a proper lookout. It is a fundamental obligation of all persons at the helm of any vessel to keep a proper lookout at all times. In situations where visibility is compromised, it is the responsibility of the skipper and individual on the helm to take additional precautions to ensure a proper lookout is being maintained. Had the Skipper of *Rufus* failed to jump clear of *Bosanova*, it is likely he would at least have suffered serious injury and might possibly have been killed.
- 5.4 On 30 June, seventeen days after this accident, and in due recognition of the seriousness of this accident, the Skipper of *Bosanova* and one of his crew obtained a Day Skipper qualification with the Royal New Zealand Coastguard. The Skipper has not operated *Bosanova* since the accident and has considered selling the vessel. In the aftermath of this accident, the Skipper acknowledged he had insufficient knowledge to operate his vessel safely and considers all persons in command of recreational vessels should be required to hold a marine qualification to ensure they can operate their vessels safely.
- 5.5 In consideration the express wish of the Skipper of *Rufus* that no punitive action be taken against the Skipper, and in consideration of the action taken by the Skipper of *Bosanova* to obtain a Day Skipper qualification, it is recommended MSA's response to this accident be limited to sending a letter severely censuring the Skipper of *Bosanova* for his conduct. In the event, however, that there is a repetition of this conduct, this letter of censure will be taken into consideration by the Director of Maritime Safety in determining whether or not to bring a prosecution against the Skipper.