

Class B Accident Report

Unnamed Dinghy

Swamping

At Lake Hood on 3 October 2004

KEEPING YOUR SEA SAFE FOR LIFE



Maritime Safety

MARITIME SAFETY AUTHORITY OF NEW ZEALAND
Kia Maanu Kia Ora



REPORT No: 04 1135

UNNAMED DINGHY – SWAMPING

At about 1200 hours on 3 October 2004, it was decided to take the *Unnamed Dinghy* (See Photograph below) to Lake Hood to trial the recently repaired outboard engine. The Skipper ran the engine and found it to be working. After a couple of circuits around the upper lake, he asked if his friends wanted to go for a ride in it.

There were six adults and a small child in the dinghy with no lifejackets. As the vessel came across their own wake or that of another boat, they started to ship waves over the bow. The boat started to fill with water, and then the whole boat swamped bow first. Witnesses to the accident rescued three of the group while the others swam to shore. The Skipper and small child were taken to hospital for observation, there were no injuries.



Details of Vessel

Name of Vessel:	<i>Unnamed Dinghy</i>
Vessel Type:	Dinghy
Construction Material:	Aluminium
Length Overall (m):	3.45
Engine:	15 hp Evinrude Outboard Motor
Investigator:	Zoe Brangwin

- **Owner Details**
Truck driver with very little boating experience
- **Skipper Details**
Auto electrician with very little boating experience.

NARRATIVE

At about 1200 hours, New Zealand Standard Time (NZST) on 3 October 2004, it was decided to take the unnamed dingy to Lake Hood, Ashburton to trial the engine. The Skipper of the boat had borrowed the vessel off friends. He had repaired the outboard engine for them and wanted to try it out to see how it ran.

It was an overcast day, with a light breeze and calm lake conditions.

The Skipper arrived at Lake Hood with his partner and small child. He got the vessel off the trailer and into the water. He took the boat for a circuit of the upper lake and found that the engine was working well. He then returned to the water's edge and took out two of his male friends who were on the lakeside.

Within about an hour of arriving they had become a party of seven, as the driver's sister and partner had arrived and the owners of the boat had also arrived.

At about 1300 hours, the Skipper of the unnamed vessel asked if everyone wanted to go for a ride in the boat. They boarded the boat and set off on a short circuit of the upper lake. There were no lifejackets onboard.

The Skipper had the engine at about $\frac{3}{4}$ throttle. He was turning the vessel slowly in a very large circle. When they were about half way around, the waves became choppy (from their own wake or from other vessels wake). They shipped a few waves over the bow and almost immediately started sinking by the bow.

The vessel was swamped by the bow and all of the passengers had to swim. The Skipper grabbed his child from his partner and held her afloat. However, his partner was having trouble staying afloat and in her panic was dragging him under the water.

A nearby group of boaters and jet skiers saw the accident and came to the rescue. They pulled the Skipper, his partner and child out of the water and returned them to the lakeside. The four others swam about 20-30 metres to the lakeside.

The Skipper had swallowed a lot of water and was throwing up on the bank. His child appeared cold and listless. An ambulance was called and took both Skipper and his child to Ashburton Hospital for overnight observation. Both were given a clean bill of health and discharged the following day.

FINDINGS

The dinghy was swamped after taking water over the bow, caused by the wake from its own propeller or other vessels in the vicinity. The dinghy rolled over and its buoyancy allowed it to float level bow up just under the surface. The dinghy was then towed by hand back to the beach.

With the dinghy loaded with six adults there was not enough freeboard to keep the vessel afloat as it took on water by the head. The freeboard was described as being approximately 30-50 centimetres.

The Skipper and Owner had very little experience with small boats.

It is the opinion of the Maritime Safety Authority that the Skipper failed to look after the best interests of his passengers by overloading the vessel and not supplying them with lifejackets. In doing so he endangered the lives of his family and friends.

The Skipper failed to observe the Environment Canterbury Inland Waters Navigation Safety Bylaws by failing to have lifejackets onboard.

Environment Canterbury had in position two signs at Lake Hood, one at the entrance to the lake the other at the public boat ramp. Both of these sign have a size of 2400 x 1200mm and have been in position since 12 December 2003.

The Driver failed to notify the Maritime Safety Authority (MSA) of the accident, thereby breaching Section 31 of the Maritime Transport Act 1994, which states:

“Maritime Transport Act Section 31- Obligation to notify all accidents, incidents, etc.

(1) *The master of—*

(a) Any New Zealand ship; or

(b) Any foreign ship in New Zealand waters—

that is involved in a mishap that results in serious harm to a person, an accident, or an incident, shall notify the mishap, accident, or incident to the Authority as soon as practicable.

(2) *If, due to injuries or death or for other good reason, the master of a ship referred to in subsection (1) of this section is unable to give the necessary notice under that subsection, the operator of the ship shall provide the necessary notice.*

(3) *Every person who—*

(a) Operates, maintains, or services, or does any other act in respect of any New Zealand ship, any foreign ship in New Zealand waters, or any maritime product; and

(b) *Is involved in an accident, incident, or mishap resulting in serious harm, involving a New Zealand ship, or a foreign ship in New Zealand waters—*

shall, where required to do so under maritime rules, notify the accident, incident, or mishap to the Authority as soon as practicable.

The definition of a New Zealand ship includes both recreational and commercial craft.

SAFETY RECOMMENDATIONS

It is recommended that the Skipper be censured for failing to look after the best interests of his passengers by overloading the vessel and not supplying them with lifejackets, and for failing to report the accident to the Maritime Safety Authority and the Regional Harbour Master.

It is recommended that the Skipper and the Owner sit the New Zealand Coastguard Day Skippers Course and provide a copy of the completion certificate to the Maritime Safety Authority by 30 July 2005.

It is recommended that a copy of this report be sent to the Environment Canterbury Regional Council Harbourmaster.

It is recommended that a copy of this report be published in the Maritime Safety Digest.