

Accident Report

Unnamed Yacht

Beaching - 10 Miles north of
Napier on 18 January 2005

Class B



REPORT NO.: 05 1162

UN-NAMED YACHT – BEACHING

A 6.4 metre trailer sailer with five persons on board was deliberately beached in Kerikeri Bay, 10 miles north of Napier, after the Skipper and a crew member had nearly drowned whilst swimming. The yacht was ill equipped, had insufficient fuel to return to Napier, and the rope work was in poor condition. The yacht was later recovered by the Coastguard and towed back to Napier. The 17 year old inexperienced Skipper was described by the Police as being in a state of extreme intoxication, and was charged by the Police under Section 65 of the Maritime Transport Act 1994.



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

Name of Vessel:	<i>Unnamed</i>
Vessel Type:	Midnight 21 trailer sailer
Built:	Not known
Construction Material:	Fibreglass
Length Overall (m):	6.4
Propulsion:	9 horsepower Johnson outboard motor
Accident Investigator:	Ian Webb

- **Owner Details**

The yacht is owned by the Skipper's mother. She had purchased it for her husband three years previously. She has no interest in sailing herself and her husband operates the vessel.

- **Skipper Details**

The Skipper was aged 17 at the time of the incident. He held no Coastguard qualifications but had some experience fishing from an aluminium dinghy with his father. He had been out on the yacht on three previous occasions with his father and had learnt how to rig the mast, set the sails and operate the yacht.

- **Crew Details**

Apart from the Skipper there were four crewmembers on board; the Skipper's partner, aged 17, and three neighbours aged 15, 30 and 38. None of the crewmembers had any maritime qualifications.

- **Equipment on Board**

- Approximately 10 hand held distress flares. (These were between 10 and 20 years out of date and were confiscated by the Police as being potentially dangerous).
- CB Radio, which was not connected to a power supply or aerial.
- Cell phone with a flat battery. It was not protected in a plastic bag.
- Danforth style anchor with approximately two metres of chain and an anchor warp of unknown length in poor condition.
- Bucket
- There may have been a compass on board but, if so, the Skipper did not know how to use it.
- Fuel tank containing 25 litres. Filled immediately prior to departure. (Fuel consumption for a 9 HP Johnson is in the region of 10-15 litres per hour at full power).
- Navigation lights were on board but they were not connected to a battery.
- A spanner and wire clippers.



Life jackets were available for the yacht but they were stored in a locked shed on the owner's property and hence were not on board.

- **Condition of Yacht**

The Investigator visually inspected the yacht on its trailer. The fibreglass hull appeared in good condition, as were the aluminium spars and wire standing rigging. The rope running rigging and the woodwork were showing signs of degradation, as expected on a craft left for many years unprotected from the elements, and in particular the sun. The condition of fittings indicated a lack of maintenance. The running rigging was severely degraded and required replacement. There was no equipment on board at the time of the inspection, apart from an unconnected and unsecured 12 volt battery.



NARRATIVE

Events

On the morning of 18 January 2005, the Skipper spent some time preparing and checking over the yacht, which was on a trailer parked in the garden of his parent's house. Some equipment for the yacht, including lifejackets, was stored in a locked shed. The key was not available and so this equipment was not placed on board. The outboard motor and fuel tank were transferred to the yacht from an aluminium dinghy, which was also on a trailer parked in the garden.

This was the first time the Skipper had taken the yacht out without his father. His parents were aware of what he was doing; the Skipper had asked his father two days previously for permission to take the boat out. The Skipper's mother was aware that there would be some alcohol on board and had counselled the Skipper that he should not drink; that he was in charge, responsible for the others safety, and the only one who knew how to manage the yacht.

The Skipper did not obtain a weather forecast before leaving, or at any time during the day. It was a fine, hot day and he did not consider the effects of wind out on the bay. There was a generous amount of food on board for a barbeque and approximately seven litres of water. The two older crewmembers also brought a significant quantity of spirit mixes and beer.

The Skipper, along with his friends, left home about 1100 hours to tow the trailer sailer to Napier Yacht Club. They filled up the petrol tank then launched the yacht, using the yacht club tractor, at about midday. They motored north across the bay, passing the yellow special purposes buoy, with the intention of stopping and drifting for a barbeque lunch. (See Figure 1 - Chart Extract NZ 571, Approaches to Napier).

The Skipper was confident that he could rig the mast, set sail and sail the vessel, but sails were not set on the day as the wind was too strong and sea conditions were too rough. The boat was rolling violently. The yacht's drop keel was in the housed position and remained so all day. The rudder was also raised as the outboard motor was used for steering. At some point out in the bay, the Skipper stopped the boat and several persons on board, including the Skipper, had a swim. They also spent some time fishing.

The conditions were too rough in the roadstead to use the gas barbeque, so the Skipper headed in to shore and found a sheltered cove in the vicinity of Tangoio Bluff. They anchored at approximately 1500 hours, cooked and ate lunch, and swam in the waters of the cove. There was a noticeable current flowing and they swam on the up current side of the yacht so that the current would carry them back to the yacht.

Towards dusk the Skipper had another swim. This time he jumped off on the down current side of the boat. As the light was failing and the Skipper was cautious of the current, he held on to a rope attached to the yacht to ensure his safety. However, the rope parted and the Skipper found that he could not swim back to the yacht against the current. One of the older crewmembers jumped off the yacht to help the Skipper, but he also got into difficulties.

The crew remaining on board were concerned for the safety of the two people in the water. They started the outboard engine with some difficulty, weighed the anchor and recovered the crewmember who had attempted to reach the Skipper. They then picked up the Skipper, who was exhausted.

The Skipper and crew had been badly frightened and may have been suffering some degree of shock. Most were also suffering from sunburn and the effects of alcohol. They knew there was not enough fuel on board to return to Napier. They were concerned for their safety and discussed beaching the yacht. The Skipper's partner then beached the yacht on a sandy stretch of coast. It was the first sandy area north of Napier and there were several rocks in the vicinity just protruding from the sand. The yacht was fortuitously beached between two of them. The Skipper secured the anchor and line round a rock close to the boat. The yacht was moving a little in the swell.



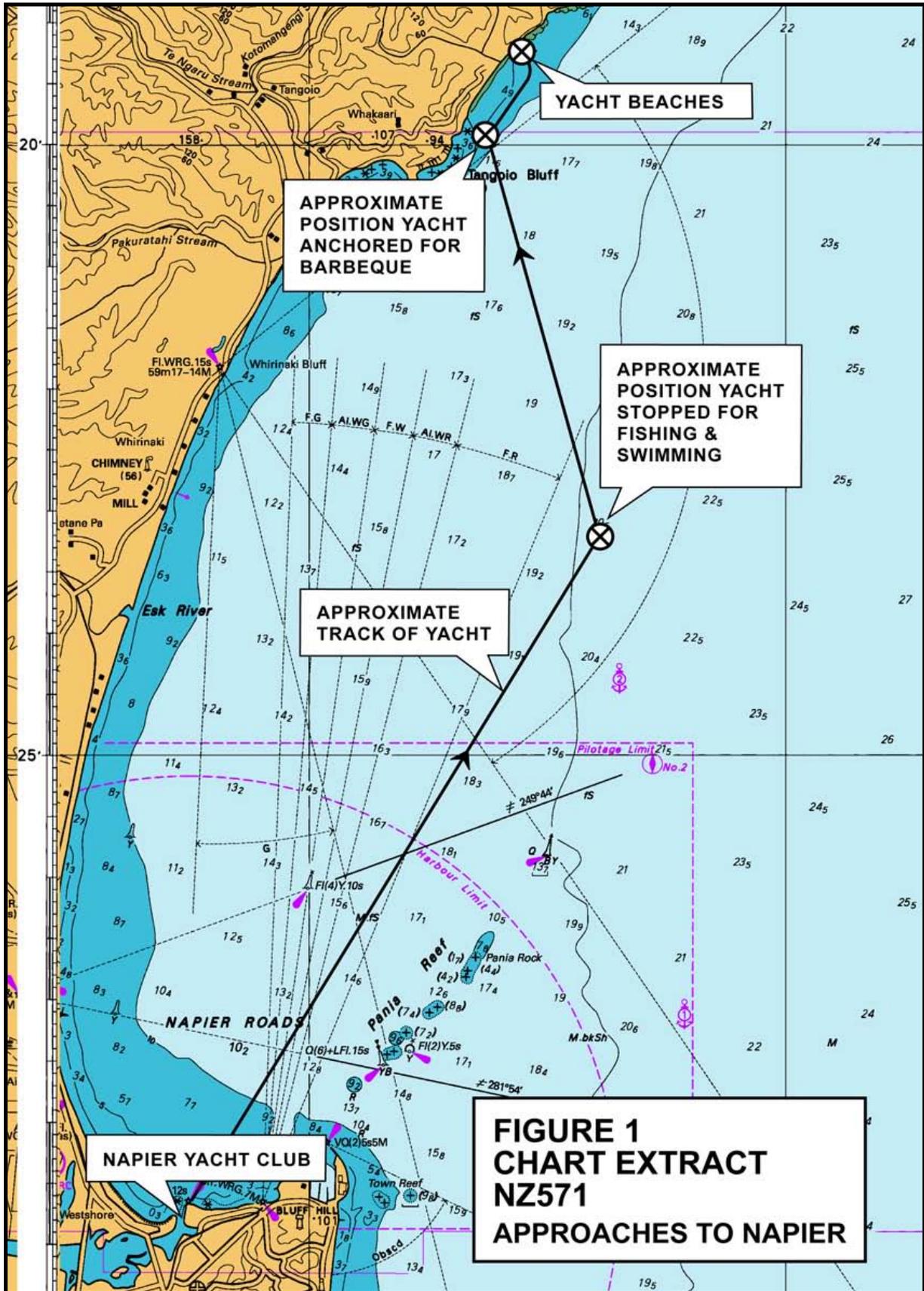


Figure 1 – Chart Extract NZ571 – Approaches to Napier

All the crew jumped ashore with the intention of camping overnight and returning to Napier the following day. Although they had no waterproof or wind proof clothing the crew had adequate clothing for the conditions and there were sufficient blankets on board the yacht to spend the night comfortably. There was a fresh offshore breeze and the Skipper considered that the yacht was safe.

The two youngest crewmembers stated they had consumed little, if any, alcohol, as they had been seasick for most of the trip. The two older crewmembers and the Skipper were probably moderately or extremely intoxicated, but it was a fairly subdued group on the beach due to shock caused by the near drowning of two of their number. One of the crewmembers was suffering from mild hypothermia and was shivering. His partner was involved with warming and clothing him. They were all glad to have reached safety.

Search and Rescue

A local resident at Kerikeri Bay observed the yacht beach through a one to one and a half metre swell. The younger female on board was steering the yacht. He went down to the beach on his farm bike. He stated that four of the yachts occupants were incoherent and one was suffering from hypothermia. The younger female on board, who was apparently sober and gave no indication of having been drinking, described what had happened.

The resident, who is a coastguard search and rescue controller, considered that the yachts anchor line was in poor condition and may not have held the yacht if they had tried anchoring off overnight. He felt that beaching the yacht was the most sensible action in the circumstances. The resident said all the crew were worried about the boat and wanted to haul her higher up the beach and bring round their vehicle and trailer to recover the yacht. They knew that they did not have enough fuel to motor back to Napier. The resident felt that the yacht was not in any immediate danger, but she may have broken up in the night on the rising tide if the coastguard had not been able to recover her. He considered that recovering the yacht with the trailer would have been difficult in the sand. He could not have done it with his four wheel drive tractor.

He said the crew were very glad to be safe on dry land but otherwise their behaviour was subdued. The resident returned to his home and informed the police of the incident and the presence of the yacht. Later the police arrived on the scene and took all the crewmembers to Napier Police station, where the state of intoxication of the Skipper was assessed before being allowed to go home.

Napier Coastguard unit were paged through the coastguard system and were advised that the trailer sailer was beached. The coastguard rescue vessel departed just on dusk with a total of five crew on board. Crossing the bay they experienced a 30 knot south westerly wind with one metre seas and a one and a half metre swell.

They arrived at the scene after dark to find that a local resident, an ex search and rescue controller, was illuminating the yacht from the beach with the lights of his four-wheel motorbike. The Skipper kept the coastguard vessel off the beach for a little while, observing the swells, then backed down slowly on the yacht. The crew threw their towline to the local resident, who had swam out into the surf wearing a wet suit. Another local resident was standing by on the beach to assist and to keep an eye on the swimmer. The swimmer bent the towline to a line made fast to the yacht. He had used a line taken from his own boat.

The Coastguard vessel slowly pulled the yacht off the beach. It came off easily with the local resident also pushing. When in deeper water the coastguard crew pulled the yacht alongside and set up their long towline. The crew checked the interior of the yacht with a torch and found nothing amiss. They towed the yacht back to Napier, keeping to the sheltered water close inshore. When they berthed the yacht at the sailing club jetty they noticed there was a lot of water on board. They were not certain if the hull had been damaged or if the water had been scooped on board during the tow.



The Skipper of the Coastguard vessel did not inspect the yacht extensively but had the impression that *“with a tidy up she could have been quite a nice little yacht”*.

Weather Forecast

The marine weather bulletin for sea area Plenty issued by the Metservice at 0907 hours on 18 January 2005 reads:

“PLENTY

Westerly rising to 25 knots late afternoon. Sea becoming rough.

Northeast swell 1 metre.

OUTLOOK FOLLOWING 12 HOURS: Southwest easing to 15 knots.”

The wind recorder situated at Port of Napier indicated that on the afternoon of 18 January the wind varied between 22 and 36 knots from a west to southwest direction.



FINDINGS

What should have been a fun day out for a group of friends and neighbours very nearly turned into a tragedy with the loss of perhaps two lives. The incident is a classic example of the dangers of mixing boating, inexperience and alcohol.

Conditions, which led to this incident, include:

1. Failure to obtain a marine weather forecast.
2. Minimal experience on the part of the Skipper and no experience on the part of the crew.
3. The consumption of alcohol on board and in particular the excessive consumption of alcohol by the Skipper.
4. No chart on board and the Skipper's lack of even rudimentary navigation skills.
5. Lack of basic maintenance of the yacht, in particular the degraded condition of the rope work.
6. No spare fuel, which left them insufficient fuel to return to Napier.

In addition the Skipper:

1. Failed to ensure that basic safety equipment was on board, including:¹
 - Lifejackets
 - First Aid kit
 - Fire extinguisher
 - Parachute flares
 - Orange smoke marker
 - Knife
 - Lifebuoy
 - Paddles
 - Sea Anchor
 - Spare Engine parts
 - Spare fuel
 - Throwing quoit and line
 - Torch
 - Waterproof clothing
2. Failed to ensure that the yacht had two means of communication on board, as recommended by "Safe Boating – an essential guide" published by Maritime New Zealand. (The cell phone on board had a flat battery and it was not protected in a sealed plastic bag, and hand held pyrotechnics were so out of date that they may not have worked and may have been dangerous to use).
3. Failed to ensure that the drop keel was lowered, thereby increasing the vessel's stability and improving her sea keeping qualities.

The yacht's owner failed to maintain and equip the yacht to an acceptable standard as required by Section 65 of the Maritime Transport Act (1994).

¹ "Safety in Small Craft" by Mike Scanlan, contains a safety equipment checklist. Deficiencies noted are listed as "necessary for safety". None of the equipment "recommended for extra safety" or "desirable for efficiency" was carried.



SAFETY RECOMMENDATIONS

The Skipper of the yacht was charged with dangerous navigation under Section 65 of the Maritime Transport Act (1994) in the Napier District Court on 9th February 2005. The judge remanded the Skipper until 22nd June to give him time to complete a boating course. The court might consider discharging him without conviction if he paid for the cost of the coastguard call out and showed he was committed to becoming a safe yachting. Napier Police later reported that the Skipper had completed a boating course and that an order had been made for reimbursement of Coastguard costs.

In addition to the above action the Investigator recommends that:

1. The Skipper's father, as operator of the vessel:
 - a. Completes a Coastguard Boatmaster course.
 - b. Renews all rope work on the vessel.
 - c. Equips the vessel as advised in "Safety in Small Craft" by Mike Scanlan.
 - d. Has the yacht and her equipment checked by the Napier Coastguard unit before next season.

