



**Australian Government**

**Comcare**

## **Report of Investigation**

**Department of Defence**

**Corporate Services and Infrastructure Group  
- Northern Territory & Kimberley Region**

**Employees exposed to risk of serious injury  
when  
powered boat 'Red Rain' sank in Napier Bay**

**Northern Territory**

**5 October 2004**

**Investigation Number: 2883**

**Investigator: <sup>s22</sup>**

To assess compliance with the  
*Occupational Health and Safety (Commonwealth Employment) Act 1991*

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# Investigation Report

## Introduction

- 1 On Friday 5 October 2004 two Department of Defence (DoD) employees from the Corporate Services and Infrastructure Group – Northern Territory & Kimberly Region (CSI-NT/K) were being transported by sea from the Coburg Peninsular to Darwin in the half cabin cruiser 'Red Rain'. The boat was under the command of <sup>s47F</sup> an Australian Defence Force (ADF) employee attached to the Joint Operations Support Section (JOSS) in Darwin. About three hours into the journey they had to evacuate to a life raft when the boat filled with water and sank. It was later determined the hull had sustained an impact that had caused a 400 mm tear each side of the keel<sup>1</sup>.



Photo 1 -The half cabin cruiser 'Red Rain' before the incident (from DoD records)

- 2 They had been taking part in an Adventurous Training Program at the Coburg Peninsular, approximately 200 km north east of Darwin<sup>2</sup>. They commenced the journey about 0700 hrs and after about an hour stopped at Seven Spirit Bay to refuel before continuing on to Darwin.
- 3 At around 1000 hrs they noticed the boat was sitting low in the water with the cabin partially filled with water. The boat was clearly sinking so they gathered some drinking water and communications equipment and prepared to evacuate to the life raft. When the life raft was launched it inflated upside down; attempts to right it were unsuccessful so they climbed onto the exposed underside.
- 4 Shortly after the evacuation the boat sank in approximately 3 fathoms (approximately 5.5 metres) depth, in waters known to be habited by sharks and crocodiles, placing the safety of the employees at serious risk<sup>3</sup>.
- 5 They activated the Emergency Position Indicating Radio Beacon (EPIRB) which did not appear to be working. Using a satellite phone they then informed the training group leader who was making his way back to Darwin by land that they had had to abandon

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<sup>1</sup> Photo 6, damage to hull

<sup>2</sup> Attachment U, map of area

<sup>3</sup> Attachment T, report of crocodile attack



the boat. NT Police were contacted and recovery was facilitated about 3 hours later by a commercial barge operating in the area.

- 6 A Direction to Conduct an Investigation, was issued on 18 October 2004 to Comcare investigator <sup>s47F</sup> of NT Worksafe but he was unable to complete the investigation. A Direction to conduct the investigation was then issued to me, <sup>s22</sup> on 28 January 2005. I am an Investigator appointed under subsection 40(2) of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (The Act).<sup>4</sup>

- 7 <sup>s22</sup> had commenced an investigation and prepared a draft report a copy of which was provided to me. The draft report was in my opinion insufficiently detailed so I decided to disregard its contents and commence a new investigation. I did however utilised documents collected by <sup>s22</sup> and had them verified during interviews with the persons responsible for providing them.

- 8 The DoD and ADF are Commonwealth authorities as defined in Section 5 of the Act.<sup>5</sup>

- 9 The half cabin cruiser 'Red Rain' is owned by the DoD and is a Commonwealth premise and workplace as defined Section 5 of the Act.<sup>6</sup>

- 10 The parties relevant to the investigation are listed below and were employees of the DoD/ADF unless otherwise identified:

- <sup>s47F</sup>, Comcare Investigator (NT Worksafe)
- <sup>s47F</sup>, Manager Northern Region Training Areas
- <sup>s47F</sup>, Acting Manager, JOSS – Exercise Safety Officer
- <sup>s47F</sup>, Operations Sergeant, JOSS, the boat commander
- <sup>s47F</sup>, Manager Technical Operations, CSI-NT/K
- <sup>s47F</sup>, Regional Manager, CSI-NT/K
- <sup>s47F</sup>, CSI-NT/K employee, passenger on the boat
- <sup>s47F</sup>, CSI-NT/K employee, passenger on the boat
- Casper McDERMOTT, CSI-NT/K Human Resources Development Group
- <sup>s47F</sup>, Principal Marine Surveyor, NT Transport Marine Safety
- <sup>s47F</sup>, Director, GS Marine, builder of the boat
- <sup>s47F</sup>, Sales Manager, GS Marine
- <sup>s47F</sup>, RFD, life raft supplier
- <sup>s47F</sup>, RFD, Managing Director, life raft supplier
- <sup>s47F</sup>, SA Transport Motor Boat Licence Section

- 11 The investigation was conducted between 14 February 2005 and 7 September 2005. The report is based on information obtained from the following sources:

- Interviews with the persons shown in paragraph 9
- Documents acquired:
  - Draft report of initial investigation compiled by <sup>s47F</sup>
  - Administrative Instruction for Exercise Cobourg Stretch 04-29 Sep – 05 Oct
  - General Instruction for Exercise Cobourg Stretch 04-29 Sep – 05 Oct
  - Training Needs Analysis – Ex Cobourg Stretch 04
  - NT Police Report – Sinking – Napier Bay – 'Red Rain' 5 October 2004

<sup>4</sup> Attachment A, Direction to Conduct an Investigation

<sup>5</sup> Statement 8 – <sup>s47F</sup>

<sup>6</sup> Statement 5 – <sup>s47F</sup>

- Defence Instruction (General) PERS 14-3 – Adventurous Training Policy
- Various Certificates and invoices for work on 'Red Rain'
- Copies of a number of internal emails – CSI-NT/K
- A number of NT Transport Marine Safety regulatory requirements
- Confirmation of <sup>s47F</sup> boat driver qualification
- Photographs taken by DoD and <sup>s22</sup>

## **Analysis of Evidence and Findings**

### **Failure to Notify an Incident**

- 12 I was informed in the Direction to Conduct an Investigation that the incident was not notified to Comcare until 15 October 2004 contrary to Section 68 of the Act and Regulation 37A which requires a dangerous occurrence to be notified within 24 hours.
- 13 At a meeting with <sup>s47F</sup> he provided me with an email from <sup>s47F</sup>, Manager Technical Services, CSI-NT/K<sup>7</sup> one of the items of which relate to the late notification. The reason given for failure to notify within the prescribed time was that it was overlooked.

### **Planning Process**

- 14 The sequence of events of the incident and investigation process is shown in a timeline.<sup>8</sup>
- 15 'Red Rain' is a 6.35 metre half cabin cruiser that is normally assigned to the Northern Region Training Area (a unit of CSI NT/K) for security surveillance patrols of the coastal and river boundaries of the various Defence training ranges. It is powered by a 150 horse power outboard motor with a 25 horse power emergency outboard motor located alongside the main unit at the back of the boat.
- 16 In September 2004 the boat was assigned to JOSS, another unit within CSI-NT/K, for use on an Adventurous Training Exercise being conducted under the management of <sup>s47F</sup> Acting Manager JOSS.
- 17 <sup>s47F</sup> had promoted the exercise as a means to develop individual and team skills to enhance performance in the workplace. He also stated that the exercise was to be "*a combination of both adventurous training and a retreat for JOSS personnel and 4 other members of CSI-NT/K who have worked tirelessly over the past 18 months without any respite*".<sup>9</sup> <sup>s47F</sup>, supported and approved the exercise.
- 18 A Training Needs Analysis dated 9 September 2004 was prepared by Mr McDermott, CSI-NT/K Human Resources Development which concluded that "*Adventure training will provide a realistic challenge to all participants that will be both physically, operating in a harsh climatic condition and mentally demanding, attempting an activity for the first time*".<sup>10</sup>

<sup>7</sup> Attachment AA, email from <sup>s47F</sup>

<sup>8</sup> Attachment B, Timeline for event/investigation

<sup>9</sup> Attachment C, emails <sup>s47F</sup> (C5)

<sup>10</sup> Attachment D, training needs analysis



- 19 <sup>s47F</sup> prepared an Administrative Instruction (AI)<sup>11</sup> for the exercise in early September 2004 and presented it to <sup>s47F</sup> the CSI-NT/K Regional Manager for approval. <sup>s47F</sup> amended the conclusions of the AI with a hand written notation to say *"I expect each participant to become skilled in leading a team, navigating and weather tracking and use of various communication methods that they could be expected to use in a post cyclone environment"*, and signed the document on 10 September 2004. <sup>s47F</sup> was appointed as the Officer Conducting Exercise (Clause 18 of AI).
- 20 The AI included a risk management program, a hazard analysis and risk assessments. The potential for drowning is listed in the program but there is no risk assessment for other issues relating to the boat journey. The control benefits list training in the use of safety equipment which if carried out should have recognised the defective EPIRB however there was no mention of:
- The hazards and risks associated with the use of the powered boat such as a potential for a fire which is a common occurrence in petrol engines especially during the fuelling process.
  - The need to ensure emergency equipment is readily accessible for an emergency evacuation of the boat
- 21 A notice for expressions of interest to participate in the adventurous training exercise was published on the CSI-NT/K intranet and participants selected from the list of applicants.
- 22 The AI was supported by a General Instruction (GI)<sup>12</sup> giving details of the participants, trainers and daily routines with <sup>s47F</sup> being nominated as the overall safety coordinator (Clause 14). The amended conclusions from AI (para 17 above) had been included and the document approved by <sup>s47F</sup> on 24 September 2004. Of the nine participants nominated, five were identified as trainers. The GI also addressed the possibility of problems with the boat at Clause 24 but limited the action to calling for assistance and using the EPIRB.
- 23 In planning the exercise, <sup>s47F</sup> negotiated for the use of 'Red Rain' with <sup>s47F</sup>, Manager Northern Region Training Areas (NRTA), who was responsible for its day to day management. <sup>s47F</sup> provided me with copies of emails between himself and <sup>s47F</sup> relating to these discussions all of which were copied to <sup>s47F</sup>.<sup>13</sup> In them he states that the previous Range Manager, <sup>s47F</sup> had set down a policy of not loaning the boat as a result of misuse and damage caused when on loan to another agency.<sup>14</sup> (*I learned from <sup>s47F</sup> that this had been superficial damage with scratching of the sides of the boat*<sup>15</sup>). He also expressed his concerns about the use of the boat in relation to the qualifications and competence of the operator and the qualifications of the Adventurous Training instructors.
- 24 In an email dated 16 September 2004 <sup>s47F</sup> makes reference to Army publication LWP-G 4-3-4 *Small Craft Operators Handbook*<sup>16</sup> and DoD publication *SAFETYMAN Volume 3*<sup>17</sup> which at Chapter 10 refers to *Army Watercraft* and at Chapter

<sup>11</sup> Attachment E, Administrative Instruction (AI)

<sup>12</sup> Attachment F, General Instruction (GI)

<sup>13</sup> Attachment C, <sup>s47F</sup> emails

<sup>14</sup> Attachment C8.

<sup>15</sup> File Note 3

<sup>16</sup> Attachment G, extract from Army LWP-G 4.3.4

<sup>17</sup> Attachment H, extract from SAFETYMAN



21 *Adventurous Training*. These publications were relevant to the exercise but were not referenced in the GI dated 24 September 2004.

- 25 The scope of LWP-G 4.3.4 is restricted to small boats which are defined at Section 1.2 as being “normally less than six metres in length” (Red Rain was 6.35 metres long) however it states at Section 1.4 that “the principles detailed in this publication are applicable to all types of small craft” and quotes at (d) “other (hired small craft or civilian small craft purchased for a specific requirement)”. Red Rain was a civilian small craft purchased for the specific purpose of security surveillance.
- 26 LWP-G 4.3.4 gives guidance for the safe operation of small boats such as:
- Operators must be trained and familiarised on the type of craft they are required to operate (S 1.3). <sup>s47F</sup> had minimal experience on boats of this size and power (line 81 of his statement).<sup>18</sup>
  - Operators of small craft are responsible for ensuring the equipment is serviceable (S 1.5 c). <sup>s47F</sup> failed to check operation of the safety equipment such as the bilge pump and EPIRB (line 50 of his statement).
  - Operators are responsible for ensuring the trim and stability of the craft are maintained (S 1.5 f). <sup>s47F</sup> was unable to correct the trim on leaving Coburg Peninsular and took no action to check for problems at refuelling stop (<sup>s47F</sup> <sup>s<sup>19</sup></sup>, <sup>s47F</sup> <sup>s<sup>20</sup></sup> statement, <sup>s47F</sup> statement line 256).
  - The Safety Officer Afloat (<sup>s47F</sup>) must ensure all personnel wear approved in-service life preservers (LPV) (S 1.18 h). The life jackets were stored in the cabin and not readily available when required (all three statements).
  - Small craft operators should wear an LPV fitted with a knife and a signal distress flare (S 2.2 b). <sup>s47F</sup> was not wearing an LPV and the signal flares were in the upturned raft.
- 27 <sup>s47F</sup> states that he was not aware of any Defence instructions relating to small boats.<sup>21</sup>
- 28 SAFETYMAN, the DoD primary safety manual<sup>22</sup> re-enforces the above small boat requirements in Volume 2, part 3 at clause 10.32<sup>23</sup>. It states that:
- All equipment to be checked and serviceable
  - Craft are to be employed in pairs unless they are operating within 400 metres of the shore or in protected waters.
  - Civilian marine traffic laws are to be obeyed when possible
- 29 Clause 21.8 of SAFETYMAN, Volume 2, part 3<sup>24</sup> in relation to adventurous training states that:
- The Activity Commander has overall responsibility for the safe conduct of the activity.
  - The Officer in Charge is to ensure that all personnel participating in the activity are proficient, prepared and trained for the activity and that the equipment is inspected and serviceable.

<sup>18</sup> Statement 3, <sup>s47F</sup>

<sup>19</sup> Statement 1, <sup>s47F</sup>

<sup>20</sup> Statement 2, <sup>s47F</sup>

<sup>21</sup> Statement 3, line 307

<sup>22</sup> Attachment I, confirms status of SAFETYMAN

<sup>23</sup> Attachment H1 – extract from SAFETYMAN

<sup>24</sup> Attachment H3, extract from SAFETYMAN



- 30 Had the requirements of these documents been implemented by <sup>s47F</sup>, the Officer in Charge, it is reasonable to presume that:
- <sup>s47F</sup> limited qualifications and lack of experience would have been identified.
  - It would have led him to ensure that all equipment on the boat was serviceable
  - It would have led to him instructing the boat operator to ensure life jackets were located for emergency evacuation of the boat
  - It would have led him to contact the NT Marine Safety Section to enquire about the local marine traffic laws that would have led to his being made aware that Red Rain was not certified to operate outside of sheltered waters.
- 31 <sup>s47F</sup> in his interview<sup>25</sup> states he was aware of the emails from <sup>s47F</sup> and that they caused him to ask a lot more questions. In this questioning however he failed to inform himself of a number of pertinent issues such as:
- Were the trainers suitably qualified? He states that he was not aware of any research that he been carried out into the qualifications of the trainers nor did he personally carry out any checks.
  - How was the boat to be used in the training program? He states that he did not view the detailed training program of events.
  - Was the commander of the boat suitably qualified? He states that <sup>s47F</sup> did raise the issue of a qualified driver but is not aware if this was checked out. He himself made no approach to the NT Marine Safety Section to see what their requirements were for this boat venture.
  - What safety procedures were in place for the boat passage? He states that the boat was not specifically mentioned in the risk assessment and that there was nothing raised with him in relation to the sea journey.
- 32 When questioned about this in June 2005<sup>26</sup> <sup>s47F</sup> stated that he referred <sup>s47F</sup> concerns to the exercise coordinator Pat Brown and was assured that everything was being complied with.
- 33 <sup>s47F</sup> as the Regional Manager CSI NT/K was the person responsible for approving the project. He had only been in the position for 8 months at the time of approving the exercise and had not had any previous experience with adventurous training. Under those circumstances it is my opinion that a responsible manager would have required more detailed information to ensure the safety of employees prior to approving the exercise especially as a number of significant safety issues had been brought to his attention in the emails. Had he consulted the documents referred to by <sup>s47F</sup>, they would have provided him with considerable information to make a more detailed assessment of the appropriateness of the exercise and the qualifications of personnel.
- 34 <sup>s47F</sup> as the manager of the project and safety officer for the exercise failed to:
- Identify the risks associated with the transport of employees to the exercise area by boat.
  - Implement controls to minimise the risks to the employees travelling in the boat

<sup>25</sup> Statement 7, <sup>s47F</sup>

<sup>26</sup> Statement 7A, <sup>s47F</sup>



- Develop an emergency plan to cover the possible risks that may be encountered during the sea journey.
- Ensure the boat complied with statutory requirements for use in the exercise
- Ensure that the driver was appropriately qualified and trained to command a boat in open waters.
- Issue instructions that life jackets be worn or at least be readily accessible during the sea journey.

### **The Boat and its Operation**

- 35 The boat was manufactured by GS Marine of Darwin, the construction being based on a standard commercial design with modifications to the cabin to meet the purchaser's requirements.<sup>s47F</sup>, Director of GS Marine at File Note 1 says that the hull is 5 mm thick marine grade aluminium however the specification sheet provided by him states 4 mm<sup>27</sup>. Whichever is correct, from my experience as a ship builder I am confident that the hull thickness is adequate for that type of inshore vessel.
- 36 <sup>s47F</sup>, said that <sup>s47F</sup> the then Manager Northern Region Training Areas commissioned the boat in June 2001. He specifically requested the buoyancy packs be removed to create more space in the hull. <sup>s47F</sup> recommended a life raft be fitted to the boat to offset the effect of the removal of the packs and this was agreed. <sup>s47F</sup> the GS Marine employee who negotiated the purchase of the boat with <sup>s47F</sup> made a statement supporting this<sup>28</sup>.
- 37 This removal of the buoyancy packs whilst a questionable point in relation to the employer's duty of care did not at the time contravene NT regulations as the boat was only to be used for range boundary surveillance in sheltered waters. The inclusion of the life raft would be sufficient to meet the employer's the duty of care responsibility.
- 38 As there is no equivalent Commonwealth legislation, convention requires the boat to comply with NT legislation in the same way ADO road vehicles have to comply with State and Territory road rules. This was the intent of the Parliament with the inclusion of Section 4 of The Act<sup>29</sup>
- 39 Guidance notes for compliance with the NT requirements are readily obtainable from the NT Maritime Safety Branch. Note 7/94<sup>30</sup> states that 'Where a vessel is used for any purpose other than as a pleasure craft it is subject to survey and must hold a valid certificate to operate commercially' Under instruction from <sup>s47F</sup>, GS Marine did not presented the boat for survey by NT Marine Safety Branch on completion<sup>31</sup>.
- 40 Guidance Note 7/94 states that vessels carrying 12 or less passenger are Class 2. It goes on to state that 'A certificate of survey will NOT be issued to a CLASS 2 vessel for operation OUTSIDE sheltered waters if the vessel is less than 7 metres in length'. A Schedule of Gazetted Sheltered Waters published in Guidance Note 33/98 (Rev 1)<sup>32</sup> sets a limit of 1 nautical mile (1.8 km) from the coastal low water mark. The normal operational areas for Red Rain are within these sheltered areas but the voyage to the Coburg Peninsular took the vessel at least 12 km (6.7 nautical miles) from land in

<sup>27</sup> Attachment J – boat specification

<sup>28</sup> Statement 9, <sup>s47F</sup>

<sup>29</sup> Attachment K, Section 4 of OHS(CE) Act

<sup>30</sup> Attachment V, NT Guidance Note 7/94

<sup>31</sup> Statement 9, File Note 1, Attachment L

<sup>32</sup> Attachment M3, NT Guidance Note 33/98



depths of 24 fathoms (over 40 metres)<sup>33</sup>. This is not within the definition of 'sheltered waters'.

- 41 For a vessel to travel outside sheltered waters a number of safety requirements<sup>34</sup> had to be complied with. The equipment installed in Red Rain is set out below and would have been sufficient had the boat been of the correct length to permit it to travel outside the 1 nautical mile.

- an EPIRB
- signal light
- first aid kit
- five life jackets
- flares
- an inflatable life raft
- a fire extinguisher
- a Global Positioning System (GPS)
- a depth sounder
- A compass
- Radio communications
- Bilge pump

- 42 <sup>s47F</sup> states that he held a qualification to operate a powered boat issued in South Australia which he believed allowed him to drive any boat with an outboard motor. He stated that he had little experience driving boats and only once before had he operated a boat the size of Red Rain which was about 4 years ago<sup>35</sup>.

- 43 The South Australian Department of Transport confirmed that <sup>s47F</sup> had been issued a Licence to Drive a Motor Boat<sup>36</sup> (defined in the SA Harbours and Navigation Act as a 'boat operator's licence') in 1999 and that it remained current. The SA Act states that the boat operator's licence is for recreational purposes<sup>37</sup>. The normal operation of Red Rain and the Adventurous Training Exercise are commercial operations as defined in the NT legislation<sup>38</sup>. The basic qualification for a person to take charge of Red Rain is a coxswain's certificate of competency<sup>39</sup>.

- 44 This was confirmed by <sup>s47F</sup>, the NT Principal Marine Surveyor who also confirmed that Red Rain, because of its size and classification was restricted to 'sheltered waters'<sup>40</sup>.

- 45 The syllabus for a coxswain's certificate consists of<sup>41</sup>:
- Vessel handling
  - Emergency and safety procedures (which covers the capsizing and holing of a boat).
  - Safety Equipment – the requirements and use of
  - Meteorology
  - Engineering Knowledge

<sup>33</sup> Attachment U2, section of marine chart for area

<sup>34</sup> Attachment W, NT Guidance Note 73/2001

<sup>35</sup> Statement 3, line 81

<sup>36</sup> Attachment N, SA Dept of Transport notification

<sup>37</sup> Attachment O, extract from SA legislation

<sup>38</sup> Attachment P, extract from NT legislation

<sup>39</sup> Attachment X, NT Guidance Note 57/2001

<sup>40</sup> File Note 2

<sup>41</sup> Attachment X, NT Guidance Note 57/2001

- Navigation

46 The syllabus for the boat operator's licence consists of<sup>42</sup>:

- Registration procedures/reporting procedures/speed limits to be applied. Rules of the road when passing other vessels and markers
- Safety equipment required to be carried on recreational vessels
- Recognising navigation lights
- Recognising navigation beacons
- General information such as – navigating locks and weirs

There are no requirements for persons issued with a Boat Operator's Licence to be tested on the use of emergency equipment (such as the deployment of life rafts and use of flares, etc) or how to manage a capsized or sinking boat. The police report states that s47F

informed them that he had not been trained to deploy the life raft<sup>43</sup>. His action to deploy the raft supports this lack of training in that he did not use the quick release facility on the securing strap to free the raft<sup>44</sup>.

47 The boat was delivered to<sup>s47F</sup> at Larrakeyah Barracks. He confirms that he was shown all of the safety equipment however there were no checks made to ensure it was all in good order. The EPIRB has a test facility to check its operation.<sup>45 s47F</sup> demonstrated his lack of knowledge of the beacon at line 431 of his statement when he stated that it could not be tested because the signal would activate the emergency people. The EPIRB has a switch to test the electrical circuit without activating the emergency signal. He confirmed that the life raft was clearly marked with the deployment instructions<sup>46</sup>.

48 s47F in an email dated 16/09/04 to s47F and copied to s47F detailed the requirements of Army publication LWP-G 4-3-4<sup>47</sup>. It specifies that:

- Small craft operators must be trained, qualified and familiarised on the type of craft they are required to operate.
- Commanders are responsible for ensuring safety equipment is present and **serviceable**.
- The Safety Officer must ensure small craft operators are qualified and competent in small craft operation and that all personnel wear approved in-service life preservers.

49 From the above I find that:

- Red Rain had not been surveyed for classification by the governing statutory authority.
- Had it been surveyed it would have been assessed as a commercial vessel Class 2.
- Being under 7 metres in length it would have been restricted to 'sheltered waters'

<sup>42</sup> Attachment Q, extract from SA boat licence examination

<sup>43</sup> Attachment S, extract from NT Police report

<sup>44</sup> Statement 3, line 357 onwards

<sup>45</sup> Attachment Y, photo 2, 3 and Attachment BB

<sup>46</sup> Statement 3, line 121 and photo 3

<sup>47</sup> Attachment C, s47F email



- The basic qualification for the command of a boat travelling outside sheltered waters in the NT is that of Coxswain.
- <sup>s47F</sup> who was placed in command was not appropriately qualified to command Red Rain.
- <sup>s47F</sup> failed to check the emergency equipment for operation
- The Safety Officer, <sup>s47F</sup> did not make sufficient and adequate enquiries to ensure that <sup>s47F</sup> was appropriately qualified and experienced nor did he issue instructions to ensure personnel on the boat wore life preservers.

### The Boat Journey

- 50 Both <sup>s47F</sup> and <sup>s47F</sup> state that they were provided with copies of the Instructions and informed of the safety procedures contained within them prior to the commencement of the exercise. They together with other participants were also shown the boat and the location of its safety equipment prior to the start of the exercise.
- 51 The training party travelled to the camp in two groups, one by land with the vehicles and equipment and one by sea in Red Rain.
- 52 The boat departed Darwin at approximately 0730 hours on 29 September 2004 with three persons on board. It was scheduled to travel to Cape Don a distance of approximately 180km for an overnight stay and then travel on the next morning to the camp at Seven Spirit Bay<sup>48</sup> a wilderness park at the head of the Cobourg Peninsular in Arnhem Land.<sup>49</sup> The passage to Cape Don took less time than had been estimated so it was decided to continue on to the camp where they arrived at approximately 1730 hours. <sup>s47F</sup> recalled that the trip was a bit rough and the boat took 'a bit of a pounding but we got there alright'.<sup>50</sup> He did not recall the boat having struck anything on the way across.
- 53 The training conducted over the period 30 September to 4 October 2004 involved team building exercises, communication techniques, first aid applications and navigation by land and sea<sup>51</sup>.
- 54 The boat was used in the navigation and communication exercises and at the end of the day it was secured on the beach where the hull was exposed when the tide went out. At no time did <sup>s47F</sup> carry out a full examination of the hull even though it had taken a pounding on the outward passage<sup>52</sup>. At one stage it was noticed that the depth sounder bracket, which is attached to the underside of the hull, was damaged. <sup>s47F</sup> did not know how it happened; it did not prompt him to investigate to see if other damage had occurred.
- 55 The boat's return to Darwin had been scheduled for 4 October 2004 but as the outer passage had been completed in a single day it was decided to wait until the 5 October when the road party would be leaving. Both passengers state that there was no safety briefing prior to departure as required by Section 10.32(i) of SAFETYMAN.

<sup>48</sup> Attachment U, map and chart of area

<sup>49</sup> Attachment Z, brochure of wilderness lodge

<sup>50</sup> Statement 3, line 126

<sup>51</sup> Attachment E6, sequence of events

<sup>52</sup> Statement 3, line 154



- 56 The boat departed at approximately 0700 hours making for Seven Spirit Bay to take on fuel. <sup>s47F</sup> was again in command but with two different passengers, <sup>s47F</sup> and <sup>s47F</sup>. The sea was calm with only a slight breeze. None of the occupants were wearing life jackets nor were they made ready for use in an emergency. They were located in a locker at the front of the boat inside the cabin<sup>53</sup>.
- 57 During the 40 minute passage <sup>s47F</sup> states that he had trouble keeping the boat on an even keel. It appeared to be planing alright but he was unable to correct the lean to one side even with the use of the trimming tabs that are installed for that purpose. He asked the passengers to move around to give what he hoped would be a better weight distribution and this seemed to help so he didn't worry too much about it. After taking on 400 litres of fuel (approximately 300 kg of additional weight) he stated that the boat seemed to perform better.
- 58 This is in contrast to the passenger's recollection. Both state that the boat had a list when they left the camp and that <sup>s47F</sup> made adjustments to the trimming tabs that improved the trim and he didn't see it as a problem. They then state that the list was still evident after refuelling and <sup>s47F</sup> was moved around in the stern to try to correct it.
- 59 Whichever is correct it is my opinion based on my experience as a qualified marine engineer that the boat was not performing correctly when it left the camp and there was little if no action taken to determine what might be causing the problem.
- 60 After about 2 hours they reached the first navigation point (a pre-established position detected by the GPS where a course change is required). They stopped to set a new position on the GPS and had some refreshments.
- 61 On resuming the passage <sup>s47F</sup> notice a high plume of water at the rear of the boat and noticed that the auxiliary motor was missing from its mounting. The boat was stopped and the motor found to be hanging under the water on its safety chain. <sup>s47F</sup>, who was sitting in the rear, says she notice the motor there when they stopped at the navigation point but did not notice it come loose when they continued with the journey.
- 62 <sup>s47F</sup> had no explanation for why the auxiliary motor dislodged from its mounting. It is secured with toggle screws that have sufficient leverage to ensure the screws can be firmly tightened<sup>54</sup>. Once they are secured it is difficult for them to vibrate loose and even if they became loose it would require a significant vertical movement of the motor to allow it to come away from the mounting plate. It must be considered that the motor had not been correctly installed and not checked before commencing the journey. It is also probable that it was dislodged by the impact of the boat with some floating object that caused the hull to be torn open<sup>55</sup>. All of the occupants state that the sea conditions were still calm but no-one can recall a collision.
- 63 After about 40 minutes the auxiliary motor was recovered and laid inside the boat at the stern. When the journey continued <sup>s47F</sup> says the boat's list was worse and both she and <sup>s47F</sup> agree that it was not planing very well. The shore party was contacted to let them know they were having problems.

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<sup>53</sup> Statements 1, 2

<sup>54</sup> Attachment y3, Photo 6, 7.

<sup>55</sup> Attachment Y4, Photo 8.



- 64 Shortly after resuming the journey the engine began to labour and the boat was slowing down. Both passengers state that when the engine started to labour they noticed the boat was sitting low in the water; <sup>s47F</sup> states that the back of the boat was well down as was the motor that was struggling to keep up power.
- 65 <sup>s47F</sup> states that the motor was labouring and the boat was slowing down but he didn't think that there was anything wrong with the boat at this stage so he just kept going<sup>56</sup>. This change of sound was probably related to the boat starting to settle in the water as the motor would have to work harder as it went deeper below the surface. I would have expected an experienced operator to have stopped to check the motor's operation at this stage.
- 66 He kept pushing the motor but the boat continued to slow down; even then he did not consider that there was anything wrong with the boat. He did however think it necessary to get organised with water and '*that sort of thing*' but did not consider getting the life jackets out of the cabin. It was not until the women told him there was water in the cabin that he realised there was something seriously wrong and turned towards the nearest land.
- 67 <sup>s47F</sup> contacted the shore party to report the situation and was told by <sup>s47F</sup> that the boat was designed not to sink so to stay with it. This would have been the case had the buoyancy material not been removed when the boat was constructed. Both <sup>s47F</sup> and <sup>s47F</sup> of GS Marine state that the material had been removed at the request of <sup>s47F</sup> to allow other equipment to be installed in the boat<sup>57</sup>. As a result of this <sup>s47F</sup> recommended a life raft be fitted which was agreed to.
- 68 The boat was near filled with water so they prepared to abandon. <sup>s47F</sup> instructed <sup>s47F</sup> to put together supplies and some equipment in preparation for the evacuation. They were unable to get to the life jackets which were now under water in a locker in the cabin.
- 69 Having turned the boat towards the nearest land, <sup>s47F</sup> handed over the control of the steering to <sup>s47F</sup> to allow him to launch the life raft located on the bow. Both passengers state that he was having difficulty releasing the life raft; <sup>s47F</sup> said specifically that he seemed to be having trouble with the rope. <sup>s47F</sup> gives some credence to this in that he says that he did not have trouble with the clips as he cut the rope with his knife. There should have been no requirement to cut the rope unless it had incorrectly been used to secure the life raft as the securing straps are released by simply removing a pin<sup>58</sup>.
- 70 Ms McBride states that earlier in the week there had been some problem with the life raft moving about and it had been secured by <sup>s47F</sup>. She couldn't say how it had been secured but speculated this may have been why <sup>s47F</sup> was having difficulty deploying it. I have been unable to contact <sup>s47F</sup> as he left the army shortly after the incident and is now a civilian.
- 71 The raft was eventually deployed but it inflated upside-down; attempts were made to right it without success. By this time the passengers were in the water and the boat had sunk so they all climbed onto the upturned bottom. <sup>s47F</sup> admits that he had had

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<sup>56</sup> Statement 3, line 310

<sup>57</sup> Statement 9, File Note 1

<sup>58</sup> File Note 3, photo 3



no instruction on how to right an upturned raft saying that he thought it was just commonsense<sup>59</sup>.

- 72 <sup>s47F</sup> of RFD Pacific the raft supplier states that the whole container should be thrown overboard and 9 out 10 times it will land in the correct position because of the weights being in the bottom part of the container. Even if it does land upside down the process of inflation will correct the deployment.<sup>60</sup> In the unlikely event that it inflates upside down it is equipped with an easily identified yellow "righting strap" to turn it over. The location of air cylinder and weights in the bottom are above the water in the upside down position and create a turning moment to easily turn the raft over. He further states that the raft is more likely to deploy upside down if inflation occurs before it is in the water
- 73 It is probable that due to <sup>s47F</sup> lack of training he incorrectly deploy the raft. The raft is stored within a container that is secured to the boat with a single strap which is released by removing a single pin.<sup>61</sup> The case itself is secured with two straps which fail when the inflation process takes place. In my opinion these were the ropes that <sup>s47F</sup> cut when he states *'I used a knife and cut the rope'* and *"I wasn't going to muck around with any clamps"*.<sup>62</sup> He thus unknowingly released the stored raft which would have separated before hitting the water causing it to deploy upside down.
- 74 Once on the raft <sup>s47F</sup> contacted the shore party using the satellite (SAT) phone. She became frustrated from the apparent lack of understanding and action by <sup>s47F</sup> so she contacted <sup>s47F</sup>, the Regional Manager, to ask for help. She was eventually contacted by <sup>s47F</sup> of the NT Water Police who reassured her that a search had commenced.
- 75 The EPIRB had been part of the equipment taken with them and was activated however they were not sure if it was functioning as there was black liquid trailing from the rubber seal. (it was later found that it was not working as the internals were corroded away)<sup>63</sup>.
- 76 <sup>s47F</sup> had not taken a GPS reading before abandoning the boat so emergency services were not able to readily locate them. This lack of preparation for such an event is reflected in his statement where he says *'You don't go out in a boat thinking that the boat's going to sink so what do I need to take with me'*. He further states that it was not until the boat started to sink that he started to mentally think what he needed to do<sup>64</sup>.
- 77 The search plane as a result of not having knowledge of raft's position flew over without sighting it. The emergency flares that could have been used to attract the plane were located under the water in pockets in the raft. Eventually <sup>s47F</sup> was able to make contact with the plane through the SAT phone and a barge in the vicinity was directed towards the raft.
- 78 The raft occupants were taken onto the barge after approximately 3 hours and transported to Cape Don from where they were flown to Darwin that evening. <sup>s47F</sup> in his statement gives the impression that he was at the airport to meet them however <sup>s47F</sup> states that there was no employer representative at Darwin airport

<sup>59</sup> Statement 3, line 366

<sup>60</sup> Attachment R, email from RFD Pacific

<sup>61</sup> Photo 3

<sup>62</sup> Statement 3, line 357

<sup>63</sup> Attachment S, extract from NT Police report

<sup>64</sup> Statement 3, line 384



to meet them. She learned that someone was on the way to the airport when she made a phone call to find out what was happening. She states that <sup>s47F</sup> finally arrived and met up with them in the airport car park. I found <sup>s47F</sup> to be clear and precise in her recollection of events and considered her to be a credible witness that has led me to accept her presentation of events and situations.

79 <sup>s47F</sup> says that the employees were offered medical treatment but declined. Again I accept <sup>s47F</sup> version of events which are supported by <sup>s47F</sup> that no-one checked their health or offered counselling. She was the one who arranged for herself, <sup>s47F</sup> and <sup>s47F</sup> to have counselling the next day.

80 From the above I find that <sup>s47F</sup> failed:

- to check that the EPIRB was in good working order
- to ensure there was no damage to the hull of the boat after it had "*taken a pounding*" on the outward journey and he found the depth recorder bracket broken.
- to take action to determine the cause of the boat's instability.
- to take early action to determine the reason for the change in engine performance
- to ensure that life jackets were readily available for use in an emergency
- to put in place a procedure for the safe evacuation of the boat
- to inform himself of the correct method of launching the life raft
- to identify the location of the boat before it sank

81 Taking <sup>s47F</sup> claim that the returning employees' were offer medical examination to be correct, it is my opinion that it fell short of the employer's duty of care to monitor the health of employees, especially as they had been subjected to the trauma of the boat sinking, the life raft failing to deploy correctly and exposure to the elements for approximately three hours.

## Summary of findings

82 <sup>s47F</sup> approved the adventurous training program without adequately informing himself of a number of safety issues that had been brought to his attention by <sup>s47F</sup>. In doing so he allowed the boat Red Rain to be operated by an unqualified and inexperience person.

83 <sup>s47F</sup>, the organiser of the exercise failed to:

- 83.1 Identify the risks associated with the boat journey in the AI analysis.
- 83.2 Implement controls to minimise the risks to employees travelling in the boat
- 83.3 Develop an emergency plan to cover all of the possible risks that may be encountered during the sea journey
- 83.4 Ensure the safety equipment in the boat was in good order and ready for use
- 83.5 Ensure the boat complied with statutory requirements for use in the exercise
- 83.6 Ensure that <sup>s47F</sup> was appropriately experienced and qualified to take control of Red Rain.

- 83.7 Issue instructions that life jackets be worn or at least be readily accessible during the sea journey.
- 84 "Red Rain" had not been surveyed for classification by the governing statutory authority. Had it been surveyed it would have been assessed as a commercial vessel Class 2.
- 85 Being a Class 2 vessel and under 7 metres in length it would have been restricted to 'sheltered waters'; it actually travelled at least 12 km (6.7 nautical miles) from the shoreline.
- 86 A person taking command of boat on a journey outside sheltered waters would require a coxswain's certificate. <sup>s47F</sup> did not hold such qualification.
- 87 There were no pre-checks of the safety equipment in the boat to ensure it was serviceable.
- 88 <sup>s47F</sup> as the commander of the boat failed to:
- 88.1 to conduct a safety briefing prior to departing Cobourg Peninsular as required by SAFETYMAN
  - 88.2 check that the EPIRB was in good working order
  - 88.3 ensure there was no damage to the hull of the boat after it had "*taken a pounding*" on the outward journey and the depth recorder bracket found to be broken.
  - 88.4 take action to determine the cause of the boat's instability.
  - 88.5 take early action to determine the reason for the change in engine performance
  - 88.6 ensure that life jackets were readily available for use in an emergency
  - 88.7 put in place a procedure for the safe evacuation of the boat
  - 88.8 inform himself of the correct method of launching the life raft
  - 88.9 identify the location of the boat before it sank
- 89 Medical checks were not carried out on the employees on their arrival in Darwin to ensure that they had not been affected from the exposure they had experienced on the upturned raft.

## Conclusions

- 90 In my opinion there is sufficient evidence to show that the Department of Defence has breached section 16(1) of the *Occupational Health and Safety (Commonwealth Employment) Act 1991*. Its Corporate Services and Infrastructure Group – Northern Territory & Kimberly Region failed by reason of the matters set out in my summary of findings, to take all reasonably practicable steps to protect the health and safety of its employees at work during an adventurous training exercise.



**Reason 1:**

**It failed to take all reasonably practicable steps to provide a working environment (including plant and systems of work) during the sea journey to and from Coburg Peninsular that was safe for employees and without risk to their health {Sub-section 16(2)(a)}.**

- Middle and senior management within CIS-NT/K were provided with considerable information by <sup>s47F</sup> to bring to their attention the risk to the health and safety of employees involved in sea journeys. The adventurous training exercise was approved without a detailed assessment of the issues raised such as suitability of the boat and qualifications of its commander (82, 83.4, 83.5, 84, 85, 87).
- The risk assessments in the Administrative Instructions identified the possibility of the boat having to be abandoned; however it did not address the need to prepare an emergency plan for the sea journey (83.1, 83.2, 83.3, 88.6).
- The Safety Coordinator did not ensure that the boat's emergency equipment, such as the EPIRP was checked for serviceability, nor did he issue instructions that life jackets should either be worn or readily accessible in an emergency (83.7, 88.1, 88.2).

**Reason 2:**

**It failed to provide adequate instruction, training, information and supervision to employees necessary to enable them to perform work in a manner that was safe and without risk to their health {Sub-section 16(2)(e)}.**

- Middle and senior management did not issue instructions to ensure safety equipment was checked for serviceability nor that life jackets either be worn or readily accessible in an emergency (83.3, 83.4, 83.7).
- <sup>s47F</sup> was not sufficiently trained to take command of a boat that travelled outside sheltered waters (83.6, 86).
- <sup>s47F</sup> had not been trained to deploy the life raft (83.6).
- <sup>s47F</sup> had not been instructed in the method for testing the EPIRB (83.6)

**Reason 3:**

**It failed to take appropriate action to monitor employee health and safety. {Section 16(5)(a)}.**

- Employees were not subjected to medical checks on their arrival in Darwin to ensure that they had not been affected from the exposure they had experienced on the upturned raft (89).

**Reason 4 :**

**It failed to take appropriate action to provide appropriate medical care and first aid services for employees, {Section 16(5)(c)}.**

- Employees were not subjected to medical checks on their arrival in Darwin to ensure that they had not been affected from the exposure they had experienced on the upturned raft (89).



- 91 In my opinion there is sufficient evidence to show that the Department of Defence has breached section 68 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* and Regulation 37A(d). Its Corporate Services and Infrastructure Group – Northern Territory & Kimberly Region failed to notify Comcare of the dangerous occurrence within 24 hours.
- 92 In my opinion there is sufficient evidence to show that <sup>s47F</sup> has breached section 21 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* in that he failed by reason of the matters set out in my summary of findings, to take all reasonably practicable steps to ensure the health and safety of other employees was not placed at risk by his omissions when they took part in an adventurous training exercise.
- He approved the adventurous training program without adequately informing himself of a number of safety issues that had been brought to his attention by <sup>s47F</sup>. In doing so he allowed the boat Red Rain to be operated outside of its restricted areas under the command of an unqualified and inexperienced person. The commander's lack of experience led to the incorrect deployment of the life raft and the exposure of CSI-NT/K employees to the potential of shark and alligator attack.
- 93 In my opinion there is sufficient evidence to show that <sup>s47F</sup> has breached section 21 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* in that he failed by reason of the matters set out in my summary of findings, to take all reasonably practicable steps to ensure the health and safety of other employees was not placed at risk by his omissions when they took part in an adventurous training exercise.
- He failed to identify the risks associated with the boat journey in the AI analysis.
  - He failed to implement controls to minimise the risks to employees travelling in the boat
  - He failed to develop an emergency plan to cover all of the possible risks that may be encountered during the sea journey.
  - He failed to comply with the requirements of SAFETYMAN in relation to small boat operations.
  - He failed to ensure the safety equipment in the boat was in good order and ready for use
  - He failed to ensure the boat complied with statutory requirements for use in the exercise
  - He failed to ensure that <sup>s47F</sup> was appropriately experienced and qualified to take control of Red Rain.
  - He failed to issue instructions that life jackets be worn or at least be readily accessible during the sea journey.
- 94 In my opinion there is sufficient evidence to show that <sup>s47F</sup> has breached section 21 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* in that he failed by reason of the matters set out in my summary of findings, to take all reasonably practicable steps to ensure the health and safety of other employees was not placed at risk by his omissions when they took part in an adventurous training exercise.
- He presumed to be sufficiently qualified to command a boat in open waters when he knew or should have known that his boat operator's licence restricted him to sheltered waters.



- Had he held the appropriate qualifications he would have been trained to deploy a life raft. As a result of his not holding the appropriate qualification, when Red Rain began to sink he was unable to correctly deploy the life raft.
- Had he held the appropriate qualifications he would have been trained to operate an EPIRB. As a result of his not holding the appropriate qualification he did not know how to test the EPIRB's operation prior to the start of the sea journey. The test would have shown that the EPIRB was not functioning.
- As the boat commander he failed to instruct his passengers in the safety procedures to be followed in the event of the boat having to be abandoned.

## Recommendations

- 95 Comcare consider taking action against DoD under Schedule 2 of the Act.
- 96 A letter be sent to CSI-NT/K management reminding them of their obligations to notify incidents in accordance with the requirements of Act and Regulations.
- 97 Comcare consider taking action against <sup>s47F</sup> and <sup>s47F</sup> under Schedule 2 of the Act.
- 98 A letter of warning be sent to <sup>s47F</sup>.
- 99 DoD to implement a system for auditing and monitoring procedures relating to adventurous training to ensure all aspects of a project are fully considered and appropriate controls put in place to prevent or minimise the risk to the health and safety of participants.

s22

s22 – Comcare Investigator 20 December 2005

Statements



1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
 2 Establishment, Berrimah, NT on Monday 14 February 2005 in relation to the sinking of  
 3 the boat Red Rain which placed the health and safety to three Defence employees at risk.

4  
 5 I <sup>s47F</sup> am employed by CSIG at the Defence Establishment Berrimah as  
 6 BIP (Business Improvement Project) Coordinator. This role requires me to liaise with  
 7 other sections of defence to help implement changes in processes and procedures. I work  
 8 on my own in this area. I was a member of the Adventure Training Exercise that was  
 9 conducted at Cobourg Peninsula between 29 September and 5 October 2004. I came to  
 10 be selected for the training by reacting to a general email calling for persons interested in  
 11 participating in the exercise. I submitted an email explaining the reasons why I wanted to  
 12 participate in the training – the final authorization was given as a joint decision of the  
 13 Regional Manager and Joint Operational Support Services (JOSS) representative  
 14 <sup>s47F</sup>. I received written details about the exercise and a copy of the Administrative  
 15 Instructions. I attended a briefing where all the nominees attended at JOSS, Larakeyah  
 16 which went through the Administrative Instruction, rations, activities on the course and  
 17 transport. We had another briefing at the boat prior to deploying to Cobourg Peninsula. I  
 18 was given a medical examination which was conducted by HAS (Health Services Aust) –  
 19 this was a medical assessment only. I have done first aid training but my certificate is not  
 20 current. I had previously attended a management training/bonding exercise at Kakadu  
 21 about 6 years ago but had not experienced this type of adventure training. The rationale  
 22 in my submission for participation in the course was related to my association with JOSS  
 23 as I had been nominated as a liaison officer for JOSS who take action in the event of an  
 24 emergency.

25 At the start of the exercise I was transported with others by vehicle to Cobourg a trip of  
 26 about 8 hours. During the trip we kept constant contact with the boat by satphone  
 27 (*investigator comment - a phone that transmits through a communications satellite*)  
 28 which was part of the training exercise. The training involved communications – how to  
 29 use a satphone, VHF and UF radio – the language used in communications. We also  
 30 conducted a navigation exercise where the ladies went out in a four-wheel drive (4WD)  
 31 to navigate to a specific point on a map and then communicate with the other team. The  
 32 exercise involved a simulated injury which had to be given first aid treatment. We were  
 33 transported by the boat to a settlement where we exercised in maintaining communication  
 34 with others. We also were made aware of the need to maintain fluid intake. On the boat  
 35 trip we did not have to wear life jackets but were given instructions on where they were  
 36 and where the EPRB (*Emergency portable radio beacon*) was located: The instructors  
 37 for these exercises were first aid <sup>s47F</sup>, COMMS by <sup>s47F</sup> and  
 38 navigation was shared by <sup>s47F</sup>, <sup>s47F</sup> and <sup>s47F</sup>. They were also involved with the  
 39 COMMS instructions. The boat was used mainly for tracking around the coast to  
 40 maintain communications when the land navigation exercises were on – we did use it at  
 41 night to do some fishing. At the completion of the training the people who arrived by  
 42 vehicle were given the opportunity to return by boat so I joined <sup>s47F</sup> and <sup>s47F</sup> to  
 43 return by boat. Whilst there was no specific briefing of the boats emergency systems  
 44 prior to departure, I was aware of where things were from previous exercises using the  
 45 boat on this trip. I have been on boats before and am aware of the safety requirements for  
 46 small boating. When we returned it was intended we make the trip in one leg straight to



47 Darwin. I think it was always intended that the return trip would be direct – the outward  
48 trip had been planned for a stop over but they managed to do it in one hop. We carried  
49 plenty of water and snack food in a refrigerated Engle as the trip was expected to take  
50 around 9-10 hours. When we first left Cobourg <sup>s47F</sup> thought that the boat wasn't sitting  
51 right as it was leaning to one side but it seemed to be planing o.k. He didn't see this as  
52 reason for concern. We went to Seven Spirit Bay to refuel the boat – we arrived there  
53 about an hour after leaving Cobourg. After taking on the fuel we proceeded on – the list  
54 appeared to have increased so I was asked to move into the centre of the boat to try to  
55 level it out. It didn't seem to make any difference – the boat was still planing o.k. From  
56 this position I could see that the auxiliary motor was in the upright position and was clear  
57 of the water. The sea was very calm and the boat planed smoothly. We stopped at the  
58 first Nav Point and we had to change direction – this was when it was noticed that the  
59 boat was not planing very well and a plume of water was seen at the back of the boat. It  
60 was then noticed that the auxiliary motor had come loose and was hanging on its chain in  
61 the water. I had been sitting in the back of the boat and did not feel any spray from the  
62 plume until <sup>s47F</sup> noticed it – the incident happened very quickly. From memory this  
63 occurred just after we had started to move again. There was no sudden change of course  
64 nor were there any objects in the water to hit. The surface was still very calm and the  
65 water very clear. The boat was stopped and the auxiliary motor recovered – this took  
66 about 40 minutes and was very exhausting. When it was recovered we took out one of  
67 the seats and laid the engine in the bottom of the boat. When we had recovered the  
68 engine we communicated with the vehicle party to tell them what had happened. It was  
69 agreed that we would continue on and report to them half hourly. I can't say specifically  
70 how long it was after restarting that it was realized the boat was not planing very well. It  
71 appeared that the whole of the hull was down in the water – the back was well down as  
72 the main motor was well down and struggling to keep up power. It was noticed that the  
73 cabin area was nearly full of water. When <sup>s47F</sup> had noticed the plume at the back <sup>s47F</sup>  
74 told me to get the water out of the Engle fridge. <sup>s47F</sup> then asked me to steer the boat  
75 while he went forward to release the life raft. During this period <sup>s47F</sup> was  
76 communicating with the land party and was being instructed to continue to Melville  
77 Island as the boat was unsinkable. At this stage the life jackets were under water in a  
78 locker in the cabin and could not be accessed. <sup>s47F</sup> was having difficulty deploying the  
79 raft – he seemed to have problems with the ropes – eventually it came loose at about the  
80 same time as the engine cut out. The raft landed in the water upside down. <sup>s47F</sup> had  
81 managed to call a Mayday on the marine radio prior to releasing the raft. Once the engine  
82 had stopped the boat quickly settled by the stern and we all jumped into the water. I  
83 swam to the life raft and the three of us attempted to right it but did not succeed. We  
84 eventually decided we were not going to right the raft so climbed on to the upturned  
85 bottom.

86  
87  
88 <sup>s47F</sup>  
89

90 19 April 2005



## STATEMENT 2

1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
2 Establishment, Berrimah, NT on Monday 14 February 2005 in relation to the sinking of  
3 the boat Red Rain which placed the health and safety to three Defence employees at risk.

4  
5 I <sup>s47F</sup> am employed by CSIG at Defence Establishment, Berrimah as the  
6 Manager Personnel Services, a position I have held for about 3 years. I have a staff of  
7 thirty but am responsible for all of the NT/Kimberly Region civilian staff. I was a trainee  
8 in the Adventure Training Exercise starting on 29 September 2004. The purpose of the  
9 training was to give us experience to use the equipment that would be needed in an  
10 emergency situation and give us the skills to use that equipment. I became involved with  
11 the training exercise through an email that was distributed to all staff to seek interests to  
12 participate in the training. This required interested persons to present a submission on  
13 why they should be considered. I then had discussion with the Regional Manager and he  
14 was the person who made the final selection. I was initially selected as a reserve and was  
15 included when one of the other nominees dropped out. Following the selection of  
16 candidates I was given a physical examination prior to going on the training exercise.  
17 This was done by Health Services Australia. Prior to the exercise I had had no first aid  
18 training. I have not been on one of these adventure training exercises before – to the best  
19 of my knowledge there has only been one other in the 3 years I have been here. To  
20 commence the training I went out with five other persons in two vehicles to the training  
21 area at Cobourg Peninsula a journey of about 8 hours. Prior to proceeding on the exercise  
22 we had a briefing by <sup>s47F</sup> and <sup>s47F</sup> which talked about risks that related  
23 to the General Instructions. I had been given a copy of this prior to the briefing. At the  
24 training area we were given a basic first aid training based on a question and answer  
25 paper and then we did a practical exercise – this was supervised by <sup>s47F</sup>. This  
26 covered the general issues of the first aid manual. We did a communication exercise  
27 which involved UHF, HF, Satphone – learning the equipment and the defence protocols  
28 whilst using the equipment. This was generally conducted by <sup>s47F</sup> and <sup>s47F</sup>  
29 and I think <sup>s47F</sup>. We also did a navigation exercise that involved driving to  
30 points and measuring distances, reading maps – this was conducted by <sup>s47F</sup>. These  
31 were the core training units. The boat should have been part of the exercise to test  
32 communication but the HF radio wasn't functioning. The boat was deployed but we  
33 couldn't communicate with it. We were taught how to read the GPS on the boat and  
34 relate it to a position on the map. Trainees went out with the boat for some of these  
35 exercises. Prior to these trips in the boat we were not given any special briefings – we  
36 were not required to wear life jackets but I can swim. The exercise completed on 5  
37 October 2004. We were asked if we wanted to return in the boat and <sup>s47F</sup> selected  
38 the people who would be the crew. That was myself, <sup>s47F</sup> and <sup>s47F</sup>. We  
39 were not given any briefing before we departed in the boat. Whilst the General  
40 Instruction talked about a break in the sea journey we actually intended to return to  
41 Darwin in one passage as this had been done on the outward leg. The weather was good  
42 with flat sea no breeze. The first indication of a problem with the boat was when we first  
43 left Cobourg. The boat had a list which <sup>s47F</sup> tried to correct with the trimming  
44 equipment built into the boat but he couldn't get it to level, to indicate a correct trim. It  
45 was thought that this may be an electrical fault as earlier we had been having trouble with  
46 the depth sounder. Following some trim adjustments the boat was planing satisfactorily.



47 We went over to Seven Spirit Bay and refueled the boat with 400 litres. On leaving the  
 48 fuelling point there was still some sign of a list and we made some adjustments and the  
 49 boat again appeared to plane o.k. <sup>s47F</sup> was moved around a bit in the boat to see if that  
 50 would help the trim but it still didn't fully correct. The list was to the port side so she  
 51 was positioned on the starboard side to see if it would help. We got to our Nav point on  
 52 the GPS reading; we stopped for a bit and had some food. We set our next Nav point on  
 53 the GPS and proceeded on the passage. As we took off and started to plane I noticed a  
 54 high plume of water in the rear of the boat and the auxiliary motor was missing.

55 <sup>s47F</sup> stopped the boat straight away and we tried to recover the auxiliary motor which  
 56 was still attached to the boat with a chain. We managed to rope and recover the auxiliary  
 57 and laid it in the rear of the boat. This required one of the seats to be moved. We  
 58 reported the incident to the ground crew and reset our next call-in time. This was around  
 59 10-10.30a.m. We proceeded on the journey but noticed the list was worse and the boat  
 60 wouldn't plane. I contacted the ground crew to say we had a problem – this involved a  
 61 number of calls. I spoke with Casper McDermott who knows the boat well. It was  
 62 around this time we noticed water in the boat and it was getting lower in the water.  
 63 Casper said that if we were taking water the bilge pump would automatically cut in and  
 64 pump out at around 130 litres/min. At this stage I was concerned that the boat was  
 65 sinking so I told <sup>s47F</sup> to get some bottled water out of the fridge and grab a pillow. I  
 66 again rang the ground crew to tell them we were in trouble – the bow was full of water.  
 67 Casper told me not to worry as the boat would not sink – it was unsinkable. I rang again  
 68 at 11.00 – at this stage I was in the stern and the water was over my feet. At this stage  
 69 <sup>s47F</sup> was steering the boat and I think <sup>s47F</sup> was in the bow trying to release the life  
 70 raft. At no stage did I think to get the life jackets on – I believe that by this time had I  
 71 attempted to get the lifejackets which were in a side locker in the cabin, I would have  
 72 been trapped there. I remember that <sup>s47F</sup> put out a Mayday on the marine radio  
 73 before he went to release the life raft. By this time the engine had stopped, water was  
 74 coming over the bow and <sup>s47F</sup> was having trouble getting the life raft out of the  
 75 box. Earlier in the week we had had trouble with the life raft box moving and <sup>s47F</sup>  
 76 <sup>s47F</sup> had secured it – I'm not sure what he did though. This was probably why <sup>s47F</sup>  
 77 had difficulty handling it.

78 The water was now up to the seat and I was standing on the seat. I jumped into the water  
 79 over the port side. <sup>s47F</sup> had gone off the bow with the life raft. There was now a slight  
 80 swell. I was looking for <sup>s47F</sup> who now had come round the end of the boat. The boat  
 81 sank by the stern with about 2 feet of the bow sitting out of the water. We could all see  
 82 each other now. I had taken the EPRP and the satphone box with me in a backpack and  
 83 swam towards the life raft which was upside down. We were all now by the raft and tried  
 84 to right it using the rope and weighing down one side but it would not slip over. We  
 85 decided to get onto the upturned raft and assisted each other to get on. After we got onto  
 86 the raft we assessed the situation. <sup>s47F</sup> set off the EPRB and I made a call on the  
 87 satphone, to inform them of our situation. We were concerned that the EPRB did not  
 88 appear to be functioning – there was a black trail from the rubber seal. There was a long  
 89 conversation with the ground crew where I was trying to explain our location but was  
 90 being told to get off the raft and right it. I didn't think they were really listening to what I  
 91 was saying. We had found the oars and attempted to row, but this didn't work – it was  
 92 then we noticed a long rope which appeared to be still attached to the boat. <sup>s47F</sup> cut that



93 to free us. I have been informed that this is about 250 metres long. The communication  
94 with <sup>s47F</sup> did not appear to be getting anywhere so I stopped the call. I then rang  
95 <sup>s47F</sup> and passed on information to help assess our location. The reaction I was  
96 getting from the conversation over the satphone gave me the feeling I was not being  
97 heard. At this stage I had lost confidence in their ability of help us and so asked that they  
98 get Emergency Services to contact me directly. At 12.45 I had a call from <sup>s47F</sup> of  
99 NT Water Police – he said they had commenced a search which helped calm us down. At  
100 12.56 we sighted the plane – we tried to communicate with it but our clothing and the  
101 boat were not a distinctive colour so the plane just flew over. We did talk about  
102 swimming under the life raft to get to the flares that were in a pocket but decided this  
103 would be too difficult. This depressed us a bit, and we were getting concerned because  
104 the sea was getting up and we didn't have much water. The plane returned about 1310  
105 and called up on the satphone to confirm we had been seen. The pilot said he had  
106 contacted a barge we had seen earlier to pick us up. The barge was unable to get close to  
107 us because it was too shallow, so they launched a dingy from about 1km away and picked  
108 us up. We then had problems with the dingy taking water and had to bale out – the life  
109 raft had to be cut loose to stop the dingy taking water. We were looked after by the barge  
110 crew – <sup>s47F</sup> had a sleep. We were told someone would meet us at Cape Don but we  
111 asked they do not as we did not want to meet with anyone at that time as we were still  
112 quite angry. When we arrived in Darwin there was no-one to meet us – I phone and  
113 found they were on their way – they met us in the car park. We were told we would be  
114 interviewed the next day and were taken home. No-one checked our health or offered  
115 any counseling at the time. One of the things that came out of this is that I was able to  
116 use the communication skills I had learned on the exercise. Fortunately <sup>s47F</sup> and I were  
117 living together at the time and we were able to support each other in a very depressing  
118 period. I was concerned at the way the personal issues were dealt with immediately after  
119 the event with the lack of information to our personal acquaintances and the lack of  
120 support we received on arrival in Darwin. Next day we were interviewed by <sup>s47F</sup> –  
121 I returned to work and arranged for counseling for <sup>s47F</sup> and <sup>s47F</sup>. On either the Friday  
122 or the following Monday I arranged for all the training group to meet for a debrief and  
123 then <sup>s47F</sup> and <sup>s47F</sup> and myself had the Employee Assistance Scheme give us a  
124 counseling session – I also arranged for anyone else who requested counseling to attend.  
125 The boat was recovered the following week but we didn't receive our personal equipment  
126 until mid to late November. This has raised a problem as other members of the group had  
127 personal effects. Only one person has been compensated for the loss of personal effects,  
128 being Casper McDermott.

129  
130  
131 <sup>s47F</sup>

132  
133 Date – 18 April 2005

1 **RECORD OF INTERVIEW WITH:**

2  
3 s47F at the Defence Establishment Berrimah on Tuesday 15 February  
4 2005 in relation to the sinking of the boat 'Red Rain'.  
5

6 Prior to the interview I identified myself as s22 an investigator appointed under  
7 the Occupational Health and Safety (Commonwealth Employment) Act 1991. I showed  
8 s47F my identification, my appointment as an investigator and the Direction to  
9 Conduct an Investigation  
10

11 Taping commenced at 1415 hours  
12

13 I said Could you first give me your full name, Rank and Serial No

14 He said s47F

15 I said And you're employed by the Department of Defence

16 He said Yes

17 I said What is your position in the Department of Defence

18 He said Current Operations Manager with the Joint Operations Support staff with CSI  
19 NTK

20 I said How long have you been there

21 He said 2 years

22 I said What's the role that you perform there

23 He said Facilitate current operations as far as support for brigade or for any, any unit in  
24 the Darwin area and Northern Territory

25 I said I believe you were involved in an adventure training exercise between the 29  
26 October & 5 November 2004, is that correct

27 He said Yes

28 I said How did you become involved with this training exercise

29 He said I got involved right from the start we'd discussed it with my boss and training  
30 went from there

31 I said Who is your boss

32 He said s47F

33 I said Have you been involved with this sort of training exercise before

34 He said Adventure training?



- 35 I said Yes
- 36 He said Yes
- 37 I said Have you done any formal training to qualify you as a trainer
- 38 He said No
- 39 I said What was the role you were to play in this training exercise
- 40 He said Just a member, a member of the team
- 41 I said I believe you were put in charge of the, a boat that was loaned from the Range
- 42 Control, is that correct
- 43 He said That's correct
- 44 I said Who delegated you to take control of the boat
- 45 He said I think it was <sup>s47</sup><sub>F</sub>
- 46 I said Did you personally take delivery of the boat from Range Control
- 47 He said Range Control delivered it to us at Larrakeyah, we signed for it there
- 48 I said Did they explain to you all the features of the boat
- 49 He said Yep
- 50 I said Safety systems things like that Did they test them with you while you were there
- 51 He said No
- 52 I said So there was no physical check that everything was in place
- 53 He said There was a physical check that everything was there
- 54 I said I said oh all right
- 55 He said Yes but we didn't turn anything on or operate it
- 56 I said Ok. Who delivered it to you can you remember
- 57 He said He's gone now too, - can't think of his name
- 58 I said Oh don't worry I can get that from the Range Manager
- 59 He said No - it's skipped my memory
- 60 I said How big was the boat
- 61 He said 6 or 7 metres
- 62 I said What type of drive was on it
- 63 He said It was an outboard motor
- 64 I said Do you know what size it was
- 65 He said 150 or 175, not sure. There was also auxiliary 25hp motor as well
- 66 I said And they were both attached to the stern
- 67 He said yes
- 68 I said What qualifications do you have to drive power boats

- 69 He said Small boat handler
- 70 I said Have you got a physical certificate for that
- 71 He said Yes
- 72 I said Could you provide me with a copy it sometime
- 73 He said Umm, possibly, possibly, yea. I might have a copy on my file, I'm not sure
- 74 I said When did you obtain that qualification
- 75 He said 2000 something like that
- 76 I said Who issued the certificate
- 77 He said People I did the course with - Adelaide Coast Guard
- 78 I said All right, and so does that qualification allow you to drive a limited size of boat or
- 79 any outboard
- 80 He said Any outboard motor
- 81 I said Have you taken command of boats of this size before
- 82 He said Once before yes
- 83 I said When was that
- 84 He said Oh; a few years ago now, in Adelaide must have been 01
- 85 I said So what's your experience with driving boats since then
- 86 He said I've got some experience not a hell of a lot; it's all been with my Fathers boat
- 87 I said And that's an outboard, an aluminium outboard
- 88 He said Yes, half cabin
- 89 I said Have you done any small boat safety courses
- 90 He said Just on the course
- 91 I said It was part of you course was it
- 92 He said Yes
- 93 I said So when you went to, on this adventure training how many people were on the
- 94 boat at the time
- 95 He said Three
- 96 I said Three. Did any of those have any experience with small boat handling
- 97 He said Only what they'd picked up during that week
- 98 I said All right. So when these people who were passengers on the boat, did you give
- 99 them any briefings on the safety features of the boat, how to
- 100 He said We did that at the beginning of the exercise
- 101 I said All right
- 102 He said When we were out there



103 I said Did you do that or did somebody else do it  
104 He said No we all did it  
105 I said So who was the leader of  
106 He said Well <sup>s47F</sup> was the leader of the whole thing  
107 I said All right  
108 I said So what did the briefing involve, was there a checklist  
109 He said No there wasn't really a checklist it was just start at the front of the boat and  
110 work to the back or start at the back and work to the front  
111 I said So they physically identified where everything was for everybody  
112 He said Yea  
113 I said Can you remember the type of safety equipment that was on the boat  
114 He said Ahh, there was vests, there was oar, there was a marine radio, there was an  
115 EPIRB, there was an HF radio, there was sat phone  
116 I said Did you have a first aid kit  
117 He said Yes, first aid kit, fire extinguisher  
118 I said What about food and water did you carry  
119 He said Yep we had food and water, we had our own food and water yep  
120 I said When you took over the boat did they instruct you on how to deploy the life raft  
121 He said No, no the instructions were on the life raft to show you how to do it anyway  
122 I said Oh it was written on the top  
123 He said Yea yea, unless you couldn't read Australian or English you wouldn't know how  
124 to do it, it was pretty easy  
125 I said What was the weather like on, when you went on the trip over  
126 He said On the trip over the sea was a bit rough, boat took a bit of a pounding but we got  
127 there all right, most of the week the weather was pretty good, the trip back was  
128 overcast but pretty calm, it wasn't too bad  
129 I said How long did it take you to get across there  
130 He said All day it took us to get there, we left at about 7.30 in the morning I think and we  
131 got there about 5.30 in the afternoon took us nearly all day  
132 I said So I believe the original program was to do it in two hops  
133 He said Yeah  
134 I said but you managed to do it in one  
135 He said We were so close at the end of the first day that we were only 45mins away from  
136 where we were staying so the decision was made to continue on

- 137 I said Now, I'm sure you've been asked this and you've thought about it yourself, do  
138 you recall any possible collisions with anything on the trip out
- 139 He said No, no I don't
- 140 I said When you got there was the boat used for any of the training. What type of use  
141 did the boat get put too there
- 142 He said It was used for a couple of things I think. It was used for handling exercise you  
143 know like how to handle a boat in the water and drive a boat that type of thing  
144 for everybody, it was also used as a communications vehicle for a navigation  
145 exercise they were doing as well
- 146 I said Sorry, how do you mean – people were on it doing navigation
- 147 He said Yea people were on the ground doing a navigation going from point A to point B  
148 to see the next time they got to the point they had to give us a radio call
- 149 I said Oh I see – so they were on the land and you were out in the open sea
- 150 He said In fact we were part of the course. They had to come down to the point were we  
151 sailed - put the boat around to a point near the beach and they had to come down  
152 there and radio us
- 153 I said Was there any cause for you to check the hull out while you were over at Coburg
- 154 He said No not really but we could do that anyway because when the tide went out the  
155 bottom, the boat was sitting on the sand
- 156 I said Oh right
- 157 He said So we could see the boat when the tide was low
- 158 I said So there was no obvious signs of damage
- 159 He said No couldn't see anything
- 160 I said I've been informed that maybe the transducer bracket was damaged, is that right
- 161 He said Yea
- 162 I said Any idea what caused that
- 163 He said No idea at all. That's the depth sounder you're talking about
- 164 I said Yea
- 165 He said I really don't remember it even happening I don't even know when it happened  
166 during the week but it happened during the week
- 167 I said So where was that bracket attached – do you know
- 168 He said At the back on the bottom
- 169 I said All right. It could have been happening while it was beached



170 He said Oh it could have happened anytime, yea just don't know when it did. Cause I  
171 wasn't, I was just saying I wasn't sure when it happened because I mean that  
172 type of thing, it's only a small little thing to, it's only attached on the back by  
173 cable just don't know

174 I said So you wouldn't - did you use depth finder on your way across

175 He said Yea we could still use it even though it was broken

176 I said It was still recording even though it was broken

177 He said Yea not accurately of course but

178 I said And there was no - during your exercises there was nowhere were you went up  
179 creeks or anything like that, where any damage to the boat could have occurred

180 He said Not to my knowledge anyway

181 I said Have you got any views on what might have caused the damage

182 He said I really don't know. We may have hit a half submerged bloody connex I've got  
183 no idea

184 I said During the training did you find there was any water getting in to the bottom of  
185 the boat

186 He said Didn't notice

187 I said So the bilge pump didn't operate or anything like that

188 He said No. I'm under the impression that the bilge pump was supposed to cut in  
189 automatically when the water level gets too high, it never happened while I was  
190 there

191 I said Did anybody go into the cabin at any time, did you have to go in there for a  
192 equipment or anything

193 He said During the whole week or just for the trip back

194 I said During the whole week yea

195 He said Oh yea

196 I said So it would have been noticed if there'd been any water

197 He said Absolutely

198 I said Did you actually have a detailed program that provided hour by hour that  
199 detailed the training programs

200 He said Not hour by hour

201 I said Just say in a morning that you were going to do this exercise.

202 He said Yea

203 I said Was that all written down because I haven't been able to get a copy of that

204 He said Ahh

205 He said I suppose<sup>s47</sup><sub>F</sub> would be the person to get a copy of that

206 I said Yeah he might I'm not sure

207 I said Yeah I'll be seeing him Thursday

208 I said Did you play any part in any of the training at the ground

209 He said Yea I was the first aid officer

210 I said Oh right

211 He said So I did first aid

212 I said So have you got a first aid certificate

213 He said St Johns

214 I said Is that current

215 He said Yes it is

216 I said Have you done any additional courses as a first aid trainer or anything like that

217 He said No

218 I said So what type of first aid – was it simply the normal course

219 He said Oh yea, broken ankle or snake bite

220 I said Now I was informed that during one of the exercises the life raft box was loose, do

221 you recall that

222 He said The strap holding it on

223 I said I don't know it was just said that somebody saw somebody working on the life

224 raft box and they thought it had come loose

225 He said That's possible with all the pounding it had on the first day on the way out it may

226 have come loose

227 I said You didn't get involved in that

228 He said No I didn't get involved in that

229 I said No I just wondered what had happened to it. So how was the box actually

230 secured was it bolted to the deck was it

231 He said Yes, well there's two securing devices for the life raft, one is just a strap that

232 locks it in on top of a cabin at the front and the one other is that there's a rope

233 that has to remain attached to the boat when you deploy the raft cause it actually

234 pops it in so ah, but no there was just the strap over it which was clamped and

235 bolted down

236 I said When you returned to Darwin you had different passengers on board

237 He said Yes



238 I said Was there any reason for that  
239 He said Just to share the trip with other people that's all  
240 I said Were they re-briefed on how to handle things in the boat  
241 He said Yes  
242 I said During these passages is there any requirement to lodge a plan with Marine  
243 Services of your passage, arrival, departure things like that  
244 He said Not to my knowledge, not in Northern Territory  
245 I said Now could you take me through the events from you leaving Coburg to when the  
246 incident occurred, to the best of your knowledge, I know it was a long time ago  
247 He said Yea, we left at about 7.00 in the morning I think, roughly around then anyway  
248 and we went straight across the bay to another place I'm trying to think of the  
249 name to refuel, we filled the boat up and then we headed off home to Darwin, on  
250 the way out to Darwin. We passed em, hopeless can't even remember the names  
251 I said On this passage to refuelling how long did that take  
252 He said Probably about 40 minutes  
253 I said All right  
254 He said Half an hour to 40 minutes  
255 I said Did you have any problems during that passage  
256 He said I actually thought that the boat was not tilted right, it just seemed a bit uneven  
257 but, and I got the girls to move around thinking it was just a weight thing and it  
258 sort of seemed to have sorted out after we'd stopped and refuelled it sort of  
259 levelled out and it wasn't too bad I didn't have too many problems with it, just I  
260 don't know what it was but just for that first part of, first part of that trip, it was a  
261 bit, I dunno, trim tabs or something weren't right or something just didn't feel  
262 right but then that settled down so I didn't worry too more much about it  
263 I said Then was it planing ok  
264 He said Yea  
265 I said Is there a planing inclinometer in the boat  
266 He said No, not that I know  
267 I said So what happened after you'd refuelled, did you have any problems then  
268 He said No, no problems then at all, we took off as I said and we started travelling our trip  
269 home, got about - must have been about 2 hours, I think, somewhere around 10  
270 o'clock - 10.30 about 2 hrs out from after refuelling and one of the girls said  
271 there's a bit of water coming from the back of the boat. What she meant by that

272 was it was coming up splashing from the motor area so I turned around and had a  
273 look and didn't look right, when the boats travelling and the motor is pushing the  
274 water you can see the, don't know what you'd, what they call it the trail of water  
275 and it just, part of it was like a, was just coming straight up rather than heading  
276 out the back. So I stopped the boat and looked over the back and the auxiliary  
277 motor had come loose from its attachment and was only held on by the safety  
278 chain and that's what was doing, making the difference in the water, so between  
279 the three of us and about an hour later we finally got the thing inside the boat.  
280 The boat was sitting well, it wasn't doing anything else so we took off again  
281 I said Have you any idea why the motor came loose  
282 He said No idea at all  
283 I said The clips still attached  
284 He said Yea everything was still on the motor as I said the only thing that stopped it from  
285 sinking was the safety chain  
286 I said How long's the safety chain  
287 He said 3 links  
288 I said Oh right, so there's no chance that could have slipped underneath the boat or  
289 anything like that  
290 He said No, oh I did think about that but I'm not sure where they found the hole, nah,  
291 couldn't do it  
292 I said It was too far forward. So, when did the girls notice the water in the boat, was it  
293 at this time  
294 He said No, no the boat was, as I said was doing really well, it was sitting on the water  
295 well it, there was no water coming in the boat at that stage, we recovered the  
296 auxiliary motor and took off  
297 I said And the conditions were still good  
298 He said Yeah, it was overcast, it wasn't choppy but it wasn't - it was still relatively calm  
299 I said And you had good visibility  
300 He said Yeah yeah  
301 I said You would have thought you would have seen anything if there was  
302 He said Well you'd think so wouldn't you, but when I say it's cloudy the clouds on the  
303 water make the water a bit dark so you don't know what's in there, so  
304 I said Was there any requirement in the instructions for the passengers to be wearing  
305 any lifejackets during the passages



306 He said No

307 I said Do you know if there are any defence instructions on the use of small boats

308 He said I don't know

309 I said Ok, so when did you begin to realise there was something wrong

310 He said The motor started to sound like it was labouring and we started actually to slow  
311 down in speed, this is not right, so we just kept - I kept pushing, and then it really  
312 started to slow down a lot and thought this I not right so we got ourselves  
313 organised as far as making sure we had everything ready, water with us that sort  
314 of thing

315 I said Did you break the lifejackets out at that stage

316 He said No, no because I was still travelling, I wasn't going to stop, I didn't really  
317 suspect that there was anything wrong with the boat at all at that stage I just  
318 thought that the motor wasn't sounding right and it wasn't until the girls noticed  
319 that there was water in the front cab and that's when I said right its time we did  
320 something here and turned the boat towards Melville Island trying to get closest  
321 to land, that was the closest bit of land we had at that stage and I just picked a  
322 point where I could see a bit of white sandy beach and headed straight for it and  
323 within minutes that's how fast the water came in

324 I said Does the engine have any instrument on the control panel to indicate its  
325 performance such as revs, temperature

326 He said There was a speedo to let us know how fast we were going, there's a RPM

327 I said When you said the engine was labouring did the revs fall off

328 He said No the revs didn't fall off, but you could hear it, so still pushing the boat along,  
329 and its still trying to do its job but, yeah I could see the speed was coming down  
330 but the revs were still up there, so dunno what it was, didn't know what it was at  
331 the time

332 I said So when did you finally realise you had to do something desperate

333 He said When the water was seen in the front of the boat

334 I said So what action did you take

335 He said That's when I turned the boat towards Melville Island and started travelling back  
336 towards that beach so I could get us closer to land as possible

337 I said So what stage did you realise that you were going to have to abandon the boat

338 He said Oh when it started going down We were told by sat phone the boat wouldn't sink

339 I said Who told you that

340 He said We were told that the boat was designed to float, even if it was going to sink, so  
341 we were to stay with the boat  
342 I said And this was by the shore party was it  
343 He said Mm  
344 I said So did you then go to deploy the life raft  
345 He said Yeah when the girls, once the girls saw the water inside the front of the cab that's  
346 when I turned the boat to land that's when we started getting water and things  
347 organised making sure the sat phone was turned on ready to be used with the  
348 box, thank god it was in a water proof box. Then the water came in over the back  
349 of the boat and that's when I climbed up to the front released the clamps for the  
350 life raft and by the time I got the life raft off the boat into the water all I was  
351 standing on was the nose of the boat and the girls were already in the water  
352 I said So when you say the waters began to come in the back of the boat it was actually  
353 sinking by this time  
354 He said Yep  
355 I said Oh right, so it wasn't just wave action  
356 He said No; no she was going down fast  
357 I said Did you have any problems getting the clips unfastened on the raft  
358 He said No cause I used a knife and cut the rope  
359 I said Oh right  
360 He said I wasn't going to muck around with any clamps, so I got my life raft into the  
361 water, it was up the right way too and I pulled this bloody 10mts of rope popped  
362 the life raft at the same time a wave hit it turned it upside down  
363 I said What happened then  
364 He said We climbed up on top of it, got out of the water  
365 I said Had you ever been shown how to right a life raft  
366 He said I tried, I had never been shown but its, it was common sense there's a cylinder  
367 where the air was still pumping it up there's a rope that goes across underneath  
368 you put your knees on the cylinder or your legs on the cylinder and you pull the  
369 rope and its supposed to turn upright, but when its got a roof on it which is  
370 deployed underneath the water it acts like a sea anchor and you. I just did not  
371 have the strength after mucking around with that auxiliary motor, I did not have  
372 the strength to pull it up and girls, they couldn't help me they were just as tired  
373 I said So it was a life raft with a canopy



374 He said Yeah  
375 I said I see  
376 He said Orange canopy on top  
377 I said So did you give any instruction to the girls to, in preparation to abandon the boat  
378 or was it just  
379 He said Yeah, grab the sat phone, grab the water, grab your food, grab all your  
380 belongings if you want them, yeah I did that on the go as we were  
381 I said Had you prior to this considered in the event of something silly happening to the  
382 boat what you need to do take with you, had you mentally prepared yourself just  
383 in case  
384 He said You don't go out on a boat thinking that the boats going to sink so what do I  
385 need to take with me, I went out on the boat thinking were going to get home  
386 safely, that was basically all I was thinking about until the boat started to sink  
387 then I started to go through mentally what we needed what we didn't have or  
388 what we did have those sorts of things  
389 I said Ok well, so you got out and you all climbed up on top of the upturned raft  
390 He said Yep  
391 I said So what happened then  
392 He said We got the sat phone out, started ringing the shore party, telling the shore party  
393 or trying to tell them where we were. I did manage to get the latitude off the GPS  
394 but I didn't get the longitude so I could give them something to work on but not a  
395 lot. We used the sat phone to ring Darwin Police and they had a plane up in the  
396 air within a hour and finally found us. we were on the raft for about three hours I  
397 think from memory I'm not sure three hours four hours something like that  
398 I said How did you go with exposure to the elements, anyone affect with sunburn  
399 anything like that  
400 He said No we were pretty well dressed I had overalls on and a hat, <sup>s47F</sup> had her slacks  
401 and shirt, the only thing her slacks were  $\frac{3}{4}$  length so she might have got a bit of  
402 sunburn on the bottom of her legs and feet. <sup>s47F</sup> had a hat and we had towels to  
403 cover people up as well, so we were right  
404 I said So how did you get recovered  
405 He said Um, while we were on the raft we saw the barge leave Melville Island and head  
406 over towards the mainland I'm not sure, can't remember the name of the place it  
407 was going to, but we ended up, when we rang the police we told them, cause they

408 rang us back, gave them the sat phone number to the police, they rang us back.  
409 We told them about the barge that sort of gave them a hint as to where we were  
410 as well, with only the latitude I could give them they didn't really have an idea  
411 where we were. I told them about the barge and they redirected the plane over  
412 toward us we were found and the plane circled us until the barge got there, it was  
413 good  
414 I said How did you go when - so the barge dropped you off  
415 He said Yea the barge picked us up and then took us to their destination where they were  
416 going to and we were on a plane and flew back  
417 I said When you got back to Darwin did you have any medical checks or anything like  
418 that  
419 He said No, not medical  
420 I said They didn't take you to hospital to see if you were ok  
421 He said No I was fine  
422 I said What about counselling  
423 He said Yeah, the very next morning yea, she was, she was there waiting for us the very  
424 next morning early, I used her too  
425 I said Is there anything you could think of that could have been done better or  
426 differently  
427 He said Hindsight is excellent, it really is Yes I would have made sure the life raft was  
428 turned up the right way, that the EBIRP it had of worked, I didn't tell you about  
429 that did I  
430 I said No  
431 He said The EBIRP on the boat didn't work  
432 I said Oh, so they hadn't demonstrated it to you when you took over the boat  
433 He said Oh yea but you're not really allowed to demonstrate it because once they send of  
434 the signal it activates the emergency people  
435 I said Is there a test button on those to test the strobe  
436 He said I'm not sure, I don't know, I can't remember if there is one on this particular  
437 brand model or not, it was a while ago now  
438 I said But it looked ok  
439 He said Oh yea it was still in its plastic bag and sealed so, you know you take these  
440 things for granted if it looks all right you think its going to work  
441 I said So where was that located on the boat, was it strapped in somewhere



442 He said Yea it's on the port side on the inside there was a little alcove for it, clamped in  
443 like a fire extinguisher clamp

444 I said So there was no way it could have been exposed to water or anything

445 He said Well even if it was it was in a plastic bag anyway and it was exposed to the water  
446 when we got under the water because we had <sup>s47F</sup>, maybe <sup>s47F</sup> I'm not sure  
447 which one had it in there hot little hand when they went overboard, I made sure  
448 of that and then when we got onto the raft, I opened up the bag lifted the antenna,  
449 hit the button, nothing

450 I said that one has a strobe has it

451 He said I dunno, its supposed to have a light but in the daytime you couldn't really tell, a  
452 little red light, to tell to see if it was working or not, I couldn't notice whether it  
453 was working with the daylight you know its just - I was I was sure that it was  
454 working

455 I said Did you use the marine radio at anytime

456 He said Unless you were within 20 kms of Darwin Harbour there useless, absolutely  
457 useless

458 I said So what's the requirements for marine radio

459 He said You need to speak to the Northern Territory Government

460 I said Well, that's really all I wanted to talk to you about, we've gone through it all, as I  
461 say if there's anything you can think of later on. Thank you very much for your  
462 time

463

464

465

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470

1 RECORD OF INTERVIEW WITH:

2  
3 s47F at the Defence Establishment Berrimah on Thursday 17  
4 February 2005 in relation to the sinking of the boat 'Red Rain'.  
5

6 Prior to the interview I identified myself as s22 an investigator appointed under  
7 the Occupational Health and Safety (Commonwealth Employment) Act 1991. I showed  
8 s47F my identification, my appointment as an investigator and the Direction to  
9 Conduct an Investigation  
10

11 Taping commenced at 0945 hours  
12

13 I said Ok could you just tell me your full name first s47F

14 He said s47F

15 I said Can you confirm that you was the person that initiated the Coburg Adventure  
16 Training Program in Sept/Oct 2004

17 He said Yes I was

18 I said Who approved that training program

19 He said Ah, the training, the activity was actually approved by s47F  
20 the RM of the organisation

21 I said Who was responsible for the overall management of the exercise

22 He said I was

23 I said What experience have you had with adventure training

24 He said I joined the, Australian regular Army in 1986, and was discharged from the  
25 Australian regular Army on 22 April 2001, I'd had 15 years military experience  
26 and had been involved in a number of similar activities and through I suppose my  
27 training and promotion aspects had the necessary knowledge I suppose to  
28 conduct the activity. I'm also the acting Manager of the JOSS at Larrakeyah  
29 (*Joint Operations Support Section*) and we actually conduct reconnaissance and  
30 liaison activities throughout each year

31 I said Have you had any official training as a trainer

32 He said No

33 I said What triggered the exercise to be conducted



- 34 He said I had seen through past experiences within the organisation trying to integrate  
35 civilian and military individuals in the unit at times there wasn't an  
36 understanding on either side of what the other did and how they carried that out.  
37 I'd actually been giving it some thought for a number of months, a number of  
38 years as to how we could integrate the civilians and the military in the  
39 environment and I myself came up with the idea that, to, I suppose challenge the  
40 thought, challenge the mind the body, would be a good idea and to be able to  
41 carry that out we would need to conduct a challenging event
- 42 I said Is it correct that you requested Casper McDermott to produce training needs  
43 analysis
- 44 He said Yes I did
- 45 I said What was the purpose of the training needs analysis
- 46 He said The training needs analysis and before I go on I'll let you know I have a stutter  
47 so just that your aware of it, because within Defence to identify any activity you  
48 require a training needs analysis and you need to identify what the outcomes of  
49 each of those activities are going to be, he has extensive knowledge in that area, I  
50 didn't have the knowledge in that area to conduct the analysis so I call upon him  
51 to conduct that in which he did. That was submitted to the RM prior to the  
52 activity and from there we started to plan the activity.
- 53 I said Now, in the needs analysis it says you developed a matrix for conducting the  
54 exercise
- 55 He said Yes
- 56 I said Could you provide me with a copy of that
- 57 He said I can it's at the JOSS but I can yep yep
- 58 I said Sometime
- 59 He said It's on disc and it's available electronically
- 60 I said Did the needs analysis determine the type of employee qualifications required to  
61 participate in the exercise
- 62 He said Not specifically no, what it did identify was um sorry could you ask that ah that  
63 question again just so I can just so I can frame.....
- 64 I said To determine the type of employee qualifications required
- 65 He said Ok no it didn't what were looking for was we submitted expressions of interest  
66 from those within the organisation that were looking for a challenge, looking too  
67 step outside their comfort zone and after those expressions of interest were

68 received we then proceeded to ensure that - there are a number of criteria that  
69 they had to meet first, one was that they submitted their expression of interest,  
70 two was they had been released from their area by there section head, three was  
71 that they were physically fit or able to undertake the activity and four no, no just  
72 the three

73 I said So, how was this expression of interest put out, was it general

74 He said Yeah it was a generalised expression of interest it was formulated by myself and  
75 my staff at the JOSS just it was sort framed a number of areas, one the JOSS is -  
76 originally it was only the JOSS that was going to undertake the activity, what we  
77 did was I sent it to Stan the RM and it said would we like to integrate with  
78 civilians in the military within the organisation to get an overview of how we  
79 operate how the military operates, how the civilians think how the military thinks  
80 and try and - it was designed to I suppose to foster better relationships between  
81 the military and civilians and was just a broad outline of the activity, the type of  
82 activities that we'd be conducting throughout that time and then we were asking  
83 for volunteers obviously through those under those 3 areas.

84 I said Ok, would you be able to provide me with a copy of that

85 He said Ah yea I shall I should have it in an email yes

86 I said Ok so, when the needs analysis, when the needs analysis was prepared how did  
87 the person preparing it know what to look at

88 He said It's - the train needs analysis from my understanding was developed from the  
89 Defence Instruction the Defence Instruction, General on adventure training and  
90 there are a number of areas in that, that identify the outcomes required from that  
91 activity

92 I said So did the two of you get together and have discussions

93 He said Ah no it was a call from myself having a look at - I had explained to him what I  
94 wanted done oh sorry not what I wanted done but the activity we were looking at  
95 conducting and could he assist in his capacity at the time, he was the acting  
96 ET&D Manager I think he was at the time, he's undertaken training in that area  
97 obviously we didn't have the expertise to conduct the analysis so I actually  
98 requested that he produce it

99 I said So once the needs analysis was done I believe a general instruction was prepared

100 He said Ah, an administrative it was either a general instruction or administrative, it was  
101 actually 2 instructions released, one was a administrative instruction which



102 broadly outlined the requirements of the exercise and the general instruction  
103 went into more specifics on the requirement for specific competencies,  
104 requirement for licences, requirements for rationing accommodation fuel,  
105 medical those sort of things

106 I said I hadn't noticed they are separate headings

107 He said Whats that

108 I said I hadn't noticed they had separate headings

109 He said Yeah

110 I said These are the documents here.

111 I showed<sup>s47F</sup> the two documents that had been given to me by<sup>s47F</sup>

112 , Comcare Investigator which were titled Administrative Instructions for  
113 Exercise Cobourg Stretch and General Instructions for Exercise Cobourg  
114 Stretch.  
115

116 He said Yeah if you have a look at one of them, one's an administrative instruction the  
117 other one's a general instruction

118 I said Now what were these instructions based on, did you use something else to guide  
119 you on these

120 He said Yeah the set up of an instruction, any activity that you conduct you normally lead  
121 either with an administrative instruction or a general instruction. You can have  
122 one or the other or both and depending on the requirements of the activity, will  
123 actually dictate whether you have one or the other or both because as this was an  
124 adventure training activity it had to be conducted under the auspices of the DIG  
125 so that actually, that did then dictate that we had to provide both

126 I said So DIG sets down the -

127 He said It doesn't specifically set down, 'you have to have an admin instruction and a  
128 general instruction'. Because of the sheer I suppose the sheer effort in planning  
129 the work that has to be conducted the admin instruction was realised to give a  
130 broad overview and then like I said the general instruction would then provide  
131 you with more specifics

132 I said Was this document prepared from scratch or

133 He said Oh its, there's normally a template that you follow that's contained within the  
134 ADFP 102 which is the Australian Defence Force Publication 102 which outlines  
135 you know how you actually set about and obviously with my experience in the

- 136 military and others within the organisation that have experience with putting  
137 them together we used our knowledge in an area to compile them
- 138 I said Now whose decision was it to use the boat in this exercise
- 139 He said Initially it stemmed from just a thought. We were looking at a specific area  
140 within the NT to travel to, both by sea and by road, but initially it was an idea  
141 that stemmed from the JOSS from general discussion I suppose
- 142 I said So what was the purpose of using the boat
- 143 He said I suppose one to, to learn how to - sorry not so much to learn how to navigate but  
144 for those that would be on the vessel to challenge their thoughts to enhance their  
145 ability to navigate, ah and three again stepping outside their comfort zone and  
146 experience the elements
- 147 I said In Annex B of your general instruction you talk about a program, is that a  
148 detailed program of the activities
- 149 He said No, it was actually a list of activities that would be conducted and those could  
150 either be changed, not so much changed but adjusted for timings and depending  
151 on the terrain whether we got up there and I believe that the program was  
152 actually in the general instruction there anyway with the administrative  
153 instruction
- 154 I said Oh was it
- 155 He said There was an annexe released within there had the activities that were going to  
156 be conducted there you go
- 157 I said *(I turned up a page in the Administrative Instructions identified Annex B)* That's  
158 it there is it
- 159 He said Yea
- 160 I said Oh right so that's it there - Annex B of the Admin Instructions
- 161 He said Yeh, so one actually refers to the other in each of the instructions
- 162 I said Did you check with anyone before using the boat that it could legally be used in  
163 the exercise you were doing
- 164 He said Yes, we did we had, I had rigorous negotiation between myself the regional  
165 manager and the OC of the range patrol<sup>547F</sup> and the use of  
166 the boat, the provision, sorry the not the provision the use of the boat, we had to  
167 comply in a particular area to be able to utilise the boat that that actually was that  
168 the skipper of the boat had to have a specific competency and that competency



169 was, they had to have conducted, been involved in and passed a small boat  
170 handlers course

171 I said Did you check with anyone to talk about the hazards that might arise on this sea  
172 passage

173 He said Again we discussed the hazards and the terrain again rigorous negotiations with  
174 the RM, the Regional Manager with other members of the JOSS, and others that  
175 had been to that area before. Casper McDermott had had extensive experience in  
176 that particular area and also <sup>s47F</sup> had, no no it wasn't <sup>s47F</sup> actually  
177 no, Casper McDermott had had extensive experience in that area and again like I  
178 said we had rigorous negotiation with the OC of the Range Control who I  
179 suppose, was the owner of the boat because it was on his sub account. He wanted  
180 to be made - he wanted to be happy first that the competencies were there to  
181 operate the boat before it was utilised.

182 I said Were you made aware during these discussions when this boat was used in a  
183 training exercise it was considered to be a commercial vessel under the Northern  
184 Territory Maritime Act

185 He said No I wasn't

186 I said Because as a commercial vessel it was under 7 meters and vessels under 7 meters  
187 are restricted to 1km from the shoreline

188 He said No I wasn't aware of that at all

189 I said How far did it travel from the shoreline

190 He said From the shore an exact distance I couldn't say however, it hugged the coast on  
191 the way up, so from what I understand it would have been approx 4 kms off  
192 shore at any one time

193 I said Do you recall receiving communication or having discussion with <sup>s47F</sup>  
194 <sup>s47F</sup> on the requirements for the boat to be operating with a person having  
195 coxswains certificate

196 He said Ah no it actually wasn't a coxswains certificate it was a small boat handlers  
197 course competency, was the discussion I had with him and the RM was also  
198 involved in that discussion

199 I said So who was actually in charge of the boat then for the sea passage

200 He said <sup>s47F</sup>, who was the only operator who actually completed a  
201 competency, not on that actual particular vessel itself but on similar vessels

202 I said Did anyone check what the, his qualifications were

- 203 He said I did
- 204 I said Did you sight a certificate
- 205 He said No I didn't sight a certificate, I sighted his competency on the army personal
- 206 administrative system numbers his PM keys
- 207 I said Would his qualifications be at the same level as a coxswain
- 208 He said I couldn't answer that, because, I don't exactly know what a coxswain's
- 209 competencies are, I have a fair idea however, I couldn't say for sure, no
- 210 I said Under the NT Maritime Act, apart from the boat not being permitted to go a
- 211 kilometre from the shore commercial boats have to be commanded by a person
- 212 with a coxswain's certificate
- 213 He said Ok
- 214 I said Did anyone check with the Maritime authorities
- 215 He said No they didn't
- 216 I said Is<sup>s47F</sup> the normal day to day manager of the boat
- 217 He said He manages the Range Control and it's part of their sub account
- 218 I said Who conducted the risk analysis for the exercise
- 219 I said The risk analysis was conducted within the JOSS within my area by myself, t
- 220 <sup>s47F</sup> and <sup>s47F</sup> who's now discharged
- 221 I said There appears to be nothing there in relation to the boat passage was there a
- 222 reason for that
- 223 He said A Boat?
- 224 I said The risks involved in the boat travelling
- 225 He said There was a, from what I sort of remember the activity and the instruction itself
- 226 the risk analysis should have dealt with drowning *(at this point the interviewer*
- 227 *displayed the risk analysis, Section E, of the Admin Instruction document.*
- 228 <sup>s47F</sup> *made the following comments whilst referring to the risk analysis)* deep
- 229 water, rain and changing water levels, ok it's been put down by the looks of it as
- 230 a vehicle accident instead of a passage of the actual boat itself – no it's not there.
- 231 I said Did anyone consider at the time that somebody might fall overboard or the
- 232 weather might deteriorate
- 233 He said We did
- 234 I said Well that's not included
- 235 He said I think it was, from what I remember of the activity and when we conducted the
- 236 risk analysis it looks as though it's been grouped under a general term



237 I said Who was responsible for the overall safety of the operation

238 He said I was

239 I said Are you familiar with, well you are, you've said your familiar with Defence  
240 instruction PERS 14-3 - did you obtain the medical clearances for all of the  
241 participants

242 He said Yes we did, they were all - not observed - examined at, can't remember what it's  
243 called, it's in Cavanagh St

244 I said The Australian Health Services

245 He said Yes, everyone had to undertake that prior to being released

246 I said Did they all provide you with a statement of their medical history

247 He said No once they were examined the reports were sent back to the HR area from  
248 what I understand to <sup>s47F</sup> who then would either let myself  
249 know or the RM who was and who wasn't available to attend the training. The  
250 only who wasn't available at the time to attend was <sup>s47F</sup> because she  
251 didn't have her spectacles with her at the time so she couldn't conduct an eye  
252 test, she actually arranged on that afternoon prior to the activity to go back and  
253 have the eye examination which was conducted and obviously then she was  
254 passed

255 I said Before the exercise, were the participants given a safety briefing

256 He said Yes they were they were given a familiarisation of the vessel itself and its  
257 operating systems

258 I said Were <sup>s47F</sup> and <sup>s47F</sup> present at the time

259 He said Yes they were. It was actually done outside the confines of the JOSS where the  
260 boat was being stored at the time

261 I said So during this briefing were they shown specific things on the boat, like the  
262 beacon, life jackets, extinguisher

263 He said They were shown the positioning of the E purb, they were shown the area where  
264 the jackets were stored, they were shown positions of the anchors, obviously of  
265 the GPS, operation of the outboard - not actually shown the operation of the  
266 outboard but where the controls of the outboard were. They weren't shown  
267 specifics on the engine itself because they weren't operating the vessel. They  
268 were shown also positioning of the lights and a number of the other features on  
269 the boat

270 I said In the DIG at section 11 it says "adventurous training must be conducted under  
 271 the control of appropriate personnel who have competencies to lead the activity".  
 272 In the general instructions at Item 5 you list a number of people who are  
 273 responsible for training, did these people have the training accreditation to do  
 274 that task

275 He said And they were, do you have their names. *(the interviewer displayed the list of*  
 276 *trainers in the General Instruction document)* ok, <sup>s47F</sup> is qualified in  
 277 senior first aid

278 I said Did you sight a certificate

279 He said No, but again I have a list of his competencies on PM keys. Now they cannot be  
 280 entered on keys without the certificate being produced anyway. Myself and  
 281 <sup>s47F</sup> ; I'm ex military, he was military at the time, we both conducted  
 282 an one oh nine course which is very specific to that area. Navigation,  
 283 <sup>s47F</sup> <sup>s47F</sup> are both ex military and had qualified in Nav through  
 284 their promotion courses at the time and COMS again all, those 3 including  
 285 myself, qualified to operate the equipment.

286 I said Do you know if any of them had actually had experience or attended any trainer  
 287 training courses

288 He said Um

289 I said There's a difference between having qualifications and being able to train

290 He said Ok, within the military environment once you have attended those particular  
 291 promotion courses you are qualified to instruct on that piece of equipment, now  
 292 the only train the trainer in a civilian organisation from what I understand is  
 293 <sup>s47F</sup> . Now again the DIG doesn't cover, this is my, not my concerns, but  
 294 one of the points I'd like to make is actually been some general discussion about  
 295 the DIG not covering an integrated environment and I think the, its actually  
 296 signed of by the Chief of the Defence Force instead of the Chief of the Defence  
 297 Force and the Secretary of Defence as well, so that's probably a grey area we  
 298 need to look at anyway but as far as being qualified to instruct on those yes, in a  
 299 military environment

300 I said Now, on the return journey the occupants of the boat changed over

301 He said Yes

302 I said Is there a reason for this



303 He said Ok, as stated in the instruction the return journey was to be confirmed, the  
304 participants - obviously was in there because he was qualified to  
305 operate the boat. The return journey however because of fatigue and a number of  
306 other issues throughout the training. I spoke to the participants the day before and  
307 asked them to ask those who wish to return on the boat to volunteer. The one's  
308 who volunteered were<sup>s47F</sup> and <sup>s47F</sup>, Casper McDermott was  
309 going to go on the boat however, he was fatigued, tired he'd been heavily  
310 involved in training, the participants in other areas, the very hot, it's a very  
311 rugged sort of an area. There was also some concern, not concerns, but some  
312 issues raised when they arrived initially at Blackpoint of the weight of the vessel.  
313 Because it holds 600 odd litres of fuel that's a fair weight for a vessel to hold  
314 with the four on board it didn't plane as efficiently as expected to, so we had  
315 some discussions about that prior to it returning and we decided we'd go back  
316 with three which would obviously allow the boat to plane and get up on it's glide  
317 a lot better, so that's why that decision was made

318 I said When did you become aware that the boat - they thought they were in danger

319 He said Ok, you just have to give me a minute here to, to just recall the timings, ok just to  
320 provide you with the scenario here; I was in charge of the road

321 I Said (Phone interruption) Sorry

322 He said ok, I was in charge of the road party coming back, now<sup>s47F</sup> the RM preferred  
323 me to be in that party because I had overall control of COMS and the situation  
324 awareness I suppose of the whole scope of the activity. Travelling back through -  
325 we'd been on the road, we had left between 0730 and 0800 we had watched the  
326 boat depart they had reported to me once they had refuelled and that would either  
327 be done on by satellite telephone or via HF, which we had in the boat and also in  
328 the Nissan Patrol we were utilising. The boat also had satellite telephone as well  
329 as did the Nissan as well, so we obviously covered each base. Once they  
330 indicated to myself and the others within our crew on the road they had refuelled  
331 and were heading towards Cape Don where they proceeded on, now we had a  
332 policy there where they would ring either on the hour or every, every hour on the  
333 half hour to give us an update which we call a SITREP. That continued - we  
334 didn't get our 9.30 call so I then proceeded to call the boat, on HF, couldn't get  
335 them on HF tried them on satellite phone eventually got<sup>s47F</sup> he said that  
336 "yes they'd just got to Cape Don and they'd continue on from there" I said "is



337 everything fine" "yes everything's fine would continue on," from there I'd also  
 338 ring<sup>s47F</sup> from 0600 in the morning every hour, sorry every 2 hours to  
 339 give him an update on the scenario he said then "guys that's great I'll see you's  
 340 at the boat ramp at Larrakeyah at about 1500 today," "great<sup>s47F</sup> I'll ring you in  
 341 two hours time". From there after Cape Don we continued on, I got a call, I  
 342 either received a call or I rang<sup>s47F</sup> no sorry I rang<sup>s47F</sup> cause I hadn't received  
 343 the next report, rang<sup>s47F</sup> and said "is everything all right," "no the cover has just  
 344 flown off the back of the auxiliary," now the auxiliary obviously sitting down  
 345 below the main outboard and I said "have you hit anything or do you know why  
 346 its flown off, was it loose" he said "I don't know but what I've done is I've, he  
 347 said I've stopped, I notice it had gone" I said "so what are you doing now" he  
 348 said "I'm bringing the auxiliary into the boat" I said "why is it loose, has it  
 349 snapped" he said "no its just loose" I said "that's fine bring it in to the boat,"  
 350 from there he said - once he done it he was very tired after he done that to, not  
 351 sure whether he'd brought it on his own or had assistance from the girls on the  
 352 boat once he done he'd brought in the boat he said that "he was very tired" I said  
 353 "are you ok to continue" "yes I'm just a bit puffed" "ok" I said "have a break  
 354 once you've had a break continue on", from there it must have been within 18-20  
 355 minutes of that, perhaps less, I got a call from<sup>s47F</sup> to say<sup>s47F</sup> were  
 356 taking on water". Because of my limited knowledge of vessels and how they  
 357 operate, that's obviously why I didn't skipper the boat, because of the limits of  
 358 knowledge I have of the vessel, I put him, I put her on the telephone to  
 359 <sup>s47F</sup> who then asked her a series of questions as to how the boat was  
 360 performing. She said to him that "she would relay information". Now like I said,  
 361 I wasn't on the telephone at the time but after discussion with him he mentioned  
 362 that one, the boat wouldn't get up on the plane it felt very heavy, two he asked  
 363 them "how far are you from shore" and she said "approximately 4 kms" and he  
 364 said "how quickly is it coming on" he said "have you switched on the bilge" and  
 365 she said "yes we switched that on and its continued to pump" she said "but the  
 366 back of the boat is getting very heavier and its starting to list," what's the word,  
 367 sort of limp, sort of limp at the back hadn't gone over on any side or anything  
 368 and he said "right, you head to the shore now, head straight for the shore just go  
 369 guns for the shore" cause we knew at that stage there was obviously water  
 370 coming on board she hung up, I rang<sup>s47F</sup> I said<sup>s47F</sup> I rang you 30 mins ago



371 everything was fine, now I need to let you know the boat is taking on water can  
 372 you contact the NT Police". So he asked me a series of questions as well, there  
 373 rough area, we got some rough co ordinates of it at the time and then we hung  
 374 up, waited for <sup>s47F</sup> call - had to ring him, he rang us back on his desk phone  
 375 because the reception on his phone to our satellite phone wasn't great, ok, and  
 376 from there we just continued on, until we had our next update. Within about 3 or  
 377 4 mins up the road we get another call "the boats going down, the boats going  
 378 down, the boats going down," he said "can you continue to shore, how far off  
 379 you now," "a couple of kms" "ok, continue on," rang <sup>s47F</sup> provided him with  
 380 another update, <sup>s47F</sup> had the satellite telephone in the case to keep it dry, by that  
 381 stage we couldn't get HF coms, because there was obviously water coming in the  
 382 boat so it got in the wires so it was affecting the reception on that. From there,  
 383 ok, from there <sup>s47F</sup> was asked to deploy the RFD which is the raft on the front of  
 384 the vessel and we asked him what area the water was coming in

#### 385 Phone Interruption

386 Ok, so where was I up to, ok yes, ok, again had had a chat to <sup>s47F</sup> "s47F is there  
 387 any update on the NT Police" he said "yes," <sup>s47F</sup> from the range control  
 388 which is within our organisation had a very good relationship with <sup>s47F</sup> ; I  
 389 can't remember his last name but knew him from the Water Police and he knew  
 390 him from his time with the military overseas, so he was negotiating, he was  
 391 chatting with <sup>s47F</sup> he was having a chat with <sup>s47F</sup> who was then having a  
 392 chat with the Water Police. The Water Police hadn't made a decision at that  
 393 stage, at this stage we were still chatting with <sup>s47F</sup> , we asked her the  
 394 position of the water coming, it was coming in from the bow and we said "have  
 395 you got your life jackets on," "no we can't get to them cause the front of the boat  
 396 is under water," inside the boat, they are actually under the seats the  
 397 configuration ?? under the seats couldn't get in there cause it was covered in  
 398 water. "Ok have you deployed the RFD, we're just getting on to it, were  
 399 attempting to get on to it now," what I didn't understand at the time was as it  
 400 deployed either a wind gust or a swell had knocked it upside down <sup>s47F</sup>  
 401 had jumped in the water to try and right the RFD not sure why he couldn't but  
 402 obviously through fatigue or whatever, they went to from what I assume, they  
 403 went to attach the rope to the bow of the boat, however because the boat was  
 404 going down they decided that wasn't a good idea so it would drag the RFD down



with it. At this stage a lot of other things were occurring, there were discussions, we were trying to get the NT, ah sorry, the RFDS on the HF coms, it was set up to do that, because of the terrain we were in at the time, in very heavily wooded area we couldn't get them so continued to liaise with<sup>s47F</sup> liaise with the boat and<sup>s47F</sup> was liaising with the NT Police the Water Police. Some minutes had passed they had managed to get on to the RFD however, upside down but they were up there dry and safe,<sup>s47F</sup> had managed to hang on to the sat phone, actually she did very well to do that, hang on to the satellite phone and the case so when she wasn't utilising it, it kept dry and managed to grab some of their gear, not a lot from what I understand just the wallets, keys and a few other things and then we had had a call from, we were still communicating with them on the raft and we said "where is the boat" they said "its gone, its gone its gone its gone" said "how quick did it go down" "a matter of minutes" "how far are you from shore" we just asked them, continually asked them questions to keep their minds active I suppose to assist in, to assist with their mind set I suppose. They then hung up, from what I understand on the RFD, again we rang<sup>s47F</sup>,<sup>s47F</sup> they're on the raft, they were ok at this stage", he said "do they have their life jackets with them" I think at one stage we said yes, cause we thought that they'd actually secured them off the boat, after speaking with them again, then actually having another chat with<sup>s47F</sup> it was confirmed that no, they didn't have the lifejackets on however, they were high and dry on the upturned raft, we asked them to slash a small hole in the raft, cause on the raft were jackets and whatnot however, because of the I suppose the area they were in the deep black sea might have thought well I'm not getting in the water because there are crocodile, sharks could be anything in there, no we'll stay on here, were safe at the moment were not going to drown we can all swim, a couple of other things were said, and again I don't recall exactly, our mood was very stressed at the time as you can imagine and from there hung up from them again, conversed again with<sup>s47F</sup> just to confirm no they didn't have the jackets on, were high and dry,<sup>s47F</sup> asked me a question about how many were on the raft he thought he had one missing, cause on the general instruction originally it said that 4 returning on the boat but that was to be confirmed. I confirmed with<sup>s47F</sup> that I know there were in fact 3 and the rest of the party were on the road, so he was happy with that. We then got a call from<sup>s47F</sup> to say that they had just spotted a barge in the



distance, wasn't sure which type of barge, we sort of figured out the only barge does the runner through that area would be the Perkins shipping barge. We got some co ordinates of them again, again we checked the co ordinates with them, <sup>s47F</sup> had only managed to get either the longitude or the latitude so we had a fair idea the sort of direction they were in, they were a couple of kms off shore around the Western end of the (SOMETHING) islands. From there we relayed that information to <sup>s47F</sup>, <sup>s47F</sup> had also without our knowledge had also been chatting with the boat at the time, so he could get their reception from his office having a chat from the office phone the sat phone, so he'd had a chat with <sup>s47F</sup> as well, the NT Police decided against sending a chopper up they decided maybe easier cause the law of the sea says if your distress you must assist. We had the majority of information before we were just coming into telephone range at Jabaroo just as you go, you cross the river there, ?? <sup>s47F</sup> he said they were sending the barge, the barge was on route to collect them, they were all at this stage they were safe and the NT Police had the situation in hand at that stage. Again we had another chat with the boat, sorry, with the raft, cause obviously the boat was gone just to confirm that they were ok, then we continued into Jabaroo, refuel, got a call from <sup>s47F</sup> just to say "look mate, guys everything's in hand there's no need to panic about anything" which we weren't anyway, I mean the whole scenario was kept very very calm more for them out on the water, to know we had things in control, which we did at the time, the procedures we had in place and the planning we'd done prior to the activity with having backup COMMS had worked, it worked well, we were able to converse with them and he was able to converse with NT Police, followed from there, and from there we stopped at Jabaroo to refuel.

I said Just one thing that you might be able to help me with. <sup>s47F</sup> said that while they were on the phone with someone, they were being told that the boat, they had to stay with the boat because it wouldn't sink

He said ok, yeah, now that's, and I will go into that. On advice we had from Range Control prior to the activity, we were told in no uncertain terms, that the boat was built to survey which and from my understanding of that and others in the activity the boat can sink but it floats below the water at knee level. Now that didn't occur and we were shocked to hear that that was actually the case, we didn't actually find out until we returned that it wasn't built to survey so yes that

473 is correct and some of the looks on our I suppose our reaction to the boat going  
474 down so quick was there was a massive mechanical failure there of some sort.

475 I said Since the training exercise, have you compiled any activity reports

476 He said Ok, the reports that have been conducted, sorry have been compiled at this stage  
477 obviously are returning on the day and being very highly stressed about the  
478 activity, a lot of us were very deeply affected by the incident by myself  
479 especially, I took obviously a lot of the not so much the blame but the  
480 responsibility for what happened, I was fairly upset by the whole incident, the  
481 RM and a lot of the Managers had remained behind at work to greet us when we  
482 come in, <sup>s47F</sup> who is one of the Managers in the IT area we didn't compile  
483 anything that afternoon, that afternoon was there to ensure that we got them, that  
484 they arrived at Cape Don and then we'd arranged to fly them home that night to  
485 their wives, their kids, their families. <sup>s47F</sup> came in the following day, I  
486 came in I met him in the headquarters there and we compiled a quick assessment  
487 just as to how the incidents occurred and what path should be followed, either an  
488 investigation a whatever it may be. I then sat down with <sup>s47F</sup>  
489 and we conducted, we compiled a similar to an activity report but a quick brief  
490 for the Minister that had to be despatched obviously, cause it was on channel 9  
491 news and we don't want the Minister embarrassed not knowing whats going on,  
492 that was also done that day, also on that day I sat down with <sup>s47F</sup> and  
493 <sup>s47F</sup> whose the OHS Co coordinator and we compiled the COMCARE  
494 form, we had to compile, it had to be within 24 hours but no post activity report,  
495 no

496 I said <sup>s47F</sup> would have a copy of that

497 He said <sup>s47F</sup> or <sup>s47F</sup> would have a copy of all those, and there all held electronically  
498 anyway

499 I said Is there anything you think that if you were doing this sort of exercise again you  
500 could do better?

501 He said I mean there's always lessons learnt from any activity you conduct I mean we  
502 always learn lessons from anything we do, obviously if I had of known the boat  
503 wasn't built to that particular survey, if I had of known that perhaps if you know  
504 if I knew at the time and had of been provided with the advice that the boat  
505 wasn't meant to go more than a km of shore well obviously then we perhaps



506 wouldn't have conducted the activity with the vessel we may have conducted  
507 another activity, again lessons learnt obviously it was a very rewarding activity

508

509 END OF TAPE

510

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1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
 2 Establishment, Berrimah, NT on Tuesday 15 February 2005 in relation to the sinking of  
 3 the boat Red Rain which placed the health and safety to three Defence employees at risk.

4  
 5 I <sup>s47F</sup> am employed by the Department of Defence and hold the rank of  
 6 Major in the Australian Regular Army. My Service Number is <sup>s47F</sup> and my PM Key  
 7 Number is <sup>s47F</sup>. My current billet is Manager Ranges and Training Northern Region.  
 8 I am attached to SCIG who look after the facilities for Defence. My immediate  
 9 supervisor is <sup>s47F</sup> the Regional Manager. As the Range Manager I have a  
 10 responsibility for the security and maintenance of the Ranges and Training areas. To  
 11 facilitate this we are equipped with a range of equipment such as 4WD, quads and boats.  
 12 The boat that was used for the Cobourg Stretch training exercise belonged to my  
 13 establishment under my day to day management. The boat had been purchased in 2001  
 14 from GS Marine by my predecessor <sup>s47F</sup>. The boat is used for patrolling  
 15 coastal and river access areas into the training area. When we operate the boat the person  
 16 in charge must hold a coxswain's certificate – whilst there is no DI(G) there are a number  
 17 of defence manuals on small boat operation. To the best of my knowledge the boat had  
 18 been loaned to other organisations and it had been damaged so I was reluctant to release  
 19 it for this exercise. I made it known to the regional manager that I was unhappy releasing  
 20 it to persons outside of my authority who I had no knowledge of their ability to command  
 21 the boat. The Regional Manager pointed out that the boat was part of CSIG and that I  
 22 should release the boat for the exercise. Because we don't normally let the boat out of  
 23 our management we did not have a written procedure for handing the boat over. My  
 24 sergeant <sup>s47F</sup> delivered the boat to JOSS with my instructions to thoroughly  
 25 brief <sup>s47F</sup> who was to take charge of the boat on its safety features. I would have  
 26 preferred <sup>s47F</sup> to spend a couple of days with us but that was not possible. To the  
 27 best of my knowledge all of the safety equipment was on the boat and functional. <sup>s47F</sup>  
 28 specifically instructed <sup>s47F</sup> on the care of the EPRB and deployment of the  
 29 raft. I am not sure if the life raft case has any instructions on the outside but I will find  
 30 out. I am aware of <sup>s47F</sup> but I am not aware that he has had any association  
 31 with the boat. I cannot say why he would say the boat was unsinkable.

32  
 33 Question by <sup>s22</sup> – Did you have any written records of your communications with  
 34 the Regional Manager or the Acting Manager JOSS.

35  
 36 <sup>s47F</sup> 1 - Yes

37  
 38 <sup>s22</sup> - Will you to provide me with any correspondence or emails relating to the  
 39 transfer of the boat to JOSS. I make this request under the authority to granted to me in  
 40 Sect.42 of the Occupational Health and Safety (Commonwealth Employment) Act 1991.

41  
 42 <sup>s47F</sup> provided me with a bundle of documents

43  
 44  
 45  
 46 <sup>s47F</sup> Major Royal Australian Army Date – 17 March 2005



STATEMENT 5.2

1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Range Control  
2 Palmerston, NT on Wednesday, 15 June 2005 in relation to the sinking of the boat Red Rain  
3 which placed the health and safety to three Defence employees at risk.

4  
5 I, <sup>s47F</sup>, am employed by the Department of Defence and hold the rank of  
6 Major in the Australian Regular Army. My Service Number is <sup>s47F</sup> and my PM Key Number  
7 is <sup>s47F</sup>. My current posting is as Manager Northern Region Training Areas. I am attached to  
8 CSIG who look after facilities for Defence. My immediate supervisor is <sup>s47F</sup> the  
9 Regional Manager.

10  
11 In relation to the sinking of Red Rain, I confirm the boat was under the general day-to-day  
12 management of Range Control and I explained in my earlier statement what the boat was used  
13 for in its normal day-to-day activities.

14  
15 As far as I am aware, the boat was not under Marine Survey. When the boat was issued to <sup>s47F</sup>  
16 of JOSS by <sup>s47F</sup> of Range Control, all features of the boat were  
17 explained as part of a hand-over brief. The boat had been used by Range Control staff a few  
18 weeks prior to the period it was to be borrowed and all equipment was checked for serviceability.

19  
20 In an exchange of e-mails prior to the provision of the boat, I advised JOSS of Range Control  
21 policy for boat handler's qualifications and referenced Defence policy documents as information  
22 for their use. These documents were: LWP-G 4-3-4 (Small Craft Operators Handbook) and  
23 SAFETYMAN.

24  
25  
26  
27  
28 <sup>s47F</sup>, Major Australian Regular Army, Dated - June 2005

1 Interview with Casper McDermott by Robert Wray, Comcare Investigator at Defence  
2 Establishment, Berrimah, NT on Tuesday 15 February 2005 in relation to the sinking of  
3 the boat Red Rain which placed the health and safety to three Defence employees at risk.  
4

5 I Casper Jacob McDermott am employed by CSIG as the Human Resource Development  
6 Advise, a position I have held for about 1½ years. Prior to that I was in Training Co-  
7 ordination in the same section. I was the person who prepared the Training Needs  
8 Analysis Document for the Cobourg exercise that took place between 29 October and 5  
9 November 2004. The purpose of the analysis is to outline the value of the training to  
10 individuals in relation to professional development, personal development, team building,  
11 communication, problem solving and building self esteem. The process started with a  
12 proposal both verbal and in the form of a brief from Pat Brown. From information  
13 gathered from him in discussions and research to get an understanding of the project I  
14 prepared a document based on the Training Needs Analysis. The communications with  
15 Pat Brown were mainly on emails and face to face discussion. I will provide you with  
16 copies of any emails I can find in relation to this exercise. I don't have a file with hard  
17 copies of information. I believe Pat would have this. In our discussions I was informed  
18 of the number of people but didn't know who were the specific people who would  
19 participate. The document was prepared knowing the target organization and its  
20 employees because at the time of document being produced the selection of participants  
21 had not taken place. An expression of interest was published following the release of the  
22 Needs Analysis. I did not have a copy of the Administrative Instruction but I was aware  
23 of the contents from discussions with Pat. There were a number of drafts prepared for  
24 comment prior to the final document being prepared.

25 Before I could prepare the analysis I wanted to know about where it was to be conducted  
26 to check the environment. The execution of the program, how it was being conducted –  
27 times and logistics. How was it going to be administered, fuelling, timing and who was  
28 the person in total control. The overall officer in charge of the exercise was the Regional  
29 Manager Stan Mitchell but Pat Brown was the person in charge of the field operation.  
30 The document I prepared covered only the value of the training for participants; it was  
31 not intended as a detailed instruction for carrying out the task. If during my assessment I  
32 determine the program is of no value and if I consider it inappropriate I will report that in  
33 the analysis document. The financial assessment is not part of the analysis – this is a  
34 management responsibility. The reference is DI(G)PERS 14.3 is actually my reference  
35 DWRM CH7 PART 9 which is the document referred to in Clause 13 of the DI(G). I will  
36 provide you with a copy. I don't believe any improvements can be made to the Needs  
37 Analysis process that could impact in the prevention of future incidents. The reference  
38 document for preparing a needs analysis is BSZ503A – Training Needs Analysis – from  
39 the Diploma for Business Needs Analysis – it can be obtained from an Australian  
40 Business University.  
41

42  
43 Casper McDermott  
44

45 Date – 7 April 2005



## STATEMENT 7

1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
2 Establishment, Berrimah, NT on Wednesday 16 February 2005 in relation to the sinking  
3 of the boat Red Rain which placed the health and safety to three Defence employees at  
4 risk.

5  
6  
7 I <sup>s47F</sup> am employed by Department of Defence as a Regional Manager  
8 with CSIG NT/K based at Defence Establishment Berrimah. I have been in the position  
9 since 22 Jan 2004. I was party to the preparation of the procedures and instructions for  
10 the Cobourg Adventurous Training Exercise conducted between 29 Oct and 5 November  
11 2004. I was the authorising officer for the exercise. I signed off the documents. I have  
12 not been involved with an adventurous training exercise before this. The training  
13 exercise was initiated by the Acting Manager JOSS, <sup>s47F</sup> who requested we  
14 conduct the exercise. I was presented with a paper justifying the exercise but I do not  
15 recall if this was done in writing or at a meeting. The process for the training was to do a  
16 Training Needs Analysis and then General Instructions were prepared detailing the  
17 exercise. The GI were prepared by <sup>s47F</sup> and submitted to me for approval. I am  
18 not aware of what qualification <sup>s47F</sup> has for preparing these documents apart from his  
19 current job which is the Acting Manager JOSS where he writes numerous support plans  
20 for training activities. I am aware of emails sent by <sup>s47F</sup> in relation to advice  
21 about adventurous training which made me ask a lot more questions. I'm not aware of  
22 any research into the qualifications of the persons nominated as trainers - I did not  
23 personally do that. I believe this exercise was going to allow participants to develop  
24 various emergency procedures, i.e. first aid, etc. and also to test our communication skills  
25 using equipment that all participants are not normally used to such as satphones. An  
26 expression of interest was sent out to all staff seeking their participation. This detailed  
27 the type of qualities we were looking for in a candidate. There were originally eight  
28 participants but this was later amended to nine. Following selection the participants were  
29 subjected to a medical check by I think HSA. I am not aware of if a physical test was  
30 included in this. These tests were facilitated by <sup>s47F</sup>. The copies of the instructions  
31 you have shown me are the copies of the ones I witnessed. I had input into the  
32 documents as I needed to understand them before signing them. In the first draft you see  
33 I added a clause to ensure that one of the outcomes and the skills that the employees  
34 received would be of value in a post cyclone event. I also reviewed the hazard and risk  
35 analysis attached to the GI. I discussed this with <sup>s47F</sup>. The use of the power boat  
36 was to expose the participants to navigation at sea and use of communications. I'm not  
37 aware of how the boat was used at the training site. I did not view the detailed  
38 programme of events so can't tell you any details of the training. <sup>s47F</sup> was the  
39 person who arranged for the transfer of the boat for Range Control but I do not know any  
40 details about that. The boat is managed on a day to day basis by <sup>s47F</sup> at  
41 Range Control. He would be responsible for ensuring that it would meet all safety  
42 requirements. I am not aware of any communication from <sup>s47F</sup> in relation to  
43 the operation of the boat but he did raise the issue of a qualified driver. I'm not aware of  
44 whether this was checked out. Whilst the boat was not specifically mentioned in the risk  
45 assessment I believe the possibility of drowning was referenced. There was nothing  
46 raised with me in relation to the sea journey of the boat. When the boat incident occurred

STATEMENT 7

I received a phone call saying the boat was taking water and that they'd be heading towards land. I received a second call approximately 10 minutes later saying they were about to enter the life raft. I rang 000 and informed the police of the situation. From then on I was involved in a number of calls between emergency services until the occupants were recovered. I met them at the airport and the participants were offered medical treatment but this was declined. Counselling was arranged for all participants including myself. I had the communications plan changed from around twice a day to 2 hourly as I believed that if there was a boating incident it would be easier to locate the position of the boat within a smaller radius. At the time I don't think there was anything that I could have done to prevent the incident. I sought advice from other people to help me understand the process before signing the documents.

s47F

Date: 1 May 2005



STATEMENT 7.2

1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
2 Establishment, Berrimah, NT on Friday 17 June 2005 in relation to the sinking of the boat  
3 Red Rain which placed the health and safety to three Defence employees at risk.  
4  
5

6 I <sup>s47F</sup> Regional Manager CSIG NT/K make a further statement to the  
7 one I made on 16 February 2005 in relation to the sinking of Red Rain. Where issues or  
8 concerns were raised with me in relation to the exercise, I referred them to the exercise  
9 coordinator <sup>s47F</sup> to ensure that the exercise was to be conducted in accordance with  
10 departmental policy and the safety of our participants was paramount. <sup>s47F</sup> gave  
11 me this assurance.  
12  
13  
14

15 <sup>s47F</sup>  
16

17 Date: 17 June 2005

1 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at Defence  
2 Establishment, Berrimah, NT on Friday 18 February 2005 in relation to the sinking of the  
3 boat Red Rain which placed the health and safety to three Defence employees at risk.  
4  
5

6 I <sup>s47F</sup> am an employee of the Department of Defence and hold the  
7 position Manager Technical Services with CSIG-NT/K based at Defence Establishment  
8 Berrimah. My role at the moment is at ES2 and I manage all of the contracts for  
9 information and communication services, regional planning, staff development, facilities,  
10 environment and OH&S. Prior to 5 Nov 2004 I knew there was an activity planned and  
11 had been asked to attend and that it was intended to be based around Cobourg Peninsular.  
12 I was not involved in the planning of the course. I confirm that all the participants were  
13 members and employees of the Department of Defence. In relation to the application of  
14 the legislation, if the Commonwealth legislation encompasses the Territory legislation we  
15 take the most severe however if there is no Commonwealth legislation we will comply  
16 with the Territory. Generally we will comply with the legislation that has the most severe  
17 impact on the task in hand. I did not have any involvement in the purchase of boat Red  
18 Rain. There is a requirement and facility within the organisation to conduct audits on  
19 technical equipment that is subject to licensing but I have no jurisdiction over the boat. I  
20 have made a recommendation to the Regional Manager for a Board of Inquiry but you  
21 would have to make. If you require a copy of the report you would have to make an  
22 application to the Director General Regions and Bases, <sup>s47F</sup>. I am not aware  
23 of any internal investigation being carried out.  
24  
25  
26  
27

28 <sup>s47F</sup>  
29

30 Date: 17 March 2005  
31  
32



STATEMENT 9

1  
2 Interview with <sup>s47F</sup> by <sup>s22</sup>, Comcare Investigator at GS Marine's  
3 offices, 30 Toupein Rd, Palmerston on Wednesday 15 June 2005 in relation to the sinking  
4 of RED RAIN  
5

6 I <sup>s47F</sup> am employed by GS Marine of 30 Toupein Rd., Palmerston and was  
7 employed at GS Marine at the time of the purchase of Red Rain by the Defence Force.  
8 At the time of building the boat in discussions with <sup>s47F</sup> I asked if the boat was  
9 required to be surveyed. <sup>s47F</sup> said he would let me know and a few days later he  
10 got back to me and said it was not required to be surveyed. Some time later I found out  
11 that the boat was going to be used along the coast to access some creeks. As all of the  
12 buoyancy had been removed to fit equipment into the boat I recommended they fit a life  
13 raft, which was agreed to.  
14

15 <sup>s47F</sup>, 15/6/05  
16

17 I declare that I have attained the age of 18 years and I have read this statement before  
18 signing it and;  
19

20 I make this solemn declaration by virtue of the Oaths Act and conscientiously believe the  
21 statement of two pages contained in this declaration to be true in every particular. I  
22 acknowledge that a person wilfully making a false statement in a statutory declaration is  
23 guilty of an offence.  
24

25 Declared at this day of 2005  
26

27 Signed  
28

29 Before me (witness signature)  
30

Print name and contact address

## FILE NOTE 1

15.2.05

Meeting with <sup>s47F</sup>, Director GS Marine at their premises at Palmerston, NT.  
Manufactured boat.

GS Marine were approached by <sup>s47F</sup> (the Range Manger) on 8 June 2001 with a proposal to quote for an aluminium boat.

A standard hull was proposed with modifications to the client's requirements. These included:

- Changes to the shelter cabin
- Removal of the buoyancy packs to increase the space available inside the hull
- A life raft to be fitted on the bow section (this was recommended by GS to offset the removal of buoyancy packs)

Two quotes were requested – one with the boat in-survey and one with no survey.

The boat was not presented for survey but the standard configured boat is to Class 2C under NT Maritime Regulations.

There is no requirement under NT legislation for this boat to be registered.

The life raft fitted to the boat was obtained from RFD Pacific in Townsville and was secured to the bow apron. It was in a case and only required the removal of a pin to release for deployment. <sup>s47F</sup> could not understand how it could have inflated upside down unless the rope had become entangled and it had not been able to float freely before inflation occurred. He believed the instructions for deployment were clearly marked on the outside of the casing.

The boat was equipped with an EPIRB – he could not understand how under normal conditions it had failed to function. He thought it must have been dropped for the seal to fail – had it been tested properly before departure the defect should have been detected.

In relation to the damage to the hull he believed that the boat must have hit something very hard. The hull is 5 mm thick sheet and for that much damage to be caused the boat would have nearly stopped dead in the water. It could not understand how anyone in the boat at the time would not have been aware that they had hit something.



FILE NOTE 2

16.2.05

Meeting with NT Maritime Safety Officers <sup>s47F</sup> – Principal Surveyor, <sup>s47F</sup>  
, Senior Marine Surveyor in relation to the sinking of CSIG's Red Rain.

I was informed that the NT Marine Act can be accessed on the NT Government website.

I explained the reason for my visit and they were familiar with the incident as one of their surveyors had assisted <sup>s47F</sup> (NT Worksafe – Comcare Investigator) and had prepared a report on the condition of the boat.

The duty that the boat was performing (training of employees, security patrols by Range Control) fell within the definition of a commercial boat as such it should be surveyed and would be classified 2D. They were aware of the class of boat manufactured by GS Marine – five had been presented to NT Marine for survey and were all classified 2D as they were under 7m in length.

These vessels are restricted to 'sheltered waters' which is defined as a number of gazetted areas such as rivers and lakes and up to 1 km from the coast.

The vessels require the driver to have a 15 km coxswain's certificate which includes training in shipboard safety, radio operation, fire fighting, advanced first aid, navigation, etc.

The 'Red Rain' should not have been used for this exercise.

FILE NOTE 3

Record of phone conversation with <sup>s47F</sup> , Friday 16 December 2005.

I questioned him about a comment he had made in an email to <sup>s47F</sup> on 25 August 2004 in relation to Red Rain having been damaged when on loan to another unit on a previous occasion.

He informed me that this had been when <sup>s47F</sup> was the Range Manager. He was not aware of the full details but he was aware that the sides of the hull had been scratched. This had resulted in <sup>s47F</sup> implementing a policy of not lending the boat out to other units.

The damage had been surface scratching only and had not impacted on the strength of the hull.



Attachments



Australian Government

Comcare

In Reply Quote: Investigation 2883  
 Facsimile: (08) 8124 0413  
 Telephone: (08) 8124 0504

## **Direction to Conduct an Investigation**

*Occupational Health & Safety [Commonwealth Employment] Act, 1991 (The Act)*

s22

DLI Safety Services  
 4 Ryan Ave  
 Athelstone SA 5076

On 5 October 2004 two employees of the Department of Defence, Corporate Services and Infrastructure Group, Northern Territory – Kimberly Region (CSI NT-K) accompanied by an Army member were at sea approximately 1.5 kilometers off Napier Bay, Coburg Peninsula, in a 6.5 metre half cabin cruiser. The vessel began taking on water and the three Defence employees were forced to take to life rafts and activate an Emergency Position Indicating Radio Beacon (EPIRB). They were subsequently rescued and flown to Darwin.

Comcare was advised of the incident on 15 October 2004. <sup>s47F</sup> of NT Worksafe commenced an investigation under the Act. <sup>s47F</sup> has advised Comcare that he is unable to complete the investigation in the time frame required.

You are directed to continue the above investigation. Please liaise with <sup>s47F</sup> as necessary. He can be contacted on (08) 8999 5118.

Please investigate the matter under the relevant provisions of the *Act* and ascertain:

- whether the requirements of the Act are being complied with,
- whether there have been any breaches of the Act or Regulations, and
- the circumstances which led to the accident.

The initial contact person is <sup>s47F</sup>, Regional OHS Co-ordinator, CSI NT-K, telephone on <sup>s47F</sup>, or mobile <sup>s47F</sup>. You should also ensure that the Regional Manager CSI NT-K and the relevant Health and Safety Representative are advised of your investigation.

Please forward a report to this office by 28 February 2005.

Your contact in Comcare for this investigation is <sup>s47F</sup> on <sup>s47F</sup>.

<sup>s47F</sup>

A/g Team Leader  
 SA/WA/NT Team  
 Workplace Safety Group  
 Sub-delegate of the  
 Safety Rehabilitation and Compensation Commission

28 January 2005



# ATTACHMENT B1

## Timeline for the Incident

Date / Time	Details
July 2004	s47F, Acting Manager JOSS holds discussions with s47F, Regional Manager CSI NT/K and receives approval to conduct an adventurous exercise
July / Oct	A number of emails between s47F and MAJ Darlington, OC Northern Regional Training Area relating to the release of the Training Range boat 'Red Rain' for use in the adventurous training exercise.
22 Sept	Boat handed over to CSI NT/K. SGT Allen was briefed on the equipment but no testing of equipment carried out
24 Sept	s47F formally approves the General Instruction for the exercise
29 Sept	Boat and road parties deploy to Cobourg Peninsular
30 Sept/4 Oct	Training exercises conducted at and around Cobourg Peninsular
5 Oct	<p><b>Day of incident:</b> Times given by boat occupants are confused, the following times are taken from the NT Police Report</p> <p>0710 – Red Rain departs Smith Point for Seven Spirit Bay to refuel. s47F in command. s47F and s47F as passengers. Problems experience with stability of boat.</p> <p>0725 – fuel taken on at Seven Spirit Bay</p> <p>0815 - continued on journey to Darwin. Still problems with boat stability</p> <p>0915 – first navigation check point – stopped for smoke and contacted road party. On recommencing journey unusual plume of water noticed from back of boat Auxiliary motor found to have come loose and dragging in water by safety chain. Stopped to recover which took about 40 minutes. Reported to shore party and continued on way. Boat stability appears to have worsened – not planing correctly, engine js' didn't sound right. s47F did not see this as a problem.</p> <p>1055 – water in bottom of boat - a number of calls to road party – assurance given that boat cannot sink, s47F heads for nearest land on Melville Island. Water rapidly entering boat so decision to launch the life raft. Unable to access the life jackets which were now under water in the cabin locker. Life raft deploys upside down – unable to right it so occupants climb on exposed bottom surface. EPIRB activated but not working.</p> <p>1125 – NT Police notified of incident – search plan activated</p> <p>1220 – aircraft deployed to search area but initially unable to find life raft as no specific location identified by boat occupants.</p> <p>1256 – boat occupants sight plane but unable to attract attention – flares are in the upturned life raft.</p> <p>1310 – plane locates raft and contacts by satellite phone – barge in area directed to location for rescue.</p> <p>1400 approx – recovered by barge and transported to Cape Don.</p> <p>Later that day flown to Darwin</p>

## Timeline for the Investigation

Date / Time	Details
2004	
15 October	Direction to investigate the incident issued to s47F of NT Worksafe
28 Jan 2005	Comcare notified that s47F unable to continue with investigation. Direction to Conduct an Investigation issued to s22 .
14 Feb	Meeting with s47F at NT Worksafe to discuss investigation. He provided me with a number of documents relating to the incident  Attended at CSI NT/K offices at Defence Establishment Berrimah – presented my credentials to s47F , Manger Technical Services  – interviewed s47F , s47F – occupants of boat
15 Feb	Interviewed Mr McDermott course participant, s47F Range Manager. Conducted a recorded interview with s47F , boat commander
16 Feb	Met with s47F , Director GS Marine services to discuss construction and specification of Red Rain – made notes of the conversation.  Met with s47F , Principal Surveyor, NT Maritime Safety – he provided me with copies of marine safety documents and directed me to sections of the NT legislation governing boats. I made notes of the meeting  Interviewed s47F , CSI NT/K Regional Manager who approved exercise
17 Feb	Recorded interview with s47F , Acting Manager JOSS, exercise organiser.
18 Feb	Interviewed s47F
22 Mar	Contacted RFD Pacific – life raft manufacturer
March	Researched Defence publications and NT legislation
14 Apr	Contacted SA Transport re s47F qualifications
May	Researched Defence publications and SA boating legislation
2 June	Visited local marine outlets to discuss testing of EPIRBs
15 Jun	Re-interviewed s47F , Interviewed s47F , GS Marine sales person
17 Jun	Re-interviewed s47F
Aug	Prepared draft report
17 Aug	Draft to Comcare
7 Sept	Received information relating to life raft operation from RFD Pacific
29 Sep	Received missing sections of Admin Instructions from CSI NT/K
16 Oct	Updated draft report to Comcare
25 Oct	Final report to Comcare
Nov/Dec	Addressed issues raised by Comcare, contacted s47F re previous damage to Red Rain – s47F and s47F for s47F contact details.



16 Dec 2005	Phone conversation with <sup>s47F</sup> – condition of Red Rain
16 Dec	Informed by <sup>s47F</sup> that Army Records will not release details on <sup>s47F</sup> – letter sent to Army Central Records
20 Dec	Final report completed

Telephone s47F  
Facsimile s47F  
Mobile s47F  
Sat Phone: s47F

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-----Original Message--Sent by: s47F on 14/07/04 9:34:41-----

Original sent to: s47F  
Original cc'd to: s47F, OPS3 JOSSNTK,

s47F,

I have recently had discussions with s47F regarding the JOSS conducting its own adventure training type activity during the period 29 Sep - 05 Oct 04. The training will be conducted between Darwin and the Coburg Peninsula involving a road party and boat party.

To that end, I request the use of the Range Control vessel for this activity. I have identified a member of CSI-NT/K to operate the vessel during this period and seek your concurrence with this request. I have spoken with s47F and he has indicated that he is likely to endorse the activity and use of the vessel subject to strict operating procedures/conditions. The activity will involve JOSS Staff, Mr. Caspar McDermott (Boat Operator), possibly s47F (ILO) and Expressions of Interest will be asked for participants from CSI-NT/K. s47F has had significant experience in the operation of your vessel and conducted guides and boundary runs around BFTA and YSTA last year with s47F and the Range Control staff.

I understand that the vessel has had limited use over the past 12 months and I see this as an opportunity to test the vessel and it's systems during a controlled activity.

I am available to provide you with a brief on the activity and it's aims. Please feel free to give me a call at your convenience.

Cheers

s47F

A/MJOSS J3  
JOSS-NT/K  
Tel: s47F  
Fax: s47F  
Mob: s47F  
JOSS Email: s47F

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Original cc'd to: OPS3 JOSSNTK,

Thanks s47F

I'll await your reply

Cheers

s47F

A/MJOSS J3

JOSS-NT/K

Tel: s47F

Fax: (s47F

Mob: s47F

JOSS Email: s47F

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s47F

14/07/2004 10:19

s47F

s47F

14/07/2004 10:19

To: s47F

cc:

1

, OPS3 JOSSNTK@AUSTDEFENCE, Range Staff

Subject: SEC: UNCLASSIFIED:-JOSS RETREAT/ADVENTURE TRG - 29 SEP - 05 OCT 04

s47F

I will have to consider your request for both the use of the boat and the dates you require it. We too have been contemplating conducting like activities once things quiet down here but maybe Range Control and JOSS can get involved together on this. I will be happy to discuss this with you at some time.

The other issue may be Defence authorisation for driving of the boat. As Commonwealth equipment and personnel, we have a duty of care to ensure suitably qualified people conduct the activity and manage the equipment. As such, I have been only authorising qualified Military Small Boat Handlers to take the boat out. I have also contacted the Australian Maritime College and Charles Darwin Uni about conducting a similar civilian qualification so I am not reliant on the Military courses. My intent was to run such a course as part of Range Control Adventure Training at the end of the campaign season but I will not broach the subject with the RM until I have costs and justifications fully worked out.

I will discuss your request with my team in light of what we need to achieve here at Range Control and get back to you.

Peter

s47F

MAJ

OC Northern Region Training Areas

CSINT/K

Mailtc s47F



s47F

15/07/04 15:18

To: OPS3 JOSSNTK@AUSTDEFENCE  
 cc: s47F I/OTHER/DOD/AU@AUSTDEFENCE, Range Staff 1  
 Subject: SEC: UNCLASSIFIED:-JOSS RETREAT/ADVENTURE TRG - 29  
 SEP - 05 OCT 04

ACK s47F

While I am considering our interests and Dept. qualification requirements, I take it you have planned this activity IAW The provisions of the Defence Organisation Policy on Adventurous Training contained in DI(G) PERS 14-3 particularly in the section on planning guidance and participation by Defence Civilians?

Not trying to rain on your parade but here are some points FYI:

#### Participants in adventurous training

13. Defence civilian personnel may participate, and are encouraged to do so, in adventurous training activities where it can be demonstrated that their involvement provides a benefit to the operation of the unit/ship/directorate and participation is supported by their supervisor. Guidance on the participation of civilian staff in Service activities that fall outside their normal duties may be obtained from Director, Civilian Personnel Policy.

#### Health Planning Considerations for Adventurous Training Activities

**Medical and dental.** The following considerations are to be specifically addressed in the mounting instruction for an adventurous training activity to the satisfaction of the mounting authority.

- a. **Medical eligibility.** Participants in adventurous training activities should be fit for operational deployment. In the case of Army participants they should have a PES of FE or CZE, RAAF participants an ES of A1/A4 G1 Z1/Z2 and RAN participants an ES of Category 1. For Defence civilian personnel, the onus is on the individual to obtain appropriate written medical clearance from their doctor. Within seven days of departure a freedom from illness and injury check is to be carried out by a Service medical officer as a final medical clearance.
- b. **Physical fitness.** If there is any doubt about a member's physical fitness, and there is insufficient time to train adequately before the commencement of the activity, the member is not to proceed on the deployment. All participants must have achieved their service physical performance standard(s) within the past twelve months. Defence civilian personnel must demonstrate they have suitable physical fitness and this may be assessed locally by the activity CO. RAN personnel are to undertake a Strenuous Physical Course medical in accordance with (iaw) Australian Book of Reference 1991- RAN Health Services Manual, volume 1, chapter 7, paragraph 145-7.

Of concern to me is the use, in the above DI(G) extracts, of the term "Defence Civilian" as the only official definition I know of for this term is from the DFDA ie:

s3 of the DFDA defines "defence civilian" as a person (other than a defence member) who:

- (a) with the authority of an authorised officer, accompanies a part of the Defence Force that is:
  - (i) outside Australia; or
  - (ii) on operations against the enemy; and
- (b) has consented, in writing, to subject himself or herself to Defence Force discipline while so accompanying that part of the Defence Force.

Either the author of the DI(G) has misused the term, or any participants will be required to sign up to the DFDA IAW the Act. (From past experience, I know that I had one of my Civ project team sign up as a Defence Civilian a few years ago so that they could travel to support Mil



exercises and Ops.

Other than the above info, I wouldn't mind getting some info from you re the planned activity to see if my pers can fit in with it. We may consider meeting to discuss the synergetic aspects.  
cheers,  
s47F

-----Original Message--Sent by: s47F on 14/07/04 10:23:20-----

Original sent to: s47F  
Original cc'd to: OPS3 JOSSNTK,

Thanks s47F

I'll await your reply

Cheers

s47F

A/MJOSS J3  
JOSS-NT/K  
Tel: s47F  
Fax: s47F  
Mob: s47F  
JOSS Email: s47F

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s47F 14/07/2004 10:19

s47F

14/07/2004 10:19

To: s47F I/DCSC-ROBERTSON/NOR/DOD/AU@AUSTDEFENCE  
cc: s47F I/OTHER/DOD/AU@AUSTDEFENCE, OPS3 JOSSNTK@AUSTDEFENCE, Range Staff  
1

Subject: SEC: UNCLASSIFIED:-JOSS RETREAT/ADVENTURE TRG - 29 SEP - 05 OCT 04

s47F

I will have to consider your request for both the use of the boat and the dates you require it. We too have been contemplating conducting like activities once things quiet down here but maybe Range Control and JOSS can get involved together on this. I will be happy to discuss this with you at some time.

The other issue may be Defence authorisation for driving of the boat. As Commonwealth equipment and personnel, we have a duty of care to ensure suitably qualified people conduct the activity and manage the equipment. As such, I have been only authorising qualified Military Small Boat Handlers to take the boat out. I have also contacted the Australian Maritime College and Charles Darwin Uni about conducting a similar civilian qualification so I am not reliant on the Military courses. My intent was to run such a course as part of Range Control Adventure Training at the end of the campaign season but I will not broach the subject with the RM until I have costs and justifications fully worked out.

८५

I am well aware of the Defence Instruction which dictates the procedures and policy for Adventure Training and don't need to be told how to suck eggs. I served 15 years in the Army prior to my appointment into the APS and have significant experience in this field. The activity is not solely Adventure Training and is in fact a combination of both adventure training and a retreat for JOSS personnel and 4 other members of CSI-NT/K who have worked tirelessly over the past 18 months without any respite. A training needs analysis has been completed for the activity and the activity also has the endorsement of the Regional Manager.

The Instruction (DI9G) PERS 14-3 does not mention Defence Civilians specifically as it only uses the term *'Defence civilian personnel'* in the text of specific paragraphs to detail the voluntary nature of their attendance. Civilians participating in this activity do not come under the auspices of the DFDA and their attendance is voluntary only.

I appreciate your concerns with this type of activity, however, it is not warranted, as the JOSS has approx 68 years of combined military experience to draw upon and have conducted similar activities in the past with great success. I also need to point out that there is no requirement to have a Military Small Boat Handlers cse to operate the vessel in the NT as the vessel is under 7m in length. There is no requirement within the NT to have a licence for a vessel under that length, however, if you consider the risk too high then I will take alternative steps to secure a vessel for the activity using other means available to me. I agree, it is a commonwealth asset, however, so is a military CL vehicle, a leaseplan vehicle, HF Codan, Tait UHF and all of the other equipment we utilise safely and efficiently on a daily basis.

Regards

A/MJOSS J3  
JOSS-NT/K  
Tel: (s47F  
Fax: s47F  
Mob: s47F  
JOSS Email: OPS3JOSSNTK@defence.gov.au

s47F

15/07/2004 15:18



C6

s47F at To: s47F /ARMY/DOD/AU@AUSTDEFENCE  
NOR cc: OPS3 JOSSNTK@AUSTDEFENCE, Casper  
Sent by: s47F Mcdermott/DCSC-ROBERTSON/NOR/DOD/AU@AUSTDEFENCE  
, s47F /APS/DOD/AU@AUSTDEFENCE, s47F  
26/07/04 15:24 /OTHER/DOD/AU@AUSTDEFENCE  
Subject: SEC: UNCLASSIFIED:-EX COBURG STRETCH 04

s47F

As previously mentioned the JOSS intends to hold an Adventure Training/Cyclone Preparedness training during the period 29 Sep - 05 Oct 04 en route to and on Coburg Peninsula. I am of the understanding that the Range Control boat has not been operated for approx 9 months (in the water) and therefore propose to test the vessel prior to our departure, to ascertain if all operating systems on the vessel are in need of servicing or not.

I am conducting an initial planning conference Tues 3 Aug 04 with the members of the JOSS and Caspar McDermott from ET&D. Prior to that conference I need to ascertain if the vessel has undergone servicing and if not, what business do you utilise to service the boat (GS Marine ?????).

s47F has endorsed the activity and I will be forwarding Expressions of Interest (EOI) out to CSI-NT/K Staff after that conference seeking 3 personnel to be involved in the activity as participants.

If you could kindly answer my queries above this will assist me in my planning for the activity. I will let you know the outcomes of the IPC after it's conclusion next week.

Should you have any questions please don't hesitate to contact me

Cheers

s47F

A/MJOSS J3

JOSS-NT/K

Tel: s47F

Fax: s47F

Mob: s47F

JOSS Email: [OPS3JOSSNTK@defence.gov.au](mailto:OPS3JOSSNTK@defence.gov.au)

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Annex A to DI(G) PERS 14-3 identifies that: "Personnel preparing administrative instructions or submissions for approval should consider inclusion of: c. nominal roll of participants (identify qualified adventurous training leader/s and their level of competency)."

I believe that the issue of qualifications and levels of competency for this EX should be addressed in the Admin Instr to cover you in your duty of care responsibilities in case anything goes wrong.

ie:

The doc does not address that the learning outcomes can be adequately covered because there is no proof that any specific individual is a:

- qualified Adventure Training Instructor;
- qualified small boat handler;
- qualified survival instructor;
- qualified first aid instructor;
- qualified medic (for remote activities);
- qualified vehicle recovery instructor; or
- qualified cross-country driving instructor.

I also note that some Military staff are attending. They particularly are required to be fully qualified/ADF licensed before they can (for example) drive off formed roads or conduct recovery, etc in ADO vehicles). Also, I still have concerns that APS staff using ADO equipment should, as a duty of care, be formally qualified and show proof of that qualification prior being authorised to use / operate it.

Also, I note in Annex B of the instr that some of the learning activities are: Use of Comms equip/testing, basic survival techniques, recovery procedures, first aid, marine vessel familiarisation, land and marine navigation, and cultural awareness. The instruction does not identify who will be giving proficient instruction on each of these skills.

On other matters out of the Admin Instr:

- You may want to address if military members are to wear or not to wear uniform.
- You may want to mention that Civil Liaison had been conducted with local authorities/communities for the conduct of an ADO EX in their region.
- You may want to identify that a qualified Medic is going to be in attendance to use the "comprehensive first aid kit. The instr does not mention if SGT Allen is qualified to be the medic in attendance.
- You may want to stipulate a definite schedule of comms checks (particularly for the sea party). It may be worthwhile to issue that as a frago to show we are maintaining safety comms.

For your consideration,  
cheers,  
s47F

s47F

MAJ  
OC Northern Region Training Areas  
CSINT/K  
Mailto:s47F

Telephone (s47F  
Facsimile s47F



C7

Tel: s47F  
Fax: s47F  
Mob: s47F  
JOSS Email: [OPS3JOSSNTK@defence.gov.au](mailto:OPS3JOSSNTK@defence.gov.au)

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-----Original Message--Sent by: s47F on 24/08/04 14:27:26-----

Original sent to: NOR-CSIG,

-----Original Message--Sent by: s47F on 24/08/04 14:21:42-----

Original sent to: s47F

Original cc'd to: OPS3 JOSSNTK,

JOSS-NT/K is conducting EX COBOURG STRETCH, an adventurous training and JOSS development activity during the period 29 Sep - 05 Oct 04 on the Cobourg Peninsula. The activity has been endorsed by s47F RM CSI-NT/K.

The primary participants are from the JOSS, with two additional personnel already identified to operate equipment and provide technical advice. There are a further three (3) positions available to CSI-NT/K staff. The activity will be conducted on the Coburg Peninsula and stretch over a period of 7 days including a Sea/Land journey from Darwin to the Cobourg Peninsula and return. There will be a number of activities conducted during this period including marine navigation, general navigation, a Cyclone preparedness/evacuation activity and a historical tour of the peninsula to name a few. Further details of the activities to be conducted will be released in the Admin Instr to be issued by 13 Sep 04.

To that end, expressions of interest are sought from CSI-NT/K personnel to participate in the above activity. Those nominating are required to be in good general health and any person with a pre-existing medical condition may be required to undergo a medical assessment (civilians only) prior to participating in the activity. Accn for the duration of the activity has been confirmed at the Cobourg Peninsular Beach Huts and rationing will be provided. No TA will be paid for the activity. Members participating in the EX will be required to prepare meals and conduct daily administrative duties throughout the activity. Further details of requirements for those participating will be released in due course.

Personnel are required to nominate for the activity through their supervisor/manager and gain clearance to attend the activity. Expressions of interest are to detail the nominating persons reasons for wanting to participate in the EX and should be no longer than an one page in length.

Expressions of interest are to be emailed to s47F, A/MJOSS by COB 04 Sep 04. Personnel will be informed of the outcome by COB 08 Sep 04.

Should you have any queries please don't hesitate to contact me on the numbers listed below

Regards

s47F

A/MJOSS J3

s47F

To: s47F

/ARMY/DOD/AU@AUSTDEFENCE

26/08/04 08:01

CC:

Subject: SEC: UNCLASSIFIED:-EXPRESSIONS OF INTEREST - EX  
COBOURG STRETCH 04 - JOSS-NT/K TRAINING

s47F

Thanks for the reply. I can assure you that my staff and I are just as proud of the equipment that we have in the JOSS and we also take great care to ensure that the equipment is maintained and looked after in an appropriate manner. I can understand your concerns, however, they do not restrict the JOSS from conducting the activity in the Range Control Boat.

s47F has indicated that we will have use of the boat, therefore, that should be the end of the discussion on the matter. I cannot use the amenities boat (which is not suitable for a journey of that distance), as they are not available during this time. The reason for wanting to use the Range Control vessel is that it suits our needs for the journey and will provide a safe and reliable environment for those operating it.

I need to make preparations now to secure the boat so that I can continue with our planning for the activity. I will speak with s47F

Cheers

s47F

-----Original Message--Sent by: s47F

on 25/08/04 18:51:54-----

Original sent to: s47F

Original cc'd to: Range Staff 1, s47F

s47F

Sorry, but high priority events had overtaken my being able to look at your request for the loan of the boat for the JOSS adventure activity.

I still have some concerns to raise with the RM re the loan and would prefer you to consider alternatives whilst I raise them. In short they are:

1. Last time the boat was lent out (to competency qualified MIL operators), the boat was misused and damaged which resulted in it being off-line for a period (and subsequently unavailable for a Range task). s47F policy after that event was to not lend the boat out unless it was operated by a qualified Range operator (if available). Consequently I am loath to change that policy. I would prefer for the boat to remain on-line for its official use (It is not like a vehicle where a spare can be sourced for immediate tasks). You on the other hand, do have an option to use boats from Defence amenities at RB. As these boats were procured by NPMA, they do not come under the Defence rules for operator competency. ie; They come under NT rules for "no licence required". They are available for adventure training activities and in fact I conducted such an activity once using NPMA amenity boats.

2. I believe that under duty of care (to pers and equip), only Defence pers with a certificate of competency should be authorised to operate the boat. It is a powerful and technical beast and there is an intrinsic level of danger in its use and operation, particularly off shore. NT licensing laws do not necessarily influence Defence policy in this. EG: A few years ago, a Defence employee successfully sued the Commonwealth after they had an accident in a Commonwealth vehicle, for which they were licensed but were supposedly "unfamiliar". That was the reason behind the revised B veh licensing system, where you have to have a competency rating for every vehicle - not just type codes as we use to have. Also, in my 30 odd years of service, I have found that there are many and varied reasons behind such rules requiring formal proof of competency. I therefore require my staff to have formal proof of skills to operate a marine



craft. Same as with Fork lifts, 4WD, quad bikes, chain saws, field stoves, choofas, maps, weapons, etc. This is not a private craft but a Defence asset and if there was an accident, any board of enquiry would look at the issues of competency as well as authorisation.

4. Another concern is the need to keep the use of the boat for its designed use. Today I have been made aware that there may be Victoria river crabbers using BFTA to camp and conduct their business. My intent is to therefore organise a patrol to investigate these allegations. There may be need for follow up actions. Also, we have yet to conduct our annual coastal inspection of BFTA and YSTA and this will have to be conducted before the wet sets in.

5. Lastly, I have been negotiating with the Australian Maritime College to conduct competency training for my staff. I have yet to be able to identify a free window of opportunity to conduct this training and do not want to limit my chances to make it happen. Sept / Oct were looking good but we were constrained by operational requirements. (Project wpn firings and EX PG04). As soon as a free opportunity arises, I would like to take my team away for a series of water craft training activities to better prepare them to do their jobs.

In reply to your e-mail about the matter of my advice re the policy on adventurous training. I was aware that you had some military experience and may have resented my comments but, I have found over my 30+ years in the Army that there is always a need to go back and check the references in planning and designing activities. Thus my advice to do so. Many have been the times when the "old and bold" have been caught out by either a change in policy or the belief in a Furphy.

cheers for now. I will speak to <sup>s47F</sup> re this and will happily go along with his decision in the tasking of CSI resources.

PS: The boat is operational. It is periodically used so as to confirm its sea worthiness<sup>s47F</sup> and the other marine craft operators take it out now and then for sea trials and to conduct NTI. It is constantly maintained and serviced. It is looked after so that it is always ready for immediate operational tasking so you do not have to be concerned in that area. (This is what is behind a minor reason I am loath to loan it. It is because of this level of care that my operators give the craft. They would hate to see it misused, damaged or dirtied and would blame me if I OK'd the loan...).

cheers,  
<sup>s47F</sup>

-----Original Message--Sent by: <sup>s47F</sup> on 24/08/04 15:14:01-----

Original sent to: <sup>s47F</sup>  
Original cc'd to: OPS3 JOSSNTK,

<sup>s47F</sup>

After speaking with <sup>s47F</sup> re the JOSS's plans for our activity out to the Cobourg Peninsula, he is happy for the activity to go ahead with the use of the Range Control boat. We depart on 29 Sep 04 and return 05 Oct 04. To that end I need to ascertain whether the boat requires servicing and conduct a non-technical inspection of it prior to departure. It would be appreciated if the boat was available approx 22 sep 04 so that the necessary inspections and servicing can be conducted. Once this advice is forthcoming I will have <sup>s47F</sup> liaise with your staff regarding pick up and drop off times for the boat.

Your earliest advice would be appreciated.

<sup>s47F</sup>

A/MJOSS J3  
JOSS-NT/K



s47F

16/09/04 09:06

To: s47F  
s47FI/OTHER/DOD/AU@AUSTDEFENCE, s47F  
I/DCSC-ROBERTSON/NOR/DOD/AU@AUSTDEFENCE

cc:

Subject: SEC: UNCLASSIFIED:- EX COBOURG STRETCH 04

s47F

WILCO.

Please be aware that I am not trying to upset you or anyone else. Nor am I trying to stop this activity.

I only believe that there is an inherent risk in these types of activities and I was not sure if you had been given adequate proof of qualifications because the activity instruction did not reflect this.

I am not trying to second guess or object to your decision but to give you advice. If it is not my place in this then I will pull my head in. After all, I suppose I would not have even know it was on if the boat had not been requested.

If this was an EX in any Unit I have been in, the instruction would have had either more detail, or the pers tasked for specific instruction would have had their quals on file and the CO would have been aware of them. Of course Army tends to have more stringent safety requirements than most organisations but we also have more experience in conducting these sort of activities. I was just feeling nervous on your behalf. I am not the authority on this and nothing needs to be proved to me.

s47F

-----Original Message--Sent by: s47F on 15/09/04 18:05:25-----

Original sent to: s47F, s47F

Gents

I want you both in my office at 1345 tomorrow! I have had enough of this. I need this resolved once and for all. I am being advised by both of you that this is fine or it is a problem. I want to resolve this tomorrow.

s47F

RM CSINT/K

-----Original Message--Sent by: s47F on 15/09/04 17:43:27-----

Original sent to: s47F

Original cc'd to: s47F s47F

s47F

I have received your admin instr for the subj EX and Range Control will have the boat over to JOSS for issue by 27 Sep 04 as per your instruction.

In reading the instr I still have some concerns re the content which I need to mention again to you. In particular, the Admin Instr does not stipulate the formal competencies or qualifications of the instructors or safety staff on the EX.



s47F

16/09/04 10:06

To: s47F

/ARMY/DOD/AU@AUSTDEFENCE

cc: OPS3 JOSSNTK@AUSTDEFENCE, s47F

s47F /OTHER/DOD/AU@AUSTDEFENCE

Subject: SEC: UNCLASSIFIED:- EX COBOURG STRETCH 04-calrification of issues

s47F

Thanks for the email.

I understand (as previously mentioned) that you have concerns as it is a risky activity, however, a great deal of planning has been undertaken to ensure the safety of all participants. In response to your questions/concerns I have the following points which will clarify those concerns:

- UATL are desirable but not mandatory. Unit Commander has this call (Para 11 DI(G) PERS 14-3
- Civil Liaison has been conducted with the proprietors of the Cobourg Peninsula including the NLC (for permits). A Certificate of Currency has been issued for the activity (on advice from the CSI-NT/K Civil Affairs Section).
- Basic recovery will be conducted by military personnel s47F is qualified to conduct this)
- The Boat familiarisation is exactly that (familiarisation). It does not include the control of the boat by any other person not conversant with it's operation. s47F is a qualified Small Boat handler (qual gained in 200 with SA Coastguard)
- s47F, s47F, s47F are all senior First Aid qualified and we have arranged contact with the RFDS if a serious injury is encountered. I am developing a comprehensive medical evacuation plan as we speak. Myself and Caspar McDermott have also received First Aid training when we served with the ADF.
- The Comms checks will be conducted between the road and boat party at designated periods throughout the forward and return journeys using HF frequencies allocated to the JOSS. **Those frequencies will be provided to all concerned prior to departure.** North Aust Radio staff are programming those freqs into the HF handsets on **Mon 27 Sep 04 (including the boat)**. Satellite Phones will also be utilised for safety purposes during the activity. As stated within the Instr, a daily sitrep will be undertaken by myself to your office at 1600 hrs daily. I will issue the codes and the Communications Plan prior to our departure. Due to the late release of the frequencies I was unable to place them in the instruction. The idea behind the comms checks/trg stems from Stan's directions and wishes to have personnel conversant with the operation of such equipment in a Post-Cyclone environment. **Most of those attending have been identified as JOSS LO's in the event of a Cyclone.**
- Staff are not required to be fully qualified to drive offroad. We are utilising a leased vehicle and a hired veh, both of which require only a full licence to operate. 60% of those attending the activity have significant off road experience within remote areas of the NT
- My staff have been instructed to wear civilian attire for the duration. This is a management decision which has no bearing on the outcomes of the activity.
- Basic survival techniques will be **introduced** to participants by Caspar McDermott who has grown up in the NT and has lived and worked within remote areas under extremely difficult conditions. **These are not a formal QUAL and were never intended to be.** Staff are only receiving an intro and will not be formally tested on these.
- The Marine navigation activity is only an intro to navigating at sea. Will only revolve around shooting a bearing and use of a GPS.
- A detailed risk assessment was conducted for the activity IAW DSMA guidelines.
- s47F and s47F are qualified Cooms instr with the ADF
- The activity will introduce some of the civilian staff to practices they have never encountered before, thus providing a challenge and the ability to work as a team in a harsh environment. Para 6d and 6 c of DI(G) PERS 14-3
- No Formal qualifications will be gained from this activity. It will be expected, however, that those attending who are not conversant with the procedures we use in the military will have a greater understanding of how we operate such equipment and have a basic knowledge

allowing them to utilise such equipment when the need arises.

I am well aware of the stringent controls placed on such an activity and I thank you for your concerns. I trust the information above will satisfy your concerns. See you at 1530.

cheers

s47F

-----Original Message--Sent by: s47F on 16/09/04 9:06:42-----

Original sent to: s47F , s47F ,

s47F ,  
WILCO.

Please be aware that I am not trying to upset you or anyone else. Nor am I trying to stop this activity.

I only believe that there is an inherent risk in these types of activities and I was not sure if you had been given adequate proof of qualifications because the activity instruction did not reflect this.

I am not trying to second guess or object to your decision but to give you advice. If it is not my place in this then I will pull my head in. After all, I suppose I would not have even know it was on if the boat had not been requested.

If this was an EX in any Unit I have been in, the instruction would have had either more detail, or the pers tasked for specific instruction would have had their quals on file and the CO would have been aware of them. Of course Army tends to have more stringent safety requirements than most organisations but we also have more experience in conducting these sort of activities. I was just feeling nervouse on your behalf. I am not the authority on this and nothing needs to be proved to me.

s47F

-----Original Message--Sent by: s47F on 15/09/04 18:05:25-----

Original sent to: s47F , s47F ,

Gents

I want you both in my office at 1345 tomorrow! I have had enough of this. I need this resolved once and for all. I am being advised by both of you that this is fine or it is a problem. I want to resolve this tomorrow.

s47F  
RM CSINT/K

-----Original Message--Sent by: s47F on 15/09/04 17:43:27-----





s47F  
16/09/04 14:54

To: s47F  
//DCSC-ROBERTSON/NOR/DOD/AU@AUSTDEFENCE  
cc: s47F /OTHER/DOD/AU@AUSTDEFENCE  
Subject: SEC: UNCLASSIFIED:- EX COBOURG STRETCH 04-clarification of issues

Thanks s47F

You have nothing to prove to me personally and I don't think s47F needs to referee between us. I actually support the concept for your EX and I really don't want to get involved in the planning requirements for the activity other than to point out to s47F the points I believe he should be aware of in authorising this activity. After all, it is his responsibility if anything (god forbid) may go wrong (such as search and rescue, personnel injury, matériel accident or PR incident). This is not to say that COMDs should wrap their staff in cotton wool but that we should ensure appropriate steps, IAW policy requirements, are undertaken in the planning and conduct phases.

To assist you in having the correct answers to keep s47F happy and cover off on ex planning documentation, I will provide some comments (in blue) to your points of clarification.

Also, at the end of the day, in points of qualifications, s47F can deem someone qualified (except if prohibited under SOVO) if he believes they have the necessary competencies. If this had been enunciated in the Admin Instr, I would not have raised the points I did.

Please see my comment below:

s47F

-----Original Message-----Sent by: s47F on 16/09/04 10:06:41-----

Original sent to: s47F  
Original cc'd to: OPS3 JOSSNTK, s47F

s47F

Thanks for the email.

I understand (as previously mentioned) that you have concerns as it is a risky activity, however, a great deal of planning has been undertaken to ensure the safety of all participants. In response to your questions/concerns I have the following points which will clarify those concerns:

- UATL are desirable but not mandatory. Unit Commander has this call (Para 11 DI(G) PERS 14-3  
 ACK - and I agree in part on this matter. My point is that there should be adequate proof of acceptable competencies and that CSI NT/K not inadvertently contravening policy. As you know, the Admin Instr is the first point of evidence that planning was conducted in a correct manner. Thus we normally inunciate the qualifications of responsible members so all members know these were covered.
    - Para 11 states: "CO must ensure that all adventurous training activities is conducted under the control of appropriate personnel who have the competencies to lead the training activity... the use of ADF qualified team leaders is desirable but not mandatory... ..CO retain ultimate responsibility for the conduct of adventurous training but should consult their relevant single Service Instructions."
- Also, SAFETY MAN vol 2 requires that EX leaders req "equivalent quals" such as:
1. mil quals,
  2. recognised civ quals, or



3. demonstrated experience and expertise as assessed by Stan.

- Civil Liason has been conducted with the proprietors of the Cobourg Peninsula including the NLC (for permits). A Certificate of Currency has been issued for the activity (on advice from the CSI-NT/K Civil Affairs Section).

I knew you had picked up on that but again it had not been reflected in the Admin Instr.

- Basic recovery will be conducted by military personnel s47F is qualified to conduct this).

Happy that recovery action will be conducted only by a qualified 109 with the appropriate codes and familiarisation trg but the Admin Instruction did state that there would be lessons conducted. Again, the recovery instruction serial did not enunciate that s47F was a DTO and qualified to conduct the instruction. DRTI's do place some limits on who can conduct vehicle familiarisation trg and on civilian competencies in driving off road. In brief:

1. Civ dvr must be licenced in the NT.
2. They are also to hold proof (AC795) of familiarisation on the veh (signed by DTO or RTO).
3. For off road activities, they are to have been trained by a DTO IAW the relevant ADF TMP or TDT and be issued with an AC344 (Cert of Attainment). (See DRTI para 11.20 - 11.23).

- The Boat familiarisation is exactly that (familiarisation). It does not include the control of the boat by any other person not conversant with it's operation. s47F is a qualified Small Boat handler (qual gained in 200 with SA Coastguard)

Again, not enunciated but also, I believe not acceptable because:

1. s47F is shown in the instr as being with the Road party.
2. The Small Craft Operators handbook state that Hired or Civil craft are deemed Military craft during use and that all operators are to be "trained, qualified and licenced IAW SOVO and be familiarised on the specific craft.

Also, as I understand it, for trg you req to nom a safety offr afloat and a SO ashore (see LWP-G 4-3-4) and issue SCT Standing Orders for Safety (SAFETYMAN vol 2 p. 3 para 10.32).

- s47F, s47F, s47F are all senior First Aid qualified and we have arranged contact with the RFDS if a serious injury is encountered. I am developing a comprehensive medical evacuation plan as we speak. Myself and Caspar McDermott have also received First Aid training when we served with the ADF.

ACK - Again I believe it should have been spelt out. I take it they hold a Red Cross or St. John Amb SFAC. SAFETYMAN vol 2 requires either that or a CFA / person trained in Wilderness First-Aid to be in attendance.

- The Comms checks will be conducted between the road and boat party at designated periods throughout the forward and return journeys using HF frequencies allocated to the JOSS. Those frequencies will be provided to all concerned prior to departure. North Aust Radio staff are programming those freqs into the HF handsets on Mon 27 Sep 04 (including the boat). Satellite Phones will also be utilised for safety purposes during the activity. As stated within the Instr, a daily sitrep will be undertaken by myself to your office at 1600 hrs daily. I will issue the codes and the Communications Plan prior to our departure. Due to the late release of the frequencies I was unable to place them in the instruction. The idea behind the comms checks/trg stems from Stan's directions and wishes to have personnel conversant with the operation of such equipment in a Post-Cyclone environment. Most of those attending have been identified as JOSS LO's in the event of a Cyclone.

Not aware of this. I would have like to have been consulted re input of freq into a Range Control radio. Also, there may be a req to place the freq in other CSI NT/K HF means. Without using a pun - we should try to stay on net on comms within the region... May be worthwhile discussing off-line.



- Staff are not required to be fully qualified to drive offroad. We are utilising a leased vehicle and a hired veh, both of which require only a full licence to operate. 60% of those attending the activity have significant off road experience within remote areas of the NT Sorry mate - you are wrong in this. DRTIs req all APS to have proof of familiarisation and are required to undertake trg for off road activities. Again happt ot discuss off line.
- My staff have been instructed to wear civilian attire for the duration. This is a management decision which has no bearing on the outcomes of the activitiy.  
Again it should be in the Admin Instr as s47F is authorising the Mil staff to be out of uniform and this is the best vehicle to do so.
- Basic survival techniques will be **introduced** to participants by Caspar Mcdermott who has grown up in the NT and has lived and worked within remote areas under extremely difficult conditions . **These are not a formal QUAL and were never intended to be.** Staff are only receiving an intro and will not be formally tested on these. - ACK .s47F call on this.
- The Marine navigation activity is only an intro to navigating at sea. Will only revolve around shooting a bearing and use of a GPS. - ACK although if I was authorising the trg I would want to ensure the instructor realy knew what they were on about.
- A detailed risk assessment was conducted for the activity IAW DSMA guidlines. Yep - and a good one - I did not comment on this as I do not have the quals.
- s47F and s47F are qualified Cooms instr with the ADF (Not an issue)
- The activity will introduce some of the civilian staff to pratices they have never encountered before, thus providing a challenge and the ability to work as a team ina harsh environment. Para 6d and 6 c of DI(G) PERS 14-3
- No Formal qualifications will be gained from this activitiy. It will be expected,however, that those attending who are not conversant with the procedures we use in the military will have a greater understanding of how we operate such equipment and have a basic knowledge allowing them to utlise such equipment when the need arises.

I am well aware of the stringent controls placed on such an activity and I thank you for your concerns. I trust the information above will satisfy your concerns. See you at 1530.

cheers

s47F

-----Original Message--Sent by: s47F on 16/09/04 9:06:42-----

Original sent to: s47F , s47F ,

s47F

WILCO.

Please be aware that I am not trying to upset you or anyone else. Nor am I trying to stop this activity.

I only believe that there is an inherent risk in these types of activities and I was not sure if you had been given adequate proof of qualifications because the activity instruction did not reflect this.

I am not trying to second guess or object to your decisiion but to give you advice. If it is not my place in this then I will pull my head in. After all, I suppose I would not have even know it was on if the boat had not been requested.

If this was an EX in any Unit I have been in, the instruction would have had either more detail,

C17

s47F

To: s47F

1/ARMY/DOD/AU@AUSTDEFENCE

16/09/04 15:09

cc:

Subject: SEC: UNCLASSIFIED:- EX COBOURG STRETCH 04-clarification of issues

s47F

Thanks for your comments:

I offer the following:

#### Use of Boat:

s47F has been moved to the boat party in my place. Caspar McDermott has had 15 years of experience in operating vessels such as yours in difficult conditions. He was also hand picked by s47F (OC Ranges) last year to operate the Ranger Control vessel on the boundary runs around BFTA and YSTA because of this experience. s47F has his qual recorded on PMKEYS and is conversant with the use of the vessel.

#### Off Road Driving:

Myself, (previously Qual 109 in the ADF with extensive experience operating off-road) s47F and s47F (Ex Military) are all qualified Off - Road . No other APS Staff will be operating the vehicles during the EX.

#### Comms:

I apologise for not informing you of our intent to program those Freq's into the handset. We will have HF Comms with the Boat and Road party, RFDS for safety purposes. I can have the freq's programmed into you handset at Range Control if you wish.

The HF Comms we are utilising in the Car and walk away kit are a JOSS-NT/K Asset (Therefore a CSI-NT/K Asset). There are obviously some areas of the instruction that are a little sparse in places, however, those areas requiring additional information will be issued prior to our departure. I understand your concerns and i thank you for your advice.

I don't want this meeting to drag on and s47F doesn't need to referee it.

Cheers

s47F

-----Original Message--Sent by: s47F

on 16/09/04 14:54:09-----

Original sent to: s47F

Original cc'd to: s47F

Thanks s47F

You have nothing to prove to me personally and I don't think s47F needs to referee between us. I actually support the concept for your EX and I really don't want to get involved in the planning requirements for the activity other than to point out to s47F the points I believe he should be aware of in authorising this activity. After all, it is his responsibility if anything (god forbid) may go wrong (such as search and rescue, personnel injury, matériel accident or PR incident). This is not to say that COMDs should wrap their staff in cotton wool but that we should ensure appropriate steps, IAW policy requirements, are undertaken in the planning and conduct phases.





s47F

11/10/04 11:49

s47F

Confirmation brief.

To: s47F /OTHER/DOD/AU@AUSTDEFENCE  
cc: s47F :/ARMY/DOD/AU@AUSTDEFENCE  
Subject: SEC: UNCLASSIFIED:- sec: unclassified CONFIRMATION BRIEF  
- BOAT RECOVERY

**Tue, 5 Oct 04, (approx 1200h)**

- CSI NT/K Range Control Darwin boat *Red Rain* sunk off the eastern point of Melville Island vic Napier Bay whilst enroute between Cape Don and Darwin. At the time of the sinking, the boat was evolved in an approved Adventure Training exercise.
- The boat is a 6.5 Meter, aluminium hull, cuddy cabin, Hydracraft build by GS Marine in Jun 01. Photos of the boat are enclosed.
- The three person crew on board were rescued after abandoning the boat in a life-raft. From the chart, it was believed the boat sank in approx four meters of water.
- Reason for sinking is not confirmed although it has been stated that the auxiliary outboard may have detached causing the hull to be damaged (a formal administrative investigation is to be conducted IAW ADPF 06.1.4, *Administrative Inquiries Manual* to confirm this).

**Thu, 7 Oct 04, (approx 1030h)**

- 161 RECCE SQN requested to assist in locating sunk boat.

**Thu, 7 Oct 04, (approx 1530h)**

- HQ 1 BDE formally requested to assist in recovering the boat utilising a clearance dive team which was already planning an underater recovery trg EX in the Darwin region.

**Fri, 8 Oct 04 (approx 1030h)**

- Position of the boat located by a 161 Recce Sqn LOH. Photos of the boat below surface are enclosed.

**Fri, 7 Oct 04, (approx 1500h)**

- HQ 1 BDE declines to assist in recovering boat.

**Sat, 8 Oct 04 (approx 1030h)**

- HQ 1 BDE agrees to conduct boat recovery for Mon 11 Oct 04 on proviso that:
  - CSI NT/K gain MHQ approval for use of HMAS Batano for 1 BDE task on Sat 16 Oct 04, and
  - CSI NT/K source AME helo to be on standby.

**Sat, 8 Oct 04 (approx 1930h)**

- OC NRTA releases formal SIG requesting MHQ task HMAS Betano IAW 1 BDE req.
- OCNRTA advise HQ 1 BDE DSO of AME options.

**Mon, 10 Oct 04. (approx 0900h)**

- HQ 1 BDE confirms task is to proceed and that the recovery should be conducted PM 10 Oct or on 11 Oct 04.
- OC confirms with HQ 1 BDE that OC NRTA is the CSI NT/K POC for the activity and that there is no DIRLAUTH with any other CSI pers.
- 1 BDE req CSI NT/K to fund hire of air-bag compressor for three days. OC NRTA provided approval to use CC 412208, AC 24930

**Enclosures:**

- Photos:

C19



SUBMERGED ARMY BOAT MELVILLE ISLAND.j SUBMERGED ARMY BOAT MELVILLE ISLAND 1.



- Army Boat Survey Trip. Rod in Red Rain anchored at Kingfishe.jpg



- Firs Launch1.jpg



- First Launch2.jpg



- RR1.jpg



- RR4.jpg





s47F

09/12/04 10:37

To: s47F  
cc: s47F/DRNEX@DRNExchange  
/ARMY/DOD/AU@AUSTDEFENCE

Subject: SEC: UNCLASSIFIED:- Boat Investigation

s47F

Not sure why Range Control as an org are involved in this as we only issued (loaned) the equip under official direction. eg: If there was a truck accident, an IO would not ask the manager of JLU(N) vehicle loan pool what internal procedures they have for driving within JLU(N)...

I would prefer that they ring me to discuss what they would like to know.

For your info only, I have included brief reply comments below in blue. As mentioned, I would prefer to be asked direct questions so I know why I am answering them.

cheers,  
s47F

-----Original Message--Sent by: s47F : on 8/12/04 16:36:02-----

Original sent to: s47F , s47F , s47F , s47F

Ladies and Gents

NT WorkSafe have requested the following information from CSI NT/K to allow completion of the Comcare investigation into the boat incident. Could you please read the information below and forward any replies to me NLT COB Thursday 9 Dec 04. Sorry for the short lead time, I only received the request late Wednesday and completion of the investigation is a priority for both Comcare and Defence.

1. Notification of this incident wasn't received by Comcare until 15 Oct 04. It came by fax. There should have been notification within 24hrs of the incident. **Was any verbal notification attempted with Comcare? Was there any reason for the delay?**

Not a Range Control item. Range Control not involved in the planning for, or conduct of, the exercise other than to offer unsolicited advice prior to the conduct of the ex and then we organised the recovery of the boat.

2. NT WorkSafe is in possession of the General Instruction for the Operation of EX COBURG STRETCH 04, signed by S. Mitchell on 24 Sep 04. They have an earlier version of this document signed on 10 Sep 04. Reference is made to documents that they currently have not seen, those being:

a. Attachment C - Risk assessment drowning and any other risk assessments relating to the boat and sea transport. Copies of docs Range Control received for info are enclosed below. (We also received a hard copy Admin Instruction in early Sep).

b. Detailed matrix / activity plan for all of the activities involving the boat. **What activities was the boat involved in during this exercise? Can we provide the documents requested?**

Not a Range Control item.

3. s47F A/MJOSS was appointed overall safety coordinator. They are unclear as to whether JOSS is part of Defence civilian as CSI is, or its part of Defence Military? Not a Range Control item.

4. They are unclear as to why the original plan called for 4 people to be on the return boat journey, but this was changed to 3 people. **Was there a reason for the change?** Not a Range Control item.

5. Are there safe operating procedures established for the use of this boat by **Range Control?**

Range Control was not involved in the planning or conduct of the exercise and our internal procedures should not be relevant to this enquiry. We were involved only because we were

tasked to make the boat available for use by JOSS (another CSI sub-unit).

Having said that, our internal policy is that no one operates the boat unless they hold a Military Small Boat Handlers qualification/licence. The boat is then operated IAW the ADF SAFETY MANUAL, the Small Boat Handlers Handbook, LWP-G-4-3-4 (an RAE watercraft manual) and of course the Territory marine legislation.

6. Is there any standardised induction/safety briefing established for use by Range Control when they crew **this boat**?

Range Control did not crew this boat and the exercise was not a Range Control managed activity but... Range Control conducts induction training every year for all our Military Staff posted to Range Control. This induction training covers all our equipment and work situations (vehicles, radios, survival, procedures, etc). As not all pers are qualified Small Boat Handlers, it is the responsibility of current qualified range staff to conduct an induction period (covering specific craft) for specific newly joining qualified SBH. This year our qualified staff went out on two training runs on this boat to ensure new staff were inducted into operating this particular craft.

**Re HO /loan of the boat to other Defence orgs:**

Because the boat has been misused / damaged before, Range Control policy has been to not lend the boat to other organisations unless it was operated by a qualified Range Control SBH who had attended familiarisation training on that particular craft. In this case Range Control was tasked by the RM to provide the boat to JOSS by NLT 22 Sep 04. We complied with this direction. A qualified operator was tasked by me to ensure he conducted a full HO famil brief to SGT Allen (the JOSS SBH). This task was conducted and <sup>s47F</sup> was fully briefed on the boat, its equipment and its stowage. The briefing took approximately 60 min. <sup>s47F</sup> stated to the Range SBH (<sup>s47F</sup>) that he was satisfied with the briefing then he signed receipt/acceptance for the boat.

(In early Jul 04 I identified to JOSS that another reason I did not want to loan out the boat is that I was planning in conducting an appropriate qual cse (mil and civ) for all my staff on the boat once the trg year became quiet. I had to put this on hold because the boat got sunk. I am now planning on holding one in Feb (if I can get the hulls).)

7. What is the qualification requirement required by skippers when the boat is used by **Range Control**?

No Range staff member operates the boat unless they hold a Military Small Boat Handlers qualification/licence and have received familiarisation training on the particular craft.

8. Is CSI aware of any guidance material within DOD that relates to planning and preparing risk assessments for adventure training exercises?

There are a number. DI on Adv Trg, The SAFETYMAN, etc

9. What injuries and post injury treatment was undertaken? Eg; counselling, time off. Are there any long-term consequences expected?

Not a Range Control issue.

Once again, sorry for any inconvenience.

Regards

<sup>s47F</sup>

ROHSCO

CSI-NT/K

Defence Establishment Berrimah

Tel: <sup>s47F</sup>

Mob: <sup>s47F</sup>

E-mail: <sup>s47F</sup>

Enclosures:

-----Original Message--Sent By: <sup>s47F</sup>





: on 28/09/04 11:53:16-----



Original sent to: s47F , s47F , s47F , s47F , s47F

Original cc'd to: OPS3 JOSSNTK@AUSTDEFENCE,  
All,

Please find attached the General Instruction for Ex Cobourg Stretch. The original has been signed by the RM. Apologies for the lack of a hardcopy, this is due to the departure for the Ex tomorrow.

     
Gen Instr ANNEX E.doc Gen Instr ANNEX A.doc Gen Instr ANNEX B.doc Gen Instr ANNEX C.doc

   
Gen Instr ANNEX D.doc Ex Coburg Stretch General Instr - 2004

s47F

CAP I

J35.

Joint Operations Support Staff



**Minute**  
Corporate Services &  
Infrastructure Group

ETD-NT/K 01/03

## TRAINING NEEDS ANALYSIS - EX COBOURG STRETCH 04

### References:

- A. Telecon Caspar McDermott/ s47F of PM 13 Jul 2004
- B. DIG PERS 14-03 Dated 15 June 1998 Adventure Training
- C. DWRM Part 7 Chap 20

### Introduction

1. Adventure training type activities aim to further develop leadership, planning and organisational skills for personnel, by allowing them to undertake additional responsibilities with realistic consequences. These qualities and skills include teamwork, trust, physical and mental fortitude, initiative, resourcefulness, self-discipline, and stress management strategies.

### Aim

2. The aim of adventure training is to develop those individual and team skills that enhance performance in the workplace, particularly in situations of prolonged stress.

### Participants

3. Participation in this Adventure Training activity is on a voluntary basis (EOI).

### Learning Outcomes

4. Organisations that develop a culture of continuous improvement and learning will be in a far stronger position to differentiate themselves from regular players. Today's workplace relies more heavily on team effectiveness than the traditional hierarchical organisation structures. This adventure training opportunity will enhance both the leader and individuals ability to participate in and facilitate team and individual needs by;

- a. Identify strengths and areas for further development,
- b. Lead and inspire by example,
- c. Communicate effectively with others,
- d. Demonstrate effective decision making and problems solving,
- e. Participate in team planning,
- f. Respond to difficult situations with professionalism and confidence,
- g. Build strategies for an atmosphere of positive communication,



- D2
- h. Analyse the needs of each party,
  - i. Focus on individual needs,
  - j. Recognise and use problems solving opportunities for win/win outcomes, and
  - k. Build self-esteem and overcome self-defeating behaviour.

#### Adventure Training Content

5. Joint Operation Support Section (JOSS) <sup>s47F</sup> has developed a matrix for the conduct of EX Cobourg Stretch with adventurous activities and detailed timings for the event. For the adventure training activity to be successful a certain amount of mental pressure will be applied.

#### Needs Analysis

6. Ref A was a formal request made to the Education, Training & Development Section to conduct a Training Needs Analysis for this Exercise and to detail the likely 'life learning benefits' that come from participation in this type of activity. This document is the outcome.

#### Conclusion

7. Adventure Training will provide a realistic challenge to all participants that will be both physically, operating in a harsh climatic condition and mentally demanding, attempting an activity for the first time. This type of activity may be less routine than other types of training will but be both interesting and rewarding for all participants.

C.J. MCDERMOTT

Human Resource Development Adviser  
Education Training & Development NT/K

Tel: (08) 89354633; Fax: (08) 89354173  
E-mail: [casper.mcdermott@defence.gov.au](mailto:casper.mcdermott@defence.gov.au)

09 September 2004



Australian Government

Department of Defence  
Corporate Services &  
Infrastructure Group

755 E  
**ATTACHMENT E**

Attachment 6

CSI-NT/KO<sup>23</sup>/04

See Distribution List

## ADMINISTRATIVE INSTRUCTION FOR EXERCISE COBOURG STRETCH 04 – 29 SEP – 05 OCT 04

### References:

- A. DI(G) PERS 14-3 dated 15 Jun 98
- B. CSI-NT/K ET&D Training Needs Analysis dated 06 Sep 04

### General

1. IAW Ref A and B, the CSI-NT/K JOSS, in conjunction with other selected personnel from CSI NT/K, is to conduct an adventurous training activity on the Cobourg Peninsula. The activity will seek to develop individual and team skills that enhance performance in the workplace.

### Aim

2. The aim of this instruction is to detail the exercise and administrative requirements for the activity.

### Participants

3. A list of exercise participants is at Annex A.

### Exercise Outline

4. The exercise is to be conducted IAW the sequence of events at Annex B. The A/MJOSS is to provide a briefing to the RM once all details of the activity have been confirmed. Exercise participants will enter the Cobourg Peninsula by boat and by road.

### Concept of Operations

5. The activity will be conducted in five phases as follows:

- a. Phase One. 29 Sep 04. Road Party deploys to Cobourg Peninsula Beach Huts. Boat Party deploys by sea to Cape Don.
- b. Phase Two. 30 Sep 04. Boat Party departs Cape Don for Cobourg Beach Huts, Smith Point.
- c. Phase Three. 30 Sep – 03 Oct 04. Conduct Adventure Training/Cyclone Preparation activities



- d. Phase Four. 04 Oct 04. Boat Party redeploys by sea to Cape Don.
- e. Phase Five. 05 Oct 04. Road Party redeploys to Darwin. Boat Party redeploys from Cape Don to Darwin.

### Transport

6. Approval has been given by the RM to use the Range Control boat for the sea party. Mr C. McDermott is responsible for the sea party and is to ensure that all personnel that are carried in the boat receive a safety brief. The boat is to be prepositioned at the JOSS NLT 27 Sep 04. SGT Allen is to coordinate the pick up of the boat from Range Control.

7. The road party will consist of two vehicles. These will be the Nissan Patrol assigned to the JOSS and a Land Cruiser Troop Carrier from Hertz. <sup>s47F</sup> is to arrange hire of the troop carrier and is to specify that it is to have a UHF radio fitted. Both vehicles are to be prepositioned at the JOSS NLT 27 Sep 04. The JOSS trailer will also be utilised by the road party.

8. The road party is to travel in convoy with attention being paid to checking vehicles for serviceability at the start and end of each day. A familiarisation session for the vehicles will be held at the JOSS at 1330 hrs 27 Sep 04. The JOSS fuel cards will be used on this activity.

### Rations

9. Rations for the activity will be FFR. The ration plan is at Annex C. <sup>s47F</sup> is to liaise with <sup>s47F</sup>; CSI-NT/K Finance manager to coordinate FFR for the activity.

### Accommodation

10. Personnel will be accommodated at the Cobourg Beach Huts for the activity. The boat party will spend one night at the Cape Don Wilderness Lodge on the deployment and return legs of the trip.

### Stores

11. The JOSS is to ensure that adequate stores are taken to be self-sufficient for the duration of the activity. Each vehicle is to have a load list carried to aid in stores management. A detailed stores list is at Annex D.

12. Personnel are to deploy with sleeping gear, sufficient clothes and personal toiletries for the activity. It is recommended that personnel deploy with mosquito netting, insect repellent, sunscreen, broad-brimmed hat and sunglasses as well as sturdy footwear. A Camelback, or similar is also recommended to prevent dehydration.

### Learning Outcomes

13. This activity will enhance both the leader and individuals ability to participate in and facilitate team and individual needs by:

- a. Identify strengths and areas for further development,

- b. Lead and inspire by example,
- c. Communicate effectively with others,
- d. Demonstrate effective decision making and problems solving,
- e. Participate in team planning,
- f. Respond to difficult situations with professionalism and confidence,
- g. Build strategies for an atmosphere of positive communication,
- h. Analyse the needs of each party,
- i. Focus on individual needs,
- j. Recognise and use problems solving opportunities for win/win outcomes, and
- k. Build self-esteem and overcome self-defeating behaviour.

### **Safety**

14. Generally, safety is a command responsibility. The activity is to be conducted in a responsible manner that does not place personnel or equipment in a dangerous situation. The overall safety coordinator is the A/MJOSS.

15. In the event of a significant occurrence during the activity immediate first aid is to be administered and evacuation to Royal Darwin Hospital arranged, if required.

### **Medical**

16. Medical support in the Cobourg Peninsula area is sparse. As such, a comprehensive first aid kit is to be taken on the exercise. Any personnel that require personal medication are to bring adequate supplies for the duration of the activity. <sup>s47F</sup> is appointed as the first aid officer for the duration of the activity.

17. Civilian personnel selected to participate in the activity who have a pre-existing medical condition may be required to undergo a medical assessment to ascertain their suitability to attend the activity. <sup>s47F</sup> is to coordinate such assessments as required.

### **Exercise Appointments**

18. The appointments for the activity are as follows:

- a. Officer Scheduling Exercise (OSE) - <sup>s47F</sup> , RM CSI-NT/K
- b. Officer Conducting Exercise (OCE) - <sup>s47F</sup> , A/MJOSS



## Communications

19. Communications will be via iridium telephone, HF radio, mobile telephone and UHF radio. The sea party will be equipped with an EPIRB, HF radio and iridium telephone. The road party will be equipped with HF radio, iridium telephone, mobile telephone and UHF radio for inter vehicle communication. Contact numbers and frequencies will be held with the RM.

20. A/MJOSS is to convey a sitrep of the day's activities to EA to RM, CSI-NT/K by 1600 hrs daily.

## PAR

21. A/MJOSS will assess the activity and provide a PAR for CSI-NT/K management at the conclusion of the activity.

## Conclusion

22. This activity provides a valuable opportunity for the participants to develop and hone skills that are desirable in the workplace within a controlled team environment. *I expect each participant to become skilled in leading a team, navigating and weather tracking and use of various communication methods that they could be expected to use in a post cyclone environment,*

s47F

Regional Manager

Corporate Services and Infrastructure – Northern Territory/Kimberley

10 Sep 2004

## Annex:

- A. Exercise Participants
- B. Sequence of Events
- C. Ration Plan
- D. Stores List

## Distribution:

RM  
MTS  
MR&G  
MPS  
BSM-DL  
Manager Ranges  
A/MJOSS  
Future Operations Manager  
A/Current Operations Manager  
EX Participants

ES

ANNEX A TO  
CSI-NT/K 23/04  
Dated 20 Sep 04

EX COBOURG STRETCH 04 - PARTICIPANTS

NAME	SECTION	REMARKS
s47F	JOSS	OCE/Veh Driver
s47F	JOSS	Veh Driver
s47F	JOSS	Veh Driver
Mr Caspar McDermott	ET&D	Boat Handler
s47F	R&G	
s47F	BIP Change Management	
s47F	R&G	Veh Driver
s47F	MPS	



ANNEX B TO  
CSI-NT/K<sup>2</sup>/04  
Dated 10 Sep 04

EX COBOURG STRETCH 04 – SEQUENCE OF EVENTS

DTG	EVENT	REMARKS
271300Ik Sep 04	Safety brief/Boat/Veh familiarisation	s47F /Caspar McDermott
290600IK Sep 04	Road/Boat Party Depart	HF Comms to be established prior to departure
291600IK Sep 04	Road Party Arrive Cobourg Beach Huts	Establish Base Camp
291800IK Sep 04	Boat Party Arrive Cape Don	Accommodated at Cape Don Fisherman's Huts
301200 IK Sep 04	Boat Party Arrive Cobourg Beach Huts	Unpack and plan for following days activities
010700IK – 011600IK Sep 04	Conduct daily routine/activities	Communications familiarisation/Comms testing/Basic Survival Techniques Recovery Procedures/First Aid/Marine vessel familiarisation
020700 – 021600IK Sep 04	Conduct daily routine/activities	Land navigation/Marine Navigation Famil/testing
030700IK – 031600IK Sep 04	Conduct daily routine/activities	Cultural Awareness/Historical Tour
0401000IK Sep 04	Boat Party depart for Cape Don	Accommodated at Cape Don Fisherman's Huts
050600IK Sep 04	Boat party depart for Darwin	Comms check with Road Party
0510900IK Sep 04	Road party depart for Darwin	Pack up Base Camp by 0830 hrs
051800IK Sep 04	Boat Party arrive Darwin	
051900IK Sep 04	Road Party arrive Darwin	

EC

ANNEX C TO  
CSI-NT/K023/04  
Dated 10 Sep 04

EX COBOURG STRETCH 04 – RATION PLAN

To be issued separately



ANNEX D TO  
CSI-NT/K 1023/04  
Dated 10 Sep 04

STORES LIST

SERIAL	ITEM	QTY
1	HF Codan	3
2	Iridium Satellite Phone	2
3	JOSS Mobile Phones (CDMA)	3
4	UHF Hand Held Radios	6
5	CD Mavica Digital Camera	1
6	Laptop Computer	1
7	Veh Recovery Kit	1
8	Spare Tyres	3
9	Engel Fridge	2
10	Shipper	1
11	Esky	2
12	Whiteboard Small	1
13	Fuel Jerry	6
14	Water Jerry	3
15	Gas Stove (with stand)	1
16	Gas Bottle (9kg)	1
17	Table	2
18	Chair Billionaire	8
19	Torch Dolphin	2
20	Camp Oven	2
21	Toilet Rolls	50
22	Garbage Bags	1 Roll
23	Basin	2
24	Mozzie Coils	5 Pkt
25	Paper Towels	Qty
26	Dishwashing Liquid	Qty
27	Cooking Utensils	2 Sets

RISK MANAGEMENT WORKSHEET

UNIT	CSINT/K - JOSS
ACTIVITY	Ex Cobourg Stretch
LOCATION	Cobourg Peninsula
NO. OF PERSONNEL	8
SAFETY OFFICER	s47F
OFFICER COMMANDING EXERCISE	s47F

Attachments:

1. Activity Description
2. Hazard Identification Sheet
3. Risk Assessment – Drowning
4. Risk Assessment – Crocodile Attack
5. Risk Assessment – Venomous animal bite
6. Risk Assessment – Vehicle Accident
7. Risk Assessment – Illness
8. Risk Assessment – Injury
9. Risk Assessment – Dehydration
10. Risk Control Treatment Plan



## ACTIVITY DESCRIPTION

<b>Activity</b>	Adventure Training – Ex Cobourg Stretch
<b>Dates</b>	29 Sep – 05 Oct 04
<b>Location</b>	Cobourg Peninsula
<b>Activity Objectives</b>	<ul style="list-style-type: none"><li>a. to provide a challenge for participants,</li><li>b. to instil confidence in participants,</li><li>c. to promote teamwork,</li></ul>
<b>Tasks</b>	<ul style="list-style-type: none"><li>a. Brief participants</li><li>b. Revise water safety with participants</li><li>c. Revise vehicle care and recovery with participants</li><li>d. Revise first aid with participants</li><li>e. Check weather</li><li>f. Establish casevac procedures</li><li>g. Transport participants and stores to training area's</li><li>h. Transport participants and stores back to LBKS</li><li>i. Post activity administration.</li></ul>
<b>Major Equipment and Resources Used</b>	<ul style="list-style-type: none"><li>a. Transport (vehicles and boat)</li><li>b. Fuel (Diesel)</li></ul>

## HAZARD IDENTIFICATION

<b>Command and Control</b>	Instruction / planning inadequate Lack of understanding of environment / dangers Poor communication systems Poor briefing / group control Poor vehicle control
<b>Human</b>	Poor / inadequate training Poor physical fitness Poor attitude to safety Ignorance of dangers Lack of mental preparation Fatigue / malnutrition Dehydration Lack of attention to detail / personal discipline Poor operator / driver skill
<b>Environmental</b>	Irregular ground Deep water Rain and changing water levels Temperature extremes / UV Radiation Lack of natural resources (for survival) Venomous animals Crocodiles Poor road condition
<b>Resources and Equipment</b>	Incorrect / poorly maintained equipment Lack of equipment Damaged equipment



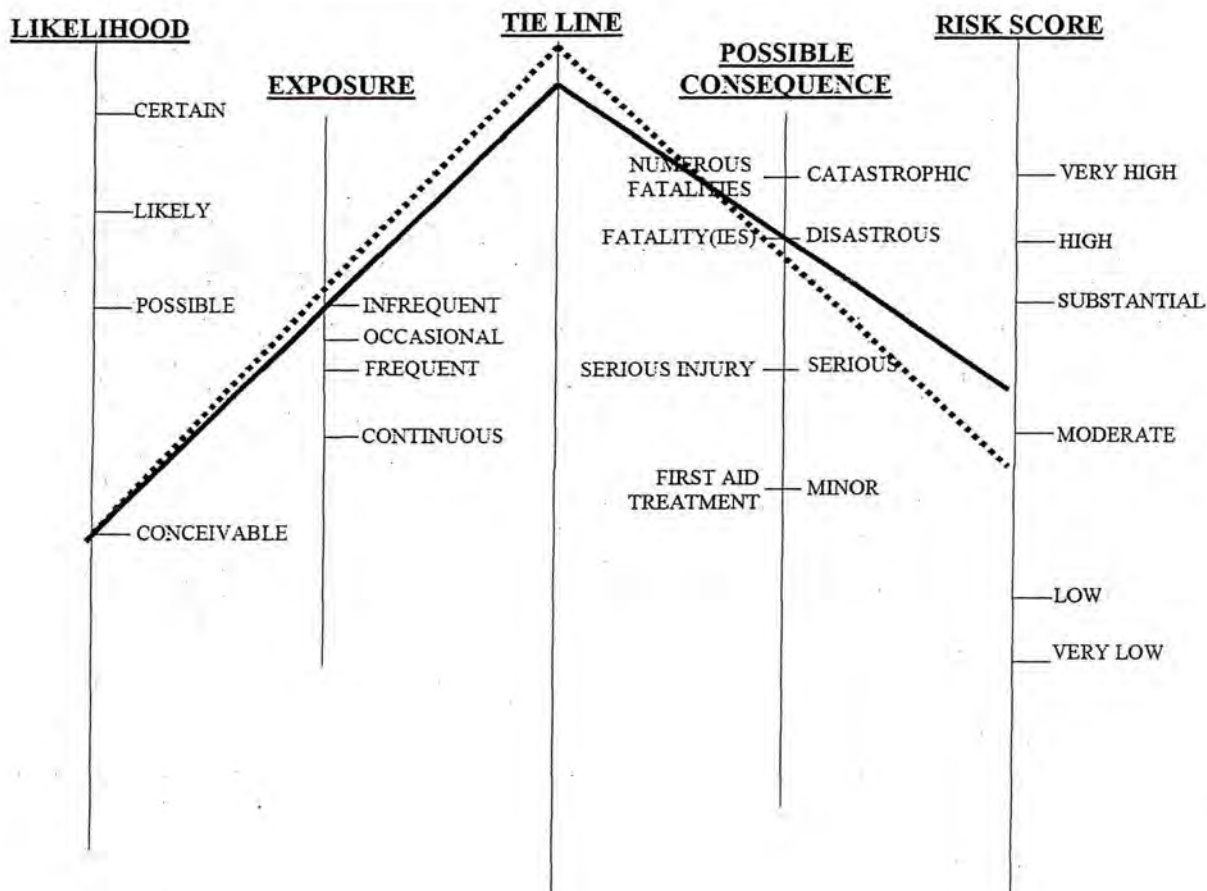
## RISK ASSESSMENT – DROWNING

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Drowning	It is <b>conceivable</b> that sea conditions could rapidly change. Participants would be exposed to the risk of drowning <b>infrequently</b> in the event of being thrown from the boat or if the boat capsizes. This could be <b>disastrous</b> if participants are trapped	The level of risk is assessed as <b>moderate</b> .  Controls are necessary to mitigate risks.	1. Obtaining weather forecasts immediately prior to and during the exercise. 2. Conduct training in the use of safety equipment and the boat to minimise risk. 3. Maintain communications with weather information services.	Implementing the control measures reduces the exposure of participants to less than <b>infrequent</b> , and therefore the risk is moderate.	1. Yes 2. Yes 3. Yes

## Legend:

—————  
 .....  
 .....

Risk Level  
 Residual Risk Level



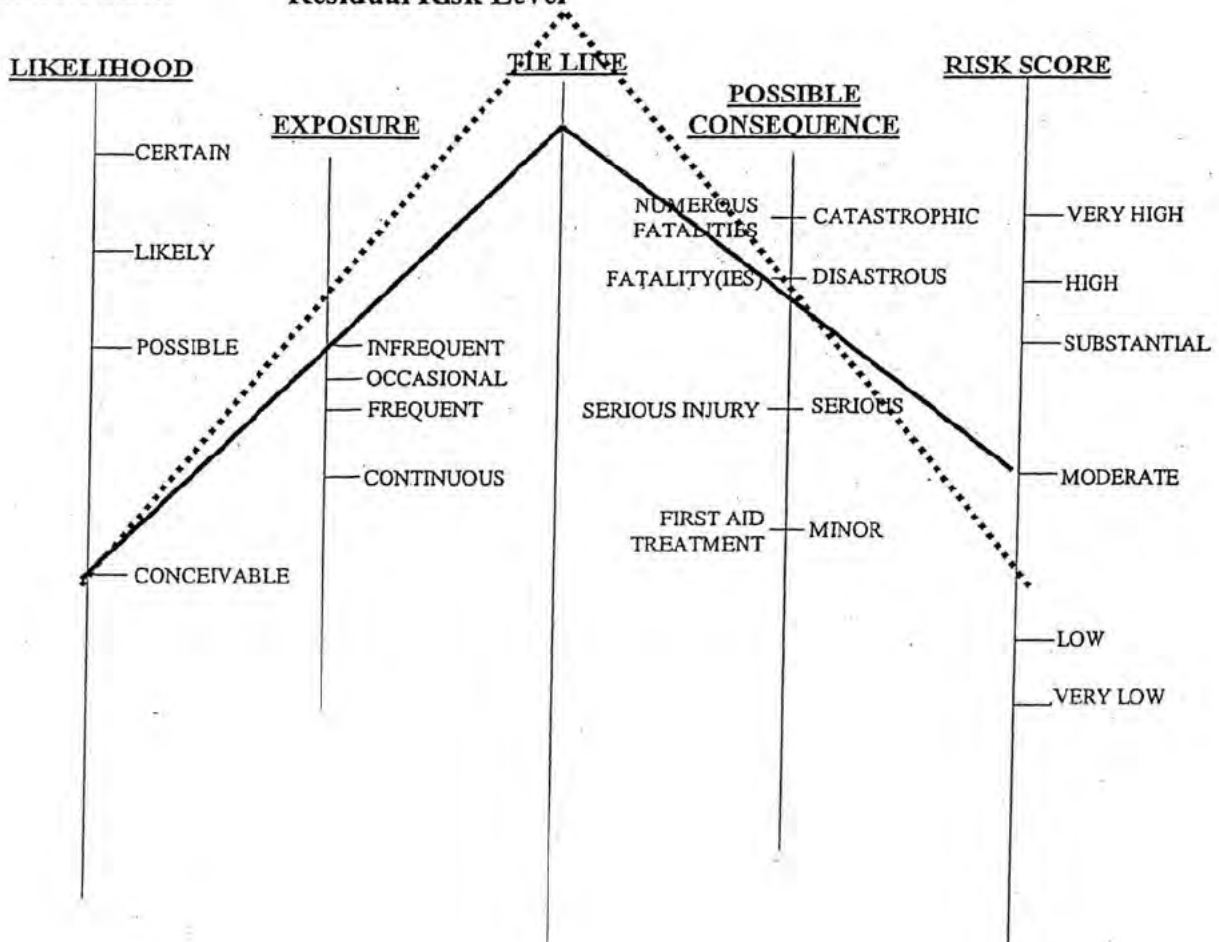
## RISK ASSESSMENT – CROCODILE ATTACK

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Crocodile attack	It is conceivable that a participant could be attacked by a crocodile during the exercise. Participants would be exposed to this risk infrequent during the exercise and the consequences would be disastrous.	The level of risk is assessed as moderate.  Controls are necessary to mitigate risk.	1. Ensure participants site admin areas away from watercourses within the exercise area. 2. Conduct first aid revision for all participants. 3. Ensure first aid kits are taken by all groups. 4. Implement CASEVAC plan.	Implementing the controls reduces the exposure to the event to less than infrequent and therefore the risk level to low.	1. Yes 2. Yes 3. Yes 4. Yes

## Legend:

—————  
 .....

Risk Level  
 Residual Risk Level





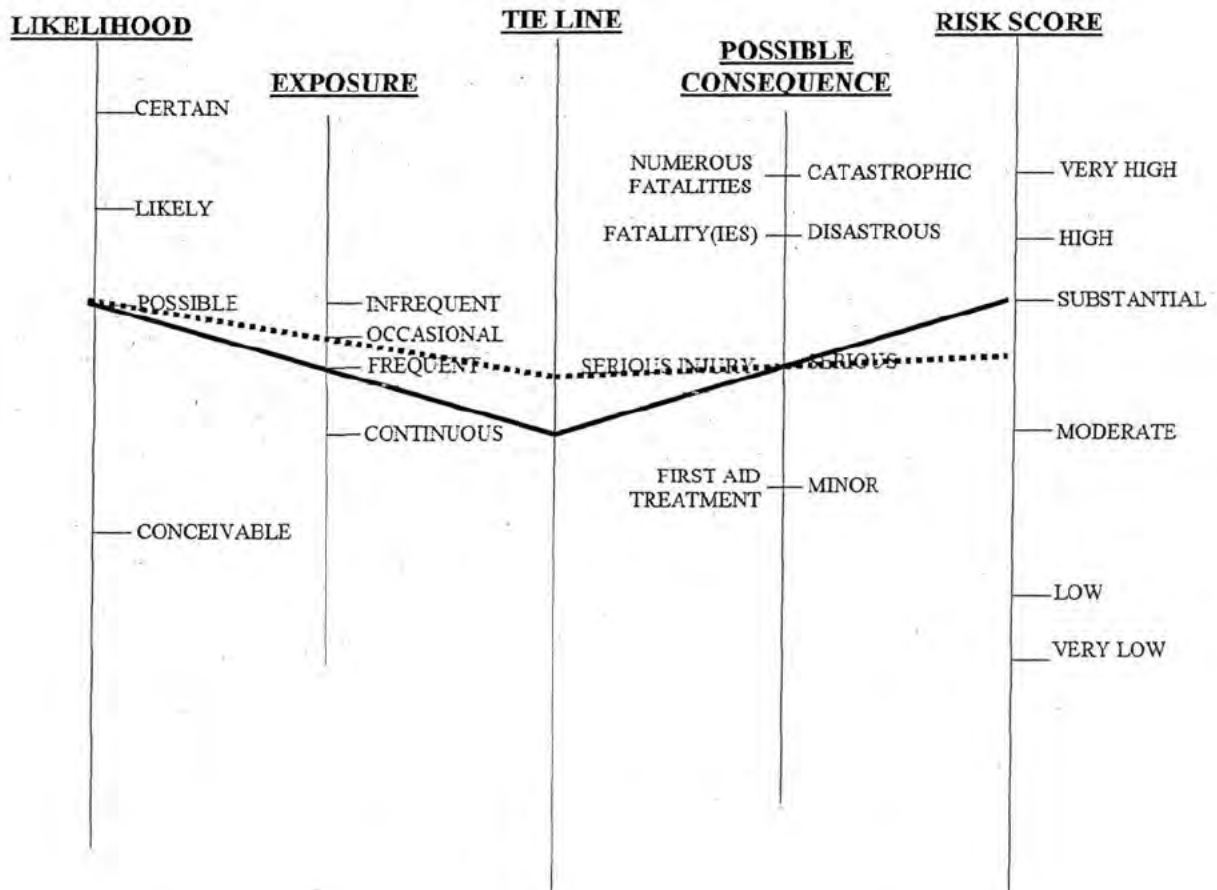
ANNEX E TO  
CSI-NT/K /04  
SEP 04

### RISK ASSESSMENT – VENOMOUS ANIMAL BITE

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Venomous animal bite	It is possible that a participant could be bitten or stung by a venomous animal during the exercise. Participants would be exposed to this risk frequently during the exercise and the consequences would be serious.	The level of risk is assessed as <b>substantial</b> .  Controls are necessary to mitigate risk.	1. Conduct first aid revision for all participants. 2. Ensure first aid kits are taken by all groups. 3. Implement CASEVAC plan.	Implementing the controls reduces the consequence of the event to <b>serious</b> and therefore the risk level to <b>moderate</b> .	1. Yes 2. Yes 3. Yes

#### Legend:

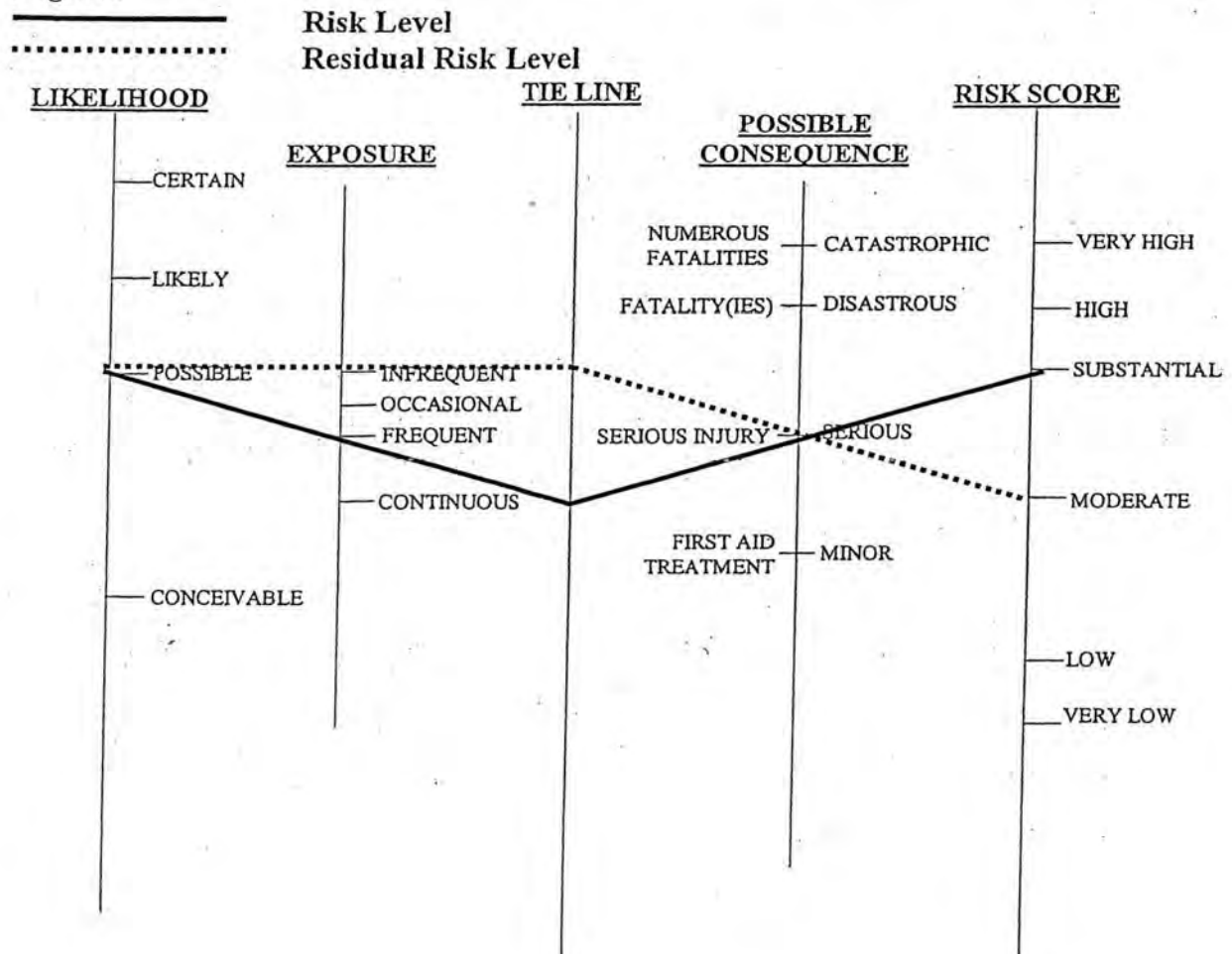
————— Risk Level  
..... Residual Risk Level



## RISK ASSESSMENT – VEHICLE ACCIDENT

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Vehicle accident	It is possible that participants could be involved in a vehicle accident during the move to and conduct of the exercise. Participants would be exposed to this risk frequently and the consequences would be serious.	The level of risk is assessed as substantial.  Controls can further mitigate the risk.	1. Ensure drivers hold the relevant license codes for the vehicles they are driving. 2. Ensure drivers are not fatigued and are subject to a rest plan. 3. Issue convoy orders.	Implementing the controls reduces the probability of the event to less than possible and therefore the risk level to moderate.	1. Yes 2. Yes 3. Yes

## Legend:

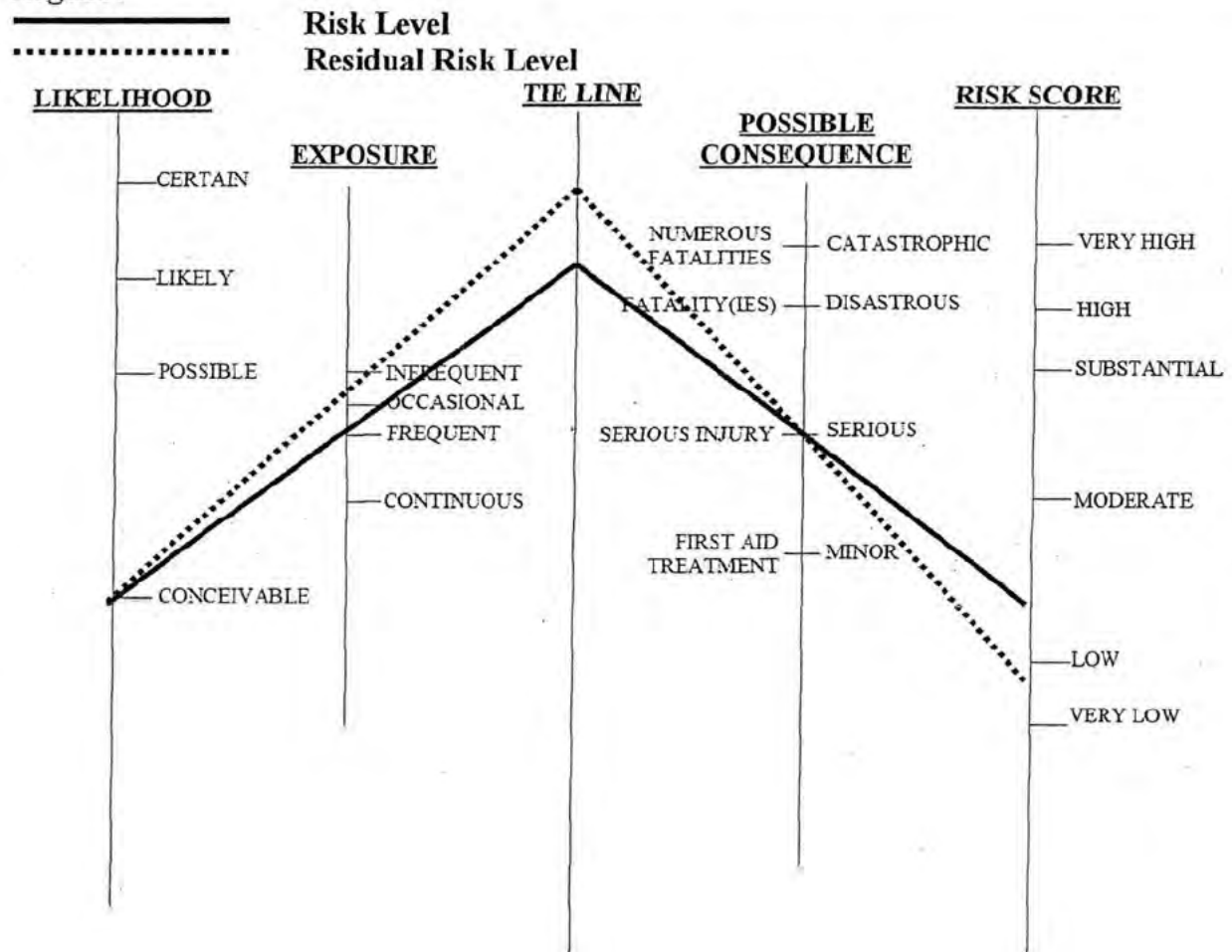




## RISK ASSESSMENT – ILLNESS

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Illness	It is <b>conceivable</b> that a participant could become ill during the activity. They would be exposed to this risk <b>frequently</b> and the consequences would be <b>serious</b> .	The level of risk is assessed as <b>low</b> .  Controls can further mitigate the risk.	1. Ensure participants are fit and have no pre-existing medical conditions prior to the exercise. 2. Implement CASEVAC plan.	Implementing the controls reduces the probability of the event to less than <b>conceivable</b> and therefore the risk level to <b>low</b> .	1. Yes 2. Yes

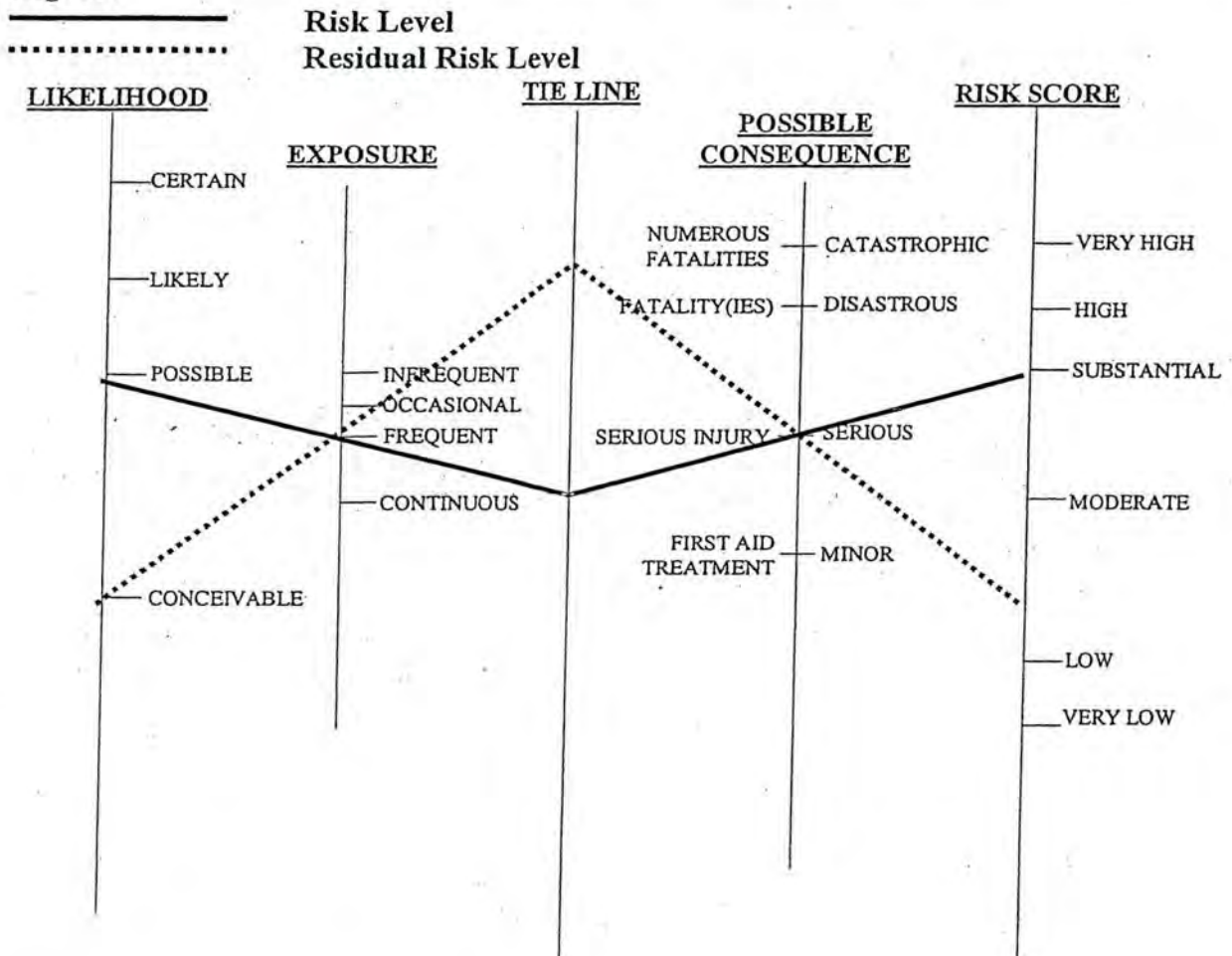
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## RISK ASSESSMENT - INJURY

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Injury	It is possible that the participant could be injured during the activity. They would be exposed to this risk frequently and the consequences would be serious.	The level of risk is assessed as substantial.  Controls are necessary to mitigate risks.	1. Ensure participants are fit and have no pre-existing medical conditions prior to the exercise. 2. Implement CASEVAC plan.	Implementing the control reduces the probability of the event to conceivable and the level of risk to low.	1. Yes 2. Yes

## Legend:

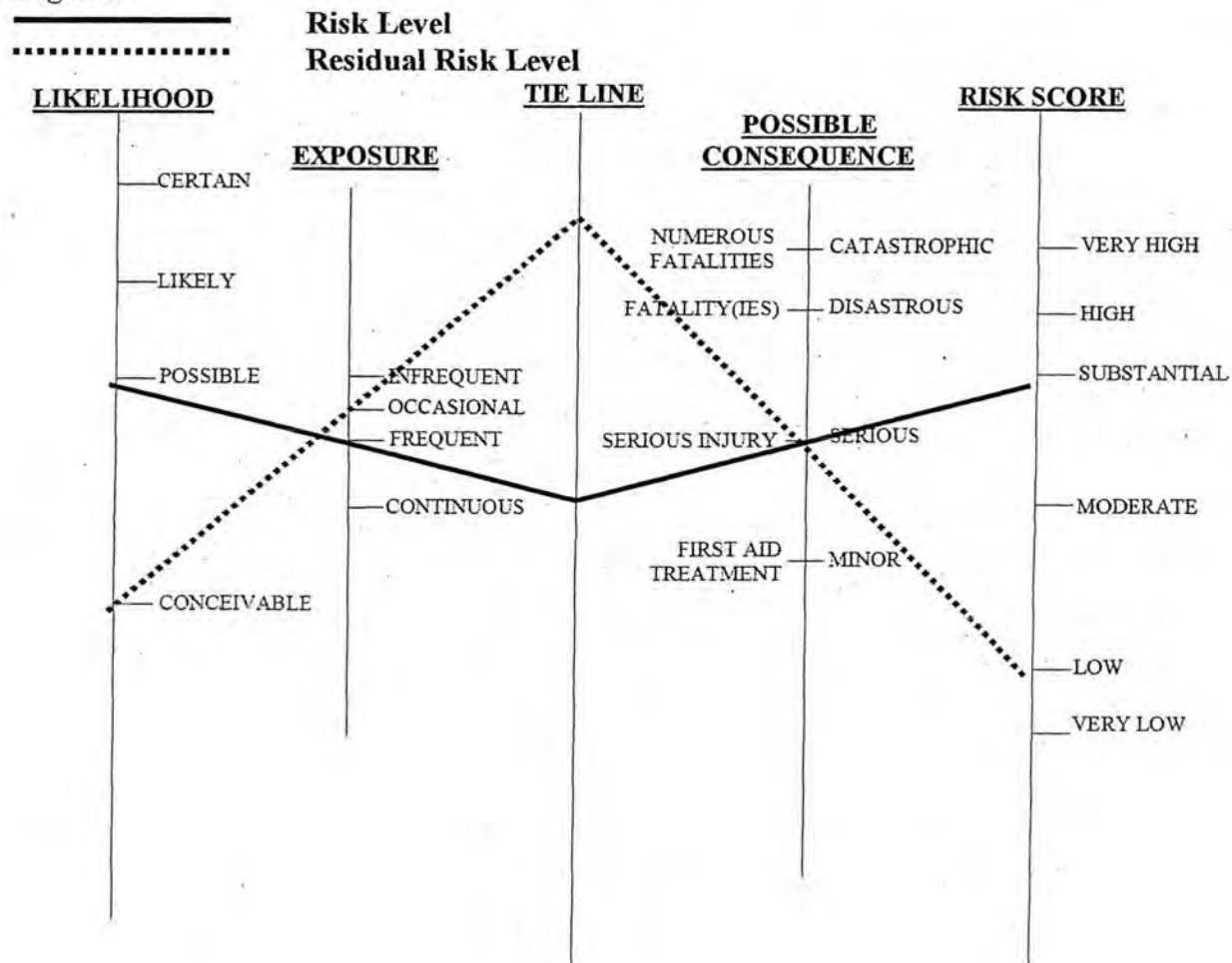




## RISK ASSESSMENT – DEHYDRATION

Risk	Consequence	Risk Level	Controls and Benefits	Residual Risk Level	Implement Control
Dehydration	It is <b>possible</b> that participants could become dehydrated during the exercise. They would be exposed to this risk <b>frequently</b> and the consequences would be <b>serious</b> .	The level of risk is assessed as <b>substantial</b> .  Controls are necessary to mitigate risk.	1. Ensure enough water is taken on the exercise on the assumption that water sources are non-existent. 2. Ensure participants are fit and have no pre-existing medical conditions prior to the exercise. 3. Conduct first aid revision for all participants. 4. Implement CASEVAC plan.	Implementing the controls reduces the probability of the event to <b>conceivable</b> and the exposure to <b>occasionally</b> . The level of risk is reduced to <b>low</b> .	1. Yes 2. Yes 3. Yes 4. Yes

## Legend:



## RISK CONTROL TREATMENT PLAN

EXERCISE COBOURG STRETCH			
Task	Responsibilities	Training / Resources Support Requirements	Milestone Timeframes
Obtain weather forecast immediately prior to exercise	A/MJOSS	a. 2 x hand-held satellite phones b. 3 x CDMA phones c. 3 x HF radios d. 3 x first aid kits e. Drivers' licences f. Qty water jerries	27 Sep 04 Pre-deployment training.
Instruct participants not to swim in watercourses during exercise	A/MJOSS		29 Sep – 05 Oct 04 Conduct activity.
Conduct first aid revision.	s47F		
Supply first aid kits for all groups	s47F		
Implement CASEVAC plan	s47F		
Instruct participants to site admin areas away from watercourses	A/MJOSS		
Ensure drivers hold the relevant license codes for the vehicles they are driving	A/MJOSS		
Issue convoy orders	s47F		
Ensure participants are fit and have no pre-existing medical conditions prior to the exercise.	A/MJOSS		
Ensure enough water is taken on the exercise	s47F		



<b>OIC ACTIVITY</b>	1. Has the Risk Control Treatment Plan been implemented? (If No, what tasks remain outstanding?)	<b>Yes / No</b>	
	2. Are control methods appropriate / effective?	<b>Yes / No</b>	_____
	3. Does Risk Control Treatment Plan need Regional managers endorsement?	<b>Yes / No</b>	____/____/____ A/MJOSS
<b>SNR COMD</b>	Is Residual Risk Acceptable? (If No, task is to be modified / cancelled)	<b>Yes / No</b>	_____ ____/____/____ Regional Manager



Australian Government

Department of Defence  
Corporate Services &  
Infrastructure Group

ATTACHMENT F

Attachment 8

Final version

CSI-NT/K /04

See Distribution List

## GENERAL INSTRUCTION FOR EXERCISE COBOURG STRETCH 04 – 29 SEP – 05 OCT 04

### References:

- A. DI(G) PERS 14-3 dated 15 Jun 98
- B. CSI-NT/K ET&D Training Needs Analysis dated 06 Sep 04
- C. CSI NT/K 023/04 Administrative Instruction – Ex Cobourg Stretch 04 – dated 10 Sep 04

### General

1. IAW Ref C, the CSI-NT/K JOSS, in conjunction with other selected personnel from CSI NT/K, is to conduct an adventurous training activity on the Cobourg Peninsula. The activity will seek to develop individual and team skills that enhance performance in the workplace.

### Aim

2. The aim of this instruction is to detail the general exercise details for the activity.

### Participants

3. The list of exercise participants at annex A of Ref C is confirmed. <sup>s47F</sup> of CSC Larrakeyah is an additional participant. Attached at annex A is the list of participants broken down into groups.

### Exercise Outline

4. The exercise outline at annex B of Ref C is confirmed. Attached at annex B is the daily routine. Activities are being conducted at an introductory level. No formal qualifications are to be gained from the exercise.

5. The following personnel will be responsible for delivering instruction on the following topics:

- a. First Aid – <sup>s47F</sup> ;
- b. Vehicle Recovery – <sup>s47F</sup> and <sup>s47F</sup> ;
- c. Navigation - Mr C. McDermott and <sup>s47F</sup> ;
- d. Communications- <sup>s47F</sup> , <sup>s47F</sup> and <sup>s47F</sup> .

Scenarios will be conducted after the introductory lessons to test participants' knowledge.



## Concept of Operations

6. The activity will be conducted in five phases as follows:
  - a. Phase One. 29 Sep 04. Road Party deploys to Cobourg Peninsula Beach Huts. Boat Party deploys by sea to Cape Don.
  - b. Phase Two. 30 Sep 04. Boat Party departs Cape Don for Cobourg Beach Huts, Smith Point.
  - c. Phase Three. 30 Sep – 03 Oct 04. Conduct Adventure Training/Cyclone Preparation activities
  - d. Phase Four. 04 Oct 04. Boat Party redeploys by sea to Cape Don.
  - e. Phase Five. 05 Oct 04. Road Party redeploys to Darwin. Boat Party redeploys from Cape Don to Darwin.

## Transport

7. s47F is the authorised operator of the boat and chief safety officer for the sea party. The sea party is not to spend more than eight hours travelling each day and breaks are to be taken every two hours, if possible.

8. The authorised drivers for the road party are:

- a. s47F
- b. s47F and
- c. s47F

9. The above members currently, or have previously held, military drivers licences. Skills acquired as part of this qualification include off-road driving and recovery techniques, convoy driving, navigation, and vehicle care and maintenance skills.

## Rations

10. Attached at Annex C is the ration plan for the activity.

## Accommodation

11. Personnel will be accommodated at the Cobourg Beach Huts for the activity. The boat party will spend one night at the Cape Don Wilderness Lodge on the deployment and return legs of the trip.

## Stores

12. The JOSS is to ensure that adequate stores are taken to be self-sufficient for the duration of the activity. Each vehicle is to have a load list carried to aid in stores management. A detailed stores list is contained in Ref C, Annex D.

### **Clothing**

13. Dress for all personnel is civilian attire. Personnel are to deploy with sleeping gear, sufficient civilian clothes and personal toiletries for the activity. It is recommended that personnel deploy with mosquito netting, insect repellent, sunscreen, broad-brimmed hat and sunglasses as well as sturdy footwear. A Camelback, or similar is also recommended to prevent dehydration.

### **Safety**

14. Generally, safety is a command responsibility. The activity is to be conducted in a responsible manner that does not place personnel or equipment in a dangerous situation. The overall safety coordinator is the A/MJOSS.

### **Medical**

15. Medical support in the Cobourg Peninsula area is sparse. As such, a comprehensive first aid kit is to be taken on the exercise in addition to basic first aid kits in each vehicle. Any personnel that require personal medication are to bring adequate supplies for the duration of the activity. <sup>s47F</sup> is appointed as the first aid officer for the duration of the activity.

16. Civilian personnel selected to participate in the activity who have a pre-existing medical condition may be required to undergo a medical assessment to ascertain their suitability to attend the activity. <sup>s47F</sup> has coordinated assessments as required.

17. Comcover has issued a Certificate of Currency for the activity. Attached at annex D is the Medical Evacuation Plan for the activity.

### **Exercise Appointments**

18. The appointments for the activity are as detailed in Ref C.

### **Communications**

19. Communications will be via iridium telephone, HF radio, mobile telephone and UHF radio. The sea party will be equipped with an EPIRB, HF radio and iridium telephone. The road party will be equipped with HF radio, iridium telephone, mobile telephone and UHF radio for inter vehicle communication. Contact numbers and frequencies will be held with the RM.

20. Attached at annex E is the communications plan.

### **Environment**

21. Waste disposal will be conducted IAW the established procedures at the destination. Any waste that cannot be received at the local waste station will be taken back to Darwin for subsequent disposal.

22. Refuelling will be conducted in designated refuelling areas for road and sea parties.

23. An environmental compliance certificate has been completed for the activity.



## Recovery

24. In the event of a break-down vehicles will be recovered IAW the appropriate recovery plan, ie. Lease or hire vehicle recovery plan. In the event of the sea party requiring recovery they are to radio for assistance and utilise the EPIRB if required.

## Conclusion

25. This activity provides a valuable opportunity for the participants to develop and hone skills that are desirable in the workplace within a controlled team environment. I expect each participant to become skilled in leading a team, navigating and weather tracking and use of various communications that they could be expected to utilise in a post cyclone environment.

s47F

Regional Manager  
Corporate Services and Infrastructure – Northern Territory/Kimberley

**24** Sep 2004

### Annex:

- A. Exercise Groups
- B. Daily Routine
- C. Ration Plan
- D. Emergency Plan
- E. Communications Plan

### Distribution:

RM  
MTS  
MR&G  
MPS  
BSM-DL  
Manager Ranges  
A/MJOSS  
Future Operations Manager  
A/Current Operations Manager  
Ex Participants

## Exercise Groups

### Deployment

#### Sea Party

- s47F
- Mr. C. McDermott
- s47F

#### Road Party

- s47F (driver)
- s47F (driver)
- s47F
- s47F (team leader)
- s47F (team leader)

### Re-deployment

#### Sea Party

- Mr. C. McDermott
- s47F
- TBC
- TBC

#### Road Party

- s47F (driver)
- s47F (driver)
- TBC
- TBC
- TBC



Daily Routine

Ser	Time	Activity	Remarks
1	0630	Revielle	
2	0730	Morning Routine Completed	
3	0730	Breakfast	As per roster
4	0830	Commence daily activities	IAW program
5	1200	Lunch	As per roster
6	1300	Continue daily activities	IAW program
7	1600	Scenario Development	Team leaders
8	1800	Dinner	As per roster
9	1930-2200	Group activities	

EX COBOURG STRETCH 04 – RATION PLAN

Date	Breakfast	Lunch	Dinner
29 Sep	Fresh	Cut	Fresh
30 Sep	Fresh	Fresh	Fresh
01 Oct	Fresh	Fresh	Fresh
02 Oct	Fresh	Fresh	Fresh
03 Oct	Fresh	Fresh	Fresh
04 Oct	Fresh	Fresh	Fresh
05 Oct	Fresh	Cut	X



## MEDICAL EVACUATION PLAN

### General

1. The primary means of notification of an emergency or casualty will be by HF Codan radio with iridium and CDMA telephone as an alternate means.
2. Emergency frequencies have been programmed into the HF radios being taken. Emergency channels are:  
  
- 13, 30 & 42 – St Johns Ambulance Darwin.
3. The emergency telephone contact number is '000'.

### Priority One

4. Priority One casualties are to be evacuated by the fastest possible means to Royal Darwin Hospital. Immediate first aid is to be administered and St Johns Ambulance is to be contacted. <sup>s47F</sup> and <sup>s47F</sup> are to manage the casualty until assistance arrives.

### Priority Two

5. Priority Two casualties are to be treated in location and evacuated by the most appropriate means to the community health facility at Jabiru. The contact number for this facility is tel: 8979 2018

### Priority Three

6. Priority Three casualties are to be treated in location and evacuated by road to the district health facility at Jabiru, if required.
7. Details of all incidents are to be recorded and an AC563 completed.

## Communication Plan

### Radio Frequencies

HF - Pri - 13992.5 kHz  
Alt - 11530.0 kHz

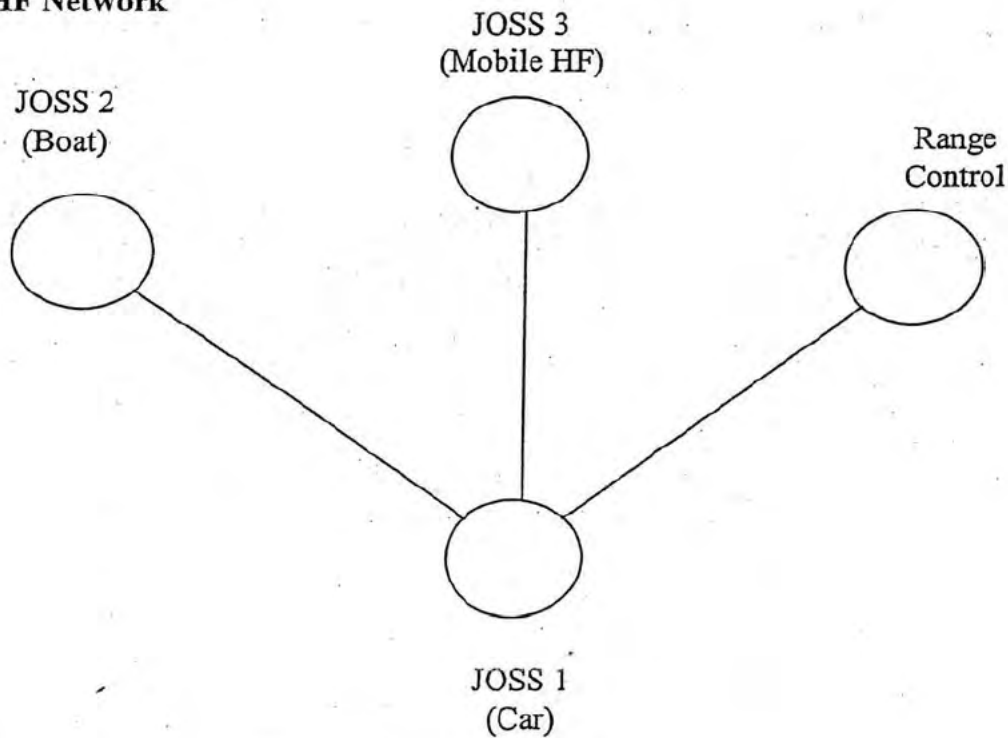
UHF - Ch 1

### Telephone Numbers

Iridium 1 - 0011 8816 3143 0825  
Iridium 2 - 0011 8816 3143 0826

A/MJOSS - 0417 822348  
s47F - s47F  
s47F - s47F

### HF Network





## PREFACE

### Aim

1. The aim of this publication is to present the trade skills, knowledge and procedures required by small craft operators and those involved in small craft operations.

### Level and Scope

2. The publication provides, in one document, the techniques and procedures for operating Army small craft. It also provides one of the key references for developing and conducting training for small craft operator courses.
3. It has been designed for use by operators and supervisors ranging in rank from Private to Sergeant who are involved in the operation of small craft up to six metres in length. This publication will also provide information for those personnel involved in the planning, preparation and conduct of small craft operations.

### Safety

4. This is a safety-related publication.

### Associated Publications

5. This publication should be read in conjunction with the following publications:
  - a. *Defence Safety Manual - Military, Volume 2, Part 3*, 2002;
  - b. *International Regulations for Preventing Collisions at Sea*, 1972;
  - c. *Land Warfare Procedure - General 1-2-5, First Aid Basic*, 2003; and

## CHAPTER 1

### General

#### Section 1-1. Introduction

- 1.1 Army small craft are used to enhance mobility along inland waterways and in coastal areas that would be difficult to negotiate by other means. They are operated in accordance with *Standing Orders for Vehicle Operators, Volume 4 -*

*Volume 2, Part 3, 2002.* This publication amplifies the policies detailed in these references and should be read in conjunction with them.

- 1.2 Army small craft are defined as watercraft:
- with a limited seaworthiness capability,
  - normally less than six metres in length,
  - powered by outboard motors (OBMs) up to 35 kilowatts, and
  - which may be inflatable or rigid in construction.

#### Section 1-2. Army Small Craft Operation

##### Crewing

- 1.3 Small craft operators must be trained, qualified and licensed in accordance with *Standing Orders for Vehicle Operations Volume 4 - Watercraft, 1995*, and familiarised on



the type of craft they are required to operate. If a bowman forms part of the crew, they must be trained in their crew duties and be familiarised with the type of craft.

- 1.4** Small craft training is primarily aimed at watercraft with limited seaworthy capability, but the principles detailed in this publication are applicable to all types of small craft. The following small craft are typical of those used by Army:
- a. inflatable boat – (Zodiac 10-man/Callegari three-man);
  - b. dinghies up to six metres;
  - c. assault boat; and
  - d. other (hired small craft or civilian small craft purchased for a specific requirement).

#### **Operator Duties**

- 1.5** Irrespective of rank, small craft coxswains or operators are the commander of the small craft under their direct control and are responsible for ensuring:
- a. the small craft is serviceable;
  - b. the propulsion unit is serviceable;
  - c. safety equipment and the small craft complete equipment schedule (CES) are present and serviceable;
  - d. the safety of passengers and cargo;
  - e. equipment and cargo are stowed correctly;
  - f. the trim and stability of the small craft are maintained;
  - g. cargo and passenger capacity are not exceeded;
  - h. communication requirements are complied with, such as:
    - (1) radio,
    - (2) visual, and
    - (3) emergency signals;

### Accident, Collision and Grounding Report

- 1.10** In the event of an incident such as an accident, collision or grounding involving small craft, the operator must tend to the following immediate actions:
- a. take action necessary to prevent injury or loss of life to personnel involved in an accident or incident;
  - b. take the necessary action to prevent further damage, loss of equipment or cargo, and sinking of the small craft;
  - c. provide assistance to other personnel or watercraft;
  - d. notify the safety officer of the accident or incident;
  - e. record accident details and exchange names, addresses and other relevant details with other parties; and
  - f. complete an AC524 Accident Collision and Grounding Report – Watercraft.
- 1.11** Once completed, the AC524 is distributed in accordance with *Standing Orders for Vehicle Operators Volume 4 – Watercraft*, 1995. Assistance and advice should be sought from the safety officer to assist in the correct compilation of the report.

### Section 1-4. Safety Officer Requirements

- 1.12** Small craft operations are potentially dangerous, especially when operating in unprotected waters. Attention to detail, adherence to safety requirements and abiding by sea and weather state alerts will reduce hazards.
- 1.13** A safety officer, qualified and experienced in the operation of small craft, must be present during any coastal or surf operations to fill the position of 'Safety Officer Afloat (SOA)':
- a. an officer, warrant officer or senior non-commissioned officer can supervise up to six small craft; and
  - b. a corporal can supervise up to two small craft.



- 1.14** The master of a parent craft can be appointed as the SOA for small craft on issue to the parent craft. The coxswain or operator must comply with directions given by the SOA when operating from the parent craft. The appointed SOA is responsible for all aspects of craft and personnel safety.
- 1.15** The SOA may be located in either:
- a. the parent craft, or
  - b. a safety craft.

### **Duties of the Safety Officer Afloat**

- 1.16** The SOA assumes the responsibilities of the position from the time of appointment until formally stood down by the commanding officer (CO), officer commanding (OC), or an officer, warrant officer or senior non-commissioned officer appointed by the CO.
- 1.17** Well in advance of small craft operations or training activity, the SOA must confirm that the forecasted weather conditions will be stable and suitable for the planned activity. Throughout the activity, the SOA must keep constant watch on weather conditions and, if necessary, request weather reports from the safety officer ashore.
- 1.18** When supervising small craft operations or training, the SOA must:
- a. review and complete the appropriate sections of the safety officer checklist/aide-memoire shown in Table 1-1;
  - b. be fully conversant with the prescribed safety precautions for the proposed activity;
  - c. ensure small craft operators and/or assistant instructors:
    - (1) are qualified and familiarised on the type of small craft,
    - (2) hold the appropriate licence code, and
    - (3) are competent in small craft operation;

- d. ensure communications requirements are established and tested before commencement of the activity and maintained throughout;
- e. ensure all small craft safety procedures are implemented unless specific requirements are waived in writing by the CO/OC;
- f. be fully conversant with search and rescue procedures for the area of operations;
- g. ensure all soldiers taking part have passed the swim test within the last 12 months and have received training in sea survival techniques as described in Section 2-3;
- h. ensure all personnel wear approved in-service life preservers which are:
  - (1) inspected and deemed fully functional;
  - (2) correctly fitted; and
  - (3) suitable for the type of small craft activity:
    - (a) life preserver vests (LPV) – inherently buoyant, olive drab, general purpose, suitable for enclosed waters and day use only. They must be inspected for serviceability before the activity;
    - (b) LPVs – inherently buoyant orange coastal are suitable for day and night use in enclosed waters, coastal waters and open seas; and
    - (c) LPVs – gas inflation, orange, and are suitable for day and night use in enclosed waters, coastal waters and open seas;
- i. ensure all personnel are wearing or have available for use the appropriate personal protective clothing and equipment;
- j. ensure all small craft, safety craft and safety vehicles are fitted with the required stores and CES and that they are correctly contained, stored and secured including the outboard engine, which must be fitted with a safety line or chain;



## CHAPTER 2

### Safety in a Marine Environment

- 2.1 Adverse weather, hidden rocks or shoals are three of many factors that can impact on the safety of small craft. Such impact can be minimised if craft are well maintained, handled and correctly equipped.

#### Section 2-1. Equipment Requirements

##### Safety Equipment

- 2.2 All LPVs, distress markers and emergency flares must meet the relevant Australian Maritime Safety Authority standards appropriate to the activity being conducted, or be cleared for use by the Australian Defence Force. The following safety equipment is required when conducting small craft activities:
- a. An LPV that has sufficient buoyancy to support the weight of the individual and the equipment that they are carrying is to be worn by all personnel involved in small craft activities when on the water. Small craft operators should wear an LPV fitted with a knife and a signal distress flare.
  - b. A distress marker capable of displaying the day and night international marine distress signals is to be carried by all personnel involved in small craft activities when on the water.

### Safety precautions

**10.32 General.** The following general safety precautions are to be observed during activities involving the use of small craft:

- a. Before conducting training involving the use of small craft, units are to raise detailed small craft training standing orders for safety. The standing orders are, as a minimum, to address the techniques and procedures for day and night operations, drills including emergency actions to be used, equipment uses and limitations, procedures for carrying equipment and passengers, craft load limits, crew composition and duties, command and control of the small craft and safety boats, procedures for operating with parent craft, additional safety requirements for initial training and limitations for tactical training. The orders are to reflect the unit's specific training and operational requirements.
- b. Only equipment supplied through service channels is to be used.
- c. All equipment is to be checked and serviceable in accordance with EMEI prior to use.
- d. Protective clothing, light footwear (not general purpose boots) and safety equipment commensurate with the activity and the prevailing weather conditions and sea states are to be used.
- e. Craft are to be employed in pairs unless they are operating within 400 metres (m) of the shore or in protected waters.
- f. Small craft are not to be overloaded.
- g. Civilian marine traffic laws are to be obeyed when possible.
- h. Command of the craft is generally to be exercised by the senior rank present. Control of the craft and its safe handling are the responsibility of the coxswain under the direction of the senior rank.
- i. A formal safety brief is to occur prior to all small craft activities. The brief is to be given to all participants and may be incorporated in the orders for the activity. It is to include the following:
  - (1) an outline of the activity;
  - (2) weather and tidal conditions;
  - (3) essential timings;
  - (4) rendezvous (RV) drills;
  - (5) search and rescue procedures;
  - (6) safe landing/shelter areas;
  - (7) identifiable danger areas; and
  - (8) actions on:
    - (a) capsize;
    - (b) man overboard;
    - (c) loss/separation of craft;
    - (d) failed communications; and
    - (e) bad weather.

**10.33 Weather conditions.** Small craft activities are greatly affected by weather and sea/water conditions. Information on the coastal weather forecast areas, emergency frequencies and HF radio schedules are available from the Overseas Telecommunication Commission (OTC) Maritime Division.



Units that train in coastal waters are to liaise with the local OTC Maritime office and maintain current data relevant to their area of operations. In addition, weather checks with the nearest Bureau of Meteorology station are to be carried out 36, 24 and six hours prior to the commencement of all small craft activities. Activities are not to commence if the following are predicted:

- a. wind speeds over 20 knots,
- b. severe thunder storms or squalls,
- c. gales, and
- d. tropical cyclones within 500 nm of the training area.

**10.34 Sea states.** Small craft are not to put to sea in sea state 4 or above. If, during the activity, the sea conditions exceed sea state 4 all small craft activities are to cease and the nearest safe shelter is to be sought. Sea states are defined in Australian Defence Force Publication (ADFP) 101—*Glossary*.

**10.35 Surf negotiation and rocky landings.** Negotiation of surf over 1 m or landing on a rocky shoreline is only to be deliberately undertaken by personnel who are equipped and trained to do so. Normally surf negotiation and the conduct of rocky landings is only considered to be necessary for SF advanced training.

**10.36 Safety equipment and craft.** All life jackets, distress markers and emergency flares are to meet the relevant Australian Maritime Safety Authority standards appropriate to the activity being conducted, or are to be cleared for use by Army Engineering Agency. The following safety equipment and craft are required when conducting small craft activities:

- a. A life jacket that has sufficient buoyancy to support the weight of the individual and the equipment that they are carrying is to be worn by all personnel involved in small craft activities when on the water.
- b. A distress marker capable of displaying the day and night international marine distress signals is to be carried by all personnel involved in small craft activities when on the water.
- c. Two distress markers as outlined in subparagraph b. are to be carried by all safety and small craft on all activities.
- d. Two green emergency flares, three red emergency flares and three white emergency flares are to be carried by small craft when operating in unprotected waters.
- e. Three green emergency flares, six red emergency flares and six white emergency flares are to be carried by safety craft on all activities.
- f. All small craft are to carry CES and any extra items deemed necessary by the safety officer afloat. Extra items to be considered are:
  - (1) navigational equipment and charts;
  - (2) waterproof torch;
  - (3) first aid kit and resuscitator;
  - (4) repair kit and towing rope;
  - (5) survival kit and extra water;
  - (6) spare or alternate means of propulsion;
  - (7) signalling mirror;
  - (8) binoculars; and
  - (9) radio, including spare battery and aerial.

participants follow a necessarily rigid set of instructions to ensure the safety of personnel. However, the observance of rigid orders is not always conducive to the purpose of Adventurous Training. Adventurous Training, by its very nature, requires that some risks are taken as part of the training. Although the safety standards of this chapter may differ from those for other similar activities, it should not be perceived as a lowering of safety standards.

**21.5** Meticulous attention to detail, a gradual progression of training and a self-reliant ethos will minimise accidents and injuries. These Safety instructions are not to be considered a substitute for foresight, prudence and commonsense in the planning and execution of Adventurous Training.

### **Responsibilities**

**21.6** The Commandant Army Recruit Training Centre is the Training Adviser for Adventurous Training and is responsible for the provision of safety policy for the conduct of Adventurous Training within the Army. The Army Adventurous Training Wing (AATW) is the Subject Matter Expert organisation and authorised Training Establishment. Approving authorities for Adventurous Training activities are contained in Reference B.

### **Authorised associations**

**21.7** All authorised associations are to conduct their Adventurous Training activities and exercises in accordance with the instructions outlined in this chapter. Those Defence and civilian associations which are authorised to conduct Adventurous Training are described in reference B. As safety in Adventurous Training can be greatly enhanced through the experience of instructors, military personnel involved in conducting Adventurous Training should be strongly encouraged to belong to an association/club.

## **SUPERVISION REQUIREMENTS**

### **Appointments and responsibilities**

**21.8** The appointments and responsibilities required for the conduct of an Adventurous Training activity are as follows:

- a. **Activity Commander.** The Activity Commander is the appointed senior officer or Noncommissioned Officer (NCO) present who commands the activity. There is no requirement for the Activity Commander to be qualified in the activity, but this is an advantage. The Activity Commander is responsible for defining the activity aims and objectives, planning and organising the administrative requirements and other general responsibilities. The Activity Commander has overall responsibility for the safe conduct of the activity, although the Activity Commander is to act on the advice of the Officer in Charge (OIC) on technical safety issues. The Activity Commander may also assume the responsibilities of OIC and Group Leader (GL) if appropriately qualified.
- b. **OIC.** The OIC is the appointed senior GL who is responsible for all matters of safety relating to the skill or technical aspects of the activity. The OIC is to be qualified to conduct the activity in accordance with paragraph 21.9. The OIC may also assume the responsibilities of a GL. The OIC is responsible to ensure that all personnel participating in the activity are proficient, prepared and trained for the activity, that equipment is inspected and serviceable, and that the activity is conducted in a safe and professional manner. In particular, the OIC is to ensure that all:
  - (1) Unit Adventurous Training Leaders (UATL) or equivalent are qualified in accordance with paragraph 21.9, current, proficient and properly prepared and trained for the activity; and
  - (2) participants are adequately prepared and trained for the activity.
- c. **GL.** A UATL or equivalent may be appointed as a GL. The requirement for GLs depends on the number of participants, complexity of the activity and the level of supervision required by the specific activity. Required levels of supervision can be found in the relevant annex of this chapter for the activity being conducted. GLs are responsible to assist the OIC with safety and ensuring that participants are proficient, prepared and



trained for the activity, that equipment is inspected and serviceable, and that the activity is conducted in a safe and professional manner. GLs may be required to operate independently of the OIC on expedition style activities.

- d. **Medic.** A person who is trained in first aid is to be appointed as the medic for each activity, or when groups are operating independently, one must be appointed for each group. When operating in remote localities (ie where professional medical assistance is assessed as being more than 48 hours away) one of the following medical personnel is required for the conduct of an activity, or for each independent group:
- (1) medical officer;
  - (2) an Royal Australian Army Medical Corps medical assistant;
  - (3) a Patrol Medic or Combat First-aider;
  - (4) a person trained in Wilderness First Aid;
  - (5) a person who has passed the Army First Aid package; or
  - (6) a person who holds a Red Cross or St John Ambulance Senior First Aid Certificate.

#### **Authorised Officer in Charge/Group Leader qualifications**

**21.9** In accordance with reference B, Approving Authorities are to ensure that Adventurous Training activities are conducted under the supervision of personnel who are suitably qualified. Personnel appointed as OIC/GL are to be either a UATL, or hold equivalent qualification, defined as follows:

- a. **UATL qualification.** Personnel with a current qualification issued by the Army Adventurous Training Wing (AATW).
- b. **Equivalent qualifications.** Personnel with:
  - (1) complementary military qualifications,
  - (2) recognised civilian qualifications, or
  - (3) demonstrated experience and expertise as assessed by their unit commander.

**21.10** OIC and GLs are to be appointed in writing by the Approving Authority or Unit Commanding Officer. Written authorisation should also be provided if personnel are required to operate above their qualification level. In addition:

- a. Where personnel are appointed as the OIC/GL and hold UATL qualifications, or are deemed to be suitably experienced by their Commanding Officer, they are to conduct the training in accordance with the safety instructions contained in this chapter and the procedures they have been taught.
- b. Where personnel are appointed as the OIC/GL and hold relevant military qualifications, other than military Adventurous Training qualifications, they are to conduct the training in accordance with the regulations outlined for that qualification.
- c. Where personnel are appointed as the OIC/GL and hold authorised civilian qualifications, they are to conduct the training in accordance with the rules and regulations of the appropriate governing civilian organisation or government department.

#### **Currency requirements**

**21.11** In addition to qualification, personnel who are appointed as the OIC or GL are to be sufficiently current and experienced to conduct the activity. In order to maintain currency, UATLs must have conducted at least one multi-day activity or several single day activities in the skill they are being appointed to conduct in a two year period leading up to that activity. All Adventurous Training activities





ATTACHMENT :



PO Box 1066, Howard Springs Northern Territory 0835

Ph: (08) 89 889 389

Fax: (08) 89 889 387

ABN: 28 093 110 126

Major <sup>s47F</sup>

Thank you for the opportunity to quote on your boating requirements. We hope you find the following list of fittings and accessories satisfactory.

### PRICE INCLUDES: B.M.T.

**Hull:** (Built to exceed Australian Standard 1799.5 – 1990)

- **6.35 m Centre Console HydraCraft Aluminium Hull** as per your requested layout, which includes further input and consultation with yourself during the construction of the vessel to ensure that we provide you with a craft that will exceed your expectations.  
Included are:

- **5083 H321 Marine grade** 4mm plate hull, 4mm plate sides to your height requirements and 4 mm self draining main deck.
- **DNV Certified** 6 mm structural members (frames, stringers etc).
- 360 Lt fuel capacity (underdeck).
- Provision for 20lt fuel container.
- Fresh water tank built into console (80lt Approx.)
- Dual centre console.
- Front anchor well.
- Storage lockers.
- Centre storage ~~locker~~ *locker*
- Storage locker. *MAR.*
- Chart table.
- Bow rails to your specifications.
- 3 year structural warranty.
- Rear dive platform.
- Axillary engine mount.
- Hull I.D. registered with the Boating Industry Association (BIA).
- Rocket launcher (with canopy) —

### Accessories:

- Full Stainless steel hardware fit-out – Bollards, hinges, cleats, bow roller & 4 rod holders.

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- Graphics and Logos.
- Painted in Two-Pack.
- ~~Carpeted deck and sides~~ (Non-slip optional on deck)
- ✓ ➤ Compass. (Explorer bulkhead mount)
- ✓ ➤ 6 gang switch panel.
- ✓ ➤ Bilge pump.
- ✗ ➤ ~~Bait tank pump.~~
- Marine plug for spot light
- Plug for engal.
- Marine snake light
- ✗ ➤ Deck wash pump.
- ✓ ➤ Hose tail kit.
- ✓ ➤ Hr meter.
- ✓ ➤ Battery isolator switch.
- ✓ ➤ Batteries x 2.
- ✓ ➤ Battery boxes x 2.
- ✓ ➤ Anchors, ~~Reef and Sand.~~
- 50 m 8mm anchor rope.
- ~~3 draw lockers x 2.~~
- ✓ ➤ Gunwale lights x 4
- ✓ ➤ Docking Lights
- ~~Blue Eye saltwater spot light.~~
- ~~Driving lights~~
- ✓ ➤ Fold down seats x 2.
- ✓ ➤ Helm seat (esky included)
- ✓ ➤ S/S latches for deck hatches.
- ✓ ➤ Fuel filter.
- ✓ ➤ Navigation lights.
- ✓ ➤ Inspection ports.
- Anode.
- Scuppers x 2 (to prevent back wash into boat).
- Fuel tank breathers.
- Sports steering wheel.
- ✗ ➤ Outboard motor flusher.
- Hydraulic steering (Bullhorn).
- ✗ ➤ ~~Steve~~
- ✗ ➤ ~~Stove rod holder mount.~~
- ~~LPG hose Connection kit.~~
- ~~Gas control valve.~~
- ✓ ➤ Safety kit including:
  - Paddles x 2.
  - Life jackets x 6.
  - Flares
  - EPIRB
  - V sheet
  - Fire extinguisher
  - Fire extinguisher boxes x 2
  - Flare container



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- Cushions for helm seat.
- Towing cover.
- Engine cover.
- Auxiliary engine cover.
- Humming Bird NS 25 Depth sounder/GPS
- CMAP cards to suit area of works.
- NAVMAN fuel monitoring system.
- Stereo.
- Waterproof stereo enclosure.
- Marine Speakers.
- VHF sea phone.
- ✓ ➤ **Heavy duty** Double axle trailer with centre ladder bar support.
- Springs spare x 2 (mounted)
- 78 series Landcruiser rims & tyres.
- **150 hp HPDI** Yamaha 2 stroke. Supplied, fitted & tested.
- ✓ ➤ **25 hp** Yamaha 2 stroke. Supplied, fitted & tested.
- Spare s/s Propeller + nut. (too suit 150hp Yamaha)
- Propeller shroud.
- Motor bracket (stainless steel).

Total price - \$68,266.00

2800

\$71,066 + \$71,466

10.12 weeks:

ITEMS PRICED SEPERATELY.

Boat in survey additional cost.	\$6,00.00
Boat Fast tracked. (Completion date 31 <sup>st</sup> July – all after hours work)	\$10,600.00
✓ Shelter cabin upgrade. (With hard top)	\$2,800.00 ✓
✓ RFD (6 person lift raft)	\$3,400.00 ✓

Purchasing a HydraCraft from GS Marine will ensure that you have an asset with the following characteristics,

- Excellent stability.
- Shallow draft.
- Excellent ride in both smooth and rough water.
- Fuel-efficient hull design.
- Exceptional load carrying capacity.
- High quality fittings and finish that will endure the elements.
- A level of standard fitment that is second to none.
- Personalised layout to your specifications.

54

This quote is valid for thirty days. If you would like to discuss this quote further, or if I can be of any further assistance please do not hesitate to contact me on  
Ph: s47F

Regards

s47F

Sales Manager  
GS Marine Pty Ltd.



#### Saving of certain State and Territory laws - Section 4

4. It is the intention of the Parliament that this Act is not to affect the operation of a law of a State or of a Territory that promotes the occupational health and safety of persons and is capable of operating, whether of its own force or as an applied provision within the meaning of the Commonwealth Places (Application of Laws) Act 1970, concurrently with this Act.

#### Interpretation - Section 5

5. (1) In this Act, unless the contrary intention appears:

**"annual report"** means the annual report (if any) of a Department or Commonwealth authority to the responsible Minister for the Department or authority relating to the activities, operations, business or affairs of the Department or authority;

**"annual report of Comcare"** means the annual report of Comcare under section 63M of the Audit Act 1901 as applied by section 90 of the Commonwealth Employees Rehabilitation and Compensation Act 1988;

**"annual report of the Commission"** means the annual report of the Commission under section 89S of the Commonwealth Employees' Rehabilitation and Compensation Act 1988;

**"chief executive officer"**, in relation to a Commonwealth authority, means the person (by whatever name called) who is responsible for the administration of the authority;

**"Comcare"** means the body corporate established by section 68 of the Commonwealth Employees' Rehabilitation and Compensation Act 1988;

**"Commission"** means the Commission for the Safety, Rehabilitation and Compensation of Commonwealth Employees established by section 89A of the Commonwealth Employees' Rehabilitation and Compensation Act 1988;

**"Commonwealth authority"** means:

- (a) a body corporate established for a public purpose by or under a law of the Commonwealth or a law of a Territory (other than the Australian Capital Territory, the Northern Territory or Norfolk Island); or
- (b) a body corporate:
  - (i) that is incorporated under a law of the Commonwealth or a State or Territory; and
  - (ii) in which the Commonwealth, or a body corporate referred to in paragraph (a), has a controlling interest; and
  - (iii) that is not a body corporate that the Minister, by notice published in the Gazette, has declared not to be a Commonwealth authority for the purposes of this Act; or
- (c) a body corporate:



# TUBEMAKERS METALAND

Delivering Value

ATTACHMENT

# NEED FIRM Quote

# TO GET Purchase order.

#

Boat : 6-35  
Motor : 150hp.

#2 Quicks

#1 NORMAL

Would rather not survey.

#1 In Survey

# Normal Time FRAME

#

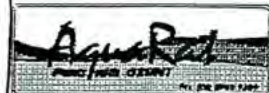
\*# Done Quickly

#

# SHELTER CAB CONSOLE.

Plus

33.



Jules

Single leaf  
spring

TAKO.  
TRIM GAUGE  
WATER SPEED.  
TRIP meter  
BATTERY.

requested layout,  
g the construction  
exceed your

your height

tc).

SHELTER  
3IN

OPTION

DARWIN

Telephone: (08) 8984 3144

Fax: (08) 8984 3704

ALICE SPRINGS

Telephone: (08) 8952 3222

Fax: (08) 8953 0922

- ✓ / ✓ Near drive platform.
- ✓ / ➤ Axillary engine mount.
- ✓ / ➤ Hull I.D. registered with the Boating Industry Association (BIA).

## Accessories:

- ✓ / ➤ Full Stainless steel hardware fit-out – Bollards, hinges, cleats, bow roller & 4 rod holders.
- ✓ / ➤ Graphics and Logos.
- ✓ / ➤ Painted in Two-Pack.
- ✓ / ➤ Carpeted deck and sides (Non-slip optional on deck)
- ✓ / ➤ Compass.

UP one level of  
Compass. [232046]





# Northern Territory Government

Department of Infrastructure, Planning and Environment

## Transport Division

Marine Safety Branch  
1st Floor Minerals House  
66 The Esplanade Darwin NT 0800  
Email: marinesafety@nt.gov.au

GPO Box 2520  
Darwin NT 0801  
Facsimile: 08 8999 5300  
Telephone: 08 8999 5285  
<http://www.nt.gov.au/dtw/aboutus/branches/transport/marine/>

MT2000/48

### Guidance Note No. 33/98 (Revision 1)

### SCHEDULE OF GAZETTED SHELTERED WATERS

### (SMOOTH AND PARTIALLY SMOOTH WATERS)

AS AT 16 DECEMBER 2003

SMOOTH WATERS	
AREA	DATE GAZETTED
<b>Bathurst Island - Gullala Creek</b> All waters enclosed by a line from a position latitude 11° 30.85' south longitude 130° 11.7' east to a position latitude 11° 30.50' south longitude 130° 11.7' east.	12 November 1986
<b>Bathurst Island - Perarkery Creek</b> All waters enclosed by a line from a position latitude 11° 42.25' south longitude 130° 08.5' east to a position latitude 11° 42.45' south longitude 130° 08.6' east.	12 November 1986
<b>Dalywoi Bay</b> All waters enclosed by a line from a point in latitude 12° 20.85' south longitude 136° 55.3' east in a direction 000° (T) to a point in latitude 12° 20.65' south longitude 136° 55.3'	12 November 1986
<b>All inland waters</b>	20 October 1993
<b>All waters of estuaries, rivers, creeks and inlets, where the mouth of the estuary, river, creek or inlet is -</b> (a) more than 2 nautical miles wide, landward of 2 imaginary lines, each being one nautical mile long, running perpendicularly from opposite banks from the point at the height of the tide at the time of mean low water mark to the point where the lines meet; or (b) less than 2 nautical miles wide, landward of an imaginary line running across the mouth contiguous with the coastline but not including those waters which would otherwise be partially smooth waters.	20 October 1993

PARTIALLY SMOOTH WATERS	
AREA	DATE GAZETTED
<b>Bathurst Island - Port Hurd</b> All waters enclosed by a line from a position latitude 11° 38.70' south longitude 130° 11.40' east to a position latitude 11° 39.15' south longitude 130° 11.7' east.	12 November 1986
<b>Bynoe Harbour</b> All waters enclosed by a line in a direction 280° (T) from East Point (Burge Point) in position latitude 12°34.13' south longitude 130°33.88' east to West Point (Unjin Point) in position latitude 12°33.60' south longitude 130°30.95' east and by a line in a direction 223° (T) from Hut Point in position latitude 12°35.08' south longitude 130°29.15' east to a position in latitude 12°38.18' south longitude 130°26.22' east.	12 November 1986
<b>Dalywui Bay</b> All waters enclosed by a line from Needle Point latitude 12°19.5' south longitude 136° 56.4' east in a direction 131° (T) to a point in latitude 12° 20.65' south longitude 136° 57.7' east to the limits of the declared smooth waters area.	12 November 1986
<b>Gove Harbour</b> All waters enclosed by a line from Wargarpunda Point latitude 12°11' south longitude 136°41' east in a direction 268½°(T), to a point in latitude 12°11.1' south longitude 136°35.7' east.	12 November 1986
<b>Port Bradshaw</b> All waters enclosed by a line from Gwapillina Point latitude 12°33.5' south longitude 136°46.2' east in a direction 270°(T) to a point in latitude 12°33.5' south longitude 136°45.1' east.	12 November 1986
<b>Port Essington – Cobourg Peninsular</b> All waters enclosed by a line from Smith Point latitude 11°07.22' south longitude 132°08.32' east to Gunner Quoin latitude 11°11.00' south longitude 132°01.80' east.	12 November 1986



PARTIALLY SMOOTH WATERS	
AREA	DATE GAZETTED
<b>Vanderlin Island</b> All waters on the landward side of an imaginary line connecting the following geographical locations: Latitude 15°57.3' South, Longitude 137°07.2' East; Latitude 15°46.7' South, Longitude 137°07.2' East; Latitude 15°36.7' South, Longitude 137°05.9' East; Latitude 15°29.6' South, Longitude 136°53.5' East; Latitude 15°29.6' South, Longitude 136°51.5' East; Latitude 15°34.5' South, Longitude 136°42.5' East; Latitude 15°34.5' South, Longitude 136°37.7' East; Latitude 15°30.0' South, Longitude 136°37.7' East; Latitude 15°30.0' South, Longitude 136°28.4' East; Latitude 15°40.5' South, Longitude 136°28.4' East.	20 April 1988
<b>NT Coast</b> One (1) nautical mile seawards from the mean low watermark on the coast (including the coasts of islands)	6 July 1988
<b>Port Bremer - Cobourg Peninsula</b> All waters of Port Bremer lying to the South of an imaginary line joining Kuper Point (Latitude 11°11.0' South, Longitude 132°13.75' East) and Edwards Point (Latitude 11°10.7' South, Longitude 132°15.9' East).	22 July 1992
<b>Raffles Bay - Cobourg Peninsula</b> All waters of Raffles Bay lying to the South of an imaginary line joining High Point (Latitude 11°12.8' South, Longitude 132°26.2' East) and a point on the Western coastline of Raffles Bay having a Latitude 11° 10.6' South, and a Longitude of 132°21.7' East.	22 July 1992
<b>Port of Darwin</b> All waters in the Port of Darwin landward of an imaginary line running approximately west by south-west from Lee Point to Charles Point.	20 October 1993
<b>Junction Bay</b> All waters of Junction Bay lying to the South of an imaginary line joining Braithwaite Point, (Latitude 11°46.4' South, Longitude 133°56.4' East) and Goomadeer Point (Latitude 11°51.5' South, Longitude 134°02.0' East).	15 April 1998

PARTIALLY SMOOTH WATERS	
AREA	DATE GAZETTED
<p><b>Haul Round Island</b>  All waters on the landward side of an imaginary line connecting the following geographical locations:</p> <p><b><i>Goomadeer Point</i></b> - Latitude 11°51.5' South, Longitude 134°02.0' East.  A point at sea - Latitude 11°51.5' South, Longitude 134°12.5' East.  <b><i>Skirmish Point</i></b> - Latitude 11°59.0' South, Longitude 134°17.1' East.</p>	15 April 1998
<p><b>Boucaut Bay, Milingimbi Inlet and Castlereagh Bay</b>  All waters on the landward side of an imaginary line connecting the following geographical locations:</p> <p><b><i>Skirmish Point</i></b>  Latitude 11°59.0' South, Longitude 134°17.1' East.</p> <p><b><i>A point at sea</i></b>  Latitude 11°55.0' South, Longitude 134°45.0' East.</p> <p><b><i>A point on Mjrunnga Island</i></b>  Latitude 11°55.5' South, Longitude 135°07.0' East.</p> <p><b><i>A point on Elcho Island</i></b>  Latitude 12°01.5' South, Longitude 135°34.0' East.</p>	07 February 2000



## FILE MESSAGE

ATTENTION	s47F	- Comcare Investigator
ORGANISATION	Comcare	Australian Government
FACSIMILE NO	8124 0413	
TOTAL PAGES	1	
DATE	14 April 2005	
FROM	s47F	
PHONE	s47F	
FAX	s47F	
MOBILE		
e-mail	s47F	

## MESSAGE

s47F was  
 issued with a Licence to Drive a Motor Boat by the Government of South  
 Australia on s47F. The licence number is s47F. There is no  
 expiry date for this licence.

s47F

Manager  
 Transport Safety Regulation

Department of Transport  
 and Urban Planning  
 ABN 92 380 288 135

DEPARTMENT OF  
 TRANSPORT AND  
 URBAN PLANNING  
 9-37 Warwick Street  
 Walkerville, SA 5081  
 Australia

Ph: 81 8 8343 2774  
 Fax: 81 8 8343 2584  
 PO Box 1  
 Walkerville SA 5081  
 Australia

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY BE CONFIDENTIAL.  
 If you are not the intended recipient, you are hereby notified that any use or dissemination of this communication is  
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 telephone number listed at the right hand side of this page) and then please destroy the pages received. Thank you.

\\Recreation\Baiting Matters\Freedom of Information\2005\mstrat.doc



#### 47—Requirement for certificate of competency

- (1) A person must not accept employment in a key position in the crew of a commercial vessel to which this Part applies unless that person holds—
  - (a) a certificate of competency of the appropriate class in force under this Act; or
  - (b) a qualification under the law of some other place declared by the CEO in accordance with the regulations to be equivalent to a certificate of competency of the relevant class; or
  - (c) an exemption from the requirement to hold a certificate of competency of the relevant class.

Maximum penalty: \$2 500.

- (2) A person must not employ another in a key position in the crew of a commercial vessel to which this Part applies unless that person holds—
  - (a) a certificate of competency of the appropriate class; or
  - (b) a qualification under the law of some other place declared by the CEO in accordance with the regulations to be equivalent to a certificate of competency of the relevant class; or
  - (c) an exemption from the requirement to hold a certificate of competency of the relevant class.

Maximum penalty: \$2 500.

- (3) A person must not operate a recreational vessel to which this Part applies unless that person holds—
  - (a) a certificate of competency of the appropriate class (a boat operator's licence); or
  - (b) an exemption from the requirement to hold a certificate of competency of the relevant class; or
  - (c) a special permit granted under the regulations.

Maximum penalty: \$2 500.

Expiation fee: \$105.

- (3a) A person must not cause, suffer or permit another to operate a recreational vessel to which this Part applies unless the other person holds—
  - (a) a certificate of competency of the appropriate class (a boat operator's licence); or
  - (b) an exemption from the requirement to hold a certificate of competency of the relevant class; or
  - (c) a special permit granted under the regulations.

Maximum penalty: \$2 500.

Expiation fee: \$105.



## **Part 7—Certificates of competency**

### **63—Vessels in relation to which certificates of competency required: section 46**

Part 7 of the Act applies to—

- (a) a recreational vessel fitted with an engine;

### **65—Classes of certificates of competency**

Certificates of competency will be of the following classes:

- (a) for recreational vessels—

Boat Operator's Licence;

*Marine Act*

"boarding ground", in relation to a pilotage area, means a place at which the master of a ship is required to present the ship for the purpose of embarking or disembarking a pilot;

"casualty", in relation to a vessel, means –

- (a) the loss or the presumed loss, the stranding, the grounding or the abandonment of or damage to the vessel or a boat belonging to the vessel;
- (b) damage caused to or by the vessel or to or by a boat belonging to the vessel; or
- (c) the loss of life caused by –
  - (i) fire on board;
  - (ii) an accident to; or
  - (iii) an accident occurring on board,

the vessel or a boat belonging to the vessel;

"certificate" means a certificate of competency, a certificate of satisfactory service or a temporary permit issued under, or recognized for the purposes of, Part III;

"certificate of survey" means a certificate of survey issued under section 86 and includes –

- (a) a certificate referred to in section 84; and
- (b) in the case of a vessel which is being towed, a towage permit;

"certified person" means a person who holds a certificate issued or recognized and endorsed under this Act that is evidence that the person is qualified to be a seaman of a specified designation, class or grade;

"commercial vessel" means a vessel the use of which is made, allowed or authorized in the course of any business or in connection with any commercial transaction and, subject to any law in force in the Territory, includes a Government vessel, but does not include a vessel which is used solely for pleasure or recreation;

"compulsory pilotage area" means an area within which pilotage has been declared to be compulsory under section 162;



"surveyor" means a person or classification society appointed as a surveyor under section 76;

"suspended person" means a person who, for the time being, is –

- (a) a person who has been declared to be a suspended person under the Regulations;
- (b) a person in respect of whom the Superintendent at a Mercantile Marine Office in Australia is required under section 45A(a) of the *Navigation Act* to refuse to approve of the engagement of that person; or
- (c) a person who has been deemed or declared to be a suspended person by the statutory marine authority of a State under the law of that State;

"Tribunal" means the Marine Appeals Tribunal of the Northern Territory established by section 10;

"Uniform Code" means the code known as the Uniform Shipping Laws Code adopted for the time being by the conference of Commonwealth and State Ministers known as the Australian Transport Council and certified by a Minister for the Commonwealth in accordance with section 427 of the *Navigation Act* of the Commonwealth as amended from time to time;

"vessel" includes –

- (a) an air-cushioned vehicle;
- (b) an off-shore industry mobile unit; and
- (c) a boat, vessel, barge or lighter or any other craft capable of being used as a means of transportation by water;

"Vessel Record Book", in relation to a vessel, means the Vessel Record Book required by section 70(1)(b) to be kept in relation to that Vessel.

(2) A reference in this Act to a class of vessels is a reference to a class of vessels so classified by the Regulations.

(3) For the purposes of this Act, a vessel which has been got under way for the purpose of –

- (a) transporting by water goods or passengers for fee or reward or carrying out a commercial marine operation;

"part of a vessel" includes the hull, machinery and equipment of a vessel;

"passenger" means a person carried on board a vessel with the knowledge or consent of the owner or the master of the vessel but does not include –

- (a) a person engaged in any capacity on board the vessel in the business of the vessel; or
- (b) a child under the age of 12 months;

"pilot", in relation to a ship, means a person not belonging to the ship who has lawful conduct of the ship;

"pilotage area" means an area declared to be a pilotage area under section 160;

"pilotage authority", in relation to a pilotage area, means the pilotage authority appointed under section 161 in respect of that area;

"pilotage exemption certificate" or "pilotage licence" means a pilotage exemption certificate or pilotage licence issued under section 171;

"pleasure craft" means a vessel that is –

- (a) exclusively used for pleasure; and
- (b) not used for hire or reward or any commercial purpose,

but does not include a vessel that is provided for the transport or entertainment of lodgers at an institution, hotel, private hotel, boarding-house, lodging-house, guest-house or other establishment;

"proper return port", in relation to a seaman on a voyage, means the port or place named as the proper return port in the seaman's agreement in relation to that seaman;

"seaman", in relation to a vessel, means a person who is a member of the crew;

"serious injury" means an injury as the result of which permanent incapacity to or the death of the person injured may occur;

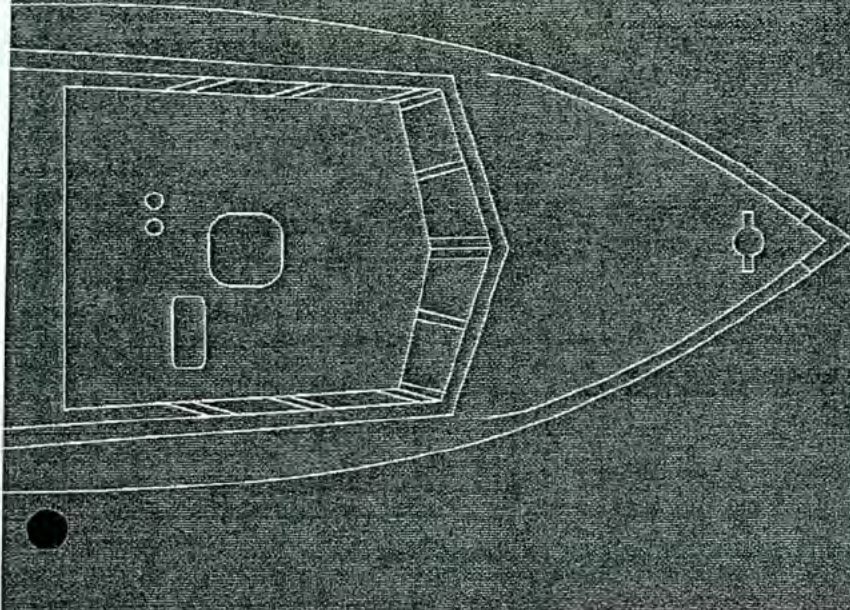
"ship" includes every description of vessel used in navigation not propelled by oars;

"shipping inspector" means a shipping inspector appointed under section 8;

"shipping officer" means a shipping officer appointed under section 9;



# ATTACHMENT Examination boat licence



- 1.1 Compulsory Section
- 1.2 Safety Equipment
- 1.3 Navigation Lights
- 1.4 Navigation Beacons

The compulsory section deals with rules of the road such as passing other vessels

The safety equipment does not include EPIRPs or life rafts

The general requirements deals with navigating locks on the River Murray

Special permits relates to learner drivers and recognition of other states' licences



# Examination

1.2

## Protected Waters

For vessels of less than 8 metres in length

- Fire Extinguisher
- Bucket or manual bilge pump
- Oars, paddles, anchor or auxiliary means of propulsion
- Personal Flotation Device (PFD)

## Safety Equipment

<< :: >>



Q5

# Examination

Boat Licence

## 1.2

### Semi-protected Waters

For vessels of less than 8 metres in length

Fire Extinguisher

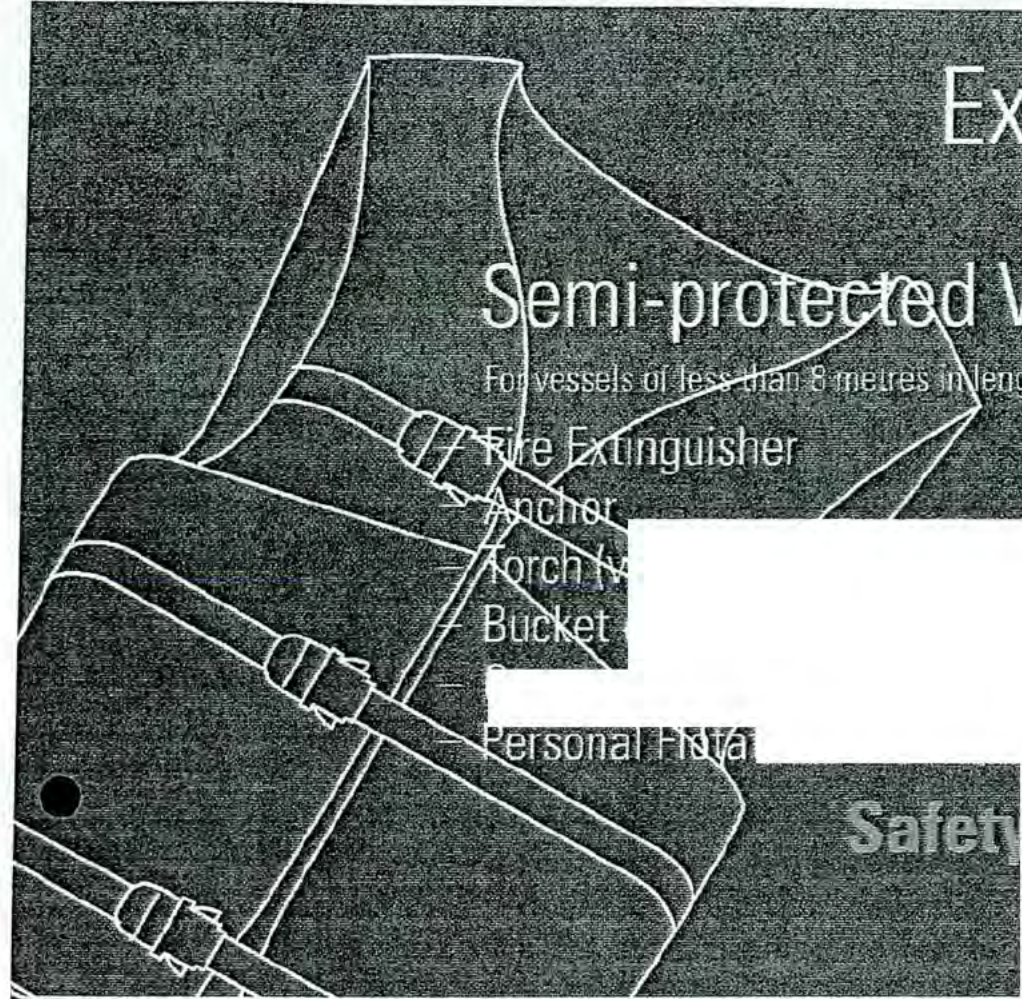
Anchor

Torch (w/

Bucket

Personal Flota

Safety





# Examination

## Un-protected Waters

### 1.2

For vessels of less than 8 metres in length

- Fire Extinguisher
- Bucket or manual bilge pump
- Oars, paddles, or auxiliary means of propulsion
- Personal Flotation Device (PFD)
- Marine Radio
- Compass
- Flares, 2 Orange Smoke for day use, 2 Red Hand-held for night use
- Fresh water (minimum 4 litres)
- PFD must be type 1 or Coastal type Lifejacket

Safety Equipme





Subject: FW: Comcare investigation - Sinking of Aluminium boat  
From: S47F  
Date: Fri, 23 Sep 2005 12:02:42 +1000  
To: S47F

---

**From:** s47F  
**Sent:** Wednesday, 7 September 2005 10:36 AM  
**To:** s47F  
**Cc:** s47F  
**Subject:** Comcare investigation - Sinking of Aluminium boat

Dear s47F

Further to your letters dated March 2005 and 30 August 2005, and our telecom this morning, the answers to your questions are as follows –

The Liferaft in question was a RFD Pacific 6 man – serial number 12065 Z0078. It was manufactured in June 2001 by Plastimo. Plastimo are a French manufacturer who produce the Pacific range of liferafts for RFD under license agreement. RFD imported the liferaft from France and more than likely sold the liferaft to Nautical Supplies who are the liferaft representative and distributor for RFD in Darwin.

The liferaft had been last serviced by Nautical Supplies in Darwin in October 13, 2004. It had been serviced by the same station the previous year on 24/10/03. Nautical Supplies are trained and authorised by Plastimo and RFD to maintain this brand and model of liferaft.

There are instructions on the outside of the stowage container that advise the operator – “to operate throw overboard and pull line”. This label appears above the painter line which is the activation line leading into the container and attaching to the inflation cylinder. Also attached to the container next to the painter line exit is a another label which advises the operator to – “Attach operating line to strong point”. Following both of these instructions, the liferaft should be thrown overboard while still in its container. The painter line should then be pulled to inflate the liferaft. The painter line is still tied off to a strong point on the vessel so there is no chance that the liferaft can float away during inflation or whilst the crew board it. Once in the liferaft, there is a knife to cut the painter line and free the liferaft from the vessel.

The throwing of the liferaft overboard will result in the liferaft landing the correct way up 9 times out of 10. The weight of the cylinder and the shape of the container (rounder edges on the top) will assist the raft in landing the correct way up.

The liferaft can only be packed in the container one way. The cylinder is on the bottom of the liferaft with the body of the liferaft folded over it. Upon inflation, the container will separate and the liferaft will expand away from the container edge that has the painter line closest to it. In most cases, this is away from the vessel. The liferaft is fitted with water pockets that have lead weights in them to assist the liferaft in maintaining a stable position in the water upon inflation.

Should the container have landed upside down in the water, the liferaft will inflate upon activation. Due to the shape of the liferaft, and the way the gas transfers into the liferaft upon inflation, the liferaft is likely to inflate the correct way up despite the container being upside down at activation.

If the liferaft did inflate upside down, there is a righting strap attached to the liferaft that can be used to invert the liferaft to the correct position. When the liferaft is upside down, the righting strap is very obvious. It is high visibility yellow.

It is possible to have inflated the liferaft on the deck of the vessel. Should the liferaft have been inflated on the deck the vessel, and then deployed, it is more likely to have been inverted once it hit the water. The weight of the lead in the water packets and the position of the cylinder tend to make the inflated product hard to handle on deck so the raft would usually be rolled into the water. Depending on the height from the water, it may not right itself under gravity before it hits the water. The manufacturers do not recommend inflation on deck largely due to the higher probability of damaging the liferaft during deployment.



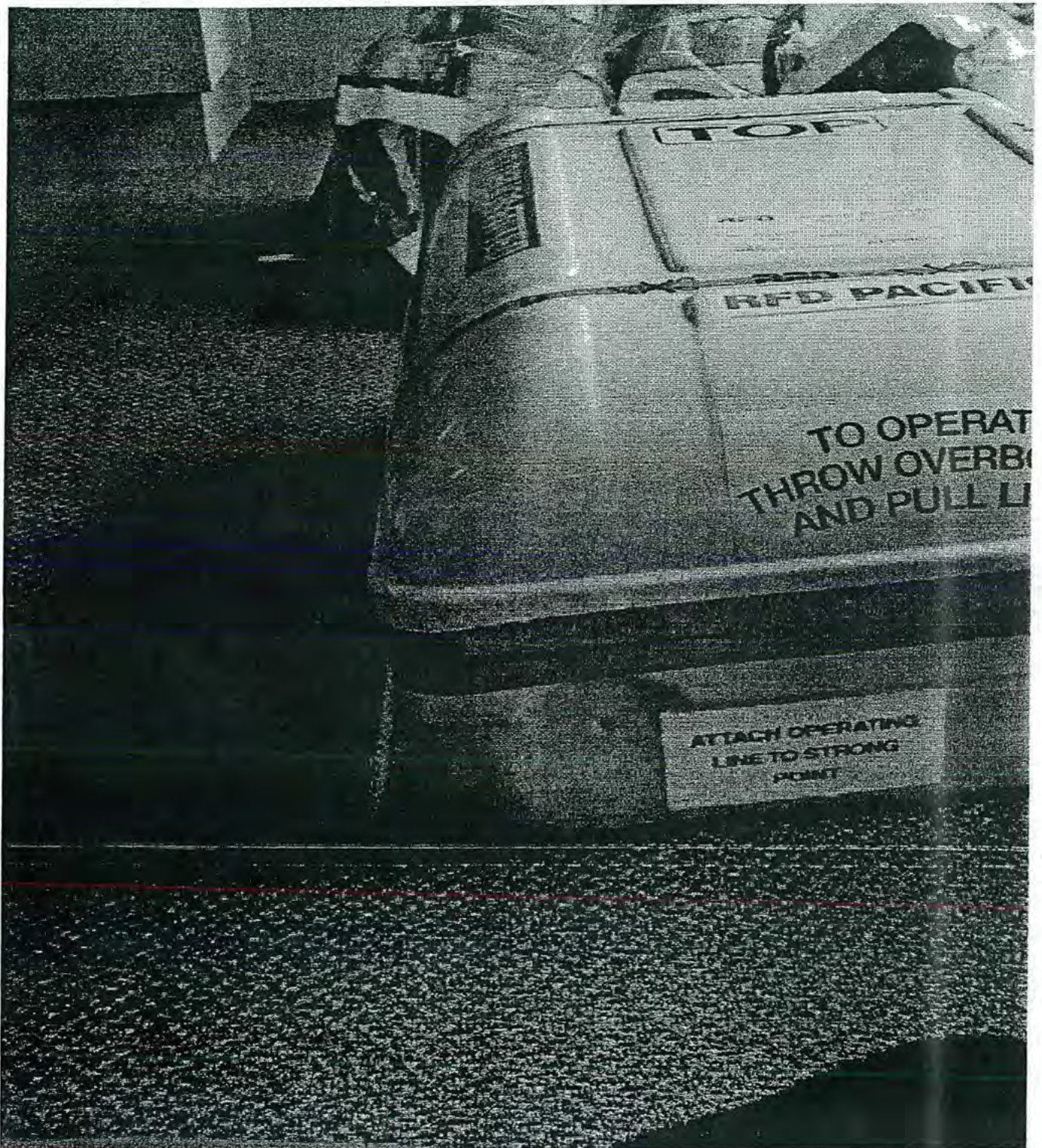
This type of liferaft is suitable to use in open seas. The Marine Boards of Australia have approved it for use on commercial vessels under certain survey standards within their jurisdiction which is 200km from the coast. Each Marine Board (state based) has its own interpretation of the rules.

Should you require any further information, please contact me directly by return email or call on s47F

Regards

s47F

Managing Director





northern end of Melville Island. Stability was still a problem.

After about 40 minutes of travel, the vessel appeared to be labouring – the motor sounding louder, bow dipping more and not riding as high. The bilge was utilised and water came out of the bilge. The skipper then made the decision to head West towards land at Melville Island. <sup>s47F</sup> then called the land party on the satphone to advise of the problem. They were advised that the vessel could not sink! Time approx. 1055hrs.

The lifejackets were stowed under the seat in forward cabin. The vessel continued to fill with water and the life raft was deployed as vessel stopped. Problems were encountered deploying the liferaft. The lanyard was caught up in the brackets and was cut. The raft was deployed and when inflated was hit by a wave which pushed it against the bow and flipped it upside down. <sup>s47F</sup> attempted to right it was not successful. Unable to access lifejackets due to ingress of water into vessel. The three POB got onto the bottom of the liferaft with EPIRB (activated but not working), the sat phone and some personal belongings (video and still camera). Vessel settled by stern, bow sat up and then sank. This all happened in about the ten minute period when water first noticed ingressing into the vessel. 2 Mayday calls were made via the VHF marine radio but not heard as power most likely cut by water ingress.

Police advised at 1125hrs and SAR plan activated. Persons stated that they had seen a Perkins barge nearby but had kept sailing. This position was off Napier Bay but initial info given to Police was that the party was some 40kms south of Melville Island. Police aircraft tasked to fly to area and was wheels up at 1220hrs. Perkins barge requested to turn around and backtrack. Police eventually contacted party by phone at 1245hrs and checked EPIRB, condition of party and last known position – Lat. only given which was 11deg 32'S. This corresponded with Napier Bay and position of Perkins barge. Police aircraft advised and flew to area and located persons and liferaft at 1300hrs in position 11deg 33.55'S, 131deg 28.75'E. Barge deployed a tender and recovered persons to barge and took them to Cape Don for evacuation. Liferaft unable to be recovered and abandoned (AusSAR and Coast Radio advised). Liferaft had drifted 1 km (.52NM) towards the North West from the sunken vessel on a bearing of 329° T.

Persons interviewed by Police (CASEY) am 6 Oct at Defence Berrimah. <sup>s47F</sup> given Incident Report to complete for Marine Safety Branch. Nil suspicious circumstances. No offences detected.

#### PROBLEMS ENCOUNTERED:

- EPIRB. Brand SALCOM MRB4, Serial 27186, Expiry date Oct 2005. Unit U/S. Powered by 8 "C" cell batteries. Battery compartment was corroded and contained rusty coloured water. Plastic casing around seal was cracked. Unit was not serviceable and not properly tested before trip.
- Skipper stated he had completed a Small Boat Handlers Course in South Australia. He has not completed a course (Shipboard Safety) to enable him to properly deploy the liferaft. Whilst he stated that he knew how to do it he has had no formal training. Other crew members had no formal training in shipboard safety. Lifejackets/safety gear not readily accessible (Under forward seat compartment).

#### RECOMMENDATIONS MADE:

- Crew should be trained in Shipboard Safety (covers use of liferaft/lifejackets/fire and sea survival)
- Safety gear to be readily accessible (Lifejackets should be worn or with person/Flares etc to be on deck in grab bag/bottle for deployment)
- Crew should be given a safety brief before any voyage.

#### CAUSE:

Vessel was recovered by Defence and inspected by Police on 13 October. Photographs were taken where the vessel was stored at the Military Police compound at Robertson Barracks.

The vessel has suffered severe damage to the keel at the bow. The keel has been peeled back leaving a hole and has caused the aluminum plating to split either side for a length of approx. 40 cms. This has allowed the ingress of water into the hull. There are other impact marks along the skeg caused from the object which the vessel has hit. The chine sprays at the bow have also being split and forced away from the side of the hull.



## TWO WEEKS OF TERROR

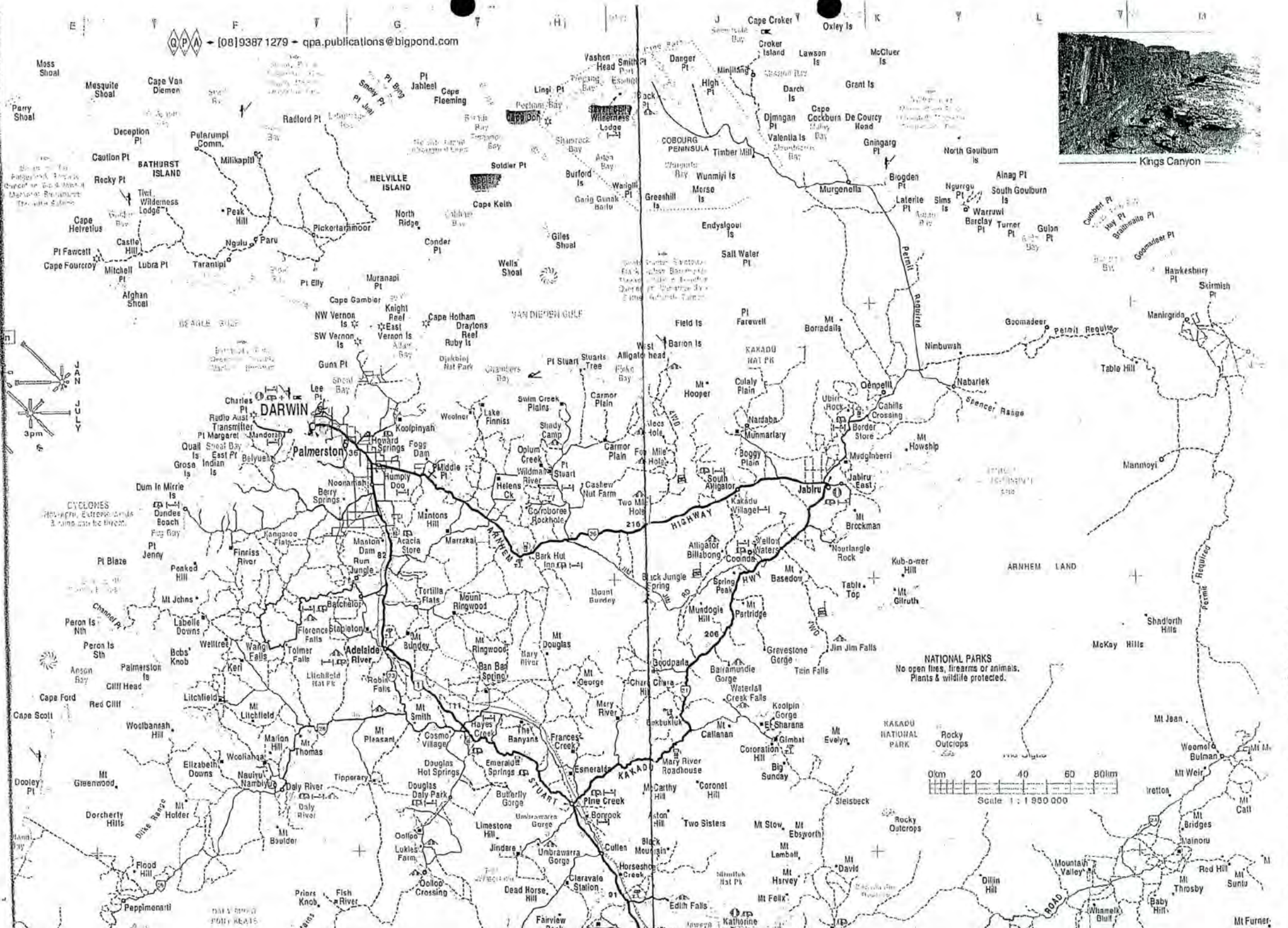
**OCTOBER 5:** West Busselton girl Chantal Burnup, 10, suffered bruising, cuts and puncture wounds when a 3m crocodile grabbed her by the torso as she swam with her father, Richard, and brother Simon in a freshwater pool near Doubtful Bay, 240km east of Derby, WA. Her brother punched the crocodile while his father successfully wrested his sister from its jaws. Survival is extremely rare. The girl was only saved because as the animal tried to drag her underwater, her father grabbed his daughter and would not let go.

**SEPTEMBER 29:** Darwin man Russell Butel, 56, was killed by a crocodile. His body was found close to where he disappeared while diving off Cobourg Peninsula, 200km north-east of Darwin. The man's diving companion, a New Zealand man, 41, raised the alarm by satellite phone.

**SEPTEMBER 24:** Englishman Russell Harris, 37, disappears while snorkelling with a friend off Groote Eylandt, near Arnhem Land. His body is found three days later.

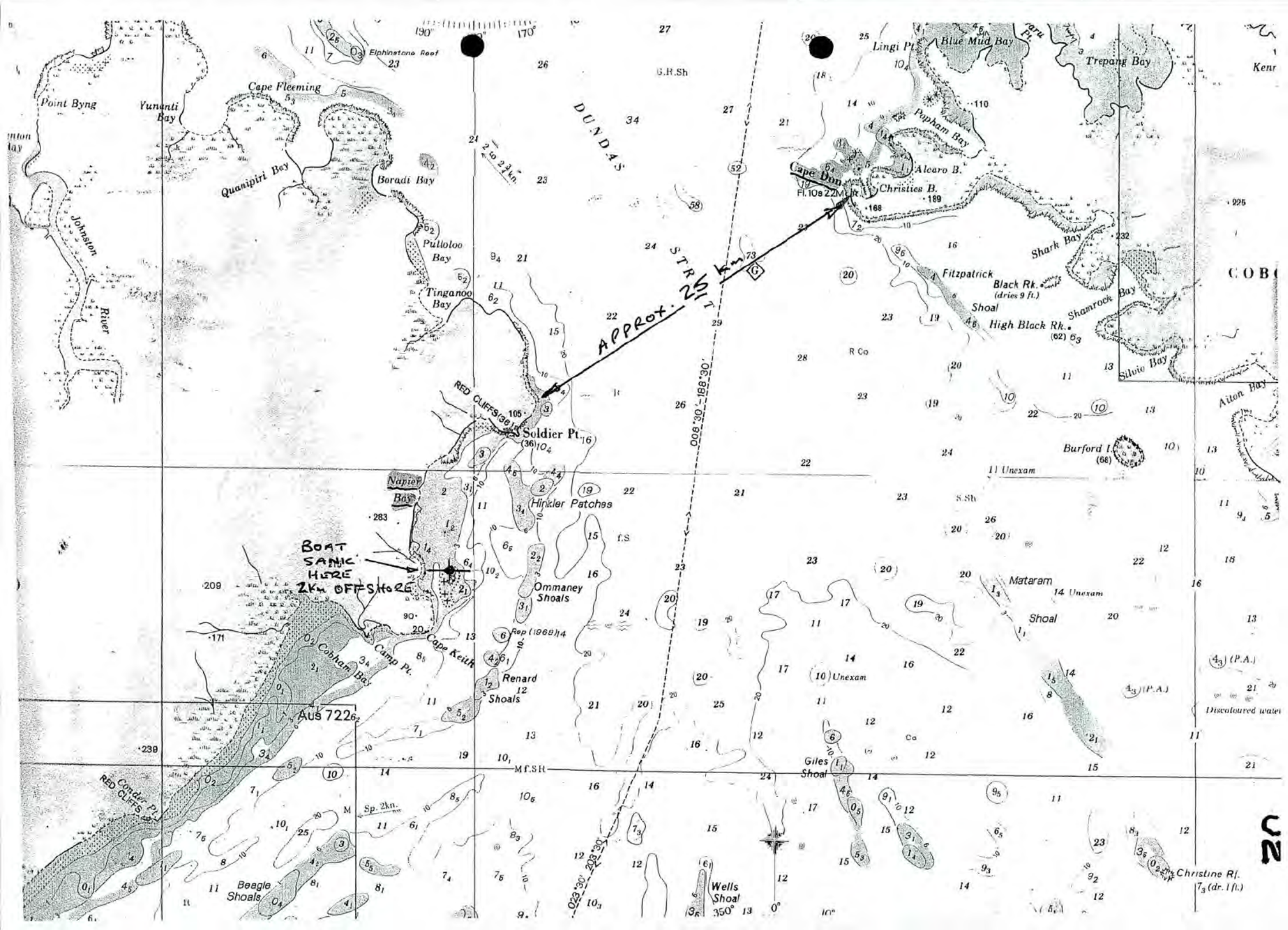
ADLAIDE ADVERTISER 8-10-2005





ATTACHMENT 01









# Northern Territory Government

Department of Infrastructure, Planning and Environment

## Transport Division

Marine Safety Branch  
1st Floor Minerals House  
66 The Esplanade Darwin NT 0800  
Email: [marinesafety@nt.gov.au](mailto:marinesafety@nt.gov.au)

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Darwin NT 0801  
Facsimile: 08 8999 5300  
Telephone: 08 8999 5285  
<http://www.nt.gov.au/ipe/dtw/aboutus/branches/transport/marine/>

### **GUIDANCE NOTE 7/94 (AMENDMENT 4, DATED 22/8/2003)**

### **NORTHERN TERRITORY MARINE ACT**

### **"SMALL PASSENGER-CARRYING VESSELS: SURVEY REQUIREMENTS"**

The following guidelines have been developed to advise prospective commercial operators of the general survey requirements for small passenger-carrying vessels.

#### **1 STATUTORY REQUIREMENTS FOR SURVEY**

Where a vessel is used for any purpose other than as a pleasure craft and is not exempt from survey, it is subject to survey and must hold a valid NT Certificate of Survey in order to operate commercially. The Northern Territory Marine Act provides for fines of up to 100 Penalty points [currently \$11, 000] for non-compliance with this requirement.

#### **EXEMPTIONS**

Vessels not more than 5 metres in length and not carrying more than 4 persons and operating in declared sheltered waters are exempt from survey and manning requirements.

#### **2 DEFINITIONS**

For the purposes of this information sheet: -

A NEW VESSEL is any vessel other than an existing vessel and includes a vessel brought into the Territory from other states or overseas.

An EXISTING VESSEL is any vessel holding a current NT Certificate of Survey or an NT Certificate of Survey, which has expired, in the last three months.

A CLASS 1 VESSEL is a vessel, which is certified to carry MORE THAN TWELVE PASSENGERS.

A CLASS 2 VESSEL is a vessel, which is certified to carry TWELVE OR LESS PASSENGERS.

SHELTERED WATERS are areas designated by the Marine Safety Branch as smooth or partially smooth waters, e.g. Darwin Harbor out to an imaginary line between LEE POINT and CHARLES POINT.

RESTRICTED OFFSHORE means operations within a range of 30 nautical miles to seaward.

**NOTE:** An application for initial survey and payment of survey fees must be completed prior to commencement of any survey action.

### 3 SPECIAL CONDITIONS APPLY

- (i) A Certificate of Survey will NOT be issued to a CLASS 1 vessel for operation OUTSIDE sheltered waters if the vessel is less than 10 metres in length.
- (ii) A certificate of Survey will NOT be issued to a CLASS 2 vessel for operation OUTSIDE sheltered waters if the vessel is less than 7 metres in length.

### 4 ACCEPTANCE INTO SURVEY

- (i) **STANDARD PRODUCTION BOATS (Steel/Aluminum) under 7 metres**

#### Class 2 vessels:

A Certificate of Survey may be issued to a Class 2 vessel of under 7 metres measured length for use in sheltered waters for standard production vessels where it can be demonstrated they comply with Guidance note 4/94.

The hull plating thicknesses etc will need to be given in the form of leaflets or pamphlets put out by the manufacturer. These apply only to vessels with fuel tanks above deck. Vessels with fuel tanks below deck will also need to comply with the USL Code (see Guidance Note 89.1).

Class 1 vessels: Must comply with USL Code.

- (ii) **FERRO CEMENT AND TIMBER VESSELS:**

A Certificate of Survey may be issued to a Ferro-cement or timber vessel ONLY if proof is tendered that the hull is constructed in accordance with approved plans and specifications and surveyed during construction by a recognised Authority. Details for Timber vessels are given in GN 22/96.



Ferro cement vessels must comply with USL Code.

[iii]

**GRP vessels:**

GRP vessels must comply with USL Code. For vessels not greater than 5 m in length para (i) may be used if applicable.

(iv)

**STEEL AND ALUMINIUM VESSELS - 7 metres and over**

In general, a certificate of survey may be issued to a steel or aluminum vessel ONLY if proof is tendered that the vessel is constructed in accordance with approved plans and specifications and surveyed during construction by a recognised authority. For details see GN 26/96.

5

**TECHNICAL NOTES**

The following important requirements should be noted:

(i) **Main Engines:** Petrol engines are only permitted on:

CLASS 1 vessels operating in sheltered waters and powered by OUTBOARD MOTORS.

CLASS 2 vessels operating in sheltered waters or restricted offshore waters powered by OUTBOARD MOTORS.

All outboard powered vessels for operation outside sheltered waters and within restricted offshore, Class 2C vessels shall have at least two engines each capable of maintaining adequate steerage under normal weather conditions.

(ii) **Fuel system:** All fuel tanks must strictly comply with USL Code requirements. The carriage of extra fuel in drums to increase the range of the vessel is not permitted. All fuel piping must be seamless steel or copper: a short length of metal-braided flexible piping is permitted adjacent to the engine.

(iii) **Safety Equipment:** All life-saving and fire-fighting appliances must be of an approved type. Lists of safety equipment requirements for various categories and classes are available from the Marine Safety Branch.

(iv) **Communication equipment [Radio] :** CLASS 1E [vessels restricted to smooth waters] and CLASS 2E and 2D [ vessels restricted to sheltered water] need not carry a radio. For all other vessels refer to Guidance Note 91.

All enquiry's should be directed to a Marine Surveyor, telephone (08) 8999 5285.



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### **GUIDANCE NOTE 73/2001**

#### **GUIDE TO SURVEY REQUIREMENTS: SAFETY EQUIPMENT**

#### **CLASS 2C – NON PASSENGER VESSELS OPERATING WITHIN A LIMIT OF 30 NAUTICAL MILES TO SEAWARD.**

Note: Vessels less than 7 metres are not eligible for the issue of a 2C certificate.

Important: A surveyor may require additional equipment to be carried depending on the type of vessel, its condition and type of operation.

#### **BAROMETER**

*All lengths –*

Barometer or Barograph.

#### **BILGE ALARM**

*All lengths –*

One to be fitted in any space containing inboard propelling machinery. (Not required on vessels powered by outboard motors).

#### **BILGE PUMPS**

Measured length of vessels in metres	Manual pumps discharge capacity as installed		Power pumps discharge capacity as installed	
	No.	Capacity in kl/hr	No.	Capacity in kl/hr
Less than 7.5	1	4.0		
7.5 and over but less than 10	2	4.0		
10 and over but less than 12.5	1	5.5	1	5.5
12.5 and over but less than 17.5	1	5.5	1	11.0
17.5 and over but less than 20	1	8.0	1	11.0
20 and over but less than 25			2	11.0
25 and over but less than 35			2	15.0

#### **BOAT HOOK**

*Less than 10 metres – 1 required.*



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### CHARTS AND NAUTICAL PUBLICATIONS

All lengths –

To be suitable for area of operation of vessel.

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### CLOCK

All lengths –

Deck watch or Clock.

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### CODE FLAGS

All lengths –

Flags "N" and "C".

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### COMPASS

All lengths –

1. A magnetic compass placed in a suitable position for taking accurate observations; and
2. A magnetic compass placed at the normal steering position.

Note: Only one compass need be provided If the Authority is satisfied that one compass is adequate for steering and taking accurate observations.

A compass is required to be swung every 3 years and a copy of the deviation card needs to be forwarded to the Marine Safety Branch office.

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### DEPTH SOUNDING DEVICE

All lengths –

Mechanical depth sounding device and hand lead line.

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### DISTRESS SIGNALS

All lengths –

Three parachute distress rockets  
Two red hand flares  
One hand held orange smoke signal

**Note:** Expiry date of flares must be valid for survey period applied for.

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### ELECTRIC INSTALLATION/EQUIPMENT – EMERGENCY

All lengths –

1. A number of electric torches and hand lamps as determined by the Authority.
2. Emergency installation capable of operating navigation lights (where they are solely electric) for 3 hours; and
3. Emergency installation capable of operating signalling lamps (where they are normally operated from main electrical power source) and communication equipment for 3 hours.

Note: In relation to (2) and (3) above the emergency installation can be the normal starting batteries provided that they are suitably placed in the vessel.

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**EMERGENCY POSITION INDICATING RADIO BEACON (EPIRB)**

*All lengths –*

One 121.5 + 243 MHz to MS241 requirements or 406 MHz EPIRB to MS309 requirements.

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**FIRE BUCKETS**

*Less than 10 metres –*

One with lanyard

*10 metres and over –*

Two with lanyards.

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**FIRE EXTINGUISHERS – PORTABLE**

*All lengths –*

Two suitable for extinguishing oil fires for use in each space containing propelling machinery with a minimum rating of 30B.

*15 metres and over but less than 25 metres –*

One readily available for use in each accommodation/service with a minimum rating of 10B(E).

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**FIRE EXTINGUISHING INSTALLATION – FIXED - MACHINERY SPACE**

*Over 12.5 metres –*

A vessel fitted with oil fired boilers or internal combustion type machinery used for main propulsion shall be provided with a fixed fire extinguishing installation. Means shall also be provided for detecting the products of combustion prior to or resulting from an outbreak of fire in the machinery space.

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**FIRE PUMP – EMERGENCY**

*15 metres and over but less than 25 metres –*

If the main fire pump and its source of power and sea connection are not situated outside the compartment containing oil fired boilers or internal combustion type propelling machinery a manually operated emergency fire pump is required to be installed in a position outside that compartment.

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**FIRE PUMP – MAIN**

*15 metres and over but less than 25 metres –*

One power driven fire pump capable of delivering one jet of water from any hydrant, hose or nozzle whilst maintaining a pressure of 150 kilopascals.

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**GAS DETECTOR**

*All lengths –*

For LPG installations a gas detector shall be fitted with sensors as close as possible to the source of entry below deck.

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### HOSES

*15 metres and over but less than 25 metres–*

One hose with spray jet nozzle for every hydrant, hose or nozzle fitted as required by Section 11 of the USL Code.

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### HYDRANTS

*15 metres and over –*

Sufficient in number to enable 1 jet of water from a single hose to reach any part of the vessel including engine room.

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### LIFEBOATS AND LIFERAFTS

*All lengths –*

Either:

1. Coastal liferaft(s) for 100% complement;
  2. Coastal lifeboat(s) as prescribed for vessels 25 metres and over;
  3. In the case of a vessel less than 15 metres measured length, internal buoyancy as prescribed in Section 10 of the USL Code.
- 

### LIFEBUOYS

*All lengths –*

One lifebuoy with light (this is not required for a vessel under 10 metres in length which carries only one person).

*15 metres and over but less than 25 metres –*

Two lifebuoys, one with light and one with buoyant line.

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### LIFEJACKETS

*All lengths –*

A COASTAL lifejacket with light and whistle for each passenger the vessel is certified to carry.

Note: Expiry date of lifejacket light must be valid for survey period applied for.

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**MEDICINES AND MEDICAL STORES***All lengths -*

ARTICLE	QUANTITY	PURPOSE
Cotton wool	50 gm	Dressing
Conforming bandages (5cm)	2	Dressing
Conforming bandages (7.5cm)	2	Dressing
Handyplast assorted (20)	1 pkt	Minor cuts
Crepe bandage 10cm heavy weight	1	Control bleeding
Cotton buds	1 pkt	Apply medication
Parrafin gauze burn dressing (10cm x 10cm x 10)	1 pkt	Burns and scalds
Melolin dressing (10cm x 10cm x 6)	1	Wound dressing
Gauze swabs (5cm x 5cm x 12)	2	Cleaning wounds
Tubegauze Finger kit	1	To bandage fingers or toes
Surgical spirits	small	Neutralize stings
Certrimide 1% solution	100 ml	Wash wounds
Mercurochrome 2%	50 ml	Small cuts
Eye stream	1	Foreign body in eye
Murine (small)	1	Sooth eye irritation
Paxyl cream (small)	1	Burn and antiseptic cream
Aspirin (24)	1 pkt	Pain relief
Fine tweezers or splinter forceps	1	Removal of splinters
Sterile needle	1	Removal of splinters
Blunt/sharp pointed scissors	1	Cutting dead skin, bandages etc.
Safety pins	1 pkt	Securing bandages
St John Ambulance First Aid Book		

**NAVIGATION LIGHTS AND SHAPES***All lengths -*

Port, starboard, masthead, stern and anchor lights and one ball.

Note: A power driven vessel of less than 12 metres may exhibit an all round white light in lieu of masthead and stern lights and this can then also serve as an anchor light.

In addition vessels 12 metres and over require NUC lights and 2 balls.

**RADIOTELEPHONY***All lengths -*

For details of radio requirements and list of approved surveyors refer to Guidance Note No. 91/2002.

**REMOTE SHUT OFF FOR OIL FUEL TANKS***All lengths -*

To be provided for any oil fuel storage (other than double bottom), settling or daily service tank.

**REMOTE STOP FOR VENTILATION FANS***All lengths -*

To be provided for all machinery, accommodation and service space fans.



W6

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**REMOTE STOPS FOR OTHER MACHINERY**

*All lengths –*

To be provided for oil fuel, lubricating oil and hydraulic oil pumps and also separators.

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**SEA ANCHOR**

*Less than 10 metres – 1 required.*

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**SIGNALLING LIGHT**

*All lengths –*

A signalling light or suitable approved torch fitted with a flashing button in addition to an ON/OFF button. An ordinary torch is **NOT** acceptable.

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**SOUND SIGNAL**

*Less than 12 metres –*

Some means of making an efficient sound signal.

*12 metres and over –*

Whistle and a bell.

---

**VESSEL RECORD BOOK**

*10 metres and over –*

One to be permanently retained on board vessel.

---

**VENTILATING DUCTS – EXTERNAL CLOSING OF ALL**

*All lengths –*

To be provided for all machinery space ventilators and annular spaces around funnel.

---

**WINDLASS, ANCHORS AND CABLES**

*All lengths –*

Windlass, anchors and cables – sufficient in number, weight and strength, approved by the Authority or a Classification Society on its behalf.

Hawsers and warps of sufficient number, weight and strength having regard to the size and service of the vessel.

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### GUIDANCE NOTE NO. 57/2001 (Revision 2)

#### PARTICULAR REQUIREMENTS FOR

#### A CERTIFICATE OF COMPETENCY AS COXSWAIN

The Northern Territory Marine Act requires that persons in charge of vessels in Northern Territory Waters meet the prescribed certification requirements. This information sheet has been compiled for the benefit of persons wishing to apply for or undertake examination for a Certificate of Competency as Coxswain.

All enquires regarding applications and eligibility should be referred to the Marine Safety Branch, first floor, Minerals House, 66 The Esplanade, Darwin, telephone (08) 8999 5285.

There are two course providers in Darwin and persons wishing to enrol on a course should, contact either:

**Maritime Studies Section, Northern Territory University** - telephone (08) 8946 6202, fax (08) 8946 6454, Casuarina Campus, Ellengowan Drive, Casuarina. Courses are conducted at Frances Bay Basin (otherwise known as The Duck Pond), telephone (08) 8941 4185, fax (08) 8941 4186, Frances Bay Drive, Darwin.

**Seafood and Maritime Industries Training NT** - telephone (08) 8981 0495, fax (08) 89814677, 1<sup>st</sup> Floor, Darwin Shipstores Building, Fishermans Wharf, Frances Bay Drive, Darwin.

It is stressed that attendance at these courses is ***not*** a prerequisite for the issue of a Certificate of Competency and that persons may be examined subsequent to private study or distance learning providing the other prerequisites are fulfilled.

s47F

Marine Adviser

June 2003



**CERTIFICATE OF COMPETENCY AS COXSWAIN****IS THE ACCEPTABLE BASIC QUALIFICATION**

For:

- a) Master of vessels of less than 12 metres in length engaged in Fishing or Trading operations up to Inshore Limits (15 nautical miles).
- b) Taking charge of the propulsion machinery of vessels of less than 12 metres in length with propulsion machinery less than 250KW, operating inshore but within a limit of 15 nautical miles to seaward.

Note: The Coxswain certificate of competency is a dual role (ie deck and engineer) qualification and valid in perpetuity.

**PREREQUISITES - SEA SERVICE, EYESIGHT TEST AND FEES**

Applicants for the issue of a Certificate of Competency as Coxswain are required to:-

1. Complete the application and record of sea service forms and submit them with a fee of \$30 to the Marine Office. Cheques should be made payable to the "Receiver of Territory Monies";
2. Be at least 18 years old;
3. Provide proof of identification – refer to Guidance Note No. 46/2000;
4. Provide documentary evidence of at least 12 months approved sea service in small vessels;
  - qualifying service may be performed on any vessel, commercial or non-commercial.
  - not less than 3 months shall be served on vessels of less than 24 metres in length.
  - not less than 3 months must be served on vessels operating outside sheltered waters.

**Only sea service obtained from the age of 15 years can be accepted for assessment of your eligibility to sit the examinations for a Marine Qualification.**

'Service means' performance of a duty related to the functions normally permitted to the holder of a certificate for which the service qualifies eg; does not include a 'passenger'.

Documentary evidence may be in the form of a signed record of service booklet or a statement from previous skippers/employers detailing previous sea service. Where qualifying service is on non-commercial vessels a statutory declaration detailing previous sea service may be accepted.

**Note:** Applicants without the approved seetime:-

- a) may be able to attend a course. Priority will be given to persons who have obtained the require seetime.
  - b) cannot sit the examinations unless prior approval from the Marine Safety Branch has been obtained.
5. Satisfactorily pass an eyesight test with an optometrist. An eyesight test form can be obtained from this office and must be returned to this office when completed. Note: Eyesight tests are valid for 2 years.

### **EYESIGHT TEST STANDARDS**

The following eyesight test standards have been established for applicants for a Certificate of Competency as Coxswain.

For initial certification:

- (a) with or without aids to vision - 6/6 in better eye, 6/9 in other eye; and
- (b) without aids to vision (if aids used in (a)) 6/30 in each eye; and
- (c) with or without aids; ability to read the N5 chart; and
- (d) pass the Ishihara Test – in order to pass the Ishihara test the applicant may only fail 1 or 2 plates.

**Notes:**

- (a) Satisfactory completion of the eyesight test is a prerequisite for the issue of a certificate of competency.
  - (b) Where an applicant fails only the colour vision test as a prerequisite for the issue of a Certificate of Competency as Coxswain, he/she may be issued with a Certificate of Competency restricted to a particular area of operation and to daylight operations only.
  - (c) Persons with one eye or poor vision in one eye may be permitted to demonstrate their ability to keep a navigation watch.
6. Obtain a Radiotelephony certificate.
7. Satisfactorily complete an Elements of Shipboard Safety Course consisting of Life-saving Appliances, Fire-fighting and Senior First Aid.



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Please note:

1. That the fire-fighting and sea survival elements of a Shipboard Safety course must have been completed within the **5** years prior to the issue of a seafarers' first Certificate of Competency.
2. First aid Certificates must be valid at the time of issue of any Certificates of Competency.
3. If a Shipboard Safety Certificate is more than **10** years old, Seafarers must resit the Fire-fighting and Sea survival elements prior to the issue of a new Certificate of Competency. (this is not applicable for replacement certificates).
4. For the issue of the second or third etc. Certificate of Competency, if a Shipboard Safety Certificate is between 5 and 10 years old, the Marine Safety Branch will determine the validity of the Fire-fighting element.
5. **Exemptions** may only be granted if the training/experience has been obtained within the 5 years prior to the issue of the first Certificate of Competency. Exemptions are valid for a maximum of 5 years.

**ISSUE OF CERTIFICATE**

An unrestricted Certificate of Competency as Coxswain will be issued by the Marine Safety Branch after all prerequisites have been completed and the applicant has:-

1. passed the written and oral examinations. (Examinations fees are payable to the relevant examiner);
2. paid a fee of \$20 for the issue of the certificate; and
3. provided two (2) colour passport photographs.

Note: A fee is applicable for the resit of any examination.

**VALIDITY OF EXAMINATION RESULTS**

Note: **Passes in the written and oral examinations are valid for one (1) year.**

If you have not completed the requirements for the issue of the certificate within the validity dates you may be required to re-sit the examinations.

**SYLLABUS - COXSWAIN**  
**As of 18 January 2002**

Demonstrate a practical knowledge of the following as they apply to small vessels:

**Section 1 - Vessel Handling**

- (a) Manoeuvring characteristics of small power-driven vessels (heavily laden and lightly laden); effects of: displacement and planing hulls, outboard and inboard engines, rudder and propeller:
- (b) Handling small vessels in strong tidal streams, bad weather, heavy swell and surf, crossing a bar, and use of a sea anchor:
- (c) Handling small vessel if partially disabled;
- (d) Towing and being towed; towage arrangements for towage at sea and in sheltered waters;
- (e) Berthing and unberthing, in various wind and tidal conditions.

**Section 2 - Emergency & Safety**

- (a) Action to be taken in an emergency situation;
- (b) Steps to be taken after collision, grounding or other marine casualty and resulting hull damage;
- (c) Action to be taken in the event of loss of rudder; lost or fouled propeller;
- (d) Action to be taken when vessel is completely disabled;
- (e) Beaching with and without heavy surf;
- (f) Rendering assistance to others in distress; man overboard procedures for recovery;
- (g) Disposition of persons and equipment on board to ensure satisfactory stability and trim;
- (h) Obligations and duties toward all persons onboard;
- (i) Knowledge of first aid to render in case of injury, burns, sickness or apparent drowning.

**Section 3 - Safety Equipment**

- (a) Knowledge of the statutory requirements pertaining to lifesaving appliances and fire fighting appliances;



- (b) Knowledge of the maintenance of lifesaving appliances and fire fighting appliances carried on small vessels;
- (c) Knowledge of the correct use of all lifesaving appliances and fire fighting appliances carried on a small vessel;
- (d) Use of distress signals; **penalty** for misuse.

#### **Section 4 - Weather Reports**

- (a) Knowledge of the sources available for obtaining weather reports and warnings. Types of reports available;
- (b) Correct interpretation of weather information received;
- (c) Action to take on receiving adverse weather report, and on encountering heavy weather;
- (d) Knowledge of local weather patterns.

#### **Section 5 - Collision Regulations and Port Operations**

- (a) An adequate knowledge of the International Regulations for the Prevention of Collisions at Sea appropriate to small vessels operating within sheltered waters and inshore limits;
- (b) Appreciation of manoeuvring difficulties of larger vessels;
- (c) Knowledge of IALA Buoyage system 'A'.

#### **Section 6 - Practical Seamanship**

- (a) Demonstrate common knots and splices;
- (b) Knowledge of basic structural parts of a small vessel.

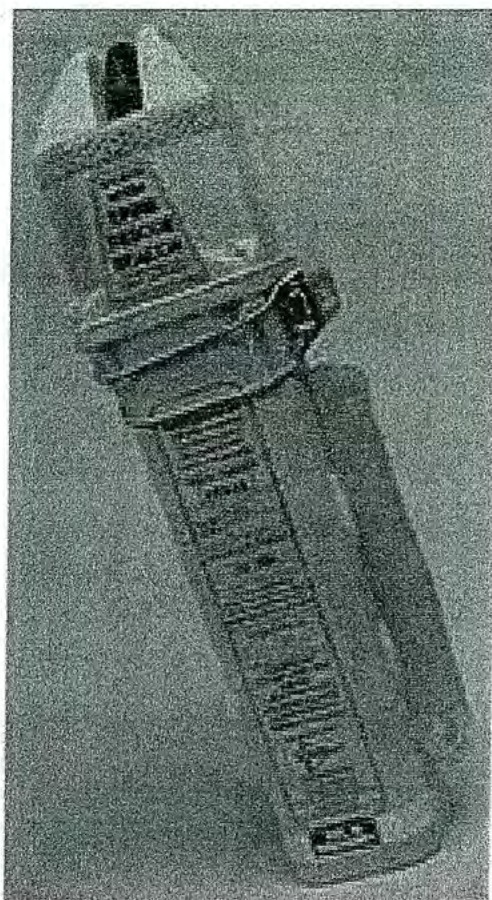
#### **Section 7 - Navigation and Local Knowledge**

- (a) Knowledge of the coastline: Prominent features, isolated dangers, tidal streams and navigational aids;
- (b) Knowledge of the use of a compass and understanding of basic information contained in a navigation chart.

**Section 8 - Engineering**

- (a) A working knowledge of routine checks required with the operation of propelling machinery, ancillary equipment and other mechanical equipment in small vessels. What to do in the case of malfunction and emergencies. Preparation for the use of such equipment;
- (b) Basic knowledge of the factors associated with the safe operation of propelling and ancillary equipment;
- (c) Basic knowledge of water cooling and bilge pumping arrangements in a small vessel;
- (d) Care and use of low voltage electrical systems on a small vessel including precautions necessary when charging batteries;
- (e) Fire prevention on a small vessel;
- (f) Action that should be taken in the event of fire or explosion;
- (g) Precautions necessary for the prevention of fire or explosion associated with use of petrol, LP gas and distillate and with the charging of batteries;
- (h) Knowledge of precautions to take when refuelling.



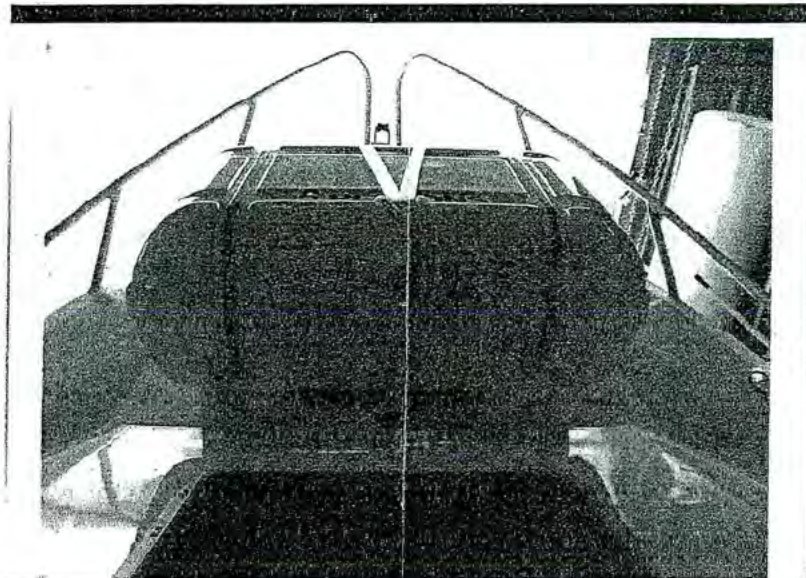


**Photo 2** – Salcom MRB4 emergency beacon carried by Red Rain  
(photo downloaded by <sup>s47F</sup> from manufacturer's web site)



**Photo 3** – shows switch to test operation. Salcom MRB4 beacon has a similar test switch.  
(photo taken by <sup>s47F</sup> at local supplier)



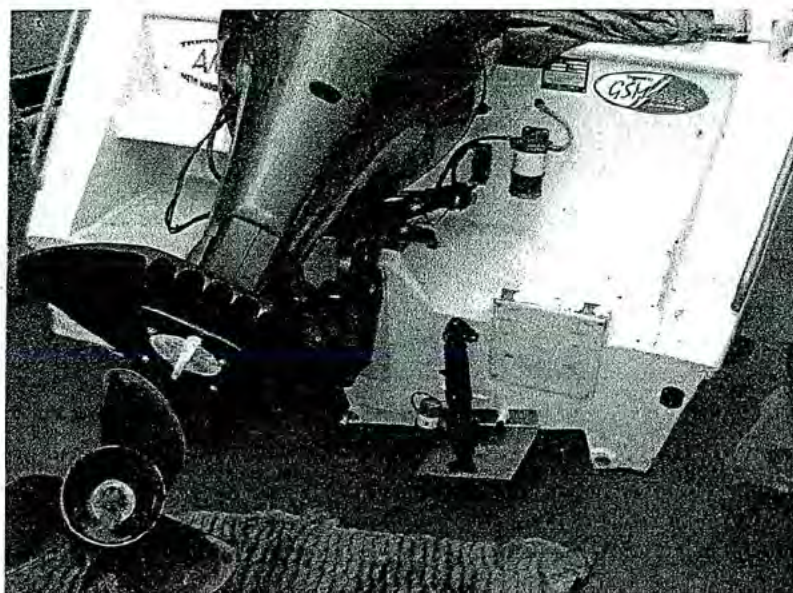


**Photo 4** – Shows life raft in position on bow of Red Rain  
Notice V strap which has quick release for launching.  
Side straps hold container halves together until floating –  
these automatically release when inflation takes place.  
(DoD photo)

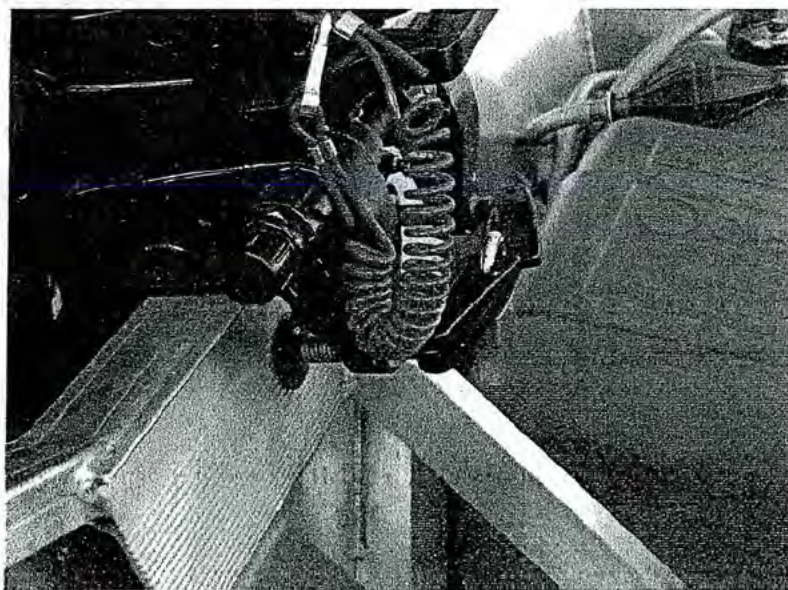


**Photo 5** – shows identical life raft to that on Red Rain  
(photo provided by manufacturer)

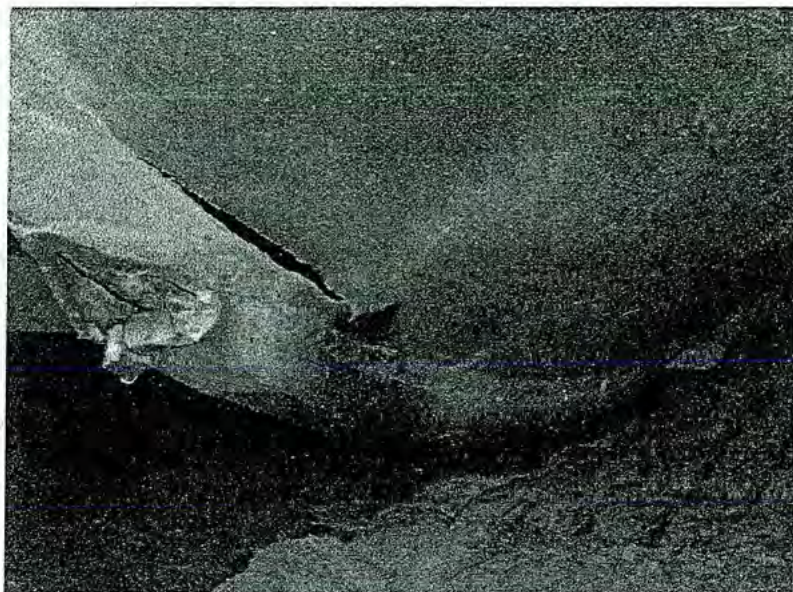




**Photo 6** – stern of boat with main motor in position. Auxiliary motor mounts on the rectangular board to right of main motor.  
(DoD photo)



**Photo 7** – shows method of securing an auxiliary motor to boat  
(taken by <sup>S47F</sup> at local boat show room)

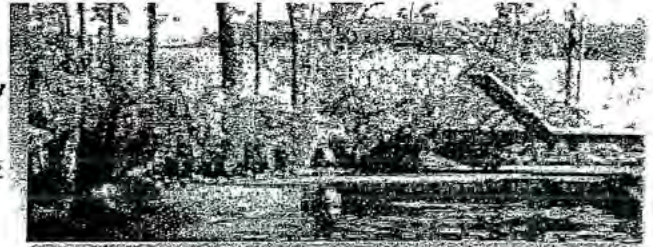


**Photo 8** – shows damage to keel and hull. This could only have resulted from a major impact with some object.  
(DoD photo)





**SEVEN SPIRIT BAY**  
WILDERNESS LODGE



Home General Information Lodge & Habitats Walks & Safaris Fishing Birding Special Occasion Incentive & Conference

## *Location*

Seven Spirit Bay is a total experience of wilderness.

Situated on the Cobourg Peninsula, Northern Territory Australia, within one of the most magnificent and untouched tropical areas in the world. The Cobourg Peninsula is part of Aboriginal Arnhem Land, where entry is by permit only and extremely limited.

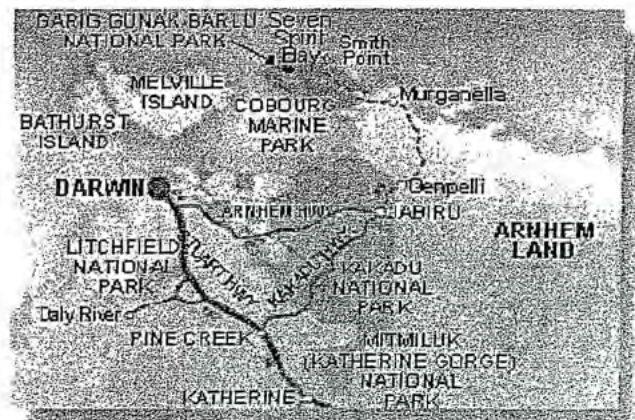
Your adventure to this remote wilderness region begins with a 45-minute scenic flight in a light aircraft, travelling northeast from Darwin over Van Diemens Gulf to the Cobourg Peninsula.

On arrival at Vashon Head, Midjari private airstrip, your host will greet you and transfer you to the lodge by safari vehicle.

Just as tribal ancestors were inspired by the land so many thousands of years ago, Seven Spirit Bay will touch your soul and inspire your sense of adventure.

The Parks conserve a mosaic of sandy beaches, dunes and associated coastal grasslands, mangroves, rainforest patches, swamps, lagoons, coral reefs, sea grass meadows and rich marine life.

The Cobourg Marine Park protects several rare species, including the







s47F

To: s47F

cc:s47F

12/10/04 12:13 PM

Subject: SEC: UNCLASSIFIED:- FOR ACTION (Priority) - CSI NT/K Boat Incident

s47F ,

Please find attached information you requested from s47F - re  
Comcare Investigation sinking of Defence vessel.

Thankyou

s47F  
Manager Technical Services  
CSI NT/K

Tel: s47F  
Mob: s47F

-----Original Message--Sent by: s47F on 10/12/04 8:03:40-----

Original sent to: s47F I,

s47F

Below is the consolidated response from the team to the questions asked by NT Worksafe. Replies have been received from all members.

Please review and forward to s47F . s47F is the allocated Comcare investigator and has indicated to me that the report is almost complete and just awaiting some clarification on some issues.

s47F

To gain as much information as possible I forwarded your questions to the key players in the incident for their input. Below re their responses:

1. Notification of this incident wasn't received by Comcare until 15 Oct 04. It came by fax. There should have been notification within 24hrs of the incident. Was any verbal notification attempted with Comcare? Was there any reason for the delay?

s47F A/MJOSS: I was not involved in compiling the Incident report. I assisted with compilation of the brief to the Defence Minister and the quick assessment.

s47F , ROHSCO: The requirement for reporting was raised to management day of incident but the issue was lost in the process of recovery of personnel and the boat, welfare of individuals and other incident related Defence requirements. Reporting by phone was carried out Afternoon of 15 Oct 04 followed immediately by FAX AC563. Part 2 of the form is awaiting completion of investigation.

s47F , Regional Manager: Comcare was not notified within 24 hrs due to the urgency of getting personnel recovered and investigations under way. It was an over sight.

2. NT WorkSafe is in possession of the General Instruction for the Operation of EX COBURG STRETCH 04, signed by s4 on 24 Sep 04. They have an earlier version of this document signed on 10 Sep 04. Reference is made to documents that they currently have not seen, those being:



## SEA AIR & LAND COMMUNICATIONS LTD

### Marine EPIRB & Emergency Communicator



PREVIOUS: System Software

#### 11-07 MRB4 Emergency Position Indicating Radio Beacon (EPIRB)

Salcom is the longest serving manufacturer of marine rescue beacons in the Southern Hemisphere and was in fact producing the first MRB1 EPIRBs in 1975, several years before the company was established as a full time operation in 1984.

Developed through a program of 4 models over 25 years, the new Model MRB4 was launched in February 1998 with improved features and functions. The MRB4 was designed from the bottom up, including complete new dies and tooling. The design incorporated 25 years of experience gained from the previous 3 models.



The new MRB4 BEEPA is an impressive successor to the MRB3, long established as one of the most powerful and effective beacons available. While retaining the virtues of its predecessor, the MRB3, the MRB4 adds new features including an innovative new case design which provides a high level of protection for the aerial when folded down, and the ability to include a personal identification code with the distress transmission.

When the beacon is activated the indicator on the top flashes and an audible alert can be heard.

Surface mount technology is utilized in the fabrication of the electronics to further improve ruggedness and reliability. The MRB4 complies with the latest electrical and mechanical international standards.

The alkaline batteries used provide greater power output and endurance than batteries used in most other EPIRBs. In addition, they are easily obtainable and may be changed by the user if absolutely necessary. Battery replacement and a service check every two years is recommended to ensure that the beacon is always ready for use in an emergency.

A brochure describing the MRB4 can be downloaded from the SUPPORT area.

- \* COSPAS/SARSAT satellite coherent
- \* Personal identification can be sent with the distress transmission
- \* Simultaneous transmission on 121.5 and 243MHz
- \* Typical endurance greater than 70 hours
- \* Flashing indicator and audible alert when the beacon is activated
- \* User changeable C size alkaline batteries
- \* Incorporates a protective guard for the aerial as an integral part of the case design
- \* True dual frequency robust aerial
- \* self test switch
- \* Bright yellow for easy identification
- \* Weighs 1.06Kg