No. 1 / 2013

THE MEGAPHONE

January Report

A HAPPY, HEALTHY AND PROSPEROUS NEW YEAR TO ALL

There will be a combined meeting of the Sydney Branch of the CMMA and the Nautical Institute, SE Aust. Branch at 1800 hrs, for 1830 hrs dinner, on Wednesday 13th February, 2013 at the New South Wales Sports Club, 10 Hunter Street, Sydney, NSW.

Guest Speaker
Ms Jillian Carson-Jackson
Secretary, Nautical Institute, SE Aust. Branch

Topic
'Get the Bigger Picture – Satellite AIS'

Please confirm your own & spouse/ friend's intentions to attend by contacting
Capt. Frank Pickering
fpickering6@bigpond.com

Phone Mobile 0418 499 166 or if urgent 9520 6976 before 1200 hours, Friday 8th February, 2013

The Company of Master Mariners - Sydney Branch
PO Box A 2534 Sydney South, NSW, 1235

Membership Subscriptions for 2013 are now due – Please pay ASAP
(Invoice form attached)

Since the 14th November 2012 there have been no meetings of the Sydney Branch of the Company of Master Mariners of Australia, but that does not mean we have all been idle!!!

On Thursday 6th December 2012 quite a few members attended the SMIX Bash (Sydney Maritime Industries Christmas party) on board the barque *James Craig* moored at No.7 Darling Harbour. This annual event was once again a great success with good food, wine/beer and excellent company. Amongst those attending were Ted van Bronswijk and Elaine Norris, Steve and Janice Herklots, Richard and Elizabeth Sandeman-Gay, Barry and Margaret Keeble, Mike Downes, Nick and Anne Lampe and John and Mary Wilson. Some members who normally attend were overseas and unable to make it.

On Friday 7th December 2012, Ted van Bronswijk, Elaine Norris and Richard and Elizabeth Sandeman-Gay attended the Shipping Australia Limited Christmas Luncheon at the Tattersalls Club in Sydney CBD. This annual luncheon was once again a great success and the main speaker this year had all the guests in fits of laughter. Thanks must go to the organisers and especially to Kushy Athureliya, who it would appear does the whole organisational thing himself!

The Annual Combined CMMA and Nautical Institute Christmas Dinner was held at the NSW Sports Club in Hunter Street, Sydney,CBD, on Wednesday 12th December 2012. Approximately 40 members, with wives and friends attended and a good time appeared to be had by all. Thanks once again to the Chef and catering staff for the evening. All photos taken at CMMA Christmas Dinner by Hon Ed.

Annual General Meeting

The Annual General Meeting (AGM) of the Sydney Branch of the Company of Master Mariners of Australia will be held on Wednesday 13th March 2013 at 1830 hrs at the NSW Sports Club, 10 Hunter Street, Sydney.

All Branch members are urged to attend this meeting as, apart from voting for next year's Court members, there will be debate and voting on the Federal Court's proposed changes to the Constitution of the CMMA.

These changes are a very serious matter, the outcome of which will affect all members of the CMMA. What we need to make sure is that the effects are not adverse to the CMMA, and that is why your attendance at the AGM is crucial so that you can have your say, and vote on these issues.

It has been decided that, as this is such an important issue and time is needed for adequate discussion and voting, there will be **no guest speaker** at this meeting. There will probably be a couple of short video shows to 'lighten' up the evening and, with a good meal and a few drinks, I am sure we shall have a very interesting evening!

If it is completely impossible for you to attend the AGM please arrange for a proxy vote on all issues discussed – details on this later in the Megaphone.

Also please find Branch Court nomination forms attached, so that you can propose new or existing members to the 2013/ 2014 Branch Court.

Trapped Cruise Ship Freed Antarctic Ice

HMS Protector and MV Fram

A CRUISE liner which became trapped in massive ice floes has been rescued by a Hampshire based Royal Navy vessel.

The liner was following the ice-breaker HMS *Protector* through breaks in the densely-packed ice but became faced with a number of fast-moving floes as it carried passengers through the Antarctic Sound.

The Portsmouth-based survey vessel turned back to assist the Norwegian ship MV *Fram* and broke up the ice, which was up to 13 feet thick, allowing it to continue its journey. Following the two-hour operation, Captain Peter Sparkes, commanding officer of HMS Protector, said: "This is what we do in the ice patrol ship. We are the Royal Navy's equivalent of a Swiss army knife - red, versatile and always there when you need us."

Sub Lieutenant Rowland Stacey of the Royal Canadian Navy, on exchange and serving with HMS *Protector*, said: "This was an extremely impressive feat - operations in ice can be very challenging, but HMS *Protector* made it look easy. I am delighted to be a part of this team."

HMS *Protector* is continuing with its patrol of the British Antarctic Territory, supporting an embarked international inspection team's surveys of environmentally sensitive sites around the Peninsula.

The ship, which serves as the UK's presence in Antarctica, will complete three further five-week patrols of the continent before heading north at the beginning of April.

Source: Southern Daily Echo.

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50 Let Pobedy

World's most capable icebreaker

The *50 Let Pobedy* is a Russian Arktika-class nuclear icebreaker. The name translates in English literally to "50 Years of Victory", but more properly means "Fiftieth Anniversary of Victory". Original plans called for the ship to be launched in 1995, the 50th anniversary of the end of World War II. Construction began in 1989 and the ship was initially designated as the NS Ural. Work stopped in 1994, when Russia was suffering from a major financial crisis. In 2004, a fire broke out on board the ship. Although there was no damage to the propulsion area and no fuel had yet been loaded into the reactors, the incident further delayed completion. The *50 Let Pobedy* finally entered service in March 2007. While nominally the ship is the sixth vessel in the Arktika class, there have been significant changes. It has been lengthened from the standard 486 feet to 522 feet. In addition, it is the first nuclear icebreaker to be fitted with a spoon-shaped bow, which has significantly improved its icebreaking capability. Like the others in its class, it is fitted with two OK-900A nuclear reactors, providing electrical power to drive three shafts. The crew numbers 140 and the ship is designed to carry up to 128 passengers. On 25 July 2008, the *50 Let Pobedy* carried passengers to the North Pole. Now, it makes annual voyages to the North Pole each summer, with the next voyage scheduled to depart Murmansk on 19 June 2013. Cost starts at US$25,685 per person, double occupancy. The ship is equipped with an athletic/exercise facility, a swimming pool, a library, a restaurant, a massage facility, and a music salon. There is no entertainment, as on regular cruise ships and the cabins are somewhat Spartan. Still though, you are guaranteed to see lots of ice and the odds are good that the ship will encounter polar bears, whales, walrus, seals, and other Arctic animals. When not transporting tourists, the ship assists vessels operating in Arctic waters north of Russia.

Source: Maritime Musings. Dennis Bryant. 2013

LITTLE KNOWN TID-BIT OF NAVAL HISTORY.

The USS *Constitution* (Old Ironsides), as a combat vessel, carried 48,600 gallons of fresh water for her crew of 475 officers and men. This was sufficient to last six months of sustained operations at sea. She carried no evaporators (i.e. fresh water distillers).

However, let it be noted that according to her ship's log, "On July 27, 1798, the USS *Constitution* sailed from Boston with a full complement of 475 officers and men, 48,600 gallons of fresh water, 7,400 cannon shot, 11,600 pounds of black powder and 79,400 gallons of rum."

Her mission: "To destroy and harass English shipping."
Making Jamaica on 6 October, she took on 826 pounds of flour and 68,300 gallons of rum.
Then she headed for the Azores, arriving there 12 November. She provisioned with 550 pounds of beef and 64,300 gallons of Portuguese wine.

On 18 November, she set sail for

England. In the ensuing days she defeated five British men-of-war and captured and scuttled 12 English merchant ships, salvaging only the rum aboard each.

By 26 January, her powder and shot were exhausted. Nevertheless, although unarmed she made a night raid up the Firth of Clyde in Scotland. Her landing party captured a whisky distillery and transferred 40,000 gallons of single malt Scotch aboard by dawn. Then she headed home.

The USS *Constitution* arrived in Boston on 20 February 1799, with no cannon shot, no food, no powder, no rum, no wine, no whisky, and 38,600 gallons of water. **GO NAVY!**

Source: Capt. Frank Pickering,Sydney

TITANIC–Where was *Californian?*

Introduction

Two recent books worth reading are: 'REPORT INTO THE LOSS OF THE SS TITANIC – A Centenary Reappraisal' by Samuel Halpern (+10 co-authors); and John Lang's book 'TITANIC – A fresh look at the evidence by a former Chief Inspector of Marine Accidents'. Both books draw on transcripts of the British Inquiry under a Wreck Commissioner (Lord Mersey).These transcripts are on a website prepared by 'The Titanic Inquiry Project'. *Titanic* collided with an iceberg at 2340 on 14 April 1912 and sank at 0220 on 15 April.

Halpern's book is very detailed with a comprehensive set of references and explanatory notes. Lang's book is an easy read but lacks footnotes and references. Both books come to similar conclusions on the key points, namely that *Titanic* (Captain Smith) and *Californian* (Captain Lord) were about 13 n. miles apart at the time of the accident and that the rockets fired by *Titanic* were seen by *Californian's* OOW (Second Officer Stone).

Mersey Inquiry

The inquiry report contains a separate section covering the role of the *Californian* which shows that the Commissioner held doubts about the truthfulness of some of the testimony given by Captain Lord, Second Officer Stone and Chief Officer Stewart. In his report the Commissioner said that there were considerable discrepancies, contradictions and inconsistencies in answers to questions. One of the Commissioners doubts was due to the non-availability of *Californian's* scrap log covering the period of the *Titanic* incident.

It was the Chief Officer's job to write up the 'fair log' from the scrap log which contained entries by the OOW at the end of each watch. When the Commissioner asked for the scrap log Chief Officer Stewart said that in accordance with normal practice (and company regulations) pages from the scrap log had been destroyed as the entries were recorded in the fair log.

Given that Captain Lord and his Chief Officer would have known that an inquiry into the *Titanic* accident would be held and the scrap log would be important evidence, it at best shows very poor judgment in not having made sure the scrap log was retained. Failure to do so cost Captain Lord dearly in terms of credibility.

Of particular significance was Second Officer Stone's testimony who, after intense questioning, agreed that rockets he had seen matched the description of distress rockets (ref. British Inquiry Day 7 testimonies 7832 to 8036).

Number of Masthead Lights

Lang and Halpern's books state that *Titanic* only had **one** white masthead light. However, in the transcript covering Captain Lord's evidence it is stated by the Commissioner and Attorney General that *Titanic* 'would have' **two** white masthead lights (see 6806 and 6807). I have checked with Samuel Halpern and he assures me there is no doubt that *Titanic* only had one masthead light and I think it is safe to assume this is correct. He added that *Titanic's* sister ship *Olympic* was fitted with a second masthead light in about 1913. Until Jan.1954 the carriage of a second white masthead light was optional although there were known advantages in doing so (see Nicholls's Seamanship, 19th edition 1952, p. 199).

At about 2300 on 14 April 1912 a ship was sighted to the SE of *Californian* proceeding in a westerly direction. About 40 minutes later the ship was seen to stop and appeared to put out her lights (it was common practice for ships to put out unnecessary accommodation lights at night).

In evidence to the Mersey inquiry Captain Lord and Second Officer Stone stated that the ship sighted to the SE had **one** masthead light, but Third Officer Groves told the inquiry he saw **two** masthead lights on that ship. Groves told the inquiry that given what he had heard subsequently he believed the ship was the *Titanic.* Captain Lord on the other hand considered the ship was a cargo ship of similar size to *Californian.*

Dead Reckoning (DR) Positions

Lang defines 'Dead Reckoning' (DR) position as that derived purely from a ship's course and distance, and makes no allowance for wind, tide or current. Once these factors have been allowed for the position is referred to as the 'Estimated Position' (EP). These definitions accord with practice in the Royal Navy. However, in the Merchant Navy the practice has been to combine DR and EP into one definition and that is DR (see Nicholls's Concise Guide, Vol. 1, p. 195 , 8th Edition 1951). Positions given during the Mersey inquiry did not make any distinction between DR and EP.

It is likely that Captain Lord would have made whatever corrections he considered necessary to the compass course to ensure that as far as practicable the ship made the desired true course. These did not include set & drift, but this may have been because he did not consider his ship was being significantly affected by these factors.

Halpern's book notes on page 194 that records of sea temperatures taken by *Californian* show a 20 degs.C drop between noon and 1600 on 14 April. This indicates that the ship could have come under the influence of the south setting Labrador Current (about 1 knot) from at least 1600 until reaching the ice field at 2230, when she stopped for the night. Lang's book also considers that *Californian* came under the influence of a south setting current (p. 236).

Although Captain Lord claimed that Chief Officer Stewart obtained a latitude by pole star sight at 1930 showing the ship was not experiencing a southerly drift, Halpern doubts the accuracy of the sight and even if it was taken at all. The southerly drift is what accounts for the difference in Captain Lord's estimate that *Californian* was 19.5 n. miles from *Titanic's* accident and Halpern and Lang's estimate that the ships were about 13 n. miles apart.

In considering the many calculations that have been made about *Californian's* position relative to *Titanic's* accident, it should be recognised that there were many sources of errors that could have crept into the calculations. One example is the

Titanic's SOS position which was found to be about 13 n. miles in error after the wreck of the ship was found in the mid-1980s.

What could *Californian have done?*

Californian was a cargo ship with limited accommodation, whereas *Carpathia* was a passenger liner with accommodation for about 2500 persons. She was only carrying about 760 passengers at the time and was in a much better position to handle *Titanic*'s survivors and get them safely to port.

If Captain Lord had reacted to the report of rockets he received from Second Officer Stone at about 0110 on 15 April he might (at best) have reached the accident scene shortly after *Titanic* sank. It was a dark moonless night and survivors in lifeboats were secure enough until rescued by *Carpathia* (most in daylight).

Regarding possible survivors in the water we know that one of *Titanic's* lifeboats with spare capacity returned to the scene of the sinking and only found four survivors, one of whom subsequently died. Other *Titanic* lifeboats with spare capacity did not attempt to return to search for survivors for fear of being swamped.

The whole controversy about *Californian's* role could have been avoided if the OOW (Second Officer Stone) had ensured that the Master clearly understood that rockets he had sighted could have been distress signals and that the Radio Officer was called to check for distress messages. If this had been done Captain Lord would have reacted promptly; as he did when he eventually received the radio message shortly before 0600 that *Titanic* had sunk.

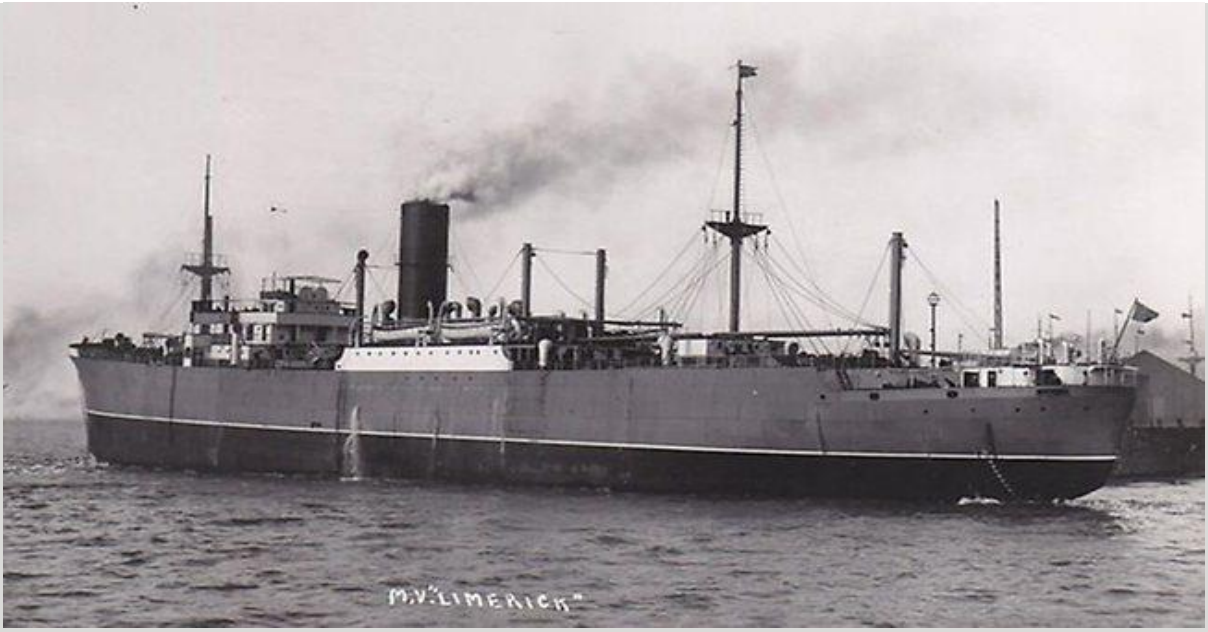
On hearing about the sinking Captain Lord proceeded as fast as possible to render assistance but lost time in having to traverse the ice field from East to West to reach *Titanic's* SOS position, which was 13 n. miles in error. When he ascertained the correct position of the accident he had to traverse the ice field again from West to East, by which time *Carpathia* had rescued all survivors.

Source: Tony Francombe. January 2013

Cork, Ireland – Pilot vessel outward bound. Source: Shipping Clippings,

MV Limerick found in ocean grave off NSW

This item was supplied by Geoff Walls, President, Merchant Navy Association Inc.



The MV Limerick, which went down after being torpedoed by the Japanese. *Source:* Supplied

AN enduring World War II maritime mystery has been solved with the discovery of the wreck of a merchant ship torpedoed by a Japanese submarine off NSW in 1943.

The 8700-tonne New Zealand owned freighter MV Limerick was sunk off Australia's most easterly point, Cape Byron, on the NSW north coast by the Japanese submarine I-177. The hulk was identified late last year by fishermen in 100m of water about 18km east of Ballina.

Two crewmen, the third and fourth engineers, went down with the ship and 70 more were rescued by the navy minesweeper escorts HMAS Colac and HMAS Ballarat.

The largest ship in the convoy, the Limerick became separated from the other vessels due to engine trouble before the submarine pounced. The Limerick was travelling in a convoy of five merchant ships bound for Brisbane from Sydney and at 1am on April 26th a Japanese torpedo slammed into the port side of the ship. She slipped beneath the waves at 6.30am.

It was a grim year for shipping along the east coast, as Japanese submarines roamed the sea lanes hunting vulnerable merchant vessels. In April alone, five ships, 87 people and 25,000 tonnes of valuable wartime supplies were lost.

On the night of May 14th, the I-177 sank the well-lit hospital ship Centaur with the loss of 268 lives in one of the worst atrocities of the Pacific war.

NSW Water Police and the state Office of Environment and Heritage conducted an initial survey of the site with a side-scan sonar, but were hampered by bad weather.

NSW authorities then approached Australia's Marine National Facility, which operates the CSIRO's ocean-going research vessel, the 66-metre Southern Surveyor, to try locating the wreck. The vessel was already engaged in geological research between Yamba and Fraser Island and under University of Sydney geologist Tom Hubble, it was able to create a 3-D image of the wreck.

"Confirming the wreck as MV Limerick is in the national interest. We were already in the area, we had the necessary technology and technical expertise and in the end it didn't take long to create a 3-D image of the wreck," Dr Hubble said.

While the wreck lies in Commonwealth waters, the NSW Government will ensure that the Limerick is properly protected under the provisions of the Historic Shipwrecks Act 1976. NSW Environment Minister Robyn Parker said the OEH was consulting with the Office of Veterans' Affairs to notify next of kin of the two men who died in the Limerick.

Source: News Limited Network.

Ian McPhedran – Defence Writer

RMS *Laconia*

Subject of a humanitarian rescue during WWII

The Royal Mail Ship (RMS) *Laconia* entered service in 1922 as a Cunard ocean liner, engaged primarily in the trans-Atlantic trade. It replaced the previous *Laconia* (built 1911), which had been sunk during the First World War. At 601 feet in length, it was designed to carry 350 first-class passengers, 350 second-class passengers, and 1,500 third-class passengers. Immediately after commencement of the Second World War, the *Laconia* was requisitioned by the British Admiralty and converted into an armed merchant cruiser. It was fitted with eight 6-inch guns and two 3-inch guns (for use against aircraft). The *Laconia* spent most of the next two years serving as a high-speed convoy escort. In early 1942, it was converted into a troop carrier. In September 1942, the *Laconia* departed Cape Town, South Africa en route Freetown, Sierra Leone. On board, in addition to the crew, were 268 British soldiers, 103 Polish soldiers (serving as POW guards), 80 civilians (including 48 women and children), and 1,793 Italian prisoners of war. On the night of 12 September 1942, the German submarine U-156 (Korvettenkapitan Werner Hartenstein commanding) was patrolling off the coast of West Africa when it spotted and attacked the *Laconia*, firing two torpedoes. The *Laconia* sank quickly, but not before a number of lifeboats and life-rafts could be launched. When Hartenstein realized that non-combatants and POW were involved, he surfaced and began rescue operations. He sent a coded message to U-boat headquarters, which dispatched other U-boats to assist. As many survivors as possible were brought aboard (most kept on deck) and four lifeboats were tied astern. A make-shift Red Cross flag was placed over the gun mount. Three other submarines (two German and one Italian) arrived and took similar action. An American B-24 Liberator bomber appeared overhead, flying from a secret Allied airfield on Ascension Island. Reporting the situation, the bomber was ordered to attack. It dropped several bombs, sinking two lifeboats, but only slightly damaging the U-156. The submarines quickly ceased rescue operations and departed. Three Vichy French warships arrived on scene later and rescued most of the survivors. Of the Laconia's original complement of 2,732, only 1,113 survived. Of the 1,619 who died, 1,420 were Italian POWs. Captain Hartenstein and the U-156 did not survive the war – the submarine was sunk off Barbados on 8 March 1943.

Source: Maritime Today. Dennis Bryant.

"*Asian Lily"* aground in Papua New Guinea. Photo: Richard Sneddon. Shipping Clippings.

Queen Mary 2 arriving at Abu Dhabi Cruise Termin (UAE)

The Queen Mary 2 – the world's largest ocean liner and the luxury flagship of the Cunard Line – made its maiden call to Abu Dhabi today at the Mina (Port) Zayed cruise terminal, signalling the UAE capital's increasing international status as a cruise liner destination.

On its first visit to Abu Dhabi, one of the key destinations on the Queen Mary 2's 2013 "World Voyage", the Cunard Fleet Commodore, Christopher Rynd, was welcomed to Abu Dhabi by the UK Ambassador to the UAE, H.E. Dominic Jermey CVO OBE, Capt. Mohamed Al Shamisi, Executive Vice President, Ports, Abu Dhabi Ports Company (ADPC) and Nasser S. Al Reyami, Director of Tourism Standards, Abu Dhabi Tourism and Culture Authority.

Arriving at 6:30am local time, Commodore Rynd and Capt. Shamisi later exchanged plaques to commemorate this historic visit, while disembarking passengers were treated to a distinctly Emirati welcome reception, with cultural displays, bus tours of the city and performances of traditional Emirati dancing arranged on the quayside, organised by the Abu Dhabi Tourism and Culture Authority.

The Queen Mary 2, the world's most expensive luxury cruise liner, will spend 12 hours at Mina Zayed's cruise terminal before departing for its next port of call in Cochin, India.

Commenting on the ship's arrival, **Capt. Mohamed Al Shamisi** said: "*We are delighted to welcome the Queen Mary 2, its crew and passengers to Abu Dhabi, as part of her 2013 World Voyage. This historic event clearly underlines the UAE capital's growing status as an international tourist and cruise destination, and we will be working hard to continue to develop and transform Mina Zayed further, to facilitate and accommodate the growth of Abu Dhabi's cruise liner business.*"

With the recent shift of all container shipping, into Abu Dhabi, to the newly inaugurated Khalifa Port, Abu Dhabi Ports Company has indicated that Mina Zayed will be developing its cruise terminal facilities and capacity at Mina (Port) Zayed, which is situated close to the centre of the UAE's capital city.

Forecasts suggest that over 100 vessels and 250,000 cruise passengers will pass through the UAE capital, in Abu Dhabi's 2014/15 cruise season, and the development of Mina Zayed's facilities into a world-class cruise terminal is expected to attract further growth of this tourism segment, in line with and in support of the government's Abu Dhabi 2030 Vision.

Source: Burns Philp Shipping News

VALE. A report has been received from Capt. Mike Bertram stating that Captain E.A. Purnell-Webb 'crossed the bar' in November 2012. No further details are known at this time. We offer sympathy and condolences to his family. (Hon.Editor)

Pygmy Right Whale

Pygmy wrong whale?

The pygmy right whale is a small baleen whale found exclusively in waters of the Southern Ocean.
Because it does not frequent shallow water and is of a size of no commercial value, it is little studied. It was first documented based on bones and baleen plates found during the 1839-1843 exploratory voyage of the HMS *Erebus* and the HMS *Terror*. Due to its resemblance to the right whale, it was named the pygmy right whale (Balaena marginata). Further study resulted in it being placed in a new genus (Caperea), but the popular name remained unchanged. The scientific name refers to the wrinkled appearance of the ear bone and to the dark border around the baleen plates of some individuals. It is by far the smallest of the baleen whales, with adults having a length of about 20 feet and a weight of about 6,700 pounds. Unlike true right whales, the pygmy right whale lacks callosities. Its blow is also small and indistinct. The population is unknown. Recent studies have led researchers to conclude that the pygmy right whale is the actually last living species of a family of whales known as cetotheres (scientific name – Neobalaenidae) previously thought to have gone extinct over two million years ago. The cetotheres branched off from the other baleen whales about 15 million years ago. Their fossils are found in all the world's oceans. Much remains to be learned about these sole survivors.

Source: Maritime Professional.
Dennis Bryant.

Tanker Scrapes Bay Bridge, San Francisco

The Coast Guard is investigating the incident where the tanker reported to the USCG it had collided with Tower Six of the bridge.
The 752-foot Marshall Island's-registered tanker *Overseas Reymar* reported to the Coast Guard at approximately 11:20 a.m. that it had collided with tower six of the Bay Bridge in the San Francisco Bay. The vessel was immediately directed to an anchorage area just west of Alcatraz Island by the Coast Guard Captain of the Port. The vessel was in ballast at the time of the incident.

There were no reports of injuries and no reports of pollution. As a precautionary measure, the Coast Guard Captain of the Port of San Francisco ordered a pollution-control boom to be staged.
The Coast Guard and other agencies immediately dispatched response assets to the scene, which included Coast Guard response boats, a cutter, and helicopter as well as additional resources from other federal, state, and local agencies. Coast Guard pollution response personnel, investigators and vessel inspectors were also deployed to check for any signs of pollution to begin an investigation into the incident and determine the ship's structural integrity. The double-hulled ship sustained damage to its starboard quarter. Immediately following the report of the collision, the California Department of Transportation sent a structural maintenance team to investigate the

bridge and found no structural or foundation damage.
Caltrans is continuing to inspect the bridge and the bridge fender system damaged in the incident and will develop a plan for repairs.
Vehicle traffic over the bridge was never impacted.
The *Overseas Reymar* is owned by OSG Ship Management, U.K. and was headed outbound to sea at the time of the incident.

CMMA Sydney Meetings 2013

13th February 2013	*
13th March 2013	
10th April 2013	
8th May 2013	*
12th June 2013	
10th July 2013	
14th August 2013	*
11th September 2013	
9th October 2013	
13th November 2013	*
11th December 2013	***

* Joint meeting with NI
*** Joint Xmas Dinner with NI

CMMA Sydney Court Meetings 2013

17th January 2013
21st February 2013
21st March 2013
18th April 2013
16th May 2013
20th June 2013
18th July 2013
22nd August 2013
19th September 2013
17th October 2013
21st November 2013
19th December 2013**

** To be confirmed.

Avoiding Collisions with the North Atlantic Right Whale

"Since implementation of mandatory seasonal speed restrictions along the U.S. east coast in 2008, the number of vessel struck right whales like this one has been dramatically reduced."

A Training Module for all Mariners

Professional mariners have a unique responsibility as they transit the world's oceans. Mariners see a part of this earth that the vast majority of humanity will never witness and, in turn, they become stewards of the ocean by following the numerous regulatory measures aimed at reducing the impact of shipping on the environment. These regulations include, but certainly are not limited to, the use of AIS to avoid collisions and harmful oil spills, ballast water discharge controlling the introduction of invasive species, ship emissions control, and a ban on dumping of plastics at sea. One more recent addition to these regulatory measures has been the implementation of a suite of measures along the U.S. and Canadian eastern seaboard aimed at reducing the

chance of a lethal encounter with the endangered North Atlantic right whale. These whales, once hunted nearly to oblivion, hang on by a tenuous thread with less than 500 remaining in the western North Atlantic. Vessel strikes have been one of the leading causes of mortality plaguing this small population for decades; if not longer. It is interesting to note that entanglement in fixed fishing gear is also a major source of human caused mortality for right whales. As our understanding of the frequency of lethal vessel strikes became clearer during the 1990s, the need to develop measures to reduce risk to these animals became a goal of the Federal governments of the U.S. and Canada in partnership with researchers, conservationists, port authorities and industry representatives.

Over a decade of hard work was conducted to review the scientific information available of where and when vessel strikes of right whales had occurred, discuss and solicit all possible management options with the impacted industries, and to eventually develop regulatory and voluntary measures throughout the right whale's range from Canada to Florida. These protective measures could make the difference to the survival of this small, but hopefully resilient population of animals. Finally, the efforts provided useful educational and outreach materials for the mariners that the 2012 Training Module includes.

Every person who works on a sea-going vessel of any size has a role to play in reducing the chance of an encounter with a large whale. The captain, mates, and ABs on the bridge, the lookouts on the bow, the engineers, or (any) staff who happens to be looking at the ocean, should keep an eye out for whale blows.

The operators of the vessel should be aware of the required and voluntary measures needed to avoid collisions with large whales. Right whales and other large whale species found throughout the world's oceans will definitely benefit from prudent mariners following these actions. According to David Gouveia of the National Marine Fisheries Service and Northeast Region marine mammal team coordinator, the educational process is essential. He adds, "To minimize vessel strikes of right whales, it is critical that mariners understand the breadth of the problem and what they can do to protect these endangered animals. We supported the development of these educational materials to equip future mariners with the information and training they need to safely navigate around right whales and reduce the number of collisions." To provide training for maritime academy students and on-board ship personnel, the New England Aquarium of Boston, MA with support from NOAA Fisheries Service has developed a clear and concise training module called "Avoiding Collisions with the North Atlantic Right Whale 2012." This module is divided into four sections:

I. Vessel Strike Problem and Right Whale Biology
II. Laws, Regulations and Rules
III. Voyage Planning and Watchkeeping
IV. The Right Whale Pruden Mariner

By Amy Knowlton, Patricia Gerrior, and William McWeeny
Source: Maritime Reporte

LLDCN Notes – January 21013

8. 1. 2013 A Dutch University student's Masters thesis based on his analysis of four Europe – China round voyages has concluded that Slow Steaming at speeds of 15 knots results in Shippers being disadvantaged. According to his analysis the savings to Owners in fuel costs amounted to $67 m whereas Shippers added inventory costs were $170 m. He further calculated that the costs / savings were balanced at speeds of between 21 – 23 knots.

9. 1. 2013. The Port of Melbourne Corporation has written to the City of Port Phillip Council opposing a large tower development which it believes will impede port access to Station Pier. It considers that the proposal is an encroachment of a sensitive and is potentially incompatible to the use of the port. The development company which has links to Kuwaiti royalty wants to build a large shopping and residential complex with buildings up to 19 storeys.
10. 1. 2013 AMSA is investigating the discovery of poison gas canisters washed ashore on the Queensland coast between Cairns and Gladstone. The canisters contain aluminium phosphate which is used as a pesticide and as a general fumigant. AMSA is attempting to determine whether the disposal was a deliberate act of pollution or accidental cargo loss in Australian waters.
11. 1. 2013 The Australian Government has announced a tender to replace the 20 year old P&O owned " Aurora Australia". The tender requests proposal for the design, build and long term operation/maintenance of the new ice-breaker. The Government has allocated $1.7 m 'for the development of a detailed business case for a new Australian shipping capability, including essential, associated infrastructure and support'. It is expected to be 5 years before the new vessel becomes operational.
14. 1. 2013 The Italian Marine Casualty Investigation Central Board (MCICB) has been roundly criticized for not producing a final report within 12 months of the 'Costa Concordia" casualty. The MCICB claims that its investigation has been delayed due to the prosecution team seizing important information, including the Vessel Data Recorder. Italy's focus on prosecution rather than investigation has been criticized by investigation experts, who believe the investigation is necessary in order to learn from the mistakes made in the "CC" casualty.
17. 1. 2013 Sydney miner, Eastern Iron has announced that metallurgical testing of iron ore from its Nowa Nowa project in East Gippsland has shown to be of high quality. If further drilling studies clarify the deposit's size the company plans to export 800,000 tonnes of ore annually through the port of Eden.
21. 1. 2013 AMSA has announced a new compliance enforcement policy to guide the industry as to how it will use its new powers under new legislation. AMSA's Acting CEO, Mick Kinley said it is the industry's responsibility to ensure safety in the maritime sector and that AMSA will monitor compliance with legislation through audits and inspections or when an incident occurs – by an investigation. What's new?
22. 1. 2013 An Iranian flag bulk carrier has fled Sri Lankan waters after a court authorised the German DVB Bank to hold the vessel for loan defaults. The vessel which was being detained in the port of Galle was under detention by the Sri Lankan Navy, which fired warning shots as the vessel fled. The ship is owned and managed by an Iranian company said to be a front for the Islamic Republic of Iran Shipping Line.
23. 1. 2013 Serious discussions will start next month on how to once again measure CO2 emissions from shipping. Measurements in 2007 suggested CO2 emissions from international shipping stood at 870 m tonnes, 2.7% of the global total. A general increase in ship sizes and tonne miles and the advent of fuel saving technology as a result of increases in bunker prices have re-shaped the base assumptions of the last greenhouse gas studies.

Marex

15. 1. 2013 Two Somalis on trial in Japan for an armed attack on an MOL operated tanker have admitted their involvement in the attack. A group of four, including two juveniles were captured by US Navy personnel which responded to the tankers' request for assistance. Japan's coastguard, for the first time since the new anti-piracy law was enacted, applied to have the men transported to Japan for trial.

21. 1. 2013 A Panamanian flag tanker " ITRI" has been seized off the Ivory Coast's main city, Abidjan, where she was waiting to discharge 5,000 tonnes of fuel. A statement said officials had located the tanker of the coast of Ghana. There has been a sharp increase in pirate attacks in West Africa, but most have taken place off the Nigerian coast.
The cruise ship "*Orion*" successfully rescued a French solo sailor, who had spent 56 hours in a life-raft, 800 miles south of Hobart, after his yacht was dismasted. *Orion* diverted 600 miles to accomplish the rescue which also involved the services of five aircraft, one belonging to AMSA, two RAAF and two commercial.
23. 1. 2013 Gunmen have released the Panamanian tanker '*ITRI'* after syphoning off $5 m worth of cargo. The crew were released unharmed after the gunmen fled.
The Royal Navy's icebreaker HMS "*Protector*" broke through dense pack ice up to 4 metres thick to free the Norwegian cruise ship " *Fram*", which had been surrounded in Antarctic Sound, and led it to safety. Commenting afterwards, the Commanding Officer of HMS "*Protector*" said "This is what we do in the ice patrol ship; we are the RN's equivalent of the Swiss Army Knife – red, versatile and always there when you need us."
25. 1. 2013 Following an attack on a merchant vessel 260 miles off the Somali coast, a French naval vessel, FS "*Surcouf*" apprehended 12 suspected pirates in two vessels. The exercise involved assistance from USS " *Halyburton*" (helicopter) and a German Maritime Patrol aircraft which kept the suspects under surveillance until the arrival of the French vessel. The suspects were landed at Mauritius for prosecution.
29. 1. 2012 Scientists are hoping to discover the reason why the Confederate submarine '*Hunley'* sank after what was the world's first successful attack on a surface vessel. '*Hunley'* attacked and sank the Union naval ship USS '*Housatonic'* in 1864 using a 135 pound torpedo strapped to an 18 foot spar which was detonated under the '*Housatonic's* stern. The submarine was discovered and raised from the bed of Charleston Harbour in 2000 and is in a large refrigerated tank for preservation. The reason for it sinking may be revealed after concretion on the hull is removed.
Yemeni authorities and the US destroyer USS '*Farragut'* intercepted another vessel carrying a significant quantity of illegal weapons, including RPG's, surface to air missiles and C4 explosives. The vessel had several flags on board but no reliable documentation. The arms are believed to have been supplied by Iran for Islamic Republic rebels.
31. 1. 2013 Officials have decided that the grounded minesweeper USS 'Guardian' will be cut up and removed in sections in order to minimize damage to the World Heritage Reef. The three remaining vessels of its class are scheduled to be replaced next year by littoral ships.

Burns Philp News

19. 1. 2013 The digital chart used by the minesweeper USS *Guardian* to navigate in Philippine waters may have misplaced the location of the reef by 8 nautical miles and may have been a factor when the vessel drove hard aground at 0225, on 17 January. As of the 18 January, the USN has directed ships to "operate with caution" when using digital charts and to compare them with paper charts which are considered more accurate. US digital charts are produced by The National Geospatial-Intelligence Agency, a largely secretive organisation in Springfield, Va.

North P&I Club Publishes New Bridge Guide on How to Avoid Collisions

The 'A' rated 170 million GT North P&I club has just published a new loss-prevention guide for watchkeepers on how to avoid collisions at sea. Designed specifically for use on ship's bridges, it focuses on what the club considers to be the most important 'rules of the road' in the International Regulations for Prevention Collisions at Sea 1972 (COLREGS). In his foreword to *Collisions: How to Avoid Them*, the Hon Mr Justice Nigel Teare, Admiralty Judge at the Royal Courts of

Justice in London, says, 'Despite all the impressive electronic assistance designed to enable deck officers to avoid collisions, collisions still occur. The answer is, and always has been since radar was first introduced, that the rules of navigation set out in the COLREGS must still be applied by deck officers. 'This short and compact guide, therefore, has a vital and necessary role. It reminds mariners of the basics of the COLREGS and that they must be kept well in mind and obeyed notwithstanding the profusion of equipment on the modern bridge. That equipment does not avoid collision – it is merely an aid to collision avoidance. What avoids collisions is compliance with the COLREGS,' says Teare. The guide focuses on the 12 regulations North considers are most often misinterpreted and applied.

These are: responsibility, look-outs, safe speed, risk of collision, action to avoid collisions, traffic separation schemes, overtaking, head-on situations, crossing situations, action by give-way vessels, action by stand-on vessels and conduct of vessels in restricted visibility. According to the club's head of loss prevention, Tony Baker, 'We believe these rules are the key to collision avoidance as we see them breached time and time again when collisions occur.

The guide demonstrates how these rules fit together and how the interpreting and applying each of them can be influenced, sometimes wrongly, by the vast mass of information now available from electronic aids to navigation.' The guide also includes illustrated case studies of recent major collisions, plus fold-out charts for plotting developing situations. 'The case studies and the questions they ask are intended to be the starting point for wide-ranging discussions on all aspects of collision avoidance by bridge teams,' says Baker.

Source: NoE. Shipping Clippings

28-01-2013 Stern trawler MAARTJE THEADORA in heavy weather Atlantic Ocean south west of Ireland. Photo : Arie, Ch. Engineer © Source: Shipping Clippings

Container ship owners could be sued for slow steaming.

Container ship owners who slow steam their vessels could find themselves on the receiving end of legal action, following judgment handed down in the UK's commercial court. Last November, Mr Justice Popplewell dismissed an appeal in the case of Bulk Ship Union **SA v Clipper Bulk Shipping Ltd**, which saw the latter bring a successful action against Bulk Ship Union claiming that its decision to slow steam had left it in breach of the charter clause that states that cargo should be delivered with "utmost despatch".

Clipper Bulk Shipping had chartered the Pearl C bulk carrier in 2006 for nine to 12 months for a series of voyages, but then withheld hire alleging underperformance, "contending that the vessel had failed to proceed with the utmost dispatch; and that the Charterers were entitled to deduct the time lost due to slow steaming", according to law firm Stoner Chambers, which wrote an analysis of the decision. However, the owner, Bulk Ship Union had ordered the vessel's master steam below 13 knots, the warranted speed specified in the charter party. A tribunal court concluded that the owner had breached the agreement, and Justice Popplewell upheld that decision after **Bulk Union Ship** appealed.

While the case was in the bulk shipping sector, lawyers contacted by The Loadstar have argued that it could also have relevance to the container shipping sector, leaving owners liable to court action from containership charterers, because the decision gives charterers a greater chance of success in any legal action. Matthew Gore and Daisy Rayner, associates at law firm Holman Fenwick Willan, told The Loadstar:

"We think the Commercial Court decision in the Pearl C will definitely be relevant to the container industry, as it has confirmed that where an owner deliberately slow steams and consequently underperforms, this will constitute a breach of the implied duty of utmost despatch, entitling the charterer to deduct the time lost under the off-hire clause. "The case established that the performance warranty will be the benchmark for assessing whether a vessel has in fact proceeded with utmost despatch. The Pearl C was of course a bulk carrier, but we think the decision would apply equally to the container trade.

"Charterers of container vessels will welcome the decision in the Pearl C, as it not only confirms the known position that owners can be called to account for slow steaming, but also establishes more clearly how it will be judged whether a vessel is in fact slow steaming. Charterers in the container industry are increasingly choosing to slow steam themselves, but they need to meet their schedules and so will oppose any slow steaming by owners which threatens those schedules."

While much of the fallout from slow steaming in container shipping has focused on the way in which it has soaked up excessive capacity on the major deepsea trades in the face of weak demand, and achieved huge savings on bunker costs – but at the same time it has placed significant extra costs on shippers because ever larger amounts of working capital are tied-up in goods that in transit for increasingly long periods.

"Slow steaming is of course unpopular with shippers, because while it may soak up excess capacity, reduce CO2 emissions and reduce bunker costs for carriers, shippers have not generally benefited from the financial upside which carriers have, although some do report improved schedule reliability," Mr Gore and Ms Rayner continued.

"This however, comes at a cost for shippers in terms of the working capital which is tied up for longer, with the inherent problems of inventory management and cashflow challenges which arise from cargo being at sea for longer periods of time."

However, shippers hoping that the case may give legal precedence on which to launch actions against container lines which favour slow steaming are likely to be disappointed, Mr Gore and Ms Rayner warn.

They point to the fact that most lines' standard terms and conditions in contract of carriage contain clauses absolving them of any liability if a shipment takes longer to deliver than advertised or expected. The following is from Mediterranean Shipping Co's T&Cs: "The carrier does not promise or undertake to load, carry or discharge the goods on or by any particular vessel, date or time.

Advertised sailings and arrivals are only estimated times, and such schedules may be advanced, delayed or cancelled without notice. In no event shall the carrier be liable for consequential damages or for any delay in scheduled departures or arrivals of any vessel or other conveyances used to transport the goods by sea or otherwise."
Source: Loadstar – Shipping Clippings

Sydney Heritage Fleet's historic steam tug *WARATAH* passing HAL's *0osterdam* which was in port on 26 January for the AUSTRALIA DAY celebrations.
Shipping Clippings. Photo: Ian Edwards – www.shiphoto.com.au ©

NB. This issue has been created using double columns in some sections. When, once before, I tried double columns, some feedback indicated that reading up, down, up, down again was unpleasant. This time I have shortened the columns to save this problem. Another problem, however, is that I was unable to number the pages without upsetting the balance of the whole document. Your comments as readers would be appreciated.

Furthermore, this issue is the first to be compiled on my new laptop with a very recently upgraded Windows 8, which means I'm frequently having to adjust for program differences. I do not have Publisher installed, but I suspect it may make life easier if I did. Anyone out there, please, who can comment on the wisdom of installing and using Publisher? (Hon. Ed.)
