

Response to the Office of the State  
Coroner of New South Wales

**Report into Boating Incident  
Circular Quay, Sydney  
20 August 2004**

<b>Coroner</b>	<b>NSW State Coroner, John Abernethy</b>
<b>Date of findings</b>	<b>23 September 2005</b>
<b>Inquest location</b>	<b>Glebe</b>
<b>Recommendation(s)</b>	The incident was examined and reported on by the Office of the Coroner. The Coroner made <b>one recommendation</b> to NSW Maritime in relation to the auditing of Safety Management Systems for charter vessels.
<b>Status of recommendations</b>	<b>Completed</b>

**Background**

On the evening of 20 August 2004 a charter vessel was in the process of berthing at Circular Quay at the end of a harbour cruise when a passenger, who had been dancing, lost his footing and fell through the gap in the railing that allowed the crew to assist with the berthing. The passenger was drowned.

**CIRCULAR QUAY, SYDNEY, 20  
AUGUST 2004**

No.	Coroner's recommendation	NSW Maritime's response <sup>1</sup>
1.	<p>“That NSW Maritime audits existing Safety Management Systems for charter vessels carrying more than eight passengers, to ensure that adequate safety requirements are in place in respect of all licensed operators, in relation to service of alcohol, music and dancing.”</p>	<p>Safety Management Systems (SMS) guidelines specify the procedures necessary for risk assessment and risk mitigation on charter vessels. These guidelines are available to all operators from NSW Maritime's website.</p> <p>NSW Maritime conducts audits of SMS relating to charter vessels to ensure the adequacy of systems and procedures in relation to the service of alcohol, music and dancing.</p> <p>Survey requirements on passenger vessels with side sliding access doors require the installation of safety chains across the door opening, internal guard rails and a lockable swing gate in the way of the door opening. These features keep passengers away from the opening until the vessel has completed berthing and is secured to the wharf.</p> <p><b>This recommendation is considered closed.</b></p>

<sup>1</sup> The response should be considered in conjunction with the published regulations, policies and safety initiatives outlined on the NSW Maritime website and in published materials.