

# The Traverse Board

Newsletter of the Friends Of The Paul McGuire Maritime Library Inc

March 2021

Proudly Supporting the Paul McGuire Collection of The State Library of South Australia.

## News From The Friends

### PRESIDENT'S REPORT March 2001

Greetings to you all, basking in this beautiful Autumn weather, enjoy! Thank you to the Friends who attended our AGM and very enjoyable BBQ last month, at which it was resolved that the office bearers would remain unchanged, and the Treasurer's report was accepted.

This is my Annual Report, but there were a few gaps in our programme.

Our March and May meeting could not take place, but in July we met at the Railway Hotel to view some video footage of three shipwrecks on the shores of New Zealand, good to be together again.

In September we were able to learn of life as a sailmaker and professional yachtsman, as lived by a young man from Largs North, Ryan Godfrey, home again after many years overseas and settled in North Haven, a very interesting evening.



Our November meeting was the victim of another sudden lock-down, and that sums up our year's meetings. One good thing to happen was that the *One and All* finally managed to take out a group of young people from Kangaroo Island, in order to give them a bright spot to make up for the horror of the bushfire, which burned so much of the place; the Friends contributed to this event.

The State Library, with funds from the McGuire Bequest, purchased a very old map of New Holland showing the passage of a transport ship from Sydney to Batavia.

Time to close this, I look forward to seeing you all at our next gathering at the Railway Hotel, please come along.

Regards, Julian.



### Next Meeting

The March Meeting will feature a maritime archaeologist Wendy van Duivenvoorde.

Her talk will be : ***Before Cook: Dutch interactions with Australia prior to 1770***

*This presentation highlights early Dutch interactions with Australia prior to 1770. It focusses on the earliest known historic accounts and material remains of Dutch-Indigenous interactions on Australian soil. It contributes to our understanding of Europeans active in the Australasian region in the 17th and 18th centuries through the study of maritime archaeological sites and historic research.*

**Date: Thursday March 25th 2021**

**Time: dinner 6:00pm, meeting afterwards (8:00 pm)**

**Venue: Railway Hotel, Port Adelaide.**

Please book dinner with Neil 0418 821 331 or Julian 0414 365 294 by 20<sup>th</sup> March 2021.

### Advance Notice Southern Encounter Trip Sunday 30<sup>th</sup> May 2021

Following a suggestion at the AGM we are considering a return trip on Steamranger's *Southern Encounter* train from Mount Barker to Victor Harbor for our May gathering.

This train leaves Mount Barker station at 10:00 am for Strathalbyn, Goolwa and Victor Harbor arriving at 12:45 pm, leaving at 3:45 pm and arriving back at Mount Barker at 6:15 pm.

There is plenty of time for lunch in Victor; the Hotel Crown being just across the road from the station.

The cost is \$76 for adults or \$67 for seniors.

If you are interested then please let me know on 0418 821 331 or at the March meeting.

Neil

#### *The Traverse Board*

Published by:

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## AMSA: Shipping firm, CO fined for dumping waste

March 4, 2021, by Naida Hakirevic

The chief officer (CO) and company of a Liberian-flagged bulk carrier have been fined and convicted in the Brisbane Magistrates Court for dumping the equivalent of a 120-litre household garbage bin full of food waste into the Great Barrier Reef Marine Park, following a prosecution by the Australian Maritime Safety Authority (AMSA).

Back in 2018, the 28,100 dwt Iron Gate was on a voyage between Brisbane and Gladstone when the chief officer approved the discharge of garbage overboard about 13 nautical miles southeast of Lady Elliot Island – well within the Great Barrier Reef Marine Park and Australian waters.

Under the Protection of the Sea (Prevention of Pollution from Ships) Act 1983, food waste cannot be discharged within 12 nautical miles seaward of the boundary of the Great Barrier Reef Marine Park, according to the maritime authority.

AMSA General Manager Operations, Allan Schwartz, said it was important to help protect Australia's marine environment from the impacts of shipping.

"We take a zero-tolerance approach to pollution from shipping and that is why, after detecting this breach during a routine inspection of Iron Gate in 2018, we detained the ship and later charged the chief officer and company, Kairasu Shipping S.A."

"In total, the fines against both parties amount to about \$6,600. However, it's the conviction which goes to their reputations and records that have the longest-lasting impact."

"Dumping garbage into the World Heritage Listed Great Barrier Reef isn't something you want on your professional record. These convictions should serve as a reminder to other industry operators that in Australia, we make sure polluters pay," Schwartz stressed.

Australia implements a range of standards and regulations to protect the marine environment from pollution. These standards and regulations ensure that the country meets international obligations such as the IMO's International Convention for the Prevention of Pollution from Ships (MARPOL).

<https://www.offshore-energy.biz/amsa-shipping-firm-fined-for-dumping-waste-in-great-barrier-reef/>

## NEW ENVIRONMENTALLY FRIENDLY SHIPS ON NORWEGIAN COASTAL ROUTE

11th January 2021

Havila Voyages has announced more details of a more environmentally responsible way to explore the Norwegian coast from spring 2021

The new Norwegian shipping company has ordered four new build ships, designed to be the most environmentally friendly vessels to operate along the iconic coastal route from Bergen to Kirkenes.

The first two ships (Havila Castor and Havila Capella) will operate from 2021, with two more (Havila Polaris and Havila Pollux) following in 2022.

The ships are operating as part of a ten-year Government funded contract to sail the historic route, with Havila operating four of the 11 ships departing daily from Bergen.

Each of the new ships will be fitted with the world's largest battery packs, meaning they can sail through fjords and other vulnerable areas for up to four hours – quietly and emission free.

The batteries will then be charged in the numerous ports along the route, using clean hydropower.

Additionally, the hull has been specially designed to be energy efficient in the Norwegian coastal conditions – using as little power and therefore emissions as possible.

Meanwhile, surplus heat is recovered from the cooling water, the sea and the energy management system.

The combination of these changes means that each ship's CO2 emissions have been cut by around 25% and Nox by 80-90%.

The new ships will showcase a modern and stylish Nordic design and offer the most spacious cabins on the coastal route.

Inside cabins start from 10m2, while the two presidential suites on each ship offer a spacious 45m2. Some larger cabins will sleep up to four guests and disabled cabins are also available. All 179 cabins feature free WIFI, USB outlets & a television.

Comfortable lounges with panoramic views will give guests the best possible views of Norway's ever-changing coastline.

The observation lounge has been designed with a glass roof and reclining chairs – ideal for uninterrupted views of the northern lights or midnight sun.

Other on-board facilities include a fitness room, sauna, shop and conference room.

<https://shipsmonthly.com/news/new-environmentally-friendly-ships-on-norwegian-coastal-route/>



# Marina St Vincent berth holders accuse Infrastructure and Transport Department of leaving them vulnerable to abuse

Angry boat owners are pushing for an investigation into State Government oversight of a troubled country marina.

Renato Castello February 27, 2021 – 8:00PM

<https://www.adelaidenow.com.au/news/south-australia/marina-st-vincent-berth-holders-accuse-infrastructure-and-transport-department-of-leaving-them-vulnerable-to-abuse/news-story/99fc1dccbe259106dce8a77f54302674>

Angry boat owners have accused the State Government of leaving them vulnerable to financial oversight of the troubled Marina St Vincent.

The Wirrina Cove marina berth holders also claim the Infrastructure and Transport Department allowed the marina to fall into disrepair, failed to act on their concerns about management of the 210-berth facility and was complicit in their “exploitation”.

But the department has defended its conduct.

In a stinging critique, they have written to SA Best MLC Frank Pangallo asking for his help to investigate DIT for its “longstanding questionable” administration of the publicly-owned marina.

The plea comes after the conclusion of a four-year class action by 75 berthowners against the former manager and head lease New Wave Aerospace who the District Court found had failed to maintain the marina, had overcharged boaties by \$1.79m and used \$658,166 of marina funds to prop up companies of which director Stephen Marks had a direct or indirect interest.



Trevor Gadd and Gregory Schulz, at the Marina St Vincent, want an investigation into the Infrastructure and Transport Department’s oversight of the marina. Picture: Renato Castello



Stephen Marks was found to not be a “witness of truth” during a hearing into allegations his company misappropriated berth owner fees. Picture: Tait Schmaal

The berth holders had sought \$650,000 in damages but their compensation was denied after Mr Marks put his company into voluntary liquidation one business day before a crucial court hearing.

The court has ordered him to pay \$217,000 to the berth owners’ for court expenses.

In their letter to Mr Pangallo, berth holders Trevor Gadd, Sally Wiadrowski, Angus Forbes and Greg Schulz want a review of DIT’s supervision of the head lease.

“Despite our many attempts to bring matters regarding Mr Marks/NWA’s poor business practices to DIT’s attention we believe they were either not taken seriously or put in the ‘too hard basket’,” they write in the 13-page letter, a copy supplied to The Advertiser.

“As no help was forthcoming berth holders had to resort to bringing Mr Marks/NWA to account through a costly and protracted legal action in order to prove he was in default of the headlease.

“Any real supervision of the marina or an application of the head lease would have revealed issues of noncompliance, saving a group of private berth owners almost \$500K in court fees and associated costs.”

They say it appeared there had never been a “serious inspection” of the marina’s condition and “assert” that DIT’s “poor supervision” of NWA left berth holders open to “financial abuse”.

They also note that NWA liquidator Hugh Martin’s preliminary investigations determined that NWA may have been trading insolvent from as early as July 2016.

“And DIT saw none of this coming?” they say.

“There seems something seriously wrong when a government department such as DIT allows a state asset such as Wirrina marina to be subject to such neglect and wrongdoings.

“The marina should be a showcase for South Australians, not a monument to the incompetence and failure of a government department.”

NWA, which took over the marina in 2014, is the fifth operator to go broke since the marina opened in 1993.



DIT terminated NWA head lease in November 2019 and evicted Mr Marks and NWA - following court appeals - in April 2020 for failure to pay a dredging bill in breach of the headlease.

A DIT spokesman said the government is “continuing to undertake all its responsibilities as property owner diligently and in accordance with all legal requirements”.

He said the government was considering its options for future management of the marina.

Mr Pangallo is on parliament’s budget and finance committee and said he was considering the submission from the berth holders.

But described state of the marina a “disgrace” and that Infrastructure Minister Corey Wingard needed to fix the matter urgently.

# Marina St Vincent class action ends with ousted director Stephen Marks hit with \$10,000 bill

An expensive, lengthy court battle over a Fleurieu Peninsula marina is finally finished – with a former director ordered to yet again cough up cash.

Renato Castello February 22, 2021 – 4:51PM

<https://www.adelaidenow.com.au/news/south-australia/marina-st-vincent-class-action-ends-with-ousted-director-stephen-marks-hit-with-10000-bill/news-story/cf50be5d31eaa34bdb2324fdfe4bf4>



The long-running class action involving 75 boaties of the Marina St Vincent at Wirrina Cove is over.

After four years, thousands of pages of documents, delays and dozens of hearings, a costly marina legal battle has ended with the facility's ousted boss' being hit with another bill.

The outcome is of little solace to the lead litigant, who hit out at the State Government over its oversight of the Marina St Vincent at Normanville.

Seventy-five berthowners sued the marina's former operator New Wave Aerospace for misappropriation of berth fees and breach of lease by failing to maintain the Wirrina Cove property.

A court appointed auditor found the company – controlled by Stephen Lindsay Gordon Marks – had paid \$658,166 out of marina accounts to related entities of which Mr Marks had a direct or indirect interest.

In a final hearing on February 19, District Court Judge Patrick O'Sullivan ordered Mr Marks pay the plaintiffs \$10,000 in solicitors' fees related to an earlier hearing over costs.

It comes on top of the \$207,000 Judge O'Sullivan ordered Mr Marks reimburse fees the boaties paid for the accountant to examine New Wave Aerospace's books.

At the end of the hearing berth owners' lawyer Peter Pedler told Judge O'Sullivan's assistants that it was the end of the matter.



Ron Bellman who has acted sporadically for Stephen Marks.

New Wave Aerospace director Stephen Marks.

To which Mr Marks' lawyer Ron Bellman quipped that The Advertiser would have nothing to report on.

Head plaintiff Trevor Gadd told The Advertiser that many of the "ills" with the marina could be traced to the landlord, the Infrastructure and Transport Department.

"We accept we didn't have a contract with them but with all the publicity in the paper and given countless people writing to them (about conditions) it should've set off alarm bells, but they did nothing," he said. "DIT failed in our view to maintain proper governance of the head lease."

A State Government-ordered review into the condition of the 209-berth publicly owned marina a year ago recommended at least \$4.8m be spent to build a smaller 120-berth marina, arguing the facility could help unlock "potential" along the Fleurieu Peninsula.

The review found it was "unlikely" preventive maintenance had been in place "for some time, or ever ..."

Last August the boaties were denied a damages ruling against New Wave Aerospace after Mr Marks put the company into voluntary liquidation one business day before the hearing.

The move immediately froze any legal claim against the company forcing them to seek personal costs against Mr Marks.

Mr Gadd said Mr Marks had failed to pay the initial \$207,000.

## MARINA ST VINCENT

- Apr '17 - Boaties launch lawsuit against marina operator
  - Oct '18 - Operator fails to dredge marina, breaches lease
  - Sep '18 - Operator breaches court orders
  - Sep '18 - Stephen Marks makes 'fake news' claim
  - Dec '18 - Stephen Marks accused of 'siphoning' fees
  - Dec '18 - Marina warned over fuel shortage
  - Dec '18 - Stephen Mark's debt bill revealed in court
  - Dec '18 - More safety hazards at embattled marina
  - May '19 - Claims marina cash used to prop up related companies
  - Dec '19 - Government terminates marina's lease
  - Feb '20 - Judge says Marks "not a witness of truth"
  - Feb '20 - Supreme Court backs lease termination
  - Mar '20 - Marks to fight eviction
  - Mar '20 - Boaties face costly choice in legal battle
  - Mar '20 - Yankalilla Council seeks marina ownership
  - Apr '20 - Fears over moorings amid eviction
  - Jul '20 - Audit finds boaties overcharged \$1.759m
  - Aug '20 - Judge criticises Marks over delays
  - Aug '20 - Marks liquidates company derailing case
  - Nov '20 - Hunt for the blue Lamborghini
  - Feb '21 - Class action comes to end
- renato.castello@news.com.au



Trevor Gadd and his wife Sally Wiadrowski were among 75 berth owners who sued New Wave Aerospace. Picture: Tait SchmaalAL.

## From Trove

On Saturday 21<sup>st</sup> September 1929 the Adelaide Observer reported:

### Murray Steamer Uses Lock 4 For First Time

LOXTON.—The steamer Ruby, a unit of Murray Shipping Ltd.'s fleet, has passed upstream for Mildura. She carried a full list of tourists and was the first passenger vessel to go through, the newly-completed Lock 4 between Loxton and Berri.

Locks now in commission are:—No. 1, Blanchetown; No. 2, Boggy Flat; No. 3, Overland Corner; No. 4, above Loxton; No. 5, Paringa; No. 9, Kulnine. Work on Lock 6, above Renmark, is nearly completed.



On Friday 4<sup>th</sup> August 1905 the Express and Telegraph (published in Adelaide between 1867 and 1922) noted of Backstairs Passage:

### BACKSTAIRS PASSAGE.

Masters of inter-State liners have little fear of the Yatala Shoal in navigating Backstairs Passage, but by the masters of large ocean steamers, such as the White Star line vessels the shoal is regarded as a serious obstacle to safe navigation.

At Thursday's meeting of the Marine Board a letter, which Messrs. Dalgety & Co. had received from Captain Anning, master of the steamer *Persic*, was considered. Captain Anning stated that a buoy on the shoal to mark the danger would be a great benefit to shipmasters bound in and out through Backstairs Passage.

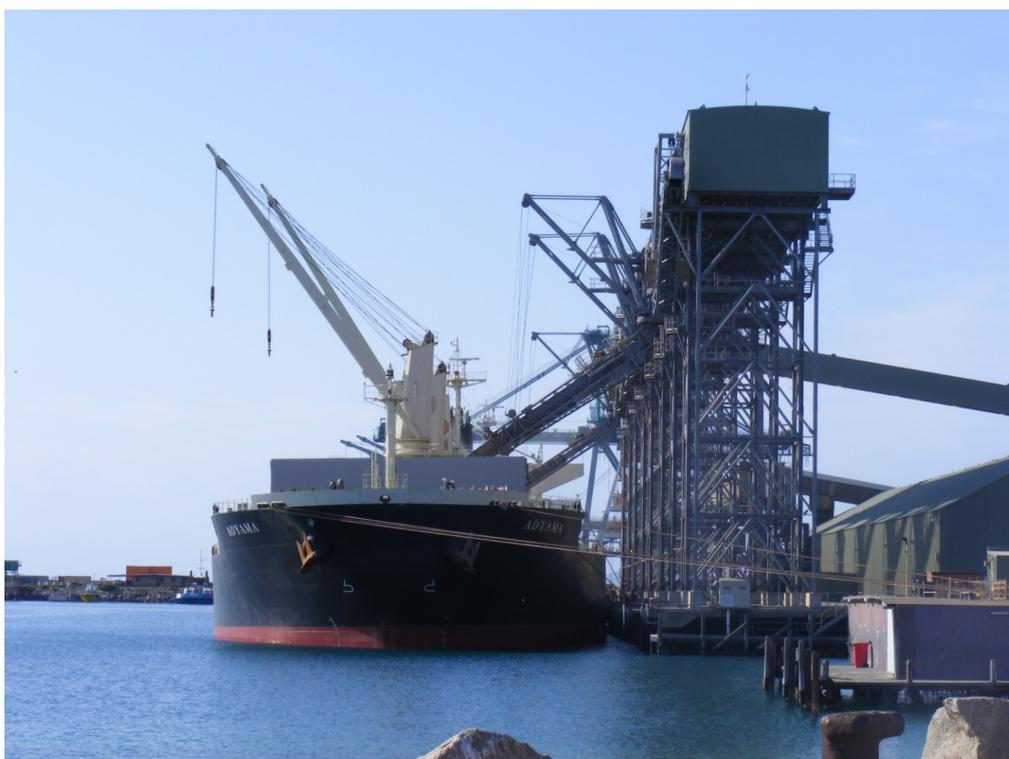
Captain P. Weir, to whom the subject was referred for report, agreed with Captain Anning, and said it would be a great advantage to shipmasters navigating the passage in daylight.

He thought the best position for the buoy would be on the north-west edge of the three fathom patch, so that the buoy could be got as close as possible to the shoal water without actually being in the break.

According to the uniform system of buoyage which the board had decided to adopt the buoy would have to show a spherical top above water, painted in red and white horizontal stripes, to show that it marked the middle ground, and would have to be surmounted by a half-globe, round side up, to indicate that it was placed at the inner end of that middle ground.

Wardens expressed the opinion that if the board's recent recommendation to re-erect the Cape Jervis light-tower on Sorata Point, and make its height such as to make the light visible until the Cape Willoughby light could be picked up, were adopted the need of a buoy on the Yatala Shoal would be obviated.

The board decided to recommend the Government to give effect to the Cape Jervis light scheme, failing which to have a buoy placed on the three-fathom patch, as recommended by Captain Weir.



### Ship Loading at Esperance

Esperance, Western Australia, is the deepest natural port on Australia's southern coast.

Products handled include large quantities of Iron and Nickel ores and grain outwards, and fuel and fertiliser inwards.

Esperance was named by Frenchman Joseph-Antoine Bruni d'Entrecasteaux, in charge of the 'Recherche' and 'Esperance' (under Jean-Michel Huon de Kermadec) in December 1792.

The town site was proclaimed on 15<sup>th</sup> December 1893.

The Adelaide Steamship Company established a fortnightly service between Adelaide and Esperance on 27<sup>th</sup> September 1895 with the *SS Flinders*.

### Next Meeting

The March Meeting will feature a maritime archaeologist Wendy van Duivenvoorde, Associate Professor in Maritime Archaeology in the College of Humanities, Arts, and Social Sciences, Flinders University .

The subject of her talk will be : ***Before Cook: Dutch interactions with Australia prior to 1770***

*This presentation highlights early Dutch interactions with Australia prior to 1770. It focuses on the earliest known historic accounts and material remains of Dutch-Indigenous interactions on Australian soil. It contributes to our understanding of Europeans active in the Australasian region in the 17th and 18th centuries through the study of maritime archaeological sites and historic research.*

**Date: Thursday March 25th 2021**

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A relic of one of the more gruesome events in the Dutch encounters with Australia, this stone arch was to have been erected in Batavia, Java, but now is in the Western Australian Maritime Museum in Fremantle.

It was recovered from the wreck of the *Batavia* wrecked on 4th June 1629 on the Houtman Abrolhos.

Merchant Jeronimus Cornelisz, with some co-conspirators, wreaked mayhem amongst his fellow survivors, murdering many, and it was not until the very timely return of Francisco Pelsaert, in command of the expedition, from Batavia whence he had sailed in a small boat to seek assistance, that Cornelisz was dealt with, becoming the first man to be hanged in Australia.

