

1 March 2023

The Owner, Master or Occupier
MW Penguin

“MV PENGUIN” – S.40A DIRECTION

We refer to the vessel the MV Penguin (**Vessel**) that is currently located amongst the mangroves near the rock wall adjacent to the rail dump at East Arm Wharf in the Port of Darwin.

On 28 February 2023 at approximately 13:30 Darwin Port became aware that the Vessel was unoccupied and adrift and was situated at the above location. More than 10, partially filled waste drums were located on the upper deck.

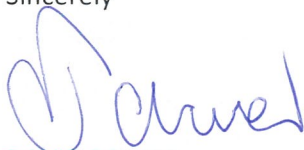
The current condition of the Vessel, its location, and its cargo presents an immediate threat and danger to the Vessel itself, other vessels, persons and the environment.

As there is currently no person on board or in control of the vessel, in accordance with subsection 40A(8) of the *Ports Management Act 2015 (NT) (Act)*, Darwin Port is taking steps to remove the Vessel from its current location to a mooring located in the small boat anchorage W010.

Darwin Port will seek to recover all costs incurred in removing the Vessel from its current location and from arranging for temporary safe mooring as a debt due and payable in accordance with subsection 40A(8)(b) and 40A(10) of the Act.

Please contact Darwin Port on 0417867886 to arrange collection of the Vessel.

Sincerely



DAVID POWER

Senior Manager & Port Management Officer – Marine Operations