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OFFICE OF
TRANSPORT
SAFETY
INVESTIGATIONS

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Bus Safety Investigation Interim Factual Statement

Bus Accident Jamberoo Mountain Road

5 September 2005



OTSI File Reference: 04190

The Office of Transport Safety Investigation (OTSI) is an independent NSW agency whose purpose is to improve transport safety through the investigation of accidents and incidents in the rail, bus and ferry industries.

Established on 1 January 2004 by the *Transport Administration Act 1988*, the Office is responsible for determining the causes and contributing factors of accidents and to make recommendations for the implementation of remedial safety action to prevent recurrence.

OTSI investigations are conducted under powers conferred by the *Rail Safety Act 2002* and the *Passenger Transport Act 1990*. OTSI investigators normally seek to obtain information cooperatively when conducting an accident investigation. However, where it is necessary to do so, OTSI investigators may exercise statutory powers to interview persons, enter premises and to obtain, examine and retain physical and documentary evidence. Where OTSI investigators exercise their powers of compulsion, information so obtained cannot be used against those persons providing information in criminal or civil proceedings.

OTSI investigation reports are submitted to the Minister for Transport for tabling in both Houses of Parliament. Following tabling, OTSI reports are published on its website www.otsi.nsw.gov.au

Information about OTSI is available on its website or from its offices at:

Level 21, 201 Elizabeth Street
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The Office of Transport Safety Investigation also provides a Confidential Safety Information Reporting facility for rail, bus and ferry industry employees. The CSIRS reporting telephone number is 1800 180 828.

Overview

On 5 September 2005, a Hino Rainbow mini-bus operated by Jubo Coaches was conveying 22 Taiwanese tourists from Canberra to the Nan Tien Buddhist Temple near Wollongong.

At approximately 2.10PM, the bus was negotiating a steep and winding section of the Jamberoo Mountain Road between Robertson and Jamberoo. About 500 meters uphill from the Jamberoo Mountain Lodge, the bus struck the Armco guard rail on a hairpin corner and overturned, coming to rest on its roof some 10 meters from the road.

Two of the passengers were killed and the other 20 passengers and co-driver were injured. One of the injured passengers died subsequently.

Emergency Services responded to the accident site and a number of injured passengers were airlifted to hospitals from the site by helicopter.

Investigation

The Chief Investigator has determined that the circumstances and nature of this accident warrant formal investigation by OTSI in accordance with Section 46BA of the *Passenger Transport Act 1990* (NSW).

The purpose of OTSI's investigation is to:

- a. identify the factors, both primary and contributory, which caused the accident.
- b. determine the adequacy of driver competency, inspection and maintenance programs, vehicle braking systems and passenger restraint and containment.
- c. ascertain the adequacy of the emergency response and management, and the level of safety and protection offered to all involved.
- d. make safety recommendations, the implementation of which by the responsible entities, would minimise the potential for a recurrence of this type of accident.
- e. propose any course of action in relation to matters arising from the investigation that would enhance the safety of bus operations.

Report

Once completed, OTSI's investigation report will be tabled in Parliament by the Minister for Transport as required by Section 46D of the *Passenger Transport Act 1990*. When the Report has been tabled, copies will be made available to all directly interested parties and will be published on the OTSI website.