

otsi

OFFICE OF
TRANSPORT
SAFETY
INVESTIGATIONS

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Bus Safety Investigation

Interim Factual Statement

Bus Collision

Spit Road Mosman

14 November 2005



OTSI File Reference: 04214

The Office of Transport Safety Investigations (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 examine and retain physical and documentary evidence. Where OTSI investigators exercise their powers of compulsion, information so obtained cannot be used by other agencies in any subsequent civil or criminal proceedings against those persons providing information.

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

OTSI's investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. OTSI monitors the extent to which its recommendations have been accepted and acted upon through consultation with the relevant Transport Safety Regulator.

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

Level 21, 201 Elizabeth Street
Sydney NSW 2000
Tel: (02) 8263 7100

PO Box A2616
Sydney South NSW 1235

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

The Incident

At approximately 2.56PM on 14 November 2005, a State Transit Authority (STA) Volvo passenger bus failed to negotiate a sweeping left-hand bend whilst travelling North along, and descending, Spit Road, Mosman.

This peak-hour express bus (E68) was a scheduled service between Wynyard and North Balgowlah, carrying seven passengers. The bus passed the Medusa Street traffic lights without incident but subsequently crossed the median strip and collided with a number of vehicles travelling South, or up, Spit Road before crashing into a brick wall at the junction of Upper Spit and Spit Roads.



Photograph 1: STA Bus 3888

As a result of the collision, 10 people were conveyed to hospital by ambulance and one by helicopter. Their injuries ranged from minor cuts and bruising to serious head, limb and internal injuries.

Emergency Response

A large number of representatives from the NSW Fire Brigade, NSW Police, the Ambulance Service and STA, and an OTSI investigator attended the scene of the accident. The three Southbound lanes and one Northbound lane on Spit Road were closed as a result of the accident and remained closed until approximately 10.00PM.

Immediate Safety Actions

STA has issued three **Safety Alerts** concerning “Speed Limits”, “Steering Control” and “Seat Belt Use” to all Operations Managers, Maintenance Managers, Depot Managers and Regional General Managers, for promulgation to, and implementation by, all staff.

The Ministry of Transport has suspended the driving authority of the bus driver until finalisation of investigations in to the accident.

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).

OTSI’s investigations are conducted in accordance with ‘Just Culture’ principles and focus on safety outcomes rather than the attribution of blame or liability. The purpose of this investigation is to:

- a. establish why the accident happened and what caused it;
- b. determine whether the vehicle was being operated appropriately at the time of the accident;
- c. determine whether mechanical functions and/or design features contributed to the cause of the accident;
- d. identify whether there are any policy, organisational and/or, administrative factors which relate to safety management and contributed to the cause of the accident;
- e. assess the adequacy of the emergency response and management, and the level of safety and protection offered to all involved at the accident site;
- f. make safety recommendations, the implementation of which by the responsible entities, would minimise the potential for a recurrence of this type of accident; and

- g. 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.