



**Office of Transport Safety Investigations**

## **BUS SAFETY INVESTIGATION**

### **INTERIM FACTUAL STATEMENT**

**CYC TOURS PTY LTD COACH FIRE**

**DOUGLAS PARK**

**26 SEPTEMBER 2011**



# THE OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

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. OTSI investigations are independent of regulatory, operator or other external entities.

Established on 1 January 2004 by the Transport Administration Act 1988, and confirmed by amending legislation as an independent statutory office on 1 July 2005, OTSI 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. Importantly, however, OTSI does not confine itself to the consideration of just those matters that caused or contributed to a particular accident; it also seeks to identify any transport safety matters which, if left unaddressed, might contribute to other accidents.

OTSI's investigations are conducted under powers conferred by the *Rail Safety Act 2008* 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.

It is not within OTSI's jurisdiction, nor an object of its investigations, to apportion blame or determine liability. At all times, OTSI's investigation reports strive to reflect a "Just Culture" approach to the investigative process by balancing the presentation of potentially judgemental material in a manner that properly explains what happened, and why, in a fair and unbiased manner.

Once OTSI has completed an investigation, its report is provided to the NSW Minister for Transport for tabling in Parliament. The Minister is required to table the report in both Houses of the NSW Parliament within seven days of receiving it. Following tabling, the report is published on OTSI's website at [www.otsi.nsw.gov.au](http://www.otsi.nsw.gov.au).

OTSI cannot compel any party to implement its recommendations and its investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. However, OTSI takes a close interest in the extent to which its recommendations have been accepted and acted upon. In addition, a mechanism exists through which OTSI is provided with formal advice by the Independent Transport Safety and Reliability Regulator (ITSRR) in relation to the status of actions taken by those parties to whom its recommendations are directed.

## **Incident Overview**

At approximately 9.11AM on Monday 26 September 2011, a coach on charter from CYC Tours Pty Ltd en route from Sydney to Canberra on a day trip, was travelling between Campbelltown and Douglas Park on the Hume Highway when the driver noticed smoke coming from the rear of the 53 seat Volvo B7R coach. The driver immediately stopped the coach in the emergency lane of the freeway and with the assistance of the tour guide/co-driver evacuated the 47 passengers from the coach.

Once the passengers had exited the coach, the tour guide/co-driver went to the rear of the coach to investigate the source of the smoke. He opened the engine bay cover and observed that the top of the engine was engulfed in flames. The tour guide/co-driver then tried to access the fire extinguisher located in the engine bay but was prevented from doing so by the intense heat and flames.

Having ensured that the passengers were moved a safe distance from the coach, the driver retrieved a small fire extinguisher from the rear of his seat and tried to extinguish the fire. At the same time, a truck driver who had been travelling behind the coach and a Police Officer who had been patrolling the area used the fire extinguishers from their respective vehicles to assist the driver in his attempt to extinguish the fire. In the space of 10 to 15 minutes, the coach was completely engulfed in flames and was completely destroyed.

Police closed the Hume Highway and Fire and Rescue NSW arrived to extinguish the fire and to contain any fires that might have ignited in the surrounding area.

There were no injuries to either the passengers or the crew of the CYC Tours coach.

## **Notification and Response**

OTSI's Duty Officer was notified of the incident and two OTSI investigators deployed to the site to conduct a preliminary investigation. After reviewing the results of the preliminary investigation, the Chief Investigator initiated a formal investigation pursuant to Section 46BA of the *Passenger Transport Act 1990*.

## Terms of Reference

The terms of reference established by the Chief Investigator require OTSI's Investigator in Charge to:

- a. determine the cause of the fire;
- b. determine whether the CYC Tours standards of vehicle inspection and maintenance on this model of coach are consistent with good operating practices and compliant with NSW regulatory requirements;
- c. examine the extent to which materials used in the construction and fit-out of the coach may have contributed to the spread of the fire;
- d. determine whether the vehicle's onboard fire suppression systems (if applicable) are compliant with prevailing Australian Design Rules, fit for purpose and consistent with contemporary good practice in the bus and coach industry;
- e. make safety recommendations, the implementation of which would prevent, or at the very least, minimise the risk to passenger safety from onboard bus and coach fires; and
- f. advise on any matters arising from the investigation that would enhance the safety of public passenger bus operations.

## Status of the Investigation

OTSI's investigation has commenced. During the course of the investigation, all Directly Involved Parties (DIPs) will be consulted and will be afforded the opportunity to provide information and commentary which will contribute to ensuring that the investigation and its report are inclusive and comprehensive.

Once completed, OTSI's investigation report will be tabled in both Houses of the NSW Parliament by the Minister for Transport in accordance with Section 46D of the *Passenger Transport Act 1990*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.