



Office of Transport Safety Investigations

FERRY SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

LADY NORTHCOTT

COLLISION & GROUNDING

SYDNEY HARBOUR

11 & 13 December 2012



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.

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 Regulator (ITSR) in relation to the status of actions taken by those parties to whom its recommendations are directed.

The Incidents

At approximately 19:40 hours on Tuesday 11 December 2012 after disembarking passengers at Circular Quay No. 2 Wharf West, the *Lady Northcott* collided with the timber backboard arrestor while relocating to the southern end of the wharf (see *Cover Photograph*). The ferry, operated by Harbour City Ferries (HCF), failed to respond to engine control commands to go astern and instead went ahead with increased speed. There were no injuries as a result of the collision. The ferry suffered minor damage but substantial damage was caused to the backboard. The ferry was withdrawn from service for examination and testing.

On Thursday 13 December 2012, the *Lady Northcott* resumed normal passenger operations on the Circular Quay to Taronga Zoo route. At approximately 15:00 hours on approaching Taronga Zoo Wharf with passengers onboard, the ferry failed to engage astern propulsion and collided with a timber buffer next to the wharf and then continued going aground on the shoreline (see *Photograph 1*). There were no injuries as a result of the collision or grounding. After the ferry was refloated, the passengers were disembarked at the Taronga Zoo Wharf and the *Lady Northcott* was towed to the HCF Balmain Shipyard. An examination found that the No. 2 propeller was damaged as a result of the grounding.

The OTSI Duty Officer received notification of both incidents and a preliminary investigation was undertaken by an OTSI investigator on 14 December 2012. After reviewing the preliminary incident information, the Acting Chief Investigator determined that the incidents warranted formal investigation pursuant to Section 46BA (2) of the *Passenger Transport Act 1990*.

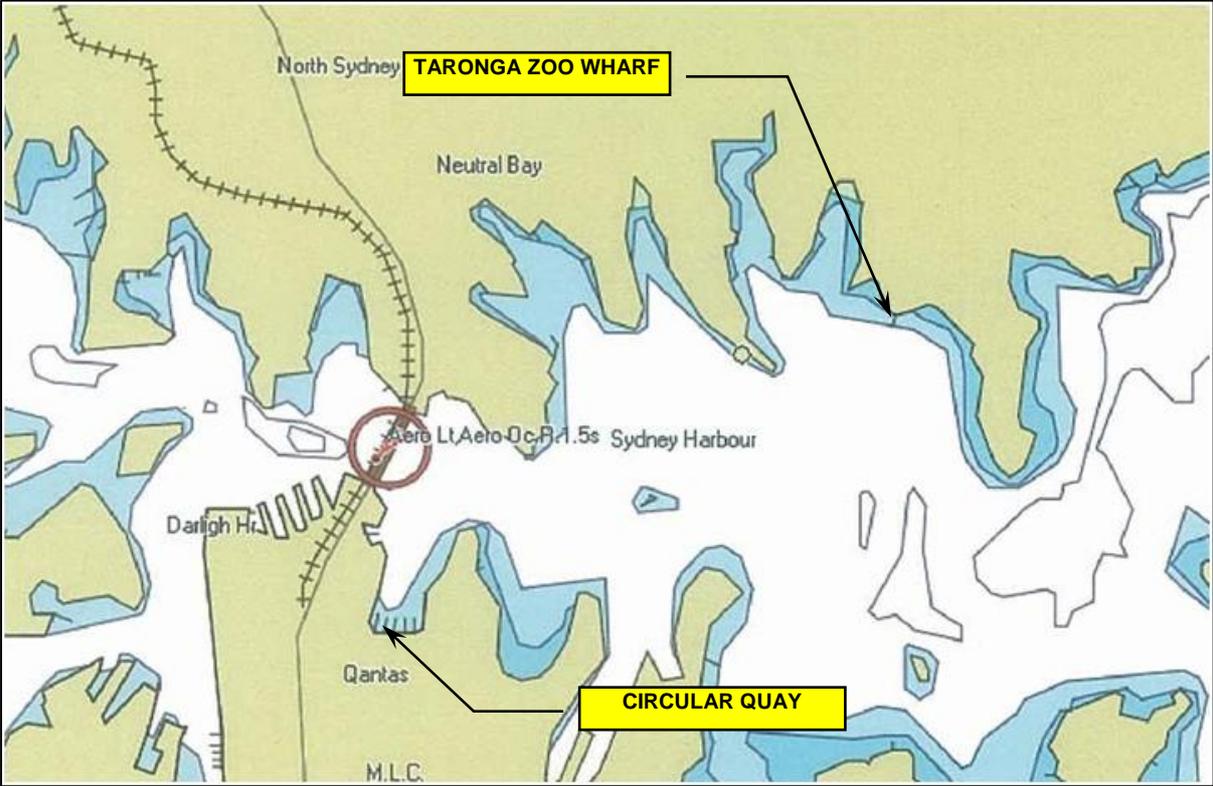


Figure 1: Incident locations



Photograph 1: Taronga Zoo Wharf

Terms of Reference

The terms of reference established by the Acting Chief Investigator require OTSI's Investigating Officer to:

- a. identify the factors, both primary and contributory, which led to the incidents;
- b. assess the adequacy and effectiveness of the maintenance procedures in place for the *Lady Northcott* prior to and at the time of the incidents;
- c. assess the effectiveness of the emergency actions taken in response to the incidents;
- d. assess the effectiveness and appropriateness of the safety management systems and crew competencies on the *Lady Northcott* relevant to the two incidents; and
- e. advise on any other matters arising during the course of the investigation that may impact on the safe conduct of commercial vessel 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 comment on the draft report before it is finalised.

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 46BA (2) 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.