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OFFICE OF
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Ferry Safety Investigation Interim Factual Statement

Systemic Investigation into Incidents of Collision Involving Freshwater Class Ferries 2004 - 2005



OTSI File Reference: 04201

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 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

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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.

Status of the Investigation

Throughout the period 2004-2005 there has been a series of collisions involving the Freshwater class of vessels operated by Sydney Ferries Corporation (SFC). The Freshwater class, more commonly known as 'Manly ferries', are the largest vessels operated by SFC.

Each of the individual incidents involving the Freshwater class vessels throughout the period 2004-2005 has already been the subject of some form of investigation and four of the collisions are the subject of separate investigations being conducted by OTSI. However, because of the number of incidents that have occurred, the Chief Investigator has initiated a systemic investigation to examine the fleet of these ferries as a class. The vessels which constitute this class are the *Freshwater*, *Queenscliff*, *Narrabeen* and *Collaroy*.

Terms of Reference

The purpose of this investigation is to:

- a. determine why the Freshwater fleet of ferries has been involved in eleven collision accidents in the period October 2004 to September 2005;
- b. ascertain whether accident causation is common in all cases; in some cases, or whether there was a different cause in each accident;
- c. establish whether there are any fundamental, inherent flaws in the design, engineering, propulsion, control, handling or any other systems in the Freshwater class which compromise its safety and reliability as a public passenger ferry;
- d. identify whether there are any organisational, operational, logistic, financial, administrative, human or other factors which have compromised vessel operating safety systems and contributed to the cause/s of these accidents;

- e. assess the appropriateness and adequacy of the response and remedial action taken by Sydney Ferries Corporation to this sequence of accidents;
- f. assess the effectiveness of emergency actions that were initiated in response to these accidents;
- g. make recommendations to prevent, or at the very least minimise the potential for, recurrence of this type of accident and to improve the safety and reliability of the Freshwater class of ferries, and
- h. propose any course of action that would enhance the provision of safe ferry services.

Report

This systemic investigation will be conducted pursuant to Section 45A of the *Transport Administration Act 1988* and Section 46BA of the *Passenger Transport Act 1990*.

When the investigation is completed, OTSI's report will be submitted to the Minister for Transport for tabling in Parliament in accordance with 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.