



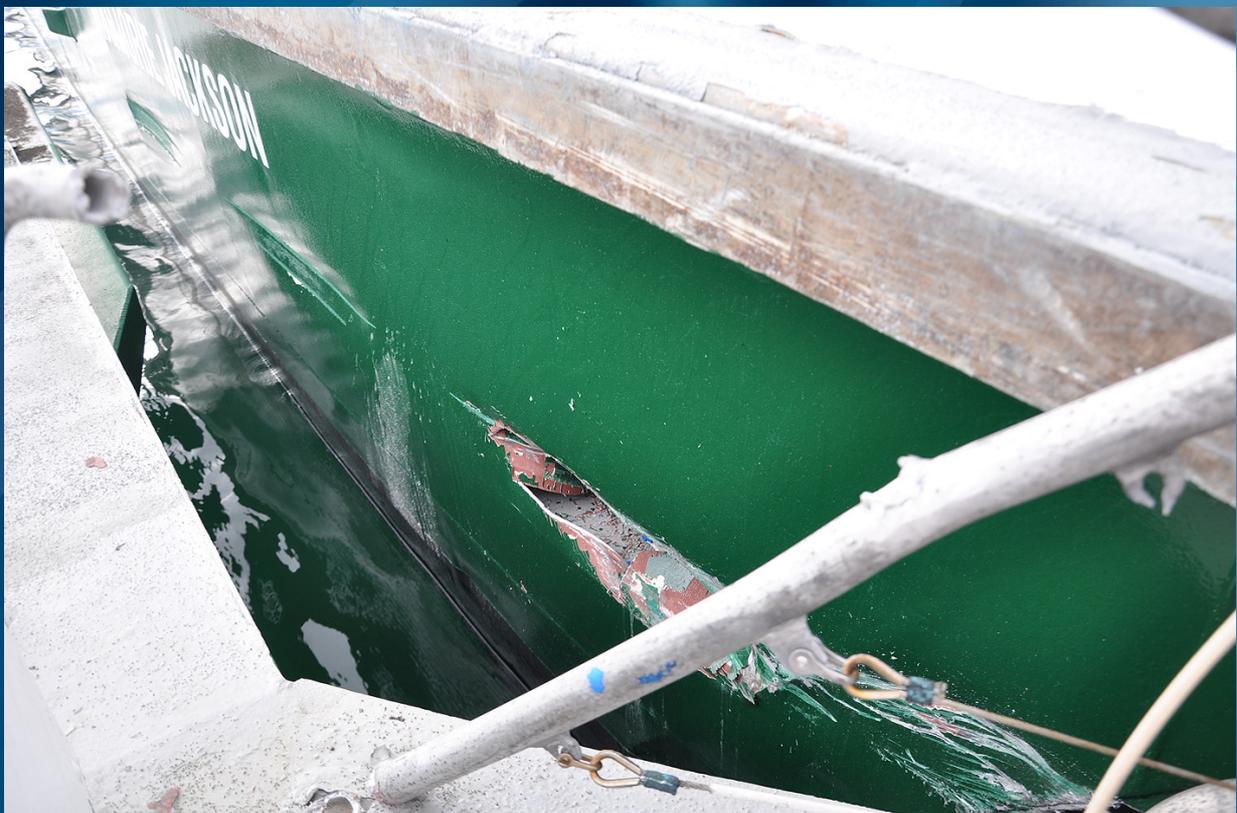
Office of Transport Safety Investigations

## FERRY SAFETY INVESTIGATION

### INTERIM FACTUAL STATEMENT

**COLLISION BETWEEN SYDNEY FERRIES VESSELS  
*MARJORIE JACKSON* AND *BETTY CUTHBERT*  
BALMAIN SHIPYARD**

2 AUGUST 2010



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

## Incident Overview

At approximately 6.40am on Monday 2 August 2010, the Master of the Sydney Ferries vessel *Marjorie Jackson* was manoeuvring the vessel from the Eastern side to the Western side of Wharf Number 3 at the Balmain Shipyard. The vessel was facing out of the wharf on the East side, requiring a 180° turn to Port around the end of the wharf.

As the Master completed his turn to Port, he was alerted by a steering failure alarm and from that point was unable to prevent the vessel from moving ahead. The vessel continued forward at approximately 6 knots, striking its Port side against the wharf structure before hitting the stern of the *Betty Cuthbert*, tied up ahead of it. The force of the collision pushed the *Betty Cuthbert* into the *Evonne Goolagong* which was tied up at the end of the wharf.

*Marjorie Jackson* was crewed by the Master and a GPH at the time of the collision. The GPH reported that she had strained her arm while attempting to arrest the vessel's movement by throwing a rope to a shore bollard. There were no injuries to any persons on shore or aboard the other vessels involved.

The damage occasioned to the vessels was confined to light structural damage, the most significant of which was a tear through the skin of the Starboard pontoon of the *Marjorie Jackson*. There were a number of timber wharf piles damaged during the collision.

OTSI's Duty Officer was advised of the incident and two investigators attended the scene to conduct preliminary investigations.

As a result of information obtained by the investigators, the Chief Investigator determined that the incident warranted formal investigation in accordance with Section 46BA of the *Passenger Transport Act 1990*.

## Terms of Reference

The Terms of Reference prescribed by the Chief Investigator require OTSI's Investigator in Charge to:

- a. determine what caused the reported loss of control as the *Marjorie Jackson* prepared to come alongside Wharf 3 West at Balmain Shipyard, resulting in the collision with the *Betty Cuthbert*;
- b. determine whether any aspect of its maintenance and servicing, control station ergonomics or redundancy features of the *Marjorie Jackson's* control systems may have contributed to the cause of the incident;
- c. determine what safety defences were in place to prevent this type of incident and why they failed on this occasion;
- d. assess the effectiveness of emergency actions in response to the incident; and
- e. advise on any matters arising from the investigation that would enhance the safety of ferry 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.