



Office of
Transport Safety
Investigations

BUS SAFETY INVESTIGATION

Interim Factual Statement

Bus fire m/o9340
Lane Cove Tunnel, NSW

14 April 2022

About the Office of Transport Safety Investigations (OTSI)

OTSI is an independent NSW authority which contributes to the safe operation of bus, ferry and rail passenger and rail freight services in NSW by investigating safety incidents and accidents and transport safety risks, identifying system-wide safety issues and sharing lessons with transport operators, regulators and other stakeholders.

OTSI is empowered under the *Transport Administration Act 1988* to investigate rail, bus, and ferry accidents and incidents in accordance with the provisions of the *Passenger Transport Act 1990* and *Marine Safety Act 1998*. It also conducts rail investigations on behalf of the Australian Transport Safety Bureau under the *Transport Safety Investigation Act 2003 (Cth)*.

OTSI investigations are independent of regulatory, operator or other external entities. OTSI investigates using a 'no-blame' approach to understand why an occurrence took place and to identify safety factors that are associated with an accident and incident, to make recommendations or highlight actions that transport operators, regulators and government can take to prevent recurrence and improve safety.

Evidence obtained through an OTSI investigation cannot be used in any subsequent criminal or disciplinary action. However, a regulator can undertake its own investigation into an incident OTSI has investigated and coronial inquiries can obtain access to OTSI information.

OTSI does not investigate all transport safety incidents and accidents but focuses its resources on those investigations considered most likely to enhance bus, ferry or rail safety.

Many accidents result from individual human or technical errors which do not involve safety systems so investigating these in detail may not be justified. In such cases, OTSI will not generally attend the scene, conduct an in-depth investigation or produce an extensive report.

OTSI may request additional information from operators or review their investigation reports which may lead to a number of actions, such as the release of a Safety Advisory or Alert to raise industry awareness of safety issues and action.

OTSI investigators normally seek to obtain information cooperatively when conducting an investigation. However, where it is necessary to do so, OTSI investigators may exercise statutory powers to conduct interviews, enter premises and examine and retain physical and documentary evidence.

Incident overview

On 14 April 2022, bus m/o9340 was operating on route 642X between Sydney and Dural, NSW. At approximately 2012,¹ the bus entered the Lane Cove Tunnel travelling westbound. As the bus continued, a passenger sitting on the rear seat noticed a fire at the rear of the vehicle and alerted the bus driver.

The bus was travelling in the middle lane at the time and the driver pulled the bus over and stopped in the left-hand lane just before 2014. Smoke was coming from the burning bus as other vehicles passed it.

The 14 passengers on the bus were evacuated and began to walk within the tunnel in a westerly direction. The driver unsuccessfully attempted to extinguish the fire using a portable fire extinguisher. They then left the area and walked in the same direction as the passengers. Passing motorists picked up some of the passengers who were walking in the tunnel. The bus driver and two passengers were picked up by an ambulance and taken out of the tunnel.

Fire and Rescue NSW arrived at the location around 2017 and the sprinklers within the tunnel were activated at about 2018. The bus continued to burn before it was successfully extinguished by emergency services. Four passengers from the bus were located by emergency services in the emergency exits for the tunnel.

There were no injuries and the bus was destroyed.

Scope of the investigation

Based on findings from OTSI's preliminary enquiries, the Chief Investigator determined that the incident warranted investigation in accordance with Section 46 of the *Passenger Transport Act 1990* (NSW).

The scope of the investigation includes, but is not limited to:

- The driver's awareness, actions and responses including the evacuation of passengers.
- Type, activation, and effectiveness of the fitted Engine Bay Fire Suppression (EBFS) system, including whether it operated 'as designed' and its service/maintenance history
- Tunnel fire safety procedures including training, monitoring, implementation and operation for a vehicle-based tunnel fire including emergency response and traffic management
- Operation and maintenance of the tunnel's fitted fire suppression systems.

¹ Times shown in 24-hour time as Australian Eastern Standard Time (AEST) and based on closed circuit television from the bus.

The Chief Investigator has required the Investigator in Charge (IIC) to:

- Identify the factors, both primary and contributory, which led to the incident
- Determine whether the incident might have been anticipated and the effectiveness of any controls that were in place to manage the related risks
- Advise on any matters arising from the investigation that would enhance the safety of bus operations.

The IIC will consult with all Directly Involved Parties (DIPs) during the course of the investigation.

Publication of the investigation report

OTSI produces a written report on every investigation for the Minister for Transport, as required under section 46BBA of the *Passenger Transport Act 1990*.

Investigation reports strive to reflect OTSI's balanced approach to the investigation, explaining what happened and why in a fair and unbiased manner. All DIPs will be given the opportunity to comment on the draft investigation report.

The final investigation report will be provided to the Minister for tabling in both Houses of the NSW Parliament in accordance with section 46D of the *Passenger Transport Act 1990*. The Minister is required to table the report within seven days of receiving it.

Following tabling, the report is published on the OTSI website and information on the safety lessons promoted to relevant stakeholders. The published report will replace this Interim Factual Statement.