



Office of
Transport Safety
Investigations

BUS SAFETY INVESTIGATION

Interim Factual Statement

Bus rollaway and collision
Wilsons Valley, NSW

5 September 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 several 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 investigating. 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

In the late afternoon of 5 September 2022, an Alleys Coaches, coach¹ number TV5251, carrying 41 passengers (36 children/5 adults), was travelling east from Smiggin Holes snowfield on the Kosciuszko Road after a school skiing trip. The coach had previously dropped the school children at the Smiggin Holes location and was conducting the return trip toward Jindabyne through the alpine region of NSW. Two of the company's coaches were travelling together with children from Gunnedah Primary School on board both coaches.

Shortly after departing Smiggin Holes, the first coach driver (and incident coach) noted the door had not secured correctly. He stopped the vehicle and secured the door. The coach then re-commenced the journey down Kosciuszko Road. On the descent the driver also reported having trouble getting the coach to change into gear correctly. At some point shortly afterwards, the driver advised the vehicle had 'lost brakes'. During this time, the coach continued to have trouble holding in gear and began to gain speed.

While descending the mountain, the coach reached a speed of approximately 105km/hr and was forced to overtake a vehicle ahead. Due to the nature of Kosciuszko Road, the downhill momentum enabled the coach to coast up the next incline for approximately 800m. The coach eventually slowed to a brief stop where the driver attempted to apply the parking brake. The parking brake application had no effect, and the coach began to roll backward down the hill. The driver attempted evasive manoeuvres by swerving the coach as it rolled backward down the road to try and slow its speed. This was ineffective and with the coach continued to gain speed. The driver made the decision to veer the coach off the road where it travelled down an embankment, struck a rock outcrop, and came to a rapid stop. The driver reported the uncontrolled downhill rollback was approximately 250m with an estimated speed of up to 60km/hr.

Following the crash, the coach was quarantined by NSW Police and removed from the scene for investigation. Multiple children and adults were transferred to hospital for observation with some passengers sustaining minor injuries.

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:

- Identify the contributing factors which led to the uncontrolled descent and ultimate collision of the coach.

¹ When not specified, the term 'bus' applies to a bus or a coach type motor vehicle. *For the purposes of this investigation the term coach will be used.*

- Examine the planned and preventative maintenance conducted including authorities held to conduct the maintenance on the coach prior to the incident.
- Examine the maintenance assurance processes conducted on the coach as part of the Bus Operator Accreditation Scheme (BOAS).
- Review onboard familiarisation and safety controls for drivers/operators when alpine trained drivers are engaged to support service delivery.
- Advise on any matters arising from the investigation that would enhance the safety of bus or coach operations.

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

- The causal factors and potential mechanical failures which contributed to the incident.
- The documentation and maintenance records specific to the transmission, braking and air systems of the coach.
- The confidence an organisation should have when selecting a BOAS accredited service.
- The familiarisation requirements a driver should expect to receive when engaged in driving an unfamiliar vehicle as an alpine trained driver.

The IIC will consult with all Directly Involved Parties (DIPs) throughout 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.