

Bus safety investigation
**Interim Factual
Statement**

Rollover of coach 4666MO
Greta, NSW

11 June 2023

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

Late in the evening of 11 June 2023, Linq Buslines coach number 4666MO departed the Wandin Estate winery in Lovedale for Singleton. It was reported to be carrying 35 passengers who were returning to Singleton after attending an event at the winery.

The coach travelled through Greta township before joining Wine Country Drive in a southbound direction. At about 2330, on approach to the Hunter Expressway westbound onramp, the coach entered a roundabout, and overturned onto the left-hand side. The rollover and subsequent collision resulted in 10 fatalities, significant injuries to multiple passengers, and major damage to the coach.

Scope of the investigation

Based on findings from OTSI's preliminary enquiries, the Acting 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:

- sequence of events leading up to the rollover/collision
- road design, condition, signage and visibility
- passenger restraint devices and usage
- vehicle condition, roadworthiness and design
- vehicle crashworthiness and survivability
- emergency exit access, awareness and operability
- operator accreditation, and safety management systems.

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

- identify the factors, both primary and contributory, which led to the rollover/collision
- 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) 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.