



Office of Transport Safety Investigations

RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

TRAIN COLLISION WITH ROAD MOTOR VEHICLE

WOY WOY

2 SEPTEMBER 2011



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.

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 6:17pm on 2 September 2011, the driver of CityRail Sydney to Wyong interurban service 289G reported that his train had struck a road motor vehicle (RMV) on the line approximately 1.1 kilometres south of the station at Woy Woy on the Central Coast of NSW. 289G consisted of two OSCAR electric multiple unit sets (H15 and H24) which departed Sydney at 5.00pm. It was carrying an estimated 200 passengers at the time.

The RMV had been driven onto the line after its driver allegedly became disoriented and mistook the train tracks at the Rawson Road level crossing for the nearby Railway Street (see *Figure 1*). Rawson Road and Railway Street are two roadways in a major thoroughfare from the F3 Freeway to Woy Woy.

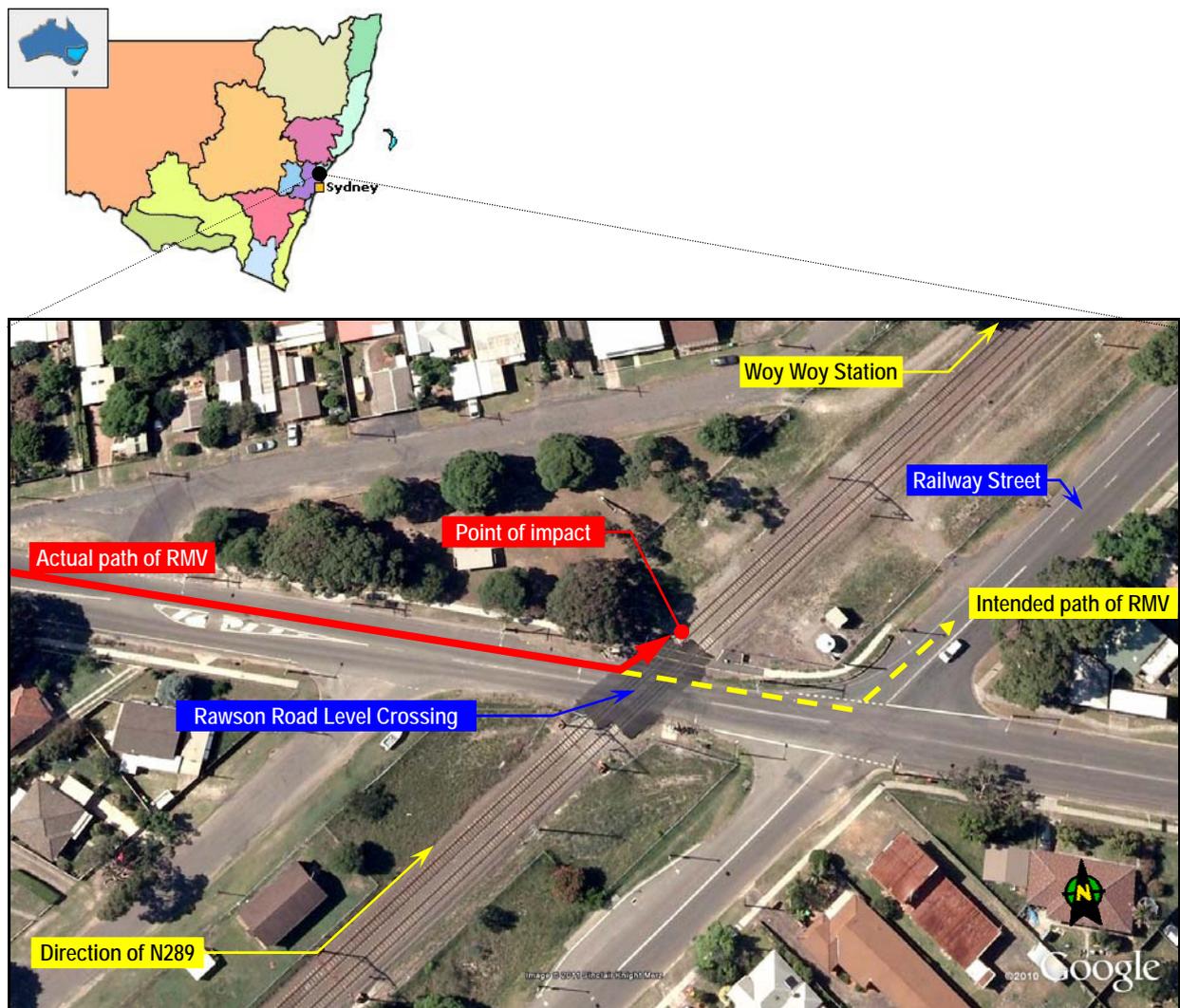


Figure 1: Incident location

After realising that his car was on the railway line, the RMV driver attempted to remove his vehicle from the track. As he tried, a number of passers-by came to his assistance. However, the RMV remained stuck on the track.

As the attempt to clear the RMV continued, the automatic level crossing protection equipment activated and the persons on track, including the RMV driver, immediately cleared from the tracks to a safe location. However, they left the RMV on the line.

Unaware that the RMV was on the line, 289G approached the crossing at line speed. Passing over the crossing, 289G then collided with the RMV which became wedged under the front of the train. 289G then continued for approximately 300 metres before coming to a stand with the RMV still wedged beneath it. The train did not derail and no persons were injured in the collision.

The level crossing

The Rawson Road level crossing is constructed of steel plating covered with a dark-coloured rubberised surface. There were no visible road markings on its surface.

The crossing is protected by active “F” level-type level crossing equipment (boom gates, bells and flashing lights) and the equipment operated as designed.

Emergency response and notification

Immediately after the incident, the driver of 289G notified the Area Controller at Gosford who called the emergency services. Units from the NSW Ambulance, Police and Fire and Rescue services responded. After assessing the condition of the RMV driver, the persons assisting him and the passengers onboard the train, the emergency services then assisted in the evacuation of the passengers from 289G for transshipping by bus to their destination.

OTSI was notified of the incident by RailCorp’s On Call officer at 6:30pm and an OTSI Investigator deployed to the site to conduct a preliminary investigation.

After reviewing the preliminary investigation, the Chief Investigator determined that the accident warranted formal investigation pursuant to Section 45A of the *Transport Administration Act 1988* and Section 67 of the *Rail Safety Act 2008*.

Terms of Reference

The terms of reference established by the Chief Investigator require OTSI's Investigating Officer to:

- a. identify the factors which caused the RMV driver to turn onto the railway line at the Rawson Road level crossing; and
- b. advise on any matters arising from the investigation that would enhance the safety of rail 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 74 of the *Rail Safety Act 2008*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.