



Office of Transport Safety Investigations

RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

**SPAD AND OPPOSING MOVEMENT BETWEEN TWO FREIGHT
TRAINS**

GUNNEDAH

7 March 2012

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 10:27pm on 7 March 2012, Pacific National freight train No. 5424N, loaded with grain, passed signal No. GH26 at Stop and without authority. The signal protected trailing points (No. 55A) giving access to Whitehaven Colliery and the section of main line towards Gunnedah. An empty Pacific National coal train No. WH191 was in the process of moving from Gunnedah Loop to the colliery. Train 5424N ran through No. 55A points, which were set for the coal train to enter the colliery, before the driver brought it to a stand, 870 metres beyond signal No. GH26. The driver of the opposing train, WH191, could see the grain train approaching and brought his train to a stand also. The final separation between the two trains was 715 metres.



Figure 1: Incident location

Emergency response and notification

When train No. 5424N passed signal No. GH26 at Stop a SPAD (Signal Passed At Danger) alarm sounded in Australia Rail Track Corporation's (ARTC's) Network Control Centre North at Broadmeadow. This alerted the train controller to the incident and prompted him to make an emergency call over the CountryNet radio,

made at 10:28pm. At his time both drivers, being aware of the mutually opposing movement, were in the process of bringing their trains to a stand.

ARTC's Train Transit Manager at Broadmeadow contacted an ARTC Senior Investigator to attend the incident. At 10:54pm the Train Transit Manager called the OTSI Duty Officer and notified him of the incident.

Post-incident testing for the presence of prescribed drugs and alcohol was undertaken.

After reviewing the preliminary incident information, 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, both primary and contributory, which led to the incident;
- b. advise as to whether the incident might have been anticipated and the effectiveness of any strategies that were in place to manage the related risk/s; and
- c. 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.