



Office of Transport Safety Investigations

RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

SAFeworking INCIDENT

MOSS VALE

21 DECEMBER 2013

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 Transport Administration Act 1988 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.

Incident Overview

At approximately 2136 on Saturday 21 December 2013, Pacific National freight service 6AB6, travelling towards Sydney on the Up Main line, activated a warm axle alert from a trackside detector at Exeter. The driver of 6AB6 was contacted by a network controller from Network Control Centre South at Junee and was requested to stop the train and inspect the axle. It was arranged for the inspection to be conducted in the section between Moss Vale and Berrima Junction (see *Figure 1*).



Figure 1: Incident location

Communications between the network controller and the driver of 6AB6 established that protection arrangements would be put in place for a crew member to leave the crew compartment of the locomotive and conduct an inspection of the axle. The protection arrangements included blocking facilities being placed on the adjacent Down Main line to provide a safe area to conduct the inspection. The inspection of the axle failed to locate any defects and the crew member returned to the front of the train. After the crew member had re-entered the leading locomotive the crew observed the Melbourne-bound NSW Trains XPT passenger service ST21 pass their location on the adjacent Down Main line. This was despite an understanding that protection arrangements were still in place.

There were no injuries or damage as a result of the incident.

The incident was reported to the Office of Transport Safety Investigations on 24 December 2013. The Chief Investigator reviewed the preliminary incident information and determined that the incident warranted formal investigation pursuant to *Section 46BA* of the *NSW Passenger Transport Act 1990*.

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 whether the incident might have been anticipated and the effectiveness of any strategies that were in place to manage the related risks; 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 46D* of the *NSW Passenger Transport Act 1990*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.