RAIL SAFETY INVESTIGATION
INTERIM FACTUAL STATEMENT

SYDNEY TRAINS OPERATED MULTIPLE SERVICES THROUGH BUSHFIRE AFFECTED SECTION OF TRACK LOCALITY OF HOLSWORTHY, NSW

14 APRIL 2018
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 incidents and accidents 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 (NSW)*, and confirmed by amending legislation as an independent statutory office on 1 July 2005, OTSI is responsible for determining the 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 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 (NSW)* and *Passenger Transport Act 1990 (NSW)*. Additionally, all OTSI publications that are considered investigation reports are also conferred by these Acts. OTSI also conducts rail investigations on behalf of the Australian Transport Safety Bureau under the *Transport Safety Investigation Act 2003 (Cwlth)*. 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 our balanced approach to the investigation, 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 and Infrastructure 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](http://www.otsi.nsw.gov.au).
Overview

At approximately 1420 on Saturday 14 April 2018, a grass fire was reported approximately 50 m south of Casula station. Approximately 35 minutes later, the fire front had reached the northern side of the Sydney Trains’ East Hills T8 line between Glenfield and Holsworthy Station.

It was reported that the fire moved from the Northern side of the East Hills line and crossed the track to the Southern side. During this time, a number of Sydney Trains’ train services were operated through the bushfire affected section of track.

It was reported that Sydney Trains ceased train operations between East Hills and Glenfield at approximately 1510.

Notification and Response

OTSI was notified of the incident on 14 April 2018, however did not deploy considering the risk associated with being within an active bushfire. Information in relation to the incident was gathered on the day.

Based on the findings from OTSI’s preliminary investigation, the Chief Investigator determined that the incident warranted formal investigation in accordance with Section 46BA of the Passenger Transport Act 1990.

Terms of Reference

The Terms of Reference established by the Chief Investigator require OTSI’s Investigator in Charge to:

a. Identify if was safe for trains to be pathed into a bushfire affected area,
b. identify the factors, both primary and contributory, which led to the incident;
c. advise whether the incident may have been anticipated,
d. report on the effectiveness of any strategies that were in place to manage the related risks; and,
e. advise on any matters arising from the investigation that would enhance the broader 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 and Infrastructure in accordance with Section 46D of the 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.