

otsi

OFFICE OF
TRANSPORT
SAFETY
INVESTIGATION

OFFICE OF TRANSPORT SAFETY INVESTIGATIONS



Rail Safety Investigation

Interim Factual Statement

Shunting Fatality
Heritage Steam Train SS84
Ariah Park

15 April 2006



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.

Established on 1 January 2004 by the *Transport Administration Act 1988*, the Office 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.

OTSI investigations are conducted under powers conferred by the *Rail Safety Act 2002* 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. Where OTSI investigators exercise their powers of compulsion, information so obtained cannot be used by other agencies in any subsequent civil or criminal action against those persons providing information.

OTSI investigation reports are submitted to the Minister for Transport for tabling in both Houses of Parliament. Following tabling, OTSI reports are published on its website www.otsi.nsw.gov.au.

OTSI's investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. OTSI monitors the extent to which its recommendations have been accepted and acted upon through consultation with the relevant Transport Safety Regulator.

Information about OTSI is available on its website or from its offices at:

Level 21, 201 Elizabeth Street
Sydney NSW 2000
Tel: (02) 8263 7100

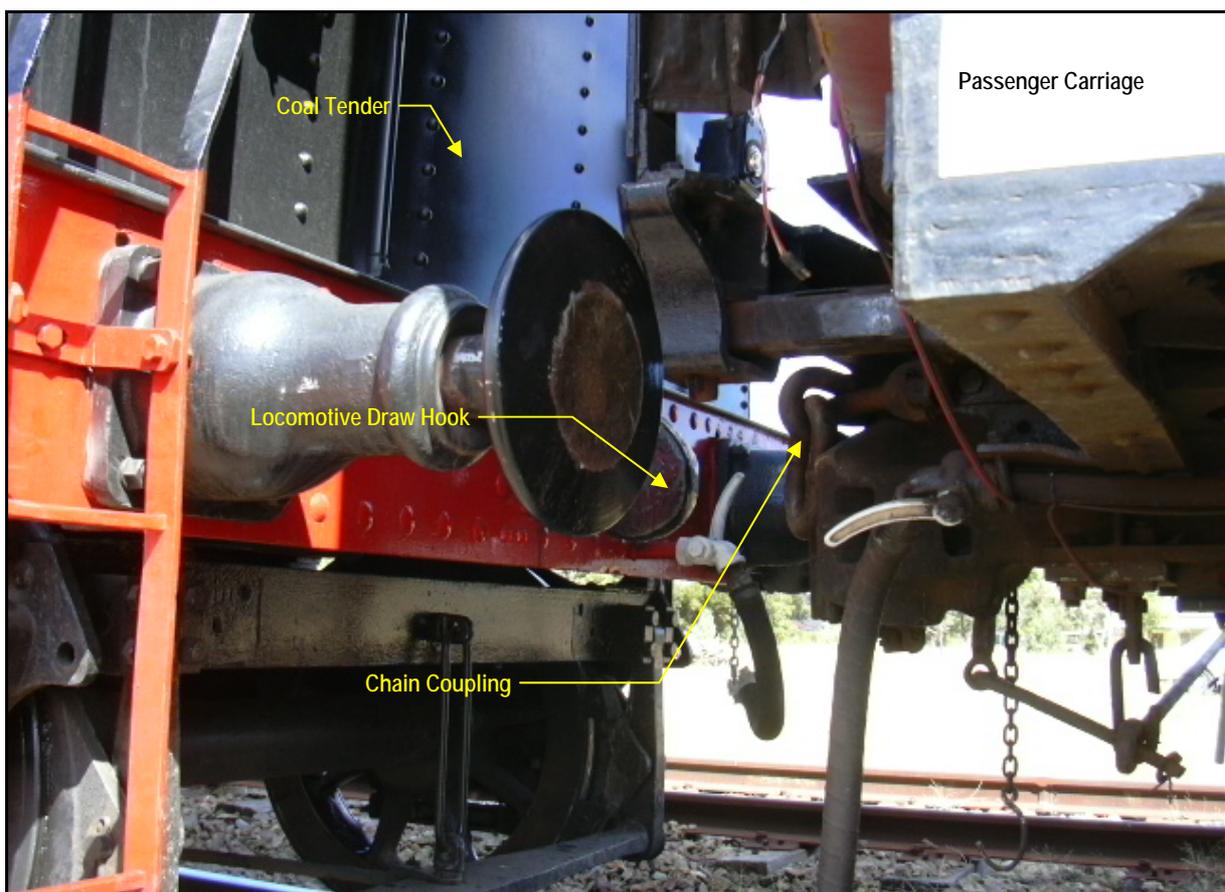
PO Box A2616
Sydney South NSW 1235

The Office of Transport Safety Investigations also provides a Confidential Safety Information Reporting facility for rail, bus and ferry industry employees. The CSIRS reporting telephone number is 1800 180 828.

Overview

At approximately 11.50am on 15 April 2006, a volunteer member of the heritage rail operator, Lachlan Valley Railway Society Cooperative Limited, was crushed whilst coupling a coal tender to a passenger carriage at Aria Park, west of Temora NSW. (see *Photo 1*). The coal tender was positioned immediately behind a vintage steam locomotive. The volunteer was subsequently conveyed by ambulance to Temora Hospital but died shortly afterwards as a result of his injuries.

An OTSI investigator deployed to Aria Park and commenced a preliminary investigation on the same day. As a result of the preliminary investigation, the Chief Investigator determined that the accident warranted formal investigation in accordance with Section 67 of the *Rail Safety Act 2002 (NSW)*.



Terms of Reference

The terms of reference established by the Chief Investigator require OTSI's Investigator in Charge to:

- identify the factors, both primary and contributory, which caused the accident;
- identify whether Lachlan Valley Railway Society Cooperative Limited had operated within the conditions of its accreditation;
- identify whether the train had been operated by qualified personnel and in accordance with the Network Rules;
- identify whether Lachlan Valley Railway Society Cooperative Limited had established procedures for coupling operations and whether those procedures were appropriate and followed on the day of the accident;
- identify whether the incident might have been anticipated and assess the effectiveness of any strategies that were in place to manage the related risk/s;
- assess the effectiveness of emergency actions in response to the incident, and
- advise on any matters arising from the investigation that would enhance the safety of rail operations.

Immediate Safety Action

The Independent Transport Safety and Reliability Regulator (ITSRR) has issued a notice to all heritage rail operators prohibiting the manual coupling of rolling stock by the use of a Transition or Screw type Coupling by a person standing in the 'four foot' (i.e., between the tracks) between units of rolling stock while one or both units is/are moving.

Status of the Investigation

OTSI's investigation has commenced. Once completed, OTSI's investigation report will be tabled in Parliament by the Minister for Transport in accordance with Section 68 of the *Rail Safety Act 2002 (NSW)*. When the Report has been tabled, copies will be made available to all directly involved parties and the report will be published on OTSI's website.