



Office of Transport Safety Investigations

RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

**DERAILMENT OF PACIFIC NATIONAL EMPTY GRAIN
SERVICE 9529
CONNEMARRA**

8 FEBRUARY 2007



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*, 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.

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. However OTSI is kept informed of the extent to which its recommendations have been accepted and acted upon through advice provided in the Quarterly Report on the status of recommendations arising from OTSI investigations which is submitted to the Minister for Transport by the Independent Transport Safety and Reliability Regulator (ITSRR) which monitors the implementation of OTSI recommendations by those organisations to whom they are directed.

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

Level 17, 201 Elizabeth Street
Sydney NSW 2000
Tel: (02) 9322 9200

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.

Incident Overview

At approximately 3:00pm on Thursday 8 February 2007, 16 wagons of Pacific National's empty grain service 9529 derailed in the rail section between Binnaway and Werris Creek at a locality known as Connemarra in North Western NSW. The train broke in two after the derailment when four derailed wagons concertinaed across the track as shown below. The other derailed wagons, as depicted on the following page, remained in a generally upright position.

Grain service 9529, consisting of four locomotives and 47 empty grain wagons, was enroute from Nowra to Werris Creek via Dubbo at the time of the incident. The train was destined for later loading at silos located between Gunnedah and Moree.

There were no injuries as a result of the derailment. However, approximately 800 metres of track was extensively damaged.





OTSI's Duty Officer was notified of the derailment and two OTSI investigators were deployed to the site the following morning to commence a preliminary investigation. 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:

- a. identify the factors, both primary and contributory, which caused the incident;
- b. 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;
- c. assess the effectiveness of emergency actions in response to the incident, and
- d. 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. 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, it will be published on OTSI's website.