

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 2:30pm on 14 January 2007, Pacific National's freight service 6BA6 derailed in the Euabalong West – Matakana section of the Defined Interstate Rail Network (DIRN), approximately 4kms West of Euabalong West in Central Western NSW. 6BA6 consisted of two NR Class locomotives, 26 container wagons¹ and 63 shipping containers and was enroute from Brisbane to Adelaide at the time of the accident.

The crew stated that they felt the train surge and 6BA6's emergency brakes apply automatically. They also observed a considerable volume of dust in the train's rear vision mirrors as the wagons derailed behind the locomotives.

There were no injuries as a result of the incident. However, 11 wagons, 26 shipping containers and approximately 1200 metres of track were extensively damaged.



Several of the damaged shipping containers were carrying hazardous materials (HazMat) and some of this material was spilt during the derailment. A HazMat team

¹ Whilst 6BA6 consisted of 26 wagons, nine were articulated wagons each consisting of either two or five container platforms.

from the NSW Fire Brigade deployed to the scene of the accident where it assumed control of the site. Other agencies were required to remain at a safe distance until the HazMat team declared the site safe for them to commence their response and investigatory activities.

Notification and Response

OTSI's Duty Officer was notified of the incident and since the derailment had occurred on the DIRN, he in turn notified the Australian Transport Safety Bureau (ATSB) within whose jurisdiction the derailment had occurred. Having established that the ATSB was not intending to deploy to the incident site, an OTSI investigator was deployed on the day of the incident to commence preliminary investigations. 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 Investigating Officer to:

- a. determine what caused the derailment and what factors may have contributed either directly or indirectly to the accident's causation;
- b. identify what strategies were in place to mitigate the risk of derailment within the Euabalong West – Matakana section and why they failed on this occasion;
- c. identify whether there are any organisational, operational and/or logistic matters which relate to safety management which have a bearing on the circumstances of the accident;
- d. assess the effectiveness of the emergency actions in response to the derailment;
- e. make safety recommendations, the implementation of which would prevent, or at the very least, minimise the potential for recurrence of this type of accident, and
- f. identify and provide advice in relation to any other 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 and Interested Parties (DIPs) will be consulted and will be provided with the opportunity to contribute information and commentary which will facilitate the compilation of the investigation report.

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 68 of the *Rail Safety Act 2002* (NSW). When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.