



Office of Transport Safety Investigations

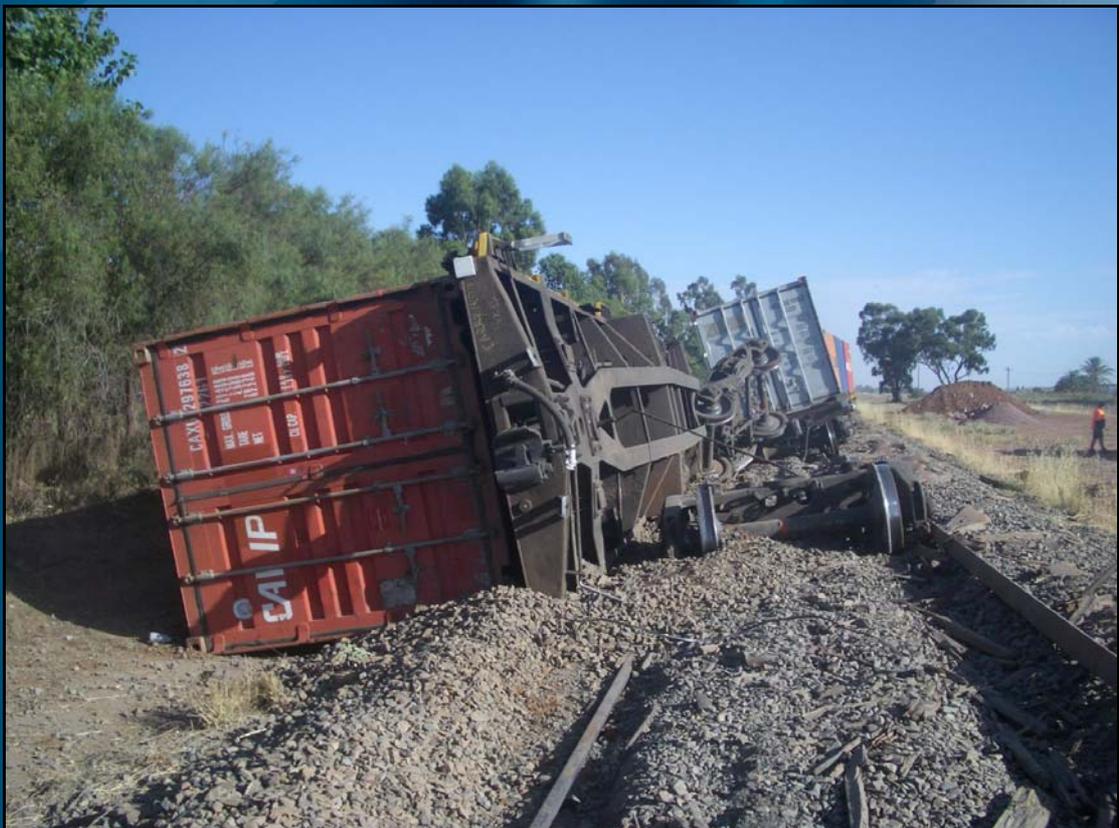
RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

**DERAILMENT OF PACIFIC NATIONAL FREIGHT SERVICE
5CM3**

GRIFFITH – LEETON RAIL SECTION

11 JANUARY 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 5:30pm on Thursday 11 January 2007, 11 wagons on Pacific National's freight service 5CM3 derailed approximately 4kms West of Leeton in the Riverina region of NSW. One of derailed wagons toppled over onto its side, as depicted on the cover of this report. The 10 other wagons that derailed, some of which are depicted below, remained upright.

5CM3, consisting of three locomotives (X46, X51 and T390) and 27 container wagons, was carrying a mixture of containerised export goods, predominantly wine, and was enroute from Griffith to Appleton Dock in Melbourne at the time of the incident.

There were no injuries as a result of the derailment. However, approximately 200 metres of track and a level crossing were extensively damaged. A small grass fire that was initiated during the derailment was extinguished by a motorist who had been waiting for 5CM3 to proceed beyond the level crossing.



OTSI's Duty Officer was notified of the derailment and an OTSI investigator was deployed to the site 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 Investigator in Charge 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 Griffith – Leeton 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. 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.