



**Office of Transport Safety Investigations**

## **RAIL SAFETY INVESTIGATION**

## **INTERIM FACTUAL STATEMENT**

**DERAILMENT OF CITYRAIL PASSENGER SERVICE K496**

**UNANDERRA**

24 JANUARY 2009



# 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 accidents and incidents 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, 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. Importantly, however, OTSI does not confine itself to the consideration of just those matters that caused or 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 *Rail Safety Act 2008* 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.

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 a "Just Culture" approach to the investigative process by balancing the presentation of potentially judgemental material 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 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).

OTSI cannot compel any party to implement its recommendations and its investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. However, OTSI takes a close interest in the extent to which its recommendations have been accepted and acted upon. In addition, a mechanism exists through which OTSI is provided with formal advice by the Independent Transport Safety and Reliability Regulator (ITSRR) in relation to the status of actions taken by those parties to whom its recommendations are directed.

## Accident Overview

At approximately 2:35am on 24 January 2009, CityRail Kiama to Wollongong passenger service, K496, a four-car Tangara-type train carrying four passengers, departed Unanderra Station and approached Signal WG1010 which was at stop, awaiting the passing of an on-coming freight train. As K496 approached Signal WG1010, it is claimed that a passenger disturbance in the vestibule area immediately behind the train's cab distracted the driver and caused K496 to pass Signal WG1010 at stop without authority (SPAD). K496 then derailed on No.1106 catchpoints which are designed and positioned to arrest any train movement which fails to respond to a stop indication at Signal WG1010, in order to minimise the potential for a collision with another train by preventing continued unauthorised movement.

K496 came to rest approximately 50m past the catch points with all wheels on the first two cars and all wheels on the leading bogie of the third car, derailed. The remainder of K496 was not derailed. The driver contacted the Area Controller at South Coast Train Control Centre (SCTCC) at Wollongong and reported the incident whereupon the Area Controller immediately contacted the driver of the freight train approaching Unanderra and directed he stop his train and await directions.

The four passengers on K496 at the time of the incident were detained under the direction of the train crew and escorted back to Unanderra Station with the assistance of local Police. There were no reports of injuries.

The derailment caused minor damage to the bogies and bodywork of the two front passenger cars as well as minor damage to the infrastructure associated with the catch points.

## Notification and Response

OTSI's Duty Officer was notified of the incident at 3:15am. An OTSI investigator was then deployed to conduct a preliminary investigation and arrived at the scene of the accident at 5:20am. The Chief Investigator determined that the accident warranted formal investigation pursuant to Section 45A of the *Transport Administration Act 1988* and Section 67 of the *Rail Safety Act 2008*.

## Terms of Reference

The terms of reference established by the Chief Investigator require OTSI's Investigating Officer to:

- a. Identify the factors, both primary and contributory, which caused passenger service K496 to pass Signal WG1010 at stop, resulting in an infrastructure-initiated derailment.
- b. Assess the effectiveness of any measures that were in place to control the effects of the infrastructure-initiated derailment after passenger service K496 passed Signal WG1010 at stop.
- c. Assess the effectiveness of emergency actions in response to passenger service K496 passing Signal WG1010 at stop and the subsequent infrastructure-initiated derailment.
- 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. During the course of the investigation, all Directly Involved Parties (DIPs) will be consulted and will be afforded the opportunity to provide information and commentary which will contribute to ensuring that the investigation and its report are inclusive, rigorous, comprehensive and reflective of the broadest range of evidential sources.

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 74 of the *Rail Safety Act 2008*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.

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