

Australia: NSW government covers-up unsafe rail system

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18 April 2003

The New South Wales Labor government has been caught out covering-up the state's chronically unsafe railway infrastructure. Newspaper reports last week revealed that the Rail Infrastructure Corporation (RIC), which maintains almost all NSW's rail tracks, bridges, signalling and wiring, had ignored expert recommendations at the beginning of March to close the 140-year-old Menangle Bridge. The rail bridge, just southwest of Sydney on the busy main line to Melbourne, carries heavy passenger and goods traffic.

On March 9, University of Wollongong engineering expert Professor Michael West submitted a nine-page report recommending "the immediate closure of this bridge, to avoid the impending catastrophic failure threatened through the continued use of this structure in its badly deteriorating state".

RIC officials reportedly told Transport Minister Carl Scully that West had "raised concerns" but allowed the bridge to remain open subject to speed restrictions. The RIC allegedly informed Scully that the report indicated that there were "no safety issues in the continued use of the bridge".

The bridge was finally closed on March 27 after Channel Nine television's *Sunday* program rang Scully's office to ask about the West report. NSW Rail Safety Regulator Kent Donaldson conducted another inspection before the closure was ordered. Meanwhile, 70 trains a day passed over the bridge, including crowded interstate and inter-urban passenger trains and two-kilometre long cargo super-freighters. All the conditions existed for a major rail disaster with massive loss of life.

It is hardly accidental that the Menangle Bridge report remained buried until after the March 22 state election that saw Premier Bob Carr's government returned for a third consecutive term. During the election campaign Labor, supported by the media, worked to play down its record of attacks on public services.

There was almost no reference to the sensitive issue of public transport and the pending judicial inquiry into the January 31 Waterfall rail derailment south of Sydney, which claimed seven lives. The closure of a major bridge because of chronic disrepair, coupled with still unanswered questions about the Waterfall tragedy, would have focused public attention on the dilapidated state of the entire rail system.

Scully claimed that he knew nothing of West's report until contacted by a *Sunday* reporter. The claim is hardly plausible. Information has emerged showing the government had detailed reports on the disastrous state of rail infrastructure.

These included an extensive report prepared in 1976 recommending the replacement of eight major bridges across the state by 1999 "at the latest", including the one at Menangle. RIC inspections of Menangle Bridge in 2001 and 2002 found "numerous defects", including 1,600 loose rivets and substantial structural movement. Some 400 rivets holding metal supports in place had deficient heads.

The RIC had identified more than a dozen bridges as "life expired" and imposed speed limits on them as low as 10 kilometres an hour. A report by consultants Booz Allen Hamilton in December 2001 noted that 16,154 metres of timber bridges and 1,662 metres of wrought-iron bridges needed restoration or replacement.

Other well-known indications of the collapsing infrastructure were the numerous derailments and train crashes over the past six years caused by track and signal failures. Two rail accidents involved multiple deaths, one at Glenbrook in 1999, which cost seven lives, and the most recent disaster at Waterfall.

In recent days, the Carr government has taken measures to create the impression it will bring about a fundamental improvement in public transport. But its immediate concern is to extricate itself from the emerging scandal

around the Menangle revelations.

On April 2, Carr replaced Scully with former Police Minister Michael Costa. The switch is significant. Costa was installed as Police Minister last year just two months after resigning as secretary of the right-wing NSW Labor Council and slipping into a conveniently vacated seat in the NSW upper house.

Appointed with the support of right-wing talkback host Allan Jones, Costa was presented as a new broom. His task was to implement a series of law-and-order measures that were to provide a central plank for the Labor election campaign. Costa presided over the early departure of Police Commissioner Peter Ryan and other heads rolled.

Costa has been installed in his new portfolio to play a similar role. In the aftermath of the election, editorials identified transport as one of the areas requiring further reform and restructuring. Costa has to try to alleviate public concern about the crisis in the rail system. At the same time, however, he will no doubt use it as the means to push through the demands of business for the reliable movement of goods at the cheapest possible price.

Costa immediately ousted Transport Department head Michael Deegan and will abolish the Rail Safety Regulator's post currently occupied by Donaldson, to make way for a new body to be known as the Transport Safety and Reliability Regulator (TSRR).

The TSRR is presented as satisfying one of the key recommendations of the inquiry into the Glenbrook disaster headed by Justice Peter McInerney. The recommendation, however, stipulated the need for a "totally independent" transport safety regulator, free of commercial considerations.

The TSRR will fulfil neither requirement. It will not report directly to parliament but to Costa, allowing sensitive information to be filtered before being made public. The TSRR will also have other functions—overseeing train reliability and on-time running—which are at odds with overseeing safety.

In his report, Justice McInerney found that there was "a conflict of interests between meeting performance standards and ensuring safety of operations". He also noted that the only witness to his inquiry who failed to acknowledge this conflict was former rail chief Ron Christie. Christie, who resigned in 2001, has been brought back by Costa to head TSRR.

Costa is expected to windup the RIC and bring its operations back under the control of the State Rail Authority (SRA), reversing a major reorganisation initiated by the Carr government in 1996, shortly after

coming to office.

The restructuring split the SRA into separate business units operating on a commercial basis. The Rail Access Corporation (RAC) owned the tracks; the Rail Services Authority (RSA) tendered against private companies to maintain the system; and Freight Rail and State Rail operated freight and passenger services respectively. (Freight Rail has since been privatised and RSA was merged with the RAC to form the Rail Infrastructure Corporation, which currently owns and maintains all rail infrastructure.)

The 1996 break-up sought to slash costs and outsource maintenance to private companies while returning large dividends to government coffers. RAC provided a \$19.6 million return in 1996-97, \$61 million in 1997-98 and \$53 million in 1998-99. It slashed annual maintenance outlays from almost \$600 million in 1995-96 to a little over \$400 million by 2001-2002.

In a note to Cabinet just after the 1999 Glenbrook accident, Scully alluded to some of the disastrous consequences of the insistence on profit generation. He admitted that "in the course of focusing on [their] financial well being," the separate business unit managements had "lost sight of their core business of delivering nearly 90,000 passengers to work safely and on time each day".

He noted that State Rail was unable to provide "safe and on time running," the RSA had failed to give due "attention to properly carrying out preventive maintenance" and the RAC was focused on "the pursuit of cost cutting in infrastructure".

While Costa may reverse the 1996 carve-up, the same commercial motivations and business interests that motivated the move in the first place will persist, creating the conditions for future fatal rail disasters.



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