



Court Ref: COR 2007 003518

Freda Villella  
Coroners Registrar  
Coroners Court of Victoria  
65 Kavanagh Street  
Southbank VIC 3006

### **By Mail**

31<sup>st</sup> December 2015

Dear Freda

### **Response to Investigation into the death of Martin Yim**

I refer to your letter dated 1 October 2015 and Finding Into Death With Inquest (together, **Coroners Finding**). In accordance with section 72(3) of the *Coroners Act 2008* (Vic), Yarra Trams response to the Coroners Finding is contained below.

The Coroners Finding contains two recommendations:

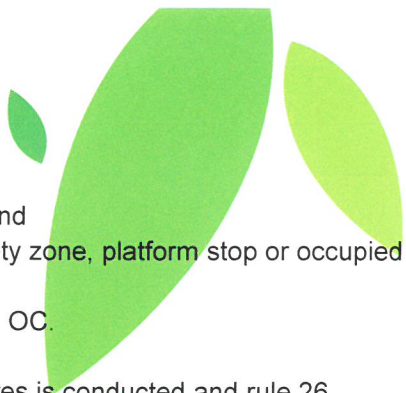
1. trams departing southerly from the West Casino stop should use continuously their gong until the driver's cabin has passed the pedestrian crossing; and
2. reduction of the speed of the southbound trams leaving this stop to 10 km/h until the driver's cabin has passed over the pedestrian crossing.

Yarra Trams has made subsequent changes to its operational standards, assets design standards and has taken some major initiatives to increase public awareness around the operation of trams.

Yarra Trams operational standards have been reviewed three times since the incident that occurred on 4 September 2007 (the **Incident**). During these operational standards reviews, the rules related to gong use have been risk assessed and amended in order to provide the safest operation for our customers and for members of the public.

### **Review of gong usage**

1. The 2008 issue of the Operational Minimum Requirement handbook, the stop rule (page 79) states that drivers must sound the gong when entering and leaving safety zone.
2. In 2013, the Rules and Procedures handbook was reviewed and issued to all operational staff. A rule 26 'Warning gong / horn' was created and specified that:
  - (a) Drivers must sound the gong / horn to announce the tram's presence in the area and / or warn of any immediate danger.
  - (b) The gong/horn can be used as a warning of potential or imminent danger to other trams and road users as required.
  - (c) The gong / horn must be used in particular (but not limited to):

- 
- i. when passing a stationary tram; and
      - ii. every time a tram arrives at a safety zone, platform stop or occupied kerbside stop.
    - (d) When a gong/horn malfunctions, notify the OC.
  3. In 2015, another review of the Rules and Procedures is conducted and rule 26 received further amendments:
    - (a) Drivers must sound the gong / horn to announce the tram's presence in the area and / or warn of any immediate danger.
    - (b) The gong/horn can be used as a warning of potential or imminent danger to other trams and road users as required.
    - (c) The gong/horn must be used in particular (but not limited to):
      - i. when passing a stationary tram;
      - ii. every time a tram arrives at a safety zone, platform stop or occupied kerbside stop;
      - iii. when entering and exiting the maintenance shed; and
      - iv. if pedestrians or Yarra Trams staff are on or close to the tracks.
    - (d) When a gong / horn malfunctions, notify the OC.

Yarra Trams believes that this set of prescriptions from rule 26 (items 2(a), (b) and (c)(ii)) are providing sufficient guidelines to our employees with relation to gong usage and warning to the public.

Yarra Trams has also conducted human factor studies that demonstrated excessive use of the gong in any specific area has the tendency to be counterproductive in terms of public awareness. Indeed, in these situations, the gong becomes part of the background noise of the city and the human brain filters it in order to reduce the information overload. Thus, the effectiveness of the gong reduces and eventually is unnoticed by the members of the public.

### **Review of tram speed**

1. The 2008 issue of the Operational Minimum Requirements handbook does not specify any speed restriction when approaching crowd or high concentration of pedestrians.
2. In 2013, following the review of the Rule Book for drivers, the speed rule is redesigned and states that 'drivers should always approach crowds, streets with a high concentration of pedestrians and school children with caution and at reduced speed.
3. The current 2015 version of the Rules & Procedures retains the same wording as the 2013 version.

Yarra Trams considers that the current wording in relation to speed covers the situation encountered at the vicinity of Crown Casino and provides sufficient guidelines to the drivers on the most appropriate speed.

Yarra Trams has also implemented a driver compliance monitoring program 'Task Observation'. Each Team Manager is required to observe each of their drivers performing their role twice a year. This monitoring covers a comprehensive list of 153 compliance criteria, of which 4 cover speed, gong and situational awareness related to Incident, including:

- driver adapts his/her speed limit to driving conditions (e.g. driver application of defensive driving techniques);
- gong when approaching and departing safety zone or tram stop;



- gong when warning is required (driver uses gong for warning in potential safety risk situation); and
- demonstrate the ability to proactively identify, understand and communicate possible future hazards and potential risks that may arise (actively manages potential or actual route risks / hazards).

### **Tram Awareness Campaigns**

Yarra Trams has also introduced a specific public awareness campaign in 2011 and 2013. These campaigns, called “beware the rhino” have an extremely positive impact on the public of Melbourne and have strongly raised the awareness of pedestrians regarding the risk of crossing the street in front of a tram or without stopping to check if it is safe to do so.

The “beware the rhino” campaign has also won the “most significant safety initiative” award at the Global Light Rail award in 2013 since the campaign showed a 26% reduction in tram-pedestrian accidents in the 12 months following its launch. It has since been adapted as a safety around trams initiative by light rail companies throughout the world.

These initiatives, conducted in conjunction with improved rules and monitoring, have led to a significant decline in the number of collisions with pedestrians.

Yarra Trams considers that all the initiatives and changes that have occurred since the Incident address the coroners recommendations contained in the Coroners Finding.

Yours sincerely

A handwritten signature in black ink, appearing to be "Aline Frantzen", written over the typed name.

Aline Frantzen  
**Director of Lines**  
**Yarra Trams**