

## Message from the Chief Executive



Since the last edition, ITSRR has continued to work with the rail industry to progress the Rail Safety Bill and supporting regulations so that the national model legislation will be implemented in NSW in the current parliamentary session.

Additionally, ITSRR continues to assist the heritage sector through developing a strategy to provide practical assistance for operators in meeting the safety management system obligations which will come into force from 1 July 2008. Refer to page 4 of this newsletter to learn more.

Earlier this year ITSRR sought nominations from industry to be part of the Rail Safety Strategic Forum (RSSF). The RSSF is an important industry group that provides ITSRR with the opportunity to have an ongoing interaction with our stakeholders about strategic safety issues.

We recently announced the results of that nomination process and I would like to welcome both new and continuing members to the forum. More information, including a list of the new membership, is available on page 3.

Finally, earlier this month I announced that Len Neist will join ITSRR as its new Executive Director, Rail Safety Regulation from 9 June. In addition to welcoming Len, I would like to acknowledge the fantastic work done by our Rail Safety Regulation management team, in particular Colin Holmes, in the period since Mick Quinn's departure in late 2007.

I know that Len is looking forward to working with the rail industry in delivering continued improvements to rail safety in NSW.



Carolyn Walsh  
Chief Executive  
ITSRR

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## Rail safety legislation update

ITSRR is continuing to work towards the implementation of nationally consistent rail safety legislation in NSW and has been liaising with Parliamentary Counsel and the Department of Premier and Cabinet to make final amendments to the Rail Safety Bill.

The timing of the Bill's introduction to Parliament is dependant on the Government's legislative timetable.

Feedback from ITSRR's public consultation on the Draft NSW Rail Safety (General) Regulation 2007 and the Draft NSW Rail Safety (Drug and Alcohol Testing) Regulation 2007 is now available on its website.

ITSRR received 14 submissions about the draft Regulations which support the Rail Safety Bill. Tables outlining the issues raised in those submissions and ITSRR's responses can be viewed online at:

[http://www.transportregulator.nsw.gov.au/publications/information\\_alerts/InfoAlert\\_NSW\\_Rail\\_Safety\\_Regulations\\_Feedback.pdf](http://www.transportregulator.nsw.gov.au/publications/information_alerts/InfoAlert_NSW_Rail_Safety_Regulations_Feedback.pdf)

Any queries regarding the NSW Rail Safety Bill can be directed to Celia Murphy, Acting Manager Regulatory Policy, on (02) 8263 7123.

## Corporate Plan priorities 2008-09

ITSRR is currently undertaking its corporate planning for 2008-09. As part of this process, ITSRR sought input from stakeholders on the key priorities for the Regulator's attention in the coming financial year.

The Rail Safety Strategic Forum (RSSF) was given the opportunity to provide input at its April meeting. Members noted that they expected the 2008-09 priorities to be similar to those for the current financial year, given that many of the existing issues continue to need attention.

The 2007-08 priorities can be viewed at [http://www.transportregulator.nsw.gov.au/aboutUs/documents/Corporate\\_Plan\\_Priorities\\_2007-08.pdf](http://www.transportregulator.nsw.gov.au/aboutUs/documents/Corporate_Plan_Priorities_2007-08.pdf)

and provide a guide to the types of activities ITSRR sought to target in 2007-08.

Further information on ITSRR's past results and activities are available in its Annual Report 2006-07: [http://www.transportregulator.nsw.gov.au/aboutUs/annual\\_report.html](http://www.transportregulator.nsw.gov.au/aboutUs/annual_report.html)

## More drug and alcohol training on the way

ITSRR will host another in its series of free one-day drug and alcohol workshops for testing officers on 13 June 2008.

A total of 74 industry representatives have attended the four workshops held to date, most recently in March.

The Guidelines Relating to Drug & Alcohol Programs specify that accredited railway operators must train their testing officers in accordance with Schedule 1 of the Guidelines.

ITSRR developed a model training course to assist railway operators in meeting the training requirements outlined in Schedule 1. The course forms the basis of the ITSRR workshops which are designed to assist accredited railway operators which have limited resources in developing their own training course.

To attend the 13 June workshop in Sydney, contact Natalie Devescovi, Administration Officer, Security & Compliance Investigations, on (02) 8263 7180 or email [natalie.devescovi@transportregulator.nsw.gov.au](mailto:natalie.devescovi@transportregulator.nsw.gov.au) before 30 May 2008.

The model training course is available on ITSRR's website at:

<http://www.transportregulator.nsw.gov.au/aboutUs/training.html>

An extensive set of frequently asked questions on drug and alcohol testing is available on ITSRR's website at:

[http://www.transportregulator.nsw.gov.au/publications/factsheet\\_pages/rail\\_drug\\_alcohol\\_FAQs.html](http://www.transportregulator.nsw.gov.au/publications/factsheet_pages/rail_drug_alcohol_FAQs.html)

## New RSSF membership selected

ITSRR has selected new Rail Safety Strategic Forum (RSSF) members for a two-year term after calling for nominations from the rail industry.

The Forum, which was established in 2005, is an important mechanism for enabling ITSRR, rail operators and unions to exchange ideas and to discuss strategic rail safety issues.

The RSSF comprises 15 industry representatives covering large, medium, tourist and heritage operators; contractors and maintainers; and unions. It also includes two ITSRR representatives and the Australasian Railway Association (ARA) as an observer.

The Forum's industry members are:

- Dianna Taylor, National Compliance Manager, Australian Rail Track Corporation
- David Edwards, Group General Manager, Safety Health & Environment, Pacific National
- Ken Prestwidge, Manager, Program Support, RailCorp
- Christopher Curran, National Manager, Accreditation Compliance Safety, SCT Logistics
- Catriona Scott, Compliance & HR Director, Freightliner Australia PTY LTD
- Walter Williams, General Manager, Safety Risk and Environment, QR
- Peter Berriman, President, NSW Rail Transport Museum
- Peter Anderson, Manager Rail Safety & Accreditation and Vice President, Australian Railway Historical Society
- David Sutherland, Integrated Systems Manager, John Holland
- Lindsay Holt, Rail Group Systems & Compliance Manager, Laing O'Rourke
- Paul Dojcsak, Manager Safety Environment Quality, Downer EDI Works
- Nick Lewocki, Secretary, Rail Tram and Bus Union
- Rodney Masters, Executive Councillor (Transport), Australian Services Union
- Geoff Prime, Organiser, Electrical Trades Union
- Brett Doak, Manager Rail Safety and Accreditation, Transport Infrastructure Development Corporation

ITSRR's representatives are Natalie Pelham, Executive Director, Transport Regulation Strategy (who also chairs the Forum) and Colin Holmes, Acting Executive Director, Rail Safety Regulation. Phil Sochon is representing the ARA.

The Forum held its first meeting for 2008 on 10 April. The agenda covered issues including the development of national guidance material for the rail industry, the recognition of industry standards, input to ITSRR's corporate priorities for 2008-09 and its heritage sector strategy.

RSSF meeting minutes are published on ITSRR's website (go to [www.transportregulator.nsw.gov.au/aboutUs/RSSF.html](http://www.transportregulator.nsw.gov.au/aboutUs/RSSF.html)) and related news items can be found in ITSRR's newsletters – The Regulator and Transport Advisory Weekly.

Feedback and suggestions for Forum discussion topics are welcome and can be provided by contacting one of the industry members or Andrew Crichton, ITSRR's Communications Officer, on (02) 8263 7113 or [andrew.crichton@transportregulator.nsw.gov.au](mailto:andrew.crichton@transportregulator.nsw.gov.au)



Newly appointed Rail Safety Strategic Forum (RSSF) members.

## Initiatives for heritage operators

ITSRR will implement a series of initiatives to assist heritage railway operators meet their rail safety obligations.

ITSRR's heritage strategy has been developed with input from the sector – including 17 submissions received on a discussion paper released in November 2007 – as part of a review of the barriers faced by heritage operations when meeting their safety obligations.

The review was undertaken in recognition of the particular challenges faced by the heritage sector given its unique nature. It examined a range of issues including the appropriateness of safety management system obligations to different segments of the heritage industry and potential barriers to these operators meeting these obligations.

As a result, ITSRR will introduce several initiatives including:

- categorising heritage operators according to three groups – mainline operators; isolated line operators; and museums (no passenger operations or rolling stock movements with public in attendance) to allow more tailored regulation of their activities
- conducting workshops for the sector on ITSRR's approach to regulation, corporate governance for board members and risk management
- examining how current infrastructure standards used by heritage operators can be managed until Rail Industry Safety and Standards Board (RISSB) standards are completed
- developing a mentoring program for heritage operators.

More information including the industry feedback on the discussion paper will be provided on ITSRR's website soon. Alternatively, contact Cathy Dowe on (02) 8263 7142 or via email

[cathy.dowe@transportregulator.nsw.gov.au](mailto:cathy.dowe@transportregulator.nsw.gov.au)

## ITSRR appoints new head of Rail Safety Regulation

ITSRR has appointed Len Neist as its new Executive Director, Rail Safety Regulation.

Len's appointment is the result of a recruitment process which followed the departure of Mick Quinn in late 2007.

Len is currently head of Booz Allen Hamilton's systems assurance team in Australia and New Zealand and has extensive industry experience in system safety analysis, and reliability and risk engineering, across a range of hazardous industries, including rail.

He has had significant input into reviews of regulatory systems overseeing safety, including through the Special Commission of Inquiry into the Waterfall Rail Accident and the recent review of Rail and Bus Safety in NSW.

In taking up his new position, Len will stand down from ITSRR's Advisory Board, where he has made a valuable contribution to the Regulator's strategic directions since mid-2006.



## Report shows 95% of Waterfall recommendations closed

ITSRR has published the thirteenth quarterly report on the implementation of the NSW Government's response to the Special Commission of Inquiry (SCOI) into the Waterfall Rail Accident.

At the end of the reporting period (1 January to 31 March 2008), the number of recommendations closed was 168 or 95% of the total.

One recommendation (Recommendation 53) was verified and closed during the quarter. It required RailCorp to introduce train inspections at the time of stabling trains in addition to existing inspections conducted as part of train preparation prior to entering service. This reform is designed to ensure that train defects are detected early so that sufficient time is allowed for repairs.

Further progress was made during the reporting quarter on a number of the remaining recommendations with no slippages reported. The major areas of activity were:

- RailCorp provided ITSRR with a progress report on the implementation of its new Rail Management Centre Competence Management System. This system involves a series of actions to improve training, assessment, selection and recruitment criteria to ensure staff are trained to effectively respond in an emergency situation (Recommendations 1 & 20).

- RailCorp continued the pilot trial of the European Train Control System (ECTS) Automatic Train Protection (ATP) technology on the Blue Mountains Line. Three companies which manufacture ETCS equipment are participating in the trial. Testing was completed for equipment provided by two of the companies. (Recommendation 32).
- ITSRR met with the National Transport Commission (NTC) to discuss progress in the development of an appropriate amendment to the model regulations to set requirements for data loggers. The NTC has incorporated work on these regulations into its 2008-09 work program (Recommendations 36 & 37).

At the end of the reporting period, the cumulative implementation progress to date for all 177 recommendations (including 127 recommendations and 50 sub-elements) was as follows:

- 168 (95%) recommendations verified and closed
- 4 (2%) recommendations open acceptable response (Recommendations 1, 20, 32 & 71)
- 1 (0.5%) recommendation "open-await-response" (Recommendation 43)
- 1 (0.5%) recommendation is scheduled to be implemented by 2010 (Recommendation 38)
- 3 (2%) recommendations referred to the NTC have revised implementation timeframes based on advice from the NTC (Recommendations 30, 36 & 37).

The thirteenth quarterly Waterfall Report is available on ITSRR's website:  
[http://www.transportregulator.nsw.gov.au/publications/reports/waterfall\\_reports08/waterfallreports08.html](http://www.transportregulator.nsw.gov.au/publications/reports/waterfall_reports08/waterfallreports08.html)

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