



Message from the Chief Executive

Welcome to the second edition of *The Regulator* for 2008.

Since the last edition ITSRR has finalised its corporate priorities for 2008-09 and is now well and truly engaged in implementing them (see article page 3).

The process of identifying and refining these priorities is always challenging and I would like to

thank the members of the Rail Safety Strategic Forum (RSSF) for their valuable contribution.

The Forum emphasised the importance of ensuring both our regulatory oversight and industry's own safety management is informed by evidence and risk-based data. Read more RSSF news on page 6.

To that end, I'm pleased NSW is moving to implement the new national standard and guideline for reporting and classifying rail safety occurrences from 1 January 2009 (see page 2 for more information). In response to an RSSF request, we will also be exploring ways to provide more frequent and better information back to operators regarding trends in occurrence data.

Finally, I would like to thank the heritage operators who attended recent ITSRR workshops on issues including risk management and governance. I hope those who participated found the workshops useful as the feedback we've received has certainly been positive in that regard. See story on page 5.



Carolyn Walsh
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New standard and guideline clarify data requirements

A new national standard (ON-S1) and guideline (OC-G1) for the notification and classification of rail safety occurrences are being implemented across Australia.

The revised Occurrence Notification Standard One (ON-S1) and the new Occurrence Classification Guideline (OC-G1) are the result of a review led by the Rail Safety Regulators Panel (RSRP) with input from the rail industry to improve the guidance provided to industry on reporting and classifying rail safety occurrences.

ON-S1 was first released in August 2004 and has been used to both guide the notification of rail safety occurrences and inform the classification of occurrences under a uniform national data set. The recent review identified that there was confusion about the purpose of ON-S1 which had contributed to cases of inconsistent reporting and poor quality data.

The key changes being implemented as a result of the review are:

- Introduction of a separate Occurrence Classification Guideline (OC-G1), which defines the classification of occurrences
- Introduction of revised ON-S1 which provides guidance on the notification of occurrences,

incorporating descriptions of the type of occurrence that needs to be notified and the level of information (data) that needs to be provided to the Rail Safety Regulator.

The two documents were issued on 1 July 2008 although an implementation period of 6 months has been allowed to ensure operators and ITSRR can ready their systems for full implementation to commence from 1 January 2009. Introduction of the proposed Rail Safety Bill 2008 will not impact upon the commencement date for the ON-S1.

The new standard and guidelines can be accessed via the RSRP's website under Publications: <http://www.rsrp.asn.au>

More information is available from Simon Meiers, Director Transport Safety Improvement, on 8263 7116 or Russell Preece, Manager Data Analysis and Reporting Unit, on 8263 7138.

Heritage operators alerted to potential defects in spoked wheels and drawhooks

Accredited operators and rolling stock maintainers who operate or maintain heritage rolling stock have been advised to take steps to confirm the structural integrity of drawhooks and spoked wheels in their rolling stock following the discovery of defects by two operators.

ITSRR issued a Rail Industry Safety Notice (RISN) to all accredited operators in NSW on 6 August 2008 after receiving advice from two operators about faults they detected during maintenance.

The RISN advised operators to develop and implement an appropriate non-destructing test (NDT) regime to confirm the structural integrity of drawhooks (over the entire length) and spoked wheels (including the wheel rim, spokes and wheel hub).

Refer to the RISN on ITSRR's website at:

<http://www.transportregulator.nsw.gov.au/publications/RISN/RISN23.pdf>

ITSRR releases 2008-09 corporate priorities

A focus on safeworking arrangements and contractor obligations, reviewing requirements for safety data, and working with heritage operators are all corporate priorities for the Regulator this financial year.

ITSRR's corporate priorities are the result of an extensive planning process which included an internal risk and opportunity assessment, workshops with senior management and consultation with the rail industry via the Rail Safety Strategic Forum (RSSF) and a general invitation to provide feedback.

The annual priorities are linked to a three-year overarching Corporate Plan. ITSRR will produce a new long-term plan later this year as the current plan (2006-09) comes to an end.

The 2008-09 priorities for the Rail Safety Regulation program are:

1. Focus on the following issues:

- the safeworking arrangements for work on track and worksite protection practices
- the governance of contractor safety management
- change management processes
- overcrowding on passenger services
- engineering standards for rolling stock and infrastructure
- the management and investigation of incidents resulting from signals passed at danger (SPADs).

2. Work with heritage operators to achieve compliance with new requirements in implementing their safety management systems.

3. Enhance the effectiveness of ITSRR's compliance inspection activities by providing staff with improved in-field toolkits and training opportunities.

4. Review ITSRR's requirements for safety data and work with the National Transport Commission to ensure these needs are fed into the national Data Strategy.

A new Corporate Program of Transport Safety Advice has been included for 2008-09. This program incorporates the previous program of Strategic Coordination of Safety across Transport Modes.

Corporate priorities for 2008-09 under this program are:

1. Provide advice to stakeholders about the management of level crossing risk at the State and national levels.

2. Provide advice to governments on industry's progress in moving towards automatic train protection.

3. Publish a paper and conduct industry seminars on international research on better practice worksite protection, SPADs, contractor management, compliance with infrastructure standards and level crossing risks.

4. Evaluate the outcomes of ITSRR's current function on the strategic coordination of safety regulation for rail, bus and ferry services.

ITSRR will publish a full version of the 2008-09 corporate priorities on its website and distribute hard copies to all accredited operators and other key stakeholders.

For more information, visit the website at:

www.transportregulator.nsw.gov.au/aboutUs/corporate_plan.html

Changing approach to information requests

ITSRR is taking steps to clarify the process by which safety information is requested from accredited operators. Safety information can be required for a range of issues such as routine data collection (ie. notification of occurrences) required under the *Rail Safety Act 2002* or where further information is needed to support compliance activity being conducted by ITSRR Authorised Officers.

When making a request for safety information, accredited operators will receive the request writing and it will be clearly labelled as an "Information Request". Operators should contact the nominated ITSRR officer to discuss any issues or concerns in accommodating the request.

If an operator does not comply with the request then a notice (under section 63 of the *Rail Safety Act 2002*) will be issued. Operators who do not comply with this notice could face a penalty as prescribed in the *Act*. The move is designed to improve consistency and transparency in the way ITSRR seeks safety information from accredited operators.

Further progress on Waterfall recommendations

Implementation of the NSW Government's response to the Special Commission of Inquiry (SCOI) into the Waterfall Accident continues to progress.

ITSRR's fourteenth quarterly report on the Waterfall implementation, released on 8 August 2008, showed that the total number of recommendations currently closed or claimed by agencies to be closed was 171 or 97% of all recommendations at the end of the reporting period (1 April - 30 June 2008).

During the quarter, three recommendations were claimed for closure by RailCorp:

- Ensuring that staff working in the Rail Management Centre (RMC) have been trained to quickly and accurately assess an emergency situation and convey this information to emergency response personnel (Recommendation 1).
- Ensuring that all RailCorp's operational rail staff are trained in the emergency action checklist relevant to their position (Recommendation 20).
- Creating an appropriate position within RailCorp that has responsibility for ensuring each train driver's training needs are being met and any safety concerns are properly addressed (Recommendation 71).

Other major areas of activity during the quarter included the conclusion of RailCorp's pilot trial of European Train Control System (ETCS) Automatic Train Protection (ATP) technology on the Blue Mountains Line (Recommendation 32) and the Australasian Railway Association's (ARA) confirmation of arrangements with the rail industry for developing and implementing the Australian Network Rules and Procedures (ANRP) (Recommendation 43).

Waterfall Report Fourteen can be read in full on ITSRR's website at:

http://www.transportregulator.nsw.gov.au/publications/reports/waterfall_reports08/waterfallreports08.html



Guidance for safety performance reports & contractor obligations

The Rail Safety Regulators Panel (RSRP) is finalising guidance material on safety performance reports and contractor obligations to support the implementation of the National Model Legislation after seeking input from industry.

The RSRP, which comprises rail safety regulators from all States and Territories, developed the two documents and released them for industry comment in July.

The [Guidance on Safety Performance Reports](#) provides guidance to rail transport operators on preparing and submitting Safety Performance Reports, and guidance to rail safety regulators on their receipt and assessment.

The [Guidance on Contractor Obligations](#) is designed for rail transport operators and contractors and covers the general duties, identifying who may be accredited to undertake certain railway operations, the alignment of the safety management systems (SMS) of the rail transport operator and contractor, and good practice on contract management.

ITSRR received comments on the two draft documents from the Rail, Tram and Bus Union (RTBU), Association of Tourist and Heritage Rail Australia (ATHRA), Laing O'Rourke and Transport Infrastructure Development Corporation (TIDC).

This feedback and other comments received by rail safety regulators in other jurisdictions will be reviewed and final draft documents submitted for consideration at the RSRP's November 2008 meeting.

For more information refer to the Information Alert issued by ITSRR on 10 July 2008:

http://www.transportregulator.nsw.gov.au/publications/information_alerts/infoalert_comment_invited_on_guidance.pdf

Heritage operator workshops

ITSRR has successfully hosted the third in a series of workshops providing practical assistance to heritage rail operators in meeting their obligations under the rail safety laws.

A total of 18 operator representatives attended the most recent workshop in Campbelltown on 29-30 August, following on from those in Lithgow (9-10 August) and Canberra (June).

The workshops include practical exercises and presentations covering how ITSRR regulates, governance for board members (focusing on good administrative safety management) and risk management for safety managers.

Feedback from the workshops has been positive and ITSRR plans to run another in Coffs Harbour before the end of the year. For details, contact Cathy Dowe on (02) 8263 7142 or cathy.dowe@transportregulator.nsw.gov.au

A range of information for heritage rail operators is available on ITSRR's website at: www.transportregulator.nsw.gov.au/heritage.html



ITSRR's Reiner Mangulabnan looks on as participants take part in ITSRR's heritage operator workshop in Canberra in June.

Organisational changes prepare ITSRR for the future

ITSRR has implemented a number of internal structural changes to strengthen the future delivery of its corporate priorities for the rail safety regulation and transport safety advice programs.

The restructure of ITSRR's Rail Safety Regulation and Transport Regulation Strategy Divisions, which took effect from 18 August 2008, is designed to equip the Regulator to meet future challenges by obtaining maximum value from the design and allocation of its resources.

The key changes brought about by the restructure are:

- changing the name of the Rail Safety Regulation Division (headed by Len Neist) to Transport Safety Regulation (TSR) Division
- changing the name of the Transport Regulation Strategy Division (headed by Natalie Pelham) to Policy and Strategy (P&S) Division
- establishing a functional working relationship between TSR and P&S Divisions with Natalie Pelham having the dual roles of Executive Director Policy and Strategy and Deputy Executive Director Transport Safety Regulation

- changing the name of Rail Intelligence and Development Branch (headed by Simon Meiers) to Transport Safety Improvement Branch with a new reporting line to Executive Director Policy and Strategy

To view ITSRR's structure chart in detail, visit the website at:

http://www.transportregulator.nsw.gov.au/aboutUs/organisation_structure.html

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Rail safety forum meets

Rail safety worker competencies and changes to data classification and reporting were two of the topics on the agenda at the Rail Safety Strategic Forum's (RSSF) second meeting for 2008 on 15 August.

The Forum comprises representatives of ITSRR, the rail industry and unions and meets three times a year.

To read more about the RSSF including minutes of its meetings, go to the ITSRR website at:

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

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