



# The Regulator

safe and reliable transport services for new south wales



## Message from the Chief Executive

Welcome to the first edition of 'The Regulator' for 2006. Over the past months ITSRR has been consulting with industry on proposed amendments to the rail safety act regulations and guidelines as well as changes to rail operator drug and alcohol (D&A) testing requirements. I would like to take this opportunity to thank industry for their invaluable input. The submissions are currently under review.

I would also like to welcome our new Executive Director of the Rail Safety Regulation Division, Mr Michael Quinn and our new Chairman of the ITSRR Advisory Board, Mr Rob Schwarzer. ITSRR is providing an opportunity for industry to meet with both Mr Quinn and Mr Schwarzer on Thursday, 9 March 2006.

In the last quarter ITSRR:

- presented the fourth quarterly report on the implementation of the NSW's Government's Response to the Special Commission of Inquiry (SCOI) into the Waterfall Accident to the Minister for Transport;
- released the National Accreditation Package (NAP) V2.0 and Audit Checklist;
- released the ITSRR Annual Report including the Annual Safety Report and Annual Reliability Report; and
- held an Executive Safety Seminar on Best Practice in Rail Safety Data Collection & Analysis.

As we look forward to the year ahead, I would like to continue to build on the great achievements of last year in improving rail safety in NSW through the introduction of the National Model Legislation and the continued implementation of the Government's response to the Special Commission of Inquiry's (SCOI) Final Report on Waterfall. For further information please visit our website at [www.transportregulator.nsw.gov.au](http://www.transportregulator.nsw.gov.au)

Carolyn Walsh  
Chief Executive  
ITSRR

### In this addition

- ▶ ITSRR Welcomes Executive and Chairman.....2
- ▶ Executive Safety Seminar Series.....2
- ▶ ITSRR Quarterly Waterfall Reports.....3
- ▶ Annual Calendar of Events.....6



## New Executive Director Rail Safety Regulation Division



Following an extensive search, ITSRR is pleased to announce the appointment of Michael Quinn as the new Executive Director of its Rail Safety Regulation Division. Mr Quinn commenced at ITSRR on 30 January 2006.

Reporting to ITSRR's Chief Executive, Carolyn Walsh, Mr Quinn will lead the Rail Safety Regulation Division which is responsible for accreditation of rail transport operators in New South Wales under the *Rail Safety Act 2002*. The Division ensures that rail operators comply with accreditation requirements and assists rail operators to understand and meet their obligations.

Mr Quinn's previous post was as the Senior Vice President Group Safety, Emirates Group, based in Dubai. He has extensive experience in Safety Management Systems and conducting safety audits, both of which are key elements of rail safety regulation in NSW.

## New ITSRR Advisory Board Chairman

Following the retirement of Mr Ron Christie



AM, on 31 December 2005 the Governor, on advice from the Minister for Transport, the Hon John Watkins MP, appointed Mr Rob Schwarzer as Chairman of the ITSRR Advisory Board. Mr Schwarzer has been a member of the ITSRR Advisory Board

since December 2003 and we are pleased to welcome him into his new role as Chairman.

A civil engineer, Mr Schwarzer has over 36 years' experience in the transport industry covering freight and passenger services. Mr Schwarzer has worked with government-owned rail, bus and ferry services and headed

the private sector Sydney Light Rail Company. He has extensive experience in construction, operation and strategic planning for transport systems in both public and private ownership.

## Executive Safety Seminar (ESS)

On 5 December 2005 ITSRR held an Executive Safety Seminar on Best Practice in Rail Safety Data Collection & Analysis. The Seminar featured: Carolyn Walsh, Chief Executive, ITSRR; Kit Filor, Deputy Director Surface Safety Investigation, Australian Transport Safety Bureau; Justin Olden, PA Consulting Group; David Edwards, General Manager Safety, Pacific National; Catriona Scott, Manager Safety & Compliance, Southern and Silverton Railway; and Professor John Glastonbury, President, 3801 Limited and was chaired by Phil Sochon, Deputy CEO, Australasian Railway Association.

The Seminar provided attendees with the opportunity to discuss: what set of rail safety data is useful for industry and why; and release of information by regulators- commercial sensitivity verses public interest. ITSRR was pleased with the participation level by industry members and the open and frank dialogue which ensued. Of particular note was the unanimous view that data comparisons between states could be misleading. Industry representatives at the Seminar suggested that a more accurate way of portraying the state of safety in NSW would be to make comparisons between similar sized and natured rail industry sectors, for example heritage, freight and metropolitan operators, rather than by state jurisdiction.

The next Executive Safety Seminar will be held on Monday, 3 April 2006 commencing at 4.00pm at The Mint and the topic of discussion will be 'Safety Culture' – determining the appropriate role for regulators and rail operators in promoting 'Safety Culture' in the rail industry.

To contribute to the content of

the **Regulator**

or to request information on certain topics please email

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

## Quarter Four 2005 Waterfall Report

On 6 February 2006 ITSRR released its fourth quarterly report on the implementation of the NSW Government's response to the Special Commission of Inquiry (SCOI).

"Good progress was made during the fourth quarter of 2005 with significant numbers of recommendations nominated for closure by agencies or verified and closed by ITSRR," said Carolyn Walsh Chief Executive, ITSRR.

The major areas of activity during the quarter included:

- incident response and emergency management with the introduction of new procedures and plans, including regular training programs;
- implementation of new safety management systems and risk management processes;
- improved reporting procedures for train defects; and
- training programs across a range of areas.

During the reporting period 1 October 2005 – 31 December 2005 the following was achieved with respect to the 177 recommendations (including 127 recommendations and 50 sub-elements):

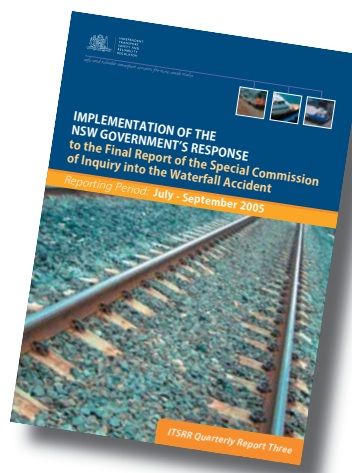
- agencies nominated 38 (21%) recommendations for closure;
- ITSRR validated and closed out a further 27 (15%) recommendations (14 RailCorp, 5 OTSI, 1 RailCorp and Emergency Services and 7 ITSRR); and
- target dates for implementation of accepted recommendations remain on schedule, except for 5 (3%) recommendations.

The five recommendations that slipped do not pose safety risks to the NSW travelling public or present any immediate concerns for ITSRR. The slippages in timeframes are minor and the recommendations largely concern governance and legal matters which are scheduled for completion for the most part by the end of March 2006.

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:

- 62 (35%) recommendations verified and closed;
- a further 68 recommendations (38%) are currently claimed for closure by agencies and are being verified by ITSRR;
- a further 26 (15%) recommendations are due for completion by the end of 2006;
- 1 (0.5%) recommendation (the introduction of national communications technical standards) will be implemented by 2010 (unchanged from last quarter); and
- 20 (11.5%) recommendations referred to the National Transport Commission (NTC) have revised implementation timeframes based on advice from the NTC.

This brings the total number of recommendations currently closed or claimed by agencies to be closed (and being verified by ITSRR) to 130 or 73% of all recommendations. A further 26 recommendations are due to be implemented during 2006, bringing the total number due for completion by the end of 2006 to 156 or 88%.



## National Accreditation Package (NAP)

In late 2005 ITSRR issued an information package seeking industry comments on the proposal to adopt the National Accreditation Package (NAP) as a guideline under the [Rail Safety Act 2002](#), effective 30 June 2006.

The NAP was developed by the Australian Rail Safety Regulators Panel (RSRP) in consultation with industry during 2004, and endorsed by State and Territory Transport Ministers in December 2004.

A revised version of the NAP (version 2.0) was released in December 2005. It has been revised to achieve greater consistency with the revised AS 4292.1:2006 Railway Safety Management - General Requirements (AS 4292.1).

The key changes to the NAP include:

- Safety Management Systems (SMS) elements have been re-ordered to follow the structure of the revised AS4292.1;
- mandatory SMS requirements and associated definitions have been revised to ensure consistency with the revised AS4292.1;
- significant changes to mandatory SMS requirements including:
  - A new section on Safety Culture (Accreditation Guideline section 3.13);
  - Risk Management requirements (Accreditation Guideline section 3.16) have been revised to indicate that the SMS must include a risk register.

The RSRP has also developed an Audit Checklist to provide a consistent basis for the audit of accredited railway operator SMSs and the assessment of applications for accreditation by state and territory rail safety regulators.

The Audit Checklist is intended to address the requirements of both NAP and AS 4292.1. The Audit Checklist has been published to assist accredited railway operators and applicants for accreditation to assess their SMS and identify areas for improvement. Both the NAP V2.0 and the Audit Checklist are now available on ITSRR's website.

ITSRR will provide further information on the commencement of the NAP in NSW, once submissions received from operators and industry groups are considered.

## Impacts of Freight Incidents on CityRail Passenger Service Reliability

On 4 May 2005, the Minister for Transport requested that ITSRR provide advice on the impact which freight incidents have on the reliability of CityRail passenger services. In August 2005 the ITSRR Service Reliability Division released an [Interim Report - Stage 1](#) regarding this issue. Stage 2 of the Report is expected to be released during March 2006.

To provide the staff of ITSRR's Service Reliability Division with a greater understanding of the intricacies of freight services and incidents, a freight operator facilitated field trips and travel on its freight services. These trips provided ITSRR staff with the opportunity to observe the many challenges involved in running freight services. The challenges included: communications on the network; passing between ARTC and RailCorp controlled areas; and, observing passing freight trains for any equipment failures. This information was important in ensuring that the Report was based on the best possible information.



Liz Reedy, Senior Research Officer, Community

# Calendar of Events

<p>January</p> <p>31<sup>st</sup>- Waterfall Report presented to Minister</p>	<p>February</p> <p>8<sup>th</sup> - ITSRR Rail Safety Strategic Forum meeting</p> <p>8<sup>th</sup>, 9<sup>th</sup> - Rail Safety Regulators Panel meeting, Hobart</p>	<p>March</p> <p>9<sup>th</sup>- Meet and Greet with new ITSRR Executive Director, Rail Safety Regulation Division, Michael Quinn and new ITSRR Advisory Board Chairman, Rob Schwarzer</p>
<p>April</p> <p>3<sup>rd</sup> - Executive Safety Seminar</p> <p>28<sup>th</sup> - Waterfall Report presented to Minister</p>	<p>May</p> <p>10<sup>th</sup> - ITSRR Rail Safety Strategic Forum meeting</p> <p>17<sup>th</sup>, 18<sup>th</sup> - Rail Safety Regulators Panel meeting, Darwin</p>	<p>June</p>
<p>July</p> <p>31<sup>st</sup>- Waterfall Report presented to Minister</p>	<p>August</p> <p>7<sup>th</sup>- Executive Safety Seminar</p> <p>9<sup>th</sup>- ITSRR Rail Safety Strategic Forum meeting</p> <p>16<sup>th</sup>, 17<sup>th</sup> - Rail Safety Regulators Panel meeting, Adelaide</p>	<p>September</p>
<p>October</p> <p>31<sup>st</sup>- Waterfall Report presented to Minister</p>	<p>November</p> <p>8<sup>th</sup> - ITSRR Rail Safety Strategic Forum meeting</p> <p>15<sup>th</sup>, 16<sup>th</sup> - Rail Safety Regulators Panel meeting, Melbourne</p>	<p>December</p> <p>4<sup>th</sup> - Executive Safety Seminar</p>

## Contact Details

Independent Transport Safety and Reliability Regulator

Email: [contact@transportregulator.nsw.gov.au](mailto:contact@transportregulator.nsw.gov.au)

PO Box A2633  
Sydney South

NSW 1235

Lvl 22, 201 Elizabeth St

Sydney NSW 2000

Phone: 02 8263 7100

[www.transportregulator.nsw.gov.au](http://www.transportregulator.nsw.gov.au)

