



# The Regulator

## Message from the Chief Executive



I would like to begin this edition of The Regulator by warmly welcoming Len Neist who joined ITSRR's Advisory Board in June this year. Len's knowledge and experience in safety make him an excellent addition to our Advisory Board and I look forward to working with him into the future. Further information about Len may be found on page 5.

Also this quarter we have included an update on the National Model Legislation, in particular the work being done to develop a NSW Bill and to finalise the National Model Regulations. There is still much work to be done but ITSRR is confident that the processes put in place by the NTC and ITSRR will ensure that NSW is ready for the 1 July 2007 commencement date.

We look forward to providing you with further information and assistance as we work towards implementation of the new Act, Regulations and Guidelines.

Other recent developments include the introduction of the Safety Management System (SMS) guidelines and Exemption regulations from 1 July, changes to Drug and Alcohol (D&A) testing requirements in August, and most recently the introduction of new regulations from 1 September for train radio communication systems in NSW. This is an important step forward to improving the safety of train and radio communication in the state until the longer term objective of a nationally consistent train radio standard is achieved in 2010. Importantly this also meets a recommendation from both the Glenbrook and Waterfall SCOI Reports.

While on the topic of Waterfall, ITSRR is pleased to note that 75 percent of the recommendations have been implemented to date in relation to the Government's response to the Special Commission of Inquiry final report into the Waterfall rail accident. Please find details of the sixth Waterfall Report on page 3, and keep an eye on ITSRR's website for the upcoming release of the seventh Waterfall Report.

ITSRR has also recently released its third annual CityRail Customer Survey, which received positive feedback in the first full reporting period since the new timetable was introduced in September 2005. It can be read about on page 4.

2005-2006 has been a busy but rewarding year in transport safety. ITSRR is currently preparing the annual Corporate Report and its annual Industry Safety and Reliability Reports, which will both be tabled in parliament in the near future. ITSRR will be sure to alert its stakeholders to the release of both these reports when they become available.

ITSRR recognises this is and remains a challenging time for the industry to come to grips with the new requirements for safety management systems that have now been mandated within NSW.

Carolyn Walsh  
Chief Executive



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## Ministerial follow-up on Office of Transport Safety Investigation (OTSI) Reports

Arrangements have recently been revised in relation to the action the Minister for Transport takes on receipt of OTSI Rail Investigation Reports.

The Minister will no longer write to all interested parties referred to in the report. Instead, the Minister will only write to ITSRR seeking advice on the implementation of the OTSI recommendations.

On receipt of the OTSI Report ITSRR is now responsible for writing to each of the interested parties and for any follow-up action. Subsequently ITSRR reports directly to the Minister on the status of the recommendations.

These revised arrangements were discussed at a recent meeting of the Transport Regulators Executive Committee (TREC), and the suggestion was made that the Minister may wish to consider adopting similar practices in relation to OTSI Bus and Ferry Investigation Reports.

This would mean that, instead of writing to each interested party referred to in the OTSI report, the Minister would only write to:

- The Ministry of Transport in the case of Bus Investigation Reports; and
- NSW Maritime and the Minister for Ports and Waterways in the case of Ferry Investigation Reports;

As in OTSI rail investigation reports seeking advice on the implementation of the OTSI recommendations.

It would be the responsibility of the relevant regulators to write to each of the interested parties, and for any follow-up action, including reporting directly to the Minister on the status of the recommendations.

## Executive Safety Seminar (ESS) - Risk Management Frameworks

On Monday 7 August 2006 ITSRR hosted its second Executive Safety Seminar (ESS) for 2006, which covered the topic of 'Risk Management Frameworks'.

The seminar provided an opportunity for the NSW rail industry to come together and acquire different ideas about 'Risk Management Frameworks' from the presenters, and ask and discuss further within the group how these can be applied in the industry.

Three excellent presentations were made by Kevin Band, Managing Director, Risk & Safety Consultancy Group, Gareth Hughes, RailCorp, and Professor Jean Cross, University of NSW and ITSRR Advisory Board member.

At the conclusion of the seminar ITSRR polled attendees regarding the ESS series and its topics and scheduling. In ensuring the ESS series meets the needs of the NSW rail industry ITSRR has taken on board comments provided and will continue to improve the series accordingly.

The next ESS will be held on Monday 20 November 2006, commencing 4pm at The Mint. Further details of the seminar, including the topic and who will be presenters, will be released closer to the date.

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)



## ITSRR publishes CityRail Customer Survey

In September ITSRR published its third CityRail Customer Survey, which was the first full monitoring survey since the introduction of the new CityRail timetables in September 2005 (for most of the network) and in May 2006 (for the Illawarra, South Coast and Eastern Suburbs).

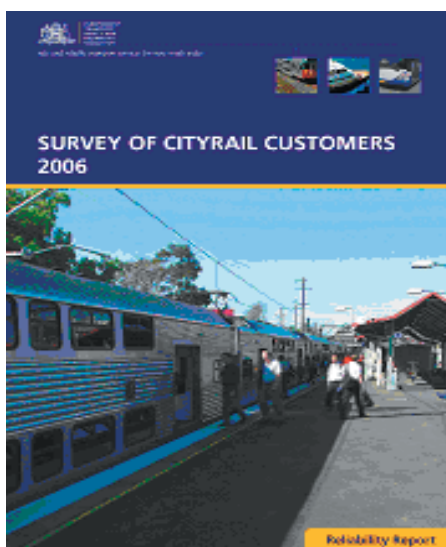
The key findings from the third annual monitoring survey of CityRail customers was that there have been substantial improvements in reliability-related aspects of CityRail's service according to train users' perceptions and experiences' in the last six months.

Punctuality and the level of delays and cancellations now meet customer expectations for the majority of train users. These two aspects of service are the ones with the biggest changes since the 2005 annual survey.

CityRail's punctuality now meets customer expectations for 64% of train users, an increase from 38% in 2005. The level of delays and cancellations now meet customer expectations for 59% of train users, an increase from 38% in 2005.

The three aspects of service of greatest concern for train users in 2006 (i.e. of high importance and low quality) are:

- Crowding in trains in peak hours;



- The clarity of announcements on trains; and
- Staff visibility on platforms in the evenings.

Compared with the 2004 and 2005 surveys, when CityRail's on-time running performance was poor, there are substantial changes in train users' perceptions of punctuality, delays and cancellations, and train frequency. For each of these aspects of service the proportion of train users whose expectations are not being met has decreased considerably.

Nevertheless at least a third of train users still consider these aspects of service to be important but poorly delivered. There have also been changes in train users' experience. They have experienced delays, skipped stops and crowding less frequently than in 2005.

Two of the findings, those relating to train frequency meeting more customers' expectations and the reduced frequency of experiencing crowding, may seem at odds with a new timetable which delivers fewer services.

These two findings probably indicate that, when on-time running was poor, the frequent delays led to many crowded trains and trains which came with unpredictable frequency.

Aspects of service where train users are most likely to rate both importance and quality positively are those relating to information services – the website, signage for navigating the network and the 131-500 information phone line – and the politeness, friendliness, knowledge and helpfulness of CityRail staff.

Commenting on the survey, ITSRR's Chief Executive, Carolyn Walsh, said the findings are consistent with CityRail's improved on-time running performance since the introduction of the new timetable.

"Train frequency and journey times also meet more customers' expectations than in 2005, a finding which may seem at odds with the new timetables which, overall, deliver fewer services and longer journey times", said Ms Walsh. "The explanation may be that train frequency and journey times are more predictable now that trains are usually on time."

## New ITSRR Advisory Board Member

In June 2006 ITSRR welcomed a new member to its Advisory Board, Mr Len Neist. Mr Neist brings a vast array of experience to the board having worked for the Department of Defence as an Aerospace Engineer for over 20 years, with TDA Systems Engineering as a Senior Systems Engineer, and is currently working with Booz Allen Hamilton where he started in 2000.

Mr Neist is a senior engineer experienced in all aspects of technology management and systems assurance including:

- Requirements derivation;
- Analysis and specification;
- Logistics engineering;
- Systems engineering;
- System safety engineering;
- Acquisition management;
- Project management;
- Risk management;
- Test and evaluation; and
- Design certification and acceptance.

Mr Neist has undertaken a broad range of training and qualifications which include the following:

- A Master of Science in Logistics Management;
- Training with the United States Air Force Institute of Technology (1986-87);
- A Bachelor of Engineering (Mechanical);
- A Certificate IV in Assessment & Workplace Training; and
- A Master Project Director (AQF Level 6) at the Australian Institute of Project Management.

For the NSW Special Commission of Inquiry into the Waterfall accident Mr Neist acted in the capacity of program manager for Phase II of the Commission's inquiry into the railway's safety management systems.

He also led the Commission's inquiry into ITSRR's evolving organisation where he was responsible for an in depth analysis of the safety governance of the rail operator with particular emphasis on the role and accountability of the Board.



- Len Neist following a recent Advisory Board meeting

He has also been a consultant within the rail industry with Queensland Rail, the Australian Rail Track

Corporation (ARTC), the Victorian Department of Infrastructure and the Department of Transport and Regional Services.

For the ARTC Mr Neist conducted risk workshops and provided risk and system safety analysis in support of development of a functional performance specification for a communications based train management and control system.

With Queensland Rail he managed a risk and safety workshop to test the level of integration and understanding between emergency services in Queensland in response to a rail disaster.

Mr Neist has demonstrated his ability to work across many different environments, successfully adapting his aerospace skills to maritime, rail and security environments.

He is an experienced facilitator of risk analysis and is skilled in maintenance requirements determination.

ITSRR welcomes and looks forward to seeing Mr Neist excel in his new capacity as a member of ITSRR's Advisory Board.



Rob Lee, Jean Cross, Carolyn Walsh and Rob Schwarzer are the other members of ITSRR's advisory board.

## National Model Rail Safety Package – ITSRR Implementation

The National Model Rail Safety Bill was approved by the Australian Transport Council (ATC) in June this year. Since this time a great deal of work has been undertaken at both the national level and within NSW towards implementation of the Bill.

The National Model Bill and the current NSW Act have many similarities. The main differences between the National Bill and the current NSW Act include:

- General Duties;
- Accreditation & Safety Management Systems;
- Contractor Management;
- Variations to Accreditation;
- Cooperation between regulators;
- Rail Safety Worker Competency;
- Registration of Private Sidings; and
- Interface Coordination Plans.

To view these differences in more detail, please refer to the fact sheet titled 'Key differences between NSW Rail Safety Act 2002 and the National Rail Safety Bill 2006' on our website [www.transportregulator.nsw.gov.au](http://www.transportregulator.nsw.gov.au)

The National Model Bill will be supported by national model regulations, a number of Guidelines and supporting information. The regulations were released by the National Transport Commission (NTC) for public comment in August 2006 and will be submitted to ATC Ministers at the end of November for a 4 week voting period.

Additionally, a number of Guidelines and other

information resources are being developed for both rail transport operators and rail regulators which will be designed to provide a consistent approach to regulation and advice to operators on their obligations under the Bill. These cover:

- Accreditation Guideline;
- SMS Guideline & Management of Change Guideline;
- Compliance & Enforcement Policy Guideline;
- So far As Is Reasonably Practical (SFAIRP) Guideline;
- Disclosure of Information by Rail Safety Regulators Guideline; and
- Uniform business rules for accreditation Guideline.

Other information resources include:

- Standard Notice of Accreditation & Guideline;
- Emergency Management Planning Resource Information; and
- Security Planning Resource Information.

There are also transition arrangements being developed which give a 12 month transition for the Bill and Safety Management System (SMS) requirements with other varying timeframes for different aspects of the Bill. The NTC has developed a transition policy agreed upon by all jurisdictions which ensures transition arrangements are the same for all jurisdictions.

Recognising this transition process, ITSRR will continue to provide information to industry through seminars, workshops, external newsletters, email and the website to explain what is expected of operators. If you are not currently receiving invitations to attend such events and would like to, please email: [contact@transportregulator.nsw.gov.au](mailto:contact@transportregulator.nsw.gov.au)

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