

# About the Independent Transport Safety and Reliability Regulator

## Constitution

The Independent Transport Safety and Reliability Regulator (ITSRR) is constituted under the *Transport Administration Act 1988* and became operational on 1 January 2004.

ITSRR is a statutory authority, independent of the Ministry of Transport and transport operators in relation to its core functions.

## Abolition of the Office of Co-ordinator General of Rail

The legislation establishing ITSRR also abolished the Office of the Co-ordinator General of Rail (OCGR). None of the functions of OCGR were transferred to ITSRR.

## Our Charter

ITSRR's charter is to facilitate the safe operation of transport services in NSW.

## Core Functions

ITSRR's core functions are:

### **Rail Safety Regulation**

ITSRR is the safety regulator of the NSW rail industry. Regulation of rail safety is achieved through:

- accreditation of railway operators to ensure they have the systems, skills and capacity to run operations safely;
- auditing accredited operators' safety management systems;
- verifying compliance with the *Rail Safety Act 2002* and an operator's terms of accreditation through inspections and investigations;
- monitoring implementation of safety initiatives, safety recommendations and actions;
- collecting and analysing data from operators to identify safety trends and target regulatory action appropriately;
- conducting research into safety issues to identify improvements for safety regulation in NSW; and
- conducting education and awareness activities to assist rail operators to understand and comply with their obligations.

### **Reliability Monitoring**

ITSRR has a role in advising on the performance of publicly funded transport services against standards set by the NSW Government.

In relation to a transport service, reliability means quality, effectiveness and efficiency of the service, having regard to the following matters:

- fulfilment of obligations under contracts and arrangements relating to the provision of services, including timeliness and quality of services;
- management and administration of infrastructure, assets, resources and liabilities; and
- any other matters prescribed by the regulations.

ITSRR's reliability monitoring role also complements its safety function. By understanding the pressures on the delivery of services and the management of infrastructure and other assets, ITSRR can identify potential conflicts between service standards and safety.

### **Strategic Co-ordination across Transport Modes**

ITSRR provides strategic co-ordination and leadership on safety issues for public transport operations across rail, bus and ferry transport modes. This involves ITSRR working in co-operation with the regulators of buses (Ministry of Transport) and ferries (Waterways Authority<sup>1</sup>) to promote consistency in safety regulation when appropriate. This may include, for example, the application across transport services of:

<sup>1</sup> The Waterways Authority became the NSW Maritime Authority on 1 September 2004.

- Drug and alcohol testing;
- Fatigue management;
- Medical standards; and
- Implementation of safety management systems.

ITSRR works in conjunction with other regulators such as WorkCover, the Department of Environment and Conservation and the Roads and Traffic Authority. Interaction also occurs with safety regulators at the national level, particularly the Australian Transport Safety Bureau and transport safety regulators from other States, and through national policy making bodies like the Commonwealth Standing Committee on Transport.

### ***Investigation***

The Office of Transport Safety Investigation (OTSI) undertakes investigations into serious rail, bus and ferry accidents and incidents and related transport safety issues.

The purpose of OTSI investigations is to identify what has occurred, why it has occurred and to recommend safety actions to rectify deficiencies and prevent recurrence of similar incidents. OTSI investigations do not seek to attribute blame, but rather establish the factors and sequences which have contributed to causing the incident.

Ultimately, OTSI is concerned with the safety interests of the travelling public and the staff of public and private sector transport services.

OTSI also manages a Confidential Safety Information Reporting Scheme (CSIRS) for employees of public passenger train, bus and ferry companies and freight rail operators. The Scheme enables employees to report information regarding safety occurrences and safety concerns they may be reluctant to report officially within their company, or where they have been unsuccessful in having previous internal reports addressed to their satisfaction.



# About the Advisory Board

## Role and Function

The principal functions of the Independent Transport Safety and Reliability Advisory Board are set out in the *Transport Administration Act 1988* and include:

- advise ITSRR and or make recommendations to ITSRR on safety and reliability;
- advise ITSRR on reports prepared by ITSRR and any other matter ITSRR may refer to the Board; and
- advise the Minister and/or make recommendations on the safe operation of transport services (including safety regulation by transport authorities) and the reliability of publicly funded transport services.

## Method and Terms of Appointment of Board Members

The Board consists of five members:

- a Chairperson appointed by the Governor, on the Minister's recommendation;
- three members appointed by the Minister (the appointed members); and
- the Chief Executive, ITSRR.

The members are appointed by the Minister and must have experience in one or more of:

- rail safety management systems;
- safety science;
- customer service;
- accident investigation; and
- public administration.

The Chairperson must have experience in transport safety management systems (including rail safety management systems).

The Minister is to consult with the Chairperson before appointing Board members.

Mr Ron Christie is the current Chairperson of the Board and was appointed for a period of five years from 16 December 2003. The three appointed members were selected after carefully considering the skills, expertise, international reputation and pre-eminence of a range of nominees, and potential conflicts of interest and the extent of any potential conflict. These members were appointed for periods of three years from 16 December 2003.

## Meetings

The Board determined that it would meet monthly, unless additional or extraordinary meetings are considered necessary.

The inaugural meeting of the Board was held over two days; 5 February 2004 and 19 February 2004.

Meetings have since been held on:

- 18 March 2004;
- 15 April 2004;
- 20 May 2004; and
- 17 June 2004.

The Board also convened two special meetings in May 2004: one with RailCorp's Board and the other to review ITSRR's new Safety Management Systems Training Package.

All Board members attended each of these meetings.

## Role of the Chairperson in relation to the Office of Transport Safety Investigation

The Chief Investigator of OTSI reports to the Chairperson of the Advisory Board and is not subject to the direction or control of the Chief Executive of ITSRR.

The Chairperson of the Advisory Board has the power to initiate safety inquiries into accidents or incidents involving railways, buses and ferries.

## Members of the Advisory Board



**Ron Christie AM**  
(BE, FIEAust, ASTC, FAIM) –  
Chairperson

Ron Christie has had extensive experience as a Chief Executive with a long history of involvement in public transport. Mr Christie has held a number of senior positions which include Chief Executive of the Roads and Traffic Authority (RTA), Chief Executive of the Olympic Roads and Transport Authority (ORTA), and Co-ordinator General of Rail.

While at ORTA, Mr Christie was responsible for co-ordinating the input of all public transport providers in NSW, including the RTA, the rail system, Government and private bus operators, ferry operators and volunteer car drivers, to provide for the transport needs of the Olympic and Paralympic Games. As Co-ordinator General of Rail, Mr Christie was responsible for the co-ordination of three rail entities, making recommendations to Government for changes to the organisational structure of the rail industry in NSW, including funding requirements.



**Professor Jean Cross**  
(BSc, PhD, FIEAust, MAIP)

Jean Cross is head of the UNSW's School of Safety Sciences and is involved in teaching and research in the area of risk management. Professor Cross has a degree and PhD in Physics gained in the UK. She is a Fellow of the Institute of Engineers Australia and a member of the Risk Management Institute of Australasia.

Professor Cross is Chair of the Australian Standards Committee, which prepared the *Australian/New Zealand Standard No. 4360 Risk Management* and is a member of the International Standards Committee, which prepared an IEC standard on Project Risk Management. She has participated in the preparation of Australian Standards handbooks on environmental risk management, and risk management in outsourcing.



**Rob Schwarzer**  
(BE (Civil), FIEAust, Churchill  
Fellow)

Rob Schwarzer is GHD's Business Development Manager responsible for the company's services to the railway industry. A civil engineer, he 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.



**Carolyn Walsh  
(BEc)**

Carolyn Walsh, Chief Executive of ITSRR is also a member of the Board.



**Dr Robert Lee  
(BA (Hons), PhD, FRAeS,  
FCILT)**

Rob Lee has extensive experience in air safety investigation and is regarded as one of the foremost authorities on human factors in safety management.

Dr Lee was appointed by the Bureau of Air Safety Investigation (BASI) as their first human factors specialist. In 1989 he was appointed Director of BASI. Under Dr Lee's leadership, BASI fundamentally changed the manner in which aircraft accidents and incidents were investigated and analysed in Australia, particularly through the application of advanced human factors and systems safety concepts. He has also worked with State Rail in introducing human factors and systems safety concepts to rail operations and training.

Dr Lee is now an international consultant in human factors and systems safety in aviation, rail and

other high technology industries and is a Group Captain in the RAAF Specialist Reserve. His recent airline clients have included Cathay Pacific, Emirates and Qantas, and the Australian Defence Force.