



part three

appendices

3.1 appendices

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summary of performance against 2005-06 corporate plan

The following table is a summary of ITSRR's achievements against its Corporate Plan priorities for 2005-06. More detail is provided in the program chapters of this Report.

A "Result" priority reflects an external outcome that ITSRR is aiming for, whereas a "Service" priority reflects a process within ITSRR that needed to be focused on.

In most cases, a number of Divisions of ITSRR contribute to achieving each priority.

| Result priority | Summary result | More details |
|---|--|------------------|
| Take action on identified rail safety management priorities (including improving risk and safety management systems as a preventive measure, emergency management, security, train protection systems, train radio communication systems, infrastructure and rolling stock condition, and safety training for the rail industry.) | Action taken on all areas. A significant achievement has been the progress towards implementing the National Rail Safety Accreditation Package (NAP) that introduces more rigorous requirements for the safety management systems of rail operators. | See pages 22-34. |
| Develop national model legislation and regulations for rail. | National Model Rail Safety Bill endorsed in June 2006 with significant input by ITSRR. Further work to develop regulations scheduled for 2006-07. | See pages 42-43. |
| Verify and report on the implementation of Waterfall Inquiry recommendations. | Verification and reporting significantly advanced, with 75% of recommendations implemented as at June 2006. | See pages 35-37. |
| Establish and report on performance measures for transport regulators and across transport modes. | Considerable liaison across NSW transport regulators on performance measures, reflected in this Annual Report. | See pages 45-48. |
| Provide advice to Government and publish reports on the performance and sustainability of publicly funded transport services. | Wide range of timely and high quality reports provided on reliability and sustainability of transport networks. | See pages 49-54. |

| Result priority | Summary result | More details |
|---|---|----------------------|
| 1. Develop and implement single integrated audit schedule, methodology and program for rail. | Audit schedule in place and audits conducted in line with schedule. | See page 40. |
| 2. Define, document and implement ITSRR's Corporate Management System. | System designed and scoped and substantial progress on populating it with documented policies and business processes. Work ongoing until full implementation. | See page 66. |
| 3. Define and implement effective framework to use and manage corporate knowledge. | Framework defined, with implementation scheduled for 2006-07. | See page 62. |
| 4. Full implementation of ITSRR's corporate performance reporting framework. | Full implementation achieved. | See pages 59-60. |
| 5. Enhance ITSRR's capability to collect and utilise safety intelligence to determine safety management priorities for ITSRR's attention. | Capability progressed, with further work scheduled. | See pages 41, 65-67. |

ITSRR's charter and aims

Under the *Transport Administration Act 1988*, the principal objective of ITSRR is to “facilitate the safe operation of transport services in the State”.

ITSRR also has the following statutory objectives:

- to exhibit independence, rigour and excellence in carrying out its regulatory and investigative functions;
- to promote safety and reliability as fundamental objectives in the delivery of transport services.

accredited operators of railways in nsw

The following list details the names of all accredited rail operators in NSW during 2005-06. CNO refers to Currently Not Operating at the time of writing this report.

380I Limited
Airport link Pty Ltd (exempted in July 2005)
Australian Railway Historical Soc. (ACT Div)
Australian Western Railroad
Australian Rail Track Corporation
AW Edwards Pty Ltd
Barclay Mowlem Construction Ltd
Bishop Austrans CNO
Blue Circle Southern Cement - Berrima Only
Blue Scope Steel Limited
Bovis Lend Lease Pty Ltd
Bradken Rail
Campbelltown Steam Museum
Chicago Freight Car Leasing Australia Pty Ltd
Coleman Rail
Cooma-Monaro Railway Inc.
CRT Group
Dorrigo Steam Railway & Museum CNO
Evans Deakin Industries Rail
Fluor Australia
Genesee Wyoming Australia Pty Ltd
Glenreagh Mountain Railway
Goulburn Crookwell Heritage Railway CNO
Grain Corp Operations Ltd
Great South Pacific Express
Great Southern Railway
Guyra & District Historical Society Machinery Group Inc.
Heggies Bulk Haul (since Nov 2005 trading as Scott Corporation Bulktrans)
Historic Electric Traction
Illawarra Light Railway Museum Society
Interail
John Holland Rail Pty Ltd
June Railway Workshops Pty Ltd
Lachlan Valley Railway Co-Op Society
Lachlan Valley Railway Freight Pty Ltd
Manildra Group
Melaleuca Station
Millennium Parklands Railway CNO
Museum of Applied Arts and Sciences
New England Railway CNO
NSW Rail Transport Museum
Oberon Tarana Heritage Railway Inc.
One Steel Manufacturing Pty Ltd
Pacific National
Pacific Rail Engineering
Patrick Rail Operations Pty Ltd (Patrick Port Operations)
Perisher Blue Pty Ltd
QR National
Rail Industry Service Providers Holdings
Rail Infrastructure Corporation - Country
Rail Technical Support Group
RailCorp
Regional Heritage Transport Association CNO
Richmond Vale Preservation Co-op Society
South Maitland Railway
South Spur Rail Services
Southern & Silverton Railway Pty Ltd
Southern ShortHaul Railroad
Speno Rail Maintenance Australia
State Mine Heritage Park Railway CNO
Steam Tram & Rail Preservation Co-op Society Ltd
Sydney Tramway Museum
Taylor Rail Track Pty Ltd
The Rail Motor Society
Thiess Hochtief Joint Venture
Timbertown Heritage Steam Railway - Wauchope
Transfield Services Australia
Transport Infrastructure Development Corporation
United Group Infrastructure Pty Ltd
United Group Rail Fleet Services
United Group Rail Services Ltd
V/Line Passenger Pty Ltd
Veolia Transport - Sydney Light Rail
Veolia Transport - Sydney Monorail
Works Infrastructure
Zig Zag Railway

ITSRR's principal officers (executive management team)

ITSRR's principal officers during 2005-06, comprising its Executive Management Team, were as follows:

Carolyn Walsh, Chief Executive

Carolyn Walsh (B.Ec, GAICD) has had extensive experience in the Commonwealth Government in policy development and program implementation in the areas of small business (regulation reform, export programs and access to finance), sectoral policies (particularly in steel, automotive and wood and paper products), science and innovation.

From 1996-1999 Ms Walsh was Minister-Counsellor, Industry Science and Technology, at the Australian High Commission in London.

In 2000 Ms Walsh joined the NSW Public Service where she was Executive Director Strategy in the Office of the Coordinator General of Rail. Her responsibilities included coordinating operational and safety issues between publicly owned rail authorities in NSW. Ms Walsh also provided advice in this capacity to the then Department of Transport on the preparation of the *Rail Safety Act 2002*. In January 2004 Ms Walsh was appointed Chief Executive of ITSRR.

In 2005-2006 the heads of ITSRR's Divisions were:

Michael Quinn, Executive Director, Rail Safety Regulation (Jan – June 2006)

During July – Dec 2006, Colin Holmes, currently Director Accreditation, Audit and Compliance, acted as Director Accreditation and Audit, the most senior position in the Division following the resignation of Kent Donaldson.

Michael Quinn (CSP Dip OH&S) joined ITSRR's Rail Safety Regulation Division as its Executive Director in January 2006.

Mick has extensive experience in the development and implementation of safety management systems, operational risk management programmes, safety auditing and accident investigation. He is a graduate of the University of Southern California Aviation Safety Management Programme, has a Diploma in Occupational Health & Safety and has held a Senior Commercial Pilots Licence.

Prior to joining ITSRR, Mick was based in Dubai as Senior Vice President - Group Safety for the Emirates Group. He held the responsibility for safety management programmes across a broad range of the Group's entities internationally. During his time in Dubai, he also held the position of Vice President - Flight Training, EMIRATES and was responsible for all ground and flight training aspects of the airline's Airbus and Boeing fleet. Prior to this, Mick was the Manager Air Safety Investigation, QANTAS Airways. He has also worked as a commercial pilot.

Mick has served on a number of domestic and international transport safety, advisory, and regulatory boards. He was appointed to the IATA (International Air Transport Association) Safety Board in 2005.

Mick is a member of the International Society of Air Safety Investigators and the Human Factors & Ergonomics Society.

Simon Foster, Executive Director, Service Reliability Division

Simon Foster (Grad Dip Mangt and Land and Engineering Survey Drafting Certificate) brings over twenty-five years of technical and management experience in rail covering track, fleet, operations, stations and communications. He was appointed as ITSRR's Executive Director Service Reliability in April 2004.

Among his career highlights was assignment to the Office of Coordinator-General of Rail (OCGR) on its establishment in June 2000, where he was a member of the team responsible for overseeing final preparations for rail services for the Sydney 2000 Games. Following the Games he remained with OCGR and was subsequently part of the team advising Government on the establishment of ITSRR.

Simon was awarded a Bicentennial Fellowship in Management (the equivalent of a Churchill Fellowship).

Simon has qualifications and current experience as a fireman on both steam and diesel locomotives on mainline operations. He also possesses qualifications as an Inspector of Permanent Way (Track).

Natalie Pelham, Executive Director, Transport Regulation Strategy Division

Natalie Pelham (BSc and MSocSc) has worked in safety regulation since 1994, initially working in a research unit at the University of Sydney followed by several years with WorkCover NSW where she held a number of senior positions. Natalie moved to the Transport Portfolio in 2003 to join the Special Project Team established to advise the Minister on formation of ITSRR.

Natalie joined ITSRR as Executive Director, Corporate Strategy Division in January 2004 and has recently submitted her PhD thesis in public health specialising in public policy (regulation) for workplace health and safety.

Paul Harris, Director, Corporate Services and Planning

Paul Harris (BCom) joined ITSRR in January 2003 after many years with StateRail.

Paul has held various past roles with organisational responsibility for human resource policy development and organisational change and, prior to appointment to ITSRR, managed the centralised human resources and accounting function for State Rail.

Paul is currently a member of the NSW cohort in the Executive Masters of Policy Administration conducted by the Australia and New Zealand School of Government.

performance and number of senior executive service officers

The following table outlines the number of Senior Executive Service positions in ITSRR.

| Number of SES Officers | | | | |
|------------------------|-----------------------------------|-----------------------------------|----------------------------------|---------------------------------|
| SES Level | No. of SES positions (total) 2005 | No. of SES positions (total) 2006 | No. of SES officers (total) 2006 | No. of female SES Officers 2006 |
| 1 | - | - | - | |
| 2 | 1 | 1 | 1 | 1 |
| 3 | 2 | 2 | 1 | 1 |
| 4 | 2 | 2 | 2 | 1 |
| 5 | 2 | 1 | 1 | 0 |
| 6 | 1 | 1 | 1 | 1 |
| TOTAL | 8 | 7 | 6 | 4 |

statement of performance and pay for ses officers level 5 and above

In 2005-06 ITSRR had two SES officers at Level 5 and above, Carolyn Walsh (Chief Executive) and Michael Quinn (Executive Director Rail Safety Regulation). Their performance achievements are outlined below:

| | |
|------------------|----------------------|
| Name: | Carolyn Walsh |
| Title: | Chief Executive |
| Remuneration: | \$243,360 pa |
| Level: | SES Level 6 |
| Performance Pay: | Not applicable |

Performance achievements:

Successfully managed the functions of the Independent Transport Safety and Reliability Regulator, including safety regulation of the NSW rail industry, strategic coordination of issues across transport modes of rail, bus and ferry and provision of advice to Government on the reliability of publicly funded transport services.

Major achievements during the year included:

- implementation of the National Rail Safety Accreditation Package for NSW rail operators, introducing a new Safety Management System (SMS) guideline that provided more rigorous safety requirements
- implementation of new rail safety regulations in NSW to give effect, amongst other things, to recommendations of the Special Commission of Inquiry into the Waterfall Rail Accident
- verification that 75% of the Waterfall Inquiry recommendations had been implemented as at 30 June 06
- chaired the National Steering Committee that provided policy advice to the National Transport Commission leading to the endorsement by Federal, State and Territory Transport Ministers of the new National Model Legislation
- initiated some 12 compliance investigations to assess whether specific accidents and/or incidents were the result of non-compliance by rail operators with their accreditation requirements
- managed the development of significant policy advice to Government on implementation of the new CityRail timetable
- introduced an expanded development framework for Managers and key staff
- significantly strengthened governance provisions through the development and implementation of new processes for risk and opportunity assessment, corporate planning and audit.

| | |
|------------------|---|
| Name: | Michael Quinn |
| Title: | Executive Director Rail Safety Regulation |
| Remuneration: | \$237,800 pa |
| Level: | SES Level 5 |
| Performance Pay: | Not applicable |

Performance achievements:

Following commencement in January 2006 successfully managed the Rail Safety Regulation Division covering accreditation of rail operators, the delivery of planned audit schedule, actioning of compliance investigations and monitoring of rail operator safety performance.

Major achievements during the year included:

- ensuring full compliance with statutory obligations for audit of rail operators
- reviewing Divisional structure and operational requirements and implementing a new structure to improve the effectiveness of the rail safety regulation function
- establishing business processes to improve safety incident analysis including the development of predictive performance indicators
- managing processes for the close out of recommendations arising from the Special Commission of Inquiry into the Waterfall Rail Accident.

about ITSRRs 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:

- advising ITSRR and/or making recommendations to ITSRR on safety and reliability;
- advising ITSRR on reports prepared by ITSRR and any other matter ITSRR may refer to the Advisory Board; and
- advising the Minister and or making 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 Advisory Board members

The Board consists of 5 members:

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

The appointed members must have experience in one or more of the following:

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

The Chairperson must have experience in transport safety management systems (including rail safety management systems) and is usually appointed for a period of five years.

The Minister is to consult with the Chairperson before appointing Board members who can hold office for periods of up to five years. The three appointed members are selected after carefully considering the skills, expertise, international reputation and pre-eminence of a range of nominees, potential conflicts of interest and the extent of any potential conflict.

Meetings

The Board meets monthly, unless additional or extraordinary meetings are considered necessary. During 2005-06, it held 12 meetings. Professor Jean Cross and Carolyn Walsh attended all meetings, Rob Schwarzer and Dr Rob Lee attended 11, Mr Ron Christie AM attended the six meetings for which he was eligible prior to his resignation as Chairman and Mr Len Neist attended the one meeting for which he was eligible.

Following the resignation of Mr Ron Christie AM on 31 December 2005, Mr Rob Schwarzer was appointed Chairman and, in May 2006, Mr Len Neist was appointed as a Board member.

members of the advisory board

Members of the Board as at June 2006 were:

Rob Schwarzer BE(Civil), FIEAust, Churchill Fellow - Chairman

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.



Professor Jean Cross BSc, PhD, FIEAust, MAIP

Jean Cross is Head of the UNSW's School of Safety Science 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 was 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 revising the IEC standard on Risk analysis of technological systems. She has participated in the preparation of Australian Standards handbooks on environmental risk management and risk management in outsourcing.



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 to the Bureau of Air Safety Investigation (BASl) as its first human factors specialist and, in 1989, was appointed Director.

Since 2000, Dr Lee has been an international consultant in human factors and systems safety in aviation, rail and other high technology industries. He has been an analyst on three major overseas civil air accident investigations, as well as providing evidence to the military Board of Inquiry into the RAN Sea King accident, 2005. His aviation clients have included Cathay Pacific, Finnair, Emirates, Qantas and CASA. He also worked with State Rail in introducing human factors and systems safety concepts to rail operations and training. He was a member of the Expert Panel on Safety Management Systems that provided advice to the Special Commission of Inquiry into the Waterfall Rail Accident.

He is a member of the Nuclear Safety Committee of the Australian Radiation Protection and Nuclear Safety Agency and a consultant on aviation psychology, human factors, systems safety and air safety investigation to the Australian Defence Force.





Mr Len Neist BE (Mech), MSc

Len Neist is Head of Booz Allen Hamilton's systems assurance team in Australia and New Zealand, with skills in system safety analysis, planning and management, reliability and risk engineering, major hazard analysis, vulnerability analysis, risk analysis and risk management. He joined Booz Allen Hamilton in June 2000 following a distinguished career in the Royal Australian Air Force and has been instrumental in the leadership, establishment and growth of the Defence and Strategic Security business for the company.

Mr Neist has consulted with a range of rail systems including : the NSW Special Commission of Inquiry into the Waterfall Rail Accident, Queensland Rail, Australian Rail Track Corporation and Victoria Department of Infrastructure and Department of Transport and Regional Services.



Carolyn Walsh BEc

Carolyn Walsh, Chief Executive of ITSRR is also a member of the Board. Her background details are outlined on page 14.

significant committees

ITSRR's internal committees, including details of their functions and activities during 2005-06, are outlined on page 57.

ITSRR also facilitates the Transport Regulators Executive Committee (TREC). TREC comprises the chief executives of the three agencies responsible for regulating the safety of public passenger transport; ITSRR, the Ministry of Transport and NSW Maritime. It is chaired by the Chief Executive of ITSRR.

TREC's role is to act as a mechanism to share information, with the objective of identifying and where applicable, resolving issues that are relevant for all three transport modes. This ensures that each agency understands the commonalities and differences between their approaches to safety regulation.

ITSRR is also involved in a number of sub-committees to develop the national model rail safety legislation and regulations.

grants to non-government organisations

ITSRR did not make any grants to non-government organisations during 2005-06.

principal legislation administered by ITSRR

ITSRR exercises functions under the:

- **Rail Safety Act 2002** and Regulations made under that Act;
- **Transport Administration Act 1988**;
- **Passenger Transport Act 1990**; and
- **Transport Legislation Amendment (Waterfall Rail Inquiry Recommendations) Act 2005**.

significant judicial decisions

There was one significant judicial decision involving ITSRR during the year. The case was titled **Junee Railway Workshop Pty Limited v Independent Transport Safety and Reliability Regulator [2006]** NSW Administrative Decisions Tribunal 184.

This case concerned an application by Junee Railway Workshop (JRW) for a stay of a Prohibition Notice issued to it by ITSRR. The Tribunal stayed the Notice on the condition that JRW gave certain undertakings relating to the implementation of safety measures relating to train movements.

legal changes

During 2005-06 the following legal changes to rail safety regulations were enacted:

- Rail Safety (General) Amendment (Miscellaneous) Regulation 2006** commenced on 31 March 2006.
- Rail Safety (General) Further Amendment (Miscellaneous) Regulation 2006** commenced on 1 July 2006.
- Rail Safety (Drug and Alcohol Testing) Amendment (Samples) Regulation 2006** commenced on 4 August 2006.

During 2005-06 the following legal changes to transport legislation were made:

- Transport Legislation Amendment (Waterfall Rail Inquiry Recommendations) Act 2005**. Assented to 27 June 2005. Uncommenced provisions commenced on 1 July 2006.

major works in progress

ITSRR had no major works in progress during 2005-06.

electronic service delivery

ITSRR provides a public website which includes a range of information, including relevant legislation, policies and publications (including reports, newsletters and media releases).

ITSRR's primary external clients are rail industry operators whom ITSRR accredits under rail safety legislation. ITSRR provides an on-line service so that these operators are able to lodge notifications for changes to their accreditation conditions on-line.

research and development

ITSRR's major research activities during 2005-06 are outlined as follows:

Procurement and performance monitoring practices of metropolitan passenger rail systems

ITSRR completed a survey of the procurement and monitoring practices for commuter rail services in twenty-one cities in Australia, New Zealand, North America, Europe and Asia.

Commuter rail was chosen as the focus for the research because of its importance as a central element of public transport in Sydney. Procurement and performance monitoring practices are of interest because governments generally want to acquire levels of service that encourage public transport use and, by monitoring, be assured that these service standards are met.

In each of the cities, information was collected from interviews with the government transport authorities that have responsibility for procuring commuter rail services (i.e. acquiring commuter rail services on behalf of government). Information was also collected from publicly available information sources. The issues addressed were the nature of the railway; governance arrangements (the role and functions of the procuring authority); procurement practices (how and what rail services are procured); performance monitoring practices; and performance indicators.

The survey found that there is a wide variety of arrangements and practices amongst the surveyed cities. Most authorities take an active role in rail procurement and performance monitoring. All arrangements require the railways to provide performance data and reports for monitoring. In many cities a single transport authority controls all procurement functions, often for all transport modes.

Overall the findings suggest that, while there are various models of procurement, within each model there is coherence between objectives and practices. The next stage of this research will examine selected features of arrangements in greater depth, particularly with regard to their purpose, effectiveness and transferability to NSW.

Predictive indicators for safety

ITSRR is leading the development of an appropriate methodology for measuring of risk which identifies the aspects of asset condition or failure which present the greatest safety risk. ITSRR is using its existing rail incident data to develop the risk models. A proposed structure for a basic risk model has been developed incorporating spatial representations of risk, different types of risk measures, and incorporating asset condition data. ITSRR is now developing a basic risk model based on these principles.

equal employment opportunity (EEO)

ITSRR's EEO strategies and results are outlined in more detail on page 63. The following tables reflect ITSRR staff data on EEO:

Staff data by salary range and EEO classification:

| LEVEL | Total Staff 2006 | Total Staff 2005 | Respondents | Men | Women | Aboriginal People & Torres Strait Islanders | People from Racial, Ethnic, Ethno-Religious Minority Groups | People Whose Language First Spoken as a Child was not English | People with a Disability | People with a Disability Requiring Work-related Adjustment |
|----------------------|------------------|------------------|-------------|-----------|-----------|---|---|---|--------------------------|--|
| < \$32,606 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| \$32,606 – \$42,824 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| \$42,825 – \$47,876 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| \$47,877 – \$60,583 | 6 | 7 | 6 | 1 | 5 | 0 | 1 | 3 | 0 | 0 |
| \$60,584 – \$78,344 | 4 | 6 | 4 | 0 | 4 | 0 | 0 | 1 | 1 | 0 |
| \$78,345 – \$97,932 | 25 | 25 | 25 | 15 | 10 | 0 | 4 | 4 | 0 | 0 |
| > \$97,932 (non SES) | 37 | 36 | 37 | 27 | 10 | 0 | 7 | 12 | 3 | 0 |
| > \$97,932 (SES) | 6 | 8 | 6 | 2 | 4 | 0 | 1 | 2 | 1 | 1 |
| TOTAL | 78 | 82 | 78 | 45 | 33 | 0 | 13 | 22 | 5 | 1 |

A. Trends in the representation of EEO groups

| EEO Group | % of Total Staff | | | | |
|--|---------------------|------|------|------|------|
| | Benchmark or Target | 2003 | 2004 | 2005 | 2006 |
| Women | 50% | n/a | 34% | 38% | 42% |
| Aboriginal people and Torres Strait Islanders | 2% | n/a | | | |
| People whose first language was not English | 20% | n/a | 15% | 22% | 28% |
| People with a disability | 12% | n/a | 15% | 11% | 6% |
| People with a disability requiring work-related adjustment | 7% | n/a | 5.9% | 4.3% | 1.3% |

B. Trends in the distribution of EEO groups

| EEO Group | Distribution Index | | | | |
|--|---------------------|------|------|------|------|
| | Benchmark or Target | 2003 | 2004 | 2005 | 2006 |
| Women | 100 | n/a | 91 | 91 | 91 |
| Aboriginal people and Torres Strait Islanders | 100 | n/a | | | |
| People whose first language was not English | 100 | n/a | n/a | n/a | 99 |
| People with a disability | 100 | n/a | n/a | n/a | n/a |
| People with a disability requiring work-related adjustment | 100 | n/a | n/a | n/a | n/a |

Notes:

1. Staff numbers are as at 30 June 2006.
2. Excludes casual staff
3. A Distribution Index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. The Distribution Index is automatically calculated by the software provided by ODEOPE.
4. The Distribution Index is not calculated where EEO group or non-EEO group numbers are less than 20.

consultants

ITSRR did not employ any consultants during 2005-06.

action plan for women

ITSRR is not required to prepare or report on an action plan for women.

land disposal

ITSRR does not have any land to dispose of.

list of major assets

ITSRR has no major assets to report against.

economic or other factors impacting performance

Major factors impacting on ITSRR's performance were considered as part of its risk assessment process (see page 58).

promotion — publications

During 2005-06 ITSRR published the following documents:

Fact sheets

ITSRR published 17 fact sheets that focused on rail safety including ones explaining issues relating to: Accreditation; the Annual Transport Reliability Report; Survey of CityRail Customers; Drug and Alcohol testing; Emergency Egress; Exemptions from Accreditation and SMS Requirements; Fatigue Management; Impacts of Freight Incidents on CityRail passenger service reliability; ITSRR Authorised Officers; preparation of National Model Legislation; the National Rail Safety Bill 2006; Notification of Changes to Railway Operations; Notification of Occurrences; Rail Regulation; Safety Interface Agreements for Private Sidings; Safety Management System Guidelines and Variation to Accreditations.

ITSRR published 3 fact sheets that included a focus on bus safety and reliability issues including those on the Annual Transport Reliability Report; bus regulation; and transport regulation in NSW.

Similarly with ferry issues, ITSRR published three fact sheets, including ones outlining the Annual Transport Reliability Report; transport regulation in NSW and recreational and commercial vessel regulation.

Reports

ITSRR also prepared the following twelve reports:

- ITSRR submission to IPART for Determination of CityRail Fares for 2006
- Impacts of Freight Incidents on CityRail Passenger Service Reliability Final Report – Stage 2 – 2006
- ITSRR Quarterly Waterfall Reports (four reports)
- Model of Risks of Driver Incapacitation
- Qualitative Assessment of Current Defences of Driver Incapacitation (Lloyd's Register)
- International Search and Review of Engineering Safety Devices (Halcrow)
- Driver Safety Systems Discussion Paper
- Annual Survey of CityRail customers 2005
- Mini Survey of CityRail Customers 2005 (impact of new rail timetable)
- Annual Report 2005-06
- Driver Safety Systems and Automatic Train Protection Information Paper
- ITSRR submission to IPART for the determination of bus and ferry fares for 2006

Newsletters

ITSRR prepared four “The Regulator” industry newsletters.

Transport Advisory Weekly (TAW)

ITSRR prepared 38 TAW newsletters during the year. These are located on ITSRR’s website.

Information Alerts

ITSRR issued eleven Information Alerts to rail operators:

- New NSW Rail Safety Regulations and Guidelines
Supporting Fact Sheets:
 - Safety Management System Guidelines
 - Exemptions from accreditation and SMS requirements
 - Variations to accreditation
 - Notification of changes to railway operations
 - Notification of occurrences
 - Safety interface agreements for private sidings
- Notice of change to arrangements for Accreditation Fees & Annual Safety Reports
- Rail Safety General Amendment Regulation 2006 — 7 April 2006
- Industry Consultation - Proposed Guidelines for the Amendment of Network Rules — 28 March 2006
- Industry Consultation - Proposed Changes to Rail Operator Drug and Alcohol (D&A) Testing Requirements
- National Accreditation Package V2.0 and Audit Checklist — 22 December 2005
- Commencement of ITSRR Drug and Alcohol Random Testing Program — 16 December 2005
- Direction in relation to Lost Property — 7 December 2005
- Industry Consultation - Proposed Amendments to NSW Rail Safety Regulation — 1 December 2005
- Safety Interface Agreements - Reminder — 4 November 2005
- *Transport Legislation Amendment (Waterfall Inquiry Recommendations) Act 2005* — July 2005.

overseas visits

No ITSRR staff travelled overseas for business purposes during 2005-06.

payment of accounts

Aged analysis at the end of each quarter

| Quarter | Current (Within due date) | Less than 30 days overdue | Between 30 and 60 days overdue | Between 60 and 90 days overdue | More than 90 days overdue |
|-----------|------------------------------|------------------------------|-----------------------------------|-----------------------------------|------------------------------|
| | \$'000 | \$'000 | \$'000 | \$'000 | \$'000 |
| September | 60 | – | – | – | – |
| December | 514 | – | – | – | – |
| March | 17 | – | – | – | – |
| June | 900 | – | – | – | – |

Time for payment of accounts

Accounts paid on time within each quarter

| | Total Accounts Paid on Time | | | Total Amount Paid |
|-----------|-----------------------------|----------|-------|-------------------|
| | Target % | Actual % | \$000 | \$000 |
| September | 100 | 96 | 3,440 | 3,601 |
| December | 100 | 97 | 3,511 | 3,612 |
| March | 100 | 94 | 2,974 | 3,174 |
| June | 100 | 92 | 3,983 | 4,340 |
| | | | | \$14,727 |

risk management and insurance activities

ITSRR has undergone an extensive corporate risk management process during the year as part of its corporate planning process. For more information, see page 57.

ITSRR has maintained accounts with the Treasury Management Fund for all insurance.

disclosure of controlled entities

ITSRR does not have any controlled entities to report against.

annual report external production costs and availability

Total external production cost of preparing 200 hard copies and 100 CDs of ITSRR's corporate Annual Report 2005-06 was approximately \$18,440 (design plus printing costs, excludes GST).

This year ITSRR hired an external designer for the report given the lack of internal resources capable of this task. The design agreed to will serve as the framework for future reports, thereby creating efficiencies in time and cost in future years.

The report is available on-line at ITSRR's website www.transportregulator.nsw.gov.au

Hard copies and CD versions of the Annual Report are available from ITSRR's office (contact details on the inside back cover of this report).

freedom of information

The following tables are in accordance with the reporting requirements of Premier's Office. ITSRR had one application for information during 2005-06 which was granted. There were no applications in 2004-05.

"Personal" refers to requests made for information about staff.

"Other" refers to all other types of requests.

| FOI Requests | Personal | | Other | | Total | |
|-----------------------|----------|---------|---------|---------|---------|---------|
| | 2004-05 | 2005-06 | 2004-05 | 2005-06 | 2004-05 | 2005-06 |
| New | 0 | 0 | 0 | 1 | 0 | 1 |
| Brought Forward | 0 | 0 | 0 | 0 | 0 | 0 |
| Total to be processed | 0 | 0 | 0 | 0 | 0 | 0 |
| Completed | 0 | 0 | 0 | 1 | 0 | 1 |
| Transferred Out | 0 | 0 | 0 | 0 | 0 | 0 |
| Withdrawn | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 0 | 0 | 0 | 1 | 0 | 1 |
| Unfinished | 0 | 0 | 0 | 0 | 0 | 0 |

| Result of FOI Request | Personal | | Other | |
|-----------------------|----------|---------|---------|---------|
| | 2004-05 | 2005-06 | 2004-05 | 2005-06 |
| Granted in full | 0 | 0 | 0 | 0 |
| Granted in part | 0 | 0 | 0 | 1 |
| Refused | 0 | 0 | 0 | 0 |
| Deferred | 0 | 0 | 0 | 0 |
| Completed | 0 | 0 | 0 | 1 |

Ministerial Certificates

There were no Ministerial Certificates issued in either 2005-06 or 2004-05.

Formal Consultations

| Formal consultations | Issued | Total |
|---|--------|-------|
| Number of requests requiring formal consultation(s) | 1 | 1 |

Amendment to personal records

| Result of Amendment Request | Total |
|-------------------------------|----------|
| Result of amendment – agreed | 0 |
| Result of amendment – refused | 0 |
| Total | 0 |

Notation of personal records

There were no requests for notation of personal records.

credit card certification

The Chief Executive has certified that the use of credit cards was in accordance with Premier's Memorandum and Treasurer's Directions.

response to significant issues raised by the auditor general

No issues for ITSRR action were raised by the Auditor-General during 2005-06.

3.2 compliance with annual reporting legislation index

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