

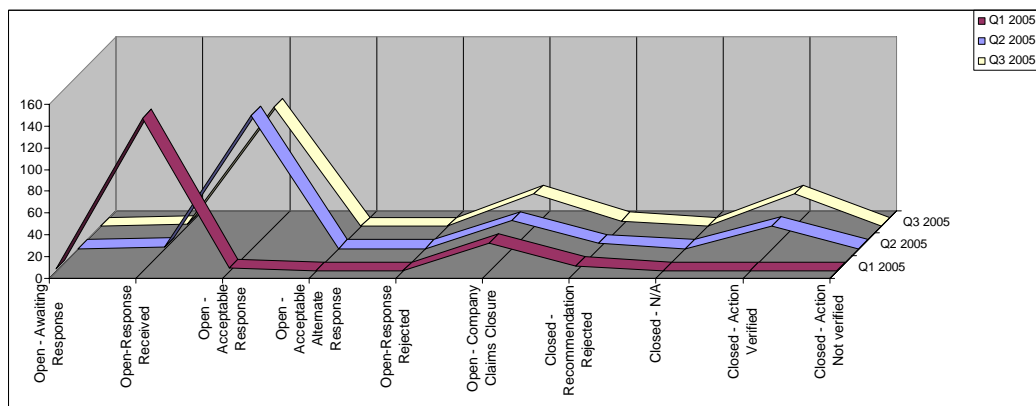
EXECUTIVE SUMMARY

The Special Commission of Inquiry (SCOI) into the Waterfall Rail Accident released its Final Report on 17 January 2005. In accordance with the Commission's recommendations, the NSW Government agreed that the Independent Transport Safety and Reliability Regulator (ITSRR) should report quarterly on implementation progress. This is the third quarterly report. It outlines progress made between 1 July and 30 September 2005.

Implementation Summary

The current status of all of the safety actions, compared to their status in the previous quarter, is summarised below.

GRAPH 1: PROGRESSIVE STATUS ALL RECOMMENDATIONS BY QUARTER



As time progresses, it is expected that the peak will shift along the x-axis until all recommendations are closed.

During the reporting period, 1 July 2005 and 30 September 2005:

- ITSRR reviewed and accepted 112 responses from agencies, which either outlined their plans to implement recommendations; or provided an update on implementation progress;

- RailCorp nominated 30 recommendations for closure, 27 of which are being validated as part of ITSRR's planned audit of RailCorp;
- ITSRR validated and closed out 9 recommendations during the quarter; and
- The total number of closed recommendations is now 35.

The target dates for implementation of accepted recommendations remain on schedule, except for some concerning train radio communications and training of relevant RailCorp personnel in the location and operation of external emergency door release mechanisms on passenger trains (detailed on page 13).

At the end of the reporting period (30 September 2005) the implementation schedule for the 177 recommendations (including 127 recommendations and 50 sub-elements) contained in the Commission's report is as follows:

- **35** recommendations are now closed (including 5 that have been rejected by the NSW Government); compared to 26 as at the end of last quarter;
- **30** recommendations are claimed by agencies to be closed (but are yet to be verified);
- **71** recommendations remain to be implemented by December 2005; (compared to 84 last quarter);
- a further **20** recommendations are scheduled to be implemented by December 2006 (unchanged from last quarter);
- **1** recommendation (the introduction of national communications technical standards) will be implemented by 2010 (unchanged from last quarter); and
- **20** recommendations were referred to the National Transport Commission (NTC) which will report to the Australian Transport Council of Ministers in November 2005. This report will outline a work program for these recommendations which involve the development or review of certain railway standards and regulations. The timeframe for these recommendations are therefore noted as "interim" in the table detailing the status of all outstanding recommendations at Appendix 3.

The public reporting process associated with the Quarterly Reports on implementing the NSW Government's response to the SCOI Final Report sharpens both industry and public focus on rail safety. With 20% of recommendations closed, 17% claimed for closure and 40% scheduled for implementation by the end of the 2005 calendar year, satisfactory progress is being made against the implementation schedule.

ITSRR acknowledges that whilst all of the recommendations are important, some have greater ramifications for improving safety than others. The Commission identified that the implementation of an integrated safety management system (Recommendation 122) which conformed to the principles outlined by the Commission (Recommendation 123) would be necessary to ensure that RailCorp could manage its rail operations safely. In July ITSRR commenced an extensive audit of RailCorp's integrated safety management system (SMS). While full implementation of the SMS is not expected until December 2005, this audit (which will be finalized in November 2005) and subsequent inspections will assess progress in the implementation of the new SMS in the field. The implementation of which will mark a major milestone in improving rail safety in NSW.

Rail safety in NSW does not entirely rest with the implementation of these recommendations. Rail safety is underpinned by comprehensive risk management (through an integrated safety management system) and a continuously improving safety culture in rail operations, both of which were key themes identified by the SCOI in its recommendations. This, combined with the move towards nationally consistent rail regulation and improved standards for rail safety effected by both regulators and rail operators, should deliver improved rail safety in NSW.

Quarterly Progress

Recommendations Verified and Closed

In the reporting period, ITSRR verified and closed **9** recommendations.

2 recommendations for RailCorp were verified and closed:

- Rail Commanders (Network Operations Superintendents, Regional Operations Managers) and the Rail Management Centre have now been supplied with satellite telephones for use in case of an emergency (Recommendation 7); and
- RailCorp's Defects Unit is now combined with the Passenger Fleet Maintenance Division (Recommendation 51).

7 recommendations for ITSRR were verified and closed:

- ITSRR now requires, as a condition of accreditation, all accredited rail operators to have a drug and alcohol monitoring program in place (Recommendation 54);
- ITSRR has implemented an electronic document control system (Recommendation 63);
- ITSRR has established a comprehensive process to identify, develop and implement guidelines for accredited rail operators (Recommendation 114);
- ITSRR grants accreditation when a rail operator has developed and implemented an integrated safety management system (SMS) based on the new National Accreditation Package (NAP) (Recommendation 115);
- ITSRR's Audit and Compliance Program assesses the Safety Management Systems submitted by accredited operator for compliance with the Rail Safety Act, regulations and guidelines (Recommendation 116);

- ITSRR reviewed its resourcing to ensure there are sufficient numbers of field staff to actively monitor and assess compliance of accredited rail operators (Recommendation 117); and
- ITSRR conducts field audits, where applicable, prior to the granting of accreditation to a rail operator (Recommendation 119).

Recommendations Claimed to be Closed (but not yet verified)

RailCorp indicated that in the reporting quarter it completed the implementation of 30 recommendations. These have yet to be verified by ITSRR. ITSRR has a comprehensive verification process for formally closing recommendations. It has combined verification of these recommendations with its planned audit of RailCorp due for completion in November 2005. The audit will enable ITSRR to verify implementation and report results in the next progress report. In summary, the recommendations for which RailCorp has claimed closure in this period include:

- the designation of a staff member in the Rail Management Centre to act as the rail emergency management co-ordinator (Recommendation 3);
- procedures to ensure immediate isolation of electrical power supply to the area of an accident (Recommendation 6);
- the development and implementation of a comprehensive Incident Management Framework outlining command and control procedures for rail emergencies (Recommendations 10, 11, 12, 13, 14, 16, 17, 18, 21 and 22);
- the selection of Rail Management Centre communications staff on the basis of their ability to convey information clearly, accurately and concisely and to follow strict communications protocols (Recommendation 40);