

Light rail regulation and standardisation – where are we at?

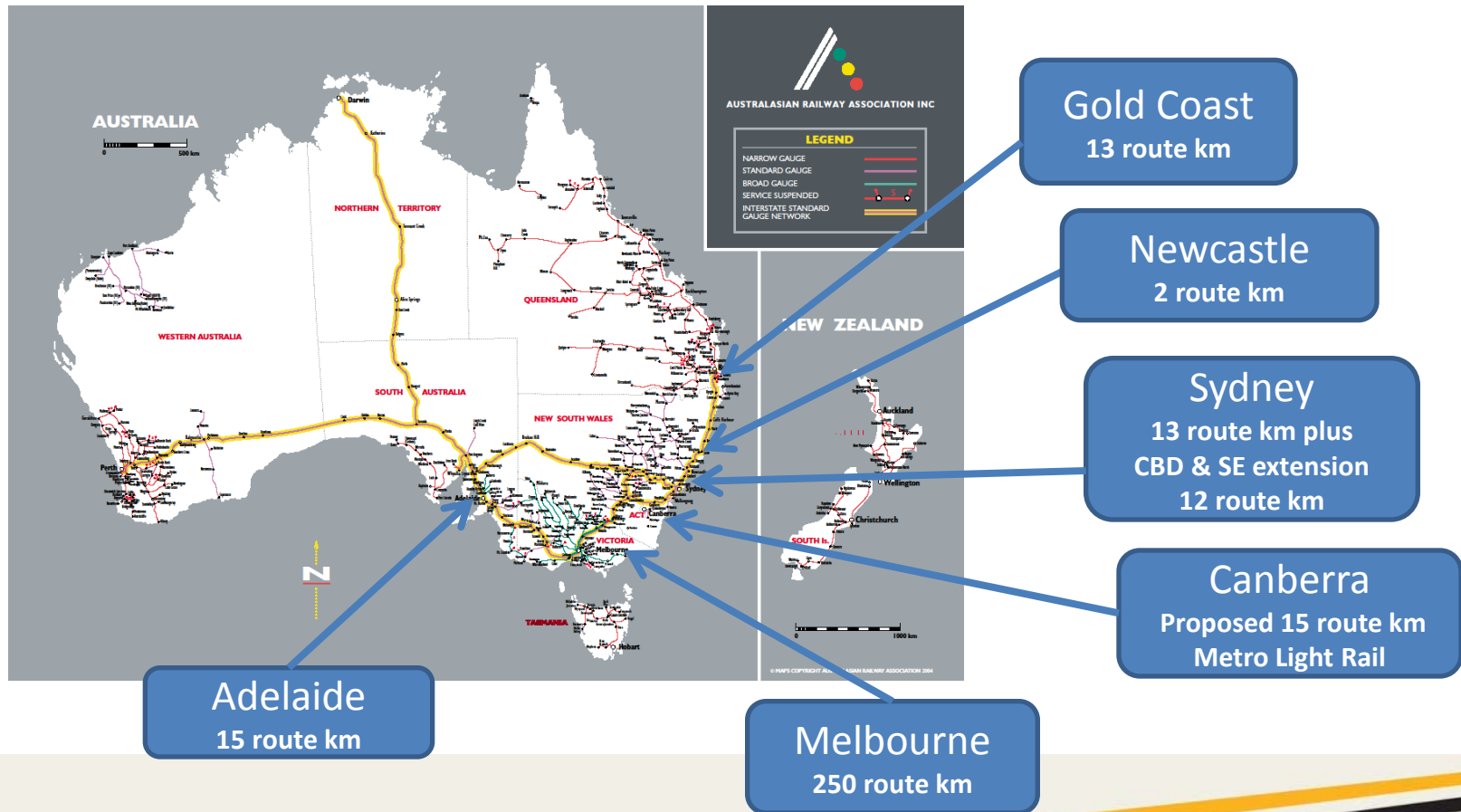
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Overview

- ONRSR and co-regulation
- Major Projects
- Asset Management
- Standards

Australian Rail Operations and locations of Light Rail Operations



Map Source: ARA Website

The National Regulator

- ONRSR commenced on **20 January 2013**
- We are an **independent authority**, funded by industry and government
- Apply Rail Safety National Law

The National Regulator

- Current regulatory oversight of rail operations in **NSW, Victoria, South Australia, Tasmania, Northern Territory and ACT**
 - except light rail and heritage railways in Victoria
- Head Office and Central Branch in Adelaide - branches in Sydney and Melbourne
- Western Australia commencing 29 June 2015

ONRSR so far

- Currently 110 staff in 5 locations
 - Adelaide, Sydney, Melbourne, Hobart and Darwin
- 145 separate accreditations become 95 accredited operators
- Over 100 National Policies, Procedures and Guidelines
 - Regulatory approval
 - Safety improvement policy
 - Compliance and enforcement policy
 - Major Projects Guideline
 - Asset Management Guideline

Co-regulation

- Rail safety regulation in Australia is administered under a co-regulatory framework
 - Regulation is shared between Government and regulated parties
- Underpinned by Rail Safety National Law
 - Set and monitored by Governments
 - Enforced by ONRSR as an independent entity
- Standards and network/operating rules
 - Collaboration between RISSB and RTO
 - Set by respective RTO's

Co-regulation

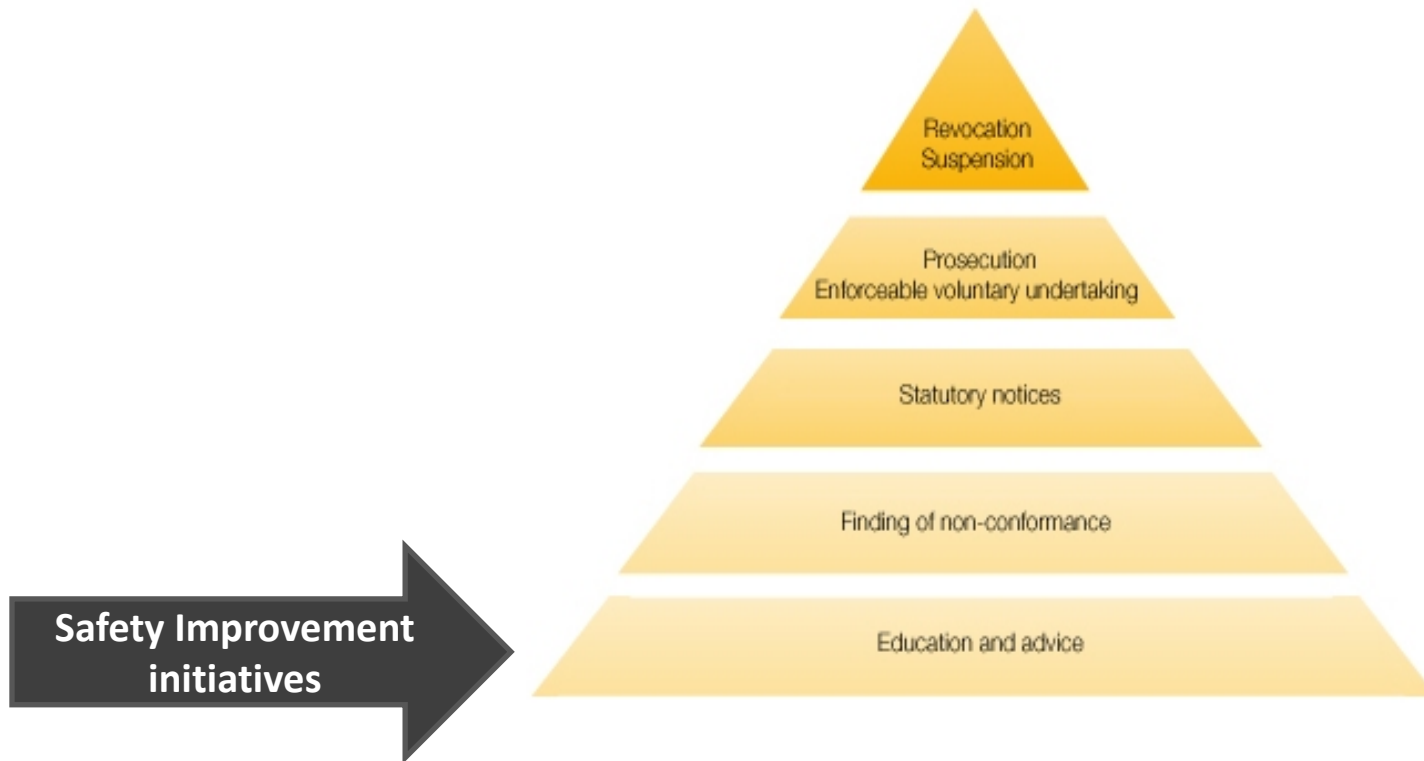
- Rail Safety National Law imposes a shared responsibility for safety on all parties
 - Rail transport operators
 - Rail safety workers
 - Other persons involved in the rail industry
 - ONRSR
 - The public

Co-regulation

- Specific safety duties are imposed on those who have control over rail activities
 - Includes the primary duty imposed on rail transport operators **to ensure the safety of their railway operations so far as is reasonably practicable (SFAIRP)**

Co-regulatory approach

ONRSR has a range of tools and powers to deliver its functions and ensure compliance with the law



ONRSR's approach to light rail

- Working towards national consistency on
 - advice and guidance
 - compliance
 - enforcement
- Limited by our regulatory coverage

ONRSR Major Projects Guideline

- For major projects requiring
 - new accreditation
 - variation to an existing accreditation
- Guides industry on what “satisfaction” looks like in the eyes of the Regulator

Characteristics of major projects

- Multi-disciplinary activity
- Complex contractual structures
- Intricate organisation structures
- Sophisticated funding models
- Risk mitigation through various contract arrangements

The regulatory challenges for ONRSR

- Ensuring the concept design minimises macro risk
- Identification of who holds effective management and control
- Demonstration of effective management and control
 - Identification of the accredited party/s
 - Ensure safety risk is appropriately managed

Project delivery

There are multiple ways in which projects can structure delivery

- Definitive guidance by ONRSR as to who should be accredited is problematic as each project is unique
- However, there is one common theme:-
 - Projects are ultimately delivered to a Rollingstock Operator or Rail Infrastructure Manager, that is, a Rail Transport Operator (RTO)

What does RSNL require on Asset Management?

Rail Safety National Law (**RSNL**) specifically requires all accredited Rail Transport Operators, as part of a Safety Management System to have:

- *An asset management policy and processes that address all phases of the asset lifecycle of the rail infrastructure or rollingstock operations*

(National Regs, Schedule 1, cl 21)



Assurance that rail infrastructure and rolling stock assets are **systematically** managed in a way that promotes **risk based** safe railway operations and complies with the *RSNL*

Trending against the life expectancy, with a **clear decision point for renewal** and the **provisions** for this renewal



Sufficient detail in the SMS, including records of risk management, that **address the risks across this lifecycle**



Standards and the RSNL

Regulation 19

*General
engineering and
operational
systems safety
requirements*

***“A documented set of engineering standards
and procedures, and operational systems,
safety standards and procedures....”***

for infrastructure, rolling stock, operational
systems and their interfaces

Standards and the RSNL

Regulation 19

*General
engineering and
operational
systems safety
requirements*

“Systems, procedures and standards for the following in relation to rail infrastructure and rolling stock...”

asset lifecycle from design through to decommissioning

Effective Standards for Safety

Standards have been written



Standards comply with Regulation 19



therefore railway operations safe



Industry needs standards that effectively ensure safety

Effective Standards for Safety

Key features:

- risk-based development
- clear and accountable development governance
- share good industry practice
- subject to continual improvement & review
- document safety risk SFAIRP controls
- support the hierarchy of controls

Effective Standards and the RSNL

s47(d)
reasonably
practicable

“the **availability and suitability of ways** to eliminate or minimise the risk”

s52
RIM duties

“...design, construction, commissioning, use, installation, modification, maintenance, repair or decommissioning of the manager’s rail infrastructure **is done or carried out in a way** that ensures the safety of railway operations...”

s55
due diligence

“to acquire and **keep up-to-date** knowledge of rail safety matters...”

Where are we at?

- Focused on national consistency and reducing regulatory burden
- Continue to work closely with RISSB
- Continue to work with industry to improve rail safety nationally
- Still missing light rail in Victoria
- Waiting to see what Queensland wishes to do on rail safety

Next Steps

- Standards should be:
 - prioritised based on risk
 - identified in consultation with the Regulator
 - informed by the incident data-base

References

Guidelines

- Regulatory Approach
- Meaning of duty to reduce risk SFAIRP
- Preparation of a rail SMS
- Effective control and management of railway operations
- Asset Management
- Major Projects

Policies

- Compliance and Enforcement Policy
- Safety Improvement Policy



www.onrsr.com.au

Advice on regulatory requirements

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