Minutes of meeting

Rail Safety Strategic Forum

Tuesday 27 March 2012

ITSR Conference Room - Level 21, 201 Elizabeth Street, Sydney

Present: (current attendees)	1. Catriona Scott, Compliance and HR Director, Freightliner Australia Pty Ltd 2. Campbell Clark, Manager Rail Safety Regulation, RailCorp 3. John Hall, Communications Manager, Australian Rail Track Corporation 4. Andrew Simpson, Rail Safety Manager, Glenreagh Mountain Railway Inc 5. Stuart Hudd, Manager Rail Safety Compliance, Asciano 6. Geoff Martin, National Manager Rail Transport, Manildra Group 7. Lindsay Holt, Rail Safety and Compliance Manager, Laing O'Rourke 8. Geoff Prime, Organiser, Electrical Trades Union 9. Richard Clarke, Chief Engineer, Sydney Tramway Museum 10. Alex Claassens, Secretary, Rail Tram and Bus Union 11. Jimmy Borg, Manager Rail Safety, Transport Construction Authority 12. Matthew Smith, Transport Safety Investigator, Office of Transport Safety Investigations 13. Graham Neasmith, National Rail Safety Manager, UGL Rail 14. An Le, Executive Manager National Compliance and Rail Safety, CFCL Australia Pty Ltd 15. Peter Callingham, Rail Safety Manager, H8 Alliance (representing John Holland Group Pty Ltd) 16. Susan Everingham, Manager Communications, Independent Transport Safety Regulator (Chair) 17. Simon Foster, Executive Director Operations, Independent Transport Safety Regulator 18. Adrian Rowland, Executive Director Transport Safety Improvement, Independent Transport Safety Regulator 19. Colin Holmes, Deputy Executive Director Operations, Independent Transport Safety Regulator 20. Kevin Kitchen, Director Rail Safety Management Systems, Independent Transport Safety Regulator
Minutes taken by:	Nathan Booth, Senior Communications Officer, Independent Transport Safety Regulator (Secretariat)

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Apologies: (non attendees)	1. Sandra Wilson-Ryke, General Manager Risk and Safety, Australian Rail Track Corporation 2. Lawrence Battiss, Rail Safety Manager, John Holland Group Pty Ltd 3. Lisa Trezise, Group Corporate Manager, El Zorro Transport Pty Ltd 4. Garry Molloy, General Manager Intermodal Rail Operations, QR National 5. Peter Berriman, Chairman and Strategic Safety Advisor, NSW RTM 6. Rodney Masters, Executive Councillor (Transport), Australian Services Union 7. Phil Sochon, Director Government Relations, Australasian Railway Association

Discussion/ agenda item	Issue/notes	Decision/ action	Responsible person	Due
(1) Welcome	The meeting opened at 9.05 am. Simon Foster (ITSR) opened the meeting by welcoming everyone.	Minutes noted		
(2) Actions/issues arising from the previous RSSF meeting	Susan Everingham (ITSR) ran through the apologies and new members. Minutes from the November 2011 RSSF were published on ITSR's website. Actions completed: • Action item 1 – Circulate worksite protection toolkit for comments. No comments were received, but John Holland Rail requested the five worksite protection (WSP) fault tree draft Excel spreadsheets. Simon advised that work to finalise the toolkit was progressing and ITSR expected it to be finalised in the next quarter. • Call for nominations for 2012-13 membership period. Twenty-one nominations were received, with 19 positions filled (including renomination from ARA and OTSI as observers). A story calling for nominations for a two-year term on the RSSF was published on 17 January with a reminder sent to industry and also separate targeted email to existing RSSF members. An updated RSSF membership list after the elections was published on ITSR's website. Susan introduced new members to the forum for 2012-13 membership period.	Apologies and new members noted No further items added to the agenda ITSR to inform members on when the WSP toolkit is released	Susan Everingham	June
(3) New RSSF	Susan noted that the RSSF's terms of reference (TOR) was available to all members in their welcome packs. She gave a summary of feedback provided by members during the nomination process on what the RSSF should achieve:	Minutes noted		

Member's feedback	• allow a frank exchange of views on the state of industry and ITSR's position • enable relationships between individuals in the rail industry and ITSR to be built and maintained • share examples of best practice from the NSW rail industry, other jurisdictions and similar industries • raise issues of concern • discuss key safety issues such as rail safety worker competency, contractor management, D&A management and fatigue • provide tangible outputs including the development of guidance material to support legislative requirements.			
ITSR's focus	Susan noted that ITSR's focus for the RSSF 2012 would be to: • identify practical opportunities to better utilise the RSSF as a sounding board and source of advice • seek feedback from the forum on NSW issues associated with the establishment of the National Rail Safety Regulator (NRSR) • increase promotion of the forum and its discussions via ITSR's communication channels.			
(4) RSCG meeting update	Colin Holmes (ITSR) outlined the outcomes of the Rail Safety Co-regulation Group's (RSCG) most recent meeting on 22 March. Colin noted that while the RSCG's role was to consider industry-wide strategic safety initiatives, it had become too focused on individual operator's issues. A workshop was held with Julie Bullas from the NRSR Project Office to examine the state of the group. It was determined that a new focus was needed, looking at how it can better manage industry issues.	Minutes noted		

Next step RSRP meeting update Next steps	The group is developing a strategy to put to the NRSR Project Office. Colin advised that the Rail Safety Regulators' Panel (RSRP) met on 22-23 February. The RSRP has been focusing on an NRSR Project Office proposal for 'RegIS', a single national regulator database which will capture detailed data from the rail industry. Currently each regulator has its own database but will adopt a common dataset under a national framework. Other NRSR-related issues being addressed by the RSRP include: • jurisdictional readiness – for example, establishing service level agreements (SLA) with the NRSR Project Office. NSW and VIC have confirmed they will enter into SLAs, with other jurisdictions yet to finalise agreements • reviewing procedures and processes to ensure continuity of business operations • retention of regulatory staff • exchange of safety information.			
(5) National Rail Safety Regulator National legislation	Simon outlined recent activity related to the enactment of legislation, the NRSR's appointment, establishment of the NRSR office, consultation on the fatigue regulatory impact statement (RIS), and discussions on the implementation of the regulator's drug and alcohol (D&A) testing program. A Bill to establish the NRSR was introduced into the South Australian Parliament on 14 March. The NRSR Project Office expects it to be passed by both houses by May. Bills to adopt the national legislation and identify the Regulator as the administering authority in all states and territories will be subsequently introduced into respective state and territory parliaments. However, it is not anticipated that the necessary bill will be passed in WA until 2013. Recruitment of the NRSR position is underway. The successful candidate is	Minutes noted		

Next steps	due to start in July.			
	NRSR is now due to commence by 23 December 2012 rather than 1 January 2013.			
NRSR appointment	ITSR continues to be involved in a number of NRSR Project Office working groups looking at a range of operational issues to establish the new regulator.			
NRSR establishment	Some policy issues – such as fatigue and D&A – are still being resolved.			
	The National Transport Commission released a RIS on fatigue for consultation last month. Submissions on the RIS closed on 21 March.			
	ITSR contributed to the submission made by Transport for NSW which argues for the state's existing fatigue management provisions to be retained.			
Fatigue RIS	Transport ministers will vote on a final fatigue RIS at the Standing Committee on Transport (SCOTI) and Infrastructure meeting in May.			
	The May SCOTI meeting will consider how to implement the regulator's drug and alcohol (D&A) testing program.			
	In regard to the regulator's testing program, Simon advised that the national law provides primarily for saliva testing but notes that testing needs to be conducted in line with the road laws of each state.			
	NSW road laws provide for urine testing to be conducted in certain circumstances.			
	ITSR is on the NRSR Project Office D&A working group and is advising Transport for NSW on how the national D&A testing program for the regulator should be implemented in NSW.			
Drug and alcohol testing	Geoff Martin (Manildra Group) raised concerns about the use of urine testing including cost and invasiveness, compared to saliva testing.			
	Colin explained that the national law had adopted a risk-based approach for rail transport operators' D&A management programs.			

	Matthew Smith (OTSI) raised a question around transitional arrangements for compliance with new arrangements from establishment of NRSR. Colin responded by saying transitional arrangements are currently being discussed, with potential for up to two years for some accreditation requirements. Susan concluded the discussion by noting that ITSR would consider running a NSW industry event on the new national regime in the second half of 2012.			
(6) Rail Industry Safety Report 2010-11 Background	Adrian Rowland (ITSR) advised that the 8th Rail Industry Safety Report (RISR) was released on 15 March. He provided a summary of key findings in three aspects of safety performance: • fatality and injury • rail accidents • precursor incidents. Catriona Scott (Freightliner Australia Pty Ltd) asked about how ITSR was addressing the large number of worksite protection incidents. Adrian responded by saying that a vulnerability analysis tool had been trialed with RailCorp and John Holland Group Pty Ltd. Alex Claassens (RTBU) flagged an issue with the level of experience of train drivers (competency) and quality of maintenance programs. Adrian advised that ITSR was analysing various issues raised by the report, and would also review the Rail Resource Management (RRM) guidance material.	Minutes noted		
Occurrence notifications	There was a discussion about occurrence reporting including the process ITSR uses to manage notifications when reports for the same incident from operators and network owners are inconsistent or one is not provided. Adrian advised that ITSR verifies occurrence notifications and flags issues with	Action item 1 – Circulate	Nathan Booth	10

	reporting. Matthew asked whether ITSR would continue to produce the Rail Industry Safety Report once the NRSR was established. Adrian responded that arrangements were still to be confirmed.	RISR 2010-11 presentation		April
(7) ARTC's NTCS update Overview Benefits	John Hall (ARTC) provided an update on the National Train Communications System (NTCS) project. John explained that the system would provide for communications between train control and train crew, including safety critical train control in some cases. He said the national rail network had inherited a legacy system that varied significantly between states creating a technological 'break-of-gauge'. The NTCS replaces the disparate systems with a single integrated voice and data communication network. It is being built on the Telstra 3G infrastructure. The main works consist of an additional 77 base towers to infill areas not currently covered by the Telstra network and the development of an integrated communications system to link trains to train controllers. Key benefits of the system include: • rationalisation of the many frequencies currently used across the network, with a single frequency for emergencies, train to train communication and mainline shunting • reduced infrastructure by replacing rail system owned infrastructure with common carrier infrastructure • the capability to support electronic train orders • precise knowledge of train locations through GPS functionality, increasing efficiency.	Minutes noted Action item 2 – Circulate NTCS presentation	Nathan Booth	10 April
(8) Worker competency update	Kevin Kitchen (ITSR) provided an update on the worker competency project. In 2011-12 ITSR's corporate priority is to ensure that: 'Transport organisations have systems and processes in place to ensure they deploy a skilled and	Minutes noted		

	competent workforce'.			
	Fifty per cent of the rail transport operators who responded to an ITSR survey claimed they were compliant with the competency requirements of the *Rail Safety Act 2008*. - insert other finding 'point of interest' ITSR is conducting further industry sampling and is also producing practical information, including better practice case studies from local operators, to assist operators in working through competency-related challenges.	Action item 3 – Circulate worker competency update presentation	Nathan Booth	10 April
(9) Asset management project Overview ITSR activities Next steps	Adrian Rowland explained that the aims of the asset management project were to: • raise industry awareness of the business benefits that result from effectively managing assets • provide tools to assist rail transport operators to measure and improve the maturity of their asset management. ITSR is undertaking a number of activities throughout 2012 including: • workshops • developing resources such as guidance material and case studies • conducting voluntary assessments of rail transport operators (assurance program) • establishing a community of practice. ITSR is running an asset management workshop for large operators on 4 April in Sydney. Letters will be sent to smaller and rail heritage operators with an invitation to tailored facilitated sessions in the coming months.	Minutes noted Action item 4 – register attendance	 Susan Everingham	 28 March

(10) General business	Alex asked the question whether ITSR would run safety seminars in 2012, to which Susan responded that a seminar was planned for June, possibly on the topic of contractor management.			
	Meeting dates for 2012:			
	• Thursday, 5 July			
	• Thursday, 8 November.			
Close	The meeting closed at 11.42 am.			
Next meeting: 5 July 2012, 9.00 am – 12.00 pm, ITSR Conference Room – Level 21, 201 Elizabeth Street, Sydney				