

2017-2018

// ANNUAL REPORT





safe railways for Australia

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// LETTER OF TRANSMISSION

TRANSPORT AND INFRASTRUCTURE COUNCIL

Dear Ministers,

It is my pleasure to submit to you the annual report of the Office of the National Rail Safety Regulator (ONRSR). The report is separately provided to all participating jurisdictional Ministers for Transport for tabling in their respective parliaments. The ONRSR Annual Report 2017–2018 has been prepared in accordance with the requirements of the *Rail Safety National Law 2012* (RSNL) and associated regulations. The report is structured to reflect ONRSR's delivery against the ONRSR Statement of Intent 2017–2020 and Corporate Plan 2017–2020 which have been endorsed by the Transport and Infrastructure Council and promoted to stakeholders.

Yours sincerely,



Sue McCarrey

Chief Executive / National Rail Safety Regulator

// ABOUT THIS REPORT

ONRSR is a body corporate established under the RSNL and, under the law, is not subject to ministerial direction in the exercising of its functions and powers. The RSNL requires the regulator to deliver to the responsible ministers a report on ONRSR's activities for each financial year. This report covers the activities of ONRSR during 2017–2018. The report is structured in five parts. The overview section includes our purpose, governance structures, summary of major achievements and summary financial report. Part A covers corporate performance and Part B covers regulatory performance. Financials and appendices follow.

FEEDBACK

ONRSR welcomes feedback on its report, please email contact@onrsr.com.au

CHIEF EXECUTIVE'S // MESSAGE



When the Office of the National Rail Safety Regulator opened its doors just over five years ago it did so with a carefully considered plan for delivering on the objectives of Australia's then fledgling *Rail Safety National Law*.

Of course plans change as new challenges and opportunities invariably present themselves, but it is with a sense of satisfaction that we mark passage of another financial year in which ONRSR has clearly demonstrated that the realities of reform can be achieved.

In 2017 we celebrated the important landmark that came with assuming jurisdiction in Queensland and we are now working with the Victorian Government towards removing the service level agreement. There can be little doubt national rail safety regulation is facilitating step changes at operational levels that are taking us ever closer to our goals.

Nowhere is this more apparent than in the digital information space. In the last 12 months, a national focus has allowed ONRSR to improve both the quality and accessibility of rail safety data and pilot a secure portal that facilitates the easy and reliable online exchange of information with regulated parties. These are the first exciting steps toward a much easier process for data exchange and analysis that will make a major contribution to the safety and efficiency of the Australian rail network.

The growth and challenges experienced by the rail industry as a whole are also felt by us. New technologies, an increasing number of new rail projects, innovation in rail construction and pressure on the skills required across Australia all have an impact on ONRSR as an organisation and we will need to continue managing these challenges.

Beyond technological advances and major construction, once again we have recognised that when it comes to capitalising on opportunities our relationship with the industry is every bit as valuable as the legislative authority we have. Our commitment to consult and collaborate has helped us deliver the first stages of an enhanced model for cost recovery and the collection of fees for major rail projects, and to positively progress long-standing reviews into fatigue and drug and alcohol management. At the same time new industry-focused publications like *The ONRSR Way* and *ONRSR Engage* have allowed us to send clear and timely messages about how the co-regulatory model works in practice and what our people are seeing out in the field right across the country.

Internally we have continued to self-evaluate and pursue an agenda of continuous improvement that has delivered better current and future organisational leaders along with tailored corporate goals and strategies that reflect our own maturity and the rapid pace of change in the rail industry.

They say everything happens for a reason but sometimes the reality is there is a reason everything happens. In this case it is because our best laid plans are coming to fruition, and so I want to take this opportunity to thank all of my staff and our stakeholders for another year of effort and achievement in the pursuit of safe railways for Australia.

Sue McCarrey

Chief Executive / National Rail Safety Regulator

June 2018

ABOUT // OUR ORGANISATION

OUR VISION Safe railways for Australia

OUR PURPOSE ONRSR strives to be a visible player in the rail industry, respected for conducting value-adding interactions that are informed by a strategic combination of industry intelligence, knowledge of operations and use of rail safety data. We have the dual, but complementary, roles of administrator of the *Rail Safety National Law* accreditation regime and the regulator of a duty-based safety management regime.

- OUR VALUES**
- > **INTEGRITY**
We have moral courage and are honest and straightforward in our approach.
 - > **RESPECT**
We have respect for each other and our stakeholders.
 - > **INDEPENDENCE**
Our decision making is responsive and free from bias and influence.
 - > **DILIGENCE**
We persevere and apply ourselves in a conscientious manner.
 - > **EXCELLENCE**
We are professional, high performing and strive for continuous improvement.

OUR RESOURCES ONRSR received funding from industry through fees of \$21.4m and from state and territory governments to the value of \$16.4m as well as major projects fees of \$1.2m. ONRSR's primary expenditure items were the service level agreement payments to Victoria, salaries and wages, and operational costs including rent payments and the development and maintenance of our information technology systems.



OUR GOVERNANCE

THE ONRSR (Board)

Under *Rail Safety National Law*, the ONRSR comprises the National Rail Safety Regulator, Sue McCarrey, and two non-executive members, Catherine Scott and Peter Batchelor. These three appointments are made by the South Australian Transport Minister on the unanimous recommendation from the responsible ministers. The ONRSR performs core governance functions including review of ONRSR performance reports and financial operation oversight. The legal authority for specific regulatory actions is vested in the National Rail Safety Regulator only. During 2017–2018, the ONRSR met 10 times and endorsed ONRSR’s budget, forward strategic directions, progress against its business plan and revised suite of key performance indicators.



Sue McCarrey

Sue McCarrey // Chief Executive/National Rail Safety Regulator

Sue has been Australia’s National Rail Safety Regulator since November 2014. Sue has overseen the formal entrance to the national scheme of New South Wales, Western Australia and Queensland. Under her leadership, ONRSR continues to take great strides toward becoming a fully fledged national operation facilitating a safe, efficient and prosperous Australian rail industry.



Peter Batchelor

Peter Batchelor // Non-executive member

Peter brings an extensive knowledge of government obtained through his 20 years as a member of the Victorian Parliament. During this time Peter held senior cabinet positions including Minister for Transport.



Catherine Scott

Catherine Scott // Non-executive member

Catherine is an experienced non-executive director. Her career combines investment banking and corporate experience in transport, infrastructure, natural resources and agriculture.

Independent Audit and Risk Committee

An independent committee that oversees and reviews ONRSR’s corporate risk and financial management and reviews statutory accounts subject to external audit and ONRSR’s internal audit program. The committee comprises Catherine Scott, ONRSR non-executive member as Chair and Malcolm Renney, an external appointment with extensive risk management experience in the banking sector. The Auditor-General, or representative, is invited as a guest to each meeting to facilitate effective communication with the South Australian Auditor General’s Office. During 2017–2018 five meetings were held.





ONRSR Executive team from left to right: Jodie Lindsay, Simon Foster, Julie Bullas, Sue McCarrey, Dane Newton, Peter Doggett

ONRSR EXECUTIVE

The Executive team supports the Regulator and the non-executive members to ensure the efficient and effective operations of ONRSR and the implementation of its Corporate Plan and Statement of Intent. It works collaboratively with industry using a co-regulatory approach to enhance rail safety in Australia.

Peter Doggett // Executive Director, National Operations

Peter has had 30 years' experience in the Australian rail industry where he has combined leadership roles and practical operational experience with a focus on risk management including the role of Chief Operating Officer of TransAdelaide. Peter is appointed Acting National Rail Safety Regulator when the National Rail Safety Regulator is unavailable.

Julie Bullas // Executive Director, Policy, Reform and Stakeholder Engagement

Julie has had over 35 years' experience leading policy development, reform and major change projects at an executive level across all levels of government, and within the rail industry including leading the implementation of the national rail reform and establishing the Office of the National Rail Safety Regulator.

Simon Foster // Executive Director, Technical

Simon brings over 35 years of technical and leadership experience in rail covering track, fleet, operations, stations and communications which includes being part of the team that coordinated the successful operation of rail services for the Sydney 2000 Olympic Games.

Jodie Lindsay // Executive Director, Corporate

Jodie is an experienced Chief Financial Officer and corporate services executive with over 30 years' experience in managing complex and multifaceted service based organisations across a variety of industries and sectors. Jodie is a fellow of CPA Australia.

Dane Newton // Senior Manager, Risk and Analysis

Dane has over 10 years' experience managing risk and assurance in safety-critical industries such as rail, defence and aviation. A system safety engineer and risk specialist by background, his current area of focus is in risk-based regulation.

GENERAL COUNSEL**Laura Paulus**

Laura is a respected legal professional with extensive experience in private and public practice. Laura complements her expertise and knowledge in Australian transport safety law with practical experience in railway operations and policy development as well as an understanding of the regulatory craft.

OUR TEAM

We recognise that our people are our most important asset and our ability to attract and retain the most suitable and well qualified people is critical to achieving our goals. Our Workforce Plan sets the direction for maintaining a capable, efficient and effective workforce to meet our current and future needs. The plan focuses on people, culture, systems, processes and behaviours.

The table below details employees by workforce profiles.

// WORKFORCE PROFILE

	PERMANENT	FIXED TERM	TOTAL	CONTRACTORS	SLA
2017-2018*	130	13	143	4	28
2016-2017	107	15	122	6	27

// GENERAL PROFILE

	2017-2018*		2016-2017	
				
EXECUTIVE	2	3	3	2
SENIOR MANAGER	13	5	11	5
EMPLOYEES	65	55	49	52
TOTAL	80	63	63	59

*Queensland staff transitioned to ONRSR on 1 July 2017

During 2017-2018, in partnership with our employees and representative union, we developed and negotiated a new enterprise agreement. The ONRSR Enterprise Agreement 2018-2020 was subsequently approved and was effective as at 21 June 2018.



INTERNAL COMMITTEES

National Operations Committee (NOC)

With responsibility for the development and implementation of the national work program, assessment and review of regulatory rail safety risks and for discussing operational matters including applying a consistent approach across Australia, the committee comprises Directors from each jurisdiction and other senior operational officers and is chaired by the Executive Director, National Operations.

Regulatory Activities Committee (RAC)

Acts as an operations committee for ONRSR bringing together the audit, compliance and accreditation functions to ensure the right regulatory intelligence is applied and the right tools are used in the field to facilitate the required safety outcomes.

Strategic Policy Committee (SPC)

A senior cross-organisational group led by the Chief Executive with responsibility for discussing strategic policy, legislative and guideline development, safety intelligence and safety improvement initiatives.

Information Management and Technology (IM&T) Committee

A steering committee which develops and oversees delivery of the IM&T Strategic Plan.

Senior Leadership Group

Comprising around 30 senior staff who meet biannually to discuss performance, strategic directions and organisational culture.

Joint Consultative Committee

The Executive also engages with the Joint Consultative Committee to facilitate formal consultation with employees on workplace matters including discussions and consultation about the way ONRSR conducts business, our workplace environment, changes that affect employees or any matters relating to the Enterprise Agreement.



OUR STAKEHOLDERS

ONRSR's primary stakeholder is the Australian public which is represented through government ministers, government forums/bodies and agencies. These include:

- > **Transport and Infrastructure Council** which comprises all state, territory and federal Ministers for Transport and Infrastructure.
- > **Transport and Infrastructure Senior Officials' Committee** which is an executive officer-level committee supporting the Transport and Infrastructure Council through advice and coordination of briefings.
- > **National Transport Commission (NTC)**, an inter-governmental agency which ONRSR works with to facilitate enhancements to *Rail Safety National Law*.

At operational and policy levels, ONRSR works and liaises with the following bodies:

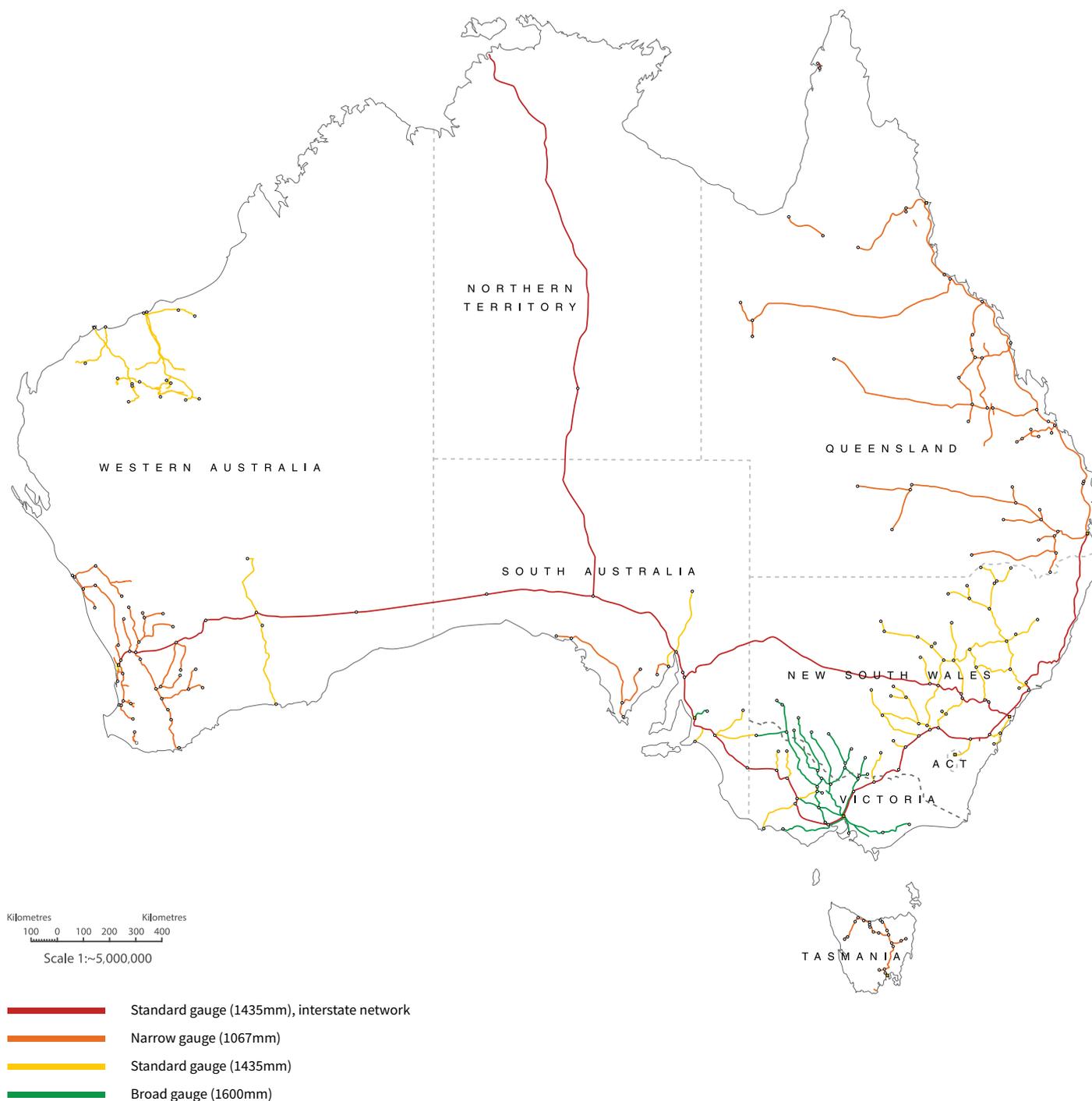
- > Australian Transport Safety Bureau (ATSB)
- > Rail Industry Safety and Standards Board (RISSB)
- > Australasian Railway Association (ARA)
- > Association of Tourist and Heritage Rail Australia (ATHRA)
- > Rail operators (Chief Executives, Rail Safety Managers)
- > Rail Tram and Bus Union (RTBU)
- > Australasian Centre for Rail Innovation (ACRI)

STAKEHOLDER FORUMS

During the year, ONRSR hosted a number of stakeholder forums including:

- > **CEO Industry Reference Group** to discuss strategic policy and industry and regulatory directions, safety issues and improvements. Participants include senior representatives from the rail industry.
- > **Senior Government Policy Group** comprising senior state and territory government personnel discussing policy and legislative reform.
- > **Union Reference Group** comprising senior representatives from the Rail, Tram and Bus Union.
- > **National Operations Forum** which allows multi-jurisdictional operators to discuss safety issues and consistency of application with senior ONRSR operational staff.
- > **Operations Forums** in individual states to address local operational issues with accredited operators. ONRSR also participates in industry-led meetings and forums through:
 - **RISSB's Safety Managers' Group** comprising safety managers from various rail transport operators.
 - **Association of Tourist and Heritage Rail Australia** comprising representatives from all state tourist and heritage associations.
 - **State tourist and heritage groups** comprising local tourist and heritage operators.

RAIL NETWORKS OPERATING ACROSS AUSTRALIA



Sourced from the Australasian Railway Association

ONRSR'S // PERFORMANCE

INDUSTRY SAFETY PERFORMANCE

ONRSR produces an annual Rail Safety Report, a detailed analysis of rail safety performance including breakdowns by jurisdiction and year with current and previous versions available on the ONRSR website. Rail safety data is also made available on the ONRSR website.

DATA ANALYSIS

Category A and Category B occurrences

Under *Rail Safety National Law*, rail transport operators must report occurrences. Category A occurrences must be reported immediately. Category B occurrences must be reported to ONRSR within 72 hours of the occurrence. The table below provides high level data on the rail industry safety performance in 2017–2018:

STATE	CAT. A	CAT. B	FATALITY	SERIOUS INJURY
ACT	0	21	0	0
SA	33	3,293	8	3
TAS	4	390	0	0
NT	3	128	0	0
NSW	89	17,778	27	28
VIC	103	8,226	46	22
QLD	70	8,375	12	28
WA	45	2,816	12	9
TOTAL	347	41,027	105	90

Fatalities

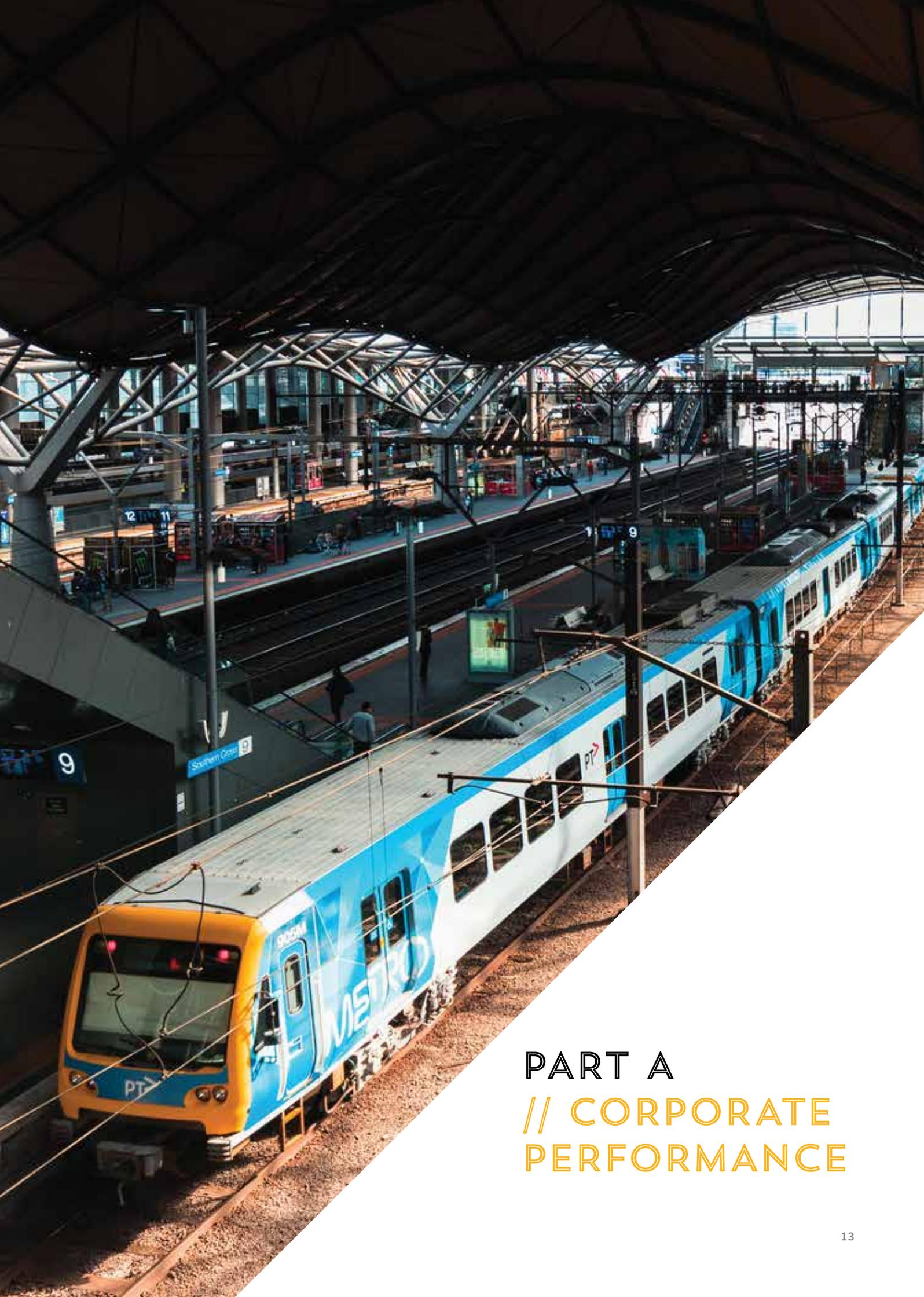
Fatalities can involve staff employed by railway companies, railway passengers or members of the public affected by railway operations. The following table reflects comparative data on the causes of fatalities in participating jurisdictions in 2017–2018:

STATE	SUSPECTED SUICIDE	STRUCK BY TRAIN*	SLIPS, TRIPS & FALLS	OTHER	TOTAL
ACT	0	0	0	0	0
SA	6	2	0	0	8
TAS	0	0	0	0	0
NT	0	0	0	0	0
NSW	19	5	2	1	27
VIC	44	1	1	0	46
QLD	10	2	0	0	12
WA	8	4	0	0	12
TOTAL	87	14	3	1	105

*Includes trains striking people and colliding with road vehicles at railway crossings

The following table reflects ONRSR's operational activity statistics for regulatory services for the last 3 financial years:

OPERATIONAL ACTIVITY	2015-2016	2016-2017	2017-2018
No. of accreditations:			
Received	10	5	13
Completed	2	10	9
No. of variations to accreditation:			
Received	30	45	52
Completed	11	41	41
No. of surrenders of accreditation:			
Received	3	6	9
Completed	3	5	7
No. of exemptions to accreditation:			
Received	2	4	7
Completed	1	2	7
No. of variations to registrations:			
Received	6	4	3
Completed	5	4	2
No. of surrenders of registration:			
Received	7	6	8
Completed	6	7	8
No. of notifications of change:			
Received	260	273	330
No. of REPCONs received	5	5	9
Actioned	4	5	9
No. of formal inspections completed	216	176	235
No. of audits completed	74	65	71
No. of compliance investigations completed	7	4	6
No. of improvement notices issued	19	13	15
No. of prohibition notices issued	3	4	8
No. of prosecutions	1	2	1
No. of Enforceable Voluntary Undertakings accepted	0	0	1
No. of site visits	Not previously captured	110	257



PART A

// CORPORATE PERFORMANCE



GOAL 1

MAINTAIN AND IMPROVE RAIL SAFETY THROUGH A RISK-BASED APPROACH TO REGULATION

By providing an independent regulatory function with a particular focus on high risk areas, and working together with the rail industry and governments to achieve this goal, ONRSR can most effectively minimise the likelihood of major incidents which may result in death or injury.

MILESTONES	WHEN	2017-2018 RESULT
Transition all jurisdictions to a national drug and alcohol testing program with annual review	DEC 2017	Partially achieved (ongoing)
Deliver an ONRSR Data Needs and Intelligence Strategy to strengthen our risk-based decision making		
> Define data lifecycles	JUN 2017	Re-scoped as part of National Data Strategy
> Data needs identified	JUL 2018	Re-scoped as part of National Data Strategy
> Develop ONRSR Risk Profiling Tool	JAN 2019	Achieved
> Update Regulatory Information System (RegIS) and implement	JUN 2019	Partially achieved (ongoing)



// ACHIEVEMENTS

1. NATIONAL PRIORITIES

1. Track worker safety
2. Road rail vehicle (RRV) safety
3. Level crossing safety
4. Tourist and heritage sector safety management capability

A national priority for ONRSR is defined as a rail safety area of regulatory focus that applies to multiple jurisdictions and operators and warrants a sustained period of regulatory attention. In 2017–2018 ONRSR reviewed its national priorities, retaining track worker safety and RRV safety. Positive progress meant previous priorities, rolling stock maintenance and track condition, are now addressed at an operational level. Subsequently, following a structured, evidence-based risk assessment process, two new priorities, level crossing safety and tourist and heritage sector safety management capability were identified.

2. RESPONSE TO CONFIDENTIAL REPORTS (REPCONS)

REPCON reports are confidential reports made to the ATSB by anyone who has a rail safety concern that are then referred to ONRSR for action. ONRSR received 9 REPCON reports requiring action during 2017–2018 and any immediate safety issues were addressed as a priority. For other safety issues, ONRSR sought further information from operators and/or conducted compliance inspections to verify the concerns and the operator's response. These issues will be monitored as part of the ONRSR national work program for 2018–2019. Once finalised, the ATSB publishes REPCON reports on its website which includes the response from ONRSR to each individual issue. ONRSR's operational measures relating to REPCONS are on page 12.

3. ENGAGEMENT WITH MAJOR RAILWAY PROJECTS

Throughout 2017–2018 ONRSR has continued to engage with proponents of major railway projects across Australia. These have included but are not limited to:

- > Canberra Light Rail (ACT)
- > Sydney Metro Northwest (NSW)
- > Sydney CBD and South East Light Rail (NSW)
- > Melbourne Metro Rail (Vic)
- > Level Crossing Removal (Vic)
- > Forrestfield Airport Link (WA)
- > CBD tram extensions (SA)

ONRSR's engagement has taken several forms, including assessing applications for accreditation and variations to accreditation from project proponents, monitoring and reviewing safety processes and providing advice through the application of the ONRSR Major Projects Guideline and the General Safety Duties fact sheet.

4. DRUG AND ALCOHOL TESTING – QUEENSLAND

Following the establishment of ONRSR's Brisbane office in 2017, the national drug and alcohol testing program was successfully rolled out in Queensland. ONRSR conducted a familiarisation session in Queensland in early 2018 and developed a complementary online fact sheet.

GOAL 2

REDUCE REGULATORY BURDEN ON INDUSTRY

ONRSR administers a national scheme of accreditation and, in consultation with industry, develops guidance material that provides clarity for operators and helps address potential delays and costs that can arise from uncertainty.

MILESTONES	WHEN	2017-2018 RESULT
Progress identified opportunities within the RSNL to provide for national legislative consistency including:		
> Preparation of a report to the Transport and Infrastructure Council on the review of drug and alcohol and fatigue management arrangements under RSNL	NOV 2017	Partially achieved – drug and alcohol complete, fatigue due May 2019
Support transition of remaining jurisdictions into direct delivery of regulatory services by ONRSR	DEC 2017	Partially achieved (ongoing)
Identify, in consultation with industry, areas for improving the efficiency of regulatory interactions	JUN 2018	Achieved
Work with governments and industry to deliver reforms made possible by the establishment of a national regulation framework	JUN 2018	Achieved (ongoing)
Conduct ONRSR’s second external stakeholder survey	EARLY 2019	Progressing
Analyse and prepare input for the Productivity Commission’s review of the economic benefits of national transport safety reforms	2019	Progressing



// ACHIEVEMENTS

1. REVIEW OF DRUG AND ALCOHOL MANAGEMENT ARRANGEMENTS UNDER RAIL SAFETY NATIONAL LAW

ONRSR conducted the review to assess and compare the effectiveness, in terms of safety and productivity, of the differing drug and alcohol management legislative arrangements in the *Rail Safety National Law*. In doing so comparisons were made against other industries in Australia and the rail industry internationally in terms of both detection and deterrent. The review provided a series of recommendations that were considered by the Transport and Infrastructure Council.

2. ESTABLISHMENT OF ONRSR JURISDICTION (QLD)

ONRSR officially welcomed Queensland into the national regulatory fold when its Brisbane office opened on 3 July 2017. The establishment of the new office was the culmination of significant work between ONRSR and the Queensland Department of Transport and Main Roads (TMR), particularly those within the TMR Rail Regulation Unit. The process also included the successful establishment of ONRSR document and information systems in the Brisbane office.

3. REVIEW OF SERVICE LEVEL AGREEMENT (VIC)

In 2018 ONRSR welcomed the Victorian Government's policy decision to remove the service level agreement presently in place between ONRSR and Transport Safety Victoria. While the exact timing of a future transition to direct delivery of regulatory services in Victoria is to be confirmed, ONRSR will work closely with the Victorian Government to facilitate this process.



GOAL 3

UNDER A CO-REGULATORY FRAMEWORK, SUPPORT INDUSTRY IN ITS OPERATION OF SAFE RAILWAYS FOR AUSTRALIA

Under a co-regulatory regime, ONRSR seeks to oversee, support and ensure compliance with the *Rail Safety National Law* so as to eliminate or reduce risks so far as is reasonably practicable. Industry is responsible for the safety of rail operations and for compliance with the RSNL.

MILESTONES	WHEN	2017-2018 RESULT
Improve operators' access to summary national occurrence (safety) data to enable benchmarking of safety performance	MAY 2017	Achieved
Develop guidance on ONRSR's expectations for heritage boiler operations	DEC 2017	Achieved
Actively influence the development of a high quality industry national rail safety risk model	DEC 2017	Achieved
Define ONRSR's understanding of co-regulation	DEC 2017	Achieved
National Standard for Health Assessment of Rail Safety Workers		
> Promote implementation of the revised standard	DEC 2017	Achieved
> Input to new projects for further enhancement of the standard	DEC 2018	Progressing
Support industry and RISSB with the development of selected national standards, guidelines and products as appropriate	AS AGREED WITH INDUSTRY/RISSB	Ongoing

// ACHIEVEMENTS

1. THE ONRSR WAY

In early 2018 ONRSR released *The ONRSR Way*, a new publication offering regulated parties and rail safety stakeholders clarity around how ONRSR does business. The *ONRSR Way* explains what type of regulator ONRSR is and how it operates. Importantly it provides the ONRSR definition of co-regulation, details the risk-based approach to regulation and outlines what operators can expect from ONRSR's regulatory activities. It also covers how ONRSR intends to drive continuous improvement in all activities.

2. ACCREDITATION FOR WORLD-FIRST DRIVERLESS HEAVY HAUL FREIGHT TRAIN

In July 2017, ONRSR made its own slice of history after granting approval for the world's first driverless heavy haul freight train to be tested in the Pilbara region of Western Australia. While initial authorisation was for a trial only, the national regulator granted accreditation to the operator for the autonomous operation of trains in May 2018, after it provided evidence of its competency and capacity to manage the risks to rail safety associated with this technology.

3. RAIL LOCOMOTIVE BOILERS GUIDELINE

ONRSR released its *Rail Locomotive Boilers Guideline* to help rail transport operators understand what evidence they can provide to demonstrate compliance with RSNL. The guideline was prepared in response to changes in WHS legislation. The draft guideline was the subject of public consultation with tourist and heritage operators, via the ONRSR website and Association of Tourist and Heritage Rail Australia.



GOAL 4

PROMOTE SAFETY AWARENESS AND WORK WITH INDUSTRY ON SAFETY IMPROVEMENT AND RESEARCH

A key objective for ONRSR under RSNL is to 'promote safety and safety improvement as fundamental in the delivery of rail transport in Australia'. ONRSR acknowledges industry's safety vision and strategy as supporting this goal.

MILESTONES	WHEN	2017-2018 RESULT
Review Safety Improvement Policy	DEC 2017	Incorporated into Safety Improvement and Education Strategy
Deliver priority projects in the safety improvement work plan:		
> Track worker safety	APR 2018	Rescheduled to Jun 2019
> Risk management	JUN 2018	Rescheduled to Jun 2020
Actively contribute to industry's effective implementation of its safety strategy	DEC 2019	Progressing
Distribute regular safety bulletins to accredited and registered operators	AS REQUIRED	Achieved

// ACHIEVEMENTS

1. ONRSR ENGAUGE

In 2017-2018 ONRSR further improved its engagement with stakeholders through the advent of an e-newsletter, ONRSR Engauge. Delivered to all accredited and registered operators and a range of rail safety stakeholders, the quarterly e-newsletter is headlined with ONRSR's latest safety bulletin and features the very latest news, information and publications.

2. RAIL SAFETY REPORT 2016-2017

The ONRSR Rail Safety Report 2016-2017, published in December 2017, provides national rail safety data and analysis from which to assess national rail safety performance. The report includes a detailed statistical summary, documents major incidents and lists key priorities for ONRSR focus which were addressed in its national work program. The report is available at www.onrsr.com.au

3. AUSTRALIAN RAIL SAFETY ROADSHOW

In 2017, ONRSR, in conjunction with the Rail Industry Safety and Standards Board (RISSB) and the Australasian Railway Association (ARA), held the inaugural Australian Rail Safety Roadshow. Sessions were held in Perth, Sydney, Adelaide, Melbourne and Brisbane with more than 130 rail safety stakeholders from across the industry in attendance. The sessions were designed as an opportunity for a broad cross-section of industry to come together and discuss current and emerging rail safety issues, to understand the relationship between RISSB, ARA and ONRSR and to gather new safety contacts and information that could be applied to operational environments.

GOAL 5

VALUE AND ENABLE OUR PEOPLE IN PURSUIT OF HIGH PERFORMANCE

We recognise that our people are our most important asset and that to deliver excellence in our regulatory services we need a national culture driven by our values. Building our culture remains a priority.

MILESTONES	WHEN	2017-2018 RESULT
Implement informal mentoring within ONRSR to support improved knowledge sharing and career development	DEC 2017	Achieved
Implement key deliverables of ONRSR's Workforce Plan		
> Executive leadership and Future Leaders program	DEC 2017	Achieved
> A national learning and development framework inclusive of the Rail Safety Officer Capability Framework	JUN 2018	Achieved

// ACHIEVEMENTS

1. SINGLE NATIONAL WORK HEALTH AND SAFETY (WHS) SYSTEM

To reflect ONRSR's progression to a fully national organisation, effective working arrangements required a single national work health and safety (WHS) system to be implemented. The new national system was introduced in December 2017 and further focuses ONRSR's commitment to staff safety by dividing WHS into office-based and in-field risk and incident management, reflecting both the corporate and operational roles ONRSR staff have.

2. EXECUTIVE AND FUTURE LEADERSHIP PROGRAMS

In 2017-2018 ONRSR facilitated Executive coaching for its most senior employees designed to identify their individual strengths along with opportunities for development. Each Executive undertook one-on-one coaching sessions that followed a 360 feedback process. The sessions explored this feedback and helped develop strategies to expand on strengths and improve areas for development.

A complementary deliverable of ONRSR's Workforce Plan, the Future Leaders program offered participants the chance to focus on themes such as personal styles, leadership approaches, coaching skills, time management and ways to motivate, influence, encourage and mobilise. Participants identified and pitched to the ONRSR Executive a range of projects that are now being rolled out across the organisation.

3. MENTORING WITHIN ONRSR

ONRSR's Coaching and Mentoring Program (CMP) is made up of most of the inaugural Future Leaders program participants. While building on the project work they did last year, the CMP team will provide additional mentoring and coaching to a second intake of future leaders.

GOAL 6

DEVELOP OUR SYSTEMS TO OPTIMISE OUR PERFORMANCE

Central to optimising ONRSR's effectiveness, and to the achievement of the national benefits intended under the COAG rail safety reforms, is the ongoing enhancement of our business systems.

MILESTONES	WHEN	2017-2018 RESULT
Investigate greater use of technology in the field and develop a strategy for implementation into business activities	OCT 2017	Achieved
Deliver ONRSR's 2016-2018 Information Management and Technology Strategic Plan		
> RegIS upgrade program	AUG 2018	Achieved
> Qld/Vic/NSW IT transition projects	ALIGNED TO TRANSITION TIMEFRAMES	Achieved (Qld/NSW), Vic TBC
Define and deliver the required capability of ONRSR's RegIS and other associated systems to support our regulatory activities		
> Required functionality defined and base level implemented	DEC 2017	Achieved
> Functionality to meet the needs of ONRSR implemented, including capability to support and deliver an online portal	DEC 2018	Progressing
Pilot, with rail transport operators, an online portal for the exchange of information between ONRSR and operators	JUN 2018	Achieved
Implement a cost recovery methodology and regulation for collection of fees for major rail projects and report on progress to the Transport and Infrastructure Council	NOV 2017	Achieved
Undertake Stage 2 of the cost recovery model review to align more closely with regulatory effort and risk	NOV 2018	Progressing



// ACHIEVEMENTS

**1. INVESTIGATED GREATER
USE OF TECHNOLOGY**

ONRSR continued to invest in the identification and implementation of technology opportunities and system solutions that enable the changing business requirements. During the year the focus has been on transition of ONRSR's information technology systems to technology that provides greater flexibility for use in the field.

**2. DEVELOPMENT OF THE
ONRSR PORTAL**

In early 2018 ONRSR began a pilot of the ONRSR Portal with a selection of rail transport operators. The portal is a secure digital channel to facilitate the efficient and reliable online exchange of information between ONRSR and our regulated parties. The long-term aim is to have the ONRSR Portal functioning as the preferred means of exchanging information for all routine regulatory activities. However, it is not intended to replace the direct contact between ONRSR officers and rail transport operators.

**3. IMPLEMENTATION
OF COST RECOVERY
METHODOLOGY AND
REGULATION
(MAJOR PROJECTS)**

The successful implementation of the new methodology ensures ONRSR avoids a potential reduction in oversight of current accredited railway operations, removes substantial cross subsidisation within the cost recovery model, allows ONRSR to provide the required level of oversight for these major rail projects and reduces the likelihood of major projects being unduly delayed.





PART B

// REGULATORY PERFORMANCE



SA

// SOUTH AUSTRALIA

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **44 OPERATORS** ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN SOUTH AUSTRALIA.

SIGNIFICANT REGULATORY ACTIVITIES

- > In South Australia ONRSR has been involved in a number of meetings with a passenger operator regarding the expansion of a tram network, the grade separation projects at Torrens Junction and Oaklands Park, the new spur line at Port Adelaide and the expansion of the electrified train network on the Gawler line. As a result of the changes to the passenger operator’s rail network ONRSR has undertaken a variety of regulatory activities including variations to accreditation and audits and inspections to validate the information provided regarding the changes in operation.
- > ONRSR continues to work closely with tourist and heritage operators in South Australia to ensure the services being offered to the public are managed in a safe manner and high levels of risk are managed appropriately. At times ONRSR has had to issue notices to drive improvement, but has been successful in some areas in promoting the benefits of an effective safety management system.

In South Australia two prohibition notices were issued during 2017–2018.

- > While in the field, rail safety officers observed non rail industry electrical workers inside the rail corridor installing wooden structures designed to support high tension powerlines. Further investigation by rail safety officers found that the workers did not have any safeworking protection in place and that the operators were unaware of the workers in the rail corridor. A prohibition notice was issued to the workers to immediately cease work in the rail corridor. The prohibition notice was cancelled when the appropriate track protection arrangements were put in place to enable them to continue their work.



> A prohibition notice was issued to a high profile tourist and heritage operator to prevent operation of rolling stock over a floodway bridge. The operator had not carried out an inspection of the bridge within the recommended timeframe to validate the integrity of the bridge and satisfy itself, so far as reasonably practicable, that the structure was fit for purpose. The prohibition notice was cancelled when the operator arranged the appropriate engineering inspection to satisfy themselves that the bridge was fit for purpose.

INCIDENT RESPONSE

- > As a result of a spate of collisions between a tourist and heritage operator's trains and road vehicles at level crossings between Mount Barker and Victor Harbor, ONRSR conducted inspections of the 64 railway level crossings on the rail network to examine the condition of road traffic infrastructure (signs and road markings) and road user sight lines. These inspections were undertaken to review the attentiveness of rail infrastructure managers and road managers in regularly monitoring the condition of signs and road markings, the growth of vegetation in the rail corridor and other obstructions. The results of the inspections reinforced the need for coordinated management of risk at level crossings by establishing the safety interface agreements required under the *Rail Safety National Law*.
- > **On 28 July 2017** a passenger train struck a person near Mount Lofty in the Adelaide hills. As a result the person suffered fatal injuries. Rail safety officers attended the location of the incident in order to gain a better understanding of what had occurred, to identify the exact location of the incident, identify possible access points and understand the level of protection between the public and the rail corridor. The rail operator had the appropriate controls in place and future regulatory activities are planned around the management of risk for the area.
- > **On 23 April 2018** while stabled at Wirrada Siding, a crew van containing resting crew had an uncontrolled movement of approximately 50 metres. The crew van proceeded along the crossing loop before colliding with a freight wagon being shunted on the goods loop and then derailed, subsequently fouling the mainline. The resting crew reported no injuries were sustained during the collision. Incomplete testing of handbrake efficiency prior to detachment from locomotives appears to be a contributing factor. During ONRSR's enquiries, various evidence and documentation was requested from the operator, which included a copy of their investigation report. ONRSR reviewed the investigation report which indicated corrective actions including a review of training and re-training of train crews and a review of crew cab hand brake design including reengineering. Consideration will be given to the incident and findings when scheduling future regulatory activities.
- > **On 7 May 2018** an RRV ran through points at Port Stanvac on the Seaford line causing damage to the track and requiring emergency repairs to allow train services to operate during the morning peak. ONRSR undertook a retrospective inspection to examine what track worker protection was in place for the duration of the repairs while workers were on track. Rail safety officers reviewed documented procedures, protection officer documentation, train graphs from the day of the incident (and the following day of inspection) and repair activities to ensure adequate track worker protection was implemented. Rail safety officers also inspected the proposed maintenance crew rosters and compared them to the actual hours worked to ensure compliance with fatigue management plans. The rail safety workers were found to be working in accordance with legislated fatigue provisions and no adverse findings were made. This type of activity will become common for ONRSR rail safety officers to ensure effective monitoring of rail operators' compliance with track worker protection rules.





// WESTERN AUSTRALIA

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **44 OPERATORS** ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN WESTERN AUSTRALIA.

SIGNIFICANT REGULATORY ACTIVITIES

- > As a result of intelligence gathered from external reports, ONRSR conducted an audit on a freight operator with a focus on fatigue risk management. The audit found that whilst there was an organisational risk register which generally identified the hazards to the railway operations, there were some inadequacies in the identification and management of fatigue risk. The fatigue risk management plan was identified as non-compliant and did not support the effective management of fatigue-related safety risk. ONRSR issued three non conformance reports on completion of the audit and has since been working positively with the operator to address the identified issues.
- > In May 2018 ONRSR approved an application for variation to accreditation from a heavy haul freight operator to operate driverless trains. This represents the first autonomous train operation in Australia and the first autonomous heavy haul freight operation in the world. ONRSR's rail safety officers and technical specialists worked together to assess the application across a staged accreditation strategy. The assessment activities included field examinations, onsite trials and attendance at the signalling software laboratory. Key to the assessment was a thorough review of risk controls developed to address existing rail safety risks and liaison with the independent safety assessor employed on the project. ONRSR retains a close relationship with the operator and continues to monitor the roll out of the autonomous operations through compliance activities such as inspections and audits.



- > ONRSR has rail safety regulatory oversight for the major project linking Perth Airport into the existing rail passenger network. The accredited operator for the project has a responsibility to demonstrate that safety risks related to the design, construction, commissioning and handover phases of the project are managed so far as is reasonably practicable. Part of this demonstration includes the provision of a safety assurance plan that demonstrates how the operator is satisfied the risks, created in the design and construction, will be mitigated or managed in operation. ONRSR has established a project team to monitor the development of the plan through an assessment of the assurance process and by conducting field activities to verify the plan. ONRSR will undertake compliance activities (site visits, inspections, audits) throughout the construction timeline.
- > ONRSR conducted an audit of a passenger operator with a focus on governance arrangements for risk management. The audit identified areas where the implementation of processes within the safety management system across different operational divisions were inconsistent, and processes in place that required further procedural definition. Overall the audit identified that the operator has a significant number of processes within its rail safety management system. However, the current oversight structure for railway safety does not allow for the appropriate personnel to have the authority to fully implement the safety assurance processes in order for the operator to fully meet its legislative obligations. Several non conformance reports were issued and as a result the operator conducted an internal review of its risk management and governance processes. ONRSR is working closely with the operator to address the issues in a collaborative manner.

INCIDENT RESPONSE

- > **On 3 November 2017** ONRSR became aware of a significant notifiable occurrence that had not been reported. The rail transport operator failed to report 49 corrective work order start dates related to scheduled track maintenance being altered, which had a potential to cause significant safety or performance issues. Approximately 3 months after first becoming aware of these issues, the rail transport operator then notified ONRSR formally. A follow up investigation into this matter resulted in an improvement notice being issued against the operator which has now proactively addressed ONRSR concerns through a number of ongoing corrective actions that ONRSR is monitoring.
- > **On 22 December 2017** an elbow chain on a railcar pantograph failed, snagging overhead line equipment (OLE) on the track which resulted in significant damage to approximately 650 metres of the OLE. Considerable delays to the Perth network's daily operations occurred while the damage was rectified and the follow up investigation revealed a multi-faceted breakdown in the railcar scheduled maintenance program. The corrective actions resulting from this investigation are ongoing and ONRSR is monitoring the outcomes.
- > **On 6 June 2018** two light engines collided with a fuel tanker at Kwinana operational shunting yard which resulted in a significant amount of fuel spilling within the yard. ONRSR and other external agencies are still in the process of undertaking further inquiries and the investigation into the cause of the incident is continuing.



VIC

// VICTORIA

RAIL INDUSTRY CONTEXT

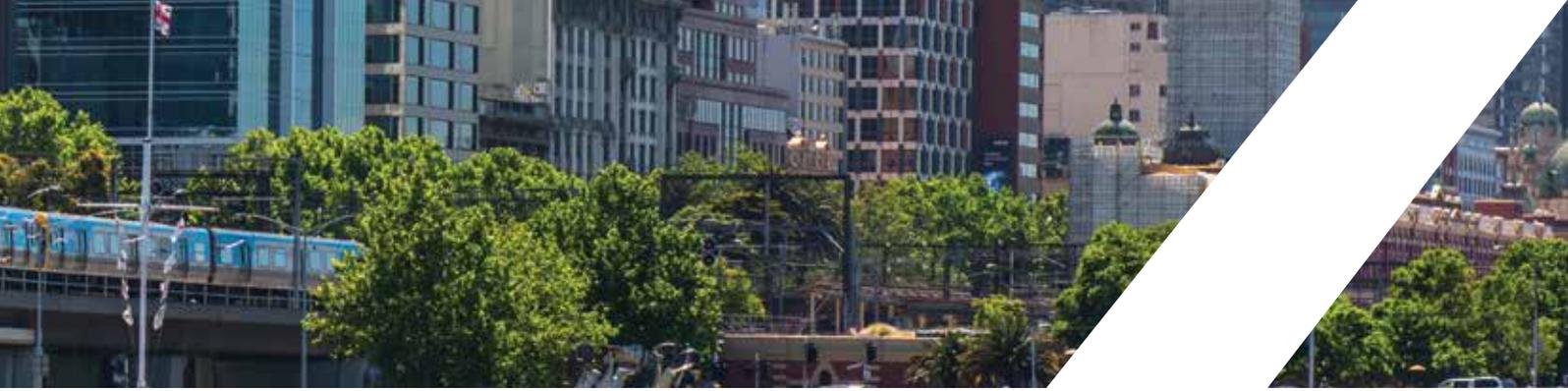
AS AT 30 JUNE 2018 THERE WERE **50 OPERATORS ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN VICTORIA.**

SIGNIFICANT REGULATORY ACTIVITIES

- > ONRSR played an important role in facilitating commencement of revenue services on the Caulfield to Clayton section of the Skyrail viaduct (Area 1) in June 2018. This section was constructed using a straddle carrier system – the first time this construction method was used in Australia. The Skyrail project was faced with a multitude of challenges during the design and construction phase including the requirement to maintain passenger train operations during construction. Since April 2016 ONRSR has been working closely with the operators to regulate the delivery of the Skyrail project. This has included conducting a series of compliance activities, as well as ongoing reviews of the particularly complex safety risk registers, safety plans and assurance reports. Through these engagements, ONRSR has also guided the operators to make significant improvements to their safety management systems. These safety changes and improvements have now been rolled out to other major projects being delivered such as Melbourne Metro Tunnel and High Capacity Metro Trains projects.
- > Through its regulatory activities, ONRSR has intervened on a number of projects in Victoria where there were concerns with governance and contractor management arrangements that presented as risks to worker and public safety. Through routine compliance activities on the Murray Basin Rail Project, ONRSR identified safety concerns relating to how the operator’s safety management system was being implemented by contractors. Inquiries revealed that at times the contractors involved were not appropriately utilising the safety management system resulting in confusion as to who had management and control of rail activities and associated safety matters. ONRSR intervened by issuing notices and directions to improve safety performance. Ultimately, ONRSR was able to work with the operator and the contractors to achieve a safety outcome beneficial to all parties.
- > ONRSR has conducted audits focused on how operators in Victoria manage and mitigate risks associated with signals passed at danger (SPADs). The audit identified areas of improvement in the assessment of SPAD risk, control measures considered to address those risks and the governance of these processes. As a result, operators have made, or are in the process of making, improvements to their operations which will provide a more robust approach to managing SPAD risk.

INCIDENT RESPONSE

- > **On 23 April 2018** a near miss occurred at Altona when a driver observed the rear end of a stopped train obstructing the route ahead. The driver brought the train to a stop short of the obstruction avoiding any collision. The root cause was identified as a non-compliant insulated rail joint placement at the cross over. In response to the incident ONRSR sought



immediate assurances from the operator that an effective engineering control was made to the interlocking to prevent the hazard reoccurring. ONRSR is continuing to work with all Victorian rail transport operators to ensure all available mitigations are assessed and that effective controls are implemented.

- > **On 13 July 2017** a passenger operator experienced a failure of its internal Train Control Monitoring System (TCMS). The failure resulted in a loss of train control and significant disruption to Melbourne's afternoon peak period. Both the operator and ONRSR commenced inquiries into the matter, focusing on a number of core areas. Among the findings, the investigation revealed the failure of a networking switch may have contributed to the loss of the TCMS. It was suggested by the manufacturer that the failure of the switch was likely due to outdated software. The operator implemented a number of improvements to its systems, including the update of system software.
- > **On 6 November 2017** a passenger train service collided with a motor vehicle at the Urches (Werneth) Road level crossing, located just west of Cressy, in Western Victoria. The driver of the motor vehicle was fatally injured in the collision which occurred when the motor vehicle travelling north entered the crossing in the path of the train. Through a subsequent ONRSR site inspection and follow-up investigation, it was confirmed that the road markings and signage were compliant to the associated standard. The crossing design is passive with a give way sign for protection as well as associated rail crossing warning signs, also compliant to the associated standards. The line of sight from the southern approach to the crossing gave a clear view to motor vehicles of approaching trains.
- > **On 2 January 2018** an empty passenger train travelling on the main line from Waurin Ponds to Geelong passed two signals at danger (SPAD). This placed the train in conflict with an approaching Warrnambool passenger train travelling toward Marshall Station from Geelong. The occurrence activated a SPAD alarm in train control resulting in the train controller placing an emergency radio broadcast call which saw all trains in the area stop. The distance between the two conflicting trains was reported as 905 metres. ONRSR instigated a follow up investigation while the operator immediately stood the driver down, implemented a temporary speed restriction and issued a SPAD safety alert to its train drivers. ONRSR also undertook a site visit and requested a copy of the operator's investigation report. ONRSR is continuing to monitor the safety recommendations outlined in the report.
- > **On 15 January 2018** an operator reported that a grain wagon collided with another operator's shunting tractor that was assisting with a gravity shunting movement. While the impact of the collision caused the tractor to break in half, no reported injuries to nearby rail safety workers were reported. ONRSR undertook a site visit and, given the incident involved two operators, a follow up investigation was instigated. A copy of the investigation report was reviewed and in order to monitor the response to its recommendations, ONRSR scheduled a compliance inspection which has now been completed.



// TASMANIA

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **15 OPERATORS** ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN TASMANIA.

SIGNIFICANT REGULATORY ACTIVITIES

- > The focus of auditing activities with tourist and heritage operators has been steam locomotive boiler maintenance management practices and the competency of boiler operators. In Tasmania there are five organisations that between them operate nine railway locomotive boilers. This area of focus will continue into the 2018–2019 financial year with results to date indicating:
 - Improvements are required by operators to document boiler management and maintenance plans and the procedures for operating their boilers.
 - Operators are typically relying on the competence of highly experienced individuals to operate railway locomotive boilers; however, significant challenges exist to ensure these highly specialised and safety-critical skills continue into the future. Operators are experiencing difficulties in establishing robust competency assessment systems which are directly relevant to railway locomotive boilers for new boiler attendants.
- > Audit and inspection activities relating to Tasmania's principal commercial freight railway have been based on ONRSR's continued national priority of track worker safety. Regulatory activities during the year have also included review of the operator's fatigue risk management program, its systems supporting driver only operations and the progress being made to engage with road owners (local councils) to establish safety interface agreements for the management of level crossings.
- > Significant effort continued in providing specific guidance and advice to a number of tourist and heritage operators proposing to expand their operations.

INCIDENT RESPONSE

- > **On 29 June 2017** the lead locomotive of a freight train derailed on a set of points in the Devonport Yard and blocked the running line which disrupted all train operations in the area for 24 hours. The investigation found the driver had misinterpreted a signal, believing the points had been secured for his intended route when in fact the points were still in the process of being turned for his train.
- > **On 16 April 2017** a tree uprooted and dislodged above a steep embankment on the Melba line, sliding onto the rail formation where it struck the track pushing it two metres out of horizontal alignment. A freight service travelling in the area shortly afterwards subsequently derailed and made contact with the tree. A track inspector reported the track was clear when he conducted his inspection approximately one hour ahead of the freight train's involvement.
- > **On 1 June 2018** a road rail excavator lost braking control while it was being placed into rail operation mode. The machine travelled in an uncontrolled manner for approximately 30 metres, within a designated worksite, before the operator was able to bring it to a stop by grounding the machine's bucket attachment. Immediately following the incident the operator prohibited use of the machine on rail.



// QUEENSLAND

RAIL INDUSTRY CONTEXT

ONRSR ASSUMED RESPONSIBILITY FOR RAIL REGULATORY OVERSIGHT FROM QUEENSLAND'S DEPARTMENT OF TRANSPORT AND MAIN ROADS ON 1 JULY 2017. AS AT 30 JUNE 2018, THERE WERE **69 OPERATORS ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN QUEENSLAND.**

SIGNIFICANT REGULATORY ACTIVITIES

- > A key focus for ONRSR this year was ensuring the safe implementation of passenger rail services for the 2018 Gold Coast Commonwealth Games. A number of inspections were undertaken in the lead-up to the games with the principal transport operators. These inspections closely examined the areas of driver competency, rolling stock maintenance, and security and emergency management.
- > ONRSR has overseen the introduction of a new generation of passenger rolling stock for use on the suburban Brisbane network. With many of the 55 new sets already introduced, ONRSR continues to oversee the introduction and commissioning of the remaining trains.
- > ONRSR played an important role in the commencement of revenue services on stage 2 of the light rail network on the Gold Coast in mid-December 2017. The extension delivered an extra 7.3 kilometres, connecting the network to Helensvale Station.
- > ONRSR continues to collaborate on the ongoing management of a freight operator's application to allow construction of a 388-kilometre rail link from the Carmichael coal mine to the Port of Abbot Point.
- > ONRSR continues to closely monitor the reintroduction of a tourist and heritage railway at Gympie. This year, a full safety management system audit, together with a series of detailed inspections have been conducted. ONRSR continues to work with the operator to ensure compliance with the RSNL prior to the commencement of passenger-carrying operations.

INCIDENT RESPONSE

- > **On 21 July 2017** a coal train's two lead locomotives and 18 (out of 41) wagons derailed approximately 9 kilometres west of Oakey. The on-site investigation identified a damaged section of rail at an occupational level crossing which subsequently triggered the derailment. Later that day, police located and identified a 'low-loader' truck that had damaged the track and contributed to the derailment.
- > **On 29 August 2017** a truck collided with a freight train at a private level crossing in Pindi Pindi, north of Mackay, killing the driver. Although not attending on site, ONRSR requested from both the operator of the train and the infrastructure owner the determinative conclusions of their respective investigations. The evidence obtained by ONRSR showed the crossing was appropriately sign-posted with clear unobstructed views of that section of track.
- > **On 19 October 2017** a shunt tractor moving a New Generation Rollingstock (NGR) unit passed a red signal while entering the main line having exited the Wulkuraka maintenance facility. Both the shunt tractor and the first 3 carriages subsequently derailed at the catch points protecting the main running line. It was identified the operation included the isolation of the NGR's brakes, with the expectation the shunt tractor would be capable of stopping both itself and the NGR. However, the lack of NGR braking coupled with a small gradient from the facility proved inadequate.

NSW

// NEW SOUTH WALES

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **84 OPERATORS** ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN NEW SOUTH WALES.

SIGNIFICANT REGULATORY ACTIVITIES

- > Throughout 2017–2018 ONRSR undertook a number of specialised compliance activities in NSW including:
 - Inspection of non-accredited, contracted organisations involved in the provision of rolling stock maintenance services to verify how they meet their safety duties under *Rail Safety National Law*.
 - Inspection of organisations involved in the provision of safeworking resources to the rail industry to verify how they meet their safety duties under RSNL, aimed towards identifying opportunities to improve track worker safety, supplemented by a number of unannounced work site inspections.
 - Inspection of organisations involved in the provision of train crew to the rail industry that provided a level of assurance on the clear establishment of safety accountabilities between the contractor and the accredited rail transport operator.

These activities provided an assurance of how contractors are managing their obligations under the RSNL and how they are conforming to the safety management system requirements of the accredited rail transport operator.

ONRSR has undertaken compliance inspections to review the systems used by rail transport operators in managing safety of track infrastructure to ensure safe railway operations. The activities were conducted with a team comprising rail safety officers and a technical specialist and included assessment of records that provided assurance on the conduct of inspections as per technical standards and that defects are prioritised and managed.

ONRSR has continued its work to facilitate the safe and timely delivery of a range of major projects across Sydney. Throughout the financial year work has been undertaken to inspect progress, assess applications for variation to scopes of accreditation and provide guidance in relation to RSNL on the following projects:

- Sydney Metro North West
- Sydney Metro CBD and South West
- Sydney CBD and South East Light Rail
- Newcastle Light Rail
- New Intercity Fleet

INCIDENT RESPONSE

- > **On 31 July 2017** a passenger service travelling towards Tempe narrowly missed two track workers carrying out track measurements. The track workers were using a combination of warning measures that were not approved for use in the manner of the work being undertaken. When one worker became distracted the arrangements broke down resulting in the worksite not being warned of a train approaching until the train driver sounded the train horn. ONRSR has finalised its investigation into the incident and communicated the findings to the passenger operator.

- > **On 22 January 2018** a passenger service collided with the buffer stop at the end of Richmond platform 2. On impact the train recoiled backwards 3 metres. Thirteen passengers and three operational staff (including two train crew) on board were treated for various non-life-threatening injuries. The collision resulted in significant damage to the interconnecting door areas and inter-car coupling systems of the train and also the platform 2 buffer stop. As a result of the incident the operator reduced the line speed for trains on approach to Richmond Station, including a train speed check at the platform approach signal to ensure the reduced speed is complied with. ONRSR's investigation into the incident has focused on driver training, train performance, buffer stop configuration, train speed management and risk management of the terminating location.
- > **On 26 February 2018** at Narrandera Sidings, a track supervisor identified 11 grain wagons had been stabled on a section of track that was booked out of use. ONRSR's inquiries established that the wagons had been pushed through a booked out set of points that had initially been locked to stop unauthorised access, and that access to the siding had been afforded without authorisation. The freight operator ceased rail operations at the siding and ONRSR's investigation is now in the process of being finalised.
- > **On 24 April 2018** a driver reported three workers within close proximity to the rail lines at Wondabyne. Initial investigations identified the signaller was not aware of any work crews in the area, and that no authority had been obtained to conduct the work. In addition it was identified that a pedestrian railway crossing was being utilised to warn workers of approaching trains, a warning method not permitted in accordance with worksite protection rules. A post-incident safety notice was issued to all workers carrying out activities in the rail corridor reinforcing the requirement for work crews to inform signallers of work details and reminding them that the use of railway crossing equipment is not permitted as part of worksite protection. ONRSR's investigation into the incident is ongoing.



ACT

// AUSTRALIAN CAPITAL TERRITORY

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **10 OPERATORS** ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN THE AUSTRALIAN CAPITAL TERRITORY.

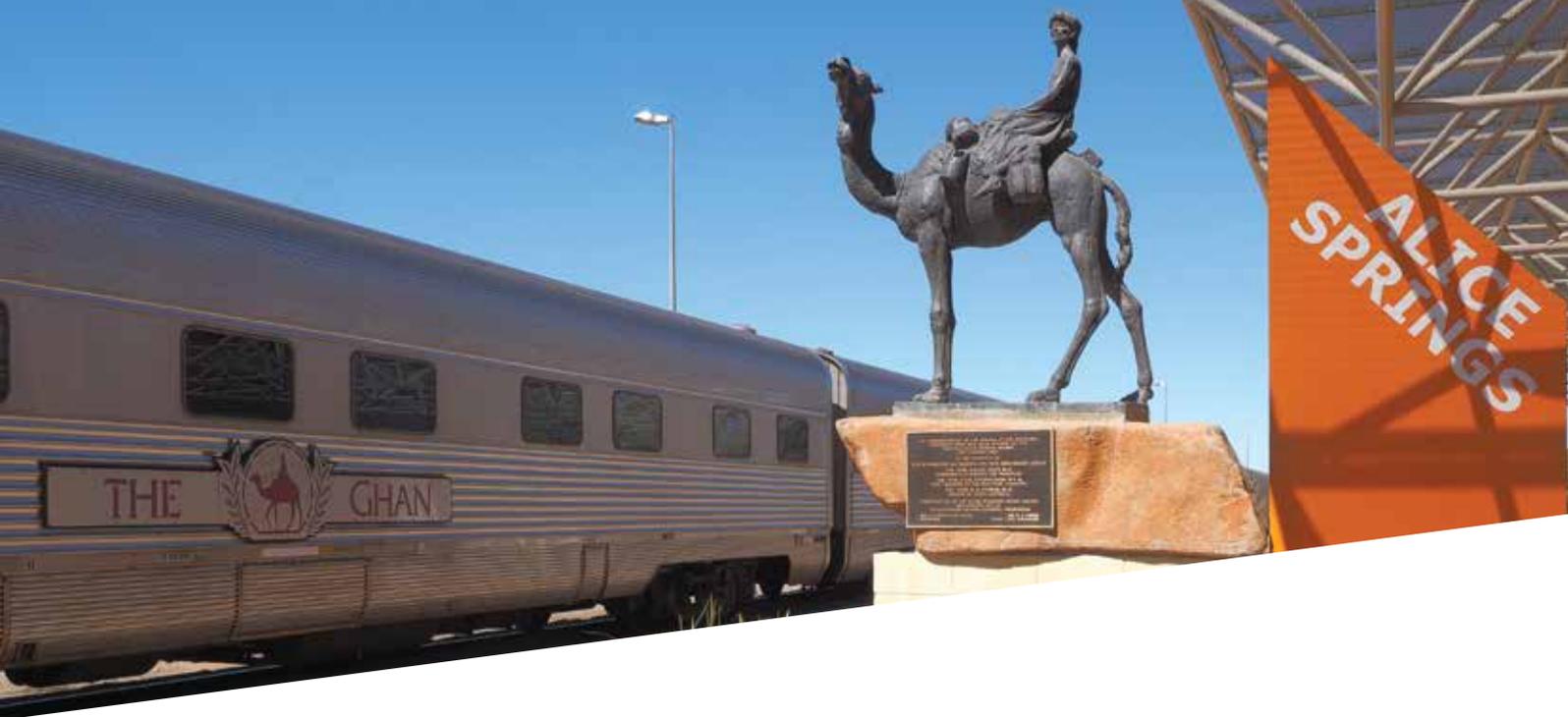
SIGNIFICANT REGULATORY ACTIVITIES

- > In November 2016, a tourist and heritage operator was placed in provisional liquidation by the ACT Supreme Court. For the next 14 months ONRSR worked closely with the provisional liquidators to facilitate the transfer and sale of rolling stock and ensure the safe cessation of the organisation's railway operations.
- > The Canberra Light Rail project includes the construction and subsequent passenger operation of 12 kilometres of new light rail, including the supply and operation of light rail vehicles. Following the initial granting of accreditation, ONRSR has been working closely with the operator on variations to their accreditation as they progress through the construction phase to the testing and commissioning phase for both the rail infrastructure and rolling stock. In May 2018, the operator applied to vary its accreditation for passenger revenue services. ONRSR is continuing engagement with the project to support its commissioning and subsequent operational activities.

INCIDENT RESPONSE

During the reporting period there were no significant rail safety incidents within the ACT that required the attendance of ONRSR rail safety officers.





NT

// NORTHERN TERRITORY

RAIL INDUSTRY CONTEXT

AS AT 30 JUNE 2018 THERE WERE **16 OPERATORS ACCREDITED BY ONRSR UNDER RAIL SAFETY NATIONAL LAW FOR OPERATIONS IN THE NORTHERN TERRITORY**

SIGNIFICANT REGULATORY ACTIVITIES

- > ONRSR conducted an inspection at a freight terminal to determine compliance of railway operations against the operator's safety management system, in particular fatigue risk management and rail safety worker competence specific to terminal operations and train drivers. This inspection was triggered by a patrol of the rail corridor between Berrimah and Alice Springs in June 2017. This patrol identified some areas of interest including the composition of crew working the Darwin-Muckaty train.
- > ONRSR conducted inspections of 43 railway crossings on the rail network between Darwin and Katherine to examine the condition of road traffic infrastructure (signs and road markings) and road user sight lines to detect approaching rail traffic. They were undertaken to review the attentiveness of operators and road managers in regularly monitoring the condition of signs and road markings, the management of seasonal growth of vegetation in the rail corridor and other obstructions. The results of the inspections reinforced the need for coordinated management of risk at railway crossings by the operators and road managers.

INCIDENT RESPONSE

- > ONRSR has conducted follow-up enquiries with a freight operator regarding road rail vehicle (RRV) derailments in the Northern Territory, specifically:
 - **24 August 2017** – RRV derailment at running speed near Union Reef crossing loop
 - **07 November 2017** – RRV derailment on mainline at speed between Kulgera and Impadna
 - **07 January 2018** – RRV derailment on mainline near Tennant Creek

Internal investigations have not been able to identify a common root cause and have engaged the original equipment manufacturer of the RRV equipment as part of the investigative process. ONRSR has developed a plan to inspect and validate any corrective actions applied after implementation by the freight operator.





// FINANCIAL REPORT

FINANCIAL SUMMARY 2017–2018

ONRSR's detailed audited financial statements are on the following pages. ONRSR showed a net surplus of \$2.625 million for the financial year ending 30 June 2018. The surplus was attributable to recognition of revenue paid in advance, employee benefits being less than forecast due to vacancies, drug and alcohol testing monies not fully spent and additional interest revenues.

The major income items were fees and charges (\$39.0 million). This item increased by \$4.4 million on 2016–2017 due largely to the first full year of New South Wales' transition to ONRSR and annual fees and charges increasing in line with CPI.

There were two major expenditure items. The first was employee benefits expense (\$21.5 million). The increase in expenses from 2016–2017 again is largely due to the first full year of New South Wales' transition to ONRSR. The second major item was service level agreement payments for ONRSR's Melbourne office (\$6.2 million). These were paid to Transport Safety Victoria.

As referred to in the Statement of Financial Position, the cash and cash equivalents balance is \$15.2 million. The increase in cash and cash equivalents on 2016–2017 is largely due to the current year surplus and the quarterly Victoria service level agreement expense, accrued but not yet paid as at 30 June 2018.

The balance includes funds that are quarantined for ONRSR's drug and alcohol program and major projects.

As the only recurrent source of funding for ONRSR is through fees from industry and state and territory governments, it is appropriate that ONRSR maintains an appropriate level of cash reserves to fund working capital requirements, investment in information technology, longer term capital expenditure and other contingencies.

INDEPENDENT AUDITOR'S REPORT

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**To the Chief Executive
The Office of the National Rail Safety Regulator**

As required by section 31(1)(b) of the *Public Finance and Audit Act 1987* and section 43(3) of the Schedule to the *Rail Safety National Law (South Australia) Act 2012*, I have audited the financial report of the Office of the National Rail Safety Regulator for the financial year ended 30 June 2018.

Opinion

In my opinion, the accompanying financial report gives a true and fair view of the financial position of the Office of the National Rail Safety Regulator as at 30 June 2018, its financial performance and its cash flows for the year then ended in accordance the provisions of the *Public Finance and Audit Act 1987*, the *Rail Safety National Law (South Australia) Act 2012* and Australian Accounting Standards.

The financial report comprises:

- a Statement of Comprehensive Income for the year ended 30 June 2018
- a Statement of Financial Position as at 30 June 2018
- a Statement of Changes in Equity for the year ended 30 June 2018
- a Statement of Cash Flows for the year ended 30 June 2018
- notes, comprising significant accounting policies and other explanatory information
- a Certificate from the Chief Executive and the Executive Director, Corporate.

Basis for opinion

I conducted the audit in accordance with the *Public Finance and Audit Act 1987* and Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of my report. I am independent of the Office of the National Rail Safety Regulator. The *Public Finance and Audit Act 1987* establishes the independence of the Auditor-General. In conducting the audit, the relevant ethical requirements of APES 110 Code of Conduct for Professional Accountants have been met.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Chief Executive for the financial report

The Chief Executive is responsible for the preparation of the financial report that gives a true and fair view in accordance with provisions of the *Public Finance and Audit Act 1987*, the *Rail Safety National Law (South Australia) Act 2012* and the Australian Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

Auditor's responsibilities for the audit of the financial report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Chief Executive
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

My report refers only to the financial report described above and does not provide assurance over the integrity of electronic publication by the entity on any website nor does it provide an opinion on other information which may have been hyperlinked to/from the report.

I communicate with the Chief Executive about, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during the audit.



Andrew Richardson

Auditor-General

24 August 2018

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

CERTIFICATION OF FINANCIAL STATEMENTS

We certify that the attached general purpose financial statements for the Office of the National Rail Safety Regulator:

- complies with Section 263 of the *Rail Safety National Law (South Australia) Act 2012* and Regulation 48 of *RSNL National Regulations*, and relevant Australian Accounting Standards;
- are in accordance with the accounts and records of the Office of the National Rail Safety Regulator; and
- present a true and fair view of the financial position of the Office of the National Rail Safety Regulator as at 30 June 2018 and the results of its operation and cash flows for the financial year.

We certify the internal controls employed by the Office of the National Rail Safety Regulator for the financial year over its financial reporting and the preparation of the general purpose financial statements have been effective throughout the reporting period.


.....
Chief Executive


.....
Executive Director - Corporate

23 / 8 / 2018

23 / 8 / 2018

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

STATEMENT OF COMPREHENSIVE INCOME

For the year ended 30 June 2018

		2018	2017
	Note	\$'000	\$'000
Expenses:			
Employee benefits expenses	4	21,465	12,428
Supplies and services	5	8,060	5,127
Service level agreement	6	6,186	15,599
Depreciation and amortisation	7	953	578
Other expenses	8	41	1
Total expenses		36,705	33,733
Income:			
Revenues from fees and charges	9	39,008	34,646
Funding for transition expenses	10	-	1,500
Interest revenues	11	320	274
Other income	12	2	93
Total income		39,330	36,513
Net result		2,625	2,780
Total comprehensive result		2,625	2,780

The above statements should be read in conjunction with the accompanying notes.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

STATEMENT OF FINANCIAL POSITION

As at 30 June 2018

		2018	2017
	Note	\$'000	\$'000
Current assets:			
Cash and cash equivalents	13	15,186	12,353
Receivables	14	1,163	1,321
Total current assets		16,349	13,674
Non-Current assets			
Receivables	14	114	-
Property, plant and equipment	15	4,105	3,381
Intangible assets	16	2,114	2,447
Total Non-Current assets		6,333	5,828
Total assets		22,682	19,502
Current liabilities:			
Payables	17	4,240	4,670
Employee benefits	18	2,179	1,316
Other liabilities	19	8	484
Total current liabilities		6,427	6,470
Non-Current liabilities:			
Employee benefits	18	491	331
Other liabilities	19	49	-
Provisions	20	389	-
Total Non-Current liabilities		929	331
Total liabilities		7,356	6,801
Net assets		15,326	12,701
Equity:			
Retained earnings		15,326	12,701
Total equity		15,326	12,701

The above statements should be read in conjunction with the accompanying notes.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2018

	Note	Transition expenses \$'000	Retained earnings \$'000	Total \$'000
Balance at 30 June 2016		918	8,128	9,046
Net result for 2016-17		-	2,780	2,780
Error correction	18	-	875	875
Transfer between equity components		(918)	918	-
Balance at 30 June 2017		-	12,701	12,701
Net result for 2017-18		-	2,625	2,625
Balance at 30 June 2018		-	15,326	15,326

The above statements should be read in conjunction with the accompanying notes.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

STATEMENT OF CASH FLOWS

For the year ended 30 June 2018

		2018	2017
	Note	\$'000	\$'000
Cash flows from operating activities:			
Cash outflows			
Employee benefit payments		(20,688)	(11,603)
Payments for supplies and services		(9,273)	(5,641)
Payments for service level agreement		(5,644)	(15,577)
Cash used in operations		(35,605)	(32,821)
Cash inflows			
Fees and charges		38,444	33,066
Interest received		318	277
Funding for transition expenses		186	1,650
GST recovered from the ATO		943	500
Other receipts		378	696
Cash generated from operations		40,269	36,189
Net cash provided by (used in) operating activities		4,664	3,368
Cash flows from investing activities:			
Cash outflows			
Purchase of property, plant and equipment		(1,746)	(2,369)
Purchases of intangibles		(85)	(353)
Cash used in investing activities		(1,831)	(2,722)
Net increase in cash and cash equivalents		2,833	646
Cash and cash equivalents at 1 July		12,353	11,707
Cash and cash equivalents at 30 June	13	15,186	12,353

The above statements should be read in conjunction with the accompanying notes.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1. Objective of the Office of the National Rail Safety Regulator

The Office of the National Rail Safety Regulator (ONRSR) is established under the *Rail Safety National Law (South Australia) Act 2012 (the Law)*.

ONRSR has the principal objective of facilitating the safe operation of rail transport across Australia. This is achieved through regulation of the rail industry in accordance with the Law, supporting regulations, guidelines and policies and the promotion of safety as a fundamental objective in the delivery of rail transport services.

ONRSR has responsibility for regulatory oversight of rail safety in every Australian state and territory. In some states this is via a Service Level Agreement (SLA). The SLA with New South Wales (NSW) ceased on 9 March 2017. ONRSR still operates under a SLA with Victoria. Queensland transitioned to the national model on 1 July 2017.

2. Significant accounting policies

(a) Statement of compliance

These financial statements have been prepared in compliance with section 263 of the *Rail Safety National Law (South Australia) Act 2012* and Regulation 48 of *Rail Safety National Law National Regulations*.

The financial statements are general purpose financial statements. The accounts have been prepared in accordance with relevant Australian Accounting Standards (Reduced Disclosure Requirements).

ONRSR has applied Australian Accounting Standards that are applicable to not-for-profit entities as ONRSR is a not-for-profit entity.

(b) Basis of preparation

The financial statements have been prepared based on a 12 month period and presented in Australian currency.

(c) Comparative information

The presentation and classification of items in the financial statements are consistent with prior periods except where specific accounting standards have required a change or an error has been identified (refer to note 18).

(d) Rounding

All amounts in the financial statements and accompanying notes have been rounded to the nearest thousand dollars (\$'000).

(e) Taxation

ONRSR is not subject to income tax. ONRSR is liable for payroll tax, fringe benefits tax and goods and services tax (GST).

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Income, expenses and assets are recognised net of the amount of GST except:

- when the GST incurred on a purchase of goods or services is not recoverable from the Australian Taxation Office, in which case the GST is recognised as part of the cost of acquisition of the asset or as part of the expense item applicable.
- receivables and payables, which are stated with the amount of GST included.

The net amount of GST recoverable from, or payable to, the Australian Taxation Office is included as part of receivables or payables in the Statement of Financial Position.

Cash flows are included in the Statement of Cash Flows on a gross basis and the GST component of cash flows arising from investing and financing activities, which is recoverable from, or payable to, the Australian Taxation Office is classified as part of operating cash flows.

(f) Events after the reporting period

There are no events which have occurred after the balance date which require disclosure or an adjustment to the financial statements.

(g) Current and non-current classification

Assets and liabilities that are sold, consumed or realised as part of the normal operating cycle even when they are not expected to be realised within twelve months after the reporting date have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

(h) Unrecognised contractual commitments and contingent assets and liabilities

Commitments include operating lease commitments arising from contractual sources are disclosed at their nominal value.

3. New and revised accounting standards and policies

ONRSR did not voluntarily change any of its accounting policies during 2017-18. Australian Accounting Standards and Interpretations that have recently been issued or amended but are not yet effective have not been adopted by ONRSR for the year ended 30 June 2018.

ONRSR has assessed the impact of the new changed Australian Accounting Standards and interpretations not yet implemented. The new AASB 16 Leases standard will apply for the first time from periods commencing 1 January 2019, but ONRSR has not yet quantified the impact on the Statement of Comprehensive Income or Statement of Financial Position. The application date for ONRSR is 1 July 2019.

The standard introduces a single accounting model for lessees, eliminating the distinction between operating and finance leases. The standard requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value.

The new AASB 15 Revenue from Contracts with Customers standard is effective from 31 December 2018. ONRSR has assessed that this standard will not have an impact on the Statement of Comprehensive Income or Statement of Financial Position.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Expenses**4. Employee benefits expenses**

	2018	2017
	\$'000	\$'000
Salaries and wages	16,740	9,182
Long service leave	568	260
Annual leave	1,373	1,327
Employment on-costs - superannuation*	1,677	927
Employment on-costs - other	1,027	683
Workers compensation	80	49
Total employee benefits expenses	21,465	12,428

*The superannuation employment on-cost charge represents ONRSR's contributions to externally managed superannuation plans in respect of current services of current staff.

5. Supplies and services

	2018	2017
	\$'000	\$'000
Travelling expenses	1,415	884
Information Technology	1,656	1,410
Insurance	323	316
Property	1,780	1,239
Legal Costs	216	50
Contractors fees	1,063	390
Consultants	741	248
Other	866	590
Total supplies and services	8,060	5,127

Operating lease payments (included in property) are recognised as an expense on a straight-line basis over the lease term, as it is representative of the pattern of benefits derived from the leased asset.

6. Service level agreement

	2018	2017
	\$'000	\$'000
Payment under Service Level Agreement with New South Wales	-	9,505
Payment under Service Level Agreement with Victoria	6,186	6,094
Total Service Level Agreement	6,186	15,599

The SLA with NSW ceased on 9 March 2017. From 10 March 2017 NSW operations were transferred to ONRSR under a direct delivery model.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

7. Depreciation and amortisation

	2018	2017
	\$'000	\$'000
Fixtures and fittings	68	37
Computer Equipment	219	87
Computer Software	401	399
Leasehold Improvements	265	55
Total depreciation and amortisation	953	578

All non-current assets, having a limited useful life, are systematically depreciated/amortised over their useful lives in a manner that reflects the consumption of their service potential.

Assets' residual values, useful lives and amortisation methods are reviewed and adjusted if appropriate, on an annual basis.

Changes in the expected useful life or the expected pattern of consumption of future economic benefits embodied in the asset are accounted for prospectively by changing the time period or method, as appropriate, which is a change in accounting estimate.

The value of leasehold improvements is amortised over the estimated useful life of each improvement, or the unexpired period of the relevant lease, whichever is shorter.

Depreciation/amortisation is calculated on a straight line basis over the estimated useful life of the following classes of assets as follows:

Class of asset	Useful life (years)
Computer equipment	3 - 10
Intangible assets	3 - 10
Leasehold improvements	Life of Lease

Depreciation on Fixtures and fittings is calculated using the diminishing value method.

8. Other expenses

	2018	2017
	\$'000	\$'000
Bad debts and allowances for doubtful debts (refer note 14)	41	1
Total other expenses	41	1

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Income**9. Revenue from fees and charges**

	2018	2017
	\$'000	\$'000
Revenue from accreditations	113	87
Revenue from major projects	1,163	-
Revenue from annual fees from industry and government	37,732	34,559
Total revenue from fees and charges	39,008	34,646

Revenues from fees and charges are derived from the annual fees payables by industry and state governments. Revenue is recognised as income when ONRSR obtains the right to receive the income and the income recognition criteria is met.

10. Funding for transition expenses

	2018	2017
	\$'000	\$'000
Capital contribution	-	1,500
Total contribution	-	1,500

11. Interest revenues

	2018	2017
	\$'000	\$'000
Interest received	320	274
Total interest revenues	320	274

Interest is recognised using the effective interest rate method.

12. Other income

	2018	2017
	\$'000	\$'000
Freedom of Information Fees	1	1
Doubtful debts recovered	1	4
Salary Sacrificing Refund	-	11
Defence Reserve Recovery	-	9
Payroll Tax Recovery	-	68
Total other revenue	2	93

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Assets

13. Cash and cash equivalents

	2018	2017
	\$'000	\$'000
Cash at bank and on hand	15,186	12,353
Total cash and cash equivalents	15,186	12,353

Cash is recognised at its nominal amount.

ONRSR has been granted an overdraft limit facility of \$400,000. This limit has not been used.

14. Receivables

	2018	2017
	\$'000	\$'000
Current		
Account Receivables	141	299
Less allowance for doubtful debts	(41)	(6)
Prepayments	747	521
Accrued interest	9	6
Accrued revenue	12	10
Security deposit	96	96
GST input tax receivable	199	395
Total current receivables	1,163	1,321
Non-current		
Prepayments	114	-
Total non-current receivables	114	-
Total receivables	1,277	1,321

Movement in the allowance for doubtful debts

	2018	2017
	\$'000	\$'000
Carrying amount at the beginning of the period	6	11
Increase in the allowance	41	2
Amounts written off	(5)	(3)
Amounts recovered during the year	(1)	(4)
Carrying amount at the end of the period	41	6

Receivables arise from the collection of fees from industry and state governments. Receivables are generally settled within 30 days after the issue of an invoice.

Collectability of receivables is reviewed on an ongoing basis. An allowance for doubtful debts is raised when there is objective evidence that ONRSR will not be able to collect the debt. Bad debts are written off when identified.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

15. Property, plant and equipment

	2018 \$'000	2017 \$'000
Leasehold improvements		
At cost	2,464	1,345
Accumulated depreciation	(348)	(82)
Total leasehold improvements	2,116	1,263
Work in progress		
At cost	785	730
Total work in progress	785	730
Total leasehold improvements	2,901	1,993
Fixtures and fittings		
At cost	801	673
Accumulated depreciation	(190)	(122)
Total fixtures and fittings	611	551
Work in progress		
At Cost	-	128
Total work in progress	-	128
Total fixtures and fittings	611	679
Computer equipment		
At cost	1,031	600
Accumulated depreciation	(449)	(230)
Total computer equipment	582	370
Work in progress		
At cost	11	339
Total work in progress	11	339
Total computer equipment	593	709
Total property, plant and equipment	4,105	3,381

Property, plant and equipment are initially identified at cost or at the value of any liabilities assumed, plus any incidental cost involved with the acquisition. Property, plant and equipment are subsequently measured at cost after allowing for accumulated depreciation and are tested for indications of impairment at each reporting date. Where assets are acquired at no value, or minimal value, they are recorded at fair value in the Statement of Financial Position.

All property, plant and equipment with a value equal to or in excess of \$5,000 are capitalised.

ONRSR expects for all non-current tangible assets that any costs of disposal will be negligible, and the recoverable amount to be close to or greater than the carrying value.

Impairment

There were no indications of impairment of property, plant and equipment at 30 June 2018.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

16. Intangible assets

	2018	2017
	\$'000	\$'000
Computer Software		
Internally developed computer software	2,499	2,499
Accumulated amortisation	(505)	(255)
Other computer software	949	872
Accumulated amortisation	(829)	(679)
Total Computer software	2,114	2,437
Work In Progress (Intangibles):		
At Cost	-	10
Total Work in Progress (Intangibles)	-	10
Total Intangible assets	2,114	2,447

An intangible asset is an identifiable non-monetary asset without physical substance. Intangible assets are measured at cost and are tested for indications of impairment at each reporting date. Following initial recognition, intangible assets are carried at cost less any accumulated amortisation and any accumulated impairment losses.

The acquisition of, internal development of or externally acquired software is capitalised only when the expenditure meets the definition and recognition criteria and when the amount of expenditure is greater than or equal to \$5,000.

The useful lives of intangible assets are assessed to be either finite or indefinite. ONRSR only has intangible assets with finite lives. The amortisation period and the amortisation method for intangible assets is reviewed on an annual basis.

During the year ONRSR reassessed the useful life of internally developed intangibles resulting in a reduction in the estimated useful life.

Impairment

There were no indications of impairment of intangible assets at 30 June 2018.

Asset movement reconciliation 2018

	Leasehold	Fixtures	Computer	Intangible	Total
	Improvements	and fittings	equipment	assets	
2018	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July 2017	1,993	679	709	2,447	5,828
Additions at cost	388	-	92	71	551
Additions work in progress	785	-	11	-	796
Prior year work in progress expensed	-	-	-	(3)	(3)
Depreciation/amortisation	(265)	(68)	(219)	(401)	(953)
Carrying amount at 30 June 2018	2,901	611	593	2,114	6,219

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Liabilities

17. Payables

	2018	2017
	\$'000	\$'000
Current		
Creditors	296	2,594
Accrued expenses	3,816	1,796
Employee on-costs*	122	111
Paid Parental Leave Scheme payable	3	-
GST Payable	1	168
FBT Payable	2	1
Total current payables	4,240	4,670

* Employee on-costs include payroll tax, workers compensation levies and superannuation contributions. ONRSR makes contributions to several State Government and Commercial superannuation schemes. These contributions are treated as an expense when they occur. There is no liability for payments to beneficiaries as they have been assumed by the respective superannuation schemes. The only liability outstanding at reporting date relates to any contributions due but not yet paid to scheme managers.

All payables are measured at their nominal amounts, are unsecured and are normally settled within 30 days from the invoice or date the invoice is first received.

18. Employee benefits

	2018	2017
	\$'000	\$'000
Current		
Accrued salaries and wages	353	301
Redundancy payments	247	-
Annual Leave	861	642
Long service leave	718	373
Total current employee benefits	2,179	1,316
Non-Current		
Long service leave	491	331
Total non-current employee benefits	491	331
Total Employee benefits	2,670	1,647

Employee benefits accrue for employees as a result of services provided up to the reporting date that remain unpaid. The obligations are presented as current liabilities if ONRSR does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur.

• *Short term obligations*

Liabilities for wages and salaries, including non-monetary benefits and annual leave expected to be settled within 12 months after the end of the period in which the employees render the related service are recognised in respect of the employee's service up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees is estimated to be less than the annual entitlement for sick leave.

- *Other long-term benefit obligations*

The liability for long service leave which is not expected to be settled within 12 months after the end of the period in which employees render the related service is recognised in employee benefits and measured as the present value of the expected future payments to be made in respect of services provided by employees up to the end of the reporting periods using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on government bonds.

- *Separation redundancy*

Provision is made for separation redundancy benefit payments. ONRSR recognises a provision for separation when it has developed a detailed plan for the separation and the affected employees have agreed to the separation.

The annual leave liability for ONRSR was over stated as at 30 June 2017. This was due to a measurement error of the actual annual liability accrued at 30 June 2017. The error has been corrected in the comparative information presented in the financial statements.

The financial statements lines affected are as follows:

	2017
	\$'000
Statement of Comprehensive Income	
Employee benefits expenses	(875)
Total comprehensive result	875
Statement of Financial Position	
Employee benefits	(875)
Retained earnings	875

19. Other liabilities

	2018	2017
	\$'000	\$'000
Current		
Lease Incentive	8	-
Unearned revenue	-	484
Total current other liabilities	8	484
Non-Current		
Lease Incentive	49	-
Total non-current other liabilities	49	-
Total other liabilities	57	484

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

20. Provisions

	2018	2017
	\$'000	\$'000
Non-Current		
Make good	389	-
Total provisions	389	-

21. Unrecognised contractual commitments

Capital Commitments

There are no Capital Commitments in ONRSR.

Expenditure commitments - Other

	2018	2017
	\$'000	\$'000
Within one year	420	1,042
Later than one year but no longer than five years	616	269
Total other commitments	1,036	1,311

Amounts disclosed include commitments arising from IT maintenance contracts and contractors.

Operating lease commitments

	2018	2017
	\$'000	\$'000
Commitments in relation to operating leases contracted for at the reporting date but not recognised as liabilities are payable as follows:		
Within one year	1,519	1,410
Later than one year but no longer than five years	6,482	5,916
Later than five years	4,517	5,325
Total operating lease commitments	12,518	12,651

ONRSR's operating leases are for office accommodation and motor vehicles.

Office leases are non-cancellable with terms ranging up to 10 years with some leases having the right of renewal. Rent is payable one month in advance.

Lease payments are increased annually in accordance with movements in CPI or as per the lease agreement.

Lease Incentives in the form of rent free periods are capitalised as an asset and depreciated over the remaining term of the lease.

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

22. Contingent assets and liabilities

The Regulator has commenced a prosecution in accordance with section 220 of the Law in the District Court of New South Wales against an accredited rail transport operator for four alleged breaches of the Law, which had resulted in the fatality of a rail safety worker. If the Regulator is successful, ONRSR will be entitled to one half of any fines imposed as a penalty against the operator, and ONRSR will also be seeking an order for its legal costs. If the Regulator is unsuccessful, costs may be awarded against ONRSR.

The ONRSR is not aware of any other contingent assets or liabilities.

23. Key Management Personnel

Key management personnel of ONRSR include the Regulator, Non Executive members and Executive Directors who have responsibility for the strategic direction and management of ONRSR. Total compensation for the ONRSR's key management personnel was \$1.938 million (2017: \$1.548 million). The total key management personnel included are 8 (2017: 7).

Transactions with Key Management Personnel

There were no transactions with the key management personnel during the reporting period.

24. Related Party Transactions

Related parties of ONRSR include all key management personnel and their close family members. There were no related party transactions during the reporting period.

25. Financial instruments

Categorisation of financial instruments

The carrying amounts of each of the financial instrument categories are detailed below:

	2018	2017
	\$'000	\$'000
<u>Financial assets:</u>		
Cash and Cash equivalents		
Cash and cash equivalents	15,186	12,353
Loans and receivables		
Receivables	217	405
Total financial assets	15,403	12,758
<u>Financial liabilities:</u>		
Financial liabilities - at cost		
Payables	4,060	4,333
Total financial liabilities	4,060	4,333
<u>Net gain or loss on financial assets:</u>		
Cash and Cash equivalents		
Interest revenue	320	274
Net gain (loss) on financial assets	320	274

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

Financial assets - Loans and receivables

Financial instruments designated as loans and receivables are trade and other receivables and are measured at amortised cost using the effective interest method less impairment.

Receivables amount disclosed here excludes prepayments. Prepayments are presented in note 14 as trade and other receivables in accordance with paragraph 78 (b) of AASB 101. Prepayments are not financial assets as defined in AASB 132 as the future economic benefit of these assets is the receipt of goods and services rather than the right to receive cash or another financial asset.

Financial assets are assessed for impairment at each balance date.

Financial liabilities - at cost

Financial liabilities consist of suppliers and other payable and are carried at cost. Due to their short term nature they are not discounted. Liabilities are recognised to the extent that the goods or services have been received.

Receivable and payable amounts disclosed in this note exclude amounts relating to statutory receivables and payables.

// APPENDICES





APPENDIX 1 // KEY PERFORMANCE INDICATORS 2017-2018

KPI	KPI MEASURE	DEFINITION OF TERMS	TARGET	2015-2016	2016-2017	2017-2018	TREND/COMMENT
GOAL 1: MAINTAIN AND IMPROVE RAIL SAFETY THROUGH A RISK-BASED APPROACH TO REGULATION							
ONRSR planned regulatory activities are timely, efficient & effective	% of minimum interaction level targets for operators defined in the National Audit & Compliance Work Program met	'Interactions' are defined as audits or inspections Minimum interaction level targets are risk-based	100%	n/a	52%*	47%*	47% of the 2018 Work Program was completed by June 30. *The National Audit & Compliance Work Program runs on a calendar year basis rather than a financial year basis.
	% of applications for rail accreditation completed within six months (as per requirements of RSNL)	'Completed' reflects issue to operator of final accreditation/variation Refers to applications that were closed in the reporting period Includes rejected and withdrawn applications	80%	20%*	20%*	100%	* In figures prior to 2017-2018, 'six months' did not reflect any resetting of time-frames triggered by requests for additional information. New figures are calculated as per requirements of RSNL.
	% of applications for rail variation completed within six months (as per requirements of RSNL)	Does not reflect accreditations/variations still open	80%	23%*	49%*	100%	* In figures prior to 2017-2018, 'six months' did not reflect any resetting of time-frames triggered by requests for additional information. New figures are calculated as per requirements of RSNL.
ONRSR continually improves regulatory risk framework	% of phases in ONRSR Regulatory Risk Framework Project Plan completed on time and within budget	ONRSR has a project plan to develop its Regulatory Risk Management framework which will be delivered in four phases	100%	n/a	60%	100%	

KPI	KPI MEASURE	DEFINITION OF TERMS	TARGET	2015-2016	2016-2017	2017-2018	TREND/COMMENT
ONRSR implements consistent risk-based <i>Rail Safety National Law</i>	No. of prohibition notices issued	Prohibition notices are issued under s.179 in relation to immediate risks to safety	n/a	3	4	8	
	No. of D&A tests and % positive (industry)	Positive' is defined as those tests reported as notifiable occurrences 'Industry' refers to testing programs run by operators as required under legislation Data reflects Category B reporting (test results) and monthly periodic returns (number of tests)	0% positive	No. of drug tests – 24,891 No. of alcohol tests – 152,991 % positive reports: 0.35% – Drug 0.042% – Alcohol	No. of drug tests – 32,800 No. of alcohol tests – 360,316 % positive reports: 0.305% – Drug 0.018% – Alcohol	No. of drug tests – 43,608 No. of alcohol tests – 473,931 % positive reports: 0.383% – Drug 0.025% – Alcohol	There has been an increase of more than 30% in the number of drug and alcohol tests, which is due to the transition of Queensland from 1 July 2017.
	No. of D&A tests and % positive (ONRSR)	'Positive' is defined as those tests confirmed as positive 'ONRSR' refers to ONRSR's random and post incident testing program	0% positive	No. of drug tests – 109 No. of alcohol tests – 191 % positive reports: 0% – Drug 0% – Alcohol	No. of drug tests – 371 No. of alcohol tests – 646 % positive reports: 0% – Drug 0% – Alcohol	No. of drug tests – 794 No. of alcohol tests – 1,171 % positive reports: 0% – Drug 0% – Alcohol	Testing is now being undertaken in all states and territories except the ACT. Drug testing commenced in Vic in March 2018.
GOAL 2: REDUCE REGULATORY BURDEN ON INDUSTRY							
Industry satisfaction with regulator value	% of surveyed operators indicating current regulatory arrangements are improved	'Surveyed operators' reflects those operators who responded to ONRSR online stakeholder survey Measures those responses indicating 'agree' or 'strongly agree' to Q11(ii) in ONRSR online stakeholder survey	80%	n/a	51%	n/a	First stakeholder survey undertaken in 2016. Next survey scheduled for 2018–2019.
	% of surveyed operators indicating ONRSR effective in delivering its functions under <i>Rail Safety National Law</i>	Measures those responses indicating 'effective' or 'very effective' to positive change to Q3 in ONRSR online stakeholder survey	80%	n/a	71%	n/a	
	% of surveyed operators indicating ONRSR successful in delivering national rail safety reform objectives	Measures those response rating 5 or above in rating scale of 1-10 to Q14 in ONRSR online stakeholder survey	80%	n/a	87%	n/a	
All jurisdictions form ONRSR	% of Australian railway track and train kilometres regulated by ONRSR under <i>Rail Safety National Law</i>	'Railway track' is defined under RSNL to include heavy rail, light rail, monorail, inclined railway, railway in marshalling yard or terminal, tram, private sidings and guided systems in all states	100% track km 100% train km	77% track km regulated 71% train km regulated	77% track km regulated 73% train km regulated	99% track km regulated 90% train km regulated	On 1 July 2017, the % track and train km regulated by ONRSR increased to 99% and 90% respectively when rail operations in Qld. fell under ONRSR's jurisdiction.

KPI	KPI MEASURE	DEFINITION OF TERMS	TARGET	2015-2016	2016-2017	2017-2018	TREND/COMMENT
ONRSR actively contributes to continuous improvement of regulatory frameworks	Percentage of policies and legislative changes consulted on	'Consulted on' includes raising at established regular forums and conducting targeted consultations on specific proposals	100%	n/a	29* (100%)	100%	Comprehensive engagement with stakeholders, including in relation to cost recovery, fatigue and drug and alcohol legislative reviews. Constructive stakeholder input informed policy development, legislation and supporting documentation. * Earlier figures were measured as counts, rather than percentages.
GOAL 3: UNDER A CO-REGULATORY FRAMEWORK, SUPPORT INDUSTRY IN ITS OPERATION OF SAFE RAILWAYS FOR AUSTRALIA							
ONRSR has collaborative partnerships with industry safety bodies	% of surveyed stakeholders who agreed / strongly agreed that ONRSR and the industry work co-operatively in a co-regulatory environment	Measured through % of respondents who agreed and strongly agreed to co-operative statement as per Q11 (i) in online stakeholder survey	90%	n/a	66%	n/a	First stakeholder survey undertaken in 2016. Next survey scheduled for 2018-2019.
Industry development of industry safety risk model and products	% of industry workplan to develop industry safety risk model progressed	'Industry workplan' refers to schedule of activities identified by industry to develop the model in Phase 1. Phase 2, which will cover model updates, maintenance and expansion is now underway. 'Industry safety risk model' refers to an industry-endorsed methodology to identify national rail safety risks.	100%	n/a	80%	100%	The first version of the industry risk model, known as the Australian Railway Risk Model (ARRM), was launched in November 2017.
GOAL 4: PROMOTE SAFETY AWARENESS AND WORK WITH INDUSTRY ON SAFETY IMPROVEMENT AND RESEARCH							
Industry awareness of ONRSR safety improvement programs	% of industry survey respondents demonstrating awareness of ONRSR safety improvement programs	Measured through % of respondents selecting 'yes' to at least one program in Q22 online stakeholder survey	90%	n/a	85%	n/a	First stakeholder survey undertaken in 2016. Next survey scheduled for 2018-2019.
Communication with regulated entities is clear, targeted and effective	% of industry survey respondents rating ONRSR as an important source of rail safety information and advice	% of respondents selecting 'yes' to Q6 in online stakeholder survey	100%	n/a	88%	n/a	First stakeholder survey undertaken in 2016. Next survey scheduled for 2018-2019.

KPI	KPI MEASURE	DEFINITION OF TERMS	TARGET	2015-2016	2016-2017	2017-2018	TREND/COMMENT
GOAL 5: VALUE AND ENABLE OUR PEOPLE IN PURSUIT OF HIGH PERFORMANCE							
ONRSR has the right people in the right roles	% of objectives in ONRSR Workforce Plan met	'ONRSR Workforce Plan' is the ONRSR strategic workforce planning document endorsed by the Executive each year. It includes a number of objectives which cover the scope of learning and development, succession, etc	33% current year (100% three-year)	n/a	45%	33%	
ONRSR staff enabled with skills & knowledge							
ONRSR staff are safe	Lost time due to injury (days)	Refers to any time lost resulting from an injury or accident that occurred during working hours and documented in a WHS report	0 days	0	0	0	
	% of WHS risks managed SFAIRP	'WHS' is defined as work health and safety. 'SFAIRP' is defined as so far as is reasonably practicable and interpreted in the SFAIRP Guideline published by ONRSR. The percentages referred to includes all risks on the WHS Risk Register and includes those that are subject to ongoing risk management improvement through further risk treatment. It does not mean that all risks are rated as 'low'.	100%	n/a	n/a	100%	ONRSR national WHS Management System implemented Dec 2017.
	% of hazard reports closed out	Hazard reports are official WHS reports made by staff reporting a hazard which could present a WHS risk	100%	n/a	100%	100%	National data first available in 2016-2017.
	% of incident reports closed out	Incident reports are actual WHS incidents reported by staff	100%	n/a	100%	100%	National data first available in 2016-2017.

KPI	KPI MEASURE	DEFINITION OF TERMS	TARGET	2015-2016	2016-2017	2017-2018	TREND/COMMENT
GOAL 6: DEVELOP OUR SYSTEMS TO OPTIMISE OUR PERFORMANCE							
ONRSR evidences good governance	% of internal audit recommendations implemented	<p>'Internal audit recommendations' are defined as recommendations made in internal audit reports that have been accepted by the ONRSR Executive and approved by the Audit and Risk Committee.</p> <p>'Implemented' means that the recommendations have been acted on by the party identified as responsible for implementation and that the Audit and Risk Committee is satisfied with the implementation activity</p>	90%	n/a	90%	100%	First internal audit program began in 2015-2016.



APPENDIX 2 //

FREEDOM OF INFORMATION
STATEMENT 2017-2018

INTRODUCTION

The Office of the National Rail Safety Regulator (ONRSR) is an independent body corporate established under the *Rail Safety National Law* (RSNL), a Schedule to the *Rail Safety National Law (South Australia) Act 2012*.

OVERSIGHT COMPLIANCE

ONRSR is required to comply with section 263 of the RSNL which requires ONRSR to comply with certain South Australian Acts (the Oversight Laws). These are *Freedom of Information Act*, *Public Finance and Audit Act*, *Ombudsman Act* and *State Records Act*. The RSNL provides that all Oversight Laws in each participating jurisdiction are disapplied, and then reapplied to ONRSR with modifications made by the RSNL National Regulations so that one set of Oversight Laws (South Australian) apply to ONRSR regardless of jurisdiction.

This statement is published in accordance with section 9(2) of the *Freedom of Information Act 1991* (the FOI Act) (as modified by the *Rail Safety National Law National Regulations*). The FOI Act gives members of the public a legally enforceable right to access information held by an Agency of the South Australian Government. Although ONRSR is explicitly not an agency or instrumentality of the South Australian Government, the modifications made by the RSNL National Regulations applies this Act as if ONRSR were an Agency for the purpose of FOI.

Information regarding freedom of information can be found on the South Australian State Records website at www.archives.sa.gov.au/content/foi-in-sa

STRUCTURE
AND FUNCTIONS

The constitution of ONRSR is set out in section 16 of the RSNL which states:

16 (1) ONRSR consists of—

- (a) a person appointed by the South Australian Minister acting on the unanimous recommendation of the responsible Ministers as the National Rail Safety Regulator (the **Regulator**); and
- (b) 2 non-executive members (full-time or part-time) as are appointed by the South Australian Minister acting on the unanimous recommendation of the responsible Ministers.



The functions of ONRSR are set out in section 13 of the RSNL which states:

13 (1) In addition to any other function conferred on ONRSR by this Law or an Act, ONRSR has the following functions:

- (a) to administer, audit and review the accreditation regime under this Law;*
- (b) to work with rail transport operators, rail safety workers, and others involved in railway operations, to improve rail safety nationally;*
- (c) to conduct research, collect and publish information relating to rail safety;*
- (d) to provide, or facilitate the provision of, advice, education and training in relation to rail safety;*
- (e) to monitor, investigate and enforce compliance with this Law;*
- (f) to engage in, promote and coordinate the sharing of information to achieve the objects of this Law, including the sharing of information with a prescribed authority;*
- (g) at the request of the Commonwealth or a jurisdiction—to carry out any other function as agreed between ONRSR and the jurisdiction.*

Further information as to the detailed structure of ONRSR (including the Executive Team) can be found in the About ONRSR section of the ONRSR website or in this or previous copies of the ONRSR Annual Report.

STAKEHOLDER FORUMS

ONRSR has a number of forums whereby members of the rail industry can participate in the formulation of ONRSR's policies, procedures, and in some cases, proposed modifications to the RSNL. These are:

- > National Operations Forum
- > Branch Operations Forums
- > CEO Forum
- > Union Forum
- > Joint CEO/Industry Reference Group
- > Senior Government Policy Group.

The National Regulator/CEO and other Executive members also make regular appearances at relevant public conferences and other presentations where the general public can attend and interact.

ONRSR has a dedicated Communications team that can be contacted at any time, via the 'Contact Us' page on the website, by any person on a wide range of issues, and where required those can be escalated to the appropriate ONRSR Executive member for action, which might include amendments to policies, procedures or modifications to the RSNL.

DOCUMENTS HELD BY ONRSR

ONRSR and RSNL make publicly available a variety of documentation, including:

- > ONRSR's Annual Report, Corporate Plan, Statement of Intent and media releases
- > The ONRSR Way publication
- > ONRSR's Twitter account
- > ONRSR policies providing guidance to and setting expectations for ONRSR officers in their exercise of regulatory functions under the *Rail Safety National Law*, and made publicly available for transparency. These are:

- Fees Policy
 - Private Siding Registration Policy
 - Safety Performance Reports Policy
 - Safety Improvement Policy
 - Drug and Alcohol Testing Policy
 - Accreditation Policy
 - Compliance and Enforcement Policy
 - Freedom of Information Policy
 - Application of Australian Quality Training Framework and Australian Quality Framework to Rail Safety Worker Competency Assessment Policy
 - National Rail Safety Register Policy
 - Application of Cost Benefit Analysis Requirement Policy
 - Operational Delegations Policy
 - Review of Decisions Policy
 - Exemptions from The RSNL Policy
 - Compliance Audit Policy
 - Notification of Change Policy
 - Railway Crossings Policy
- > Guidelines, fact sheets and safety alerts to provide assistance to duty holders in understanding their requirements under the *Rail Safety National Law* and to improve rail safety.
- > The National Rail Safety Register and Rail Transport Operator Notices of Accreditation and Notices of Registration issued under the *Rail Safety National Law*.

Documents are generally available on the ONRSR website (www.onrsr.com.au) and may also be inspected by appointment between 9.00am and 5.00pm on weekdays (excluding public holidays) at the National Office of ONRSR located at Level 1, 75 Hindmarsh Square, Adelaide, South Australia. Arrangements to view the documents can be made by email: contact@onrsr.com.au or by contacting the Manager, Strategic Planning and Communications on (08) 8406 1555.

ONRSR also holds the following broad categories of documents. Pursuant to the FOI Act, some of these documents may be exempt:

- > corporate files containing correspondence, memoranda, terms of reference and minutes on various aspects of the organisation's operations and committees
- > corporate risk management records
- > accounting and financial records
- > personnel records
- > work health and safety records
- > internal policies, procedures and guidelines that set out the way various activities and programs are performed
- > legal opinion and advice.

The complete list of exemptions may be viewed in the Schedule of the FOI Act.

Other online information and data resources for operators include operations and safety improvement information and tools on the ONRSR website (www.onrsr.com.au).

MAKING A FREEDOM OF INFORMATION APPLICATION

Under the FOI Act, ONRSR has obligations to ensure that certain information concerning its operations is readily available. Additionally, members of the public and Members of Parliament are conferred a legally enforceable right to be given access to documents held by ONRSR, subject to some exemptions in the FOI Act. Some of these exemptions have a public interest test (as prescribed in the FOI Act). Under the FOI Act, members of the public may also seek amendment to ONRSR's documents records concerning his or her personal affairs.

A comprehensive introduction to freedom of information can be found on the State Records of South Australia website at <https://archives.sa.gov.au/content/foi-in-sa>

REQUESTING ACCESS OR AMENDMENT TO ONRSR RECORDS

It is best to discuss your application or request with ONRSR prior to lodging. If proper and lawful, ONRSR will attempt to provide access to information voluntarily in order to minimise applications under the FOI Act and the associated costs. It should be noted that the RSNL already provides for some information to be made available to the public at no cost on the ONRSR website.

Requests for access made under the FOI Act must:

- > be in writing
- > specify that it is made under the FOI Act
- > provide enough information to enable the requested document(s) to be identified
- > include an address and telephone number at which you can be contacted in Australia
- > indicate the type of access being sought (e.g. inspection of a document or a copy of the document)
- > be accompanied by the application fee of \$35.00 (current, July 2018)

In addition to the application fee, there may be further charges for processing and copying if the document(s) are long or complex. Fees may be waived on presentation of evidence of hardship or a concession card by the applicant.

The form for FOI applications and requests may be found on the State Records of South Australia website at <http://archives.sa.gov.au/content/foi-forms>

ONRSR POLICY: FREEDOM OF INFORMATION

Once an FOI application or request is received, ONRSR will process and determine it in accordance with the FOI Act. The purpose of this document is to guide ONRSR staff members in their obligations with respect to the FOI Act and ONRSR's obligations as an agency.

Contact

Queries, applications and requests may be directed to:

Accredited FOI Officer
Office of the National Rail Safety Regulator
PO Box 3461, Rundle Mall
Adelaide SA 5000
08 8406 1500
foi@onrsr.com.au

**OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR
FREEDOM OF INFORMATION STATEMENT 2017-2018**

in accordance with section 54AA of the FOI Act (as modified by the RSNL National Regulations)

Accredited FOI Officers:

Laura Paulus: laura.paulus@onrsr.com.au

James Bruun: james.bruun@onrsr.com.au

(resigned July 2018)

Cathy Ray: cathy.ray@onrsr.com.au

PO Box 3461, Rundle Mall

Adelaide SA 5000

08 8406 1500

AGENT ORGANISATION	APPLICANT TYPE	STATUS	FEE	SUMMARY	TIME TAKEN, OUTCOME, EXEMPTIONS CLAIMED
Outcome	Individual	Determined	\$34.25	Any report relating to incident on Thursday April 28 2016 on the Seaford line (Adelaide) when an EMU train suffered a power outage.	<30 days Full release
Exemptions claimed	Union	Determined	\$34.25	Access to reports from 18.7.16-18.7.17 relating to fatigue audits on NSW based operators, any related plans, processes and correspondence, copies of lodged fatigue management plans, excluding tourist and heritage.	<30 days Refused Access Clause 13 Clause 16
Turner Freeman Lawyers	Lawyer	Determined	\$34.25	Any access to records regarding an alleged breach of the RSNL on 11 November 2014 at John Holland Rail Network Management Centre at Mayfield.	<30 days Partial release
Slater + Gordon Lawyers	Agent	Determined	\$34.25	Any correspondence, reports or records in relation to injury sustained at Platform 3, Melbourne Central Station on 1 December 2017.	<30 days Full release
Maurice Blackburn Lawyers	Lawyer/ Agent	Determined	\$34.25	All documentation relating to an incident on 26 July 2015 in North Melbourne.	<30 days Full release
Maurice Blackburn Lawyers	Lawyer/ Agent	Determined	\$34.25	All documentation relating to a train incident in North Melbourne on 27 September 2017.	<30 days Full release
Kyam Maher MP	Lawyer	Determined	Fee waived	Any incoming briefs from/for any entity forming part of the organisational structure of the agency.	<30 days Refused access – ONRSR is not a South Australian Government Agency for the purpose of this request.

AGENT ORGANISATION	APPLICANT TYPE	STATUS	FEE	SUMMARY	TIME TAKEN, OUTCOME, EXEMPTIONS CLAIMED
Anonymous	Agent	Determined	\$34.25	Access to documents relating to the audits of the fatigue risk management program of the Public Transport Authority in WA from 2/11/2015.	<30 days Refused access Clause 12
Ken Cush & Associates	MP	Determined	\$34.25	Access to documents relating to an incident and investigation near Laverton Station on 2 October 2015.	<30 days Refused access Clause 12

TIME LIMITS

Extension of Time Limit under Section 14A None

Extension of Time Limit not under Section 14A None

CHARGES COLLECTED

None

APPLICATIONS FOR AMENDMENT OF PERSONAL INFORMATION 2017-2018

None

STAFF ADMINISTRATION COSTS

4 FTE >\$70,000
Cost of administering the FOI Act met as part of Corporate Counsel Team budget.

REVIEWS AND APPEALS**Internal Reviews**

Robert Hayden (RTBU NSW)	Union	Determined	\$34.25	Access to reports from 18.7.16–18.7.17 relating to fatigue audits on NSW based operators, any related plans, processes and correspondence, copies of lodged fatigue management plans, excluding tourist and heritage.	Decision varied
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External Reviews

Robert Hayden (RTBU NSW)	Union	ONRSR was advised that the Application has been withdrawn		Access to reports from 18.7.16–18.7.17 relating to fatigue audits on NSW based operators, any related plans, processes and correspondence, copies of lodged fatigue management plans, excluding tourist and heritage.	N/A
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DISTRICT COURT APPEALS

None

ONRSR received advice in May 2018 that it may not be subject to the *Freedom of Information Act 1991* due to a drafting error. This is currently being rectified.



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TOILETS

MUSEUM

safe railways for Australia

OFFICE OF THE NATIONAL RAIL SAFETY REGULATOR

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