

# Scoping Workshop – Key Findings

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# Summary of Key Findings

The key findings to come out of the workshop are:

1. There is a strong commitment across industry and government to work together to improve the system of safety in New Zealand rail.
2. The current rail safety regulatory approach is not fit for purpose.
3. The current formulation of a “safety case” is inadequate as a basis for the licensing system and effective regulatory oversight.
4. There was strong support for developing the R3F model and working collaboratively to improve a shared industry view and understanding of safety risk.
5. There is a need for stronger governance in relation to the development of the National Rail Safety Standards (NRSS).
6. The significant increase in rail infrastructure investment requires a new approach to the regulation of major projects and the development and application of more mature system engineering practices by industry.
7. The complex array of regulatory agencies overseeing the management of health, safety and environmental risk inhibits industry’s ability to adopt contemporary integrated management systems.





# Recommendations

1. The Ministry of Transport and Waka Kotahi, in consultation with rail participants, undertake a detailed analysis (using a RACI model or equivalent) to identify the entity(s) with lead accountabilities for key rail functions under the co-regulatory model, including:

- a. Rail network strategic planning
- b. Rail infrastructure program and project planning and delivery
- c. Design Authority (including ownership of railway standards and accountability for configuration management)
- d. Strategic regulatory policy (including legislative policy)
- e. Operational regulatory policy (eg guidelines, codes of practice)
- f. Administration of the Rail Safety Act

2. Rail participants consider formalising an industry representative body (eg through the Australasian Railway Association) to facilitate a more structured and wholistic approach to addressing the challenges/opportunities facing the New Zealand rail network and to develop



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# Recommendations

3. The entity accountable for rail network strategic planning develop, in consultation with industry, a long term strategic vision for rail network performance and interoperability
4. Waka Kotahi formalise a Rail Participant Consultative Forum to regularly engage the industry with respect to safety performance under the co-regulatory model, and in particular:
  - a. the development of the Rail Regulatory Risk Framework (R3F)
  - b. the reporting and sharing of data to support good safety practices across the industry
5. The Ministry of Transport, in consultation with Waka Kotahi and industry, review the Rail Safety Act 2005 to ensure it is fit for purpose, including:
  - a. Clarity in relation to the duties under the law
  - b. the requirements of a “safety case” as a basis for the licensing regime





# Recommendations

6. Waka Kotahi, in conjunction with the Ministry of Transport, review the structure, resourcing and regulatory approach of the Safer Rail unit to ensure it has the capacity and capability to effectively regulate within the co-regulatory model and in the context of growing rail demand and infrastructure delivery
7. Waka Kotahi develop a suite of guidance material setting out the regulator's expectations of industry in areas such as:
  - a. The content of the licensee's "Safety case"
  - b. The delivery of major infrastructure projects
  - c. Management of specific safety risks (eg fatigue, fitness for duty, interface management).



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