



Institute of
Public Works
Engineering
Australia
(NSW Division)



IPWEA (NSW) ROADS & TRANSPORT DIRECTORATE

Interface Agreements for Rail or Road Crossings

A number of councils have requested information to assist with implementation of their obligations under the *Rail Safety Act 2008*, to seek to enter into interface agreements for rail or road crossings on public roads by 1 January 2012.

Rail infrastructure managers and road authorities for private roads and Crown roads may also be required to enter into interface agreements in relation to rail or road crossings if the responsible rail infrastructure manager has decided that risks to safety must be managed in conjunction with the relevant roads authority.

The *Rail Safety Act 2008* commenced on 1 January 2009 with a transitional period of three years to enable road authorities to comply with their obligations under section 29 of the Act in relation to interface agreements with rail infrastructure managers. The transition period will expire on 1 January 2012 for road authorities.

Interface agreements are a risk control measure. Rail infrastructure managers and road authorities must identify, assess and determine measures to manage, so far as is reasonably practicable, the risks to safety that may arise from the interface between railway operations of a rail infrastructure manager and any rail or road crossing that is part of a public road. Interface agreements are a risk control measure mandated by the *Rail Safety Act 2008*.

Registers of interface agreements containing the statutory information must be maintained by rail infrastructure managers and road authorities. A rail infrastructure manager and the corresponding roads authority for a rail or road crossing on a public road must each maintain a register for the same crossing.

If a rail infrastructure manager or the corresponding roads authority unreasonably refuses or fails to enter into an interface agreement, or unreasonably delays the negotiation of an interface agreement, ITSR may appoint an independent person under section 32 of the *Rail Safety Act 2008* to determine the

arrangements to apply. Where parties have been given a direction by an independent person, the parties must comply. Failure to comply by a rail infrastructure manager or roads authority could incur penalties.

These requirements apply to:

1. A rail infrastructure manager (the person who has effective management and control of the rail infrastructure of a railway), which includes:
 - Accredited NSW rail infrastructure managers, and
 - A registered rail infrastructure manager of a private siding if ITSR has imposed a condition on the rail infrastructure manager with respect to interface agreements for public or private roads interfacing with the private siding.
2. The roads authority for a public road (the person declared to be the roads authority under the *Roads Act 1993*) which can include the Roads and Traffic Authority or local government.
3. An owner of a private road, or the roads authority for a Crown road, with respect to an obligation to enter into an interface agreement

if the responsible rail infrastructure manager has decided that the risks to safety in relation to the private road, or Crown road, must be jointly managed.

Definition of rail or road crossings:

For the purposes of the *Rail Safety Act 2008*, a rail or road crossing includes:

- A level crossing;
- A pedestrian crossing over a railway at substantially the same level;
- A bridge carrying a railway over a road; and
- A bridge carrying a road over a railway.

Related documents:

For detailed information on the requirements for interface agreements for rail or road crossings, please refer to ITSR's guidance material:

- Guidance for using the template interface agreement
- Template for interface agreements
- Interface agreements fact sheet
- Presentations on interface agreements – February 2010 and May 2009.

Roadside vegetation to receive \$1.3 million in funding

NSW Environment Minister and the Local Government and Shires Associations of NSW (LGSA) have announced \$1.3 million for council roadside vegetation conservation projects. Individual councils are invited to apply for grants of up to \$50,000 to help conserve and protect roadside vegetation.

The Local Government and Shires Associations have pointed out that this latest funding follows a 2005 Environmental Trust initiative, delivered through the NSW Roadside Environment Committee, which provided funding to councils to assess and plan for roadside vegetation management. The new grants may assist councils to implement project works identified in the roadside management plans they developed.

Applications close 5pm, 2 December, 2011. For more info: www.lgsa.org.au/roadgrants.

Cotton Industry Road Transport Forum

Mike Wills from Roads and Maritime Services attended the Cotton Industry Transport Forum in Moree and has provided the following overview.

On 25 October 2011, Roads and Maritime Services (RMS) attended the Cotton Industry Road Transport Forum in Moree alongside NSW Police, Local Government representatives and members of the cotton industry. The meeting was hosted by Cotton Australia. A number of issues were discussed including proposed over width concessions for baled cotton transport, the Chain of Responsibility, load restraint and on road transportation of the round module cotton picker machines. A questions and answers forum was carried out to obtain feedback from all attendees on these topics and more.

Cotton Australia have asked RMS to consider a concession for the over width transport of baled cotton to a width of 2.7m the same as the NSW Government has recently allowed for baled wool and hay loads. Cotton Australia advised while the majority of their baled loads are within the 2.5 m statutory width limit, due to a number of factors including variations in baling machines and practices and settling during transport, some loads may extend to 2.7m in width. RMS are working on this request.

The cotton industry advised that further clarification of the Chain of Responsibility Regulations would be beneficial to its members. RMS committed to arranging an information session on this issue to provide a clearer understanding of the legal requirements for each role involved.

Cotton Australia advised that they are carrying out independent engineer testing on a number of load restraint options specifically suited to the transport of rectangular baled cotton and round cotton modules. Certifying these load restraint practices will mean they can legally be used as an alternative to the national load restraint performance standards.

An onsite weighing and measurement of a JD7760 round module cotton picker machine was carried out on a nearby property to enable a better understanding of these vehicles. A demonstration of the machine in operation was also conducted which provided an insight into the extensive capability of this vehicle. RMS are working with Local Government and Cotton Australia on how best to accommodate the movement of these machines on the road network in the future.

Austroads Information

Listed below is the current list of projects being undertaken by the Austroads Assets Task Force.

Austroads Projects

- AT1480 Predicting dynamic wheel loading and its effects on the network
- AT1489 Identifying best measure of variation in longitudinal surface profile for triggering pavement rehab works
- AT1484 Review of standard methods for measuring road condition
- AT1488 Improving skid resistance measurement
- AT1612 Future Availability & Increasing Cost of Bitumen or Alternative Surfacing Binders
- AT1691 Managing Asset Management related Civil Liability Legal Risk
- AT1692 Asset Management within a Safe Road System Framework
- AT1064 Long-Term Performance Monitoring to Develop Consistent Performance Models
- AT1534 Management of road related assets (including electrical and electronic)
- AT1536 Good Practice Reseal Management

- AT1537 Bridge Management through Performance Models
- AT1540 Understanding impact on pavement surfaces from next generation freight vehicles & developing practical network prediction models & responses
- AT1490 Improving the Estimation of the Cost of Accelerated Road Wear Due to Possible Increases in Axle Mass Limits
- AT1539 Application of New Technologies to Improve Risk Management
- AT1693 Using Financial Data in Asset Management Decision Making

Austroads Assets Task Force – Sub Groups

- Austroads Telecommunications In Road Reserves (TIIR)
- Road Authority Pavement Marking Group
- National Pavement Management System User Group
- Asset Valuation Group

If you are interested in any of these projects and would like more information, or would like to contribute to any project, please contact the Roads & Transport Directorate.

Establishment of the National Heavy Vehicle Regulator (NHVR)

Advice has been received that two significant steps have been taken along the path to establishing the new NHVR. Australia's transport ministers approved national laws to underpin the new National Heavy Vehicle Regulator and National Rail Safety Regulator at the inaugural Standing Council on Infrastructure and Transport (SCOTI) meeting held in Canberra on 4th November, 2011. Subsequently, the Heavy Vehicle National Law Bill 2011, was introduced into the Queensland Parliament on 15th November, 2011. The Bill was referred to a Parliamentary Committee.

Upon this legislation being enacted in Queensland, mirror legislation will be introduced into other State and Territory parliaments for enactment. Further updates will be provided as new information becomes available.

FEEDBACK

Your comments or reactions to any of the above issues are welcomed. Please email me at: msavage@ipwea.org.au

Mick Savage Manager, Roads & Transport Directorate

IPWEA (NSW) ROADS & TRANSPORT DIRECTORATE

ACN: 093 562 602
ABN: 35 093 562 602

Level 12, 447 Kent Street
SYDNEY NSW 2000

Ph: (02) 8267 3000
Fax: (02) 9283 5255