

Australasian Railway Association

Submission

Rail Safety National Law –
Consultation Regulatory Impact
Analysis

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1. Executive Summary

The Australasian Railway Association (ARA) welcomes the opportunity to respond to the National Transport Commission's Consultation Regulation Impact Statement (C-RIS) regarding proposed reforms to the Rail Safety National Law (RSNL).

The ARA supports the overall direction of the proposed reforms and recognises the significant opportunity the reform program presents to improve interoperability, national consistency and safety outcomes across the Australian rail system.

Australia's rail network has evolved over more than a century as a series of interconnected but independently managed systems with differing operational rules, standards, technologies and approval processes. While the RSNL has delivered substantial improvements in regulatory consistency and national safety oversight, significant structural barriers to interoperability remain across the rail network.

These barriers continue to impose real operational and economic costs on the industry. Operators are often required to maintain different technologies and operating systems across networks, undertake multiple approval processes for equivalent rolling stock and technologies, and manage differing operational and workforce competency requirements between jurisdictions and networks. These inconsistencies increase operational complexity, reduce efficiency and constrain the ability of the rail system to function as a more integrated national network.

The ARA considers that improved interoperability has the potential to deliver substantial long-term benefits across the rail system, including improved safety outcomes through reduced operational complexity, greater operational efficiency, reduced duplication, improved workforce mobility, accelerated technology deployment and more consistent national operating frameworks.

Interoperability is fundamentally a technical, operational and governance challenge rather than an issue that can be resolved solely through broad legislative duties. Legislative reform is therefore necessary but not sufficient. Meaningful interoperability outcomes will depend heavily on nationally agreed standards, effective governance arrangements, implementation capability and coordinated industry adoption.

The ARA's position is that nationally consistent interoperability standards should form the primary mechanism for achieving interoperability outcomes across the rail system. The RSNL should principally operate as an enabling framework supporting nationally coordinated standards, assurance methodologies and governance arrangements rather than relying primarily on broad or outcome-based interoperability duties.

The ARA supports a standards-based reform model supported by nationally agreed interoperability standards, coordinated governance arrangements, nationally consistent assurance methodologies, improved information sharing, practical implementation pathways and staged implementation aligned with broader National Rail Action Plan initiatives.

The ARA also strongly supports nationally coordinated competency and workforce mobility reforms that reduce unnecessary duplication in training and competency recognition across networks. Improved portability of nationally recognised rail competencies, supported by a “National and Network” approach to competency management, has the potential to deliver significant productivity, workforce capability and operational flexibility benefits while maintaining robust safety outcomes.

The ARA supports complementary non-legislative reforms relating to guidance, regulatory coordination, standards development, information sharing and implementation governance, recognising that these initiatives will be critical to the practical delivery of interoperability outcomes across the rail system.

The ARA believes that interoperability reforms should remain proportionate and recognise the differing operational contexts across the rail industry. Shared-access interstate freight and passenger networks face different interoperability challenges to isolated or dedicated heavy haul operations. Reform implementation should therefore focus on areas where interoperability benefits can be meaningfully realised and avoid imposing disproportionate obligations where interoperability impacts are limited.

The ARA supports the Office of National Rail Safety Regulator (ONRSR) playing an appropriately empowered national role in supporting interoperability outcomes through coordination, oversight, assurance and regulatory stewardship functions. Achieving nationally consistent interoperability outcomes across a complex multi-jurisdictional rail system will require stronger national coordination capability, more consistent implementation oversight and improved national governance arrangements.

Any expanded ONRSR role must preserve the principles of co-regulation and ensure that accredited rail transport operators retain effective control and management of railway operations and primary accountability for safety outcomes. Expanded responsibilities for ONRSR will also require appropriate technical capability, operational expertise and sustainable funding arrangements.

The ARA supports reforms that improve national consistency in areas including interoperability standards, technology approvals, workforce competency frameworks, interoperability assurance processes and regulatory information sharing. The ARA also supports improved mechanisms for sharing de-identified safety information and regulatory learnings across the industry to strengthen organisational learning, improve consistency and support more proactive risk management.

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However, the ARA does not support reforms that undermine the operation of the existing ‘So Far As Reasonably Practical’ (SFAIRP)-based safety framework, create ambiguity between safety and interoperability obligations, impose disproportionate obligations across differing network types or create unclear allocation of safety accountability between operators, infrastructure managers and regulators.

The ARA’s position on the key reform recommendations are summarised below.

Recommendation	ARA Position
Rec 1 – Link between safety and productivity	Supports Option 1, supported by limited legislative clarification where required
Rec 2 – ONRSR coordination role	Supports Option 2, subject to modifications clarifying governance arrangements, accountability boundaries and preservation of co-regulation principles
Rec 3 – Interoperability requirements	Does not fully support any option as drafted. Supports a modified standards-based approach supported by enabling legislation, nationally agreed standards and coordinated governance arrangements
Rec 16 – Interoperability as an object of the RSNL	Supports Option 2, provided interoperability remains clearly subordinate to safety within the objects of the legislation
Rec 18 – Wider network impacts	Supports Option 2, subject to proportionate application focused on material interoperability impacts and NNI-connected networks
Rec 19 – Mutual recognition	Supports Option 2, supported by nationally consistent standards, common assurance methodologies and practical implementation pathways
Rec 20 – National competencies	Supports Option 2 and a “National and Network” competency model that improves portability of nationally recognised competencies while retaining network-specific operational requirements where justified
Institutional governance reform – Interoperability assessment of future investments	Supports stronger interoperability consideration in infrastructure planning, procurement and investment decision-making processes
Institutional governance reform – National standards development and adoption	Strongly supports nationally coordinated standards development as the primary mechanism for achieving interoperability outcomes
Institutional governance reform – Skills and competency oversight	Supports nationally coordinated competency oversight and improved workforce mobility while preserving operational flexibility
Institutional governance reform – Rolling stock approval	Strongly supports nationally coordinated rolling stock assurance and approval arrangements supported by common standards and assurance methodologies
Rec 4 – Consultation requirements	Supports Option 1, supported by limited clarification and practical guidance
Rec 6 – Worker access to safety management systems	Supports Option 1, supported by proportionate and role-based access arrangements

Rec 11 – Information sharing	Supports Option 2, subject to safeguards relating to commercial sensitivity, legal privilege, procedural fairness and security obligations
Rec 22 – Interface agreements	Supports Option 2, provided expanded powers remain proportionate, clearly governed and preserve accountability clarity

The ARA considers that implementation of the reform program should occur progressively through a structured national roadmap aligned with standards maturity, operational readiness, asset lifecycles, investment cycles and broader National Rail Action Plan reforms.

The ARA also considers that successful implementation will depend heavily on the maturity of the broader standards and governance ecosystem, including the capability of the Australian Rail Industry Standards Organisation (ARISO) and associated technical bodies to support nationally coordinated standards development and assurance activities.

Given the scale and complexity of the proposed reforms, sustained capability uplift across regulators, standards bodies and industry participants will be critical to achieving enduring interoperability, productivity and safety outcomes across the Australian rail system.

The ARA looks forward to continuing to work collaboratively with the National Transport Commission (NTC), ONRSR, governments and industry stakeholders to support the ongoing development and implementation of the reform program.

2. About the ARA

The Australasian Railway Association (ARA) is the peak body for the rail sector in Australia and New Zealand, and advocates for more than 230 member organisations across the industry.

Our membership covers every aspect of the rail industry, including the:

- passenger and freight operators that keep essential rail services moving;
- track owners, managers, and contractors that deliver a safe and efficient rail infrastructure network; and
- suppliers, manufacturers, and consultants that drive innovation, productivity, and efficiency in the rail industry.

Our members are driven to support vibrant, sustainable and connected communities through greater use of rail across Australia and New Zealand. We bring together industry and government to help achieve this ambition.

Our advocacy is informed by an extensive research program to ensure we offer solutions that are grounded in evidence and focused on delivering tangible value in our daily lives.

We believe the rail industry has a crucial role to play in Australia's journey towards net zero, and we know that the industry offers meaningful and rewarding careers for thousands of people in both cities and regional areas.

Our significant program of work is focused on supporting a strong advocacy agenda, and creating opportunities for the rail industry to network, collaborate and share information, and maximise the benefits we have to offer the wider community.

3. Context and Importance of Reform

Australia's rail network is one of the largest and most geographically dispersed in the world. Despite the introduction of the RSNL, the system continues to operate as a collection of interconnected but independently managed networks, each with its own operational rules, standards and approval processes. This historical fragmentation reflects more than a century of jurisdiction-based development and investment decisions.

While the RSNL has delivered significant benefits in terms of regulatory consistency and safety oversight, it was not originally designed to address the broader challenge of national interoperability. As a result, structural barriers remain across the system. These include differences in operating rules, signalling systems, rolling stock approval processes, workforce competency frameworks and safety management practices.

These inconsistencies impose real and material costs on the industry. Operators are often required to undertake multiple approval processes for rolling stock, maintain different onboard systems to operate across networks, and train staff to meet varying local requirements. These factors increase complexity, reduce efficiency and limit the ability of the rail sector to function as a fully integrated national system.

Interoperability reform therefore represents a significant opportunity to address these long-standing structural challenges. Improved interoperability has the potential to enhance safety outcomes by reducing operational complexity, improve productivity by enabling more efficient movement across networks, and reduce costs by eliminating duplication.

However, interoperability is not a discrete or isolated issue. It is the product of a complex set of interactions between infrastructure design, technology, operational practices, workforce capability and investment decisions. Achieving meaningful interoperability outcomes requires coordinated action across all of these dimensions.

The ARA recognises that interoperability outcomes are influenced by planning, investment and procurement decisions made by governments, network authorities and infrastructure owners. In many cases, rail transport operators ultimately bear responsibility for operational safety risks arising from decisions made earlier in the infrastructure lifecycle, despite having limited ability to influence those decisions. Effective interoperability reform therefore requires consideration of the broader institutional and governance settings that shape interoperability outcomes across the rail system.

The RSNL Review and the C-RIS recognise that legislative reform is a key lever in this process. The RSNL provides a nationally consistent framework that can support interoperability outcomes if appropriately

structured. At the same time, legislative reform alone will not be sufficient. It must be complemented by standards development, governance arrangements and industry collaboration.

A critical consideration is the distinction between safety regulation and interoperability regulation. The existing RSNL framework is based on a goal-oriented, risk-based approach in which duty holders are required to manage safety risks so far as is reasonably practicable. This approach has proven effective in delivering safety outcomes because it allows flexibility and innovation in how risks are managed.

Interoperability, by contrast, often requires a more prescriptive approach. Achieving interoperability outcomes depends on defining consistent technical and operational standards across networks. This is fundamentally different from the management of safety risk and requires a different regulatory mechanism.

The ARA therefore considers that interoperability is fundamentally a technical, operational and governance challenge, rather than an issue that can be resolved solely through broad legislative duties. National standards should provide the primary mechanism for achieving interoperability outcomes, with legislation operating principally as an enabling framework for those standards.

The successful implementation of interoperability reform will also depend on the effectiveness of the broader standards and governance ecosystem, including the role of bodies such as ARISO in supporting the development, maintenance and continuous improvement of nationally consistent technical standards.

There is a consistent view across industry that interoperability reforms must not inadvertently undermine the existing safety framework. Introducing broad outcome-based interoperability duties within the safety framework risks creating ambiguity and potential conflict between safety and interoperability objectives. A more effective approach is to provide a clear legislative foundation for interoperability, supported by defined standards and coordinated governance arrangements.

The ARA also considers that interoperability reform should recognise the differing operational contexts across the rail industry. Shared-access interstate freight and passenger networks face different interoperability challenges to private heavy haul or isolated regional operations. While a nationally consistent legislative framework is appropriate, the practical application of interoperability obligations should remain proportionate and focused on areas where interoperability benefits can be meaningfully realised.

Achieving nationally consistent interoperability outcomes across a complex multi-jurisdictional rail system will also require stronger national coordination capability, effective governance arrangements and appropriate regulatory oversight. The ARA supports ONRSR playing an appropriately empowered national role in supporting interoperability outcomes through coordination, oversight, assurance and regulatory stewardship functions, while preserving the principles of co-regulation and ensuring that accredited rail transport operators retain effective control and management of their railway operations and primary accountability for safety outcomes.

The reform process must ultimately strike a careful balance. It must preserve the strengths of the existing safety framework while enabling the industry to move toward a more integrated, efficient and nationally consistent system. Achieving this balance will require clear policy design, disciplined implementation and ongoing collaboration between governments, regulators and industry.

Implementation will also require sustained capability uplift across regulators, standards bodies and industry participants, together with appropriate implementation sequencing, technical expertise and resourcing arrangements. Given the scale and complexity of the proposed reforms, transition arrangements and implementation planning will be critical to ensuring reforms are practical, proportionate and achievable across the rail industry.

4. ARA Position on Proposed Reform Options

4.1 Interoperability options

4.1.1 RSNL Review Recommendation 1 – Link between safety and productivity

The ARA position most closely aligns with Option 1, supported by limited legislative clarification where necessary.

The ARA supports recognition that improved interoperability and productivity can contribute to stronger system-wide safety outcomes by reducing operational complexity, increasing consistency and improving network efficiency.

At the same time, the ARA considers that safety must remain the primary object and overriding purpose of the RSNL. The ARA does not support approaches that would elevate productivity or interoperability to be equal with the statutory safety objectives or create ambiguity regarding the operation of existing safety duties and the SFAIRP principle.

The ARA considers that productivity outcomes are best achieved through practical interoperability reforms, including harmonised standards, nationally coordinated implementation, improved workforce mobility and more consistent operational and assurance frameworks across networks.

4.1.2 RSNL Review Recommendation 2 - ONRSR coordination and stewardship role

The ARA position most closely aligns with Option 2, subject to modifications clarifying governance arrangements, accountability boundaries and preservation of co-regulation principles.

The ARA supports ONRSR playing an appropriately empowered national role in supporting interoperability outcomes through coordination, oversight, assurance and regulatory stewardship functions. It must be recognised that achieving nationally consistent interoperability outcomes across a complex multi-jurisdictional rail system will require stronger national coordination capability, more structured implementation oversight and improved governance arrangements than currently exist.

It is important that ONRSR's role be driven by a clearly defined governance framework that preserves the principles of co-regulation and ensures that accredited rail transport operators retain effective control and management of railway operations and primary accountability for safety outcomes.

The ARA does not support approaches that would result in ONRSR assuming operational decision-making responsibilities or displacing operator accountabilities.

The ARA also considers that any expanded ONRSR role will require significant capability uplift, including operational expertise, technical systems capability, interoperability assurance capability and sustainable funding arrangements. The importance of this point must be recognised in the D-RIS, as any consideration of expanding ONRSR's role must also consider how this will be resourced and the implications for governments and industry.

It is also essential that the distinction between ONRSR's coordination functions and enforcement functions should remain clear and transparent to maintain industry confidence in the broader co-regulatory framework.

4.1.3 RSNL Review Recommendation 3 - Interoperability requirements

The ARA does not consider that any of the proposed options fully achieve the intended policy objective in their current form. The ARA instead supports a modified approach centred on nationally agreed interoperability standards supported by enabling legislative provisions and coordinated governance arrangements.

The ARA considers that interoperability outcomes are most effectively achieved through clearly defined technical and operational standards supported by practical assurance pathways, rather than through broad outcome-based legislative duties alone.

The industry is concerned that broad interoperability duties, whether incorporated within the general safety duty or established as standalone obligations, may create ambiguity regarding the interaction between interoperability obligations and existing SFAIRP-based safety duties, practical compliance expectations, accountability boundaries and the operation of the co-regulatory framework.

The ARA believes that legislation should primarily establish the framework for implementing nationally coordinated interoperability standards, with standards operating as the principal mechanism for achieving interoperability outcomes in practice.

The ARA supports mandatory interoperability standards in defined areas where nationally consistent outcomes are necessary, particularly across the National Network for Interoperability (NNI) and interfacing networks. Compliance with prescribed standards should provide strong regulatory assurance regarding achievement of interoperability outcomes and reduce unnecessary duplication in approval and assurance processes.

The ARA also believes that interoperability obligations should remain proportionate and recognise differing operational contexts across the rail system. A reform that may be appropriate for interstate shared-access operations may not be proportionate or operationally appropriate for isolated or dedicated networks with limited interoperability interfaces.

It is essential that implementation should occur progressively through a structured national roadmap supported by governments, ONRSR, ARISO and industry stakeholders. Implementation sequencing should align with standards maturity, operational readiness, asset lifecycles and broader National Rail Action Plan reforms to ensure obligations are practical, proportionate and achievable across the rail system.

4.1.4 RSNL Review Recommendation 16 - Interoperability as an object of the RSNL

The ARA position most closely aligns with Option 2, provided interoperability remains clearly subordinate to safety within the objects of the RSNL.

The ARA considers that inclusion of interoperability as a secondary object would provide an appropriate legislative foundation for the broader reform program and reinforce the importance of nationally coordinated interoperability outcomes.

At the same time, the ARA considers that the hierarchy of the legislation should remain clear and unambiguous, with safety continuing as the primary purpose of the RSNL. The inclusion of interoperability within the objects clause should support the development and implementation of nationally consistent standards, interoperability assurance frameworks and coordinated governance arrangements.

4.1.5 RSNL Review Recommendation 18 – Wider network impacts

The ARA position most closely aligns with Option 2, subject to proportionate application focused on material interoperability impacts and NNI connected networks.

The ARA supports greater consideration of broader network impacts where infrastructure, technology or operational changes may materially affect interoperability outcomes across connected networks. These obligations should remain practical, proportionate and aligned with existing interoperability management and interface management processes.

It is also important to recognise that interoperability outcomes are often influenced by upstream decisions made by governments, infrastructure owners and network authorities. In many cases, rail transport operators are required to manage operational consequences arising from planning, procurement or infrastructure decisions made earlier in the asset lifecycle.

The ARA believes that reforms should appropriately recognise the role these parties play in shaping broader interoperability outcomes across the rail system. The ARA does not support approaches that would impose disproportionate obligations on isolated or dedicated operations where interoperability impacts are limited.

4.1.6 RSNL Review Recommendation 19 - Mutual recognition of technology approvals

The ARA position most closely aligns with Option 2, supported by nationally consistent standards, common assurance methodologies and structured implementation arrangements.

To drive further productivity across the industry, it is essential to reduce unnecessary duplication in technology approval processes where equivalent standards and operating conditions exist. Current approval arrangements often require suppliers and operators to undertake multiple approval processes for equivalent technologies across different jurisdictions and networks. This duplication increases costs, delays implementation and can discourage innovation and technology uptake.

The ARA believes that nationally consistent standards and assurance methodologies can support more effective mutual recognition arrangements while maintaining flexibility for legitimate operational and network-specific requirements where necessary.

The ARA does not support blanket or automatic recognition arrangements that fail to recognise differing operational environments, network characteristics or safety assurance requirements. It is critical to take an approach where mutual recognition is enabled and encouraged through nationally coordinated standards and governance frameworks, while preserving the ability for additional assurance activities to accommodate local operational circumstances.

4.1.7 RSNL Review Recommendation 20 - National competencies

The ARA position most closely aligns with Option 2, supported by staged implementation and alignment with broader National Rail Action Plan initiatives.

The ARA considers that current inconsistencies in competency requirements and training arrangements create operational inefficiencies, increase administrative burden and limit workforce mobility across jurisdictions and networks. While Australia's rail industry maintains a strong safety record, industry members consistently identified duplication and limited portability of competencies as significant barriers to productivity and operational flexibility.

The ARA notes that nationally recognised rail qualifications and competency standards already exist and are aligned to the Australian Qualifications Framework (AQF). Virtually all core rail occupations are supported by nationally recognised qualifications; skill sets or units of competency. In principle, these arrangements should support recognition of prior learning and portability of competencies across networks.

However, in practice, many training programs have become heavily customised to specific rail corridors, safeworking systems and network operating environments. This has resulted in inconsistent recognition of competencies between networks and has limited the effectiveness of existing recognition of prior learning arrangements.

Members have provided several examples demonstrating the impact of this fragmentation. The Safely Access the Rail Corridor (SARC) competency, which is a prerequisite for entering a rail corridor under supervision, currently exists in 37 separate versions nationally. Similarly, the Certificate IV in Train Driving contains nationally consistent core units, but delivery of network-specific operational content frequently limits recognition across networks and creates unnecessary retraining requirements.

The operational consequences of these arrangements can be significant. During the movement of additional grain trains in Western Australia following disruptions associated with the war in Ukraine, train drivers transferring from Queensland were required to undertake extensive retraining before operating through Victoria despite already holding relevant train driving qualifications and operational experience.

The ARA also notes that differences in safeworking rules and network-specific operating requirements continue to limit workforce mobility. Recent work undertaken through the National Transport Commission has demonstrated that many existing safeworking rules are substantively aligned, with differences often relating more to terminology and network application than underlying operational intent.

The ARA therefore strongly supports greater national consistency in competency arrangements and improved portability of competencies across rail networks.

The ARA supports a “National and Network” approach to competency management. Under this model, core occupational competencies would be nationally recognised and portable across the rail system, while network-specific requirements would continue to be managed through local induction, operational training and assurance processes.

The ARA believes this approach would:

- reduce unnecessary duplication of training;
- improve workforce mobility;
- support more efficient deployment of skilled workers across networks;
- improve operational flexibility; and
- maintain robust safety outcomes.

The ARA notes that a proof-of-concept model for the SARC unit developed by the ARA is already demonstrating the practical benefits of this approach. Nine registered training organisations are currently approved to deliver the national SARC course, while multiple Rail Infrastructure Managers have agreed to recognise the competency alongside a shorter network-specific induction process. Analysis undertaken by CORE Innovation in Western Australia suggests that implementation of this model for the SARC competency alone could deliver indicative annual savings that amount to millions of dollars.

The ARA believes that reforms should build on existing industry systems and governance arrangements wherever possible. Industry members strongly indicated that additional parallel competency management systems are not required.

The ARA notes that nationally recognised vocational training records are already captured through the Commonwealth Unique Student Identifier system, while the Rail Industry Worker (RIW) system currently supports competency management for more than 96,000 rail workers nationally. The ARA believes that reforms should leverage these established systems rather than introduce duplicative administrative frameworks.

Competency reforms must continue to recognise differing operational environments, network requirements and specialised operational tasks across the rail system. National consistency should therefore be balanced with appropriate flexibility for network-specific operational requirements where justified.

The ARA also believes that competency reforms should align closely with broader National Rail Action Plan initiatives relating to harmonised operating rules, workforce capability and interoperability reforms. Implementation should occur progressively and build on existing industry systems, qualifications and governance frameworks wherever possible to minimise unnecessary disruption and implementation burden.

4.2 Institutional Governance Reform Options

The ARA recognises that institutional governance arrangements will play a critical role in determining the long-term success of the broader interoperability reform program.

Interoperability outcomes across the Australian rail system must be shaped not only by legislative obligations, but also by effective governance structures, standards development arrangements, assurance processes, implementation coordination and institutional capability across governments, regulators, infrastructure managers and industry participants.

The ARA supports institutional governance arrangements that strengthen national coordination, improve consistency and support practical implementation of interoperability reforms while preserving the principles of co-regulation and maintaining clear accountability for operational safety outcomes.

4.2.1 Interoperability assessment of future investments

The ARA position most closely aligns with Option 1.

The ARA supports the establishment of a collaborative national governance mechanism to provide whole-of-network oversight and coordination of interoperability considerations for future rail investments, particularly across the NNI and interfacing networks.

Option 1 provides the most appropriate and proportionate framework for progressing this reform because it strengthens national coordination and interoperability oversight without introducing unnecessarily prescriptive legislative obligations or duplicative regulatory approval requirements.

The ARA supports the proposal for a national council of network owners and Rail Infrastructure Managers, supported by a national technical assurance function, as this would provide an appropriate mechanism for improving whole-of-system coordination and ensuring interoperability considerations are incorporated into major investment, procurement and infrastructure planning decisions.

As noted previously, interoperability challenges frequently arise from decisions made during early planning and investment stages, often well before railway operations commence. Once infrastructure, signalling systems, rolling stock interfaces or operational frameworks are established, opportunities to improve interoperability can become significantly more difficult and costly to address retrospectively.

A coordinated national oversight mechanism, supported by collaborative governance arrangements, would significantly improve the ability of infrastructure owners, network managers and operators to collectively consider long-term interoperability outcomes and minimise future system fragmentation.

It is also important to acknowledge that Option 1 relies on sustained participation, coordination and institutional capability across governments and industry participants. The effectiveness of this model will therefore depend on clear governance arrangements, ongoing ministerial support and establishment of a sufficiently capable and appropriately resourced national technical assurance function.

The ARA believes that this collaborative and governance-based approach represents the most practical and effective pathway for improving interoperability consideration in future rail investment decisions while maintaining flexibility across differing operational environments, network characteristics and infrastructure contexts.

4.2.2 National standards development and adoption

The ARA position most closely aligns with Option 2.

The ARA supports a legislative framework that better facilitates nationally harmonised standards and network rules and strengthens the relationship between nationally agreed standards and regulatory compliance obligations under the RSNL.

Option 2 provides an appropriate co-regulatory and proportionate mechanism for improving national consistency and interoperability outcomes without imposing inflexible mandatory standards across all operating environments.

The ARA supports including provisions within the RSNL that better facilitate national harmonised standards and provide greater legal recognition of nationally harmonised tier 2 standards. The ARA considers this would strengthen the link between nationally harmonised standards and regulatory compliance while still preserving flexibility for operators to adopt alternative approaches where appropriate and justified by operational context or risk profile.

Option 2 appropriately aligns with the strengthened role ministers have endorsed for ARISO as the industry-led national technical standards body supporting development, assurance and adoption of national standards. However, implementation should remain practical and proportionate and recognise differing operational contexts across the rail industry. Several members noted that specialised operations, particularly private heavy haul networks, may require flexibility to address unique operational environments and technical requirements.

The ARA believes that implementation issues relating to governance arrangements, standards maintenance, industry representation, implementation costs and long-term institutional capability will require careful consideration and ongoing consultation with industry.

The ARA strongly supports broad industry access to nationally harmonised rail standards and considers that effective interoperability outcomes will depend on standards being practical, accessible and capable of consistent application across the rail sector.

At the same time, based on engagement with members to date, the ARA does not consider that ARISO membership should necessarily be mandated as a condition of rail safety accreditation across all parts of the rail industry. Members noted that the structure, scale and operational characteristics of railway operations vary significantly across the sector, and that any future membership or participation arrangements should remain proportionate and appropriately targeted.

The ARA believes that the focus of reform should instead be on ensuring that industry participants have appropriate access to nationally recognised standards, guidance and technical assurance processes, rather than prescribing mandatory institutional membership arrangements as part of accreditation requirements.

It is also important that governments maintain a strong strategic role in shaping the national standards agenda. Given the broader public policy, freight productivity, passenger transport and economic objectives associated with interoperability reform, the ARA supports senior government leadership and coordinated jurisdictional input into the prioritisation, sequencing and development of national rail standards.

The ARA also believes that successful implementation of the expanded national standards framework will require sustainable long-term resourcing arrangements for ARISO and the broader standards ecosystem.

Based on member feedback to date, there is a strong preference that a significant proportion of the additional capability and resourcing required to support these reforms be funded through increased government contributions, rather than being recovered primarily through additional industry charges or mandatory membership obligations.

4.2.3 Skills and competency oversight

The ARA supports stronger national coordination and oversight of rail skills and competency frameworks to improve workforce mobility, reduce duplication and support greater national consistency across the rail industry.

Multiple regulatory bodies currently oversee aspects of rail competency and vocational education arrangements across Australia, including ASQA and state-based vocational education regulators. Industry members identified opportunities to improve coordination and harmonisation across these regulatory frameworks to reduce duplication and regulatory complexity.

To support transition toward improved mutual recognition and a “National and Network” competency model, the ARA supports establishment of a transitional national coordination function to assist development and oversight of nationally consistent curriculum and assessment approaches in areas where substantial harmonisation opportunities already exist.

This includes areas such as:

- ETCS training;
- National SARC implementation; and
- the Rail Operations Fundamentals Skill Set.

The ARA believes that ONRSR is well placed to support and coordinate such a transitional function (with appropriate additional resourcing) in partnership with industry, training providers, regulators and Industry Skills Australia.

The ARA considers that this approach would support more consistent national implementation while providing industry and training providers with sufficient time to transition toward a more integrated and productive competency framework.

It's important to recognise that implementation must remain practical and proportionate. Industry will continue to operate across differing operational environments, network requirements and specialised operational contexts for many years. National consistency should therefore be balanced with appropriate flexibility for network-specific operational requirements where justified. Implementation arrangements should focus on supporting practical workforce outcomes while minimising unnecessary transition burden, operational disruption and duplication of existing industry systems.

4.2.4 Rolling stock approval

The ARA position most closely aligns with Option 2.

The ARA supports establishment of a nationally coordinated rolling stock approvals framework supported by a national coordinating function responsible for administering the mandatory rolling stock process standard, maintaining a national register of approvals and supporting mutual recognition arrangements.

Option 2 provides the strongest pathway to reducing unnecessary duplication, improving consistency and streamlining rolling stock approval processes across the national rail network while maintaining appropriate safety assurance obligations.

The ARA agrees with the RIS assessment that the current system of separate network-specific approval processes creates significant inefficiencies, additional costs and barriers to interoperability. Multiple testing, assurance and approval processes for substantially equivalent rolling stock increase procurement and operational costs, delay deployment of new technologies and reduce network efficiency.

The ARA also supports alignment with the broader National Pathway work already endorsed by ministers, including development of harmonised interface standards, a national approvals register and mutual recognition arrangements.

As noted previously, implementation should remain practical and proportionate and recognise differing operational environments across the rail system. Several members noted that specialised and private heavy haul operations may still require flexibility where bespoke rolling stock solutions are developed for unique operational conditions.

The ARA therefore considers that national approval arrangements should support mutual recognition and consistency wherever appropriate, while preserving the ability for additional network-specific assurance where genuinely necessary.

4.3 Transparency and accountability options

4.3.1 RSNL Review Recommendation 4 - Consultation requirements

The ARA position most closely aligns with Option 1, supported by limited clarification and guidance where appropriate.

The ARA recognises the important role consultation plays in supporting safe railway operations, workforce engagement and effective organisational safety management. However, the current legislative framework, together with existing obligations under WHS legislation, already provides a substantial basis for consultation with affected workers and their representatives.

The ARA does not support significant legislative expansion of consultation obligations where this would duplicate existing requirements or create unnecessary administrative complexity.

Instead, the ARA believes that improved guidance, stronger implementation support and greater consistency in regulatory expectations are more likely to improve consultation outcomes than broad legislative reform. It is important that consultation obligations remain proportionate to the scale, complexity and operational significance of the matter being considered.

4.3.2 RSNL Review Recommendation 6 - Worker access to safety management systems

The ARA position most closely aligns with Option 1, supported by proportionate and role-based access arrangements.

The ARA supports workers having access to safety management system information relevant to their work and safety responsibilities.

That being said, access arrangements should remain practical, proportionate and appropriately governed. Safety management systems may contain commercially sensitive, legally privileged, security-sensitive or operationally sensitive information requiring appropriate protections.

The ARA supports a role-based approach that balances workforce participation and transparency with appropriate operational and commercial safeguards. Improvements in this area are more likely to be achieved through clearer guidance and implementation practice rather than substantial legislative expansion.

4.3.3 RSNL Review Recommendation 11 - Information sharing

The ARA position most closely aligns with Option 2, subject to appropriate safeguards relating to commercial sensitivity, legal privilege and procedural fairness.

The ARA supports improved information sharing across the rail industry as a means of strengthening safety outcomes, supporting organisational learning and improving national consistency. ONRSR's national role places it in a strong position to support dissemination of de-identified safety insights, trend analysis, thematic findings, regulatory learnings and emerging risk information across the industry.

The ARA recognises that existing confidentiality provisions may in some circumstances limit effective sharing of useful safety information and regulatory learnings. However, reforms should maintain appropriate protections for commercially sensitive material, legal privilege, procedural fairness and security obligations. Industry confidence in information-sharing arrangements will depend on ensuring these safeguards remain clear, transparent and effective.

The ARA therefore supports legislative clarification enabling more effective sharing of safety information while maintaining appropriate governance protections.

4.3.4 RSNL Review Recommendation 22 - Interface agreements

The ARA position most closely aligns with Option 2, provided any expanded powers remain proportionate, clearly defined and subject to appropriate governance safeguards.

The ARA considers that interface agreements remain an important mechanism for managing shared safety responsibilities and operational coordination across the rail system.

While the existing framework is generally effective, the ARA recognises that stronger mechanisms may in some circumstances assist in resolving disputes, improving engagement and supporting more effective management of interoperability-related risks. Any expanded powers should remain carefully scoped and should not undermine effective control and management obligations or create unclear allocation of safety accountability between parties.

The ARA supports targeted strengthening of interface agreement mechanisms where necessary, supported by clear governance arrangements, procedural fairness protections and appropriate review mechanisms.

It is also important to ensure that reforms in this area focus on improving practical cooperation and resolution of interoperability-related issues rather than creating unnecessarily adversarial or compliance-heavy processes.

4.4 Additional Reform Initiatives and Implementation Considerations

The ARA recognises that several of the proposed reforms identified in the C-RIS extend beyond direct legislative amendment to the RSNL and instead relate to broader governance, implementation, guidance and coordination initiatives that will support the effective operation of the national rail safety framework.

The ARA supports continued progression of these initiatives and considers that many will play an important role in supporting interoperability, improving regulatory consistency and strengthening national coordination across the rail sector. These reforms should remain practical, proportionate and focused on delivering measurable operational and safety outcomes. Implementation should build on existing industry frameworks and avoid unnecessary duplication, administrative complexity or regulatory layering.

4.4.1 RSNL Review Recommendation 5 – Code of Practice: The Regulator to outline minimum consultation expectations

The ARA supports clear and practical guidance from ONRSR regarding consultation expectations under the RSNL.

Industry members noted that substantial consultation obligations already exist within the current framework and cautioned against duplication or creation of unnecessarily prescriptive requirements. The ARA believes that any code or guidance material should focus on improving consistency, transparency and practical understanding of existing obligations, rather than introducing additional procedural burden.

The ARA also recommends that any guidance should remain principles-based and scalable to the size, complexity and risk profile of railway operations.

4.4.2 RSNL Review Recommendation 7 – The Regulator to develop a compliance and enforcement policy

The ARA supports this recommendation.

A transparent and nationally consistent compliance and enforcement policy would assist industry understanding of regulatory expectations, support consistent regulatory decision-making and improve confidence in ONRSR's regulatory approach.

The ARA notes that ONRSR already maintains compliance and enforcement policies and guidance material. Any further work should therefore build on existing frameworks and focus on improving clarity, consistency and accessibility rather than creating duplicative regulatory material.

It is also to maintain a clear distinction between ONRSR's education, facilitation and enforcement functions, particularly as ONRSR's role evolves in relation to interoperability coordination and implementation oversight.

4.4.3 RSNL Review Recommendation 8 – The Regulator to regularly review consultation approaches and mechanisms

The ARA supports ongoing review and improvement of consultation practices across the rail sector.

The ARA considers that meaningful engagement between industry, workers, unions and regulators is essential to maintaining an effective national rail safety framework and supporting practical implementation of reforms.

Regular review of consultation mechanisms should focus on improving transparency, timeliness, consistency and effectiveness of engagement processes while ensuring consultation arrangements remain practical and proportionate. It is important that consultation approaches support genuine collaboration and early engagement rather than becoming overly procedural or compliance focused.

4.4.4 RSNL Review Recommendation 9 – The Regulator to present to ITMM at least annually

The ARA supports greater transparency and accountability regarding progress on national rail reform initiatives.

Regular reporting to Infrastructure and Transport Ministers would assist in maintaining momentum on interoperability, harmonisation and productivity reforms while improving visibility of implementation progress, emerging issues and areas requiring further coordination.

The ARA also believed that regular ministerial reporting may also support stronger whole-of-government accountability for delivery of the broader National Rail Action Plan and associated interoperability initiatives.

4.4.5 RSNL Review Recommendation 12 – The Regulator to develop and publicise a roles and responsibilities document that clearly articulates the respective roles of each safety investigatory body

The ARA supports improved clarity regarding the respective roles of ONRSR, the ATSB, WHS regulators and other state-based investigatory bodies.

Members identified that overlapping regulatory responsibilities and differing investigatory frameworks can create uncertainty regarding reporting obligations, investigation processes and regulatory responsibilities, particularly following serious incidents or complex operational events.

The ARA believes that clearer articulation of roles and responsibilities would support more efficient coordination between agencies, reduce duplication and provide greater certainty for industry participants.

4.4.6 RSNL Review Recommendation 13 – The Regulator to increase its participation in safety promotion and education activities

The ARA supports ONRSR continuing to play an active role in safety promotion, industry education and dissemination of regulatory learnings across the rail sector.

The ARA believes that collaborative engagement, practical guidance and industry education activities can support stronger safety outcomes, improve consistency across the sector and assist operators in understanding evolving regulatory expectations and emerging risks.

4.4.7 RSNL Review Recommendation 14 – Clarify responsibilities between ONRSR and WHS regulators

The ARA strongly supports greater clarity regarding the interaction between the RSNL and WHS legislation and the respective responsibilities of ONRSR and WHS regulators.

Members identified that uncertainty can arise regarding the interaction between rail safety duties and broader workplace safety obligations, particularly where incidents involve overlapping operational, infrastructure or workplace safety considerations.

The ARA considers that clarification of responsibilities would improve regulatory consistency, reduce duplication and provide greater certainty for industry participants operating across multiple legislative and regulatory frameworks.

Providing this clarification will become increasingly important if interoperability-related obligations are introduced into the RSNL framework. The ARA's position remains that the RSNL should continue to operate as the primary legislative framework governing railway operational safety, while WHS legislation should continue to apply to broader workplace safety matters.

4.4.8 RSNL Review Recommendation 15 – ONRSR to review memoranda of understanding with other safety regulators

The ARA supports periodic review of memoranda of understanding between ONRSR and other safety regulators.

Effective inter-agency coordination has the potential to reduce duplication, improve consistency and provide greater clarity for industry participants operating across multiple jurisdictions and regulatory frameworks.

The ARA also considers that updated MOUs may assist in clarifying:

- information-sharing arrangements;
- investigation coordination processes;
- regulatory responsibilities; and
- escalation pathways between agencies.

The ARA supports regular review processes to ensure coordination arrangements remain contemporary and aligned with evolving regulatory responsibilities and interoperability reforms.

4.4.9 RSNL Review Recommendation 17 – Code of Practice: Develop an interoperability code of practice

The ARA supports development of practical interoperability guidance material where this assists consistent implementation of reforms and improves national consistency across the rail system.

However, members cautioned that any interoperability code of practice should complement — rather than duplicate — existing interoperability management planning requirements, standards frameworks and guidance already being developed through the National Rail Action Plan process.

The ARA believes that any interoperability code should remain practical, flexible and outcomes-focused and should recognise differing operational contexts across the rail industry.

4.4.10 RSNL Review Recommendation 21 – Code of Practice or Guidance: The Regulator to develop interface agreement code of practice or guidance

The ARA supports practical guidance material that improves consistency and understanding of interface agreement obligations under the RSNL.

Interface agreements remain an important mechanism for managing shared safety responsibilities and operational coordination across the rail system. However, several members noted that substantial guidance material already exists, including templates, fact sheets and existing guidance documents. The ARA therefore considers that the priority should be improving consistency, accessibility and practical usability of existing arrangements rather than introducing unnecessarily complex or duplicative regulatory material.

The ARA believes that interface agreement guidance should remain proportionate and focused on supporting practical risk management and operational coordination outcomes.

4.4.11 RSNL Review Recommendation 23 – Explore options to improve interface agreements between road and rail

The ARA supports continued work to improve the effectiveness of road and rail interface arrangements, particularly where these impact safety outcomes, operational coordination and infrastructure planning.

The ARA recognises the complexity of shared responsibilities between rail operators, road managers, infrastructure authorities and other parties involved in road and rail interfaces. Reforms in this area should focus on improving clarity of responsibilities, strengthening coordination and supporting more effective management of shared safety risks.

4.4.12 RSNL Review Recommendation 24 – Undertake impact analyses for possible duties for network authorities and infrastructure owners

The ARA considers this recommendation warrants further detailed consideration and impact assessment.

Members highlighted that significant planning, investment and procurement decisions affecting railway safety and interoperability are often made well before railway operations commence, with limited ability for accredited rail transport operators to influence those decisions despite ultimately carrying responsibility for operational rail safety risks.

The Association therefore considers there is merit in further exploring whether network authorities and infrastructure owners should hold clearer obligations where their decisions materially influence railway operations, interoperability outcomes or operational safety risks.

At the same time, the ARA considers that any future reform in this area would require careful consultation and detailed consideration of governance arrangements, liability implications, accountability boundaries and practical implementation impacts.

The Association also considers that any additional duties should remain proportionate and clearly aligned to the ability of the relevant party to influence railway operational outcomes.

5. ARA Response to Consultation Questions

5.1 Policy options

Question 1: Which is your preferred option for each recommendation?

Refer to Section 4 of this submission.

Question 2: It is proposed that all the reforms would be made nationally (avoiding separate pieces of legislation for NNI and other networks), but it is recognised that the application of the legislation may vary between networks. Are there specific reforms that should only be applied to some networks?

The ARA supports maintaining a nationally consistent legislative framework under the RSNL rather than introducing separate legislative schemes for different network types. However, it is important to ensure proportionate application of reforms recognising the differing operational contexts across the rail industry.

Interoperability challenges and associated reform benefits vary significantly between interstate freight corridors, shared-access networks, metropolitan passenger systems, regional operations and isolated or dedicated heavy haul railways. The ARA therefore considers that some reforms should primarily focus on the NNI and interfacing networks where interoperability outcomes can deliver meaningful operational, safety and productivity benefits.

The ARA believes that mandatory interoperability standards, broader network impact obligations, interoperability assurance arrangements and some mutual recognition reforms may require differentiated application depending on the characteristics of the network involved. A “one-size-fits-all” implementation approach would not be appropriate where interoperability impacts are limited or where operational systems are highly specialised and isolated from the broader network.

Recognition of these is important, while also maintaining a nationally consistent legislative framework to preserve regulatory consistency and avoid fragmentation of the broader RSNL architecture.

Question 3: Will the relationship between the WHS legislation and RSNL change because of the expanded scope? Will WHS law still prevail to the extent of any inconsistency? If so, would this negate any legislative change designed to facilitate interoperability - if for instance a safety requirement under WHS prevails over an interoperability requirement of the RSNL?

The ARA considers that preserving clarity regarding the interaction between the RSNL and WHS legislation will be critically important if the scope of the RSNL is expanded to include interoperability-related obligations.

The ARA notes that the RSNL currently operates as a rail-specific safety framework based on a goal-oriented and risk-based approach requiring duty holders to manage railway safety risks so far as is reasonably practicable (SFAIRP). WHS legislation continues to apply more broadly to workplace safety matters and generally prevails to the extent of inconsistency.

The ARA is concerned that broad interoperability duties could create ambiguity where interoperability objectives appear to conflict with safety obligations under either the RSNL or WHS legislation. This risk is particularly relevant if interoperability obligations are framed in broad or outcome-based terms without sufficiently clear standards or implementation pathways.

For this reason, the ARA supports a standards-based approach to interoperability supported by enabling legislative provisions rather than broad standalone interoperability duties. Clearly prescribed standards, supported by governance arrangements and practical compliance pathways, are less likely to create uncertainty regarding the interaction between interoperability obligations and existing safety duties.

The ARA also believes that any legislative amendments should clearly preserve the primacy of safety, maintain the operation of the SFAIRP principle and avoid creating conflicting obligations between the RSNL and WHS legislation.

Question 4: How can the RSNL be amended to reflect its focus on rail operations, while clarifying WHS legislation's focus on other workplace safety matters?

The ARA considers that the RSNL should continue to operate as the primary legislative framework governing railway operational safety, while WHS legislation should continue to apply to broader workplace safety matters.

This distinction can be reinforced through clearer legislative drafting, improved explanatory materials, guidance documents and governance arrangements supporting implementation of interoperability reforms. It is important that interoperability reforms remain focused on operational rail interoperability outcomes rather than broader workplace management issues already addressed through WHS legislation.

Importantly, the ARA believes that the RSNL's existing co-regulatory and risk-based architecture has proven effective in supporting railway safety outcomes and should not be undermined through unnecessary overlap or duplication with WHS obligations.

The ARA therefore supports amendments that reinforce the RSNL's operational rail safety focus, preserve SFAIRP-based duties and clearly articulate the purpose and operation of interoperability-related provisions within the broader safety framework.

Question 5: What additional or different functions and powers will ONRSR need to support compliance with interoperability requirements? For example, requiring additional periodic reporting from RTOs, additional powers to publish data, any additional functions related to the certification, registration and testing of rolling stock etc.

The ARA supports ONRSR being appropriately empowered to support nationally coordinated interoperability outcomes through coordination, oversight, assurance and regulatory stewardship functions.

Achieving nationally consistent interoperability outcomes across a complex multi-jurisdictional rail system will require stronger national coordination capability and more structured implementation oversight than currently exists. The ARA believes that ONRSR may require enhanced functions relating to interoperability assurance, implementation monitoring, standards compliance oversight, publication of de-identified interoperability and safety information, and facilitation of cross-network interoperability outcomes. ONRSR may also require improved capability to support nationally consistent interpretation and application of interoperability standards and assurance requirements.

The ARA does not support ONRSR assuming direct operational control or displacing the effective control and management obligations of accredited rail transport operators. Any expanded ONRSR role will require substantial capability uplift, including operational expertise, technical systems capability and sustainable funding arrangements. Implementation success will depend not only on legislative change, but also on ensuring that ONRSR has the resources and expertise necessary to support nationally coordinated reform. The source and nature of additional resourcing for ONRSR requires further careful consideration and consultation.

Question 6: Rec 2 - Will it be necessary for a RTO to consent to the Regulator having a coordinator or facilitation role in any specific issue? If not, how will the Regulator assume such a role?

The ARA does not consider that formal consent arrangements should necessarily be required in all circumstances for ONRSR to undertake a coordination or facilitation role. However, any such role should operate within clearly defined governance arrangements, transparent accountability frameworks and clearly articulated legislative parameters.

The ARA believes that ONRSR's coordination and facilitation functions should principally focus on supporting interoperability outcomes, assisting cross-network coordination, facilitating engagement between parties and supporting implementation of nationally agreed standards.

The effectiveness of any coordination function will depend heavily on industry confidence in the governance arrangements underpinning the role. This includes confidence regarding transparency, procedural fairness, operational separation from enforcement functions and clarity regarding how information obtained through facilitation activities may be used.

The ARA recommends that ONRSR's role should be carefully scoped and clearly distinguished from traditional enforcement functions to preserve confidence in the co-regulatory framework.

Question 7: Rec 2 - What skills and qualifications would the Regulator's delegate need to possess in order to competently provide a coordination or facilitation role?

The ARA believes that any ONRSR personnel undertaking interoperability coordination or facilitation functions would require a significantly broader capability profile than traditional regulatory compliance functions alone.

In addition to rail safety regulatory expertise, delegates would require substantial operational knowledge across a range of rail environments, including freight, passenger, regional and heavy haul operations. They would also require a strong understanding of interoperability frameworks, systems integration, infrastructure interfaces, rolling stock assurance processes, operational rule harmonisation and technology implementation.

These functions would require strong stakeholder engagement and systems governance capability, particularly where coordination activities involve multiple operators, infrastructure managers, jurisdictions and technical bodies. Interoperability issues are often highly technical and commercially complex. The ARA believes that delegates would require sufficient practical industry experience and technical credibility to support informed and trusted engagement with industry participants.

Question 8: Rec 2 - Is there a need to have a new class of 'rail safety officers' within ONRSR who would only carry out the coordinating and facilitating role, and not any enforcement role?

The ARA considers that there is merit in exploring clearer functional separation between ONRSR's interoperability coordination activities and its enforcement functions.

Industry confidence in interoperability coordination arrangements will be strengthened where there is clear distinction between collaborative coordination activities and formal compliance or enforcement functions. This is particularly important where ONRSR may be facilitating discussions between parties regarding operational constraints, interoperability barriers or implementation challenges.

The ARA does not consider that the creation of an entirely separate class of statutory officers is necessarily required at this stage. The primary objective should instead be ensuring clear governance arrangements, transparency of roles and appropriate operational separation between coordination and enforcement activities.

The D-RIS should further examine governance arrangements supporting interoperability coordination functions, including separation of responsibilities, accountability frameworks and operational protocols governing information use and escalation pathways.

Question 9: Rec 2 - Will there be an immunity from prosecution or other enforcement action if a RTO acts on any advice given by the Regulator when the Regulator is carrying out a coordination or facilitating role?

The ARA considers that this issue requires careful consideration as part of the broader governance framework supporting any expanded ONRSR coordination role.

The ARA recognises that operators must remain accountable for the safe operation of their railway activities and that primary safety accountability should continue to rest with accredited rail transport operators. However, where ONRSR is actively providing interoperability coordination or facilitation advice, industry participants will require clarity regarding the legal status and practical effect of that advice. Uncertainty in this area could discourage open engagement with the Regulator or create confusion regarding accountability boundaries.

The ARA believes that the D-RIS should further examine how regulatory advice would be documented, the legal status of coordination advice and the extent to which reliance on regulatory advice may be considered in enforcement decisions. These issues may ultimately be better resolved through clear governance and legislative drafting rather than broad immunity arrangements.

Question 10: Rec 2 - To the extent that the Regulator is empowered to make any decisions in connection with its coordination or facilitation role, would those decisions be reviewable?

The ARA considers that any formal regulatory decisions made by ONRSR in connection with interoperability coordination or facilitation functions should be subject to appropriate review mechanisms. These proposed review rights are important to maintaining transparency, accountability and confidence in the regulatory framework, particularly where interoperability decisions may have significant operational, commercial or investment implications.

The ARA recognises that not all coordination activities would necessarily constitute reviewable decisions. Informal facilitation or coordination activities may not require formal review mechanisms where they do not create binding legal obligations or materially affect operator rights or obligations.

The D-RIS should clearly distinguish between formal regulatory decisions, operational coordination activities and non-binding facilitation functions. This distinction will be important to ensuring that governance arrangements remain practical, proportionate and legally clear.

Question 11: Rec 3 - What factors should the Regulator consider, beyond the definition of interoperability, to ensure that any general duty for interoperability under the RSNL is clearly understood and practically enforceable?

The ARA believes that any interoperability obligations within the RSNL must be sufficiently clear, proportionate and technically grounded to ensure they are capable of practical implementation and consistent regulatory interpretation.

Broad or outcome-based interoperability duties risk creating ambiguity unless supported by clearly defined standards, implementation guidance, governance arrangements and practical compliance pathways. This should include the Regulator taking into account operational context, network type, interoperability maturity, standards availability, technical feasibility, asset lifecycle constraints and the extent to which interoperability outcomes are within the reasonable control of the duty holder.

The ARA believes that interoperability obligations should focus primarily on areas where measurable interoperability outcomes can realistically be achieved and where nationally coordinated standards either exist or are capable of being developed. As noted earlier, any interoperability obligations should not undermine the operation of the existing SFAIRP-based safety framework or create uncertainty regarding effective control and management obligations.

Question 12: Recommendation 3 to mandate requirements to achieve specified interoperability outcomes includes options to include interoperability as a sub-part of the general safety duty or as a separate explicit duty in the RSNL. How do you think these options may work in practice?

The ARA does not consider that either option is fully appropriate in its current form. Incorporating interoperability as part of the general safety duty risks creating ambiguity regarding the operation of existing SFAIRP-based safety obligations and may blur the distinction between safety risk management and interoperability requirements.

Similarly, establishing a broad standalone interoperability duty may create uncertainty regarding the scope of the obligation, practical compliance expectations, interaction with safety duties and accountability boundaries.

The ARA believes that interoperability differs fundamentally from safety regulation. Safety regulation under the RSNL is intentionally goal-oriented and risk-based, whereas interoperability outcomes typically require more prescriptive technical and operational consistency.

For this reason, the ARA believes that interoperability outcomes are more effectively delivered through nationally agreed standards supported by enabling legislative provisions and coordinated governance arrangements. Under this approach, legislation would provide the framework for implementing nationally coordinated interoperability standards while avoiding broad or ambiguous duties that may be difficult to interpret consistently across differing operational environments.

The ARA believes that compliance with prescribed interoperability standards would provide clearer assurance pathways and reduce duplication in approval and assurance processes across the rail system.

Question 13: Rec 4 - Do the current consultation provisions allow for input from affected workers and/or their representatives?

The ARA believes that the existing consultation provisions within the RSNL, together with obligations under WHS legislation, already provide a substantial framework for consultation with affected workers and their representatives.

Meaningful workforce consultation is an important component of safe railway operations and effective organisational safety management. The ARA also notes that many operators already undertake extensive consultation activities through established operational, safety and industrial processes.

While there may be opportunities to improve consistency of consultation practice across the industry, the ARA does not consider that there is currently evidence of systemic legislative deficiency requiring major expansion of consultation obligations. Improvements are more likely to be achieved through clearer guidance, stronger implementation support and greater consistency in regulatory expectations.

Question 14: Rec 4 - How should the principle of ‘meaningful consultation’ be applied to strengthen the consultation requirements of the RSNL?

The ARA believes that “meaningful consultation” should focus on ensuring that affected workers and their representatives have a genuine opportunity to provide input into relevant operational and safety matters before decisions are finalised. This concept should be applied carefully to avoid introducing unnecessary ambiguity or uncertainty regarding compliance expectations.

The ARA does not support overly prescriptive consultation obligations that may duplicate existing WHS requirements or create impractical administrative burdens. Instead, meaningful consultation should be supported through practical guidance, examples of good practice and greater consistency in implementation expectations.

The ARA believes that consultation obligations should remain proportionate to the nature, scale and operational significance of the proposed change or decision being considered.

Question 15: Rec 4 - What evidence should be relied upon to demonstrate that meaningful consultation has occurred? Who should determine non-compliance?

The ARA believes that evidence of meaningful consultation should remain practical, proportionate and flexible rather than highly prescriptive.

Appropriate evidence may include consultation records, workforce communications, meeting outcomes and evidence that affected workers had a genuine opportunity to provide input and raise issues relevant to the decision-making process.

The ARA does not support rigid evidentiary requirements that create unnecessary administrative burden or encourage procedural rather than substantive compliance behaviours. ONRSR should retain responsibility for assessing compliance with consultation obligations as part of its broader regulatory oversight functions. Any assessment of non-compliance should also recognise differing operational contexts and focus on the substance and effectiveness of engagement rather than purely procedural considerations.

Question 16: Rec 11 - What safety information should the Regulator make available to the industry to improve safety outcomes? How should this information be shared between parties?

The ARA supports ONRSR making safety information available to industry where this will support improved safety outcomes, organisational learning and more consistent risk management across the rail system.

The most valuable information would include de-identified safety learnings from incidents, audits and inspections; thematic analysis of emerging risks; precursor event trends; safety alerts relating to rolling stock, infrastructure or operational systems; and guidance on recurring compliance issues or evolving regulatory expectations.

This information should be shared proactively rather than solely through request-based processes. Regular safety bulletins, thematic reports, industry briefings and secure information-sharing mechanisms could all support better dissemination of safety learnings across operators, infrastructure managers and other relevant duty holders.

However, it is also important that information sharing be supported by clear safeguards. Commercially sensitive information, legally privileged material, security-sensitive information and information that could unfairly prejudice an operator or individual should be appropriately protected.

The ARA supports legislative clarification of the confidentiality provisions where necessary to enable ONRSR to share safety information in a timely and useful way. This should be accompanied by clear protocols governing how information is de-identified, published and shared.

Question 17: Rec 18 - Should recommendation 18 to compel RIMs to consider implications to the wider network in implementing network rule or infrastructure changes be extended to rolling stock operators, network authorities, and/or infrastructure owners?

The ARA considers that the obligation to consider wider network impacts should not rest solely with rail infrastructure managers where other parties materially influence interoperability or safety outcomes.

Rolling stock operators can make decisions about rolling stock configuration, onboard technology, operating capability and assurance processes that have significant implications for interoperability. In appropriate circumstances, particularly where operations occur on the NNI or interfacing networks, it may be appropriate for obligations to extend to rolling stock operators where their decisions have material network impacts.

The ARA also considers that network authorities and infrastructure owners can play a significant role in shaping interoperability outcomes through planning, procurement, funding and project delivery decisions. In many cases, rail transport operators may be required to manage operational consequences arising from decisions made earlier in the asset lifecycle by parties that are not themselves subject to equivalent obligations under the RSNL.

Any extension of obligations need to be carefully scoped. The ARA does not support broad or indiscriminate expansion of duties to parties whose decisions do not materially affect interoperability or railway operations. The focus should be on ensuring that responsibilities are aligned with the ability to influence outcomes.

The ARA believes that this issue should be considered further in the D-RIS, particularly in relation to how network authorities and infrastructure owners influence safety and interoperability outcomes through early planning, investment and procurement decisions.

Question 18: Rec 18 - How should the SFAIRP principle apply to any interoperability requirements? If not qualified by SFAIRP, are there any other qualifications that would apply?

The ARA considers that the SFAIRP principle should remain central to the RSNL safety framework and should not be undermined by the introduction of interoperability-related reforms.

Interoperability requirements differ in nature from general safety duties. Safety duties require duty holders to manage risks in context, whereas interoperability outcomes often require more defined technical and operational consistency. This is why the ARA supports a standards-based approach to interoperability, rather than broad duties that require subjective interpretation.

Where interoperability obligations are introduced, they should be clearly defined and supported by practical compliance pathways. If mandatory standards are prescribed, compliance with those standards should provide strong regulatory assurance and reduce the need for duplicative or inconsistent safety arguments. This would support national consistency while preserving the integrity of the broader safety framework.

The ARA believes that any interoperability requirements should be qualified by proportionality, technical feasibility, operational context and the extent to which the relevant party can reasonably influence the outcome. Safety must remain paramount where any tension arises between safety and interoperability objectives.

Question 19: Rec 18 - What kind of tangible evidence would be required to satisfy ONRSR that a RIM had in fact given consideration to interoperability?

The ARA believes that evidence of consideration of interoperability should be practical, proportionate and integrated into existing change management and safety management processes.

For significant infrastructure, technology or operational changes affecting the NNI or interfacing networks, appropriate evidence could include documentation showing that interoperability impacts were considered as part of the change management process, that relevant interfacing parties were consulted, and that the implications for operations across connected networks were assessed.

Evidence should focus on whether interoperability was genuinely considered, rather than requiring a particular outcome. A rail infrastructure manager should be able to demonstrate that interoperability implications were assessed, even where the final decision is that a particular interoperability measure is not reasonably practicable, technically appropriate or proportionate in the circumstances.

The ARA does not support overly prescriptive evidence requirements that create additional compliance burden without improving practical outcomes. ONRSR guidance should set out expectations in a way that allows evidence to be tailored to the nature, scale and significance of the proposed change.

Question 20: Rec 19 - Should the ability of a RTO to mutually recognise the approval of technology be optional or mandatory?

The ARA considers that mutual recognition of technology approvals should be optional rather than mandatory.

The ARA strongly supports mutual recognition where operating conditions, technical standards and assurance frameworks are sufficiently aligned. In those circumstances, mutual recognition can reduce duplication, lower approval costs and support faster deployment of technology and innovation.

However, a mandatory approach may not be appropriate where operating environments differ materially. Network characteristics, traffic mix, axle loads, signalling systems, braking performance, gradients, communications systems and maintenance regimes can all affect whether a technology approval in one environment can safely and appropriately be relied upon in another.

The ARA therefore supports an opt-in framework that encourages mutual recognition where it is appropriate, while preserving the ability for rail transport operators and infrastructure managers to undertake additional assurance where justified by network-specific risks or operational conditions. This approach supports efficiency and consistency without undermining effective control and management or creating uncertainty about who owns the safety argument for technology deployment.

Question 21: Do you think the governance suite of options are effective to support interoperability?

The ARA believes that the governance suite of options provides a useful foundation for supporting interoperability, but its effectiveness will depend on clarity of roles, standards maturity, resourcing and implementation discipline.

The ARA supports stronger national governance arrangements to provide whole-of-network oversight, coordinate standards development and support consistent implementation of interoperability reforms. Without such governance, legislative amendments alone are unlikely to deliver the intended safety, productivity and interoperability benefits.

Governance arrangements should clearly distinguish the respective roles of governments, ONRSR, ARISO, rail infrastructure managers, rolling stock operators, network authorities and other relevant parties. This is particularly important because interoperability outcomes are often shaped by early planning, funding, procurement and design decisions, not only by operational decisions made by accredited operators.

The ARA also believes that ARISO's role in developing and maintaining nationally consistent standards will be critical. Effective implementation will require the standards ecosystem to have sufficient technical capability, industry participation and sustainable resourcing.

The ARA supports the general direction of the governance suite, but considers that it must be implemented in a staged and proportionate way that recognises different network types and operational contexts. Governance obligations should be focused where they deliver clear interoperability benefit, particularly in relation to the NNI and interfacing networks.

5.2 Option benefits and costs

5.2.1 Interoperability

Question 22: Given the GHD report was originally developed for a different purpose than its use in the RSNL C-RIS, can you provide any input, data, or point us to additional information sources that could help strengthen the cost-benefit estimates presented in this C-RIS?

The ARA believes the GHD report provides a useful starting point for considering the potential benefits of harmonisation, but further analysis is required before its findings can be relied upon as the basis for detailed legislative reform decisions.

The GHD work was developed in the context of standards harmonisation, whereas the C-RIS applies those findings to a broader set of proposed RSNL reforms. While there is a strong relationship between standards harmonisation and interoperability reform, the costs and benefits of legislative amendments are not identical to the costs and benefits of standards harmonisation.

The D-RIS should more clearly distinguish between benefits attributable to RSNL legislative reform and benefits that depend on broader NRAP initiatives, standards development, ARISO capability, industry adoption and implementation sequencing.

The ARA also believes that further sector-specific analysis would improve the cost-benefit estimates. Costs and benefits are unlikely to be distributed evenly across passenger, interstate freight, regional and heavy haul operations. For example, benefits associated with mutual recognition, labour mobility or rolling stock standardisation may be greater for operators working across multiple networks than for dedicated or isolated networks with highly specialised operating conditions.

The ARA would support further engagement with industry to test assumptions and refine cost estimates, particularly in relation to implementation costs, training costs, standards development costs, regulatory costs and transition impacts.

Question 23: Are there any additional impacts (costs or benefits) arising from each of the proposed reform topics other than those identified by GHD?

The ARA believes that several additional impacts should be more fully considered in the D-RIS.

The first is implementation cost. Operators and infrastructure managers may incur significant costs associated with reviewing safety management systems, updating change management processes, adapting training frameworks, implementing new standards, undertaking additional assurance activities and engaging with expanded governance arrangements.

The second is regulatory cost. Expanded functions for ONRSR will require additional technical capability, operational expertise and implementation resources. These costs may ultimately be reflected in cost recovery arrangements and should be assessed transparently.

The third is standards development capacity. The ability of ARISO and associated technical bodies to develop, maintain and update nationally consistent standards will be central to reform success. The cost and resourcing requirements associated with this standards development function should be considered as part of the overall reform cost.

The fourth is transition complexity. Rail assets have long lifecycles and investment decisions are often made years in advance. Poorly sequenced implementation could create stranded asset risks, increase compliance costs and disrupt investment planning.

The ARA also believes that the benefits of regulatory certainty should be recognised. A well-designed standards-based framework could reduce uncertainty, support better investment decisions and improve the relationship between operators, infrastructure managers and the Regulator.

Question 24: Do the baseline estimates and annual benefit estimates (as a percentage improvement) shown in Table 10 appear appropriate?

The ARA believes that the baseline and annual benefit estimates in Table 10 provide a useful starting point for consultation, but should be treated with caution.

The benefit estimates should be tested further across different network types and operational contexts. Some of the assumed benefits, including reduced training costs, improved labour mobility, lower approval costs and rolling stock efficiencies, may apply strongly to cross-network operations but less strongly to specialised or isolated networks.

The ARA also believes that some benefits are likely to be realised earlier than others. Information sharing improvements and some mutual recognition benefits may be realised relatively early if appropriate systems and governance arrangements are in place. In contrast, benefits associated with infrastructure harmonisation, rolling stock standardisation and large-scale technology alignment are likely to be long-dated and dependent on asset replacement cycles.

The D-RIS should present benefit estimates in a way that recognises implementation timing, network type, operational context and dependency on broader NRAP reforms.

Question 25: Are the timings proposed in the GHD report (25 years of implementation) appropriate? Would some benefits be realised earlier than others?

The ARA believes that a long implementation horizon is appropriate for reforms involving infrastructure, rolling stock, train control systems and other capital-intensive assets.

Rail assets have long lifecycles, and many interoperability benefits cannot be realised immediately without imposing disproportionate cost or disrupting existing investment cycles. A long transition period is therefore appropriate for reforms requiring capital investment or major systems change.

However, as noted previously some benefits may be realised earlier. Improved safety information sharing, clearer regulatory guidance, better governance arrangements and some mutual recognition processes could deliver benefits within a shorter timeframe if implemented effectively.

The ARA believes that the D-RIS should distinguish between near-term process and governance benefits and longer-term capital-intensive interoperability benefits. This will provide a more accurate view of reform timing and avoid creating unrealistic expectations about when benefits will be realised.

Question 26: Do the GHD cost estimates set out in Table 11 appear appropriate? What changes do you consider would improve the accuracy of the estimates?

The ARA believes that the GHD cost estimates should be further tested and refined before being relied upon in the D-RIS.

There is potential that some cost categories may be understated, particularly in relation to training, standards development, systems integration, implementation planning, regulatory capability and operational disruption.

Training costs, for example, are likely to include not only course delivery but also training development, competency assessment, worker release time, travel, rostering impacts and operational disruption. Similarly, standards development costs may be higher where standards involve complex technology, significant jurisdictional variation or substantial technical disagreement.

The ARA believes that the D-RIS should include more detailed sensitivity analysis and should distinguish between costs for different categories of operators and networks. This would provide a more realistic picture of implementation impacts and help ensure reforms are designed proportionately.

5.2.2 Transparency and accountability

Question 27: Are there any additional impacts (costs or benefits) arising from each of the proposed reform topics other than those identified by GHD?

The ARA believes that additional costs and benefits associated with transparency and accountability reforms should be considered.

On the benefits side, improved information sharing has the potential to deliver meaningful safety benefits by enabling operators to learn from incidents, audits, inspections and emerging risk trends across the industry. Greater transparency may also support more consistent regulatory interpretation and improve trust between industry and the Regulator.

On the cost side, strengthened consultation, information access and interface agreement requirements may create additional compliance, legal, administrative and systems costs. These costs may vary significantly depending on the size of the operator, complexity of operations and number of interfaces involved.

The ARA believes that reforms in this area should focus on areas where clear benefit exists, particularly information sharing and regulatory transparency, while avoiding unnecessary expansion of consultation obligations where existing legislative frameworks are already operating effectively.

Question 28: Do the annual benefit estimates (as a percentage improvement) appear reasonable?

The ARA considers that the annual benefit estimates for transparency and accountability reforms are directionally reasonable, however these should be treated as indicative rather than definitive.

The potential benefits of improved information sharing, clearer regulatory expectations and more effective interface management are real. In particular, timely sharing of de-identified safety information, audit insights and emerging risk trends could help operators identify risks earlier and improve safety management practices across the industry.

However, the causal pathway between transparency reforms and quantified safety improvements is more difficult to establish than for some operational interoperability reforms. For example, while improved information sharing may reasonably be expected to improve safety outcomes, the scale and timing of those benefits will depend heavily on how actively ONRSR shares information, how useful and targeted that information is, and how effectively operators incorporate it into their safety management systems.

The D-RIS should present benefit estimates for transparency and accountability reforms as a range or scenario analysis rather than a single point estimate. This would better reflect uncertainty and provide decision-makers with a clearer understanding of the assumptions underpinning the analysis.

Question 29: Do the cost estimates appear appropriate? What changes do you consider would improve the accuracy of the estimates?

The ARA believes that the cost estimates for transparency and accountability reforms are likely to require further refinement.

Some costs may be understated, particularly where reforms require changes to consultation processes, safety management system access arrangements, confidentiality protocols, legal review processes and interface agreement management. These costs may not be significant for all operators, but they could be material for larger operators, operators with complex safety management systems, and infrastructure managers with multiple road, rail or third-party interfaces.

The ARA also believes that the costs associated with ONRSR implementation should be more clearly identified. Improved information sharing, enhanced transparency, expanded engagement and any stronger interface agreement powers will require regulatory capability, internal systems, guidance development and ongoing engagement resources.

To improve accuracy, the D-RIS should distinguish between one-off implementation costs and ongoing compliance costs. It should also account for differences in operator scale, interface complexity and the maturity of existing systems. This would provide a more realistic assessment of regulatory burden and help ensure that reforms remain proportionate.

5.3 Option recommendations, implementation and evaluation

Question 30: Is the proposed approach (implement the least intrusive reform that is considered likely to be effective) appropriate?

The ARA supports the proposed approach of implementing the least intrusive reform that is considered likely to be effective.

This is an appropriate principle for regulatory reform, particularly in a complex operating environment such as rail where obligations can have significant operational, commercial and safety implications. The ARA believes that reforms should be targeted, proportionate and supported by evidence that the proposed intervention is necessary to achieve the intended outcome.

However, the ARA also considers that the test of effectiveness should be applied carefully. In some areas, such as information sharing and consultation, guidance or targeted legislative clarification may be sufficient. In other areas, particularly interoperability standards, a more structured legislative framework may be necessary to enable nationally consistent outcomes.

The key issue is not whether reforms are legislative or non-legislative in form, but whether they are fit for purpose. The ARA believes that the most effective model is one in which legislation provides enabling powers and clear governance foundations, standards provide the primary mechanism for achieving interoperability, and implementation occurs progressively through coordinated national programs.

The ARA also believes that the least intrusive effective option should be assessed differently across network types and operational contexts. A reform that is proportionate and effective for the NNI may not be proportionate for an isolated or dedicated network with limited interoperability impact

Question 31: What timeframe for implementation do you consider suitable?

The ARA supports a staged implementation approach that recognises the scale and complexity of the proposed reforms.

A single implementation timeframe is unlikely to be appropriate across all reforms. Transparency and accountability reforms, particularly those relating to information sharing and guidance, could be implemented within a shorter timeframe, provided ONRSR has the necessary systems, capability and resourcing in place.

By contrast, interoperability reforms involving mandatory standards, technology alignment, mutual recognition, competency frameworks and systems integration will require a longer implementation horizon. These reforms are dependent on standards maturity, governance arrangements, technical readiness, training capability, asset lifecycles and investment planning.

The ARA believes that implementation should occur progressively over multiple years through a clear national roadmap. For reforms requiring capital investment or major operational change, transition periods should be aligned with asset replacement cycles and existing investment plans to avoid disproportionate cost and operational disruption.

It is also important that implementation timeframes be linked to readiness milestones. This includes ONRSR capability, ARISO and standards development capacity, the availability of guidance, and the maturity of relevant NRAP workstreams.

Question 32: Are there specific reforms you believe could be advanced ahead of others, and are there any that should be delayed in implementation?

The ARA believes that reforms should be sequenced according to readiness, dependency and implementation risk.

Reforms relating to improved information sharing, confidentiality clarification, regulatory guidance and governance arrangements could be advanced earlier, as they are likely to deliver safety and transparency benefits without requiring substantial capital investment or extensive systems change.

Reforms relating to mandatory interoperability standards, mutual recognition of technology approvals and national competencies should be implemented more gradually. These reforms depend on the maturity of standards, the development of assurance frameworks, industry capability and alignment with broader National Rail Action Plan initiatives.

The ARA believes that reforms involving major technology pathways or infrastructure implications should be delayed until there is sufficient lead time for investment planning, procurement, workforce training and regulatory readiness.

Question 33: Are there any barriers and risks to the reforms that should be identified in the D-RIS?

The ARA considers that several barriers and risks should be explicitly addressed in the D-RIS.

The first is implementation capability. The proposed reforms will require significant capability across government, ONRSR, ARISO, industry and training systems. Without adequate resourcing and technical expertise, reforms may create obligations that cannot be implemented effectively or consistently.

The second is standards maturity. The success of the interoperability reform program will depend heavily on the ability of the standards ecosystem to develop, maintain and update national standards that are technically robust, practical and accepted by industry. If standards are not sufficiently mature before obligations commence, the reform program may create uncertainty rather than consistency.

The third is regulatory resourcing. ONRSR will need appropriate funding, technical expertise and operational capability to undertake any expanded coordination, assurance, oversight and information-sharing functions. Expanded expectations without corresponding capability would create implementation risk and could reduce regulatory effectiveness.

The fourth is proportionality across network types. The costs and benefits of interoperability reforms will vary materially between shared-access networks, passenger systems, regional operations and private or dedicated heavy haul networks. Applying obligations uniformly without regard to operational context could impose costs without commensurate safety or productivity benefits.

The fifth is the allocation of responsibility for upstream decisions. Many interoperability and safety outcomes are shaped by governments, network authorities, infrastructure owners and project delivery bodies before rail transport operators assume operational responsibility. The D-RIS should consider how those upstream decision-makers are appropriately incorporated into the reform framework.

Finally, the ARA believes that there is a risk of reform sequencing becoming misaligned with broader NRAP initiatives. The RSNL reforms should be implemented in a way that complements, rather than pre-empts, standards development, skills reform, technology alignment and institutional governance work already underway. A staged and coordinated implementation roadmap will be essential to managing these risks.

6. Conclusion

The ARA supports the overall direction of the proposed reforms to the Rail Safety National Law and recognises the significant opportunity the reform program presents to improve interoperability, national consistency and safety outcomes across the Australian rail system.

The ARA believes that the reforms have the potential to address long-standing structural fragmentation across the rail network, reduce unnecessary duplication, support more efficient movement across jurisdictions and improve consistency in technology, workforce and operational systems. This includes significant opportunities to improve workforce mobility, reduce duplication in competency recognition and support more efficient deployment of skilled rail workers across the national network.

The ARA also believes that successful reform will depend on maintaining the integrity of the existing risk-based safety framework and ensuring that safety remains the primary object and overriding purpose of the RSNL.

The ARA's position is that interoperability is fundamentally a technical, operational and governance challenge rather than an issue that can be resolved solely through broad legislative duties. Nationally agreed standards, supported by enabling legislative provisions, coordinated governance arrangements and practical implementation pathways, should therefore form the core architecture of the reform program.

The ARA believes that legislative reform alone will not deliver interoperability outcomes. The effectiveness of the reforms will depend heavily on standards maturity, governance capability, implementation sequencing, industry adoption and the capability of the broader standards ecosystem to support nationally coordinated implementation. This includes effective implementation governance, practical regulatory guidance, inter-agency coordination and sustained collaboration between governments, regulators, standards bodies and industry participants.

The ARA strongly supports the development of nationally consistent interoperability standards and greater consistency across areas such as technology approvals, workforce competencies, operating practices and interoperability assurance processes. These reforms have the potential to reduce duplication, support innovation, improve operational flexibility and strengthen safety outcomes through greater consistency across the rail system.

The ARA also supports ONRSR playing an appropriately empowered national role in supporting interoperability outcomes through coordination, oversight, assurance and regulatory stewardship functions. Achieving nationally consistent interoperability outcomes across a complex multi-jurisdictional rail system will require stronger national coordination capability, effective governance arrangements and structured implementation oversight.

Any expanded ONRSR role must preserve the principles of co-regulation and ensure that accredited rail transport operators retain effective control and management of railway operations and primary accountability for safety outcomes.

The ARA further considers that implementation success will depend on ensuring reforms remain proportionate and recognise differing operational contexts across the rail industry. Shared-access interstate freight and passenger networks face different interoperability challenges to isolated, dedicated or highly specialised operations, and implementation approaches should reflect these differences.

The ARA also considers that implementation should occur progressively and align with standards maturity, operational readiness, asset lifecycles and investment cycles. ONRSR, ARISO and the broader standards and governance ecosystem must also be appropriately resourced and supported to undertake expanded coordination, assurance, standards development and implementation functions.

Given the scale and complexity of the proposed reforms, sustained capability uplift across regulators, standards bodies and industry participants will be critical to achieving enduring interoperability, productivity and safety outcomes across the Australian rail system.

The ARA considers that a practical, coordinated and nationally consistent implementation approach will be essential to ensuring that reforms deliver meaningful and enduring benefits across the rail network while preserving the strengths of the existing co-regulatory safety framework.

The ARA looks forward to continuing to work collaboratively with the National Transport Commission, ONRSR, governments and industry stakeholders to support the ongoing development and implementation of the reform program.