



Australian Rail Track Corporation (ARTC)
11 Sir Donald Bradman Drive
Keswick Terminal, SA, 5035

11 May 2026

National Transport Commission
Level 3/600 Bourke Street
Melbourne, Victoria, 3000

E: enquiries@ntc.gov.au

Dear Commissioners,

RAIL SAFETY NATIONAL LAW - CONSULTATION REGULATORY IMPACT STATEMENT

The Australian Rail Track Corporation (ARTC) welcomes the opportunity to provide a submission on the National Transport Commission's *Rail Safety National Law (RSNL) Consultation Regulatory Impact Analysis (C-RIS)*. ARTC supports the overarching objectives of the targeted RSNL Review and the broader National Rail Action Plan (NRAP), particularly the emphasis on improving interoperability, productivity, and national consistency while maintaining Australia's strong rail safety record.

ARTC is Australia's largest rail infrastructure manager (RIM) and the principal operator of the National Network for Interoperability (NNI). ARTC's networks underpin nationally significant freight and passenger tasks, connecting major ports, intermodal terminals, industrial regions, and regional communities. As such, ARTC plays a central role in delivering the policy intent of national interoperability and is directly impacted by any legislative, regulatory, or institutional changes arising from the RSNL reform program.

The RSNL was deliberately designed as a co-regulatory, duties-based safety regime, closely aligned with Work Health and Safety (WHS) legislation. This framework has proven effective in improving safety outcomes by placing clear accountability with duty holders and supporting flexibility in how risks are managed so far as is reasonably practicable (SFAIRP). ARTC considers it essential that any amendments to the RSNL preserve the integrity of this model and avoid unintended consequences that could arise from over-prescription, regulatory duplication, or blurred accountability between industry and the Regulator.

ARTC acknowledges that improving rail interoperability is both necessary and overdue. Fragmentation across networks; whether in standards, systems, rules, approvals, or skills, has imposed long-standing productivity costs on the rail sector and, in some cases, introduced human-factor and transition risks that can affect safety. Interoperability reform, when carefully designed and staged, has the potential to improve safety outcomes by reducing complexity and variability while also supporting productivity, investment certainty, and workforce mobility.

Interoperability reform should be understood as part of a broader transformation of rail. It is not only a technology reform, nor simply a movement toward greater productivity. It requires coordinated change across infrastructure, rolling stock, train control, operating rules, workforce capability, approvals, commercial investment and regulatory practice. That level of change is inherently challenging and must be managed through clear governance, staged implementation and practical guardrails, including safety duties, SFAIRP, commercial viability and operational continuity.

ARTC considers that interoperability principles should be expressly articulated as the overarching test for reform. Any legislative change, mandatory standard, regulatory role or governance mechanism intended to advance interoperability should be assessed against clear principles including safety precedence, materiality and proportionality, commercial and investment discipline, national productivity focus, and future proofing. Standards remain the primary delivery vehicle, but those principles should guide when, how and at what pace standards are adopted, sequenced and enforced.

However, ARTC's experience as both a national infrastructure manager and a system integrator highlights that interoperability cannot be delivered effectively through broad or undefined legal obligations alone. Successful reform depends on:

- a clearly articulated future state,
- agreed national mandatory standards where consistency is required,
- a coherent pathway for transition, and
- a clear delineation of roles between governments, standards bodies, infrastructure managers, rolling stock operators (RSOs), and the Regulator.

In this context, ARTC supports legislative reform where it is targeted, proportionate, and clearly aligned with NRAP outcomes. Conversely, ARTC is cautious of reforms that layer new obligations over existing duties, duplicate regulatory mechanisms, or rely on guidance and codes without sufficient clarity or enforceability.

ARTC's submission focuses on ensuring that the proposed RSNL reforms:

- apply explicit interoperability principles as the overarching test for reform,
- reinforce safety as the core objective of the law,
- enable interoperability and productivity improvements in a structured and durable way,
- minimise unnecessary regulatory burden, particularly for large national networks, and
- provide certainty for long-term infrastructure and rolling stock investment.

A summary of ARTC's positions across the Consultation RIS recommendations, including preferred options and key conditions, is provided at **Appendix A**. Note that ARTC's submission does not address all recommendations, and focusses on those most relevant to ARTC's role and responsibilities.

ARTC has raised the need for clear interoperability principles with ONRSR at CEO level and understands that ARTC and ONRSR have agreed to meet with the NTC to discuss this issue. ARTC welcomes continued engagement with the National Transport Commission, the Office of the National Rail Safety Regulator, and industry stakeholders as the reform process progresses toward the Decision RIS and implementation phases. Should further clarification or discussion be required, please do not hesitate to contact **Melissa Ras, Policy & Regulation Advisor** (██████████).

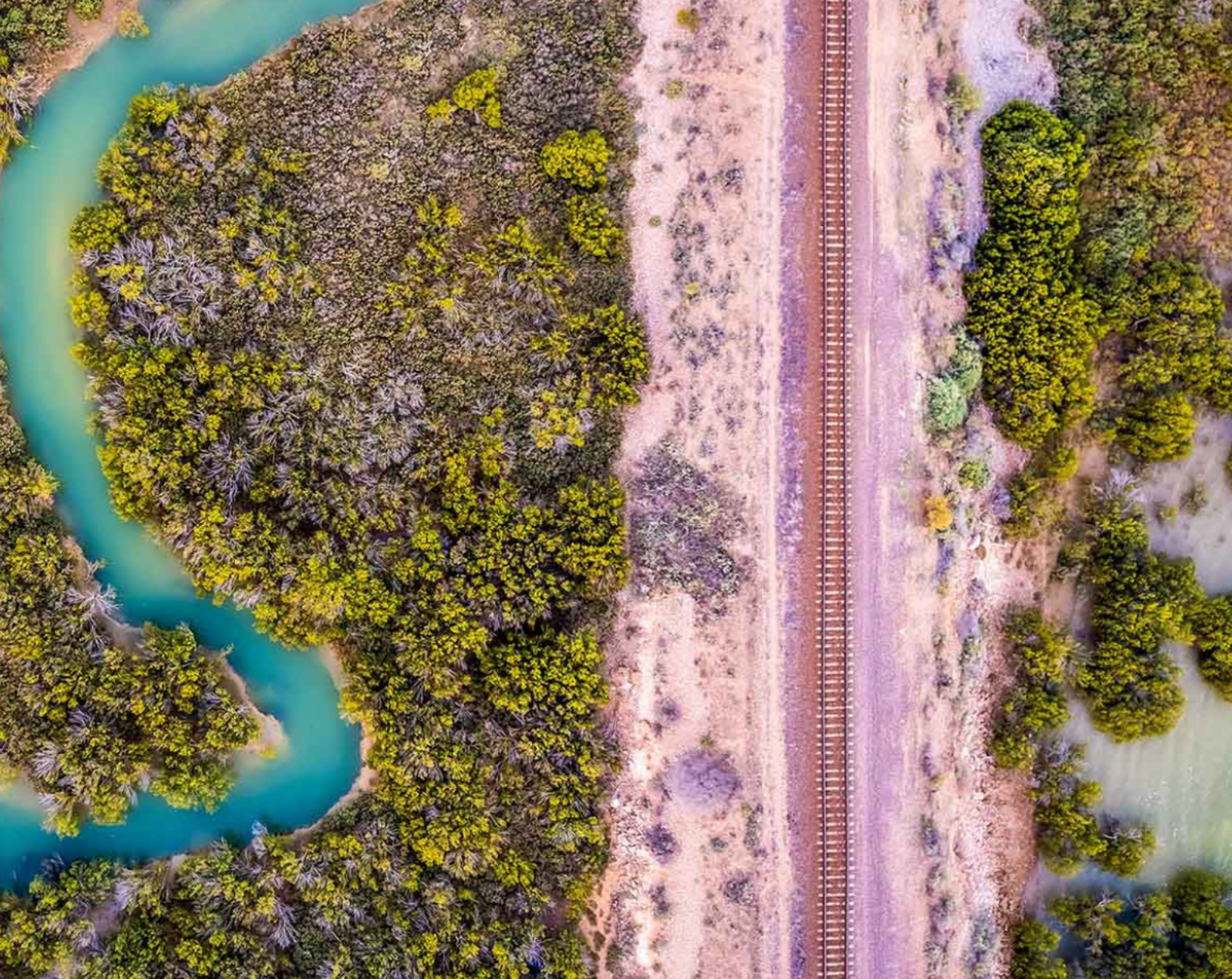
Yours sincerely,

<signature removed>

Brad Moorhouse

Group Executive, Safety & Systems

Australian Rail Track Corporation (ARTC)



RAIL SAFETY NATIONAL LAW
CONSULTATION REGULATORY IMPACT STATEMENT
11 May 2026

ARTC

Australian Rail Track Corporation (ARTC)
11 Sir Donald Bradman Drive
Keswick Terminal, SA, 5035

EXECUTIVE SUMMARY

ARTC supports the intent of the Rail Safety National Law (RSNL) reform program and agrees that improved interoperability is essential to achieving a safer, more productive, and nationally consistent rail system. However, ARTC considers that interoperability reform must be framed as part of a broader transformation of rail, rather than as a standalone technology or productivity initiative.

This transformation is inherently complex. It involves long-life infrastructure, rolling stock, train control systems, operating rules, workforce capability, investment cycles, and commercial decision-making across multiple networks and operators. To be effective, interoperability reform must therefore be delivered through a clear national roadmap, defined accountabilities, and a staged implementation pathway that remains consistent with safety duties, the so far as is reasonably practical (SFAIRP) principle, and the commercial and operational realities of the rail industry.

ARTC's support for the proposed reforms is subject to the following six matters.

1. Interoperability principles should be the overarching test for reform.

Any proposed legislative change, standard, regulatory role or governance mechanism intended to advance interoperability should be designed, assessed and implemented against clear principles, so reform remains aligned to its purpose rather than driven by mechanism alone.

2. Safety must remain the primary purpose of the RSNL.

Interoperability and productivity are important outcomes, but they must support, not dilute or compete with, the duties-based safety framework that underpins Australia's strong rail safety performance.

3. Interoperability obligations must be clear, standards-based, and future-focused.

ARTC supports mandatory interoperability requirements where they are anchored to agreed Tier 1 national standards and a clearly defined future interoperability state. ARTC does not support broad or open-ended interoperability duties that rely on subjective assessments or current-state arrangements.

4. A national roadmap with clear accountabilities is essential.

The reform program must clearly identify who is responsible for what, by when, and through which governance mechanisms. This includes defined roles for governments, standards bodies, infrastructure managers, rolling stock operators, ONRSR, and any national coordination forum.

5. ONRSR's role should remain focused on compliance and enforcement.

ARTC supports ONRSR enforcing mandatory interoperability standards once agreed. Any dispute resolution function should be limited, clearly defined, and used only as a backstop where agreement cannot be reached. Broader coordination of interoperability outcomes should sit outside ONRSR's enforcement role to preserve regulatory neutrality and the integrity of the co-regulatory model.

6. Implementation must be staged, proportionate, and commercially realistic.

Reforms should not impose retrospective obligations on legacy assets or create unfunded transition burdens. Implementation must consider asset readiness, investment timing, workforce and training impacts, operational disruption, cost recovery, and the practical challenges of delivering change across large national networks.

ARTC also considers that the Decision RIS should more clearly articulate the problem being addressed, the intended future state, the expected benefits, and the trade-offs for industry. In particular, it should better explain how each proposed reform contributes to safety, interoperability, productivity, investment certainty, and national freight outcomes, and how implementation risks will be managed.

INTEROPERABILITY PRINCIPLES AS THE OVERARCHING TEST

ARTC considers that interoperability principles should be expressly articulated and used as the overarching test for the design, assessment and implementation of RSNL reforms. Any proposed legislative change, mandatory standard, regulatory role or governance mechanism intended to advance interoperability should be capable of satisfying these principles. This ensures reform remains aligned to intent, rather than becoming driven by mechanism.

1. Safety precedence

The pursuit of interoperability must not impede or delay action to address safety risks that are below tolerable levels. Interoperability should support the duties-based safety framework, not operate as a parallel or competing obligation.

2. Materiality and proportionality

Interoperability effort should be proportionate to material safety, operational and network impacts. It should not require uniformity for its own sake or impose requirements where the interoperability benefit is marginal.

3. Commerciality and investment discipline

Required interoperability investment should have a clear linkage to the interoperability benefit delivered, recognising that costs and benefits are often distributed unevenly across infrastructure managers, operators, governments and end users.

4. National productivity focus

Interoperability is a means to deliver national productivity outcomes, including capacity, reliability, freight efficiency and reduced system complexity. It should not become an end in itself.

5. Future proofing and innovation

Interoperability frameworks should avoid unnecessary technological prescription that locks in today's systems or constrains adoption of emerging technologies, operating models and solutions over the life of long-term assets. International experience demonstrates the risk of overly prescriptive regimes limiting adaptability and opportunity.

Standards remain the primary delivery vehicle for delivering interoperability outcomes, particularly where consistency is required across the NNI. However, these principles should guide when, how and at what pace standards are adopted, sequenced and enforced.

This approach avoids a standards-only framing that leaves critical judgements implicit and helps ensure interoperability remains risk managed, staged and aligned with the RSNL's duties-based SFAIRP framework.

WHY PRINCIPLES ARE REQUIRED ALONGSIDE MANDATORY STANDARDS

ARTC supports mandatory standards as the primary delivery vehicle for interoperability reform. However, a standards-only framing leaves critical judgements implicit, including how interoperability interacts with near-term safety risks, what level of materiality justifies intervention, how investment cost and benefit are weighed, and how innovation and future opportunity are protected. Without explicit principles, there is a real risk that interoperability becomes absolute in implementation, rather than risk managed and staged in line with the RSNL's duties-based, SFAIRP framework.

NEED FOR A CLEAR NATIONAL ROADMAP AND ACCOUNTABILITIES

ARTC considers that the success of the RSNL reform program will depend less on the creation of new legal obligations, and more on whether those obligations are supported by a clear, practical, and nationally coordinated implementation roadmap.

While the National Rail Action Plan (NRAP) was intended to provide the overarching framework for delivering interoperability reform, the reform environment has become increasingly complex. Multiple governments, agencies, standards bodies, infrastructure managers, rolling stock operators, suppliers, and regulators now play interdependent roles in achieving the future state.

In the absence of clearly defined roles and sequencing, there is a material risk that legislative reform will create new obligations without resolving the practical question of who is responsible for delivering each component of the interoperability pathway. This, in turn, risks duplicative effort, inconsistent implementation, and increased compliance burden without commensurate safety or productivity benefits.

ARTC considers that the reform program should explicitly identify:

- the nationally agreed future interoperability state being pursued,
- the standards, systems, and operating arrangements required to achieve that future state,
- the interoperability principles that will be used to test proposed legislative changes, standards, governance mechanisms and implementation pathways,
- which entity is responsible for developing, approving, implementing, enforcing, and maintaining each element,
- the sequencing of mandatory standards and associated transition arrangements,
- the role of ONRSR in enforcing agreed requirements,
- the role of industry in implementation, assurance, and transition, and
- the funding, cost-recovery, and broader commercial implications of adoption.

This roadmap should operate as an operational delivery tool, not merely a policy statement. It should provide industry with sufficient clarity and certainty to support long-term investment and planning decisions and should reduce, rather than add to, the fragmentation and complexity currently experienced across rail networks.

TOPIC 1: INTEROPERABILITY

Recommendation 1: Strengthen the link between safety and productivity in the RSNL

ARTC position: Support Option 1 - Ministerial Statement / Statement of Expectations

ARTC supports strengthening recognition of productivity and efficiency considerations within the RSNL framework, provided this is achieved without altering the fundamental safety-first purpose of the legislation. ARTC considers that a non-legislative approach, through a Ministerial Statement or Statement of Expectations to ONRSR, represents the most appropriate mechanism to achieve this outcome.

This approach reinforces that productivity and interoperability outcomes are legitimate considerations within safety decision-making, while avoiding unintended consequences for the RSNL-WHS relationship. In particular, ARTC does not support amendments that risk recasting productivity as a competing or dominant legislative principle, which may create legal ambiguity or undermine the duties-based regulatory model.

A Statement of Expectations can also provide greater flexibility to adapt over time, including alignment with NRAP priorities and evolving interoperability pathways, without embedding overly rigid assumptions in primary legislation.

Recommendation 2: Regulator coordination / facilitation role

ARTC position: Support ONRSR's role being centred on compliance with mandatory interoperability standards and limited dispute resolution; broader interoperability coordination should sit outside ONRSR's enforcement role.

ARTC supports ONRSR having a clear role in enforcing mandatory interoperability standards once those standards have been agreed and incorporated into the RSNL framework. ARTC also supports a limited dispute resolution backstop

where parties cannot agree on the application of mandatory requirements or the pathway for resolving a defined interoperability issue.

ARTC does not support ONRSR being positioned as the broader coordinator or owner of national interoperability outcomes. That broader roadmap, sequencing and accountability function should sit outside ONRSR's enforcement role and be aligned with NRAP governance arrangements. This distinction is important to preserve regulatory neutrality, avoid duty-holder reliance on regulatory advice, and maintain the integrity of the co-regulatory model.

Any dispute resolution function should be tightly scoped to matters within ONRSR's remit and substantially constrained where the issue is already addressed through mandated Tier 1 standards. In those circumstances, ONRSR's primary focus should remain compliance with those mandatory standards, rather than facilitating or coordinating broader outcomes.

Where any additional ONRSR function is proposed beyond existing statutory functions, it should be expressly and narrowly established in legislation, with clear boundaries between enforcement, dispute resolution and governance.

ARTC's support is therefore conditional on:

- a clear separation between ONRSR's enforcement role and any limited dispute resolution role,
- accountability remaining with duty holders for safety and implementation decisions,
- broader interoperability coordination being managed through national governance arrangements aligned to NRAP, and
- ONRSR not becoming the decision-maker on what standards are adopted, when they are adopted, or how industry investment priorities are sequenced.

Recommendation 3: Mandating interoperability requirements

ARTC position: Support Option 3, subject to tight scoping and modification

ARTC supports the use of mandatory, prescriptive requirements to deliver interoperability outcomes, but only where those requirements are clearly bounded, standards-based and directed toward an agreed future interoperability state. ARTC does not support broad outcomes-based interoperability duties that rely on discretionary judgements or current-state assessments.

ARTC's preference is for a separate prescriptive interoperability scheme that limits the enforceable obligation to compliance with a defined set of mandatory, harmonised standards. This approach provides clearer boundaries around the obligation and avoids layering an additional, open-ended duty over existing RSNL safety duties.

Standards should therefore operate as the delivery mechanism, not the sole policy test. The decision to mandate, sequence or enforce a standard should be assessed against explicit interoperability principles, including safety precedence, materiality and proportionality, commercial and investment discipline, national productivity benefit and future proofing.

In particular, ARTC supports mandatory interoperability requirements where they are:

- clearly defined and enforceable,
- anchored to agreed Tier 1 (mandatory) harmonised standards,
- focused on aligning future investment in digital train control, signalling, rolling stock and other interoperability-relevant systems with mandatory industry standards, and
- directed toward an agreed future interoperability state, rather than retrospective assessment of legacy assets or current-state arrangements.

Accordingly, ARTC supports a modified Option 3 that aligns with the ONRSR's proposed prescriptive interoperability scheme and:

- limits the enforceable obligation to compliance with a defined set of mandatory, harmonised standards that articulate the required interoperability future state,
- applies primarily to future infrastructure, signalling, and rolling stock investment decisions affecting the NNI, and
- avoids duplication with existing RSNL consultation, assurance, and change-management requirements.

This approach provides clearer legislative boundaries, supports national consistency, and delivers more proportionate and less burdensome mechanism for achieving interoperability, while remaining fully consistent with the safety-first objectives of the RSNL.

Recommendation 16: Interoperability as an object in the RSNL

ARTC position: Support Option 3, with modified framing

ARTC supports including interoperability as an object of the RSNL, provided that safety remains the primary objective of the law. Interoperability should be framed as an enabling mechanism that improves safety and productivity through consistency, harmonisation, and reduced system complexity.

ARTC does not support language that implies equal or competing weighting between safety and interoperability. Such framing risks legal uncertainty and may inadvertently encourage reliance on safety arguments to resist nationally agreed interoperability pathways.

A modified Option 3, which recognises interoperability as a guiding object that supports improved safety outcomes, provides clearer legislative intent while remaining consistent with the duties-based framework.

For this reason, ARTC supports the Decision RIS (D-RIS) expressly articulating interoperability principles as the lens through which any interoperability object is applied. This would help avoid interoperability being treated as an absolute objective and would align implementation with safety precedence, proportionality, commercial discipline and future-proofing.

Recommendation 18: Wider network implications of changes

ARTC position: Support a modified Option 2 / alternative approach

ARTC supports the principle that infrastructure and operational changes with material interoperability impacts should consider wider network implications. However, ARTC does not support:

- the creation of an industry code, or
- additional obligations that duplicate existing RSNL requirements (including Regulation 9 change notifications).

ARTC's preference is that any Schedule 1 clause 20A-type requirements be recast within a separate interoperability scheme and scoped to the mandatory standards adopted through the agreed pathway. This would provide greater clarity and reduce the burden associated with broad or ambiguous current-state interoperability assessments.

ARTC supports a targeted regulatory amendment that:

- is limited to infrastructure or network rule changes with defined interoperability impacts,
- is linked to an agreed interoperability scope and pathway, and
- avoids layering multiple enforcement mechanisms over the same conduct.

This approach improves clarity and enforceability while maintaining proportionality.

Recommendation 19: Mutual recognition of technology approvals

ARTC position: Support Option 2, in a staged and constrained form

ARTC supports progressing mutual recognition of technology approvals but cautions against blanket presumptions of acceptance. Effective mutual recognition depends on:

- agreed national standards,
- shared assurance expectations, and
- confidence in the competency and governance of approval processes.

ARTC already accepts and reviews approvals from other networks where appropriate but must retain due-diligence responsibility as a duty holder.

ARTC therefore supports a modified Option 2 that:

- promotes structured sharing of type approvals and safety cases,
- relies on mandated standards as the primary enabler of mutual recognition, and
- preserves duty-holder accountability for final acceptance decisions.

Recommendation 20: National skills and competencies

ARTC position: Support Option 2

ARTC supports Option 2 as the most effective and proportionate means of improving workforce portability and reducing unnecessary variation across networks. This option balances national consistency with operational practicality and avoids imposing mandatory systems where effective industry solutions already exist.

ARTC supports:

- nationally aligned competencies and roles,
- harmonised safeworking rules delivered through NRAP, and
- regulator visibility over competency assurance.

ARTC does not support the creation of a new national register where systems such as Rail Industry Worker (RIW) are already widely used. Instead, ONRSR access to and oversight of existing systems would significantly reduce administrative burden while achieving the policy intent.

INSTITUTIONAL REFORM: INTEROPERABILITY

ARTC supports the intent of the proposed governance reforms to strengthen national coordination, consistency, and accountability in delivering interoperability outcomes. ARTC considers that effective governance arrangements are critical to translating legislative intent into practical, enduring reform outcomes across the NNI. However, the design of these arrangements must be carefully calibrated to complement the existing duties-based regulatory framework and avoid unintended expansion of safety obligations or regulatory duplication.

Interoperability Assessment of Future Investment

ARTC position: Support Option 1

ARTC supports a non-legislative, collaborative governance model for assessing interoperability implications of future investment decisions. ARTC considers that national-level coordination is essential to ensure that individual network or project decisions do not undermine broader interoperability outcomes across the NNI. However, this function is most appropriately exercised through cooperative governance arrangements rather than direct regulatory intervention.

ARTC does not support embedding future investment assessment functions into the RSNL safety duties. Investment planning decisions often occur well in advance of railway operations and outside the scope of rail safety accreditation processes. Extending RSNL duties into this space risks distorting the intent of the safety framework and blurring the accountability between asset owners, infrastructure managers, and regulators.

A national council or equivalent forum, supported by technical assurance functions and aligned with NRAP governance arrangements, provides a more appropriate mechanism to support whole-of-network oversight while preserving the integrity of the RSNL.

Developing and Adopting National Standards

ARTC position: Support Option 2

ARTC supports legislative facilitation of national standards, subject to clear limits on scope and application. ARTC agrees that stronger legal recognition of nationally harmonised standards is necessary to deliver interoperability outcomes, particularly where governments have agreed that certain standards will be mandatory within the NNI.

ARTC's support is conditional on the following principles:

- mandatory standards must be clearly identified and approved through transparent ministerial processes,
- only standards with agreed safety and interoperability objectives should carry legislative force, and
- the pathway for transition between local, harmonised, and mandatory standards must be clearly articulated.
- the sequencing, enforcement and transition of standards should be tested against the overarching interoperability principles, including safety precedence, materiality, proportionality and investment discipline, and
- mandatory standards should avoid unnecessary technological prescription that could constrain future innovation, operating models or long-term asset choices.

ARTC supports mandatory Australian Rail Industry Standards Organisation (ARISO) membership being limited to NNI Rail Transport Operators, recognising the central role ARISO plays in developing and maintaining national standards.

ARTC does not support arrangements whereby "recommended" standards are informally enforced through regulatory practice, as this undermines certainty and burdens duty holders without statutory clarity.

Skills and Competency Oversight

ARTC supports a build-on-existing-arrangements approach to skills and competency oversight. ARTC already utilises established industry systems and nationally recognised training frameworks and considers that creating new registers or systems risks unnecessary cost and disruption.

ARTC supports improved national visibility of competencies and enhanced workforce portability, but considers these outcomes should be achieved by:

- leveraging existing industry platforms where possible, and
- providing ONRSR with appropriate access and oversight mechanisms rather than duplicating competency management systems.

Any governance reform in this area must align closely with NRAP safeworking rules harmonisation and future skill requirements, and avoid imposing retrospective changes to existing competency assurance arrangements where these are functioning effectively.

Rolling Stock Approval Governance

ARTC notes that significant work is already underway through NRAP to streamline rolling stock approval processes and clarify roles and responsibilities between rolling stock operators, infrastructure managers, certification bodies, and regulators. This includes NRAP Priority 4 initiatives focused on delineating responsibilities between design certification by RSOs and registration recognition process through RIMS, with ONRSR supporting this program of work.

Given the scope and maturity of the current NRAP initiatives, ARTC considers it premature to commit to additional legislative governance reform in this area ahead of the outcomes of that work.

ARTC supports allowing existing NRAP rolling stock approval initiatives, including pilot projects and development of national processes, to mature before determining whether further legislative mechanisms are required. Any future rolling stock approval governance arrangements should:

- clearly distinguish between rolling stock design certification and network- or infrastructure-specific acceptance decisions,
- recognise the distinct but complementary roles of RSOs, infrastructure managers, and regulators, consistent with NRAP reforms, and
- respect residual interface risks that remain infrastructure-specific and cannot be fully standardised or centralised.

This approach supports national consistency and efficiency while preserving appropriate accountability for network-specific safety risks.

Overall Governance Position

ARTC considers that governance reform is a critical enabler of interoperability but should be delivered through a carefully balanced mix of legislative support and collaborative institutional arrangements. Reforms should strengthen national consistency and coordination without expanding the RSNL beyond its primary safety function or undermining the co-regulatory model.

Clear governance pathways, defined roles, and alignment with NRAP implementation sequencing will be essential to ensuring that legislative reforms translate into practical, effective, and sustained interoperability outcomes.

TOPIC 2: TRANSPARENCY AND ACCOUNTABILITY RECOMMENDATIONS

Recommendation 4 - Consultation requirements

ARTC position: Support Option 2, limited to clarifying consultation quality

ARTC supports refining consultation requirements to clarify expectations around *meaningful consultation*, but does not support introducing new procedural layers or duplicating WHS obligations. Any reforms should focus on quality rather than scope and allow flexibility for different operational contexts.

Recommendation 6 - Worker access to SMS information

ARTC position: Support clarified Option 1

ARTC supports role-based access for rail safety workers to relevant SMS material but does not support unrestricted access or conflation of access obligations with competency assurance requirements. Clear differentiation between these issues is required.

Recommendation 11 - Confidentiality and information sharing

ARTC position: Support Option 2, with safeguards

ARTC supports enabling ONRSR to share safety-critical information where there is a clear public benefit. However, reforms must include safeguards to protect legal privilege, commercial sensitivity, and procedural fairness.

Recommendation 22 - Interface agreements

ARTC position: No change required

ARTC does not support the proposed options. Existing RSNL provisions already provide sufficient powers for ONRSR to require interface agreements to be in place and to act where safety duties are breached. Treating interface agreements as enforcement instruments risks misusing their purpose and creating regulatory overreach, particularly where non-RSNL parties are involved.

COSTS, BENEFITS AND IMPLEMENTATION

ARTC considers that the GHD cost-benefit report provide a reasonable basis for characterising expected costs and benefits but notes that:

- further work is required to quantify costs and benefits, which should be based on a more definitive form each reforms will take.
- As a general view, costs appear understated, for example additional compliance and accreditation cost impacts on RIMs and RSOs are under-represented, training development and delivery costs are not fully captured
- benefits depend heavily on the sequencing and prioritisation of mandatory standards in conjunction with other supporting implementation work.

ARTC notes the work it is currently undertaking in partnership with industry and the NTC to develop a National Scoping Business Case for Interoperable Digital Train Control Technology will provide additional information on expected costs and benefits, aspects of which is relevant to the reforms considered in this C-RIS. This information will be provided to the NTC.

ARTC considers that the D-RIS should more clearly define the specific problem each reform is intended to solve, the objective of intervention, the expected benefits, and the trade-offs for industry. In particular, the D-RIS should distinguish between reforms that address safety risks, reforms that address productivity or interoperability barriers, and reforms that primarily support governance or implementation. This distinction is important because each category may require different legislative tools, implementation sequencing, funding arrangements and measures of success.

ARTC also considers that the benefits of interoperability reform should be assessed against practical implementation trade-offs, including transition costs, asset readiness, training impacts, operational disruption, commercial incentives, investment timing and cost recovery. Without this analysis, there is a risk that the final reform package may overstate benefits or understate the burden of implementation for RIMs, RSOs and other duty holders.

The D-RIS should also test whether proposed standards and implementation pathways are proportionate to the material interoperability benefit delivered, particularly where costs and benefits are distributed unevenly across RIMs, RSOs, governments, suppliers and freight customers.

ARTC strongly supports staged implementation, aligned with the NRAP interoperability roadmap, to manage transition risk and cost escalation.

CONCLUSION

ARTC supports the intent of the proposed reforms to the Rail Safety National Law and recognises that well-designed legislative mechanisms can play a critical role in delivering improved national interoperability outcomes. In ARTC's view, the effectiveness of these reforms will depend on precise legislative drafting, clearly defined interoperability scope, and close alignment with NRAP pathways and a practical national roadmap that identifies accountabilities, sequencing, funding implications and implementation responsibilities.

Equally important is the avoidance of regulatory duplication and the preservation of the integrity of the co-regulatory, duties-based RSNL framework, which has been central to Australia's rail safety performance. Interoperability reform should support a modernised, digitally enabled and nationally consistent rail environment, but it must do so in a way that remains consistent with SFAIRP and the commercial and operational realities of rail infrastructure managers and operators.

ARTC therefore recommends that the D-RIS explicitly articulate interoperability principles as the overarching test for reform. This would provide a disciplined framework for deciding when interoperability intervention is justified, how standards should be sequenced and enforced, and how implementation should balance safety, materiality, commercial discipline, national productivity and future innovation.

ARTC has raised the need for clear interoperability principles with ONRSR at CEO level and understands that ARTC and ONRSR have agreed to meet with the NTC to discuss this issue. ARTC would welcome the opportunity to work with the NTC and ONRSR to develop principles that can guide the Decision RIS and implementation pathway.

APPENDIX A – Summary of ARTC’s Preferred Position

Recommendation	ARTC’s Preferred Position	Conditions
OVERARCHING: Interoperability principles as the reform test	Support explicit interoperability principles as the overarching test for RSNL reform	Legislative changes, standards, regulatory roles and governance mechanisms should be assessed against safety precedence, materiality and proportionality, commercial and investment discipline, national productivity focus, and future proofing.
TOPIC 1: Recommendation 1: Link between safety and productivity	Support Option 1: Ministerial Statement / Statement of Expectations	Preserve safety as the primary purpose of the RSNL. Productivity and interoperability should be recognised as supporting outcomes, not competing legislative objects.
Recommendation 2: Regulator coordination / facilitation role	Support ONRSR’s role being centred on compliance with mandatory standards and limited dispute resolution	ONRSR should not become the broader coordinator of interoperability outcomes. Any dispute resolution role should be tightly scoped and used as a backstop only.
Recommendation 3: Mandatory interoperability requirements	Support modified Option 3, aligned to a prescriptive interoperability scheme	Obligations should be limited to compliance with agreed Tier 1 mandatory standards, focused on the future state, and not expressed as broad outcomes-based duties.
Recommendation 16: Interoperability as an object of the RSNL	Support Option 3, with modified framing	Interoperability should support safety and productivity through consistency and reduced complexity. It should not be given equal or competing status with safety.
Recommendation 18: Wider network implications of changes	Support a modified Option 2 / alternative targeted approach	Any obligation should be limited to defined material interoperability impacts and avoid duplicating existing consultation, notification and change-management requirements.
Recommendation 19: Mutual recognition of technology approvals	Support Option 2, in a staged and constrained form	Mutual recognition should rely on agreed standards, shared assurance expectations and duty-holder due diligence. No blanket acceptance of approvals.
Recommendation 20: National skills and competencies	Support Option 2	Build on existing systems such as RIW rather than creating duplicate registers. Support national consistency, portability and ONRSR visibility over competency assurance.
Interoperability assessment of future investment	Support Option 1: non-legislative collaborative governance	Future investment assessment should sit outside RSNL safety duties and be managed through national governance aligned to NRAP.
Developing and adopting national standards	Support Option 2	Mandatory standards must be clearly identified, approved through transparent ministerial processes and supported by clear transition pathways. Avoid informal enforcement of recommended standards.
Skills and competency oversight	Support build-on-existing-arrangements approach	Leverage existing industry platforms and align with NRAP safeworking harmonisation. Avoid retrospective or duplicative competency systems.
Rolling stock approval governance	Allow current NRAP work to mature before further legislative reform	Distinguish between RSO design certification, RIM network acceptance and ONRSR’s regulatory role. Preserve accountability for infrastructure-specific interface risks.
TOPIC 2: Recommendation 4: Consultation requirements	Support Option 2, limited to clarifying consultation quality	Improve quality of consultation without expanding scope unnecessarily or duplicating WHS obligations.
Recommendation 6: Worker access to SMS information	Support clarified Option 1	Access should be role-based and limited to relevant SMS material. Avoid unrestricted access or conflating access with competency assurance.
Recommendation 11: Confidentiality and information sharing	Support Option 2, with safeguards	Protect legal privilege, commercial sensitivity and procedural fairness.
Recommendation 22: Interface agreements	No change required	Existing RSNL powers are sufficient. Interface agreements should not be repurposed as enforcement instruments, particularly where non-RSNL parties are involved.
Costs, benefits and implementation	Support staged implementation aligned to NRAP	D-RIS should better account for RIM and RSO compliance costs, training costs, transition impacts, cost recovery concerns and dependency on mandatory standards sequencing.