

# Charter

## Asset Standards Authority

August 2015

# Charter of the Asset Standards Authority

## The Charter

1. This document is the Charter of the Asset Standards Authority (**ASA**). This version of the Charter takes effect on 17 August 2015 and supersedes all previous versions.
2. The Charter identifies the ASA's objectives, functions, powers and governance. It also identifies the duties of Transport Agencies, Service Providers and Authorised Engineering Organisations (**AEOs**) in relation to the ASA.
3. The Charter operates as both an internal governance document and a method of communicating expectations and requirements to Transport for NSW and its divisions, Transport Agencies, AEOs, prospective AEOs, contractors, stakeholders and the transport industry generally.
4. Any capitalised word or phrase has a specific meaning which can be found in clause 28.

## The Asset Standards Authority

5. The ASA is established within Transport for NSW.
6. The ASA is the network design and standards authority for Nominated NSW Transport Assets listed in Schedule 1. In addition the ASA may be required to exercise any combination of its functions in relation to any Transport Asset. It has the objectives, functions, powers and governance set out in this Charter.
7. The ASA commenced full operations on 1 July 2013.

## Objectives of the Asset Standards Authority

8. The objectives of the ASA are:
  - (a) to exhibit independence, rigour and excellence in carrying out its functions;
  - (b) to promote and facilitate improvements in process efficiency, safety and performance in relation to the Asset Lifecycle of NSW Transport Assets including activities to:
    - Support TfNSW and the supply chain in creating efficiencies and realization of benefits across the asset life cycle through simplifying processes and procedures.
    - Improve the processes for engineering assurance, design approval and commissioning to support the delivery of major transport and infrastructure projects.
    - Facilitate the smooth integration of new or altered assets into existing transport networks
    - Assure system safety and network integrity.

- (c) to facilitate increased and effective private sector participation in Asset Lifecycle assurance functions;
- (d) to increase private sector participation in asset lifecycle management activities including standards development and the development of industry's capability and associated skill base of technical resources; and
- (e) to exhibit and promote the Transport for NSW values of customer focus, collaboration, efficiency, solutions, integrity, safety and reliability in carrying out its functions.

## Functions of the Asset Standards Authority

9. The principal functions of the ASA are:

- (a) in relation to **network and asset standards**: to set, control, maintain, own and publish the network and asset standards for NSW Transport Assets for the Asset Lifecycle, including performance criteria and condition standards and technical maintenance standards in any combination appropriate to support the relevant TfNSW Service or Project delivery strategy; and
- (b) in relation to **AEOs**: to set, maintain and administer the framework for assessment, authorisation, surveillance, review and audit of organisations who provide services in relation to the Asset Lifecycle of NSW Transport Assets; and
- (c) in relation to **assurance**: to set, maintain and administer the framework for the assurance of Asset Lifecycle Services and to set, maintain and apply an assurance framework to assure ASA functions;

10. The other functions of the ASA include:

- (a) in relation to **asset planning**: to contribute as required to high level planning, prioritisation, design, delivery, integration and maintenance of Transport Assets by providing technical, assurance and asset management advice and setting requirements for the long term safety, operation, performance and sustainability of Transport Assets.;
- (b) in relation to **configuration control**: to set, maintain and publish the configuration control and asset assurance process for NSW Transport Assets over the Asset Lifecycle, the technical requirements for design review, design approval, asset handover and asset acceptance;
- (c) in relation to **asset stewardship**: to set the common Asset Lifecycle model, to set requirements for, and own, asset configuration data for NSW Transport Assets, to undertake reviews of AEO's maintenance and works plans to inform the TAMP planning cycle,
- (d) in relation to **audit**: to set and maintain the engineering practices framework for asset management of NSW Transport Assets, conduct audits of asset condition data, and publish an annual asset integrity report;
- (e) in relation to **asset and performance reporting**: to set, maintain and publish requirements for condition, performance and maintenance reporting for NSW Transport Assets, undertake engineering and asset management review and analysis of those reports to inform Asset Lifecycle planning, development of maintenance strategies and the development of standards;

- (f) in relation to **safety and quality**: to set and maintain the requirements for network safety assurance, report as required to regulatory bodies including the National Rail Safety Regulator, set, maintain and publish safety-related processes for human factors integration, provide subject matter expert advice including in relation to ASA Requirements and engineering governance, contribute to the development and improvement of the Transport for NSW Quality Management System (QMS) and Safety Management System (SMS) in relation to the functions of the ASA; and
- (g) in relation to **technical capability**: to promote and contribute to the development of industry technical capability in collaboration with Transport for NSW Learning and Development, industry and academia, including by developing and publishing guidance material in relation to organisation-level competency frameworks, promoting sustainable development of technical and engineering capability, and contributing to the framework for a graduate/intern program for engineering and technical disciplines employed within Transport for NSW.

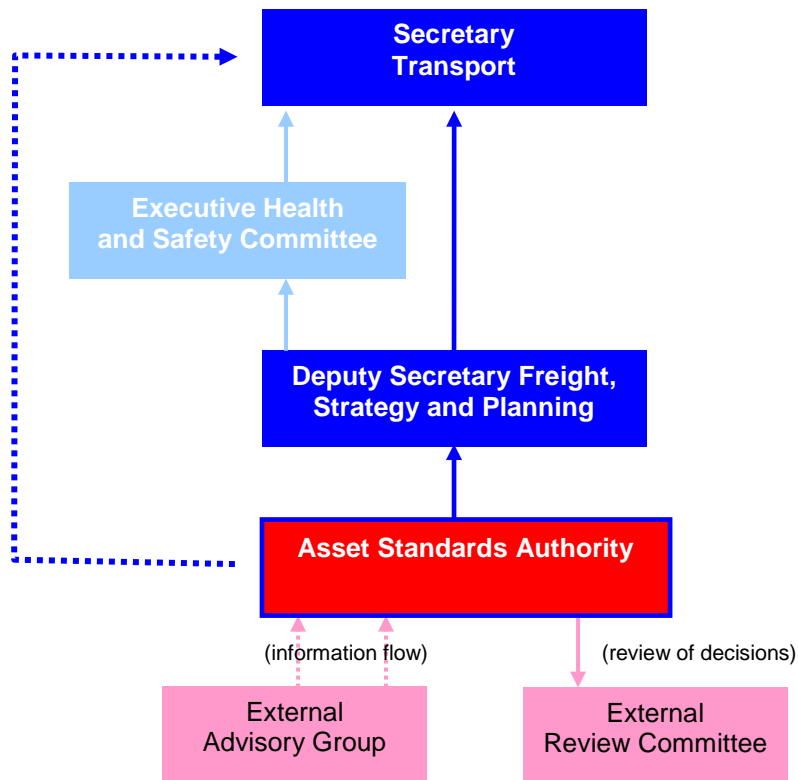
11. The outcome of the performance of the ASA's functions is the means by which the design and safety integrity of the network is maintained.

## Governance

12. The ASA is a separate unit within Transport for NSW.
13. The ASA is headed by the Executive Director of the ASA. The Executive Director of the ASA reports to the Deputy Secretary Freight, Strategy and Planning. The Executive Director of the ASA also has a 'dotted' reporting line to the Secretary.
14. The Deputy Secretary, Freight, Strategy and Planning reports to the Transport for NSW Executive Health and Safety Committee on a quarterly basis regarding the operations of the ASA.
- (a) The Secretary or Deputy Secretary Freight, Strategy and Planning following consultation with the Executive Director ASA, may direct the ASA in writing, to apply any combination of its functions or to provide advice in relation to any engineering, technical or process discipline across the Asset Lifecycle in respect of NSW Transport Assets.
15. The ASA will be supported by an External Advisory Group, with private sector and industry representation. The primary role of the External Advisory Group is to provide a forum for customer and industry engagement in relation to ASA Requirements.
16. Decisions and instructions of the ASA will be reviewable in accordance with an externally published review process. Review of decisions affecting AEOs and applicants for ASA Authorisation will be conducted by an External Review Panel.
17. The review process allows for review on grounds including:
- (a) inconsistency with existing statutory or contractual requirements;
  - (b) budgetary impacts (in relation to decisions affecting Transport Agencies, AEOs and applicants for ASA Authorisation); and

(c) procedural fairness (in relation to decisions affecting AEOs or applicants for ASA Authorisation).

18. The governance framework for the ASA is represented diagrammatically as follows:



## Implementation

19. The requirements of the ASA will be implemented principally by the following mechanisms:
  - (a) ASA Requirements will be adopted and implemented by the Transport Agencies;
  - (b) compliance with ASA Requirements will be mandated, as relevant and appropriate, in contracts (including conditions of access to NSW Transport Assets);
  - (c) clause 25 which relates to Transport Agencies' obligations in relation to the future procurement of services in relation to the Asset Lifecycle of NSW Transport Assets;
  - (d) as between the ASA and any Transport Agency, the ASA has the compliance functions (including the powers of review, surveillance, audit and instruction) conferred on it by this Charter and any other compliance functions conferred on it, or mandated by direction, by the Secretary;
  - (e) as between the ASA and any AEO, the ASA will have the rights and powers (including the powers of review, surveillance, audit and instruction) conferred on it by this Charter, the conditions of the applicable ASA Authorisation and the terms of any contract between the AEO and a Transport Agency; and
  - (f) as between a Transport Agency and its contract counterparties, the Transport Agency will have the rights and powers conferred on it by the contract and these will include rights and powers that reinforce and require compliance with applicable ASA Requirements.

## ASA decisions, audits and other functions

20. The ASA may, for the purposes of exercising its functions, as regards any Transport Agency:
  - (a) conduct reviews, surveillance and audits of the compliance of the Transport Agency with ASA Requirements; and
  - (b) issue instructions and specify requirements to the Transport Agency including as set out in clause 21(d) below.
21. The ASA may, for the purposes of exercising its functions, as regards any AEO (or applicant for ASA Authorisation):
  - (a) receive, assess and determine applications for ASA Authorisation, grant ASA Authorisation, and suspend or revoke ASA Authorisation;
  - (b) conduct reviews, surveillance and audits of the compliance of the AEO with the conditions of its ASA Authorisation;
  - (c) issue instructions, make decisions and exercise such other functions as are permitted by the conditions of the ASA Authorisation; and
  - (d) issue instructions to a Transport Agency requiring it to exercise applicable contractual rights and powers against the AEO, where the AEO has breached the conditions of the ASA Authorisation.
22. Where a Transport Agency is also an AEO (as applicable), the requirements of this Charter apply in addition to any conditions of the applicable ASA Authorisation.
23. Certain Divisions or Project Offices of Transport for NSW may, for the purpose of certain activities (including, without limit, assurance functions), be required to achieve AEO status. If so, such a Division will be subject to the ASA's authorisation, review, surveillance and audit functions (including as set out in clause 21(b) and 21(c) above) but only with respect to the activities for which the Division or Project Office has been considered an AEO.

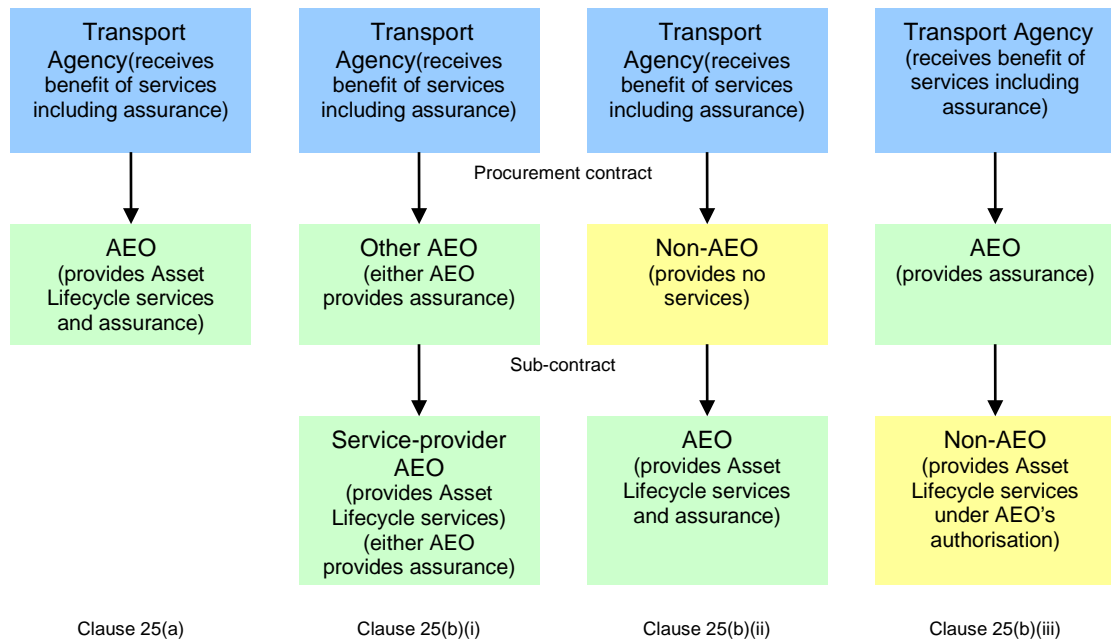
## Duties of Transport Agencies

24. A Transport Agency must (and must also ensure that all personnel for which it is responsible):
  - (a) co-operate fully with the ASA so that the ASA can carry out its functions effectively;
  - (b) implement and comply with ASA Requirements;
  - (c) have systems in place to require and monitor that all contract counterparties, contractors and access seekers implement and comply with ASA Requirements wherever applicable (existing projects will be subject to transitional arrangements);
  - (d) provide reasonable access to premises and resources as required by the ASA, including so that the ASA can effectively carry out its review, surveillance and audit functions;

- (e) comply with decisions, instructions and requirements issued by the ASA, subject to the internal review process;
  - (f) provide representation and collaborate with the ASA to ensure that ASA Requirements remain relevant and consistent with Transport for NSW values and industry developments;
  - (g) notify the ASA of any matter that could reasonably be expected to affect the exercise of the ASA's functions; and
  - (h) provide the ASA with any information relating to its activities or any documents or other things reasonably requested by the ASA in the exercise of its functions.
25. In relation to the future procurement of services in relation to the Asset Lifecycle of NSW Transport Assets, a Transport Agency must:
- (a) ensure that those services are primarily provided by an AEO with ASA Authorisation for the relevant services which is directly engaged by the Transport Agency. If so, the AEO is accountable for the provision of and assurance of the services; or
  - (b) only if clause 25(a) is not reasonably practicable, ensure that those services are provided by:
    - (i) an AEO with an ASA Authorisation for the relevant services (called the "service-provider AEO") engaged by another AEO engaged by the Transport Agency. If so, the service-provider AEO is accountable for the provision of and assurance of the services. The Transport Agency should ensure that, through the procurement contract, it receives the benefit of the services including the assurances. If the other AEO also has an ASA Authorisation for the relevant services, alternatively, it can be accountable for the assurance of the services; or
    - (ii) an AEO with an ASA Authorisation for the relevant services engaged by a non-AEO engaged by the Transport Agency. If so, the AEO is accountable for the provision and assurance of the services and the Transport Agency should ensure that, through the procurement contract, it receives the benefit of the services including the assurances; or
    - (iii) a non-AEO engaged by an AEO with an ASA Authorisation for the relevant services engaged by the Transport Agency. If so, the non-AEO provides the services pursuant to the AEO's ASA Authorisation and where the AEO is accountable for the provision and assurance of the services.

The options in clause 25 are represented diagrammatically below:





26. The issuing of ASA Authorisation (and any other conduct of the ASA) does not detract from a Transport Agency's role in appropriately managing any contracts it enters into, its contractors (including AEOs) and their activities.

## Duties of Authorised Engineering Organisations

27. On and from 1 July 2013, an AEO must (and must also ensure that all personnel for which it is responsible):
- comply with the conditions of its ASA Authorisation;
  - co-operate fully with the ASA in the performance of the ASA's functions including in relation to the ASA Authorisation process;
  - implement and comply with ASA Requirements;
  - provide access to premises and resources as reasonably required by the ASA, including so that it can effectively carry out its review, surveillance and audit functions;
  - comply with decisions, instructions and requirements issued by the ASA, subject to the internal review process;
  - notify the ASA of any matter that could reasonably be expected to affect the exercise of the ASA's functions; and
  - provide the ASA with any information relating to its activities or any documents or other things reasonably requested by the ASA in the exercise of its functions.

## Definitions

28. Defined terms used in this Charter have the following meanings:

**Active Transport** means the asset used to support movement undertaken by active means, e.g. walking, cycling, jogging, skating, roller blading etc — including access to public transport.

**ASA Authorisation** means an authorisation issued by the ASA to a legal entity (which may include a Transport Agency as applicable) which verifies that it has the relevant systems in place to carry out the class of Asset Lifecycle work specified in the authorisation, subject to any conditions of the authorisation. The issue of ASA Authorisation confers the status of “Authorised Engineering Organisation” or “AEO” on the entity.

**ASA Requirements** means the standards, plans, processes, procedures, instructions, requirements and guidance material (in whatever form) published externally or notified by the ASA in the exercise of its functions including (but not limited to) any:

- (a) network and asset standards (including both technical and maintenance standards);
- (b) requirements for policies and processes in relation to ASA Authorisation;
- (c) asset management plans, systems and processes;
- (d) configuration control processes;
- (e) asset and configuration data condition requirements; and
- (f) asset and condition reporting requirements.

The ASA Requirements do not include network operating standards and procedures including network rules.

**Asset Lifecycle** includes whole of lifecycle activities and activities that are specific to a phase or several phases during a lifecycle, and includes:

- (a) concept, feasibility and total asset planning;
- (b) design and design review;
- (c) construction, installation, fabrication and manufacture;
- (d) systems engineering and systems integration;
- (e) inspecting, testing and commissioning;
- (f) maintenance
- (g) modification; and
- (h) decommissioning, demolition and disposal,

and includes assurance of such activities including safety assurance.

**Authorised Engineering Organisation** or **AEO** means a legal entity (which may include a Transport Agency as applicable) to whom the ASA has issued an ASA Authorisation.

**Bus Assets** means the transport infrastructure including the fleet necessary to provide bus services as defined in the TA Act.

**Ferry Assets** means the transport infrastructure including the ferry fleet necessary to provide ferry services as defined in the TA Act.

**NSW Rail Assets** means:

- (a) rail infrastructure, rolling stock, railways and railway premises as defined in the Rail Safety National Law (NSW);
- (b) the NSW rail network and rail infrastructure facilities as defined in the TA Act; and
- (c) stations, platforms, rolling stock and rolling stock maintenance facilities as referred to in the TA Act,

NSW Rail Assets includes those assets to the extent which are vested in or owned, managed, controlled, commissioned or funded by the NSW Government, a NSW Government agency or a Transport Agency, but does not include anything leased, licensed to or managed by Australian Rail Track Corporation Ltd pursuant to Part 8A of the TA Act.

**Transport Access Assets** includes assets used for the provision of access to transport modes or between transport modes including stations, bus stops and wharves. These assets include buildings and facilities for all modes of transport, interchanges between modes of transport, safety assets including lighting, help points, fences and security measures for car parks and interchanges.

**Transport Assets** means those assets which are vested in or owned, managed, controlled, commissioned or funded by the NSW Government, a NSW Government agency or a Transport Agency

**Nominated Transport Assets** means those Transport Assets listed in Schedule 1.

**Rail Safety National Law (NSW)** has its meaning in the *Rail Safety (Adoption of National Law) Act 2012* (NSW).

**TfNSW Service Delivery Strategy** means the form of the relationship selected by TfNSW as the basis to procure Asset Lifecycle services.

**Transport Agencies** means Transport for NSW (and each of its Divisions), Rail Corporation NSW, Sydney Trains and NSW Trains.

**TA Act** means the *Transport Administration Act 1988* (NSW).

## Review and amendment

- 29. This Charter can only be amended by agreement between the Secretary, the Deputy Secretary Freight, Strategy and Planning and the Executive Director Asset Standards Authority.
- 30. The Executive Director Asset Standards Authority will initiate a review of the Charter annually or as required.

31. The Executive Director Assets Standards Authority will publish any direction from the Secretary or Deputy Secretary Freight, Strategy and Planning under section 14(a) which alters the scope of the ASA until such time as it can be included in the ASA Charter.

## Signatures

Signed: \_\_\_\_\_

Name: Tim Reardon

Title: Secretary

Signed: \_\_\_\_\_

Name: Howard Glenn

Title: A/ Deputy Secretary Freight,  
Strategy and Planning

Signed: \_\_\_\_\_

Name: Jim Modrouvanos

Title: Executive Director  
Asset Standards Authority

## Document control information

The current status of this document is shown below.

<b>Title</b>	Asset Standards Authority Charter
<b>Version</b>	3.0
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<b>Publisher</b>	Transport for NSW
<b>Authorised by</b>	Secretary

The history of changes made to this document is shown below.

Version	Date	Author	Description
1.0	22 January 2013	JM	First Release
2.0	10 April 2014	JM	Annual Review. Amended with a new Schedule to facilitate inclusion of a broader set of transport modes. Minor clarifications including to reinforce AEO obligations.
	8 August 2014	JM	Amended to add configuration control over whole of life, updated to address Internal Audit Recommendations
2.1	22 April 2015	JM	Amended to reflect change in reporting arrangements for ASA. Updated to reflect activities over multiple transport modes

3.0	21 July 2015	JM	Reflects outcomes of TfNSW Reform, includes the expansion of ASA's remit to other modes consistent with TfNSW's relationship with that mode.
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## Schedule 1 – Transport Assets

1. NSW Rail Assets as defined in Clause 28 of the ASA Charter comprising the following networks and/or systems
  - (a) Light Rail
  - (b) Heavy Rail - Metropolitan Rail Area
  - (c) Heavy Rail - Country Rail Network
  - (d) Rapid Transit
  
2. Non Rail Assets
  - (a) Active Transport
  - (b) Transport Access
  - (c) Ferry Assets (excluding standards and AEO functions which are to commence from 1 January 2016)
  - (d) Bus Assets (excluding standards and AEO functions which are to commence from 1 January 2016)
  - (e) Road Assets (associated with Projects developed and/or specified by TfNSW)