

Engineering Waiver Management

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1 Introduction

1.1 Purpose

This Procedure details the process for the request, endorsement, approval and implementation of variations from mandatory requirements of ARTC Engineering Procedures, Standards, Code of Practice, Specifications and Instructions (known as Engineering Standards).

1.2 Scope

This Procedure covers variations from ARTC Engineering Standards as used for design, construction, maintenance and operation of the ARTC network.

Note: An ARTC Engineering Waiver does not cover Australian Standards.

1.3 Risks Controlled

This Procedure aims to minimise network risks from waivers by requiring that:

- Alternate treatments are Safe SFAIRP when existing technical and/or operational controls are waived
- Records are kept of technical controls being waived and the alternate treatments are in place for the life of the waiver
- A review is undertaken when there are changed conditions underpinning the waived controls and alternate controls
- There is evaluation of the cumulative effect of multiple waivers each time a new waiver is approved
- All nominated alternative treatments for a waiver are fully implemented and recorded.

1.4 Procedure Owner

The Manager Standards is the owner and the initial point of contact for all queries relating to this Procedure.

1.5 Responsibilities

1.5.1 Originator

The Originator is responsible for ensuring applications for Engineering Waivers are completed accurately and in accordance with this Procedure. The Originator shall ensure that all items are addressed and that sufficient supporting documentation is provided. The Originator shall also ensure a copy of the Risk Assessment Report is forwarded to the ARTC Corporate Risk Manager.

1.5.2 Endorsement Authority

The Endorsement Authority is the person responsible for the infrastructure assets and corridor operations which will be affected by the Engineering Waiver. If there are multiple rail corridors affected by the Waiver there will be multiple Endorsement Authorities.

The Endorsement Authority is responsible for reviewing and endorsing Engineering Waivers and for managing the waiver process for a particular corridor, ensuring:

- Engineering Waiver Approval Forms are completed correctly with clear and concise variation details and sufficient supporting documentation for evaluation, recommendation and approval
- Risk assessments have been undertaken in accordance with RSK-PR-001 and appropriate controls have been included in waiver requests
- Technical assessment of the waiver has been considered with relevant stakeholders and subject experts
- That treatments and conditions are implemented and in place throughout the life of the waiver
- That a record is kept of the implementation of the treatments and conditions
- Advise appropriate staff of waiver status
- Temporary waivers do not exceed the expiry date
- Waivers that are no longer required are closed out.

1.5.3 Technical Reviewer

The Technical Reviewer is responsible for evaluating the technical aspects of the waiver and providing recommendation for approval. The Technical Reviewer should be a person who is a subject matter expert in the subject of the waiver. If the waiver covers interfaces between multiple subject matters of different disciplines then more than one technical reviewer may be required.

1.5.4 Recommendation Authority

The Recommendation Authority is responsible for evaluating the technical aspects of the waiver and providing recommendation for approval. The Recommendation Authority is also responsible to ensure that steps in the Waiver drafting and evaluation are compliant with this Procedure.

1.5.5 Approval Authority

The ARTC Approval Authority for waivers is responsible for:

- Determining if the waiver requires approval by Operational Safety & Environment Review Committee
- Determining if the waiver is against Corporate Strategy and/or Policy
- Determining if the waiver requires Regulator Notification in accordance with the ARTC SMS (Manage Accreditation – Variation & Change) and for nominating the person responsible for preparing the notification
- Ensuring the process described in this Procedure is followed with no outstanding issues.

1.5.6 Standards & Procedures Administrator

The ARTC Standards & Procedures Administrator is responsible for:

- Registering and numbering all complete and endorsed waiver applications received at standards@artc.com.au

- Forwarding complete and endorsed waiver applications for technical review, recommendation and approval
- Maintaining and updating the Engineering Waiver Approval Register
- Issuing notifications of waiver approval and close out
- Reporting monthly to the ARTC Operational Safety & Environment Review Committee on Engineering Waiver activity.

1.5.7 Configuration Manager

The ARTC Configuration Manager is responsible for checking that change management processes detailed in EGP-03-01 Network Rail Configuration Management are followed for approved waivers that affect change management of rail network items.

1.6 Reference Documents

- ARTC Engineering Standards
- RSK-PR-001 Risk Management Procedure
- RSK-WI-002 Determining if Risk Is Reduced So Far As Is Reasonably Practicable (SFAIRP)
- ARTC SMS Manage Accreditation – Variation and Change
- EGP0201F-01 Engineering Waiver Approval Form
- EGP-03-01 Rail Network Configuration Management

1.7 Definitions

The following terms and acronyms are used within this document:

	Term or acronym	Description
Authorities	Approval Authority	General Manager Technical Standards
	Endorsement Authority	The ARTC Corridor Manager appointed for the Corridor. Where an ARTC Corridor Manager is not appointed for part or all of a Corridor, the equivalent ARTC position (with responsibility for all or part of that Corridor) will be the Endorsement Authority. Waivers against Rolling Stock or Plant and Equipment Standards that involve ARTC owned and operated plant may be endorsed by the Procurement and Contracts Manager.
	Originator	The person representing the entity requesting a waiver for an existing or proposed variation to an ARTC Engineering Standard.
	Recommendation Authority	ARTC Manager Standards
	Engineering Waiver	An approved variation from mandatory requirements of an ARTC Engineering Procedure, Standard, Code of Practice, Specification or Instruction (Engineering Standards) for a defined network location. An Engineering Waiver describes in detail the variation to an ARTC Engineering Standard and the controls that will be

Term or acronym	Description
	implemented to manage any identified risks. A waiver may be temporary, approved for a pre-determined duration or permanent, approved permanently where local conditions do not allow for compliance with the Standard.
Engineering Waiver Alteration	Where a current waiver requires changes other than a change in expiry date. I.e. changes to network details, variation details, controls to be implemented.
Engineering Waiver Close Out	Formal closure of an approved waiver as the variation to the Engineering Standard is no longer required.
Engineering Waiver Renewal	Where a current waiver requires only a change to the expiry date.

2 Engineering Waiver Process

The Engineering Waiver Process is described through the steps required to complete EGP0201F-01 Engineering Waiver Approval Form (EWAF) which shall be used for all waivers (new, renewed or altered) against Engineering Standards. The EWAF shall be completed in full and endorsed prior to submission for recommendation and approval. Incomplete applications will be returned to the Originator for completion.

2.1 Waiver Number

A waiver number is allocated by the Standards & Procedures Administrator to complete and endorsed waiver applications submitted to standards@artc.com.au. The waiver is then registered on the Engineering Waiver Approval Register.

For waiver renewals and alterations, the original waiver number shall be retained.

The Engineering Waiver Approval Register is published on the ARTC Engineering Extranet.

2.1.1 Waiver Title

The Originator includes a brief description of the waiver/variation being sought. For example, Enlarged Signal Post, Reduced Ballast Shoulder.

2.2 Waiver Request

The Originator completes the Waiver Request section of the EWAF, providing the following details:

2.2.1 Waiver Type

Indicate if the waiver application is new or the renewal or alteration of an existing waiver.

If a waiver is being renewed or altered, the original waiver number shall be retained and included on the EWAF and a reason for the renewal or alteration shall be given.

Waiver renewal and alteration applications may be initiated by the Originator of the original waiver, or any stakeholder affected by the waiver.

Waiver renewal and alteration applications shall be completed following the same process as new waivers with consideration of additional risks arising from the revised expiry date or alteration to waiver details. If no additional risks are identified, the original risk assessment shall be submitted with the waiver renewal/alteration application, noting that it has been reviewed.

2.2.2 Originator

Enter name and contact details of the person requesting the waiver. If the Originator is not an ARTC employee, also add the name of the relevant ARTC contact person.

2.2.3 Network Details

Indicate the Corridor(s), line and location affected by the waiver.

2.2.4 Waiver Duration

Indicate whether the request is for a permanent or temporary waiver and detail the proposed start date and the expiry date, if applicable.

Note – Where the nominated start date is prior to the actual approval date, the approval date applies as the effective start date for the waiver. If Regulator Notification is required in accordance with Clause 3.2, the start date will be the date of expiry of the notification period, or upon receipt of confirmation that the Regulator has no objections, whichever is earlier.

2.2.5 Infrastructure Assets Affected

Identify the infrastructure assets which will be affected either directly or indirectly by the approval of the waiver. More than one type of infrastructure asset may be nominated.

2.2.6 Relevant Standard

The number of the Engineering Standard and the exact clause/section(s) which the waiver will vary shall be listed, as well as the applicable version at the time of application for the waiver. A copy of the mandatory requirement from the clause(s) shall be included.

2.2.7 Variation Details

Provide a clear and detailed description of the variation to the Engineering Standard's mandatory requirement.

Infrastructure components or equipment which are involved or may be affected may be included.

2.2.8 Existing Waivers

Provide details of all existing waivers that impact on the infrastructure asset. The Originator shall check the Engineering Waiver Approval Register to determine the existing waivers.

2.2.9 Risk Assessment

The Originator is to ensure that an assessment is undertaken in order to determine the impact of the waiver in relation to the risks and/or hazards that the exact clause/section(s) of the standard addresses.

Where multiple waivers are already in place, or where multiple waivers are intended to be applied, this assessment shall consider the cumulative impact of these waivers.

Section 8 of RSK-WI-002 Determining if Risk Is Reduced So Far As Is Reasonably Practicable (SFAIRP) provides guidance on items to consider and document during this assessment.

Where it has been identified that new risks have not been addressed, or that the existing risks and/or hazards will not be sufficiently controlled, additional treatments are to be identified and implemented.

Any new risks associated with the application of the waiver and variation to the Engineering Standard are to be identified, assessed and documented in accordance with RSK-PR-001 Risk Management Procedure and associated documents, and copies provided to the ARTC Corporate Risk Manager.

These assessments shall include input from and/or review by identified stakeholders affected by the Engineering Waiver. If the issue affects design, then a person with design competency for the respective discipline must be a stakeholder.

All new waiver applications shall be supported by a risk assessment that addresses the impact of the waiver at the time of application. In the case of a renewal or alteration, the existing risk assessment for the waiver may be applicable, however this must be reviewed and confirmed that it is still appropriate in support of the waiver.

2.2.10 Treatments to be Implemented

This shall describe in detail the treatments to be implemented to manage any identified risks arising from the variation to the Engineering Standard. The Originator must ensure that any waiver treatments identified in the risk assessment are advised to the person who updates the risk register for the applicable corridor.

Note – Additional treatments (or variations to these treatments) and Approval Conditions will be detailed in section 19 of the EWAF.

The Waiver removes a mandatory control for a threat or hazard. The process requires alternate treatments to be implemented to retain safe operations of the railway network and infrastructure. These controls are conditions for the application of the Waiver.

Examples of types of 'Controls' are detailed below:

- a. Do not do install a type of equipment at a specific location e.g. "no bond to be installed around an active glued insulated joint."
- b. Limitation on using a type of equipment e.g. "temporary bonds not to be installed on turnouts"
- c. Specific response after a particular action e.g. "the wheel contact band on the railhead shall be ground a minimum of 20 mm wide for the entire length of the new rail, the finish shall be bright steel to ensure track circuit operation."
- d. Specific condition for use of equipment e.g. all temporary bonds to be type approved and be maintained"
- e. Specific treatments that require ongoing or future actions e.g. "undertake an inspection after installation and thence on a 2 monthly basis and record this requirement in the maintenance planning system (e.g. in Ellipse)".

2.2.11 Justification

The Originator must provide justification as to why the mandatory requirement cannot be complied with and give details of the costs/benefits that support the waiver. The removal of a treatment or

engineering control (i.e. the waiving of a clause in a Standard) generally requires the implementation of an alternate control. In exceptional situations, the Originator may be able to demonstrate that this situation is outside of the conditions in the Standard.

2.2.12 Attachments

List the documents that are attached to support the waiver such as drawings/sketches, technical reports etc.

2.2.13 Submit EWAF for Endorsement

Upon completion of the Waiver Request section, the EWAF shall be submitted to the Endorsement Authority for the corridor(s) affected by the waiver. If a waiver is applicable to more than one corridor, endorsement form each corridor's Endorsement Authority is required.

Submit as the MS Word form to allow for other details to be added.

2.3 Waiver Endorsement

2.3.1 Endorsement Authority

The Endorsement Authority shall ensure the EWAF has been completed accurately and undertake a technical assessment of the waiver with relevant stakeholders. The risk assessment shall be reviewed for adequacy and appropriate treatments. The Endorsement Authority's signature in this section states that they are fully aware of the implications of the waiver, they accept the variation on their Corridor and will ensure the treatments are implemented and monitored throughout the life of the waiver.

If a waiver is applicable to more than one corridor, review and endorsement from each corridor's Endorsement Authority is required.

2.4 Submit EWAF for Recommendation and Approval

The endorsed EWAF, risk assessment and any other supporting documentation shall be submitted by the Originator to standards@artc.com.au.

Waivers shall be submitted in Word format, with either a PDF showing appropriate signatures or email from the Endorsement Authority confirming endorsement. The Standards & Procedures Administrator receives the completed and endorsed EWAF and supporting documentation and allocates a unique number to the waiver and registers it on the Engineering Waiver Approval Register.

The Standards & Procedures Administrator submits the registered waiver application to the Recommendation Authority.

2.5 Waiver Technical Review

2.5.1 Waiver Technical Review

As appropriate for the equipment or asset type, the Recommendation Authority should request a subject matter expert undertake a Technical Review of the proposed Waiver. The Technical Reviewer shall ensure:

- That the information in the Waiver and supporting documents is correct

- That it fully addresses the technical issues and covers all threats and hazards
- That the proposed treatments are suitable and will achieve the required/nominated risk levels
- That it is realistic to apply the proposed treatments for the period of the application of the waiver.

The Technical Reviewer may nominate Waiver Approval Conditions and Treatments and detail these in section 19 of the EWAF.

3 Waiver Recommendation and Approval

3.1.1 Recommendation Authority

The Recommendation Authority conducts whatever review, consultation, and investigation that is considered sufficient for evaluation of the technical aspects of the waiver.

The Recommendation Authority recommends the Waiver, signs and dates the EWAF and proposes Approval Conditions if required.

If the waiver is not recommended, it is returned to the Endorsement Authority, with details of the reasons why, so the waiver can be revised and resubmitted if appropriate.

The Recommendation Authority nominates if the Waiver requires Operational Safety & Environment Review Committee Approval. Variations to Standards that also affect Corporate Strategy or Policy will be submitted to the Operational Safety & Environment Review Committee for approval.

The Recommendation Authority nominates if Regulator notification is required and the notification period. This is determined in accordance with the ARTC SMS (Manage Accreditation – Variation & Change).

3.1.2 Approval Authority

The Approval Authority reviews and approves the waiver if the processes detailed in this procedure have been followed and there are no outstanding issues. Approval of the waiver is also agreement to consider any waiver approval conditions proposed by the Recommendation Authority. The Approval Authority may include additional waiver approval conditions.

If the waiver is not approved it is returned to the Endorsement Authority, with details of the reasons why, so the waiver can be revised and resubmitted if appropriate.

The Approval Authority determines if approval by Operational Safety & Environment Review Committee is required and/or if Regulator Notification is required as nominated by the Recommendation Authority..

3.1.3 Acceptance of Approval Conditions

If applicable, the Endorsement Authority signs the EWAF at section 20 or provides an email confirming acceptance of the Waiver Approval Conditions and Treatments as detailed in section 19 of the EWAF and returns to standards@artc.com.au.

3.2 Regulator Notification

If Regulator Notification is required, the notification shall be carried out in accordance with the ARTC SMS (Manage Accreditation – Variation & Change). It is the responsibility of the Endorsement Authority to prepare the notification.

The Endorsement Authority shall advise standards@artc.com.au of:

- the date on which the Regulator was notified
- the date the notification period ends
- if acceptance is received from the Regulator prior to the end of the required notification period, so the waiver can be finalised and issued.

A waiver requiring Regulator notification will not come into effect until the end of the required notification period and/or acceptance by the Regulator.

The Engineering Waiver Approval Register is updated and the Standards & Procedures Administrator issues a waiver approval notification (see clause 2.8).

3.3 Waiver Treatments Implementation

Sections 10 & 19 of the EWAF detail the Treatments and Conditions to be implemented for the Waiver.

The Endorsement Authority shall maintain records of how each treatment and condition has been implemented. These records shall also include details of how it is ensured that the treatments and conditions will continue until the Waiver is closed. These records shall be available for compliance checks, audits and investigations.

For example the following may be used:

- a. An inspection requirement is recorded in Ellipse maintenance management system detailing the task and frequency
- b. A required briefing of staff on an issue is documented as an induction for all new staff into that maintenance section
- c. A design requirement is documented as a Technical Note and approved and published
- d. A specific configuration or arrangement in a design has an explanatory note on the respective design drawing
- e. A specific design required is recorded as a Design Report with drawings.

3.4 Waiver Close Out

3.4.1 Close Out Statement

When a waiver is no longer required the ARTC Endorsement Authority provides a close out statement which details why the waiver is no longer required and signs and dates the EWAF or provides these details by email. The EWAF is returned to standards@artc.com.au.

If the waiver is no longer required due to an update to an Engineering Standard the waiver close out may be completed by the appropriate Standards Engineer.

3.4.2 Close Out Authorisation

The proposed close out is reviewed by the Approval Authority for approval.

If accepted, the Standards & Procedures Administrator updates the Engineering Waiver Approval Register and issues a waiver close out notification (see clause 3.5).

3.5 Waiver Notification

The Standards & Procedures Administrator will issue notification of waiver approvals, including renewal and alteration, and close out to the Originator and Endorsement Authority by email.

The waiver notification will also be forwarded to:

- Recommendation Authority
- Approval Authority
- Compliance Manager for the affected corridor
- Internal Auditors
- Configuration Manager

The Endorsement Authority is responsible for circulating the notification to appropriate local staff.

During the production of the waiver if any conditions arise that will or may affect the operation of trains, it is the Endorsement Authorities responsibility to circulate notification of the waiver to the ARTC Operations Planning section following approval for their consideration to the effects on the operational timetable.

3.6 Expired Waivers

The ARTC Endorsement Authority is responsible for ensuring that waivers do not exceed the expiry date.

Waiver renewal applications should be submitted in a timely manner to ensure sufficient time for review, endorsement, recommendation and approval, prior to the expiry date.

All renewal applications must be on the most recent version of the EWAFA available on the Extranet at the time of application.

4 Engineering Waiver Approval Register

Waiver details are to be entered in the Engineering Waiver Approval (EWA) Register by the Standards & Procedures Administrator.

A link to the EWA Register is available on:

- CONNECT at <https://artcau.sharepoint.com/ournetwork/engineeringstandardsprocedures/waivers>
- the extranet at http://extranet.artc.com.au/eng_waivers.html

The ARTC Manager Standards shall maintain ownership of the EWA Register.

4.1 Review of the EWA Register

The ARTC Endorsement Authority or nominated representative is responsible for the regular review of temporary waivers applicable to their corridor of responsibility and for periodic review of permanent waivers.

5 Reporting

5.1 Monthly Advice to Operational Safety & Environment Review Committee

The Standards & Procedures Administrator is to advise the Operational Safety & Environment Review Committee monthly of any Waiver Approvals, Renewals, Alterations and Close Outs in the last month, including details of reasons for renewal, alteration.

6 Engineering Waiver Approval Process Flow Chart

