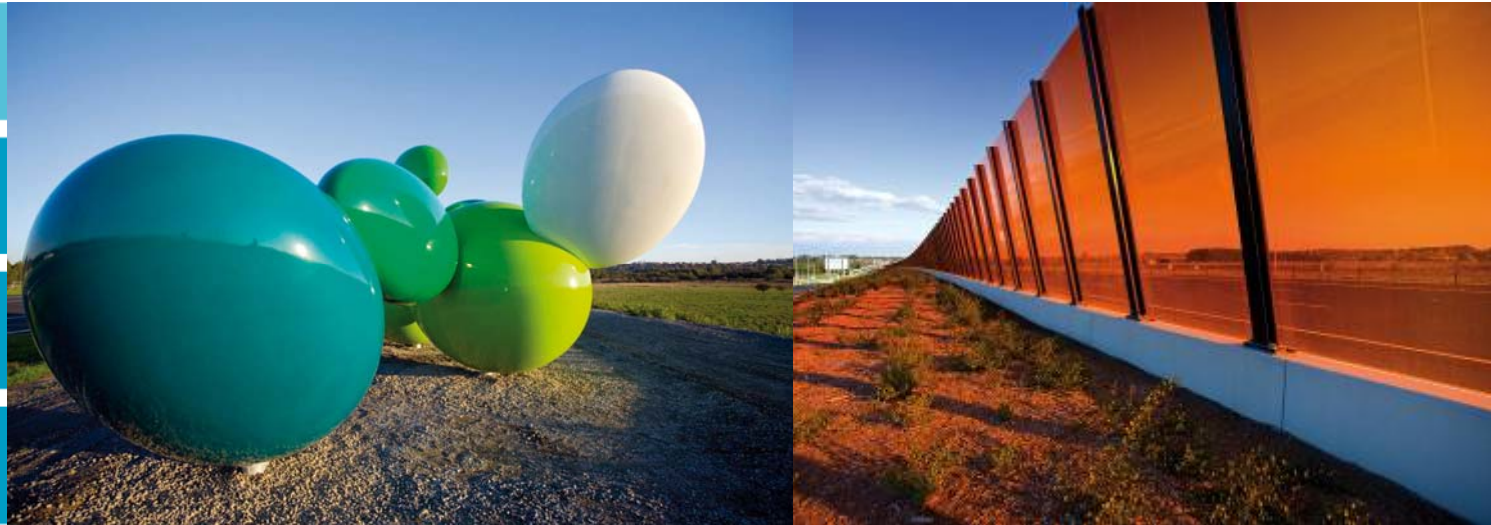


# Keeping the Tourist & Heritage Rail Sector Sustainable in Victoria

Jenny Gabriele, DOT Legal



Department of Transport

# Review of Transport Legislation in Victoria

- Transport Legislation Review commenced in 2004
- Objective of review: modern, best practice policy, legislation and administrative arrangements with clearer and better targeted regulatory requirements
- Reforms to date include –
  - Rail Safety Act 2006
  - Transport Legislation (Safety Investigations) Act 2006
  - New taxi industry accreditation scheme and commercial passenger vehicle driver accreditation scheme
  - Accident Towing Services Act 2007
  - Bus Safety Act 2008
  - Major Transport Projects Facilitation Act 2009

## Review of Transport Legislation continued ..

- Future legislation includes –
  - Transport Integration Bill
  - Marine Safety Bill
  - Walking and Cycling Bill
- Also reviewing –
  - Taxi and hire car regulation

# The Tourist & Heritage Industry in Victoria



# HISTORY

## 2006

- Rail Safety Act 2006
- Rail Safety Regulations
- Discussions with the T&H industry during the development of the regulations
- Commercial operators had 2 years in which to attain accreditation
- T&H operators had 3 years in which to attain accreditation

# What did we do?

- T&H Sector needed assistance to achieve accreditation.
- Government decided to get some independent professional assistance
- Tender process
- SAFETY ACTION





# Typical T&H Rail Workshop



# What Safety Action did for the Sector

- Strong focus on safety leadership
- Mentoring organisational change
- Assisted the sector through the transition to accreditation
- Coached the sector in respect of governance
- Provided independent and confidential advice
- Provided simple easy to use templates, checklists and sample documents suitable for T&H operations
- Conducted pre-accreditation audits and workshops
- Maintained a website



## What Safety Action did for the Sector cont.

- Supported the sector with regular newsletters, bulletins, explanatory material as well as a telephone helpline.
- Conducted periodic workshops for T&H rail groups
- Provided coaching on how to prepare for the accreditation audit and how to manage the team and process during the audit
- Conducted initial gap analysis of each T&H rail group against new legislative requirements and helped prepare action plans for each group

# The Outcome

18 of 20 Victorian T&H rail organisations attained accreditation by the 1 July 2009 deadline.

*Note: One group withdrew due to “internal turmoil” and one group lacked the capacity due to essentially being a one person operation.*

Ongoing support being provided by Safety Action through the website, newsletters and a helpline.



# Safety Action

[www.safetyaction.com.au](http://www.safetyaction.com.au)

# T&H issues

23 Issues identified by the industry

Grouped into 8 main headings:

- Land
- Rolling stock
- Infrastructure
- Governance
- Insurance
- Safety & accreditation
- Legislation interface
- Other issues

# What Government Did

Acknowledged the benefits of the industry

- Heritage
- Tourism
- Involvement of volunteers

Acknowledged the problems and issues and the need for improved policy and regulation especially to aid industry sustainability

Engaged Campbell Duncan to prepare an issues paper

- Issues
- Various options and models looked at



# Proposed Discussion Paper

A discussion paper, which is a culmination of the issues paper and further discussions held with industry, will be released shortly.



# Proposal

## Proposed Tourist & Heritage Rail Act

Principal objective – to encourage and facilitate the improved management of T&H railways in Victoria and to help keep the industry sustainable



# A Tourist & Heritage Rail Act

## A proposed Tourist & Heritage Rail Act would -

- provide a registration system – voluntary registration by operators
- provide an asset register (rolling stock, infrastructure)
- specify insurance arrangements, heritage obligations and refer to legislation interfaces



# Registration under the Act

## Advantages of Registration

- voluntary
- better access to funding
- promotion as a tourist attraction (marketability)
- commitment to ongoing improvement (best practice)
- access to knowledge, resources, etc. (eg. heritage contractors, specialist auditors)
- interpreting regulatory requirements; providing small business friendly solutions

# Governance



## Governance

- ✓ ongoing improvement
- ✓ succession planning
- ✓ competencies



# Where to from here?

- Release of discussion paper
- Formal public comment period
- Analysis of public comment
- Possible Bill in 2010

# Conclusion

The aim of this proposal is to promote a sustainable future for the tourist & heritage rail industry.

Feedback on the discussion paper is welcomed and encouraged.

Please email your interest in receiving a copy of the discussion paper, when released, to :

[touristandheritage@transport.vic.gov.au](mailto:touristandheritage@transport.vic.gov.au)