Dear Dr Gardiner,

RE: INQUIRY INTO HERITAGE TOURISM AND ECOTOURISM

I am writing in response to your invitation to make a submission to the above inquiry on behalf of the Tourist Railways and Tramways in Victoria. The Association of Tourist Railways Inc. is the peak body representing the majority of these volunteer groups established to preserve the history and culture of railway and tramway operations for Victoria’s future generations.

We rely heavily on tourists not railway enthusiasts to patronise our undertakings and call on volunteers throughout the community, many of whom become volunteers as a community activity rather than they have an overwhelming interest in old trams or trains.

Whilst there is significant recognition of Puffing Billy as one of Victoria’s key tourism products, most of the other groups are not well known, yet they all play a significant part in preserving Victoria’s transport heritage. To provide some insight into the extent of these activities, the 17 groups excluding Puffing Billy carried 600,000 passengers, employed 42 equivalent full time employees, generated $16.2m direct revenue and are actively supported by 3000 Victorians who volunteer their time. If Puffing Billy is also included, a further 50 employees, $2m revenue, 240,000 passenger journeys and 1000 volunteers can be added.

Very little is known about the overall economic benefit to the local communities that support these groups. However a study of the Bellarine Peninsula undertaken a few years ago, the benefit to retail outlets, restaurants, cafes and accommodation within the catchment area of the tourist railway conservatively generated a further $2.00 for each $1.00 spent on the railway.

In 2010, the Victorian Government introduced the Tourist and Heritage Railways Act which is designed to provide ongoing strategic support to the tourist and heritage railway activities in the State.
This legislation provides the opportunity for the Tourist and Heritage Railways over time to have a similar collective profile to Puffing Billy. Puffing Billy has its own legislation, the 1977 Emerald Tourist Railway Act.

The ATR supports the initiative of this study and would like the opportunity to make a formal submission to the Committee on the ongoing role and future viability of the sector. Information about the association and its member groups is on www.atr.org.au.

I look forward to the opportunity to provide more information about this important tourism product when the opportunity exists to present to the Committee.

Yours sincerely

Mr Phillip Kamay
President
Association of Tourist Railways, Victoria

Attachments

1 – List of Member organisations

2 – Paper published by The Australian Tourist and Heritage Railways Association (April 2013)
Appendix 1 – Member Organisations

- Alexandra Timber Tramway
- Australian Railways Historical Society
- Ballarat Tramway Museum
- Bellarine Railway
- Bellarine Railways
- Coal Creek Bush Tramway
- Daylesford Spa Country Railway
- Diamond Valley Railway
- Melbourne Tramcar Preservation Association
- Mornington Railway Preservation Society
- Portland Cable Trams
- Puffing Billy Railway
- Red Cliffs Historical Steam Railway
- Seven O Seven Operations
- Seymour Rail Heritage Centre
- South Gippsland Tourist Railway
- Steamrail Victoria
- Tramway Museum Society
- Victorian Goldfields Railway
- Walhalla Goldfields Railway
- Yarra Valley Railway
THE CHALLENGE OF STATUTORY COMPLIANCE FOR THE TOURIST AND HERITAGE SECTOR

Adrian Ponton

ATHRA CONFERENCE EASTER 2013

Introduction

Active railway preservation appears to be a post WW II phenomenon. 2011 was the 60th anniversary of the first successful Heritage Rail group being formed in England. The railway preservation movement in Australia commenced with the formation of the Puffing Billy Preservation Society in Victoria in 1955. From these modest beginnings we now have tourist and heritage railways and tramways, operated with volunteer assistance, existing throughout the World. Tim Fisher, in his recent publication suggests there are close to 300 tourist railways in Europe and the United Kingdom, and over 500 in the United States of America.

Throughout Australia there are more than 60 operating Tourist and Heritage Railways, with 20 of these ventures being located in the State of Victoria. In addition to operational Tourist and Heritage Railways managed by not-for-profit organisations, there are transport museums with static exhibits and community supported preservation groups managing heritage infrastructure no longer retained for operational needs.

This paper focuses on the operating tourist and heritage undertakings.

To clarify terminology, this paper refers to Tourist Railways which are defined as a railway operating on its own right of way, independently of the revenue railway network, Heritage Operators are considered to be organisations operating charter diesel, steam or diesel rail cars or electric rolling stock on the Main Rail Network and Tourist Tramways operate street tramway rolling stock. In each situation, these activities are primarily provided in a tourism context rather than to enable passengers to commute.
Context

During the 1960’s railway administrations throughout Australia were dealing with the phasing out of steam power and the rationalisation of railway networks. Whilst Puffing Billy was well established in the Dandenong Ranges, only 30 kilometres from the Melbourne CBD, it was the only operating tourist railway. The Tramway Museum Society of Victoria, had acquired a number of withdrawn trams from the Melbourne and Metropolitan Tramways Board but had nowhere to operate them. Heritage operations on the revenue network were operated using locomotives and rolling stock that in the main had been withdrawn from normal operations and held by the Victorian Railways for special charters. The railway enthusiast groups established a Steam Preservation Co-ordinating Committee to manage these charters and to streamline negotiations with railway management. Similar situations existed in other Australian States. However, at the time the voluntary effort was restricted by the railway management to ancillary roles, with the rail operating responsibilities (such as driver, fireman, signalman and guard still being paid railway employees).

The closure of the tramway networks in Australia’s Capital Cities (with the exception of Melbourne) in the 1950’s and 60’s encouraged the establishment of tram preservation movements in Sydney (Loftus), Adelaide (St Kilda), Brisbane (Ferny Grove) and Perth (Whiteman Park). In Victoria, the Tramway Museum Society took over portion of a closed railway at Bylands (40 kilometres North of Melbourne) and established an operating museum.

The closure of the provincial electric tramway systems in Ballarat and Bendigo in the early 1970’s created the opportunity for tourist tramways to be established in these two regional centres, retaining portion of the former network. This required the tramway preservation groups to take on all tasks associated with tram operation, including civil and mechanical inspection and maintenance, training and rostering volunteers to drive the trams along with restoring trams to operating condition. The early success of these tramway preservation ventures was largely due to the support of the respective councils, the Melbourne and Metropolitan Tramways Board coupled with the enthusiasm of volunteers, many who initially had no real interest in tramway restoration but felt it was a worthwhile project to be involved with.

Senior Management of the Victorian Railways and the Puffing Billy Preservation Society came to the realisation in the mid-1970’s that Puffing Billy’s future interests were best served through the establishment of an independent authority to operate and manage a tourist railway that had become one of Victoria’s top three tourist attractions. The Emerald Tourist Railway Act came into effect on 1st October 1977. The responsible Government Department for Puffing Billy became, and still is, Tourism.

The emergence of the other tourist railway ventures in Victoria during the late 1970s and 1980s was influenced by two key factors. The extensive restructuring of the railway business in Victoria resulting in the closure of regional branch lines accompanied by the downsizing of the rolling stock fleet and the selective replacement of aging locomotives and rolling stock with newer more efficient equipment.

Concurrent with line closure announcements by the authorities, community groups were formed to either ‘save’ portion of the railway as a static memorial, or rejuvenate the railway and operate it as a tourism venture. The process from the Government’s perspective was an annoyance and viewed cynically. Equally, the railway enthusiasts and community groups felt the process was designed to frustrate and force the groups and their proposals out of existence. During this phase at least four proposed tourist railway ventures failed.
It took some years for the first five of the successful groups to commence operations. Problems with the lack of a legislative framework, theft of materials and continued deterioration of the infrastructure, which in most cases was in substandard condition when the railway closed frustrated reopening efforts. This resulted in many of the groups initially only being able to establish a limited operational presence on a small portion of the railway. Full restoration, with two of the groups, 40 years later, still has not been achieved. The other 3 groups took more than two decades to realise their full potential.

Further modernisation of the Victorian railway network in the 1990's created opportunities for preservation groups to obtain more discarded material and additional preservation groups were formed. The map on page 4 shows the current locations of Tourist Railway ventures. In many respects, the ability for the groups to acquire displaced rolling stock and save it from scapping is to be admired, however because of the limited resources available to the groups much of this rolling stock was allowed to decay – a combination of lack of funds, lack of volunteer resources, insufficient undercover secure space along with vandalism and theft.

Fig 4. (Left) Central Highlands Tourist Railway – Easter 2003, ex Victorian Railways articulated 280 horse power Diesel Rail Car approaching Daylesford.

(Right) Bellarine Peninsula Railway – ex South Australian Railways T class steam locomotive arriving at Queenscliff station.

Fig 5 (Left) South Gippsland Railway – March 2005. Since this photograph was taken, Government funding provided a shed.

(Right) Cheviot tunnel on the Mansfield line – this now is part of the recently completed (June 2012) rail trail encompassing Tallarook – Mansfield and Cathkin – Alexandra.
The business

The Tourist and Heritage business is diverse and its success is essentially dependant on three key factors

- ongoing volunteer participation
- continued support through patronage.
- continued relevance of the ‘tourism product’ with the target market.

This may be best described as “….the railway enthusiast provides the basis of our volunteer workforce and knowhow, but if we only relied on railway enthusiasts to patronise our railway we would soon cease operating…..”

The viability of a tourist railway venture is therefore highly reliant on patronage by the public at large, but the general public has a very limited perception of historic authenticity. Conversely, the railway enthusiasts place a greater emphasis on precise recreation of the past and many become critical of compromises required to grow the business or

Fig 6. – Bendigo Trust – Nov 2010. Former Melbourne Tram operating the service.

This class of tram did not operate in Bendigo during the SEC era.
reduce operating costs.

The reality is the majority of the operating tourist and heritage railways are in the tourism business and are required to operate safely in compliance with their Occupational Health and Safety and Rail Safety obligations. They also need to be economically sustainable, including appropriate internal funding allocation for periodic asset maintenance and renewal. There are further statutory obligations impacting on the accountability of board members which absorb considerable volunteer resources ‘in behind the scenes’ activities. Many boards are not equipped to handle these governance tasks, so matters like:- adequate insurance, fire management, EPA compliance, building maintenance, safety interface agreements, interaction with stakeholders etc are often overlooked. Not deliberately, but more often with a misguided perception that these matters are optional not mandatory for volunteer organisations.

At times, not-for-profit organisations also grapple with the abstract concepts of financial management, particularly in relation to generating sufficient funds to meet capital replacement costs for infrastructure, locomotives and rolling stock. We are currently in an economy where Government hand outs for ‘community projects’ are not forthcoming and cannot be relied on to bail out a not-for-profit venture faced with financial crisis.

There are many challenges which continue to constrain viability

- ageing volunteers, (the majority of the ‘first generation’ volunteers are now in their 80’s or have passed away),
- relevance to the community
- reliance on scarce government funds
- viable marketing strategies to sustain and grow the business
- ageing and deteriorating assets, with scarcity of spare parts
- regulatory burden – which extends well beyond compliance to a Rail Safety Act.
- Changes in community expectation of what is safe coupled with a greater reliance on litigation to resolve disputes
- Increasing overhead costs, especially insurance and fuel.

Privatisation and Rail Safety

Until the 1990’s the mainstream rail industry was vertically integrated and self regulating. During that decade, adoption of the Hilmer philosophy\textsuperscript{vi}, saw significant and far reaching changes, including outsourcing, downsizing, corporatisation and privatisation along with the progressive introduction of Rail Safety Legislation from 1993 onwards. This completely changed the way the rail industry conducted business.

For many of the Tourist and Heritage Groups, the loss of contacts within the rail industry and the outsourcing of non-core business, for example workshops, meant that obtaining spare parts or redundant equipment for free or at greatly reduced cost ceased.

The introduction of Rail Safety Compliance was not well received. In volunteer groups, it is typically difficult to find someone to manage the task of creating and maintaining documentation required to achieve

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\textsuperscript{vi} The Kingston Flyer about to depart Fairlight. October 2006. New Zealand. A privately run ‘tourism product’ which ceased operation for almost years (2009 – 2011) following financial difficulties.
statutory compliance. The concepts of risk management were not well understood and many groups saw compliance as largely irrelevant.

The 2006 Rail Safety Act

In 2005 following the Waterfall accident in NSW, a more rigorous standard for rail safety accreditation evolved. Victoria became the lead agency for developing the new legislation that would be adopted nationally. On 1st August 2006, the Rail Safety Act came into being and the functional tourist and heritage railways had three years to achieve transition and be compliant with the new legislation.

Following approaches from the T&H sector, the Department of Transport facilitated a project using independent resources to work with the Victorian based T&H Groups and achieve a smooth transition for their new obligations.

In the early stages of this project it was apparent there were 7 areas of concern for the member organisation to achieve compliance. These were

- Asset ownership
- Land Tenure
- Governance
- Insurance
- Volunteer participation
- Level Crossing and Reserve Management
- Improved communication channels with Government

Development of the Tourist and Heritage Legislation

In 2006, all Tourist and Heritage Rail Operators in Victoria, with the exception of Puffing Billy, were responding to the requirements of various legislative requirements but did not have the benefit of specific legislation to provide the context for their existence. Previous legislation including ‘The Tramways Act’ and ‘The Transport Act’ were no longer relevant. Even the 5 tourist railways operating under an ‘Order-in-Council’ were being frustrated in their negotiations with Government Agencies as the ‘Orders-in-Council’ were instituted prior to industry privatisation, council amalgamations and the introduction of the Rail Safety regulatory requirements.

During the early stakeholder discussions it became evident that a legislative framework that would define the tourist and heritage rail business and provide strategic support was the most appropriate outcome. It was also realised that without legislation many of the groups faced the threat of extinction.

An independent assessment was undertaken to review the various models in place in Australia and Overseas. It would have been preferable to adopt or adapt existing legislation, however, no suitable model existed.

Additionally, the review established there were complex arrangements covering land tenure, involving more than one government department. Current land tenure arrangements involve private land, council land and Crown land.
Source records covering rolling stock allocation were largely non-existent. A further variable was some locomotive and rolling stock assets were still owned by the Government, whilst others were owned by the group or alternatively are in private ownership. Some allocated items were allocated to one group but are in the hands of another organisation.

As the context of the proposed legislation developed, regular dialogue occurred with both the Tourist and Heritage Groups and involved government departments. This ongoing consultation was essential to ensuring the legislation reflected the needs for the sector. Finally, the legislation was passed by the Victorian Parliament in October 2010.

During 2011, Regulations required to support the Legislation were drafted and two stakeholder workshops occurred to ensure the draft Regulations addressed the needs of the sector.

The regulations supporting the Tourist and Heritage Railways Act provides remedy for a number of offences. The purpose of these provisions is to make it easier for the groups to address the annoying and mindless behavior of a minority in the community who grafitti, trespass, damage propery and dump rubbish.

The Act came into effect on 1st October 2011.

What the legislation is achieving

1. Voluntary Registration Scheme

A voluntary registration scheme for Tourist and Heritage Railways to participate. It is not compulsory for the groups to join.

The criteria for inclusion in the voluntary registration scheme are that a group must be:

- Located in Victoria
- An incorporated association – not for profit
- Operating
- Have appropriate rail safety accreditation status.
- Have an apprpriate working with children policy.
- A structured business plan (effective from October 2012).

During 2013 the member groups will complete a marketing plan and an asset conservation plan. There will be a series of workshops provided

The Act does not include static museums, private operators, interstate operators, underground mine railways, miniature railways or commercial vintage operations (for example the Melbourne City Circle Tram or the Colonial Tramcar Restaurant.

Fig 9. - Abt Wilderness Railway – Strahan, Tasmania. August 2007. Ceased operating in April 2013
2. **Asset Register/Standard Lease**

The Registrar is developing and will maintain an Asset Register on behalf of the Tourist and Heritage operators. Additionally, a standard form of lease has been developed so that all Tourist and Heritage operators have the same tenure arrangements where the land they occupy is vested in VicTrack. VicTrack are progressing these leases with the affected groups, but it may take another 12 – 18 months before they are all in place.

![Image 1](image1.jpg)  
*Fig 10 – (Left) a load of timber sleepers released through the ‘Sunbury Electrification Project’ arrive at Maldon – March 2012.

(Right) – The 53’ Numurkah turntable. Out of use since the 1990’s. Following protracted negotiations with the various stakeholders, this turntable will be relocated to Queenscliff later in 2013, for use on the Bellarine Railway.

3. **Surplus Assets**

A structured approach to the release of surplus materials. This is an area of activity where the results are more tangible. Instead of materials that are no longer needed by the mainstream rail business ending up in scrap metal yards or garden suppliers and in some cases ‘private collections’ member groups of the scheme are offered and bid for surplus materials. To date materials allocated through this process have included:-

- timber sleepers (becoming available with residual life followed the acceleration of the program to use low profile concrete sleepers in the Metropolitan and Regional passenger networks). In excess of 100000 sleepers have been released with virtually all member groups being recipients.
- track jewelry – sleeper plates, dog spikes and rail anchors
- rail – 3 groups have benefitted from rail off ‘closed lines’, others groups have benefitted from rail released through rerailing projects
- turnouts
- redundant signalling equipment
- locomotives
- passenger and freight rolling stock
- trams and tram components
- hi-rail vehicles
- a turntable
- a small quantity of concrete sleepers for level crossing upgrades

Materials are made available on an ‘as is where is basis’ requiring the successful groups to arrange handling and transport.

The one material we have not been able to secure for groups is ballast.
4. **Advisory Committee**

During the second half of 2013 an Advisory Committee will be established. This will be chaired by the Registrar and have 7 members appointed by Public Transport Victoria. The 7 nominees will encompass:

- A person nominated by Tourism Victoria\[^{ix}\]
- A person nominated by Regional Development Victoria\[^{ix}\]
- A person nominated by VicTrack
- 4 persons nominated by the tourist and heritage sector to provide representation to cover:
  - Broad Gauge tourist railways
  - Narrow Gauge tourist railways
  - Tramways
  - Main line operations

5. **Strategic Support**

During 2010 and 2011, through the support of the Department of Transport assistance to the sector encompassed:

- Provided technical and engineering assistance relating infrastructure and rolling stock matters.
- Sponsored a number of workshops to address emerging issues:
  - Interfaces with road authorities
  - Protocol for Rail Trails of tourist railway corridors
  - Train conspicuity
  - Fire protection

These activities continued during 2012 and 2013 through the auspices of Public Transport Victoria\[^{xi}\]. Activities have been expanded to provide support with:

- The establishment of steering committees to address the challenges of ensuring Heritage Operations remain viable.
- Preparation of business cases for specific funding bids
- Advocacy on behalf of the groups in negotiations with local and State government agencies for funding and support
- Technical assistance with infrastructure engineering standards
- Advocacy to ensure the T&H sector, including Puffing Billy, are included in the Level Crossing upgrade program. This resulted in 5 of the State funded upgrades for the 2012/13 program being on Tourist Railways. (2 on the Bellarine Railway and 3 on the Puffing Billy Railway).

6. **Newsletter**

An electronic newsletter was commenced by the Department of Transport and continued by Public Transport Victoria to improve communication with the sector. There is no cost for subscribers, it is as simple as going to [http://enews-touristheritage.ptv.vic.gov.au/](http://enews-touristheritage.ptv.vic.gov.au/)
The future

The initial approach of the DoT and now PTV was to provide ongoing strategic support to the Tourist and Heritage operators and not interfere with their day to day activities. Obviously, the groups will still be accountable for the Rail Safety performance and the financial obligations as ‘not for profit’ entities.

The area where the advisory committee will be of greatest support to the Tourist and Heritage operators is securing capital for new projects. One of the longer term objectives is to achieve financial viability for the sector.

A strategic advantage of appointing an advisory committee reporting to Public Transport Victoria is that many of the long term needs of the sector can be addressed holistically, including for example:

- Training and competency of volunteers
- Cross sector promotion through DvD’s and Booklets
- A reference library of technical material relevant to the sector
- Information and resource sharing
- Provide an accessible inventory of State owned assets used by operational groups.

An independent economic analysis of the legislation concluded the intent of the legislation is to support operators and sustain and help them improve their business. It was also found that the legislation should achieve these outcomes without placing a significant burden on the sector. Support for the sector provided initially by the Department of Transport and more recently Public Transport Victoria is provided at no cost to the sector.

The issue of adequate insurance for the sector is still to be addressed, and will be one of the first tasks to be undertaken by the advisory board.

Challenges for the ongoing viability of the sector

The biggest challenge for the future viability of the T and H sector is the increasing regulatory burden. Particularly as new Occupational Health and Safety legislation clarifies the obligations to volunteers. Equally, Rail Safety legislation is still evolving and whilst the primary focus is on the ‘mainstream rail operations’, the codes of practice, regulations and ancillary documentation (medical fitness, hours of duty, competency, risk mitigation and rail safety investigations etc) also captures tourist and heritage activities. There is now considerably more pressure on volunteer organisations to develop and maintain sophisticated safety management systems.

Often these demands cannot be met with internal resources and and more often requiring specialist support to develop and implement.

Many of the groups believe that access to grants is essential for their ongoing viability. Government ‘handouts’ are not a source of reliable funding. There are now far more not for profit groups competing for what has become a scarce resource. In many respects the groups should be assessing how to restructure their business to maximise their income stream.
The real challenge impacting on the longer term viability of the T&H sector is the ability to recruit, train and retain volunteers. This involves changing a few long held perceptions of the general public

- Tourist and Heritage railways are ‘provided’ by the Government
- Tourist railways are largely run by ‘old men’ who play with steam trains on Sundays.

The groups who have engaged with the local community are finding they are having an impact on these misconceptions and are recruiting volunteers from the local community on the basis of it being a ‘community service’ activity rather than a railway enthusiast haven. Not everyone aspires to drive trains, leaving many tasks for people with non-rail skills to enjoy.

The development of railtrails on Tourist Railway corridors is seen by many groups as a threat to the future existence of the tourist railway. Both PTV and VicTrack have taken a lead role in the negotiations with stakeholders to ensure the needs of the tourist railway are not compromised by the rail trail plans. A tourist railway and a railtrail can co-exist, the challenge is to address, what at times is perceived by some, as a predatory approach to negotiations. As the advocates of rail trails become better informed on the aims and objectives of the tourist railway, appropriate strategies for the co-location of the rail train tend to evolve. Equally, there are benefits for the tourist railway once a rail trail is established as the users of the rail trail often ‘package’ their rail trail activities with a ‘ride on the train’.

Finally, the age of the items of rolling stock that are the mainstay of the tourism product are not without their challenges either

- More often, travellers are now more discerning and whilst looking for the ‘nostalgic’ experience but are not appreciative of the hardy travelling conditions offered on some tourist railways.
- Equally, it is generally only the minority of current travellers who appreciate the ‘authenticity’ of the product being offered.
- Some railways are under threat of being consumed by the ‘urban sprawl’ and thereby losing the character of their product.
- Many groups have underutilised assets, particularly those groups that only operate a few days a month. Increasing overhead costs such as insurance, compliance fees, security costs etc have to be amortised over a relatively small window of activity.
- Materials required to maintain the rolling stock are not readily available.
- The skilled labour for specialist trade tasks are not readily available.
- The inspection and certification processes are subject to greater regulatory scrutiny.
- Many items of rolling stock are beyond restoration because of inadequate storage arrangements.
- New timber sleepers are becoming prohibitively expensive for T&H groups and the supply of suitable ‘surplus sleepers’ from Metro and V/Line projects has as very limited life.

All these challenges create the opportunity for both the Tourist and Heritage groups and the Registrar to create sustainable outcomes.
Adoption/adaptation

The legislation is seen to significantly assist the sector with meeting their requirements with regulatory compliance on a much broader sphere than just Rail Safety Compliance.

Strategic assistance to improve the competency of the individual groups' board of management should ensure the stability and sustainability of the sector.

As such, the experience that the Department of Transport personnel have gained during the development of the legislation, is something that we are happy to readily share with the Tourist and Heritage rail sector both in Australia and Overseas.

The legislation is available on the Victorian Government Web site:

Conclusion

During my career in the rail industry I have been involved in the formulation and delivery of many diverse and complex rail projects. Usually, these projects have involved rationalisation of railway assets.

It is a refreshing change to be involved in a project that will enhance a section of the rail industry involved with tourism and recreation.

Acknowledgements

The delivery of this project has been a team effort. In particular, the strategic alliance with Safety Action in the early stages of the project enhanced the outcome considerably. Their involvement as a ‘non-government facilitator assisted with the credibility of the project.

The Department of Transport legal team involved in drafting the legislation and guiding both the Tourist and Heritage groups along with other Government Departments through the rather lengthy and involved process of consultation.

The Tourist and Heritage groups supported by their peak body, the Association for Tourist Railways placed considerable trust in the Department. Without that trust the project would not have been delivered.

Finally, the support of my own small team as we have worked through the issues is certainly appreciated. Without that support we would not have achieved many of the goals that were set by the legislation.
References

i ATR – July 2011 Newsletter ‘The Electric Telegraph’ (Issue 10) – from ATR Web Site


iii In the opening paragraph a figure of 18 is quoted. There are two organizations which are currently exempt from Rail Safety Accreditation.


v A comment made by the President of one Tourist Railway in 2005 at a time the organisation was facing a crisis with insufficient volunteers to sustain the operation. Many of the volunteers who had fought to save the railway had left the organisation as they were either disillusioned with the previous management, or had found a ‘new quest’.

vi In the early 1990’s Professor Fred Hilmer headed an independent Inquiry into National Competition. The report became the basis for developing policy and subsequently law on competition. The report questioned the efficiency of Government run monopolies including utilities, rail etc. The report suggested that these businesses generally lagged behind the efficiency of private enterprise because of the lack of competition.

vii On 31st January 2003 an Electric Multiple Unit train overturned at Waterfall NSW. A Special Commission of Inquiry made 127 recommendations the majority affecting rail safety compliance.

viii The Tramways Act provided legitimacy for non-government railways to operate in Victoria. This requirement ceased with privatization of the Government rail business in the 1990s. The Transport Act previously contained some provisions for tourist railways. However these sections had been repealed. The introduction of Rail Safety provisions within the Transport Act in 1997 provided safety accountability for tourist railways.

ix Recently announced changes to Victorian Government departments may result a change in the department nominee for this role.

ix Recently announced changes to Victorian Government departments may result a change in the department nominee for this role.

ix Public Transport Victoria commenced on 2nd April 2013 absorbing many of the responsibilities previously managed by the Department of Transport, including the role of the Registrar.