
D Reform initiatives

The following tables outline the key rail-related reforms undertaken in Australia during the 1990s. These are elaborated on in chapter 3.

Table D.1 Key reforms in the 1990s: industry structure

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
Cwlth	1991-92	National Rail Corporation (NRC) established to operate the interstate rail freight business in Australia. The shareholders are the Commonwealth, NSW and Victorian Governments.
	1993-94	The interstate freight business of Australian National (AN) transferred to NRC. NRC identified other assets required to conduct its operations and State Governments then had discretion whether to transfer ownership of the assets, give a long term lease or grant access to NRC.
	1994-95	Specialized Container Transport (SCT) commenced interstate rail freight operations. TNT (now Toll) commenced one year later.
	1997-98	Australian Rail Track Corporation (ARTC) established. The corporation was given responsibility for management of access and infrastructure maintenance in South Australia as track owner and in Victoria as track manager under a five year lease agreement. Access arrangements for the interstate track with New South Wales, Queensland and Western Australia are currently being negotiated.
	1998-99	ARTC commenced operation.
NSW	1995-96	Transport Administration Amendment Bill passed by Parliament in June 1996. The legislation created an access regime and allowed the State Rail Authority (SRA) to be restructured into four independent entities.
	1996-97	Four new entities commenced operation on 1 July. The new entities were the Rail Access Corporation (RAC), FreightCorp, Rail Services Authority (RSA) and a new SRA.
Vic	1993-94	Public Transport Corporation restructured into five business units and three Commercial Services Groups.

(continued on next page)

Table D.1 (continued) Key reforms in the 1990s: industry structure

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
Vic (cont.)	1995-96	<i>Rail Corporations Act 1996</i> passed. The Act allowed for the establishment of V/Line Freight and Victorian Rail Track Access (VicTrack) as body corporates.
	1997-98	VicTrack assumed responsibility for train control and signalling operations on non-electrified intrastate track, the maintenance and management of related land and infrastructure, and the marketing and negotiation of access to the intrastate network.
	1998-99	Establishment of five vertically integrated businesses to operate Victoria's passenger train and tram businesses. They are Bayside Trains, Hillside Trains, Yarra Trams, Swanston Trams and V/Line Passenger (regional train and coach services).
SA	1994-95	TransAdelaide established in July 1994 and assumed the operating functions of the State Transit Authority (STA). Planning functions of the former STA assumed by the Passenger Transport Board (PTB). Majority of TransAdelaide's bus depot and workshop assets transferred to the SA Department of Transport and control of the ticketing system transferred to the PTB.
Tas	1997-98	Freight operations of AN in Tasmania were separated in preparation for privatisation.

Sources: PC 1998c; Australian Rail Track Corporation sub. 74; VicTrack 1998; Victorian Government sub. 82.

Table D.2 Key reforms in the 1990s: governance arrangements (including financial arrangements)

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
Cwth	1997-98	Freight and passenger rail operations of AN sold. The buyers were Australia Southern Railroad, Great Southern Railway and Australian Transport Network (Tasrail). Commonwealth announced its intention to sell its share of NRC.
NSW	1991-92	Funding arrangements for community service obligations introduced. New South Wales became a shareholder in NRC.
	1996-97	RAC and FreightCorp corporatised on establishment. Phased removal of 'de-facto' royalties on export coal to be completed by 2000.
	1997-98	Rail Services Authority renamed Rail Services Australia and corporatised.

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Table D.2 (continued) Key reforms in the 1990s: governance arrangements (including financial arrangements)

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
Vic	1991-92	Victoria became a shareholder in NRC.
	1998-99	Bayside Trains, Hillside Trains, Yarra Trams, Swanston Trams and V/Line Passenger (regional train and coach services) corporatised on establishment.
		Freight Victoria announced as the successful bidder for V/Line Freight.
		National Express announced as the successful bidder for the V/Line Passenger and Bayside Trains franchises.
Qld	1999-2000	Melbourne Transport Enterprises announced as the successful bidder for the Hillside Trains franchise.
	1991-92	<i>Transport Infrastructure (Railways) Act 1991</i> established QR as a corporate body and made provision for the establishment of a Board of Directors.
	1993-94	Review of the Government's export coal royalty rail haulage policy resulted in a phased removal of 'de-facto' royalties collected through rail freight rates to be completed by 2000.
		Funding arrangements for community service obligations introduced.
	1995-96	QR corporatised.
	1997-98	Review of corporatisation distinguished commercial activities from the community service obligations and access functions of QR.
WA	1998-99	Refinements of purchaser-provider arrangements between QR and Queensland Transport.
	1994-95	Corporatisation of Westrail abandoned in favour of financial reforms under the 'Right Track' program (commercialisation).
	1997-98	WA Government announced its intention to privatise the freight operations of Westrail as a vertically integrated entity.
SA	1994-95	<i>Passenger Transport Act 1994</i> established the PTB with responsibility for regulation, coordination and funding of public transport services including bus, rail, tram and taxi services.
	1998-99	TransAdelaide corporatised.
Tas	1997-98	Australian Transport Network announced as successful bidder for AN's freight operations in Tasmania.

Sources: PC 1998a and 1998c; Department of Transport and Regional Services sub. 76; Victorian Government sub. 82; WA Government sub. 60; Queensland Rail sub. 59; Queensland Transport sub. 75.

Table D.3 Key reforms in the 1990s: access

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
Cwth	1995-96	AN established the Track Access Unit to manage the mainline interstate rail network owned by the Commonwealth.
	1997-98	ARTC established to manage access and infrastructure development on the interstate network.
	1998-99	ARTC commenced operation.
NSW	1996-97	RAC established to negotiate the use of the rail track and fund the upkeep of the rail track.
		NSW rail access regime commenced operation.
		NSW Government applied to the National Competition Council (NCC) to recommend certification of the effectiveness of the regime.
		SCT sought declaration of the Sydney to Broken Hill rail service.
	1998-99	NSW Minerals Council sought declaration of the Hunter Valley rail line service.
		NCC issued <i>Draft recommendation on effectiveness of NSW rail access regime</i> .
Vic	1995-96	NSW Government released an amended NSW rail access regime for public comment.
		NSW rail access regime gazetted in February 1999.
	1995-96	<i>Rail Corporations Act 1996</i> passed to establish VicTrack and allow access to rail infrastructure for private freight and passenger operators.
	1997-98	VicTrack commenced operation.
Qld	1998-99	Access to interstate network through ARTC.
	1996-97	Carpentaria Transport sought declaration of specified rail services on the Brisbane to Cairns rail corridor.
		Queensland access regime for rail services commenced operation.
		Queensland Government applied to the NCC to recommend certification of the effectiveness of the regime.
		Network Access Group established within QR to deal with access issues.
		Queensland Competition Authority established.
	1998-99	Queensland Competition Authority established.
		A voluntary access undertaking for rail infrastructure developed.

Queensland Government withdraws application to NCC.

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Table D.3 (continued) Key reforms in the 1990s: access

<i>Jurisdiction</i>	<i>Date</i>	<i>Nature of reform or policy initiative</i>
WA	1996-97	Westrail established an Infrastructure Division responsible for access. Interstate operators allowed access to government rail infrastructure services.
	1997-98	SCT sought declaration for certain WA rail services.
	1998-99	Robe River Iron Ore Associates sought declaration of a rail service in the Pilbara region operated and owned by Hamersley Iron.
		<p>Federal Court found that the rail service operated by Hamersley Iron was exempt from Part IIIA of the Trade Practices Act. The NCC and Hope Downs Management Services appealed the Federal Court's decision.</p> <p>Upon proclamation, the <i>Government Railways (Access) Bill 1998</i> provided for a formal regime for access to government railways. The subsidiary legislation in the form of a Code developed.</p> <p>WA Government applied to the NCC to recommend certification of the effectiveness of the regime.</p>
SA	1997-98	<i>Railways (Operations and Access) Act 1997</i> imposed access obligations on operators who control the intrastate network.
	1998-99	<p>Access to interstate network through the ARTC.</p> <p>SA/NT Governments applied to the NCC to recommend certification of the effectiveness of the regime relating to the track between Tarcoola and Alice Springs.</p>
Tas		A rail specific access regime does not exist in Tasmania. Australian Transport Network as owner of the rail track is required to enter into negotiations with other operators under its contract of sale.

Table D.4 Key reforms in the 1990s: safety regulation and operating procedures and standards

<i>Date</i>	<i>Nature of reform or policy initiative</i>
1993	<p><i>A National Approach to Rail Safety Regulation</i> report recommended, among other things, an intergovernmental agreement be developed to achieve consistent national rail safety regulation. Recommendations endorsed by Ministers.</p> <p>New South Wales was the first State to amend its rail safety legislation to include safety accreditation, onus on the industry to perform to agreed standards, and accountability and transparency.</p>
1995	Part I of Australian Standard on Rail Safety Management (AS 4292) published.

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Table D.4 (continued) Key reforms in the 1990s: safety regulation and operating procedures and standards

<i>Date</i>	<i>Nature of reform or policy initiative</i>
1996	Intergovernmental Agreement signed by Commonwealth, State and Territory Ministers. ^a Agreement set out principles and guidelines for the establishment of a consistent approach to rail safety.
1997	National Rail Summit: Commonwealth and State Ministers signed Heads of Agreement on Interstate Rail Reform. ^b Ministers agreed, among other things, to develop a decision making process to speed up harmonisation of standards and to commission a report on rail safety and operating standards (the Maunsell report). Parts 2-5 of Australian Standard 4292 published. Priorities determined and principles for reform agreed on. Various jurisdictions in the process of amending rail safety legislation to incorporate safety accreditation and mutual recognition. One body nominated as the safety regulator in each jurisdiction.
1998	Endorsement by Ministers of the <i>Study of Rail Standards and Operational Requirements</i> (Maunsell report).
1998-99	Task groups established to progress the recommendations of the report and the Intergovernmental Agreement. Industry was also involved in this process. Ministers at Australian Transport Council meeting agreed to an independent review of rail safety arrangements and the establishment of a national body to facilitate and implement arrangements for the adoption of uniform operating requirements.

^a The ACT was not a signatory. ^b Tasmania and the Territories were not signatories.

Sources: ATC 1993; IGA 1996; Heads of Agreement 1997; Maunsell 1998.

Table D.5 Key reforms in the 1990s: heavy vehicle charging

<i>Date</i>	<i>Nature of reform or policy initiative</i>
1991	National Road Transport Commission (NRTC) established.
1992	NRTC recommendation on heavy road vehicle charges.
1994-95	In South Australia, national heavy road vehicle charges implemented.
1995	In Queensland, heavy road vehicle charges implemented.
1995-96	In Victoria, Western Australia, Tasmania and ACT heavy road vehicle charges implemented.
1996-97	Implementation of uniform heavy road vehicle registration charges completed across Australia.
1998-99	Revised set of national heavy road vehicle charges proposed by NRTC.

Sources: IC 1991a (various years); NRTC 1998b.