



WA Speedway New Governance Framework

Department of Sport and Recreation

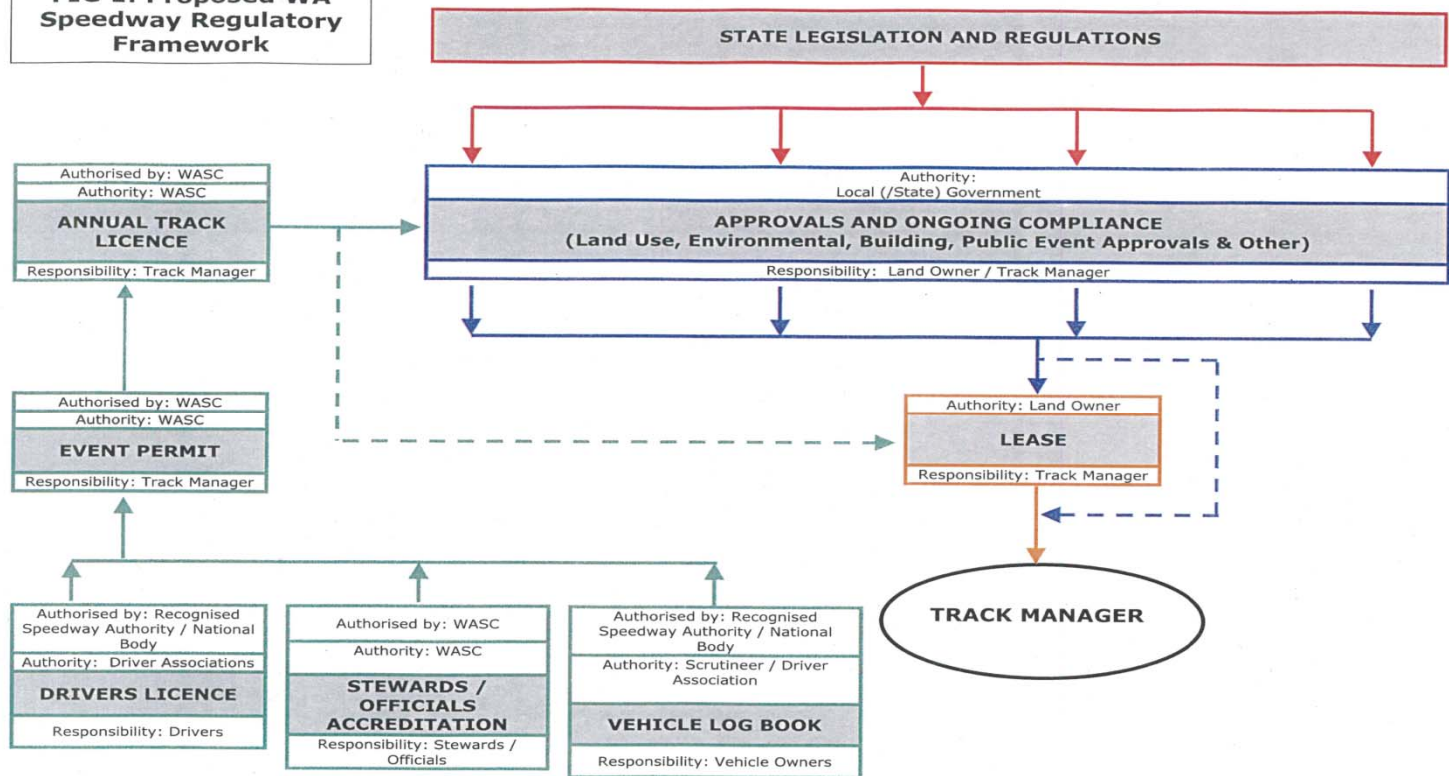
in conjunction with

West Australian Speedway Commission Inc

September 2010

Vision Statement

**FIG 1: Proposed WA
Speedway Regulatory
Framework**





1.0

INTRODUCTION

- A comprehensive stakeholder review of the current speedway regulatory system in WA has recently taken place to look at some of the risk issues associated with the sport of speedway. The focus of this review was to look at some of the risk issues associated with the industry and how the industry may be better governed and managed into the future.
- The outcome is a proposal to implement a new regulatory framework – one which is self-regulating and has the potential to benefit all stakeholders; Speedway participants, local and state government and the community.



2.0

BACKGROUND

- Speedway in WA has evolved over the last 20 years from a largely unstructured and informally managed sport in the 1990's, (ref. Report of WA Speedway Taskforce Feasibility Study (1998)) to a situation in 2010 where internationally affiliated National and State recognised peak bodies, namely National Association of Speedway Racers (NASR) and Western Australian Speedway Commission (WASC) are actively working together to support an existing self-regulated system of governance. However, despite these advances, a review conducted in 2008 (ref: An Approach to Strategic Leadership in the Speedway Industry 2008 – 2013) highlighted areas of concern, in particular relating to the unknown risk exposure and unclear roles and responsibilities within the WA speedway industry.
- Following an initial request from Department of Sport and Recreation, and in conjunction with WASC, RiskCover was invited to facilitate a review to better understand the risk exposures within speedway. In consultation with the industry stakeholders it soon became apparent that a risk based approach could be used not only to better understand the nature of the risk issues involved, but to provide an impetus for developing a whole of speedway solution that addresses a number of the outstanding governance issues within the industry.



3.0 WHY A NEW FRAMEWORK ?

- The focus of the review was to look at some of the risk issues associated with the industry and how the industry may be better governed and managed into the future. During this process, the working group have had the opportunity to evaluate the current system, and in doing so have come to the consensus that a new regulatory framework would benefit all stakeholders involved.
- The current system of governance in speedway is fragmented. Conflicting requirements and frequent rule changes can be costly for participants, resulting in reluctance by some to comply.
- There are many situations where the risks associated with operating speedway are well managed, controls are in place and as such, the community can enjoy a safe sport. However this is not always the case. A new framework is needed to improve both the safety and the safety culture across the whole of speedway.



3.0 WHY A NEW FRAMEWORK ?

- The overall majority of speedway participants support the move towards a more professional approach to the sport, and are in favour of a more strongly self-regulated system.
- The implementation of a new framework will give all involved an opportunity to deliver on two key outcomes for the sport;
- To improve standards of governance and management across all of speedway resulting in better management of the inherent risks in the sport and thereby reducing the likelihood and consequences of any adverse incidents.
- To ensure community perceptions of speedway are that of a safe, family sport not an “extreme” or “dangerous” sport



4.0 PRINCIPLES OF THE NEW FRAMEWORK

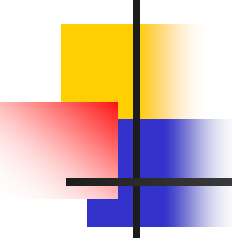
- **Refer to FIG 1 (Vision Statement)**
- The principles underpinning the proposed new framework are as follows:
- All Track Managers are to operate under a valid Track Licence. The licence will be issued by WASC subject to the Track Manager complying with the requirements set out in Attachment 1. These requirements will also include the need for Track Managers to have a valid Event Permit for each event held.
- Landowners, whether Local Government , State Government or private owners, will include the requirement for a Track Licence to be part of the lease conditions with the potential for closing down the track if the lease conditions are breached. WASC will be the issuing authority for Track Licences, and will also provide an oversight role, advising the relevant Local Government of any track that is found to be operating without a licence.



4.0 PRINCIPLES OF THE NEW FRAMEWORK

- **Refer to FIG 1**
- Local Government will require Track Managers to operate under a valid Track Licence as part of the Local Government approvals and compliance processes. WASC will again provide an oversight role, advising the relevant Local Government of any track that is found to be operating without a licence.

This would place the Track Manager in breach of the approval/compliance conditions and the Local Government would have the authority to close down the track.
- Event Permits are only valid providing that the Track Manager, Drivers, Vehicle Owners and Stewards/Officials comply with the requirement as set out in Attachment 1. Any breaches of these requirements will potentially invalidate the Track Licence. WASC will monitor compliance and advise the Landowner, Local Government of such breaches.



5.0 RISK ASSOCIATED WITH IMPLEMENTING THE NEW FRAMEWORK

- The following table (Table 1) outlines some of the risks issues associated with implementing this framework and also documents possible mitigation strategies. This information will assist in developing the initial scope, pre-requisites and requirements of the implementation project.
- Once the decision is made to go ahead with the new framework, a comprehensive risk assessment should be carried out as part of the implementation planning stage.

Table 1 Risks associated with implementing the new framework

Control Element	Risks	Possible Mitigation Strategies
1. Local Government Approvals	<p>1.1 Local Government refuses to include Track Licence as part of public building approval</p> <p>Causes;</p> <ul style="list-style-type: none"> - complex Local Government processes - potential lack of Local Government resources, skills and ability - potential lack of understanding of risks involved in operating speedway tracks and in particular, the consequences of not having adequate risk management and insurance coverage 	<ul style="list-style-type: none"> ■ Prepare information to identify the dangerous aspects of speedway ■ Develop communication strategy to sell the message of why the framework needs to change. ■ Meet with Local Government to develop new processes ensuring that no additional compliance burden is imposed on Local Government. ■ Local Government to delegate safety barriers and track inspection and approval process to WASC.
	<p>1.2 Mandatory Track Licence requirement may be ultra-vires</p>	<ul style="list-style-type: none"> ■ Seek legal status of mandatory WASC track licensing as part of Public Building approval

Table 1 Risks associated with implementing the new framework

Control Element	Risks	Possible Mitigation Strategic
<p>2. Lease</p>	<p>2.1 Local Government / private landowners elect not to include WASC Track Licence as a condition of the lease.</p> <p>Causes:</p> <ul style="list-style-type: none"> - not seeing the benefits or need - difficulty in changing lease conditions as many speedways are operating under a long term lease - lease can not be amended and a new one can not be offered as the tracks do not comply with current specifications 	<ul style="list-style-type: none"> ■ Stress importance of Track Licence as risk mitigation strategy for Local Government, landowners through comprehensive education/awareness program ■ Investigate if lease conditions can be changed mid term ■ Offer lessees time frame to be upgraded to new specifications as part of a new lease agreement
	<p>2.2 Local Government / private owners do not accept WASC as recognised experts</p>	<ul style="list-style-type: none"> ■ Ensure WASC is recognised by Local and State Government through effective communication and promotion strategies. ■ Identify how effective WASC will be at managing the sport and the benefits that will flow to Local Government and local community

Table 1 Risks associated with implementing the new framework

Control Element	Risks	Possible Mitigation Strategies
Track License & Event Permits – Insurance	<p>3.1 Speedway stakeholders (Track Owners, Track Managers, Drivers, Officials, Associations etc) do not have adequate insurance coverage appropriate to their level of involved risk/liability in speedway.</p> <p>Causes:</p> <ul style="list-style-type: none"> - Lack of understanding of risk exposure and need for risk management and insurance - Lack of appropriate insurance options for speedway participants (too expensive) 	<ul style="list-style-type: none"> ■ Education and awareness program focussing on risk exposure and insurance issues for all stakeholders. ■ Communicate to all stakeholders details of minimum insurance standards and potential risks in not having appropriate coverage. ■ Develop a minimum standard of insurance coverage for individual participant categories. ■ Investigate possibilities for arranging affordable insurance for all tracks (e.g. NASR insurance scheme)
	<p>3.2 Track Managers/Officials do not adequately check on insurance coverage and knowingly or unknowingly allow individual(s) to participate</p>	<ul style="list-style-type: none"> ■ Communicate consequences of not having minimum insurance requirements ■ WASC to require copies of relevant insurance certificates as part of Track Licence compliance oversight.
Track License & Event Permits – Governance	<p>3.3 Managing organisations such as Track Managers/ Associations do not have the necessary contemporary governance and/or management skills to achieve minimum levels of acceptable safety standards</p>	<ul style="list-style-type: none"> ■ Minimum governance & management standards developed by WASC ■ Promotion and enforcement of minimum governance and management standards linked to attainment of track license.

Table 1 Risks associated with implementing the new framework

Control Element	Risks	Possible Mitigation Strategies
3. Track Licence & Event Permits – Implementation	<p>3.4 WASC safety guidelines/track operational procedures and supporting materials not in place.</p> <p>Causes:</p> <ul style="list-style-type: none"> - lack of WASC resources, ability, funding 	<ul style="list-style-type: none"> Review of WASC governance and management structure to meet the requirements of the new framework (including resource planning and funding)
3. Track Licence & Event Permits – Implementation	<p>3.5 WASC unable to complete annual inspections</p> <p>Causes:</p> <ul style="list-style-type: none"> - lack of WASC resources, funding 	<ul style="list-style-type: none"> Review of WASC governance and management structure to meet the requirements of the new framework (including resource planning and funding) Scrutineers/Stewards to be made responsible for assessing track barriers pre-race and reporting problems directly to WASC. Track barrier assessments to be part of Scrutineers/Steward/officials training
3. Track Licence & Event Permits – Implementation	<p>3.6 Potential for conflicting guidelines from different stakeholder groups and industry bodies</p>	<ul style="list-style-type: none"> WASC to be pro-active in managing stakeholder relationships with respect to this issue.

Table 1 Risks associated with implementing the new framework

Control Element	Risks	Possible Mitigation Strategies
4. Drivers Licenses	4.1 Other licenses pose risk to implementation (different criteria stipulated)	<ul style="list-style-type: none"> Education and awareness program for drivers
5. Steward/Officials Accreditation License	5.1 Inability to comply with requirements for accredited Stewards caused by turnover of Stewards/Officials/scrutineers going in and out of our sport, and demand to train new Scrutineers/Stewards/officials (resulting in 20% non-accreditation)	<ul style="list-style-type: none"> Review of WASC governance and management structure to meet the requirements of the new framework (including resource planning and funding)



6.0 RECOMMENDATIONS

- The key recommendation arising from the review is to initiate a project to implement a new WA Speedway Regulatory Framework. An initial project brief has been developed, as follows:
- **WA Speedway Regulatory Framework Implementation Project**
- Project Objective:
- To implement a new regulatory framework for WA Speedway which:
- improves governance and management of speedway in WA , thereby reducing the risks inherent in the sport, and
- changes community perceptions of speedway to that of a safe, family sport.



WA Speedway Regulatory Framework Implementation Project

- **Scope:** An initial scope has been defined as:
 - *Phase 1:*
 - Local Government consultation focussing on the role of Local Government in speedway, modifications to relevant approval and lease processes, and achieving LG support for the change
 - Broader stakeholder consultation (track operators, industry bodies)
 - Conduct a governance and management review of WASC (including a review of funding)
 - *Phase 2:*
 - Implement the findings of the WASC governance review (possibly new governance and management structure)
 - Co-ordinate the development of materials (WASC compliance documentation, support and guidance materials)



WA Speedway Regulatory Framework Implementation Project

- **Scope:** An initial scope has been defined as:
- *Phase 3:*
- Research and deliver strategies for affordable insurance for Track Managers
- Develop and deliver education and awareness programs for Landowners (Local Government and Private) regarding liability/ risk management / insurance matters
- Develop and deliver awareness/education programs and promotion of the new framework to Speedway stakeholders



LOCAL GOVERNMENT APPROVALS

- **(LAND PLANNING & DEVELOPMENT APPROVAL/ENVIRONMENTAL PLANNING APPROVAL/PUBLIC BUILDING APPROVAL/PUBLIC EVENT APPROVAL/OTHER**
 - **AUTHORISED BY:** Local/State Government
 - **RESPONSIBILITY TO COMPLY:** Land Owner/Track Manager
-

REQUIREMENTS

- Compliance with Town Planning Scheme
- Compliance with Building Codes and Regulations
- Compliance with Environmental Protection Act and Regulations
- Compliance with Health Act requirements
- Compliance with OSH Act requirements
- Compliance with Public Event Guidelines

- **COMPLIANCE WITH REQUIREMENT TO HOLD VALID TRACK LICENCE**



LOCAL GOVERNMENT APPROVALS

- **(LAND PLANNING & DEVELOPMENT APPROVAL/ENVIRONMENTAL PLANNING APPROVAL/PUBLIC BUILDING APPROVAL PUBLIC EVENT APPROVAL/OTHER)**
 - **AUTHORISED BY:** Local/State Government
 - **RESPONSIBILITY TO COMPLY:** Land Owner/Track Manager
-

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Public Building Regulations (DoH/LG)
- EPA Regulations (EPA/LG)
- Health Act and Regulations (DoH/LG)
- Public Event Guidelines (DoH)
- Speedway Track Operators Manual - (WASC)



LEASE

AUTHORISED BY: Land Owner
RESPONSIBILITY TO COMPLY: Track Manager

REQUIREMENTS

- Compliance with Public Event Guidelines
 - **COMPLIANCE WITH REQUIREMENT TO HOLD VALID TRACK LICENCE**
-

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Public Event Guidelines (DoH)
- Speedway Track Operators Manual (WASC)



ANNUAL TRACK LICENCE

AUTHORISED BY: WASC
RESPONSIBILITY TO COMPLY: TRACK MANAGER

REQUIREMENTS

- Ongoing maintenance programme (Racetrack)
- Ongoing maintenance programme (Safety Barriers)
- Ongoing maintenance programme (Out Buildings)
- Appropriate public liability and event insurance (Track Manager)
- Proof of appropriate property insurance (Land Owner)
- Compulsory safety clothing (Officials)
- Compulsory risk management plan for all activities carried out at the track
- Compulsory emergency plan
- **COMPLIANCE WITH REQUIREMENT TO HOLD VALID EVENT LICENCE**

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Speedway Track Operators Manual (WASC)
- Minimum Safety Speedway Guidelines (WASC)
- Insurance Plan – Industry Standard – minimum requirements
- Association Guidelines (WASC / Driver Associations)
- Australian Speedway Racing Rules and Regulations (NASR)
- Officials Training (WASC)
- Risk Management Register Template (WASC)
- Note: Support and compliance documentation to be reviewed and consolidated as part of this project



EVENT PERMIT (for AUTHORISED RACE MEETINGS)

**AUTHORISED BY: WASC
RESPONSIBILITY TO COMPLY: TRACK MANAGER**

REQUIREMENTS

- Compulsory event specific insurance
- Event Management Plan (incl event monitoring and risk management) – one per season plus individual race amendments
- Compulsory and ongoing event vehicle inspection
- Compulsory use of accredited officials (incl minimum numbers)
- Compulsory use of accredited / licensed event support staff (incl minimum numbers)
- Appropriate ratio of accredited officials to race meeting
- Appropriate ratio of accredited officials to volunteers

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Insurance Plan- Industry Standard – minimum requirements
- Public Event Guidelines (DoH)
- Speedway Track Operators Manual (WASC)
- Event Permit Guidelines (WASC)
- Note: Support and compliance documentation to be reviewed and consolidated as part of this project



DRIVERS LICENSE

- **AUTHORISED BY: Recognised Speedway Authority/National Body**
 - **RESPONSIBILITY TO COMPLY: Drivers**
-

REQUIREMENTS

- Compulsory medical check
 - Competency based driver training
 - Proof of appropriate personal accident insurance
-

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Recognised Insurance Company's and Association Guidelines
- Medical Form (NASR / Driver Associations)



STEWARDS/OFFICIALS ACCREDITATION

- **AUTHORISED BY: WASC**
- **RESPONSIBILITY TO COMPLY:**
- **Stewards/Officials/Scrutineers**

REQUIREMENTS

- Event briefing to drivers (incl duty of care statement)
- Pre-event briefing to officials

■ **SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION**

- Accreditation Training (WASC)
- Steward/Officials Guidelines (WASC)
- Scrutineer Guidelines (WASC)



VEHICLE LOG BOOK

AUTHORISED BY: Club/State/National Body Scrutineer
RESPONSIBILITY TO COMPLY: Vehicle Owners

REQUIREMENTS

- Compulsory safety clothing (driver)
 - Compulsory registration of vehicles (incl licence and registration)
 - Vehicle safety check
-

SUPPORT, GUIDANCE & COMPLIANCE DOCUMENTATION

- Association Guidelines (WASC / Driver Associations)
- Australian Speedway Racing Rules and Regulations (NASR)
- National Body/Recognised Authority Vehicle Specifications
- Scrutineer Accreditation Training (WASC)



Acknowledgement

- We DSR & WASC thank the following persons for their time and support in the undertaking of the WA Speedway - New Governance Framework

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