1. Key legislation governing railway construction and operation in Queensland was largely enacted in the era of government owned corporation (GOC) railway operations, with the state owning both land and rail infrastructure and Queensland Transport regulating Queensland Rail’s (QR’s) operations. A feature which underpins this regulatory environment is that railways were designed, built and operated for multiple users.
2. However, with the increasing trend towards private railway developments, there is the need to consider whether current policies and procedures are adequate. The developments of the AirTrain, Bauhinia Regional, Surat Basin Rail and Hancock railways demonstrate that a range of policy and procedural approaches exist to coordinate private railway developments in Queensland. Currently, private railways are being facilitated on a case-by-case basis, with state agencies developing policy and project-specific legislation as required.
3. Given the number of new projects being proposed, and in order to maximise their employment and economic benefits and minimise their environmental and social impacts, it is important that a consistent and comprehensive approach be adopted to cater for all private railway developments. A coherent policy will assist state agencies and private proponents to anticipate project-related challenges before they emerge.
4. Cabinet endorsed that the Queensland Government’s facilitation of private sector railway proposals ensure that future railways should be developed:

* preferably on an open access basis and rely on existing state and Commonwealth legislation to apply access where appropriate;
* where economics and the environmental impact statement conditioning will determine the scope and configuration of greenfield corridors;
* with brownfield expansions preferably aligning with existing infrastructure corridors in order to minimise land use and resource conflicts;
* with the Coordinator-General facilitating significant private railways, lacking a direct public purpose and involving complex land acquisition issues, up to practical completion of railway construction;
* with the Department of Transport and Main Roads (DTMR) negotiating and offering long-term leases in accordance with existing head lease/sublease arrangements;
* with DTMR facilitating railway proposals with a clear public purpose and to take responsibility for operational oversight of all private railways, and
* in accordance with an agreement framework to ensure government objectives are achieved, especially the minimisation of cost and risk to the state.

1. *Attachments*

* Nil.