



Queensland

Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 194

made under the

Transport Infrastructure Act 1994

General outline

Short title

Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2012.

Authorising law

Section 490 of the Transport Infrastructure Act 1994.

Policy objectives and the reasons for them

The amendment regulation will achieve the intent of the legislation in ensuring that high vehicles are prohibited from entering a railway crossing in certain instances across the whole of the SEQ network.

Under the legislation, the height of the vehicle allowed on the crossing is dependant upon the location of the crossing in relation to the South East Queensland (SEQ) electrified track. The SEQ electrified track is defined in section 28 of the Transport Infrastructure (Rail) Regulation 2006 as the electrified railway track between Brisbane Central Station and any of the following places:-

- 2km north of Caboolture station;

- Acacia Ridge terminal;
- Cleveland station;
- Eagle Farm station;
- Exhibition station;
- Ferny Grove station;
- Ipswich station;
- Moolabin terminal;
- Robina station; and
- Shorncliffe station.

The *Transport Infrastructure (Rail) Regulation 2006* now requires amendment to clarify the boundaries of the rail network. Specifically, the Ipswich line terminates at Rosewood, the Gold Coast line now terminates at Varsity Lakes and the railway from Darra to Richlands has recently been constructed. This amendment will ensure that the entire SEQ rail network is protected from high vehicles entering a railway crossing in certain circumstances.

Achievement of policy objectives

The amendment regulation achieves the policy objective of ensuring that high vehicles are prohibited from entering a railway crossing in certain instances across the SEQ network by amending the definition of SEQ rail network in section 28 of the *Transport Infrastructure (Rail) Regulation* to correctly identify that Rosewood (in place of Ipswich), Varsity Lakes (in place of Robina) and Richlands (a new station/branch line) are listed as boundaries of the SEQ electrified track.

Consistency with policy objectives of authorising law

The amendments are consistent with the policy objectives of section 2 of the *Transport Infrastructure Act 1994*, which for rail, is to -

(2)(d) establish a regime that—

(i) contributes to overall transport effectiveness and efficiency; and

(ii) provides for the safety of railways and persons at, on or near railways; and

(iii) contributes to lower transport costs by allowing the maximum flexibility in rail transport operations consistent with achieving safety objectives; and

(v) allows railway managers and operators to make decisions on a commercial basis.

Inconsistency with policy objectives of other legislation

There are no inconsistencies with the policy objectives of other legislation.

Benefits and costs of implementation

There will be no appreciable costs associated with implementing these amendments. The benefit of implementing the amendments will remove any ambiguity in the current legislation.

Consistency with fundamental legislative principles

The amendments are consistent with the fundamental legislative principles.

Consultation

Queensland Rail, the relevant railway manager for the South East Queensland rail network, has been consulted and supports the amendments.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Transport and Main Roads.

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