

Agreement in Principle

Mr DAVID HARRIS (Wyong—Parliamentary Secretary) [10.49 a.m.]: I move:

That this bill be now agreed to in principle.

The Roads Amendment (Private Railways) Bill represents a minor amendment to the Roads Act 1993. The proposed amendment seeks to clarify the obligations and responsibilities of the Roads and Traffic Authority to carry out civil works that involve private railway lines. The amendment also seeks to protect the interests of private railway owners. It will ensure that a private railway is not taken to have been severed or closed merely because the Roads and Traffic Authority carries out civil works on, over, below or in the vicinity of a private railway. The amendment will provide legal certainty to works that will be undertaken as part of the construction of the Hunter Expressway.

The \$1.7 billion Hunter Expressway project is the biggest road infrastructure project the Hunter has ever seen. In recognising its strategic significance, the Labor Federal Government has committed \$1.5 billion to the Hunter Expressway from the Building Australia Fund. The New South Wales Government is contributing a further \$200 million towards the project. The project involves the construction of a four-lane freeway link between the F3 Freeway near Seahampton and the New England Highway west of Branxton, providing a new east-west connection between Newcastle and the lower Hunter. Once complete, the Hunter Expressway will provide 40 kilometres of high-standard, dual-carriage freeway. This massive project will provide a direct boost to the New South Wales economy by creating more than 800 direct jobs and 2,400 indirect jobs.

This key piece of road infrastructure will improve the efficiency of the national network between Sydney, Newcastle and Brisbane; relieve congestion on the New England Highway, particularly between Newcastle and Maitland; provide a more direct, safer and efficient route for the movement of freight between central Queensland, northern and central western New South Wales and the port of Newcastle; provide a transport artery between the regional centre of Newcastle and urban growth centres in the lower Hunter; and promote tourism in the Hunter, particularly for the vineyard and equine attractions. It will reduce between 15,000 and 30,000 vehicles per day on the New England Highway, according to projected traffic levels in 2031, noted in the Lower Hunter Transport Needs Study.

In constructing the Hunter Expressway, specific works are required to realign a 900-metre long section of a privately owned railway line. The realignment includes the construction of a new railway bridge over the proposed expressway. The new railway bridge and deviation track will be constructed and funded by the Roads and Traffic Authority as part of this \$1.7 billion project. The railway in question is established and governed by a private Act, the Aberdare Collieries Railway Act 1901, and is managed by a private corporation, the South Maitland Railway, known as SMR. The railway is a small siding that connects to the main public railway line. The railway is currently used by a single mine, owned by Austar Coal Pty Ltd, to transport its coal to Port Waratah.

I will now outline the specific amendments to the Roads Act, which this bill proposes. First, the bill clarifies the definition of "road work" in the dictionary of the Act to explicitly refer to rail infrastructure and its installation or relocation. This has the effect of identifying that the Roads and Traffic Authority's roadwork powers explicitly provide for work required to install or relocate railway infrastructure. The amended definition of "roadworks" proposed by the bill will explicitly cover the relocation and connection works associated with the 900-metre long section of the private rail line that needs to be relocated. The new section of railway line will be built to modern standards and the ends of the new section will need to be connected to the existing railway line. Secondly, the bill proposes the insertion of a new division on private railways. This division provides that a private railway is not taken to have been severed or closed merely because the Roads and Traffic Authority carries out road work on, over, below or in the vicinity of a private railway. This will facilitate the continued operation of the new section of the rail line as part of the South Maitland Railway once the works are completed.

The bill is the result of extensive consultation with the Department of Justice and Attorney General and the Land and Property Management Authority regarding property and compensation issues. It was a key consideration that the bill does not affect the rights to compensation to which the private railway may be entitled under the Land Acquisition (Just Terms) Act 1991. Finally, and perhaps most importantly, the amendments proposed by the Roads Amendment (Private Railways) Bill will facilitate the construction of the \$1.7 billion Hunter Expressway. The new expressway will provide a more direct, safer and efficient route for the movement of freight between central Queensland, northern and central western New South Wales and the port of Newcastle. The Hunter Expressway will be a key transport artery between the regional centre of Newcastle and urban growth centres in the lower Hunter. This bill facilitates the construction of major regional infrastructure. The amendments are modest and proportional. I commend the bill to the House.