

Agreement in Principle

Mr DAVID CAMPBELL (Keira—Minister for Transport, and Minister for the Illawarra) [4.29 p.m.]: I move:

That this bill be now agreed to in principle.

The New South Wales public rightly expects that the State's assets are available for positive community benefit. At the present time there are just more than 3,000 kilometres of non-operational rail lines across New South Wales where train services have ceased operating—some services ceased operating more than 30 years ago. Even though these lines are no longer part of the New South Wales operating rail network, they represent a significant historical investment in the transport and community network of the State. They were instrumental in shaping New South Wales' development, especially its rural and regional areas, and provided important linkages to markets, larger towns and capital cities. However, modes and patterns of passenger and freight transport have changed significantly since these rail lines were built, and in many cases, while there is strong community attachment to their retention as rail lines, there is little likelihood they will ever be required for train operations or other forms of transport.

This currently idle asset offers enormous potential benefit for communities in rural and regional New South Wales. The bill introduces changes to once again allow for their use by the public through their development, especially as rail trails for walking, cycling or potentially horseriding. Rail trails are in place worldwide. Victoria, South Australia, Queensland, Tasmania and Western Australia have converted disused rail lines for rail trails. I am aware that there are eight proposals for rail trails in New South Wales. Given this interest, the Government wants New South Wales communities to reap the social and economic benefits rail trails are delivering in other States. The bill will allow us to free up the untapped value of this important community asset. Rail trails offer fabulous recreational opportunities to families in rural and regional areas.

As well, rail trails are a significant tourist attraction and, importantly, for many local economies struggling with drought and unfavourable economic conditions, the tourist dollar will benefit local businesses. Rail trails can in fact be an incentive to business development. The model we are adopting involves transferring on a case-by-case basis disused corridors to the Lands Administration Ministerial Corporation within the Land and Property Management Authority, which then will work with community groups to develop the corridors as rail trails or for other community purposes. This is similar to the very successful rail trails model in Victoria. It is anticipated that in many cases the Land and Property Management Authority would pass the care, control and management of the corridor to a reserve trust manager, for example, a local council.

The Lands and Property Management Authority has a proven record with managing similar trails, including short walking tracks on Crown reserves near urban areas and longer distance walking trails such as the Great North Walk from Sydney to Pokolbin and the Six Foot Track linking Katoomba and the Jenolan Caves. The approach the Government is introducing will promote development in rural and regional New South Wales while at the same time retain the corridor land in public ownership. Current legislation does not allow for the ready transfer of rail corridors into the administration of the Land and Property Management Authority. This is because disposal of rail corridor land or removal of railway tracks or other infrastructure legally cannot occur unless the line is closed, which requires an Act of Parliament.

The bill enables the transfer of lines, declared by the Minister for Transport to be disused railway lines, to the Lands Administration Ministerial Corporation and its management under the Crown Lands Act 1989 for community purposes, without necessitating closure. The bill also allows the Minister for Transport the discretion to have a corridor revert back to transport use, should this be required in the future. As a further safeguard, railway corridors administered by the Land and Property Management Authority under these arrangements will not be able to be sold. I understand that prior to requesting the Minister for Transport to transfer a rail corridor to the Lands Administration Ministerial Corporation, the Land and Property Management Authority will facilitate community consultation on the proposal for its use, including with adjoining landholders, to establish the feasibility of the proposal and to address any legitimate concerns.

In most cases development of rail trails will require removal of the remnant rail infrastructure—the old track, sleepers and any other structures. At the moment this also cannot be done without formally closing the line. In some cases the proceeds of selling that obsolete infrastructure could be used for the development of the rail trail. Even where no rail trails are proposed, the infrastructure is not needed; it is just lying idle. In the unlikely event that train services were ever to resume on a disused track, it would all need to be replaced as it would have seriously deteriorated. In the meantime, expenditure on essential maintenance is required just to ensure safety, and there are better ways to spend this money for community benefit. The sale of any scrap from railway lines is not likely to be a major source of revenue, but we should be able to clear them of old infrastructure and realise whatever value they hold.

The bill allows for both removal and disposal of infrastructure from any non-operational rail line without the line

needing to be closed. We do not expect that the demand for rail trails means that all 3,000 kilometres of disused track would be developed for such use. In cases where there is no interest in developing corridors for this purpose the Government believes there may be instances where the best outcome for the community may be to consider closing and disposing of the corridor. Any proposal to close and sell a rail line would be exposed to appropriate scrutiny as, for some communities, it could mean losing a valued public asset.

Proposals to formally close and sell a rail line would be subject to community consultation and, in assessing such a proposal, consideration would be given to relevant factors that could include why closure is being sought, the potential for reintroduction of train or other transport services and the broader public interest considering the views of key stakeholders and the local communities. The bill therefore enables the Minister for Transport to authorise, on a case-by-case basis and following public consultation, the closure of a line declared by the Minister to be a disused railway line. This would facilitate the sale of such corridors where appropriate. I commend the bill to the House.