



In considering the proposed reforms, the LGAQ has made five key recommendations including:

- **Recommendation 1:** The LGAQ recommends the NTC prioritises improvements to road rail interface agreements in a way that is practical for road managers, aligns responsibility with control of corridor access, streamlines routine maintenance approval within rail corridors, and avoids creating additional and unfunded obligations and compliance risks for councils.
- **Recommendation 2:** The LGAQ recommends the NTC supports a more standardised and scalable interface agreement approach for road managers, including clearer default positions on responsibility to reduce negotiation and enable consistent application across councils of different sizes and capacities.
- **Recommendation 3:** The LGAQ recommends the NTC ensures reforms to interface agreements settings optimise the delivery of routine maintenance and safety treatments at road rail interfaces, by investigating options that better align responsibilities, corridor access arrangements, and approval processes so works can be undertaken efficiently and within appropriate timeframes.
- **Recommendation 4:** The LGAQ recommends the NTC and the Office of the National Rail Safety Regulator (ONRSR) co-design reforms with local government, prior to reforms being implemented, to ensure the final framework is practical and deliverable.
- **Recommendation 5:** The LGAQ recommends the NTC ensures the Decision Regulatory Impact Statement (D-RIS) explicitly assesses and addresses the impact of interface agreement reforms on road managers, including administrative burden, corridor access related delays, and resourcing constraints.

The LGAQ looks forward to working collaboratively with the NTC to strengthen road rail interface agreements across Queensland and to ensure future reforms are practical, achievable and developed in partnership with local government.

Should you wish to discuss any aspect of this submission, please do not hesitate to contact Crystal Baker, Manager – Strategic Policy via [REDACTED] or Jarrod Hellmuth, Lead – Roads and Transport via [REDACTED] or phone 1300 542 700.

Yours sincerely,

<signature removed>

Alison Smith  
CHIEF EXECUTIVE OFFICER





Every Queensland  
community deserves  
to be a liveable one

# Rail Safety National Law – Consultation Regulatory Impact Analysis Statement

Submission to the  
National Transport Commission

May 2026

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## About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

# Rail Safety National Law – Consultation Regulatory Impact Analysis Statement (C-RIS)

## 1.0 Executive Summary

The LGAQ welcomes the opportunity to provide input to the National Transport Commission (NTC) Rail Safety National Law (RSNL) Consultation Regulatory Impact Analysis Statement (C-RIS).

Queensland councils are the road managers for extensive local road networks that intersect with rail corridors, and they have direct operational exposure to road rail interface risks through level crossings, road approaches, signage, line marking, pavement condition, and public assets located within rail corridors. As a result, councils have a strong interest in reforms that improve the effectiveness of the interface agreements, clarify responsibilities and ensure risk controls can be implemented in practice.

Queensland councils support the objective of strengthening road rail interface agreements to improve safety outcomes. However, councils are concerned that reforms that expand regulatory powers or formalise stronger interface agreement obligations may result in unintended consequences for local government if they increase compliance exposure, administrative burden, or expectations to deliver safety outcomes without commensurate authority, access control or resourcing.

These unintended consequences risk undermining broader policy objectives by slowing routine maintenance and renewal activities at level crossings, increasing project delays and inefficiencies, and extending the period that known defects remain unaddressed due to corridor access constraints.

As the level of government receiving only three per cent of total taxation revenue nationally, councils cannot continue to absorb growing regulatory and process driven burdens that increase the cost of delivering core road maintenance and safety activities. This is further evidenced by the LGAQ's Cost Shifting Report<sup>1</sup>, which quantifies the impact of cost shifting by other levels of government on to councils and the communities they serve.

Across Queensland, councils are responsible for delivering a range of essential services and infrastructure that support the liveability and safety of their local communities, while operating within a constrained financial environment and managing significant asset management backlogs across transport networks. They do this while navigating a challenging financial environment as evidenced by the 2024 Queensland Audit Office report into local government financial sustainability, which found 48 out of Queensland's 77 councils are at moderate to high risk of not being financially sustainable<sup>2</sup>.

This submission has been informed by the LGAQ Policy Statement, previous LGAQ Annual Conference resolutions and engagement with councils through various meetings and discussions, capturing contemporary perspectives across Queensland.

<sup>1</sup> LGAQ Cost Shifting Report (2024) – available online [here](#).

<sup>2</sup> [QAO Financial Audit report - Local government 2023 \(Report 8: 2023-24\)](#)

The LGAQ's overarching position is that RSNL reforms should retain a strong focus on improving safety outcomes at road rail interfaces, while ensuring the framework is practical, proportionate and aligned to on-ground delivery realities for road managers. Reforms should support timely maintenance and risk treatment by aligning responsibility with control of access, streamlining routine maintenance approvals and avoiding new and unfunded obligations or compliance risks for councils.

## 1.1 Recommendations

In total, the LGAQ has made five key recommendations for consideration of the National Transport Commission which are summarised below:

- **Recommendation 1:** The LGAQ recommends the NTC prioritises improvements to road rail interface agreements in a way that is practical for road managers, aligns responsibility with control of corridor access, streamlines routine maintenance approval within rail corridors, and avoids creating additional and unfunded obligations and compliance risks for councils.
- **Recommendation 2:** The LGAQ recommends the NTC supports a more standardised and scalable interface agreement approach for road managers, including clearer default positions on responsibility to reduce negotiation and enable consistent application across councils of different sizes and capacities.
- **Recommendation 3:** The LGAQ recommends the NTC ensures reforms to interface agreements settings optimise the delivery of routine maintenance and safety treatments at road rail interfaces, by investigating options that better align responsibilities, corridor access arrangements, and approval processes so works can be undertaken efficiently and within appropriate timeframes.
- **Recommendation 4:** The LGAQ recommends the NTC and the Office of the National Rail Safety Regulator (ONRSR) co-design reforms with local government, prior to reforms being implemented, to ensure the final framework is practical and deliverable.
- **Recommendation 5:** The LGAQ recommends the NTC ensures the Decision Regulatory Impact Statement (D-RIS) explicitly assesses and addresses the impact of interface agreement reforms on road managers, including administrative burden, corridor access related delays, and resourcing constraints.

If you have any questions regarding this submission, please do not hesitate to contact Crystal Baker, Manager – Strategic Policy via [REDACTED] or Jarrod Hellmuth, Lead – Roads and Transport via [REDACTED] or phone 1300 542 700.

## 2.0 Introduction

Queensland councils are road managers for extensive local road networks that intersect rail corridors and level crossings, and they have direct operational exposure to road rail interface risks through the condition and safety performance of road approaches, pavement, line marking, signage and related treatments.

The LGAQ supports the objective of improving safety outcomes at road rail interfaces and strengthening the effectiveness of interface agreement settings. Council feedback indicates that the core challenge is ensuring interface agreements are workable in practice and support timely maintenance, particularly where corridor access and approval processes sit with the rail entity. For councils, the practical delivery realities of working within rail corridors combined with varying local government capacity can create delays, inefficiencies and avoidable compliance exposure even when councils are actively seeking to meet their obligations.

The following submission aligns with the agreed policy positions of local government as articulated in the LGAQ Policy Statement<sup>3</sup> (**Attachment 1**) and previous LGAQ Annual Conference Resolutions (**Attachment 2**) passed by Queensland councils.

The LGAQ's feedback has been informed by engagement with local governments through a combination of meetings and discussions. This feedback has provided valuable insight into current concerns with the policy options outlined in the C-RIS and the potential consequential impacts on interface agreements for Queensland.

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<sup>3</sup> [LGAQ Policy Statement 2025](#)

### 3.0 LGAQ Response to the C-RIS

The LGAQ acknowledges and supports the overarching policy intent of the proposed Rail Safety National Law (RSNL) reforms to improve national rail safety outcomes, strengthen transparency and accountability, and enhance the effectiveness of road rail interface agreements.

Specifically, the LGAQ understands the C-RIS outlines a suite of legislative reforms arising from the targeted RSNL Review, with reforms grouped around interoperability and transparency and accountability, including proposed amendments that would strengthen the framework for interface agreements between rail transport operators and road managers, and expand the role of the Office of the National Rail Safety Regulator (ONRSR) in overseeing and influencing those agreements.

Queensland councils support the objective of improving road rail interface agreements to better manage risks at level crossings. Councils have direct operational exposure as road managers, including responsibilities for road approaches, pavement condition, line marking, and signage that directly influence safety outcomes. Councils also recognise that interface agreements can be undermined where roles are unclear, processes are inconsistent, or agreements are not sufficiently practical to enable timely risk controls and routine maintenance to occur.

However, councils are concerned that strengthening interface agreement obligations or expanding regulatory powers, may have unintended consequences for local government if reforms increase compliance exposure or administrative burden. The risk is heightened where reforms do not address the core practical constraints raised by councils, namely that routine maintenance and renewal activities within rail corridors and exclusion zones can be dependant on scheduled corridor access system closures and rail entity support.

- **Recommendation 1:** The LGAQ recommends the NTC prioritises improvements to road rail interface agreements in a way that is practical for road managers, aligns responsibility with control of corridor access, streamlines routine maintenance approval within rail corridors, and avoids creating additional and unfunded obligations and compliance risks for councils.

This section responds specifically to elements of the C-RIS that are of greatest relevance to local government as road managers, with a particular focus on the proposed reforms relating to road rail interface agreements at level crossings, the practical operation of access and approval processes within rail corridors, and the proposed expansion of the ONRSR's role in reviewing or directing amendments to interface agreements.

Other sections of the C-RIS relate primarily to rail interoperability reforms within the rail sector, including national network standards, technology approvals, and rail workforce competency settings. These have not been addressed in detail throughout this submission as they have limited relevance to local government functions and responsibilities.

### 3.1 Road Rail Interface Agreements

The LGAQ supports reforms that improve the effectiveness of road rail interface agreements as these agreements are the primary mechanism through which interface risks at level crossings are identified, allocated and managed between rail entities and road managers.

The C-RIS recognises that interface agreements have not always worked effectively and that the current framework does not ensure effective risk management as road managers are only required to consider entering into an agreement, with no requirement to finalise it or ensure it is fit for purpose.

Feedback from councils aligns with this problem statement and highlights that the effectiveness is often constrained by practical delivery realities within rail corridors and by local government capacity. While some councils have established agreements, others report difficulties progressing, updating or fully operationalising interface agreements due to the complexity of corridor-based risk allocation and limited internal scope to manage detailed interface processes alongside core service delivery.

Similarly, councils with interface agreements also report that in many cases annual review meetings are not taking place which limits the opportunities for collaborative assessment and continuous improvement.

- **Recommendation 2:** The LGAQ recommends the NTC supports a more standardised and scalable interface agreement approach for road managers, including clearer default positions on responsibility to reduce negotiation and enable consistent application across councils of different sizes and capacities.

Council officers have also raised concerns that even where responsibilities are described in interface agreements, councils may not be able to deliver those responsibilities in practice, due to corridor access constraints.

Routine road maintenance activities at crossings, including pavement maintenance and line marking renewal within exclusion zones, may only occur during scheduled corridor access system closures, with support from the rail entity. This can result in councils being allocated a maintenance responsibility while not controlling the precondition to performing it. In practice, this creates delays, inefficiencies and extended periods where known defects at crossing cannot be addressed promptly which undermines the intent of interface agreements to manage safety risks.

In 2021, Queensland councils passed a resolution at the LGAQ Annual Conference calling for an amendment to Queensland's *Transport Infrastructure Act 1994* to clarify that Rail Infrastructure Managers retain all responsibility for the area defined as the 'Danger Zone', particularly where this zone intersects with a road corridor.

Further, the resolution called for a review of road rail interface agreements to ensure councils can carry out maintenance on assets under their control, without the requirement to gain approval from a rail entity. This highlights the challenge that current responsibility allocation presents for councils, where responsibilities may be assigned through interface agreements, but the ability to deliver those responsibilities is constrained by corridor access controls and approval pathways managed by the rail entity.

Following the passing of this resolution, the LGAQ established a working group comprised of representatives from LGAQ, local government, ONRSR and various rail managers to improve

how risks are managed between parties. The working group developed a range of materials to assist in identifying and managing risks which may be present, however it is noted that many councils continue to experience challenges when it comes to agreeing on responsibilities and procedures.

- **Recommendation 3:** The LGAQ recommends the NTC ensures reforms to interface agreements settings optimise the delivery of routine maintenance and safety treatments at road rail interfaces, by investigating options that better align responsibilities, corridor access arrangements, and approval processes so works can be undertaken efficiently and within appropriate timeframes.

The C-RIS also outlines reform options proposing to give ONRSR powers to review and direct amendments to interface agreements to ensure they are suitable for the effective management of safety, interface risks, and powers to direct improvements where no agreement is in place. While there is value in this proposal, the design of these powers will be critical to whether the reforms improve outcomes for road managers or inadvertently shift additional compliance risk onto local governments.

From a local government perspective, the core compliance risk is that stronger interface agreement powers and enforcement settings could increase expectations on councils to deliver maintenance and risk controls within specified timeframes, even where councils do not control the key precondition to delivery.

Without safeguards that recognise practical constraints, councils may be subject to increased regulatory scrutiny, liability and risk for matters that are not reasonably practicable to address under the current corridor access and approval arrangements.

- **Recommendation 4:** The LGAQ recommends the NTC and the Office of the National Rail Safety Regulator (ONRSR) co-design reforms with local government, prior to reforms being implemented, to ensure the final framework is practical and deliverable.

Overall, the LGAQ supports improvements to interface agreement settings where it leads to clearer, more consistent and workable arrangements that enable timely maintenance and risk controls at level crossings. Reforms will be most effective where they improve practical delivery on the ground, optimise routine maintenance at road rail interfaces, and avoid creating new compliance exposure for councils where constraints on corridor access and approvals sit outside of local government control.

### 3.2 Resources and implementation

While the C-RIS largely assesses impacts across rail transport operators and the ONRSR, the potential interface agreement reforms create a distinct impact profile for road managers that can be understated if the analysis is rail sector centric.

The cost of interface agreements is not confined to physical works for local governments. It includes the ongoing administrative and operational effort required to negotiate, update and maintain interface agreements, coordinate routine maintenance within rail corridors, secure corridor access windows, and comply with approval, safety and documentation processes that sit outside of normal road maintenance practice.

Councils have advised that these requirements can be disproportionately burdensome for smaller councils with limited internal scope.

Where access to undertake routine pavement and landmarking works is dependant on corridor access system closures and rail entity support, councils can incur repeated planning and mobilisation costs, delays to internal maintenance programs, and additional traffic management and supervision costs as works are rescheduled to match availability. This also creates a risk that known defects remain in place for longer periods which increases safety exposure and community concern, even where councils have been actively attempting to progress works. These impacts can be difficult to quantify in a national analysis unless road manager transaction costs, resourcing constraints, and the practical realities of corridor access are explicitly recognised and tested through consultation.

This issue is most relevant to Consultation Questions 27 and 29 contained in the C-RIS, which ask stakeholders to identify additional impacts not captured in the analysis, as well as Consultation Questions 31 to 33 on implementation timeframes, sequencing and barriers and risks to reforms.

- **Recommendation 5:** The LGAQ recommends the NTC ensures the Decision Regulatory Impact Statement (D-RIS) explicitly assesses and addresses the impact of interface agreement reforms on road managers, including administrative burden, corridor access related delays, and resourcing constraints.

## 4.0 Conclusion

Overall, the LGAQ supports the intent of RSNL reforms to strengthen the effectiveness of road rail interface agreements and to improve the safety outcomes at level crossings. Council feedback indicates that the core issue for road managers is not the value of interface agreements in principle, but whether agreements are practical and deliverable in the operating environment of rail corridors, including where corridor access and shutdown scheduling sit outside of local government control.

The design of the proposed interface agreement reforms, including ONRSR's proposed powers to review and direct amendments and intervene where agreements are absent, is of significant interest for local governments. These reforms have the potential to improve consistency and risk management outcomes. However, the reforms also carry a risk of increasing compliance exposure for councils, if expectations are heightened without addressing practicality, access pathways, and approval processes that enable councils to act within reasonable timeframes.

The LGAQ encourages the NTC to ensure the next stage of the RIS process explicitly recognises the impacts of these reforms on road managers, including administrative burden, project delays driven by corridor access constraints, and resource limitations across councils.

It is important such reforms are co-designed with local government and that practical implementation supports are delivered including clear default settings, templates, streamlined processes for routine works and transition arrangements that recognise varying council capacity.

## Attachment 1 – LGAQ Policy Statement

The LGAQ Policy Statement<sup>4</sup> is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of the C-RIS are as follows:

### 8.1 Roads

#### 8.1.1 Funding Assistance

- 8.1.1.5 The quantum of Federal and State Government funding allocated to local government for roads should be increased commensurate with local governments' responsibilities as a road asset manager and indexed to keep pace with rising construction costs. Local government road networks are integral to state and national roads and provide essential linkages for the freight industry and other users.

#### 8.1.2 Responsibilities for Roads

- 8.1.2.2 Local government accepts responsibility for effective management and maintenance of the local road network by adopting professional asset management standards, maximising productivity gains, seeking and applying the most effective technology, and setting priorities that provide required levels of access in the most cost-effective manner.

#### 8.1.2 Responsibilities for Roads

- 8.1.3.2 Local government acknowledges the benefits of regional based road planning, management and delivery and continues to strive to realise these benefits.
- 8.1.3.4 Local government is prepared to consider flexible, more productive arrangements for accelerated maintenance but only on the basis that there is no significant transfer of work from councils to the private sector.

### 8.2 Public Transport

#### 8.2.1 Access and Availability

- 8.2.1.2 Prior to taking any decision on the closure of rail lines, the State Government should ensure that:
  - A social and economic impact assessment be conducted;
  - A 'whole-of-government' strategy be developed to ensure the social and economic viability of rural communities in genuine consultation with local government, the community and the Federal Government;
  - Minimum standards and benchmarks for service delivery to rural communities be developed to ensure basic standards of service delivery are maintained;
  - Consultation with affected communities and their representatives be taken prior to the State Government making decisions which will affect the social and economic viability of rural communities; and
  - An evaluation of Queensland Rail's standard of service provision to rural communities be undertaken.

<sup>4</sup> LGAQ Policy Statement 2025 – available online [here](#).

## Attachment 2 - LGAQ Annual Conference Resolutions

In the context of the C-RIS, the following resolutions, passed by Queensland councils at previous LGAQ Annual Conferences, are relevant:

### **Resolution 100 (2024) – Management of railway corridor fencing adjoining the Stock Route Network**

*That the LGAQ calls on the State Government to prioritise the management of railway corridor fencing along the Queensland stock route network for stock and public safety purposes.*

### **Resolution 143 (2023) – Queensland 2032 Open Level Rail Crossing Prioritisation and Removal**

*The LGAQ on State and Federal Government to commit to the removal of select Open Level Rail Crossings (OLC) in Queensland by 2032.*

### **Resolution 27 (2021) – Queensland Government review of Rail Interface Agreements**

*The LGAQ calls on the State Government to:*

- a) *Review and amend s251 of the Transport Infrastructure Act 1994 to more properly clarify that the “Rail Infrastructure Manager” retains responsibility for the area defined as the “Danger Zone” at all times and particularly where such zone intersects a Road Corridor; and*
- b) *Review and update the “Agreement for Management of Rail/Road Interface Risks between Rail Infrastructure Managers (such as Qld Rail Ltd) and Specific Councils (as Road Managers) based on a) above. Such a review and update process, in considering both operation and effectiveness of such agreements, should achieve an outcome that properly reflects contemporary work practices, responsible delineation of risk scope and management responsibility, and legal implications.*



Every Queensland  
community deserves  
to be a liveable one

1 May 2026

Michael Hopkins  
Chief Executive Officer and Commissioner  
National Transport Commission  
Melbourne VIC 3000  
[REDACTED]

Dear Mr Hopkins,

**RE: LGAQ Submission – Rail Safety National Law (RSNL) – Consultation Regulatory Impact Analysis Statement (C-RIS)**

The Local Government Association of Queensland (LGAQ) welcomes the opportunity to provide feedback to the National Transport Commission (NTC) on the Rail Safety National Law – Consultation Regulatory Impact Analysis Statement (C-RIS).

The LGAQ is the peak body for local government in Queensland, advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

Queensland councils are road managers for extensive local road networks that intersect with rail corridors and level crossings. As a result, councils have direct operational exposure to road rail interface risks through the condition and safety performance of road approaches, pavement, line marking, signage and related treatments.

The LGAQ supports the objective of improving safety outcomes at road and rail interfaces as intended by the proposed Rail Safety National Law reforms.

Council feedback indicates that the core challenge is ensuring interface agreements are workable in practice and support timely maintenance and risk controls, particularly where corridor access and approval processes sit with the rail entity. For councils, the practical delivery realities of working within rail corridors, combined with varying local government capacity can contribute to delays, inefficiencies and avoidable compliance exposure even when councils are actively seeking to meet their obligations.

This submission focuses on the elements of the C-RIS that are of greatest relevance to local governments as road managers. In particular, it addresses the proposed reforms relating to road rail interface agreements at level crossings, the proposed Office of the National Rail Safety Regulator (ONSRS) role in reviewing and directing amendments to those agreements and directing improvements where agreements are not in place, and the implementation and resourcing considerations required to ensure reforms are practical and deliverable for councils.

Other aspects of the C-RIS that relate primarily to the rail sector's interoperability and internal rail workforce or technology settings, have limited relevance to local government and are not addressed in detail.