
From: Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>
Sent: Sunday, 26 February 2023 5:32 PM
To: Development
Subject: Attention Planning Department Reference: RZ 2022/05
Attachments: Draft Concept - South Brighton Development Precinct Master Plan; FINAL DRAFT - SOUTH BRIGHTON MASTER PLAN

Reference: RZ 2022/05 – South Brighton Planning Scheme Amendment

Good afternoon,

Thank you for notifying TasRail of Draft Amendment RZ 2022/05 to the *Tasmanian Planning Scheme – Brighton* including the *Brighton Local Provisions Schedule (South Brighton Planning Scheme Amendment)*

As you are aware, on 9 November 2021 TasRail submitted its response to the Draft Concept South Brighton Development Precinct Master Plan (email attached). This submission highlighted TasRail's concerns with stormwater; and also highlighted that any development with potential to change conditions and/or traffic flows at the rail interface (including existing railway crossings) will need to be the subject of joint risk assessment (ALCAM) by the Council as the road manager and TasRail as the Rail Infrastructure Manager and noting the outcome of the ALCAM may have cost implications for Council and/or developers.

On 21 September 2022 and in response to an update received from Council on the South Brighton Master Plan, TasRail provided further comment (attached) in relation to the Council's summary of 22 Action Items that were formulated following the community engagement period for the South Brighton Master Plan.

TasRail has again taken the opportunity to review the currently available documentation associated with a proposed Draft Planning Scheme amendment and again requests the following concerns be given further consideration as part of the draft amendment process:

Stormwater

The South Brighton Planning Scheme Amendment relies on the existing culverts under the Midland Highway which subsequently flow into State Rail Network Land.

The rail culvert is not designed to take urban/residential run off. The purpose and design of the rail drainage system is to take run-off from the railway only.

The DSG culvert is substantially larger than the rail culvert, meaning inflows to the rail culvert can be above the capacity of the rail drainage system. This exposes the integrity and safety of rail infrastructure and assets to significant risk, and with high potential to cause derailment risk.

TasRail is therefore conditions to the amendment effectively providing binding assurances that there will be no increase in, or change to stormwater flows until such time as:

- Detailed hydrology modelling must be undertaken by suitably qualified persons based on a mutually agreed scope, and the full report shared with TasRail
- Any increase in flows must be supported by upgraded stormwater infrastructure at Council or 3rd party cost

- If a new or enhanced culvert is required under the highway (that flows into State Rail Network land) then the prior approval from TasRail is required and all designs will require TasRail's agreement
- If a new culvert or modifications to the existing culverts are required on State Rail Network land to support inflows then the prior approval from TasRail is required and all designs will require TasRail's agreement
- Any new culverts or drainage work required on State Rail Network land can only be undertaken by TasRail, but will be at the Council or 3rd party cost (other conditions will apply).
- No access is permitted to State Rail Network land for any purpose without prior approval of property@tasrail.com.au

Shared Pathways

The South Brighton Master Plan shows proposed shared path links.

TasRail will not permit shared pathways to be located within State Rail Network Land.

A condition to the amendment is requested to ensure that where there is potential for a new or existing shared pathway to interface with State Rail Network land, and/or for a shared pathway to interface with an existing railway crossing, then a joint risk assessment (ALCAM) must be undertaken to identify and control risks in accordance with Rail Safety National Law obligations. For clarification, this obligation to undertake the joint risk assessment cannot be delegated to developers or other third parties.

Level Crossings – Change in Conditions

A condition to the amendment is requested to ensure that any increase in traffic flows with potential to impact on a railway crossing or other rail interface must be jointly risk assessed (ALCAM) by Council as the Road Manager and TasRail as the Rail Infrastructure Manager, in accordance with Rail Safety National Law.

This requirement applies at any time there is a proposed, planned, perceived or actual change in conditions at a rail crossing or rail interface, and for any proposed new crossing or rail interface. This requirement is also set out in the mandated Safety Interface Agreement between the Council and TasRail (consistent with the obligations set out under Rail Safety National Law). For clarification, this obligation to undertake the joint risk assessment cannot be delegated to developers or other third parties.

It should also be noted that the ALCAM joint risk assessment has a different objective and purpose to a Traffic Impact Assessment (TIA) but a TIA may be used as an input to the joint risk assessment, particularly forecast traffic volumes. Where the joint risk assessment recommends upgrade of the safety controls at a rail crossing and/or requiring upgrade of rail infrastructure as a direct result of the proposed change in conditions, then the costs of such upgrade will be at the cost of the party responsible for the change. z

TasRail welcomes the opportunity to further discuss the matters outlined in the above representation. Please don't hesitate to contact property@tasrail.com.au

Kind regards,

Laura Small



Town Planning Specialist | Property
| Mobile: 0497 089 784
11 Techno Park Drive, Kings Meadows, Tasmania, 7249
Laura.Small@tasrail.com.au

'Tasmania's trusted provider of safe and dependable rail logistics solutions'



This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorised and may be illegal. Opinions, conclusions, views and other information in this message that do not relate to the official business of the Tasmanian Railway Pty Ltd are the views of the individual sender and shall be understood as neither given nor endorsed by Tasmanian Railway Pty Ltd.

From: Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>
Sent: Tuesday, 9 November 2021 5:12 PM
To: Development; David Allingham
Subject: Draft Concept - South Brighton Development Precinct Master Plan

Your Reference: Draft Concept – South Brighton Development Precinct Master Plan

Thank you for notifying TasRail of the Draft Concept South Brighton Development Precinct Master Plan which has been issued for comment.

TasRail congratulates Council on the initiative and the early consultation.

TasRail has reviewed the available documents and makes the following comments:

Stormwater

- TasRail notes that the base case and a number of the scenarios considered rely on the existing culvert/s under the Midland Highway.
- From our desk top review the culverts under the Highway (owned by the Department of State Growth [DSG]) are relatively recent but most importantly, the water that flows into the DSG culvert/s under the highway then flows into State Rail Network land and under the railway culvert before discharging into the Jordan River. TasRail assumes the DSG culverts were installed at the time of the highway upgrade. As these works pre-date the establishment of TasRail, we do not have access to the hydrology reports that we assume would have informed water capture and discharge decisions.
- It is important for Council to be aware that the existing rail culvert was not upgraded when the DSG culvert/s were installed, and to acknowledge that the rail drainage system was not designed to take residential/urban run-off. It was designed for rail purposes only.
- The rail culvert is only 900mm it is substantially smaller than the DSG culvert/s under the highway and consequently there is a potential in-balance in the volume/velocity of water flowing from the DSG culvert/s.
- TasRail is therefore concerned to ensure that the base case and likely scenarios are subject to extensive hydrology modelling to be shared with TasRail, recognising that TasRail is a primary stakeholder for decisions associated with stormwater, including assessment of risk, engineering design etc which must not increase risk to rail assets and operations.
- Where there is agreement between the primary stakeholders on stormwater design for the SAP, please note that any new culvert under either the highway and/or the railway will require design approval by TasRail, all works for a culvert installation under the rail will need to be undertaken by TasRail only (due to the interface with the rail assets) but these works will need to be at Council or other third party cost (not borne by TasRail).

New Residential Lots

- TasRail has no objection to the proposed lots as shown on the concept plan (but reserves its position in relation to stormwater).

New Roads

- Based on the concept plan, it appears the proposed new roads connecting through Dylan Street, Melinda Court and Hove Way do not interface with the railway and on this basis TasRail has no objection.

Shared pedestrian and cycle pathways

- Assuming there is no interface with the railway, then TasRail has no objection to the proposal. If there is future intent to extend these shared pathways further where there is potential interface with the rail corridor, TasRail requests early consultation. Please note shared pathways are not permitted to be located within State Rail Network land and any interface with a rail crossing will require joint risk assessment to ensure the required and appropriate identification and management of risk and control measures. Shared pathways running parallel with State Rail Network land may require separation fencing of a standard commensurate with identified risk.

New Roundabouts on Brighton Road

- TasRail has no objection to the proposed new roundabouts at Elderslie Road and Hove way. TasRail may have interest to understand likely traffic flows/volumes in the region where these movements may interface with existing passively controlled rail crossings.

Local Business Zone

- Acknowledging that the William Street rail crossing is currently protected with lights and bells, TasRail does not perceive any additional risk arising from the proposed new local business zone on the corner of William Street and Brighton Road. Similarly any flow on increase in traffic through Glenstone Road which is also protected with boom gates, lights and bells. TasRail may have interest to understand likely traffic flows/volumes in the region where these movements may interface with existing passively controlled rail crossings.

Large Retail Outlet

- Similar to the comments for Local Business Zone, TasRail may have interest to understand likely traffic flows/volumes in the region where these movements may interface with existing passively controlled rail crossings or require additional crossings.

Should you have any questions or concerns with the above information, please don't hesitate to contact me.

TasRail welcomes the opportunity to discuss the stormwater issue further with Council at your convenience.

Yours sincerely

Jennifer Jarvis



Manager Group Property & Compliance | Property
 Phone: 03 6335 2603 | Mobile: 0428 139 238
 11 Techno Park Drive, Kings Meadows, Tasmania, 7249
Jennifer.Jarvis@tasrail.com.au

'Tasmania's trusted provider of safe and dependable rail logistics solutions'





This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorised and may be illegal. Opinions, conclusions, views and other information in this message that do not relate to the official business of the Tasmanian Railway Pty Ltd are the views of the individual sender and shall be understood as neither given nor endorsed by Tasmanian Railway Pty Ltd.

From: Jennifer Jarvis <Jennifer.Jarvis@tasrail.com.au>
Sent: Wednesday, 21 September 2022 11:29 AM
To: David Allingham
Subject: FINAL DRAFT - SOUTH BRIGHTON MASTER PLAN

Hello David, hope this finds you well.

Thank you for including TasRail in the correspondence update on the South Brighton Master Plan. Appreciated.

I understand a more detailed summary of the 22 Action Items from the community engagement period is available on the Council website, but I thought I'd take this opportunity to provide you with some feedback re the TasRail matters included in your correspondence.

Should have any questions or concerns related the below, please don't hesitate to contact me.

Kind regards

Jennifer

TasRail Initial Comments	Response/Recommendation Listed	TasRail requested amendment to the Response/Recommendation
<p>The design relies on the existing culverts under the Midland Highway which then flows onto State Rail Network land. The rail culvert is smaller than the DSG culvert and was not designed to take urban/residential run-off.</p> <p>TasRail would like to see extensive hydrology modelling to be shared. Any new culvert under the highway and/or railway will require approval by TasRail and works will be undertaken by TasRail at the developers cost.</p>	<p>Action 17: To share detailed modelling with TasRail and to consider the size of the rail culvert in the design.</p>	<p>Action 17: To share detailed modelling with TasRail and to consider the size of the rail culvert in the design. The design will need to be agreed with TasRail as will the arrangements for any works.</p>
<p>TasRail has no objection to shared pathways if there is no interface with TasRail land.</p>	<p>Noted. TasRail will have an opportunity to have further input into the Master Plan through the planning scheme amendment and subsequent subdivision applications.</p>	<p>Please change the wording of the TasRail Initial Comment and the Response/Recommendation so that TasRail's Policy Position is very clear. TasRail will not permit shared pathways to be located within State Rail Network land.</p>

		<p>Any interface between a shared pathway (or any asset or infrastructure) and the railway, including existing railway crossings requires early consultation with TasRail.</p>
<p>TasRail may have an interest in understanding likely traffic flows that impact on its railway crossings.</p>	<p>Noted. TasRail will have an opportunity to have further input into the Master Plan through the planning scheme amendment and subsequent subdivision applications.</p>	<p>To avoid any misunderstanding or confusion, TasRail requests the wording of the TasRail Initial Comment and the Response/Recommendation be amended so that the legal and regulatory obligations that apply to both the Council and TasRail are very clear with respect to railway crossings, and to ensure compliance with these obligations is achieved.</p> <p>In accordance with Rail Safety National Law, the Brighton Council (as the Road Owner) and TasRail (as the Rail Infrastructure Manager) must jointly risk assess a railway crossing (or other rail interface) at any time there is a proposed, planned, perceived or actual change in conditions at a crossing (or other rail interface). This is also as set out in the Safety Interface Agreement between the Council and TasRail.</p> <p>For clarification, this obligation to undertake the joint risk assessment cannot be delegated to developers or other third parties. It should also be noted that the joint risk assessment has a different objective and purpose to a Traffic Impact Assessment (TIA) but the TIA may be used as an input to the joint risk assessment, particularly forecast traffic volumes etc.</p> <p>Where the joint risk assessment recommends upgrade of the safety controls at a rail crossing and/or requiring upgrade of rail infrastructure, these costs may be appropriate to pass on to the party responsible for triggering the change in conditions at the crossing. The costs would be determined by TasRail and Council.</p>
		<p>It is most likely worth noting that all access to State Rail Network land by any person and for any reason requires a TasRail Permit – please apply to property@tasrail.com.au for details. This includes for surveys or culvert inspections etc.</p>

Jennifer Jarvis



Group Property and Compliance Manager | Property
Phone: 03 6335 2603 | Mobile: 0428 139 238
11 Techno Park Drive, Kings Meadows, Tasmania, 7249
Jennifer.Jarvis@tasrail.com.au

'Tasmania's trusted provider of safe and dependable rail logistics solutions'



This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorised and may be illegal. Opinions, conclusions, views and other information in this message that do not relate to the official business of the Tasmanian Railway Pty Ltd are the views of the individual sender and shall be understood as neither given nor endorsed by Tasmanian Railway Pty Ltd.