

Submission

No 42

INQUIRY INTO THE UTILISATION OF RAIL CORRIDORS

Organisation: Campbelltown City Council

Name: Mr Paul Tosi

Position: General Manager

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29 February 2012

The Chair
Committee on Transport and Infrastructure
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Casuscelli

Inquiry into the Utilisation of Rail Corridors

I refer to your correspondence to Council dated 30 November 2011 inviting Council to make a submission to the Committee on Transport and Infrastructure inquiry into the utilisation of rail corridors.

The utilisation and future planning of the rail corridor are significant issues for this Council particularly as Campbelltown Local Government areas is serviced by seven suburban railway stations catering to significant volumes of rail commuters.

The rail corridor also has a significant impact as a physical barrier to the connectivity of communities on either side of the corridor and provides an opportunity to improve transport and access links.

Council provides the following comments in its submission regarding this issue.

Utilisation of Air Space over the Rail Corridor

- Connectivity of Communities Either Side of Railway Line

In this facet Council's experience, in obtaining approvals for the construction of projects in the air space above the rail corridor has been a very difficult, costly and lengthy process. An example of this is the process that has been undertaken by Council in respect to approvals associated with the proposed construction of a pedestrian bridge at Leumeah which commenced in 1999.

The Leumeah pedestrian overhead bridge was identified by Council as a key piece of infrastructure to provide a pedestrian link between a major commuter car park and the regional Campbelltown Sports Stadium.

It is suggested that the assessment of any applications for the construction of crossings whether they be pipes for drainage or bridges be dealt with directly by either the Department of Planning and Infrastructure or by Transport NSW with RailCorp only being required to assess and approve the engineering detail.

Provision could be made for RailCorp to assess and approve the engineering detail within a nominated timeframe. This would be a reasonable expectation particularly when Councils are required to pay significant administration fees to RailCorp for the assessment and approval of design plans when there is no timeframe for this to be completed by RailCorp.

This would assist in overcoming delays by RailCorp in progressing connectivity projects within the rail corridor. The ability to obtain timely approvals is critical for Council to meet service obligations to the community in the areas of road, pedestrian access and for the provision of services such as drainage and to plan for future development.

Regulatory and Policy Barriers

As part of this inquiry there is an opportunity for the Committee to address the regulatory and policy barriers that significantly restrict or delay the provision of necessary infrastructure projects.

One of these involves the RailCorp Access Deed (legal agreements) which RailCorp require parties to enter into prior to any work being undertaken within the rail corridor. Although it is understood that they are drafted to be commercially in favour of RailCorp, the Access Deeds are extremely restrictive and a barrier to facilitating infrastructure projects over the rail corridor.

I have been advised that an existing agreement presented to Council requires Council to accept a condition that upon entering into the agreement that RailCorp can at any time serve notice to Council to remove the infrastructure at Council's cost. Given significant capital expenditure for the infrastructure projects it is an unreasonable expectation for any party to agree to remove community infrastructure within a week, month or year of construction of an item across the rail corridor at its cost.

It would be presumed that RailCorp would know what its future planning and operational requirements were for its corridors to at least provide a minimum period of certainty to any party seeking to construct infrastructure across the rail corridor.

The uncapped administration fees required to be paid to RailCorp to assess engineering design and obtain approvals is another risk to third parties. It is requested that provision should be made for set fees and timeframes for assessment by RailCorp in respect to any applications.

Payment of track possession fees can also add significant cost to a project, which cannot be budgeted beforehand as the track possession fee appears to be subject to the number of other parties that are also undertaking work within a programmed track possession and the value of the work being undertaken by RailCorp.

Although it is understood that RailCorp would seek to defray its fixed costs associated with a programmed track possession, it is difficult to justify the added cost to a community infrastructure project by Council if Council undertakes its work during a RailCorp programmed track possession. As it has been indicated that track possession costs are finalised after the work has been completed, this cost cannot be budgeted and is a risk requiring a party to potentially accept an unknown cost.

Approval timeframes are considered to be a significant barrier to development particularly if consideration is to be given to income providing opportunities associated with development over or around the rail corridor which may impact on financing and associated cash flows.

These matters need to be addressed to allow greater certainty in allowing Councils and developers to appropriately plan construction timeframes and budgets for projects where there is currently a significant uncertainty in the approval and cost process.

- Facilitating Sustainable Urban Renewal and Development

In certain circumstances, potential could exist for mixed property development including residential apartments, commercial and retail buildings to be located over the rail corridor, particularly in the vicinity of stations. In this respect it is critical that RailCorp liaise with Councils in order to ensure that land adjoining station precincts is appropriately zoned and master planned to address the need for optimal planning and infrastructure outcomes, including for example, the provision of commuter car parking. There may also be opportunities to incorporate the airspace over Council's roads adjoining the rail corridor to facilitate development within station precincts.

RailCorp should be required to identify its future plans and requirements for rail corridors which should include any plans for existing widening of the corridor or land required for other capacity enhancements. This should be designated on zoning maps in order that Council can appropriately plan for the provision of future development without restricting the capacity to provide for future rail infrastructure requirements.

It is requested that the Committee also investigate the capacity of existing commuter car parks and the need to provide additional capacity given the significant levels of urban development already undertaken as well as planned within the region. The existing commuter car parks are already at or near peak capacity such as the Glenfield multi deck commuter car park which is constantly at capacity within a year of completion, despite original indications that it would accommodate for ten years growth in parking demand.

The failure to address provision of adequate commuter car parking will have a major impact on traffic circulation around a number of business centres in Campbelltown. There must also be consideration given to park and ride facilities to be provided within the growth areas with an express bus service linking to the local railway stations.

In the promotion of a sustainable environment the air space above the rail corridor could potentially be used to install a large quantity of solar panels which could either feed electricity into the rail network or feed into the grid. Within the rail maintenance roads or the rail corridors, large pipelines could be constructed to facilitate the harvesting of water. These systems could be used for retention or detention with the water being used in local communities for a wide range of purposes.

Although not specifically identified in the Terms of Reference, the prompt removal of graffiti from within the rail corridor by RailCorp also needs to be addressed.

- Facilitation of Transport Orientated Development Schemes around Railway Stations

The provision of a cycleway linking Macarthur Station to Liverpool Station using the rail corridor could provide a strong trunk route for a cycleway.

Construction of commuter parking stations and kiss and ride facilities over the corridor have the potential to remove pressure off local streets and street entrances to stations. The provision of easy access for commuters should be significantly improved.

It is important for RailCorp to appropriately plan for its future transport interchange needs and any redevelopment of Campbelltown Station must be accompanied with the construction of a

road bridge over the rail corridor linking Broughton Street and Badgally Road. This would provide a significant economic benefit to the Campbelltown Regional City Centre.

Utilisation of Land Adjacent to Rail Corridors

Council is concerned that the granting of legislative power to RailCorp will further impact on areas beyond the current rail corridor boundaries without prior consultation with adjoining land owners and appropriate compensation being available.

Council is required to continually negotiate to restrict the impact of rail activities onto Council land. The use of adjacent land to the advantage of RailCorp with little regard for the other uses is not acceptable; especially given the likely financial burden on infrastructure transferred to Council by RailCorp, i.e. safety barriers, gardens, sub stations.

Funding should be provided for the planting out of vacant land with appropriate vegetation to assist in the screening of the rail corridor and to address needs for noise abatement. RailCorp must ensure the provision of appropriate sound mitigation measures for the Southern Sydney Freight Line and its rail operation to ensure that noise levels do not exceed the approved standards.

Summary

Financial benefits could probably be gained by reviewing the complicated process adopted by RailCorp in assessing and endorsing projects requiring access over rail corridors. The planning of the rail corridor should be undertaken in close association with planning for the road network and with consultation with local Councils. There appears to be limited consultation between the relevant stakeholders which is of concern to Council given the pressure for significant population increases in South West Sydney. There would appear to be no strategic plan for what future infrastructure will be provided.

Regarding land use adjoining the rail corridor, concern is raised regarding the adequate provision of commuter car parking and the provision of timely approvals by RailCorp for Council infrastructure required to cross the rail corridor.

If you require any further information please contact the Director City Works, John Hely, on 4645 4636.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Paul Tosi', with a long horizontal flourish extending to the right.

Paul Tosi
General Manager

Ref: Dataworks 3402764