

94/17 Rail Trail Petition

Reporting Officer: Director – Corporate Services, Guy Jetson

Ref: 17/4412

Purpose

The purpose of this agenda item is to consider actions arising from a petition opposing the North East Rail Trail received at the April 2017 Council Meeting.

Background

At the 24 April 2017 Council meeting it was resolved to receive the following petition:

'Your petitioners oppose the Council's decision to support the removal of rails from the North Eastern Line to facilitate the establishment of a cycle trail to run from Cold Water Creek to Scottsdale. The undersigned want the Council to respect the current condition of the rail line, which is only months from providing a light rail service from Launceston to Scottsdale thus bringing up to 150 tourists to the North East on a daily basis by the end of 2017. Once the rails have been lifted they will never be replaced. The cost would exceed \$60 million.'

It was reported that although the format of the petition complied it did not meet the threshold required for a public meeting to be held.

Councillors discussed the petition further at the 2 May 2017 Council workshop with a view to put the matter up for further discussion at the next Council meeting.

The following background is provided for Councillors and members of the community:

Recent media stories suggesting the North East Line from Launceston to Scottsdale could be resurrected as a tourist railway passenger service have highlighted the need to clarify some facts surrounding the North East rail corridor.

Interest in the future of the North East Railway corridor has increased recently, with the group Launceston and North East Railway running a concerted social media campaign to restore the rail corridor for tourist/passenger rail.

This grant was to have all planning, zoning, environmental approvals in place within 6 months of agreement

By way of background, the North East Rail Trail group, (which includes Dorset Council), were successful in obtaining support for the Scottsdale to Launceston rail trail project in 2014, culminating in a successful funding grant from the Federal Government of \$1.47M in May 2015.

The Tasmanian Government recognised that for this (and other similar projects on disused rail corridors) to proceed, there needed to be some significant changes to the legislative framework, which, after an exhaustive process including many amendments by the Legislative Council, was passed in 2016. This bill is titled the 'Strategic Infrastructure Corridors (Strategic and Recreational Use) Bill 2016'.

Section between
Scottsdale and
Tonganah removed
without authority

Did not notify conflict of
interest

As part of that legislation, rail corridors **deemed by TasRail and the State Government to have no further life** as rail could be converted to other activities, with the proviso that in future if rail was again seen as strategically important then rail could be reinstated.

As a consequence of this legislation, Dorset Council is set to be appointed as Corridor Manager now that both houses of State Parliament have approved it to be so. This will formally place the entire rail corridor between **Coldwater Creek and Tonganah** under the control of Dorset Council. Once this formal declaration is made, Dorset Council will begin the planning process.

Dorset Council have a fully funded and approved proposal to convert the rail corridor into a rail trail cycle and pedestrian path, which will be known as the North East Rail Trail.

Launceston and North East Railway (LNER) are proposing an alternative project where the entire line between Scottsdale and Launceston be dedicated to tourist rail. They have formed an executive committee, hold regular meetings in Lebrina and have undertaken an **aggressive social media campaign** directed towards achieving their aims, but also seeking to discredit the Rail Trail proposal and several of the individuals associated with it.

They have commissioned a report (dubbed the Lebski Report, a copy of which all councillors have seen) and engaged an engineering consultant to advise them of the physical status of the railway line.

TasRail have continually denied access to any heritage/tourist rail activities on any of their railway assets across Tasmania, and as recently as May 2, 2017 restated that their estimated cost to bring the North East line to a standard acceptable to a passenger service would be well in excess of \$30M.

TasRail advised Dorset Council on May 2, 2017 of the requirements for the Rail Safety Accreditation that LNER would have to achieve, which are as follows.

- Rail Safety Accreditation is a mandated pre-requisite to any rail activity
- It can only be issued by the independent Office of the National Rail Safety Regulator (ONRSR)
- In order to attain accreditation, ONRSR will need to be satisfied that a proponent has to capacity and the competency to operate in compliance with the requirements of National Rail Safety Law.

As part of the accreditation process, ONRSR will be looking for the following:

- The development of an infrastructure standard that is fit-for-purpose for the proposed activity
- A (documented) condition assessment of the track, bridges, tunnels, drainage and formation, and level crossings by a suitably qualified and experienced person (to determine the capital cost to attain the standard and the ongoing maintenance cost to sustain the standard)
- A Safety Management System (SMS) developed for the proposed activity – this will include all of the standard elements including infrastructure (track condition, inspection etc), rolling-stock

(certification, maintenance etc), training (competencies, RTO etc), level crossings (compliance with Aust Standards, inspections, line of sight inspections, maintenance etc.)

These costs have been pledged by private funds

This was a commercial assessment done by Raylink

- The SMS will inform the operating and maintenance budgets required for the activity, as well as the skills and competencies required etc.
- The highest cost capital items are likely to be the bridges and the level crossings.
- Each of the level crossings will require risk assessment to determine appropriate controls for identified risk. This determines the level of protection required at each crossing, taking into account the line of site, train speed, the frequency of trains, the volume and speed of road traffic, the type of road traffic (i.e. B-doubles, School Buses, light vehicles) etc.
- Typically the cost for to install a greenfield active level crossing is in the order of \$400,000 per crossing, including in-track circuitry, plus up to \$150,000 per crossing for re-railing, re-sleepering and re-surfacing each crossing.

Dorset and Launceston Councils would also be required to provide statutory signage and line of sight on all approaching roads, which has an estimated cost in excess of \$1M across both municipal areas.

Min Gutwein approved in the compromise agreement

While LNER have released details about planned operations and frequency of services on their social media pages, they **completely ignore the fact that they have no legal access to either the Bell Bay line or the North East line, and have no real prospect of achieving that.**

They have none of the regulatory requirements to be a passenger rail operator (as required by the Office of the National Rail Safety Regulator - ONRSR), nor have they conducted a safety assessment with an accredited assessor of the North East Line. **There are very few accredited assessors in Australia, and LNER's consultant Mr Robert Vanselow is not one of them.**

Incorrect fully qualified. Dorset Council not supporting its most successful tourist operator.

One of LNER's high-profile supporters (Robert Ravens of Bridestowe Lavender Farm) said on ABC radio (Wednesday April 27) that the LNER group could refurbish the entire rail line (64km of it) for \$50,000. The next evening on Southern Cross TV (Thursday April 28), he said the line could be ready for passenger rail in one month.

Both of these statements have clearly no basis in fact and are giving some members of the public a false impression of LNER's chances of success in bringing their idea to fruition, even if they had access to the railway line.

Briefly:

Andrew Nicolic election promise

1. Dorset Council strongly supports the conversion of the North East rail corridor to a Rail Trail, and has been awarded significant Federal Government money to do so (\$1.47M)
2. The Tasmanian Government, State Labor opposition, Federal Government and the local Bass Federal member have all publicly stated their support for the rail trail proposal.

Minister
Gutwein
approved it in
Compromise.

How would
Dorset Council
know never
bothered to ask.

Illegally
removed from
Scottsdale to
Tonganah.

3. *TasRail does not allow tourist rail on the Bell Bay Line (or on any of its rail network for that matter).*

4. *TasRail estimate the cost to bring the North East line to passenger rail status would be in excess of \$30M. TasRail have the most expertise of any organisation to make this assessment.*

5. *The engineering, financial and regulatory requirements of resurrecting the North East Line for passenger rail are far beyond the means and ability of the LNER group.*

6. *Dorset Council will soon be formally appointed Corridor Manager of the North East Line between Coldwater Creek and Tonganah and will then proceed with the North East Rail Trail project.*

Officer's Comments

For discussion and decision by Councillors.

Recommendation

That Council note the Petition and take no further action.