

TRANSPORT ADMINISTRATION ACT 1988

SCHEDULE 6AA

NOTICE OF APPROVAL OF VARIATION TO THE  
NSW RAIL ACCESS UNDERTAKING

I John Arthur Watkins, Minister for Transport, with the concurrence of the Premier, in accordance with Clause 5 of Schedule 6AA to the Transport Administration Act 1988, hereby approve the following variation to the current NSW Rail Access Undertaking applicable to Australian Rail Track Corporation Ltd:

(1) Variation

- (a) Insert in Clause 3.2 of Schedule 3 – Pricing Principles, the following:

“(d) For the purposes of sub-paragraph 3.2(b)(i) of this Schedule 3:

- (i) the Sandgate Project is deemed to be Capital Expenditure, which relates to coal traffic on a standalone basis, and
- (ii) the expenditure for the Sandgate Project remains subject to paragraphs 3.2(b) (ii), (iii) and (iv) of Schedule 3.”

- (b) Insert in Schedule 7 – Definitions, after the definition of ‘Route’, the following:

“ **Sandgate Project** means the project for the construction of rail track grade separation at the Sandgate crossover for the benefit of coal services substantially in accordance with the scope of works current at 30 June 2006 outlined in drawings numbered 22-11827-C216, 22-11827-C217, 22-11827-C218 and 22-11827-C219, as varied from time to time.”

(2) Commencement

This variation will take effect on 30 June 2006.

Dated, this *28<sup>th</sup>* day of *June* 2006.



**John Watkins MP**  
**Deputy Premier**  
**Minister for Transport**