From: "Jennifer Jarvis" <Jennifer.Jarvis@tasrail.com.au>
Sent: Tue, 24 May 2022 14:26:55 +1000
To: "Council" <council@warwyn.tas.gov.au>
Subject: Draft Local Provisions Scheme - Waratah-Wynyard Council

Thank you for notifying TasRail of the Waratah-Wynyard Council Draft Local Provisions Scheme.

TasRail has taken the opportunity to review the available information and makes the following comments:

- The Rail Infrastructure Act forms part of the legal and regulatory framework that governs rail assets and operations in Tasmania. Under this Act, TasRail is the Rail Infrastructure Owner (RIO) and the Rail Infrastructure Manager (RIM) of the State Rail Network (and all of the attendant rail infrastructure). The Rail Network consists of the railways specified in Schedule One of the Act. It is important to read Schedule One in conjunction with the definition of rail infrastructure and subsection (2) of the Act.

- Subsection (2) states" 'In this Act, unless the contrary intention appears, a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure. *Rail infrastructure* is defined as being:
  a. Rail lines and fastenings; and
  b. Crossing loops, sidings, switches and points; and
  c. Sleepers and ballast; and
  d. Drains and culverts; and
  e. Bridges, cuttings, tunnels and embankments; and
  f. Poles and pylons; and
  g. Structures and supports; and
  h. Overhead lines; and
  i. Platforms and railway stations; and
  j. Rail yards; and
  k. Freight sheds, workshops and associated buildings; and
  l. Electrical substations; and
  m. Signs and signalling equipment; and
  n. Train control and communication systems; and
  o. Traffic control devices that are capable of being automatically activated by trains; and
  p. Plant, machinery and other fixed equipment;.

- We note the Road and Railway Assets Code will be adopted in the Draft LPS.

- We note that are some sections of Council Roads that run within parcels of land that List Map shows as State Rail Network. While these need to be subject to discussions between TasRail and the Council, we do not see that they impact the Draft LPS and noting that a road and the railway should be equally zoned as 'Utilities".

Please don't hesitate to contact property@tasrail.com.au should you have any questions re the above or wish to discuss matters relevant to the Draft LPS.

Kind regards

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