Appendix 2 Proposed Amendments to the 2008 IAU

Clause	Amendment	Reason
2.1	Scope (a) This Undertaking provides for the negotiations of Access required for the operation of Train Services by Operators on the Network, with details of the specified services and sections of the Network defined during Access negotiations. Access will include, in addition to the track, the benefit of Associated Facilities required to facilitate such Access. (b) Except as provided for by clause 2.1(c), tThis Undertaking does not extend to any Extension to the Network nor to the track and infrastructure not part of the Network that may connect to the Network. (c) This Undertaking will extend to include the Southern Sydney Freight Line when: (d) completed and commissioned for rail operations; and (e) the applicable Indicative Access Charge has been accepted by the ACCC in accordance with clause 2.4(b).	No longer necessary.
2.4	Review of Undertaking (a) If, during the Term, ARTC is of the opinion that circumstances have changed such that this Undertaking is no longer commercially viable for ARTC or becomes inconsistent with the objectives prescribed at clause 1.2, ARTC may seek the approval of the ACCC to vary this Undertaking. (B) At least six (6) months prior to the commissioning for	No longer
	operations of the Southern Sydney Freight Line, ARTC intends to develop and submit to the ACCC, the Indicative Access Charge that will apply to the Southern Sydney Freight Line. (C)(b) By 31 December 2011, ARTC will develop and submit to the ACCC, Capital Expenditure in the form of an extended Schedule H, applicable to the period 1 July 2012 to 30 June 2018.	necessary.
	(D)(c) Prior to seeking the approval of the ACCC under clause 2.4(a), ARTC will first consult with Operators regarding the proposed variation.	Renumbering
	(E)(d) ARTC may only vary the Undertaking with the consent of the ACCC under section 44ZZA(7) of the TPA.	
	(F)(e) As soon as practicable after the fifth (5 th) anniversary of the Commencement Date, ARTC will undertake a review of the Undertaking, in consultation with Operators, potential Operators and other stakeholders. The review will consider any material impact that changes to industry circumstances or Government legislation, rules or regulations may have on the	

	extent to which the Undertaking reasonably meets its intent as prescribed at clause 1.2.	
4.5(a)	Access charges will comprise:	
	(i) a variable component, which is a function of distance and gross mass (\$/gtkm); and	Changes to clarify
	(ii) a flagfall component, which is fixed and specific to each Train service type and Segment (\$/km) _a ; and	and consequential upon there being no Excess Network
	and may comprise,	Occupancy Charge in relation to the
	(ii)(iii) an excess network occupancy component, which is a function of time (\$/hr or part thereof) sought by an Applicant for a Train Path on the Network, which is in excess of:	SSFL
	(A) a reasonable allowance for section run times for the applicable Train service type as determined by ARTC;	
	(B) dwells for crossing and passing other Trains as determined and made available by ARTC for the Train Path; and	
	(C) an allowance for the reasonable requirements for operational activities whilst the Train occupies the Network as specified at clause 4.6(c).	
4.5(c)	In determining the excess network occupancy component (if applicable), ARTC will pro-rata the flagfall component back to an amount per hour by reference to the total of section run times applicable to the relevant Segment to which the flagfall component applies.	As above.
4.6(a)(iii)(C)	1800 metres on the Segments Melbourne – Macarthur and Parkes–Cootamundra (following commissioning of Capital Expenditure on the Segments Melbourne – Macarthur and Parkes - Cootamundra) and Southern Sydney Freight Line.	To clarify the maximum length of the Indicative Service on the SSFL
4.6(b)	Note: Effective as at 1March 2013 Note: These Charges are exclusive of GST.	To prescribe the
	Segment Variable \$\frac{\\$\sqrt{kgtkm}}{\\$\sqrt{km}} \frac{\{\text{Elagfall}}{\\$\sqrt{km}}}{\{\text{exclusive}} \text{of GST}}	Indicative access Charge for the SSFL and the date of effect.
9.1	Southern Sydney Freight Line 8.564 3.426	
3.1	"Southern Sydney Freight Line" means rail infrastructure to be constructed by ARTC along the existing rail corridor adjacent to the existing rail track between Macarthur and Sefton in Sydney. The new line will connect the Network at Macarthur with the metropolitan freight only network at Sefton and provide direct independent access to	Definition no longer relevant or necessary.
	Enfield, Chullora and Port Botany;	<u> </u>

Schedule E		
(New South	1648.000 km Albury ¹ to 57.965 km Macarthur ²	
Wales Lease)	4.2. 57.965 km Macarthur to 21.285 km Sefton Park East Junction (Southern Sydney Freight Line) ²	New definition of SSFL.
	2.3. Newcastle (Islington Junction) ² 163.920 km on the Down Relief/Down Islington Loop/Up Islington Loop (Woodville Junction to Islington Junction) and 164.045 km on the Up and Down Mains (Islington to Hamilton) to 875.980 km Queensland Border (Border Loop Tunnel) ^{3*}	Renumbering.
	3.4. 428.300 km northern apex and 428.900 km southern apex of the Cootamundra West Triangle to 1126.640 km Broken Hill ⁴	
	4.5144.500 km northern end of north fork and 145.000 km southern end of south fork at Moss Vale Junction to 91.080 km Unanderra ² 2To the extent where the railway line joins the rail network owned by RailCorp.	
ANNEXURE 4 TO	ANNEXURE 4 TO SCHEDULE E	New annexure
SCHEDULE E (NEW)	This annexure illustrates the Network forming the Southern Sydney Freight Line as it was on 1 March 2013. The precise details of the Network forming the Southern Sydney Freight Line will change over the duration of the Undertaking, but not in such a way as to be inconsistent with the textual descriptions in Schedule E. Applicants should refer to ARTC's website for an up to date map of the Network forming the Southern Sydney freight Line.	incorporating an illustrative map of the SSFL.
	Attached A3 Map ARTCS one (1) page.	
SCHEDULE G	⁶ Separate reporting will be undertaken in relation to an Indicative Service (and averaged as applicable) movement on Melbourne – Parkeston, Melbourne – Sefton Park East Junction Maearthur, Newcastle – Queensland Border, and Cootamundra – Crystal Brook. Reported performance will only relate to that on the Network. 10. Southern Sydney Freight Line	To clarify that Transit Time Performance Indicators will be reported for the SSFL. To define the SSFL as a Segment under the 2008 IAU.
Indicative		
Access	1648.000 km Albury ¹ to 57.965 km Macarthur ²	
Agreement SCHEDULE 1	4.2. 57.965 km Macarthur to 21.285 km Sefton Park East Junction (Southern Sydney Freight Line) ²	New definition of SSFL.
(New South Wales Lease)	2.3. Newcastle (Islington Junction) ² 163.920 km on the Down Relief/Down Islington Loop/Up Islington Loop (Woodville Junction to Islington Junction) and 164.045 km on the Up and Down Mains (Islington to Hamilton) to 875.980 km Queensland Border (Border Loop Tunnel) ^{3*}	Renumbering.
	3.4. 428.300 km northern apex and 428.900 km southern apex of the Cootamundra West Triangle to 1126.640 km Broken Hill ⁴	
	4.5. 144.500 km northern end of north fork and 145.000 km southern end of south fork at Moss Vale Junction to 91.080 km Unanderra ²	
	² To the extent where the railway line joins the rail network owned by RailCorp.	