

**Submission  
No 29**

## **INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977**

**Organisation:** Australian Rail Track Corporation (ARTC)

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Heritage NSW  
NSW Department of Premier and Cabinet  
Locked Bag 5020, Parramatta NSW 2124

24 June 2021

## NSW HERITAGE ACT REVIEW

Thank you for the opportunity to provide a submission on the Heritage Act and discussion paper that has been published to support the Heritage Act review.

By way of background, ARTC is the rail infrastructure manager for the Defined Interstate Rail Network and Hunter Valley Coal Network, providing a one stop shop for freight rail transport across Australia. In this role, ARTC delivers a range of rail infrastructure projects and manages the operation of rail infrastructure.

For the purposes of section 170 and 170A of the Heritage Act, ARTC has, in relation to land or rail infrastructure facilities, the functions of a government instrumentality (refer to section 88P(3) of the Transport Administration Act 1988). ARTC also has agency specific exemptions to self-approve works undertaken under Section 57 of the Heritage Act (for minor maintenance activities on ARTC rail infrastructure).

Rail infrastructure with a heritage listing is maintained on ARTC's section 170 register. Heritage listed rail infrastructure can include:

- buildings such as station buildings, platforms, goods sheds and parcels sheds,
- goods handling facilities such as cranes and weighbridges,
- track infrastructure, underbridges and overbridges, tunnels, signals and signalling systems,
- workshops and depots including machinery,
- relics of significant buildings and structures, and
- movable items such as clocks, furniture, artefacts and rollingstock.

ARTC supports the reform proposal for a more nuanced set of heritage listing categories, as many railway heritage listings are low risk items and would benefit from a low regulation option. ARTC also supports streamlining the heritage permit process, particularly fast-tracking applications by proponents whose assessment of heritage impact falls within an Environmental Impact Assessment (EIA) prepared under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

ARTC would appreciate being added to your distribution list to receive ongoing updates in regard to the review of the Heritage Act. If you have any questions, please contact Kim Hardy

Yours sincerely

Stuart Ross

**Corporate Environment Manager**