



PUBLICATION

The Pilbara Infrastructure

NOTIFICATION OF APPROVAL AND PUBLICATION OF AMENDED SEGREGATION ARRANGEMENTS

The Economic Regulation Authority has approved amendments to segregation arrangements proposed by The Pilbara Infrastructure (TPI) and has published the amended instrument.

On 12 April 2013, the Authority published a notice inviting public submissions on TPI's proposed amendments by 10 May 2013. The Authority received one submission, from Brockman Mining Australia, which is published on the ERA website.

Brockman Mining Australia provided a comment directed at TPI's proposal to remove mandatory review periods and to limit the incidence of TPI-funded audits to at most one every two years. Brockman Mining Australia has commented that these amendments result in inadequate certainty in relation to the assurance of compliance by TPI with its segregation arrangements.

The Authority accepts, however, that the provisions in the amended segregation arrangements relating to requirements for TPI to amend the document adequately reflect the requirements of the *Railways Access Act 1998*. The Authority notes that the audit provisions in the amended segregation arrangements go beyond the requirements of the Act.

The amended segregation arrangements retain provision for stakeholders to raise any issue of concern in relation to the segregation arrangements with the Authority, and for the Authority to investigate such claims. The proposal clarifies that the Authority may require TPI to amend its Segregation Arrangements at any time.

The approved TPI Segregation Arrangements is available on the Authority's [website](#).

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