

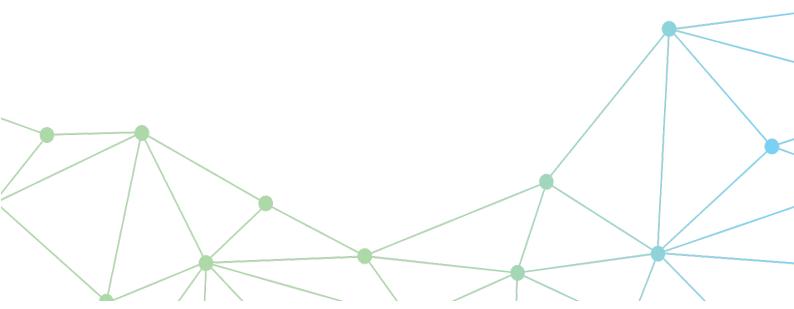
Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

# **Guidelines for Applicants**

Regional Level Crossing Upgrade Fund (RLCUF)

July 2023



# Introduction

Under the Regional Australia Level Crossing Safety Program (RALCSP), the Australian Government will provide \$180.1 million in funding from 2022-23 to 2026-27 to improve Level Crossing safety in Regional areas.

The RALCSP seeks to support collaboration between governments, industry and the public to improve Level Crossing safety in Regional areas by implementing a holistic and coordinated approach towards improving Level Crossing safety through:

- the Regional Level Crossing Upgrade Fund (RLCUF) providing investment in lower-cost Level Crossing safety protections
- delivering education and awareness activities which promote safe behaviours around Regional Level Crossings
- improvements to data and risk assessments at Level Crossings (Data Improvement Project grant)
- research and trials to test and promote the adoption of low cost, innovative Level Crossing safety solutions (Research and Innovation Project grant).

The Australian Government will provide \$40 million annually from 2023-24 to 2026-27 for infrastructure projects under the RLCUF.

These Guidelines outline the Application process for the RLCUF and contain the mandatory requirements for an Application for funding.

## Document control

Version	Date	Summary of changes	Approved by
1.0	14 July 2023	Document Approval	Minister Catherine King
1.1	25 July 2023	Administrative change – 3.2 Submitting an Application (to email PPRs, not through IMS)	Branch Manager, Targeted Infrastructure Programs

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# 1. About the RLCUF Guidelines

The RLCUF is funded under the <u>National Land Transport Act 2014 (the Act)</u>. Projects approved for funding under the RLCUF will need to be delivered in compliance with the requirements of the Act.

These RLCUF Guidelines must be read in conjunction with <u>the Notes on Administration for Land Transport</u> <u>Infrastructure Projects 2019 - 2024</u> (the Notes on Administration), which contain rules about how funded projects must be administered and delivered.

Applications that are approved will be administered under the <u>National Partnership Agreement on Land</u> <u>Transport Infrastructure Projects</u> (Infrastructure NPA) and the related Notes on Administration. More information can be found at: <u>https://investment.infrastructure.gov.au/resources/national-partnership-agreement/index.aspx</u>.

A glossary of common terms is available at the end of the Guidelines.

### **1.1 About the Fund**

The Regional Level Crossing Upgrade Fund is an Australian Government initiative, with up to \$40 million available per year from 2023-24 to 2026-27 to make railway Level Crossings safer in Regional areas.

The Australian Government will fund up to 50 per cent (up to \$2 million) of the cost of delivering Level Crossing upgrades, focused on supporting lower-cost, high priority upgrades.

Fit-for-purpose treatments at particular Level Crossings may include but won't be limited to treatments such as, signage, boom gates, flashing lights / lighting upgrades and rumble strips, to better alert motorists and pedestrians approaching Regional Level Crossings.

### **1.2 Context and interdependencies**

The RLCUF is part of, and will support the objectives of the RALCSP to improve Level Crossing safety in Regional areas.

In future rounds of the RLCUF we will encourage the use of improved data available under the second stage of the National Level Crossing Portal (NLXP), which is being developed under the RALCSP's Level Crossing Safety Data Improvement Grant. We also encourage stakeholders to consider the results of the RALCPS's Level Crossing Safety Research and Innovation Grants (RIG), when these become available.

National Level Crossing Safety Strategy 2023-32

The RLCUF aligns with the objectives of the National Level Crossing Safety Strategy 2023-32 (NLCSS), an initiative of Commonwealth and state and territory Infrastructure and Transport Ministers.

The NLCSS aims to foster a nationally consistent, cooperative and collaborative approach to Level Crossing safety. It provides governance and guidance over the implementation of actions at a national level in achieving reductions in the likelihood of crashes and near hits at Level Crossings.

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) will seek to ensure ongoing complementarity between the RLCUF and the NLCSS workplan. These RLCUF Guidelines may be updated from time to time in light of work undertaken under the Strategy (e.g. the National Report (stocktake) on High-Potential Level Crossing Safety Innovations and Emerging Technologies).

### 1.3 Questions about the RLCUF

If you have questions in relation to the RLCUF, please contact the Department by email:

- <u>RLCUF@infrastructure.gov.au</u>
- Questions about the broader Regional Australia Level Crossing Safety Program can be directed to levelcrossingsafety@infrastructure.gov.au.

# 2. Application eligibility

The following section outlines the rules for eligibility of applications. Applications which do not meet the eligibility criteria will not be progressed and will be ineligible for funding under the RLCUF.

### 2.1 Who can apply?

Applications can only be made by a state or territory government. Collaboration and co-funding from councils or private organisations are strongly encouraged.

### 2.2 What are the Project requirements?

To be eligible, the project(s) must meet the following requirements:

**Upgrades must improve Level Crossing safety:** Project nominations must be for Level Crossing safety protections through upgrades to the road aspects of a Level Crossing. This could include, but is not limited to changing from passive to active controls; improvements to road surfaces approaching Level Crossings (signage, rumble strips, improved line markings, speed cushions, speed reductions etc.); or remediation (improvement, not maintenance) to the Level Crossing surroundings to increase sighting distances. Pedestrian-only upgrades are out of scope, however a pedestrian crossing associated with improvements to the Level Crossing may be considered. Projects should consider at risk sites on Regional freight networks.

**Upgrades must be at a Level Crossing in a Regional area:** The project must focus on improving the safety of the crossing for road and rail users in a Regional area, as defined by the <u>ABS Australian Standards</u> <u>Geographical Classification System – Remoteness Areas (ASGS-RA).</u> I.e. ASGS RA 2-5. This includes all Regional, Remote and Very Remote areas.

**Upgrades on public roads**: Applications are to focus on projects which are accessible to the public and associated with a public road or railway. Projects where the final construction will be located on a private road will not be considered.

**Maximum Australian Government Contribution per project will be \$2 million:** Nominated projects must be for treatments and controls at and around Level Crossings and not more substantial works such as grade separations or lengthy road re-alignments. Projects may be a single defined Level Crossing OR a number of low-cost treatments of the same nature to the maximum government contribution of \$2 million - e.g. upgrading 10 give way signs to 10 stop signs along the X name train line/in X name area.

A financial co-contribution is required: A project will require funding in partnership with a state or territory government. The Australian Government will cap its contributions at 50 per cent of the total project cost and not exceed \$2 million per project. Applicants will be required to list all funding sources being used to meet their contribution. Co-contributions may be sourced from council, state, territory or private funding sources.

**Projects to be delivered in the short term:** Projects must have design work completed within 12 months of the funding agreement being offered and Construction complete within 24 months (or the end of the program, whichever is earlier).

**An Interface Agreement is required:** If an Interface Agreement is not already in place by the time of commencement of works, projects must include a commitment to seek to enter into an Interface Agreement by the time the infrastructure works are complete.

**New:** The RLCUF is designed to support new Construction only projects. Construction must be additional to the state or territory's existing program of works and would not have been scheduled in the same timeframe without this funding support. Nominations must not be made for projects where tenders have been awarded, or where Construction has already commenced (soil turned) or is likely to commence before 30 July 2023. High priority projects that have been scoped, costed and put on hold and not progressed to commencement could be considered.

**Upgrade must be maintained:** The jurisdiction must be able to demonstrate that the stakeholders responsible for the Level Crossing have a commitment to maintaining the Level Crossing once the upgrade is in place, including an ongoing commitment of funding for any necessary Maintenance.

**Project must be eligible as an Investment Project under the Act:** Provision of Commonwealth funding under the RLCUF is subject to a project being eligible for funding as an Investment Project under the Act. Each project proposal will be assessed against the requirements of the Act to determine whether it is eligible for funding, in addition to an assessment of whether the proposed project meets the other project requirements set out in these RLCUF Guidelines. Projects that are found not to be eligible for funding as an Investment Project under the Act will not progress further.

**Must be an improvement, not Maintenance**: Projects must be an improvement to an existing Level Crossing and can include both upgrade and replacement of existing Level Crossing treatments.

The following types of projects are **ineligible** for funding under the RLCUF:

- Projects where the majority of funding does not address road-based transport at intersections with the rail network.
- Standalone inspections and structural assessments that are not part of a Construction project.
- Projects which are for Maintenance purposes.
- Design only projects.

### 2.3 Funding

The Department will assess each jurisdiction's project as per the RLCUF Guidelines assessment criteria (see section 3.4 of these RLCUF Guidelines - Assessment of Applications) before funding is approved under the RLCUF. In circumstances where a project has failed the assessment process or a previously funded project has been withdrawn, it is possible for the Applicant to address any unresolved issues and resubmit the project Application for consideration in any remaining approval rounds.

Each state and territory may submit projects for consideration within the first 18 months of the RLCUF for Australian Government funding up to the amount allocated to their jurisdiction (see *3 Application process*).

Funding allocations will span the life of the RLCUF and are based on the number of Regional Level Crossings and incidents within each state and territory. The level of funding for each jurisdiction will be outlined in the Schedule to the Infrastructure NPA and jurisdictions will be required to manage all cost pressures, including over and underspends of funds within their approved funding allocation.

#### 2.3.1 Items not eligible for funding under the RLCUF

- Maintenance Activities and costs which contribute to the Maintenance of an existing asset, rather than the improvement of an asset.
- Approvals Expenditure associated with seeking approval for the project, such as planning, heritage, cultural, waterways or environment.
- Procurement Costs relating to procurement. This only relates to costs of the procurement itself, not the goods involved. For example, in selecting a supplier for gravel, the costs of the gravel may be eligible, but the cost of a probity adviser for the tender would not be eligible.
- Preliminary items this includes inspections, engineering assessments and other like activities.

### 2.4 Timeframes

Noting this program supports new, small projects, jurisdictions need to be aware there are Construction delivery timelines that jurisdictions will be expected to adhere to.

Projects must be complete in the following timeframes:

- design and planning approvals must be complete within one year (12 months) of the Projects approval
- completion of construction within **two years** (24 months) of the Projects approval (or the end of the program, whichever is earlier)
- updates on the Level Crossing to be made in the National Level Crossing Portal (NLXP)/ the Office of the National Rail Safety Regulator (ONRSR) and provision of a Post-Completion Report (PCR) must occur within four months of the completion of construction.

Where delays occur due to exceptional or unforeseen circumstances (weather events, natural disasters, market capacity issues) **and** the project can be finished with a PCR provided by 30 April 2027, the Department will consider an extension to the project design and completion timeframes on request on a case-by-case basis.

Failure to comply with timeframes is a breach of the funding conditions. For more information see section 4.8 – *Compliance and Compliance* and Non-compliance.

# 3. Application process

State and Territory Governments may submit project Applications to the Department for consideration at two points within the first 18 months of the RLCUF. Jurisdictions will be able to submit submissions to the Department for consideration by:

- 29 September 2023, and
- 27 September 2024.

The total funding amount for submitted projects must not exceed the overall Australian Government funding allocation for each jurisdiction.

Applications will be reviewed by the Department for compliance with mandatory information (see section 3.1 – *What you will need*) and eligibility criteria (see section 3.4.1) upon receipt. Projects that are received and compliant will be submitted for consideration to the Minister for approval.

A review of unspent funds will be undertaken in early 2025 following the second intake. A determination will be made as to whether authority will be sought for a reallocation of any unspent/uncommitted funds by jurisdictions to other jurisdictions that can demonstrate the need for additional funds to address high priority upgrades that could not be funded under their current Australian Government funding allocation. RLCUF Guidelines will be updated accordingly.

### 3.1 What you will need

All Applications **must** include the following mandatory information for each project:

- basic information about the project including, but not limited to, location(s), consultation with relevant authorities, Train Operators and/or Rail Infrastructure Managers (RIM) in prioritising projects, description of project treatments and project timelines
- a project budget
- project timeline for delivery (expected start and completion dates)
- a priority rating referring to *either* the relevant <u>Australian Level Crossing Assessment Model</u> (<u>ALCAM</u>) assessment or description of the jurisdictions' own method of prioritising Level Crossings for safety upgrades/ other safety-related activities

- evidence of an Interface Agreement, or a commitment to seeking to enter into an Interface Agreement by the time the infrastructure works are complete
- a risk assessment
- evidence of co-contributions from others where relevant (such as private organisations or councils for joint Applications)
- commitment to ongoing Maintenance of the completed works.

Applicants may also wish to include the following information:

- traffic counts for the project location road and rail
- any relevant community feedback or feedback from emergency services to support the project
- engineering report
- consultation summary.

Letters of support are not required.

Where appropriate, proposals should provide for local employment and Indigenous participation consistent with the objectives in the Infrastructure NPA.

### **3.2 Submitting an Application**

All Applications must be submitted through the <u>RLCUF@infrastructure.gov.au</u> mailbox in the Project Proposal Report (PPR) Application template provided by the Department. The Department may refuse to consider any Application not received in this way or late Applications.

### **3.3 Acceptance of Applications**

The Department will receive and review applications for projects that comply with the eligibility, project requirements, mandatory information and do not exceed the Australian Government funding allocation for each jurisdiction. Applications will include all projects to be considered for each intake in a single PPR. This can be submitted prior to the two close dates (see section *3 - Application Process*), however once submission dates are reached, Applications will be considered final for the purposes of review and approval processes.

Applications that contain projects that meet the eligibility, project requirements, mandatory information and do not exceed the Australian Government funding allocation for their jurisdiction will be submitted to the Minister for approval.

Individual projects within an Application that do not meet the eligibility, project requirements, mandatory information will be declined. Should the Application exceed the amount of funding available the Department will work with the proponent to amend the project list to fit within the funding envelope. Applicants can request feedback from the Department outlining why a project was not accepted for approval.

### **3.4 Assessment of Applications**

The Department will assess Applications as they are received.

Applications go through three stages:

- 1. Departmental eligibility and assessment review for each project (eligibility, project requirements, and mandatory information)
- 1. Funding availability (Australian Government funding allocation)
- 2. Ministerial consideration and approval.

#### 3.4.1 Eligibility

All projects will be assessed for merit, prioritised and compiled by jurisdictions prior to submitting them to the Department for an eligibility and assessment review.

The overarching consideration by state and territory governments for the merit assessment is whether the project represents value for money in relation to priority and impact of the project. In deciding whether the project represent value in relation to priority and impact, jurisdictions are to consider the extent to which the project meets the RLCUF objectives and how it performs against assessment of the following criteria:

#### 1. Priority of Level Crossing upgrade

Only high priority Level Crossing projects will be funded. States and territories must ensure that all projects submitted are assessed using the same methodology for prioritisation over the life of the RLCUF. They must provide advice to the Department on the methodology and procedures used. Supporting information could include Australian Level Crossing Assessment Model (ALCAM) data; incident data; community feedback; and feedback from emergency services and relevant reports. Jurisdictions should also include details of collaboration with Councils, RIMs, Rail Transport Operators or other relevant organisations, which is expected to be undertaken in determining priority projects.

#### 2. Safety improvements and innovation

Safety improvements must be demonstrated, including what the existing treatment is and what treatments will be applied to addresses safety features of the Level Crossing to reduce incidents in the future.

#### 3. Economic and social benefits

Jurisdictions should consider the economic and social benefits that are likely to result from the project and provide an explanation of why the particular treatments were selected (cost benefits) and how the treatments will lead to a reduction in risk of fatal and serious injuries and near misses at the Level Crossing. This will include impact on the community (social benefits including local employment opportunities, Indigenous employment or supplier-use opportunities via the submission of an Indigenous Implementation Plan as required under the NPA).

#### 4. Construction readiness, risk and ability to maintain the upgrade

The likelihood that the project will be delivered on time, scope and budget, and the commitment to ongoing Maintenance of the upgrade. Construction means actual on ground works at the project site and/or the fabrication of major components off site. In the case of natural disasters, Remedial Construction Works including the removal of damaged infrastructure is not considered as a commencement of construction.

The Department may contact the Applicant for additional information about an Application during the eligibility and assessment review process. Any additional information provided by the applicant will form part of the Application and be considered during this process.

Your highest priority upgrades should be submitted for eligibility and assessment review. Where a state or territory has not proposed projects involving rail lines managed by a third party, the Department may require further evidence that consultation with Councils, RIMs, Rail Transport Operators and other relevant organisations has occurred.

The Department will engage with the relevant jurisdiction about projects that are ineligible or where eligibility is unclear. The Department's decision on the eligibility of a project is final.

Applicants may re-submit an ineligible Application in future rounds if the reason for ineligibility has been corrected and Australian Government funding remains available.

Where relevant, proposals must be accompanied by an Indigenous Participation Plan as per the Indigenous Employment and Supplier-use Infrastructure Framework agreed under the Infrastructure NPA. State-based Indigenous Participation Plans will be considered for the Program – for more information on meeting this requirement email <u>Indigenousparticipationplans@infrastructure.gov.au</u>.

#### 3.4.2 Funds Available

The Department will check that each new eligible project funding request does not exceed the remaining level of Australian Government funding allocated to the jurisdiction, if approved.

The check will be made against the level of funding initially allocated to the jurisdiction, less any funding already committed against approved projects for the jurisdiction.

Subject to the requirements of section 2.3.1, jurisdictions may factor in administration costs associated with the management of the projects as part of their budget.

#### 3.4.3 Ministerial Decision making

Upon completion of the eligibility and assessment review process, if the project amount(s) do not exceed the remaining level of Australian Government funding allocated to the jurisdiction, the Department will make recommendations to the Minister for project approval and funding.

The Minister will make the final decision on which projects are funded.

#### 3.4.4 Notification of outcomes

Following the Minister's decision, the Department will inform Applicants of the outcome of their Application.

Further information about the rules that apply to funded projects can be found in the <u>Notes on</u> <u>Administration</u>.

Unless withdrawn by the Applicant, projects which are not approved by the Minister in a particular round, but deemed to meet the eligibility and assessment review, may be reconsidered by the Minister in any remaining approval rounds.

Information on approved projects may be published on the Department's website at <u>http://www.infrastructure.gov.au</u>.

#### **3.5 Variations**

Proponents proposing to substitute or vary approved projects must do so in writing to the Department who will seek formal approval from the Minister. Written agreement must be sought to amend project lists prior to proponents contracting works or commencing construction on new or substitute projects.

In instances where proponents wish to cancel or withdraw projects from an approved project list, and or replace a cancelled or withdrawn project with a new project, they must inform the Department in writing, and seek formal approval. Supporting documentation must be provided, including justification for why works cannot be delivered, or require scope change.

Where the cancellation of works results in a reduction in Australian Government funding, the proponent must provide the Department with the cost of the reductions for each project. The funding instrument will also be reduced accordingly, unless otherwise agreed.

Total actual funding is dependent on project delivery performance by each of the proponents. The use of unallocated or unspent funding will be at the discretion of the Australian Government and will generally be required to be returned to the Australian Government.

# 4. Administration

### 4.1 Amendment of the RLCUF Guidelines

The Australian Government may amend these RLCUF Guidelines from time to time. When this happens, Applicants are expected to comply with the RLCUF Guidelines in place at the time of their Application. All RLCUF Guidelines and changes will be communicated to project proponents and published in timely fashion via the Department's website.

### 4.2 Reporting

Proponents must report quarterly providing detail on the progress of all projects and what planning and works have been achieved.

When milestones are scheduled for payment, evidence documenting the achievement of the milestone must be submitted to <u>RLCUF@infrastructure.gov.au</u> for payment consideration.

The Department will make recommendations for milestone payments based on evidence provided by proponents. Evidence will be assessed for suitability by the Department and payments will be approved as per the funding approvals under the NLT Act.

Progress will be monitored through the assessment of quarterly reports and site visits where necessary.

### 4.3 Public information conditions

Formal public statements, media releases or statements, displays, publications and advertising made by jurisdictions must acknowledge and give appropriate recognition to the contribution of the Australian Government to that project. If jurisdictions propose to issue any public announcements/media release relating to an approved project under the Regional Level Crossing Upgrade Fund they must:

- invite the relevant Australian Government representative to participate in the public information activity
- at least five business days prior to its proposed release, unless otherwise agreed by the Department, provide a copy of the proposed media release to the Department and obtain the Department's agreement to the media release.

### 4.4 Signage

Jurisdictions must erect signage in accordance with the updated signage guidelines available on the Department's website at <u>Resources for funding recipients</u> | <u>Infrastructure Investment Program</u>.

### **4.5 Project Events**

If a jurisdiction proposes to hold a works Commencement ceremony, opening ceremony, or any other event in relation to an approved project they must inform the Department, the Minister for Infrastructure, Transport, Regional Development and Local Government, and the relevant Australian Government representative of the proposed ceremony or event at least four weeks before the proposed ceremony or event is to be held.

Proponents should provide details of the proposed ceremony or event, including proposed invitees and order of proceedings to <u>RLCUF@infrastructure.gov.au</u>.

If requested by the Department or the relevant Australian Government representative, jurisdictions must arrange a joint Australian Government/jurisdictional works Commencement ceremony, opening ceremony or any other event.

If requested by the Minister, a member of the Minister's staff or the Department, jurisdictions must invite and, if the invitation is accepted, arrange for an Australian Government representative (nominated by the Minister or a member of the Minister's staff) to participate in any works Commencement ceremony, opening ceremony or any other event proposed to be held in relation to a funded project.

### 4.6 Confidentiality

Information submitted by the Applicant may be provided to other organisations for the purposes of assessment as outlined above. In addition, the details of successful projects may be made publicly available on the Department's website.

Information from Applications may also be used for research and analysis purposes.

Applicants should identify any information submitted which they wish to be considered as confidential, supported by reasons for the request. The Australian Government reserves the right to accept or refuse a request to treat information as confidential. The *Privacy Act 1988* applies to the handling of personal information about individuals obtained in the course of the delivery of the RLCUF.

### 4.7 Probity

It is important to the Australian Government that it avoids bias and the perception of bias, and other probity issues in the operation of these projects.

Any information which would have a material impact on the decision to assess or approve an Application must be disclosed in your Application. This includes any actual or perceived conflict of interest.

Failing to declare relevant information or making a false declaration on the Application will make it ineligible for funding under the RLCUF. Providing false or misleading information to a Commonwealth entity may also be an offence under the Commonwealth Criminal code (see s 137.1).

### 4.8 Compliance and Non-compliance

Please note lodgement of the proposal signifies each state or territory's:

- 1. confirmation/acceptance that all information provided by the proponent is true and accurate
- 2. compliance with the RLCUF Guidelines, including adherence to RLCUF timelines.

Non-compliance with the RLCUF Guidelines will make that project ineligible for funding.

Applications for projects which have already been funded may have their funding withdrawn, have additional conditions imposed on their project, have additional milestones added to the project, and/or be required to repay funding already received.

In exceptional circumstances the Department may choose to progress or recommend an Application which would otherwise be ineligible.

### **5** Glossary

Term	Definition
Applicant	The State or Territory Government that submits the application.
Act	Means the National Land Transport Act 2014.
Application	A completed application form (Project Proposal Report), and associated documents, requesting funding under the RLCUF.

Term	Definition
Commencement	The expected start date for the project activity. The commencement of works may also vary across proponents this date can be negotiated on a case by case basis with the Department.
Commonwealth	A Department of State, or a Parliamentary Department, or a listed entity or a corporate body established by a law of the Commonwealth. See subsections 10(1) and (2) of the <i>Public Governance, Performance and</i> <i>Accountability Act 2013</i> (PGPA Act).
Construction	Has the meaning given by the Act.
Design	The plans, specifications and other related materials which together provide the instructions for Construction of the project.
Interface Agreement	A written agreement for managing the risks to safety at interfaces. Interfaces include, but are not limited to, where a railway crosses or operates in parallel with another railway (including light rail or tramline), rolling stock crosses the boundary of an interface onto another railway or registered private siding, a railway crosses a public or private road or footpath (including by a bridge, tunnel, overpass or underpass). Interfaces also include where rolling stock operation is transferred between rolling stock operators, or control of rail infrastructure is transferred between rail transport operators to facilitate Construction or Maintenance. These agreements involve coordinating the roles of, and describing the responsibilities and authorities of, the parties involved with the relevant interface.
Investment Project	Has the meaning given by the Act.
Level Crossing	Includes each of the following areas: (a) An area where a road and a railway (other than a tramway) meet at substantially the same level, whether or not there is a level crossing sign
	on the road at all or any of the entrances to the area. (b) An area where a road and a tramway meet at substantially the same level and that has a level crossing sign on the road at each entrance to the area.
	<ul> <li>(c) A pedestrian crossing— <ul> <li>(i) being an area where a footpath or shared path crosses a railway</li> <li>(other than a tramway) at substantially the same level, whether or not there is a level crossing sign on the path at all or any of the entrances to the area</li> <li>(ii) being an area where a footpath or shared path crosses a tramway at substantially the same level and that has a level crossing sign on the path at each entrance to the area.</li> </ul> </li> </ul>
Maintenance	Has the meaning given by the Act.
Rail Infrastructure Manager (RIM)	In relation to rail infrastructure of a railway, means the person who has effective control and management of the rail infrastructure, whether or not the person owns the rail infrastructure; or has a statutory or contractual right to use the rail infrastructure or to control, or provide, access to it.

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Term	Definition
Regional area	Areas classified as inner or outer regional (ASGS RA 2 and 3) or as remote or very remote (ASGS RA 4 and 5) as per the Australian Statistical Geography Standard – Remoteness Area (ASGS-RA) system, see <u>ASGS RA</u> <u>2-5</u> .
Remedial Construction Work	Remedial Construction Work includes rectifying or addressing issues or defects such as structural flaws and damages including foundation problems, latent defects, internal hard-to-spot structural damages, water ingress issues, cracks and spalling, concrete cancer, and poor workmanship.
The Department	The Department of Infrastructure, Transport, Regional Development, Communications and the Arts or its successors responsible for transport systems and infrastructure.
The RLCUF	The Infrastructure component of the Regional Australia Level Crossing Safety Upgrade Program
The Minister	The Commonwealth Minister with Portfolio responsibility for infrastructure, or a delegate of the Minister.