

1. Abbreviations and Acronyms

Access Agreement: An agreement between an Operator and an Access Provider pursuant to which the Operator is given access to the Access Provider's Network.

Access Provider: Metro Trains Melbourne Pty Ltd ABN 43 136 429 948

Director: The Director of Public Transport under the *Transport Integration Act 2010 (Vic)*.

Lease Agreement: Relation to an Access Provider. The Infrastructure Lease executed on 31 August 2009 between the Director (as lessor) and the Access Provider (as lessee). On its termination or expiry, means the infrastructure lease agreement to be entered into between the Director (as lessor) and the Access Provider or any assignee of the Access Provider's interest in this infrastructure lease agreement (as lessee) in relation to substantially the same infrastructure previously leased under the interim infrastructure lease, as amended or assigned in accordance with its terms from time to time.

Mandatory Occupation: A Track Occupation by the lessor of an Access Provider's Network occurring pursuant to a Lease Agreement.

Metropolitan Master Timetable: In relation to an Access Provider's Network, the timetable showing all Scheduled Train Paths for Trains on that Network, as amended from time to time by the Access Provider.

Network: In relation to an Access Provider, the land and infrastructure leased by the Access Provider under its Lease Agreement from time to time, including all rail track and support infrastructure, electrical infrastructure for traction and other power including overhead lines and lighting systems, signalling systems for regulating and control of traffic, communication systems for operational and administrative purposes including passenger information, bridges, culverts, pedestrian overpasses and underpasses, equipment relating to car parks and control centres for the control of power, signalling and traffic operations, but excluding:

- a) buildings (including stations, platforms, stops, advertising hoarding, sheds and shelters);
- b) car parks;
- c) terminals, storage and receipt facilities;
- d) workshops, locomotive depots and fuel points; and
- e) private sidings that are not leased to the Access Provider, but includes any infrastructure leased to the Access Provider which passes through, or is immediately adjacent to, any of the infrastructure or facilities referred to in paragraphs (a) to (e) above.

Operator: A person operating Trains on an Access Provider's Network other than the Access Provider.

Rail Corporations Act: *The Rail Management Act 1996 (Vic)*.

Rolling Stock: Any vehicle that operates on or uses a railway track including a locomotive, light inspection vehicle, road/rail vehicle, trolley, carriage, diesel multiple unit and wagon (but does not include a vehicle designed to operate both on and off a railway track when the vehicle is not operating on a railway track).

Scheduled Train Paths: In relation to an Access Provider's Network, an Operator's or the Access Provider's Train Paths on that Network set out in the Metropolitan Master Working Timetable, as those Scheduled Train Paths are permanently varied from time to time.

Service: A service for the carrying of freight or passengers by railway provided by the Access Provider or an Operator on an Access Provider's Network.

Track Occupation: In relation to an Access Provider's Network, access in order to carry out inspections, repairs, maintenance, up-grade work, improvements, additions or any other works which could interfere with the Access Provider's or an Operator's Services on that Network.

Train: Rolling Stock coupled together to operate as a single unit.

Train Path: The particular time interval, including an entry time and day and an exit time and day, through which a Train may travel over a segment of an Access Provider's Network from an origin to a destination and may include stopping points.

VLP: V/Line Pty Ltd, a statutory corporation established under the Rail Management Act 1996 (Vic).

2. Purpose and Scope

This procedure describes the processes by which all Track Occupations (other than Mandatory Occupations) are planned and implemented on an Access Provider's Network. It describes the implementation of the Train Operating Protocol, Scheduling to the Track Access Agreement and the representation of the Track Occupation Committee.

The scope of this procedure highlights the objective of the Track Occupation process and associated procedures is to maximise the essential work that can be carried out within a Track Occupation whilst avoiding or minimising the delay to Services and hence to reduce the severity and number of Track Occupations required.

3. Responsibilities

Occupations Committee

Establishment of Occupations Committee

MTM must establish an Occupations Committee comprising:

- a) Service Planning Manager
- b) Representatives of MTM's Asset Management & Engineering Division,
- c) One representative of each Operator,
- d) MTM's project managers for selected major projects,
- e) MTM Rail Safety Officer.

4. Procedure

4.1 Functions of Occupations Committee

The Occupations Committee is a forum to enable the Access Providers to liaise with Operators in relation to proposed Track Occupations and Track Occupations generally so as to:

- a) enable Operators to communicate their interests in Track Occupation planning and implementation to the Access Provider;

- b) facilitate agreement being reached between an Access Provider and an Operator on any aspect of a planned Track Occupation where the Operator's Access Agreement provides that the Operator's agreement is required in relation to that aspect of the planned Track Occupation before it can be implemented; and
- c) otherwise facilitate agreement between each Access Provider and all Operators on matters relating to Track Occupations including the following (recognising that such matters are ultimately in the discretion of the Access Provider, subject to any Access Agreement):
 - i. the number of Track Occupations taken on any line section in any one year;
 - ii. the timing of Track Occupations and amendments made to the Operator's Scheduled Train Paths as a consequence of Track Occupations;
 - iii. lead times for requesting Track Occupations and providing detailed works plans for Track Occupations.

4.1.2 Meetings of the Occupations Committee

The Occupations Committee will meet weekly at a time and place advised by the Access Provider to all members of the Occupations Committee.

4.2 Notice Of Track Occupations

Subject to paragraph 4.2.2. if an Access Provider wishes to have a Track Occupation on the relevant Access Provider's Network, the Access Provider must notify each Operator who has access pursuant to Scheduled Train Paths to any part of the Network the subject of the proposed Track Occupation a reasonable time prior to the Track Occupation being implemented (or if relevant lead times for all Track Occupations have been agreed by the Occupations Committee, in accordance with such agreed lead times).

4.2.1 Contents of Notice of Track Occupation

Any notice of a Track Occupation must specify:

- a) the area of the proposed Track Occupation (the boundaries of which are not necessarily limited to the work site and may extend to signalling boundaries or locations where Trains can switch to another track or route);
- b) the timing of the proposed Track Occupation; and
- c) the conditions under which the relevant works will be carried out as listed in paragraph 4.2.2.

4.2.2 Types of Track Occupations

Infrastructure work may be carried out under any of the following conditions:

- a) Under Own Protection (*Non-Occupation*)

Infrastructure work may be performed between Scheduled Train Paths. It is common for work to be done in this manner without affecting Train running, however, at times, some delays may arise from reducing speed through or around the work site.

- b) Closedown Track Occupation

A Closedown Track Occupation is a major prolonged Track Occupation that impacts Services conducted at the following times:

- i. Trains arriving or departing from Richmond Station or North Melbourne Station between 0701 hours and 0930 hours; or
- ii. Trains arriving or departing Richmond Station or North Melbourne Station between 1501 hours and 1900 hours.

c) Total Track Occupation and All Lines Closed

A Total Track Occupation is a Track Occupation of all tracks, or the track on single lines, with no alternative route around the work site.

d) Diversion

A Diversion occurs when Track Occupations occur in multiple track areas (ie 2 or more tracks) where alternative routing can be set up around the work site using unaffected adjacent tracks.

e) Re-routing

Re-routing occurs when it becomes necessary to operate Trains via an alternative rail corridor to reach their normal destinations. This may arise from a Track Occupation closing all lines or where there is insufficient track capacity to divert all Trains past the work site, hence requiring some Trains to be re-routed.

f) Booking Out (Non Occupation)

This process is applied for urgent or short notice work and involves the supervisor of the works arranging with signallers to re-route Trains or to prevent Trains proceeding whilst works are in progress.

In each case the impact to Services will vary and where a Track Occupation is necessary the impact will depend on any specific conditions which may apply to the Track Occupation.

4.2.3 Consideration of Notice of Track Occupation

Any notice of a Track Occupation must be reviewed and discussed at a subsequent meeting of the Occupations Committee.

4.3 Implementation of Track Occupation

Operator's Agreement

The Access Provider may only implement a Track Occupation:

- a) if permitted, and on the conditions set, by any relevant Access Agreement; and
- b) on the conditions (if any) it and all Operators affected by the Track Occupation have agreed to in the Occupations Committee in accordance with paragraph 4.1.

4.3.1 Track Occupation Management

The management of Track Occupations on an Access Provider's Network is provided by the Service Planning Manager and Operations and Occupational Safety Manager of the Access Provider, who are responsible for the following:

- a) to document and maintain current Track Occupation requests and approved Track Occupations;
- b) to determine Train movements to and from Track Occupation sites in conjunction with the affected Operators;
- c) to arrange with Operators for works Train and track machine movements associated with the Track Occupation;
- d) to maintain a works order registration system;
- e) to determine safe working requirements of a Track Occupation and obtain all necessary approvals;
- f) to undertake the necessary steps for any Variations to timetables required due to a Track Occupation;
- g) to prepare and issue the necessary Train notices and circulars; and
- h) to record key performance indicators (eg overruns, cancelled Track Occupations and Train delays).

4.4 Regulations and Safeworking Arrangements

The safety of rail traffic and workers within work sites under altered Train operations is essential and all works and Track Occupations must be conducted in accordance with any law from time to time and any safety requirements.

The Operations and Occupational Safety Manager of the Access Provider is responsible for determining all safeworking requirements applying to each Track Occupation on the Access Provider's Network and will arrange for their publication and distribution to the relevant parties.

Applicable regulations and special instructions relating to Train operations affecting a Track Occupation on the Access Provider's Network, as well as site protection requirements for infrastructure workers, must be set out in the special circulars and issued to the relevant parties by the Manager, Safety Standards of the Access Provider.

Each Access Provider's Operations and Occupational Safety Manager must determine all safeworking requirements applying to a Track Occupation and must issue to all relevant persons involved in a Track Occupation a special circular specifying all the applicable safeworking requirements (including any applicable regulations, special instructions and site protection requirements for infrastructure workers).

4.5 Cancellation of Approved Track Occupations

- a) The Access Provider may cancel a Track Occupation of which notice has been given under this Protocol only if extreme circumstances require the cancellation and:

- i. notice is given to each affected Operator; and
 - ii. if MTM or VLP is an affected Operator and is not given notice of the cancellation at or earlier than midday on the day which is eight days before the day of the cancelled Track Occupation, the Access Provider agrees to reimburse MTM or VLP for any direct costs incurred by such parties in planning for alternative means of transport for their passengers for the period of the planned Track Occupation upon proof of such costs being incurred being provided.
- b) Parties responsible for a Track Occupation or other parties undertaking supplementary works within a Track Occupation must ensure the appropriate resourcing of their activities is made, including the supply of locomotives and Train crews to undertake the planned works.
- c) If a Track Occupation is disrupted whilst it is in force due to the works not proceeding as planned or an Operator's request, due to an unrelated disruption, the Senior Train Controller responsible for the site of the planned Track Occupation, is to be notified. A decision must then be made by the Senior Train Controller in accordance with the Train Operating Protocol to cancel the balance of the Track Occupation or, with the concurrence from affected Operators, continue to run the Track Occupation but with an extended Variation to the timetable for the affected Trains.

4.6 Job Titles and Position Names

A reference to a position or title refers also to any replacement for that position or title or any person fulfilling substantially the same role.

4.7 References

To assist in the application of this Protocol, reference may be made to a number of documents including:

- Train Operating Protocol;
- Addenda to the Metropolitan Master Working Timetable;
- Metropolitan Master Timetable.

5. Documents

- Minutes of meetings
- Schedules of Train Paths