

# Private Sidings

Fact Sheet 4 – January 2013

## What is a Private Siding?

A private siding is a portion of railway track that is connected by points to a running line or another siding on which rolling stock can be placed clear of the running line, and is managed by a person other than the manager of the rail infrastructure that the siding connects with or has access to. It does not include:

- > a marshalling yard; or
- > a crossing loop; or
- > a passenger terminal; or
- > a freight terminal; or
- > a siding under the control and management of an accredited rail infrastructure manager; or
- > a siding, or a siding of a class, prescribed by the national regulations not to be a private siding.

## How to register to operate a private siding?

Under section 83 of the Rail Safety National Law (RSNL) a rail infrastructure manager of a private siding that is connected to or have access to a railway operated by an accredited rail transport operator must be registered to operate that siding or other sidings which they manage, unless they are otherwise accredited or hold an exemption.

The application for registration should be made using the private siding registration form and include the application fee. Under the RSNL, the NRSR may take up to 6 months to review an application for registration.

The six months commences once the NRSR has received the application or further information, and this period may be extended by the NRSR.

A rail infrastructure manager of a proposed private siding/s is required to apply for registration *before* commencing construction of the private siding or undertaking any railway operations. There are significant penalties for persons who undertake railway operations without the appropriate registration, accreditation or exemption.

## Requirements of registration

A rail infrastructure manager registered under the RSNL has a duty to ensure, so far as is reasonably practicable, the safety of their railway operations (s52).

Although a registered rail infrastructure manager of a private siding is not required to meet the requirements for a safety management system (s99), they are required to:

Establish a scheme for the management of risks, including a risk register (as set out in regulation 13 of the National Regulations); and

Seek to enter into interface agreements with rail transport operators that have interfaces with their private siding (s83); and

Comply with any other conditions or restrictions, including the conditions required by regulation 13 of the National Regulations.