

Service Level Charter

June 2024



Service Level Charter

The Service Level Charter (SLC) defines the commitments made by both Transport for NSW (TfNSW) and Sydney Trains to third party rail operators. The SLC relates specifically to rail access functions undertaken by TfNSW and Sydney Trains on the Metropolitan Rail Network (MRN) such as:

- The Standard Working Timetable (SWTT);
- The Daily Working Timetable (DWTT); and
- Rolling Stock Requests (including Rolling Stock Registration and Train Operating Conditions (TOC) Manual waiver requests).

The SLC is a tool to promote open communication and reporting between each third party rail operator (rail operator), TfNSW and Sydney Trains for the purpose of transparency in the management of rail access. The SLC is not a contract. TfNSW and Sydney Trains will endeavour to comply with the processes and timeframes set out in this document, noting all are subject to the requirements of Rail Safety National Law (RSNL).

Any information provided under this SLC is for information purposes only. Each of TfNSW and Sydney Trains assumes no responsibility or liability for any errors or omissions in any information provided under this SLC or any reliance placed on it. No representation is made as to the accuracy, completeness, suitability or validity of any information provided under this SLC. All information is provided “as is” with no warranties and no rights are conferred.

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Document Control and Version History

Document owner	Director Access, Freight Branch, ROM
Document version	1.0
Approved by and date	TfNSW and Sydney Trains Executives - June 2024
Review date	March 2025

1. Public Reporting

- a. Within 30 days after 30 September, 31 December, 31 March and 30 June of each year, TfNSW and Sydney Trains will publish at <https://www.transport.nsw.gov.au/service-level-charter-reporting> a report that:
 1. Describes TfNSW and Sydney Trains' compliance with the processes and timeframes in this document; and
 2. Identifies any failure to comply with the processes and timeframes in this document, in respect of the previous three-month period.

2. Contact Details

A Rail Operator may notify any failure by TfNSW or Sydney Trains to comply with the processes and timeframes set out in this document by emailing RailAccess@transport.nsw.gov.au

A Rail Operator may escalate or raise any queries with:

- Program Director Standard Working Timetable at Huw.Millichip@transport.nsw.gov.au for any queries relating to Standard Working Timetable (SWTT);
- Sydney Trains Director Freight and Third Party at Glenn.Rooney@transport.nsw.gov.au for any queries relating to Daily Working Timetable (DWTT);
- Director Fleet Engineering at Michael.Uhlig@transport.nsw.gov.au for any queries relating to Rolling Stock Requests; or
- Sydney Trains Deputy Executive Director Asset Management at Grant.Burton@transport.nsw.gov.au for any queries relating to Annual Track Possessions Calendar / Network Access Manual.

3. Amendments

- a. TfNSW and Sydney Trains may, acting jointly, amend this document at their sole discretion.
- b. Prior to amending this document, TfNSW and Sydney Trains will endeavour to:
 1. notify any proposed amendment(s) by publishing the proposed amendments in the Operations Information Library (**OIL**);
 2. allow not less than 30 days for any Rail Operator to make a submission on the proposed amendment; and
 3. respond to any submissions made by any Rail Operator when determining any amendment to be made to this document.

4. Standard Working Timetable (SWTT)

The determination of the SWTT for the Metropolitan Rail Network is the function of TfNSW pursuant to clause 5 of Schedule 1 to the *Transport Administration Act 1988*.

4.1 Rail Operator Forecasts

- a. A Rail Operator may provide TfNSW with a 1, 3 and/or 5 year forecast of the Train Paths it intends to use on the Network.
- b. TfNSW will use reasonable endeavours to incorporate a forecast provided by a Rail Operator into the Outcome Based Design Specification (OBDS) of the next applicable new SWTT where sufficient capacity exists.

4.2 New SWTT

4.2.1 Notification of new SWTT

- a. TfNSW must provide written notification of its intention to offer a new SWTT to all Rail Operators at least 12 months prior to the implementation date of the new SWTT (**SWTT Implementation Date**) and publish such notice in the OIL.
- b. A Rail Operator's Train Paths included in the then current SWTT will be incorporated into any new SWTT established, noting specific timings may be subject to the broader SWTT structure.

4.2.2 Train Path Requests

On the day that TfNSW has provided written notice of its intention to offer a new SWTT under 4.2.1, Sydney Trains will:

- a. Ensure that each Rail Operator may apply for a new or altered Train Path(s) using Freight Operator Portal (**FOP**) on and from that date; and
- b. Notify each Rail Operator:
 1. that it is able to request new or altered Train Path(s) using FOP;
 2. of the date by which any request for a new or altered Train Path(s) must be received by Sydney Trains using FOP, which must not be earlier than 8 months prior to the SWTT Implementation Date.

4.2.3 Draft SWTT

- a. Sydney Trains will notify each Rail Operator in writing of its draft SWTT no later than 6 months prior to SWTT Implementation Date.
- b. A notice given to a Rail Operator by Sydney Trains must:
 1. attach the draft SWTT;
 2. invite the Rail Operator to make a submission commenting on the draft SWTT; and
 3. specify the date by which any submission by the Rail Operator must be received by Sydney Trains, which must be no earlier than 4 weeks after the date of the notice provided.
- c. Sydney Trains must respond in writing or via FOP to any Rail Operator submission on the draft SWTT received by Sydney Trains by the date specified under 4.2.3(b) no later than 3 weeks after that date.
- d. Where:
 1. Sydney Trains has initiated a Train Path variation of greater than +/- 15 minutes in the draft SWTT for any existing Train Path;
 2. a Rail Operator advises (with supporting evidence) that the Train Path variation has an adverse effect on its operations; and
 3. Sydney Trains must where possible, offer the Rail Operator an alternative Train Path.

4.2.4 Publication of new SWTT

Sydney Trains will publish the final SWTT at least 12 weeks prior to the SWTT Implementation Date in the OIL.

4.3 SWTT Variation

4.3.1 Timetable Implementation Pipeline

- a. Sydney Trains will publish its current Timetable Implementation Pipeline in the OIL.
- b. Sydney Trains will review the Timetable Implementation Pipeline every 3 months and publish in the OIL.

4.3.2 Notification of variation of the SWTT

- a. Sydney Trains will use best endeavours to provide written confirmation to all Rail Operators 26 weeks prior to the date a variation to the SWTT will be implemented (**SWTT Variation Implementation Date**).
- b. A Rail Operator's Train Paths included in the then current SWTT will be incorporated into any varied SWTT.

4.3.3 Train Path Requests

On the day that Sydney Trains provides written confirmation that it will vary the SWTT under clause 4.3.2, it will:

- a. Ensure that each Rail Operator may apply for a new or altered Train Path(s) using FOP on and from that date; and
- b. Notify each Rail Operator:
 1. that it is able to request new or altered Train Path(s) using FOP;
 2. of the date by which any request for a new or altered Train Path must be received by Sydney Trains using FOP, which must not be earlier than 20 weeks prior to the SWTT Variation Implementation Date.

4.3.4 Response to Rail Operator Feedback

- a. Sydney Trains must respond to all Rail Operator Train Path requests in writing no later than 12 weeks prior to SWTT Variation Implementation Date.
- b. Where:
 1. Sydney Trains has initiated a Train Path variation of greater than +/- 5 minutes for any existing Train Path; and
 2. a Rail Operator advises Sydney Trains in writing that Train Path variation has an adverse effect on its operations,
 3. Sydney Trains must:
 - i. provide a reason for that Train Path variation in writing in its response to the Rail Operator; and
 - ii. where possible, offer the Rail Operator an alternative Train Path.

4.3.5 Publication of SWTT variation

Sydney Trains must publish the final SWTT variation at least 8 weeks prior to the SWTT Variation Implementation Date in the OIL.

4.4 Request for a SWTT Variation

- a. A Rail Operator may submit a request in writing for Sydney Trains to consider a variation to the SWTT to accommodate that Rail Operator's additional or altered Train Path requirements.
- b. Sydney Trains must respond to the Rail Operator request within 30 days.
- c. Sydney Trains may, at its sole discretion, vary the SWTT in response to a request made by a Rail Operator which will commence the SWTT variation under 4.3.

5. Daily Working Timetable (DWTT)

The daily timetabling of rolling stock on the Metropolitan Rail Network, including the Daily Working Timetable (DWTT), is the function of Sydney Trains pursuant to section 99D of the *Transport Administration Act 1988*.

5.1 Annual Track Possessions Calendar

- a. Sydney Trains will publish its current Annual Track Possessions Calendar on the RailSafe website [Possessions Management | RailSafe](#).
- b. Sydney Trains will notify each Rail Operator in writing of its proposed draft Annual Track Possessions Calendar by no later than 30 September of the Annual Track Possession Calendar commencing 1 July of the following financial year.
- c. A notice given to a Rail Operator by Sydney Trains under 5.1(b) will:
 1. attach the proposed Annual Track Possessions Calendar for the next financial year commencing on 1 July;
 2. invite the Rail Operator and Sydney Trains Engineering and Maintenance team to walk through the proposed draft Annual Track Possessions Calendar for the next financial year commencing on 1 July; and
 3. provide a high-level maintenance and upgrade program in relation to the proposed draft Annual Track Possessions Calendar.
- d. By no later than 31 March of each year, Sydney Trains will notify each Rail Operator of the finalised Annual Track Possessions Calendar for the next financial year commencing on 1 July.
- e. A notice given to a Rail Operator will attach the Annual Track Possessions Calendar for the next financial year commencing on 1 July.

5.2 Train Path Availability

The availability of Train Paths to any Rail Operator is subject to Planned Possessions and Special Events.

5.3 Network Access Manual

- a. Sydney Trains will ensure that it has a Network Access Manual at all times.
- b. Sydney Trains will publish the Network Access Manual on the RailSafe website [Possessions Management | RailSafe](#).

5.4 Planned Possessions and Special Events

- a. Sydney Trains will notify a Rail Operator of a Planned Possession or Special Event in accordance with the Network Access Manual.
- b. The manner and notice period for a Planned Possession or Special Event:
 1. varies depending on the type of Planned Possession and Special Event; and
 2. is set out in the Network Access Manual.
- c. If a Train Path allocated to a Rail Operator is affected by a Planned Possession and/or Special Event, then Sydney Trains will:
 1. invite the Rail Operator to make a submission via email to st.freight@transport.nsw.gov.au commenting on the how impacted Train Path times should be varied; and
 2. specify the date by which any submission by the Rail Operator must be received by Sydney Trains, which must be no earlier than 8 weeks prior to the start of the Planned Possession and/or Special Event.
- d. Sydney Trains will publish a draft Special Train Notice (**STN**) for feedback in the OIL 21 days prior to the start of the Planned Possession and/or Special Event including any offers to the Rail Operator of:
 1. an alternative Train Path to replace the impacted Train Path; or
 2. a variation to the affected Train Path, to the extent that such an alternative Train Path or variation to the impacted Train Path exists.
- e. Rail Operators may provide feedback to Sydney Trains on a draft STN via email to st.freight@transport.nsw.gov.au within 3 days of publication which Sydney Trains shall take into consideration when determining the final STN.
- f. Sydney Trains will publish the final STN in the OIL 14 days prior to the start of the Planned Possession and/or Special Event.

5.5 Unplanned Possessions

- a. Sydney Trains in performing its functions as the Rail Infrastructure Manager will undertake maintenance on the Network as required to ensure safe railway operations as contemplated by Rail Safety National Law.
- b. If Sydney Trains considers that a Train Path allocated to a Rail Operator is likely to be impacted by an Unplanned Possession, Sydney Trains will notify the Rail Operator in writing of the impact as soon as practicable.
- c. If:
 1. a Train Path allocated to the Rail Operator is affected by an Unplanned Possession; and
 2. an alternative Train Path or variation to the affected Train Path is available, Sydney Trains may offer the Rail Operator the alternative Train Path to the affected Train Path or variation to the affected Train Path in writing.

5.6 Long Term STN

- a. Subject to 5.6(b), a Rail Operator may apply at any time for a Long Term STN Train Path in the FOP (**Long Term STN Train Path Application**).
- b. A Rail Operator may not request a Long Term STN Train Path to commence earlier than 7 weeks from the Long Term STN Train Path Application date.
- c. Sydney Trains will determine, at its sole discretion, whether to grant a Rail Operator's Long Term STN Train Path Application within 6 weeks of the date of receipt of a Long Term STN Train Path Application. Sydney Trains will consider impacts on infrastructure when determining the outcome including but not limited to potential infrastructure upgrades and maintenance methodology and frequency.
- d. Sydney Trains will publish a Long Term STN Train Path in the DWTT via a STN at least 7 days in advance of the first day of the requested Long Term STN Train Path being operated by the Rail Operator.

5.7 Ad Hoc Train Paths

- a. A Rail Operator may apply for an Ad Hoc Train Path or a variation to a Timetabled Train Path using the Daily Train Path Ordering System (**DTPOS**) no earlier than 14 days prior to the proposed operation of the Ad Hoc Train Path or Timetabled Train Path.
- b. Sydney Trains must:
 1. determine, at its sole discretion, whether to grant the Rail Operator's application for an Ad Hoc Train Path or a variation to a Timetabled Train Path; and
 2. notify the Rail Operator in writing of that determination, no later than 2 days prior to the Rail Operator's proposed operation of the Ad Hoc Train Path or varied Timetabled Train Path.
- c. If Sydney Trains does not grant an Ad Hoc Train Path or a varied Timetabled Train Path, then Sydney Trains must provide reason(s) in writing for its refusal when it provides notice to the Rail Operator under clause 5.7(b).

5.8 Network Control

- a. Sydney Trains will comply with Priority Matrix and associated rules available in the OIL.
- b. If Sydney Trains or the Rail Operator identifies that Sydney Trains has not complied with the Priority Matrix, then Sydney Trains will provide a written reason for the non-compliance to any affected Rail Operator within 7 days of identifying or being made aware of the non-compliance.

6. Rolling Stock Request

6.1 Request to vary Train Operating Specification

- a. At any time, a Rail Operator may request TfNSW to make a variation to its Train Operating Specification by submitting a Rolling Stock Request to TfNSW.
- b. A Rolling Stock Request must include either of the following information:
 1. Rolling stock registration available [here](#).
 2. TOC waiver application available [here](#).
- c. A Rolling Stock Request must be submitted to rollingstockrequest@transport.nsw.gov.au

6.2 Initial review of Rolling Stock Request

TfNSW must:

- a. acknowledge receipt of a Rolling Stock Request; and
- b. if applicable:
 1. notify the Rail Operator whether TfNSW considers that the Rolling Stock Request is an Emergency Rolling Stock Request under 6.3; and/or
 2. notify the Rail Operator whether TfNSW considers that the Rolling Stock Request is a Complex Rolling Stock Request under 6.4; and/or
 3. reject the Rolling Stock Request and notify the Rail Operator of that rejection and the reason(s) for that rejection if the information included in the Rolling Stock Request is inadequate to enable TfNSW to process the Rolling Stock Request,

no later than 7 days after receipt of the Rolling Stock Request.

6.3 Emergency and Incident related Rolling Stock Requests

- a. A Rail Operator may:
 1. notify TfNSW that its Rolling Stock Request is in response to an Incident or other emergency (**Emergency Rolling Stock Request**); and
 2. request that its Emergency Rolling Stock Request be given immediate consideration by TfNSW.
- b. If a Rail Operator requests its Emergency Rolling Stock Request be given immediate consideration by TfNSW under 6.3(a), then the Rail Operator must include in its Emergency Rolling Stock Request:
 1. information about the Incident or other emergency; and
 2. reasonable justification as to why the Emergency Rolling Stock Request merits immediate consideration.
- c. Emergency Rolling Stock Requests will warrant immediate consideration by TfNSW and Sydney Trains when TfNSW and Sydney Trains consider that a Network disruption will occur if the Emergency Rolling Stock Request is not considered immediately. Immediate consideration of an Emergency Rolling Stock Request for any other reason is at the sole discretion of TfNSW.
- d. If TfNSW determines that an Emergency Rolling Stock Request does not warrant immediate consideration, then the Emergency Rolling Stock Request will be managed in accordance 6.6.

6.4 Complex Rolling Stock Requests

- a. If TfNSW at its sole discretion considers that a Rolling Stock Request relates to a request for a Train Operating Specification to include:
 1. new Rolling Stock (including modified Rolling Stock);
 2. altered train configuration;
 3. new technology; or
 4. a deviation from Engineering Standards,

(**Complex Rolling Stock Request**), then the Complex Rolling Stock Request must include comprehensive assurance documentation to demonstrate that the request is So Far As Is Reasonably Practicable, including but not limited to:

- i. a risk register with all risks assessed as tolerable and details of any controls required to achieve this; and
- ii. supporting analysis, calculations, simulations, practical test reports, endorsed by relevant subject matter experts.

Further guidance can be obtained from TfNSW System Safety Standard for New or Altered Assets [here](#).

- b. If TfNSW notifies the Rail Operator that it considers the Rolling Stock Request to be a Complex Rolling Stock Request, then the Rail Operator and TfNSW will use reasonable endeavours to meet to discuss:
 - 1. the Complex Rolling Stock Request;
 - 2. any additional information requirements for TfNSW to consider the Complex Rolling Stock Request; and
 - 3. alternative timeframes for the determination of the Complex Rolling Stock Request,
 as soon as reasonably practicable after that notification.
- c. If TfNSW notifies the Rail Operator that it considers the Rolling Stock Request to be a Complex Rolling Stock Request under 6.4, then TfNSW will be under no obligation to notify the Rail Operator of its determination of the Complex Rolling Stock Request within 35 days under 6.6.

6.5 Determination of Rolling Stock Request

TfNSW will determine whether to grant a Rolling Stock Request that has not been rejected under 6.2(b)(3), subject to the terms and conditions being met for the varied Train Operating Specification. TfNSW reserve the right to seek further information where omissions or non-compliant information have been identified during the assessment.

6.6 Notification of determination on Rolling Stock Request

- a. Subject 6.4(b) and 6.4(c), no later than 35 days after receipt of the Rolling Stock Request (other than a Complex Rolling Stock Request) by TfNSW under 6.2, TfNSW must notify the Rail Operator of its:
 - 1. determination of whether or not to grant the Rolling Stock Request;
 - 2. if TfNSW has determined to grant the Rolling Stock Request:
 - i. the new Train Operating Specifications applying to the Rail Operator; and
 - ii. any terms and conditions applying to the amended Train Operating Specifications; and
 - 3. if TfNSW has determined not to grant the Rolling Stock Request, the reasons for that determination.
- b. If TfNSW determines that the Rolling Stock Request is a Complex Rolling Stock Request, then the time period for the determination of the Rolling Stock Request will be as agreed by the Rail Operator and TfNSW under 6.4.
- c. TfNSW will endeavour to determine any Emergency Rolling Stock Request made by a Rail Operator prior to any other Rolling Stock Request.

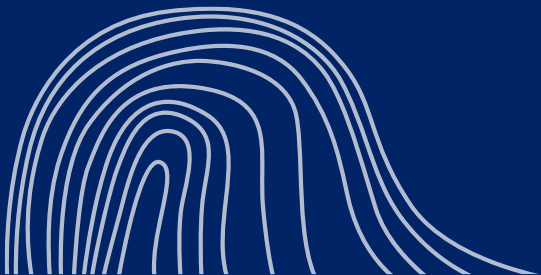
6.7 New Rolling Stock Request after Rejection

If TfNSW rejects or does not grant a Rolling Stock Request under 6.2(b) or 6.6(a)(3), then any further Rolling Stock Request made by the Rail Operator in relation to the same variation of the Train Operating Specifications will be deemed to be a new Rolling Stock Request.

7. Definitions

Term	Definition / Meaning
Ad Hoc Train Path	a Train Path which is not a Timetabled Train Path that is made available to the Rail Operator in the Daily Working Timetable.
Annual Track Possessions Calendar	the document outlining planned possessions and special events for the Network issued by Sydney Trains in respect of each financial year.
Daily Train Path Ordering System (DTPOS)	the system used by Rail Operators to request a Train Path and amendments to a Train Path for inclusion in the Daily Working Timetable and for Sydney Trains to validate and approve those requests.
Daily Working Timetable (DWTT)	the daily service plan determined by Sydney Trains in respect of the Network in accordance with the <i>Transport Administration Act 1988</i> .
Outcome Based Design Specification (OBDS)	captures the timetable requirements (including third party rail operators) and uses a Balanced Scorecard to measure and weigh the options to be developed. The OBDS will enable key trade-offs to be identified earlier to ensure the timetable produced is aligned with customer requirements and government priorities.
Engineering Standards	the engineering standards published by TfNSW from time to time and available here .
Freight Operator Portal (FOP)	the system used by Rail Operators to request a Train Path and amendments to a Train Path for inclusion in the Standard Working Timetable and for Sydney Trains to validate and approve those requests.
Incident	an event either accidental or deliberate that directly causes an impact on Train Movements.
Long Term STN Train Path	a Train Path which is not a Timetabled Train Path that is made available to the Rail Operator in the Daily Working Timetable on an interim basis for consideration in the next available Standard Working Timetable.
Metropolitan Rail Network (MRN)	the rail network bounded by Bomaderry, Macarthur, Bowenfels and Hamilton.
Network Access Manual	the document outlining processes and timeframes for planned, unplanned possessions and special events.
Operations Information Library (OIL)	Operations Information Library - Home (sharepoint.com)
Planned Possession	the temporary closure of a part of the Network for the purposes of carrying out repair, maintenance or upgrading work on or adjacent to the Network
Priority Matrix	the priority matrix and associated rules available at Operations Information Library - Home (sharepoint.com)
Rail Infrastructure Manager (RIM)	has the meaning given to that term in the Rail Safety National Law here .
Rail Operator	a person who operates Rolling Stock pursuant to the terms of an access agreement with the Network owner.
Rail Safety National Law (RSNL)	the <i>Rail Safety National Law (NSW)</i> as applied (with modifications) as a law of New South Wales by the <i>Rail Safety (Adoption of National Law) Act 2012</i> .

Term	Definition / Meaning
Rolling Stock	has the meaning given to that term in the Rail Safety National Law.
Rolling Stock Request	an application made by the Rail Operator to vary Train Operating Specifications in accordance with Section 6 including, for the avoidance of doubt TOC Waivers and excluding road rail vehicles and small plant.
Special Event	the Sydney Royal Easter Show, a major sporting event, a major cultural event or any other organised event which requires: a) a special timetable for a limited period of time for the operation of rail passenger services for the use and benefit of the general public; and b) consequential adjustments to the Rail Operator's Train Movements.
Special Train Notice (STN)	a notice provided by Sydney Trains to advise a Rail Operator of new and/or altered Train Paths and long term STN train paths in the Daily Working Timetable.
Standard Working Timetable (SWTT)	the standard working timetable in respect of the Network determined and as amended from time to time in accordance with the <i>Transport Administration Act 1988</i> .
Sydney Trains	the NSW Government agency established under Part 3B of the <i>Transport Administration Act 1988</i> .
Timetable Implementation Pipeline	the document provided by Sydney Trains to advise a Rail Operator of the anticipated date(s) the SWTT will be varied over the next 12-month period.
Timetabled Train Path	a Train Path nominated in the Standard Working Timetable.
Train Operating Conditions (TOC) Waiver	a written waiver of Rolling Stock operational standards (as described in the Train Operating Conditions Manual issued by TfNSW) accompanied by a unique registration number and containing technical instructions authorising operations personnel to perform a movement of Rolling Stock on the Network under conditions which vary from the existing Train Operating Conditions Manual.
Train Operating Specifications	the operating requirements and conditions applicable to a Rail Operator's Trains (and each unit of Rolling Stock comprised in that Train) that must be observed to entitle the Rail Operator to make a Train Movement on the Network using that Train and utilising a Train Path.
Train Path	an entitlement for a Train to operate on the Network along a given route, incorporating origin, destination and intermediate timing points at a day and time nominated in the Standard Working Timetable and/or Daily Working Timetable.
Transport for NSW (TfNSW)	the NSW Government agency established under Part 1A of the <i>Transport Administration Act 1988</i> .
Unplanned Possession	the temporary closure of a part of the Network for the purposes of carrying out urgent repair or maintenance to the Network for safety reasons.



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