



Notice

11 October 2016

Brookfield Rail's Segregation Arrangements AMENDED DECISION

The ERA has today published an amended decision in respect of a variation to Brookfield Rail's (BR) Segregation Arrangements proposed by BR in September 2015.

This decision changes the ERA's December 2015 decision in respect of BR's proposed segregation arrangements. The changes affect the manner in which arranging access outside the Code is to be treated for the purposes of the segregation arrangements.

In the December 2015 decision, the ERA decided that activities involved in arranging provision of access outside the Code should be segregated from activities involved in arranging provision of access under the Code. Following the publication of the December 2015 decision, BR provided the ERA with information that segregating these functions would lead to inefficient and impractical operational impacts on BR's operations.

In considering Brookfield Rail's new information the ERA revisited the requirements of the *Railways (Access) Act 1998* and now considers that arranging access outside the Code does not need to be segregated from providing access under the Code.

The ERA recognises that it is not the intent of the *Railways (Access) Act 1998* to require railway owners to segregate across parts of its business which undertake similar functions, but only to segregate the management of the railway infrastructure from operations on the railway (including the running of rolling stock), where appropriate.

The ERA will now work with BR to finalise its [Segregation Arrangements](#) document.

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