

10 August 2023

[REDACTED]  
New Zealand Media and Entertainment  
[REDACTED]

REF: OIA-13098

Dear [REDACTED]

**Request made under the Official Information Act 1982**

Thank you for your email of 12 July 2023 requesting the following information under the Official Information Act 1982 (the Act):

*I just have some questions about incidents which have led to a prohibition notice being issued for Te Huia after the train, on two instances, ran red lights.*

- *Does NZTA have more information, which can be shared with us, about the two incidents such as where they occurred, when they occurred and how many passengers were on board at the times?*
- *We understand one of the incidents posed a critical risk to another commuter train in Auckland, can you please explain a bit more about this such as where and when it occurred, what the consequences could have been and how the risk was mitigated?*
- *Do you know if the incidents committed by the same driver or different drivers?*
- *Do you know why the driver / s ran the red lights?*
- *Do you know if the driver or drivers are or will be stood down?*
- *Are you able to provide footage of the incidents?*

*And on a wider note, are you able to tell us how often trains are running red lights? Are you able to provide any other examples of incidents from around the country?*

On 2 August 2023, the last four bullet points in your request were transferred to KiwiRail for response under section 14(b)(ii) of the Act as they are more closely connected with the functions of KiwiRail.

I have numbered each part of your request for convenience and will answer each in turn.

**1. Does NZTA have more information, which can be shared with us, about the two incidents such as where they occurred, when they occurred and how many passengers were on board at the times?**

Regarding the first incident, at 9:51am on 17 June 2023 Te Huia service from Hamilton to Auckland was approaching Penrose on the North Auckland Line when it passed a 'stop' signal, over-running it by 195.2m. Te Huia passed over a set of points at the junction with the Onehunga Line that were 'set in reverse', causing damage to the points. The train consisted of the locomotive and four passenger carriages. There were 94 passengers on board.

At the same time as the Te Huia passed the signal, an Auckland One Rail (AOR) passenger service was departing Penrose on the Onehunga Line. The signals in front of the AOR service 'reverted', and the service stopped, leaving a clear section of track between the train services (150 metres). Following the incident, the line was cleared for operation at 12:17pm.

The second incident, at approximately 7:50am on 10 July 2023, Te Huia locomotive engineer reported Electronic Train Protection Issues on the service numbered 100/10. Servicing staff attended and the train departed Hamilton Station over an hour late. The decision was made to unload the passengers at Rotokauri for bussing to their destination and Te Huia returned to Hamilton.

At approximately 10:00am, the empty Te Huia, returning to Hamilton from Huntly, had a Signal Passed At Danger (SPAD) A event at Horotiu. While travelling south on the up-main the train passed the Block Entry board at Horotiu, beyond limit of authority. The staff on board were relieved and KiwiRail initiated an investigation.

**2. We understand one of the incidents posed a critical risk to another commuter train in Auckland, can you please explain a bit more about this such as where and when it occurred, what the consequences could have been and how the risk was mitigated?**

This was the first incident on 17 June 2023, described above. In regard to consequences, there was potential for conflict between the AOR service and the Te Huia service. The risk was mitigated in this case by the signalling system reacting correctly to the situation. As the KiwiRail Te Huia service passed the red signal at danger, the green proceed signal that had been displayed to the Auckland One Rail metro service on an adjacent platform reverted to red and the driver stopped the metro service from entering the area of conflict with Te Huia.

**3. And on a wider note, are you able to tell us how often trains are running red lights? Are you able to provide any other examples of incidents from around the country?**

Please see the latest rail safety statistics for the period ended 31 December 2022 on the Waka Kotahi website here: [www.nzta.govt.nz/resources/rail-safety-statistics/](http://www.nzta.govt.nz/resources/rail-safety-statistics/). Therefore, I am refusing this part of your request under section 18(d) of the Act as the information requested is publicly available.

In terms of other examples of incidents from around New Zealand, we would note that all incidents are unique, and the conditions are rarely comparable. There are completed investigations on the Transport Accident Investigation Commission's website, for example one which can be found here: [www.taic.org.nz/sites/default/files/inquiry/documents/16-101%20Final.pdf](http://www.taic.org.nz/sites/default/files/inquiry/documents/16-101%20Final.pdf).

The result of this particular investigation was that the regulator imposed permanent conditions on the operator's licence, which lowered speeds in this critical area, conditions which are still in place today.

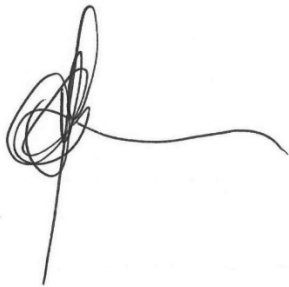
With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse part of this request. The contact details for the Ombudsman can be located at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

In line with Waka Kotahi policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with Waka Kotahi, please contact the Andy Knackstedt, Senior Manager Media, by email to [andrew.knackstedt@nzta.govt.nz](mailto:andrew.knackstedt@nzta.govt.nz) or by phone on (04) 8946285.

Yours sincerely

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

**Gini Welch**

National Manager Rail Safety Regulation