

MINO-0425 Otira Tunnel safety risks

14 July 2022

In response to BRI-2522, (Railways Act 2005 pt2 s.43(2) Prohibition notice – Passenger services through Otira Tunnel) provide:

- a summary of the precise safety risks that are unresolved,
- what the required mitigations are
- the current Kiwirail response to these.

Waka Kotahi NZ Transport Agency's response:

Decisions made by the Director of Land Transport under the Railways Act 2005 are part of the Director's statutory independent functions. The overall underlying safety risk that Waka Kotahi, as rail regulator, is concerned about is situations where passengers are required to evacuate the tunnel on foot. For example:

- a safety incident occurring in the tunnel that requires passengers to evacuate, especially a fire; and
- circumstances where the train is not able to leave the tunnel (e.g. due to a broken rail or other form of derailment).

The primary concern of Waka Kotahi (as regulator) is that KiwiRail has not demonstrated a level of risk assessment and risk planning to the standard that Waka Kotahi would expect for an underlying safety risk of this nature.

A sub-set of concerns is around the maintenance and state of repair of the relevant infrastructure (e.g., rails and tunnel). Waka Kotahi considers the infrastructure is old and poorly maintained, and the condition of the infrastructure is a key factor in both an emergency event occurring and the ability to manage the emergency event to avoid death or serious injury.

In terms of KiwiRail's response, it has provided its work for each of the six remedial actions, but the Director determined that the remedial actions had not been completed to the Director's satisfaction, which is what led to the section 43(2) prohibition notice. As part of issuing that prohibition notice, Waka Kotahi is requiring further work from KiwiRail on each of those six actions and required mitigations.

KiwiRail is still developing its response to that request for further work, and we expect some information to be provided in the coming days. Waka Kotahi will continue to work with KiwiRail on any remaining actions over the coming weeks.