

8 November 2022

J Turner

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Kia ora J Turner,

**The information you requested - CAS-631323-V8H5V5**

I refer to your LGOIMA request dated 04 October 2022 relating to the track closures announced 3 October 2022.

I will answer your questions in the order that you have asked them.

***Any memo, emails, or discussion about the timing of the announcement and the failure to engage with elected members prior to announcing the closure***

Please see the attached email communication and documentation in the link below– relevant documents are in Q1.

[CAS-631323-V8H5V5 J Turner V3 Final.zip](#)

***Any plans to improve the bus service, including temporary bus lanes, additional service***

Auckland One Rail (AOR) has explored all options to assist AT in mitigating the shortage of bus drivers to support the oncoming Rail Network Rebuild (RNR) previously known as RNGIM closures and the transport of our passengers:

This is a response to our conversation earlier this week, regarding AOR to review of the current KiwiRail RNR documentation focusing on potential opportunities for AOR/AT to run single line, peak direction services, whilst addressing key safety concerns:

1. KiwiRail has undertaken a risk assessment of the activities. The risk assessment concluded that to run EMUs under an electrified line is an unacceptable risk while construction activities ensue – AOR confirm this is an unacceptable risk. This is a key determining factor. However, the (electric Multiple Units (EMU's) are obviously our preferred option.
2. To stop the construction during these electrified periods would add approximately 50 percent to the program time and budget of the RNR project.

AOR have subsequently explored the use of Diesel Multiple Units (DMU), with the following initial concerns:

Under the Railways Act 2005, and Health and Safety and Work Act 2015 there is the principle guidance of SFAIRP (So Far As Is Reasonably Practicable). It is not possible to argue “less safe”. in

this instance. The use of the DMU is less safe compared to the Electric Multiple Unit (EMU) for the following reasons:

1. The DMU (less safety controls than an EMU) are being placed in a more hazardous environment (construction), than an Electric Multiple Unit (EMU) in a non-construction environment.
2. Platform Train Interface (PTI) –The use of DMUs will result in PTI concerns. The DMU has an average 200mm step height at each platform. The triangulation of vertical and horizontal step distances is a distinct increased risk and a reduction of SFAIRP. This will impact mobility impaired customers and potentially result to high number trips and falls
3. Door Controls –Due to the limited door interlocking increasing the risk of wrong side door opening.
4. SPAD – There is the risk of a higher consequential outcome of a SPAD via the use of DMU compared to EMU. Reason being there is no ETCS in the DMUs.
5. Competency – There are only 4 Locomotive Engineers in AOR qualified to operate a DMU on the Western and Southern Lines. None of these are full time drivers, and work as part of management. There would be significant resources required to ensure competency of sufficient Locomotive Engineers.
6. Reputation –
  - a. Passenger Impact - The DMU are not “as” comfortable for passengers. They are older, they are noisier. They represent less passenger comfort.
  - b. Community/ Business Owner Impact – More so using DMU through developed areas will result in complaints from Communities/Business owners, particularly on start-up.
  - c. Environment – DMU emissions may not be acceptable to the communities, and will be, for the period, not in accordance with the AT environmental and sustainability visions.
7. Asset Reliability - It is empirically shown that the DMU do not have the same RAM values as the EMU.
8. The availability of sufficient spares to ensure on time running would need to be researched.
9. Contractual – Several contractual interfaces have been deleted. These would be either need to be renewed or alternative contracts for asset maintenance sourced. Again, significant resources would need to be invested.
10. Certification of the DMU units.

As a result of the above points, there is an increase to the inherent risk profile of AOR relative to both the safety and commercial aspects of the Franchise Agreement. If AT directs AOR to explore these options further, then AOR would require a detailed request for proposal, based on the scale and magnitude of the operational change.

AOR would also require indemnification on all safety, legal, contractual, and reputational clauses relating to the existing Franchise Agreement for the period of these services, and for these services only.

***Any cost/benefit analysis, or other analysis, done regarding the decision to close the line to passengers completely, opposed to opening it in the morning and evening***

Auckland Transport (AT) are looking at adding temporary bus lanes to the network to speed up rail replacement and scheduled bus services that are impacted by the Rail Network Rebuild disruption. We will be adding in rail bus services on Manukau Road and Great South Road to ensure that we are able to transport customers in phase 1 of the disruption when the southern train line between Newmarket and Penrose and the Onehunga train line is impacted.

Please refer to Q3 in the link above for supporting documentation.

***Any memos or other information as to why the foundation work was not done prior to relaying the tracks and sleepers.***

This question is declined under Section 17 (g) (ii) of the Local Government Official Information Act as the information is held by another local authority. We have transferred this to KiwiRail for their response.

***Any plans, memos, internal discussions from Auckland Transport to improve Active Transport safety along these routes, including the provision of bike racks on buses.***

Please refer to Q5 in the link above for documentation.

Some information within the provided documentation has been withheld under:

- Section 7(2)(a) of the LGOIMA, to protect the privacy of natural persons, including that of deceased natural persons.
- Section 7(2)(b) (ii) of the LGOIMA, would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 7(2)(f) of the Act, as the free and frank expressions of opinion {being necessary for the effective conduct of public affairs) would be inhibited by the release of such emails and the need to withhold that information to protect that interest does not appear to be outweighed by other considerations which render it desirable, in the public interest, to make that information available.

Should you believe that we have not responded appropriately to your request, you are able to make a complaint to the Office of the Ombudsman in accordance with section 27(3) of the LGOIMA and seek an investigation and review in regard to this matter.

Yours sincerely



Darek Koper  
**Group Manager Metro Services.**