

5 April 2023

Patrick Dunford
fyi-request-21998-4a01f19f@requests.fyi.org.nz

REF: OIA-12177

Dear Patrick

Request made under the Official Information Act 1982

Thank you for your email of 5 March 2023 to the Transport Accident Investigation Commission (TAIC) requesting information to do with safety measures for level rail crossings under the Official Information Act 1982 (the Act).

On 8 March 2023, the following part of your request was transferred to Waka Kotahi NZ Transport Agency for direct response, as the information requested pertains to what actions we have taken:

Exactly what measures has Waka Kotahi implemented either as a result of this report or as a result of the reports cited above from 1993 in order to address the issue of level crossings that are too close to intersections?

With regard to report RO-2020-103, the TAIC recommended that Waka Kotahi review clause 9.5(c) of the Land Transport (Road User) Rule 2004 (the Rule) in consultation with the rail industry to assess its adequacy regarding the risks posed by level crossings in close proximity to road intersections. An excerpt from the Rule is provided below:

9.5 Exceptions to level crossing requirements

Clause 9.4 does not apply if –

(c) a traffic signal producing a steady red signal in the form of a disc or 2 alternately flashing red signals is installed at the level crossing.

Waka Kotahi and Te Manatū Waka Ministry of Transport will research and consider the recommendation to review clause 9.5(c) of the Rule in a future Regulatory Systems Rules Amendment (RSRA) package. Any rule changes in this regard will consider the principles of [Road to Zero](#) and ensure safety is prioritised.

In terms of timeframes, the RSRA package is carried out every one to two years. The current RSRA package is already underway, therefore, this recommendation has been placed on the list for the next round of RSRAs.

Aside from the above recommendation from the TAIC, Waka Kotahi in conjunction with KiwiRail, has had work underway to improve safety at level rail crossings around the country.

As part of the previous National Land Transport Programme (NLTP) 2018-2021, a dedicated sub-programme was developed, called the Level Crossing Programme (LCP). Waka Kotahi worked with KiwiRail on the LCP, which targeted short stacking sites around New Zealand (sites where the track to limit line distance is 26 metres or under) using a range of low cost, proven safety treatments to improve safety for road users and pedestrians.

A one-page summary sheet for the LCP from 2018-2021 is provided in the following attachment:

- OIA-12177 – LCP Summary.pdf

In the current 2021-2024 NLTP, under the Speed and Infrastructure Programme, there are some rail level crossing sites that have transitioned over for completion, as well as other large corridor type safety improvement projects occurring. Further information about the Speed and Infrastructure Programme and the commitment in achieving a safe system can be found on our website here: [Speed and infrastructure | Waka Kotahi NZ Transport Agency \(nzta.govt.nz\)](https://www.nzta.govt.nz/speed-and-infrastructure/)

If you would like to discuss this reply with Waka Kotahi, please contact Ministerial Services by email at official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Kinvig', with a long horizontal flourish underneath.

Mark Kinvig
National Manager Infrastructure Delivery