

14 March 2024

File Ref: OIAPR-1274023063-25694

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED]

Request for information 2024-033

I refer to your request for information dated 29 February 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 29 February 2024. You have requested the following:

“On Tuesday 20 February I was due to catch the 4.25pm Wairarapa train home to Masterton. This train was cancelled and with no bus replacement available, passengers were advised to find alternative transport. This I did that created additional financial loss/harm. I also lost out on using my monthly rail pass for my trip home, a service I had already paid for. Please refund the cost of my trip home from Wellington to Masterton to my Snapper Card. Thanks”

Metlink officers responded on 1 March 2024:

“Kia ora [REDACTED]

Thank you for your feedback about the Wairarapa train being cancelled. We're very sorry for the inconvenience you've been caused, it's definitely disappointing when a train is cancelled, and we absolutely acknowledge the impact this has had on you.

Trains can be cancelled in short notice due to reasons outside of the operator's control, such as a mechanical/technical failure, an incident, the weather or a driver being unable to work in short notice.

We absolutely appreciate how frustrating cancellations can be, especially when you are relying on public transport to get somewhere on time!

We would like to inform you that, we had a major mechanical issue that affected the 4:25 pm and 5:30 pm services from Wellington to Masterton, that resulted in cancellation of those services. We

also tempted to source bus replacements, however due to short notice that did not happen.

Regarding your refund request, we would also like to inform you that - under our conditions of carriage we do not refund for service disruptions beyond our control. You can read these in more detail on our website here - <https://www.metlink.org.nz/about/conditions-of-carriage/> Section 2.8 is as follows:

Under consumer law you may not be entitled to a refund for service disruptions which happen:
For reasons beyond our reasonable control;

Due to circumstances such as adverse weather conditions, tides, traffic conditions, the condition of road and rail infrastructure, accidents, mechanical, electrical or communications failures, safety concerns, power failures, fuel shortages, staff shortages, disasters, emergencies or industrial action;

Rest assured that we have logged your feedback with the appropriate team so that they are aware of how this has affected you.

Once again, we sincerely apologise for the inconvenience you have been caused. You're welcome to get in touch again should you have any further concerns or questions.

Ngaa mihi nui”

You then responded on 1 March 2024:

“Thank you for your timely response.

I acknowledge the presence of Metlink conditions of carriage however this does not give Metlink abdication responsibility. I also acknowledge consumer law but point out that this is a ‘may not’ and is not a ‘will not’ be entitled to a refund.

Please provide me with detailed information on the ‘major mechanical issue’ that was the cause of this disruption. Consider this to be an OIA request.”

Greater Wellington’s response follows:

The incident affecting the 4.25pm Masterton train on 20 February 2024 was caused by a mechanical fault affecting the shunt vehicle. A shunt vehicle moves the carriages to and from the platform to the yard. When the train comes into the platform the locomotive is blocked in by the carriages and needs to be turned around to face in the correct direction. The shunt is used to take the carriages and moves them back onto the platform to wait for the locomotive to be reattached at the correct end of the train. The Wairapa carriages require shunting to the platform by this shunt vehicle. KiwiRail provide two shunts for use for Metlink services. One of them was being

repaired in a KiwiRail depot and at approximately 3.30pm the second one broke down which meant that the carriages could not be shunted to the platform. At approximately 5:00pm KiwiRail managed to replace the shunt. The 4.25pm service left over an hour late, the 5:30pm service left over 30 minutes late, and the last peak service departed a little under 15 minutes late.

If you have any questions regarding the fault that occurred on the shunt, please direct your queries to KiwiRail.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Samantha Gain

Kaiwhakahaere Matua Waka-ā-atea | Group Manager Metlink