


OC241059



Kia ora 

I refer to your email dated 9 September 2024, requesting the following document under the Official Information Act 1982 (the Act):

*“34 Brown OC240841 23/07/2024 Aide Memoire: Meeting with KiwiRail 24 July 2024.”*

Please find attached the Aide Memoire with certain information withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons
- 9(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
- 9(2)(j) to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Public interest considerations to release the information do not outweigh the withholding reasons under section 9 currently.

You have the right to seek an investigation and review of this response by the Ombudsman, under section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

The Ministry publishes our Official Information Act responses. The information in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā,



Bev Driscoll  
Manager, Rail



23 July 2024

Hon Simeon Brown

Minister of Transport

## AIDE MEMOIRE: MEETING WITH KIWIRAIL 24 JULY 2024

**To:** Hon Simeon Brown, Minister of Transport

**From:** David Wood, Deputy Chief Executive, Investment & Monitoring

**Date:** 23 July 2024

**OC Number:** OC240841

### Summary/Purpose

1. You are meeting with Peter Reidy (Chief Executive), Jason Dale (Chief Financial Officer), David Gordon (Chief Planning and Asset Development Officer) and Angus Hodgson (Group Manager Government Engagement) from KiwiRail on Wednesday, 24 July 2024 at 10.30am.
2. This Aide Memoire provides talking points (consolidated in Annex 1) and background information on KiwiRail's proposed agenda.

### Agenda Item A: Safety Performance

3. Lifting the safety performance is a critical focus for KiwiRail and it has a programme in place to shift behaviours and planning across the organisation.
4. The initial key performance indicators (KPIs) are split into Lead Indicators to promote a positive reduction in actual events occurring over time, and Lag Indicators measuring actual near-misses and events.
5. Safety Lead Indicators results, on average for the 2023/24, were:
  - a) 204 safety interactions, with targets of 245, 294, and 353 for the next three years. Safety interactions involve discussions between leadership and staff about observed safe behaviours and providing feedback on coaching based on the consequences of unsafe behaviour.
  - b) 76 critical risks walks, with targets of 90, 108, and 130 for the next three years. Critical risk walks are regular and intentional site walks to look for potential hazards that have high risk exposure to people, followed by action to eliminate the risks identified.
  - c) 408 critical risk control verifications, with targets of 489, 587, and 705 for the next three years. Critical risk control verifications ensure compliance is met and exceeded by confirming work was executed safely to plan.

- d) 66 high risk hazards identified, with targets of 53, 42, and 34 for the next three years. High risk hazards are those which have the potential to be fatal or cause life changing injuries.
6. Safety Lag Indicators results, on average for the 2023/24, were:
- a) 6 High Risk Injuries, with a continued goal towards zero.
  - b) 24 Total Recordable Injury Frequency Rate, with targets of 19, 15, and 12 for the next three years.
  - c) 12 Lost Time Injury Frequency Rate, with targets of 9, 7, and 6 for the next three years.
  - d) 12 High Potential Near Miss Frequency Rate, with targets of 8, and 6 for the next three years.

*Speaking points*

- 7. You provided me with details of the safety indicators, current, and projected targets for the next three years. Can you provide me with past results (i.e. 2021/22 and 2022/23), as a point of comparison?
- 8. What do these statistics mean overall in terms of KiwiRail's safety performance? How does that compare to any comparable jurisdictions?
- 9. What steps are in place to ensure the targets are achieved?

**Agenda Item B: KiwiRail One Plan**

- 10. KiwiRail One Plan outlines KiwiRail's strategy to be "commercially self-sustainable".
- 11. By "commercially self-sustainable" KiwiRail means to be in a position such that the revenue it generates from its customers covers the operating and ongoing capital costs of their above rail business.
- 12. s 9(2)(f)(iv)

*Speaking points*

- 13. s 9(2)(b)(ii)

- 14.
- 15.
- 16.

**Agenda Item C: Metro Networks**

- 17. KiwiRail updated you on 16 July 2024 on progress resolving issues with Britomart points and work to remove Temporary Speed Restrictions across the Auckland Metro Network.
- 18. Following metro funding announced in Budget 2024, KiwiRail is currently working through the split and schedule of renewals work in Auckland and Wellington. Additional off peak

line closures in both cities may be required to carry out those renewals. KiwiRail expects to report back to you on the proposed work plan, for approval this financial quarter.

19. s 9(2)(j), s 9(2)(f)(iv)

*Speaking points*

20. s 9(2)(f)(iv)

*For your information*

s 9(2)(j)

**Agenda Item D: Interislander**

21. Aratere returned to service on 15 July 2024, under specific return-to-service conditions imposed by Maritime New Zealand (MNZ). These conditions end on July 28, 2024.

*Aratere Grounding and Investigations Summary*

22. KiwiRail appointed a third party for an internal investigation. A draft report is expected next week. The final report is expected by August 2024 and will be communicated to the Board.

23. Collaboration is ongoing between MNZ, crew members' lawyers, and the Transport Accident Investigation Commission (TAIC) investigation.

24. MNZ has announced a focused audit on the Interislander fleet, looking at processes, training, risk management and familiarisation with new equipment.

25. KiwiRail wants to have a lessons-learned review with MNZ on the regulatory responses to the event to discuss and make improvements to this process.

*Speaking points*

26. s 9(2)(g)(i)

**Agenda Item E:** s 9(2)(f)(iv)

27. s 9(2)(f)(iv)

28.

Speaking points

29. s 9(2)(f)(iv)

**Economic Value of Auckland Rail Programme Business Case**

- 30. On 23 July, KiwiRail provided you with a briefing on the economic assessment associated with the investment proposed in the Auckland Rail Programme Business Case (the PBC). The PBC was jointly commissioned by KiwiRail and Auckland Transport “to determine the future needs of the Auckland rail system over the next 30 years, informing your long-term funding decisions.”
- 31. The PBC and the associated economic assessment of its value, requires further interrogation.
- 32. One of the key weaknesses associated with the PBC is that it does not appear to be constructed within a realistic fiscal envelope, nor do we see trade-offs between investment in other modes of transport (both public transport and freight).

**Contacts**

Name	Telephone	First contact
David Wood, Deputy Chief Executive, Investment & Monitoring	s 9(2)(a)	
Bev Driscoll, Manager, Rail		✓

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**Speaking points**

**Agenda Item A: Safety Performance**

1. You provided me with details of the safety indicators, current, and projected targets for the next three years. Can you provide me with past results (i.e.2021/22 and 2022/23), as a point of comparison?
2. What do these statistics mean overall in terms of KiwiRail's safety performance? How does that compare to any comparable jurisdictions?
3. What steps are in place to ensure the targets are achieved?

**Agenda Item B: KiwiRail One Plan**

4. s 9(2)(b)(ii)

5.

6.

7.

**Agenda Item C: Metro Networks**

8. s 9(2)(j)

**Agenda Item D: Interislander**

9. s 9(2)(g)(i)

**Agenda Item E:** s 9(2)(f)(iv)

10. s 9(2)(f)(iv)

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