

OIA2024-139 and 140

Via FYI.org

Dear Adrian

OIA Response

Thank you for your requests under the Official Information Act (OIA) asking for:

- 1. Cost expended with the ECI Contractor (Downer and HEB) between February 2023 and the closing of the Project.*
- 2. Can you please provide me with a breakdown in connection with the above costs.*
- 3. Can you please provide evidence that these costs were approved in accordance with KiwiRail's delegations of Authority, noting that all of these costs were outside of the budget?*

and

- 1. Cost expended with the Design and Engineering Consultants (Jacobs and WSP) between February 2023 and the closing of the Project.*
- 2. Can you please provide me with a breakdown in connection with the above costs.*
- 3. Can you please provide evidence that these costs were approved in accordance with KiwiRail's delegations of Authority, noting that all of these costs were outside of the budget?*

Please find our response below.

Questions 1&2 – Costs expended and costs breakdowns.

Please be advised we are declining this information under Section 9(2)(i) and 9(2)(b)(ii) – as to release this information would prejudice the commercial position of KiwiRail and of third parties.

However, an estimate of the costs to settle was provided in our half year results. These can be found here - <https://www.kiwirail.co.nz/assets/Uploads/documents/Annual-reports/2024/Half-Year-Report-KiwiRail-Holdings-Limited-2024.pdf>

A final figure is expected to be released in our Annual Report which will be publicly available on KiwiRail's website in late September.

Questions 3 – We can confirm that all contracts were approved within under policy and KiwiRail's delegated financial authority process and within project funding provided to KiwiRail.

However, to provide the evidence would again be subject to Section 9(2)(i) and 9(2)(b)(ii) – commercial activities of KiwiRail and of third parties.

This decision has been made under the OIA, as such you have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website: www.ombudsman.parliament.nz.

Yours sincerely



Dave Allard

Senior Government Relations Advisor, KiwiRail

