

Hon Paul Goldsmith

Minister for Arts, Culture and Heritage
Minister of Justice
Minister for Media and Communications
Minister for State Owned Enterprises
Minister for Treaty of Waitangi Negotiations



18 NOV 2024

W. Forest
fyi-request-28796-e84be1c4@requests.fyi.org.nz

Dear Miss Forest

Thank you for your Official Information Act request, received on 18 October 2024. Your request was:

1. *Please provide the KiwiRail cost savings projections that have been provided to you as the State Owned Enterprises Minister.*
2. *And the request that has been delivered to KiwiRail from you as the minister to find cost savings from your term as the minister.*
3. *Additionally please include both the assessment request for and the consultation paper or impact assessment that has been provided in response by the KiwiRail to cancel the iReX project in order to make the decision to cancel the project as whole.*

As a matter of clarity the assessment request is any request that requires KiwiRail to find cost savings and where the KiwiRail has responded with options for the minister to make a decision on.

I wrote to you earlier advising you that I had transferred the below part of your request to KiwiRail (as noted below):

3. *Additionally please include both the assessment request for and the consultation paper or impact assessment that has been provided in response by the KiwiRail to cancel the iReX project in order to make the decision to cancel the project as whole.*

As a matter of clarity the assessment request is any request that requires KiwiRail to find cost savings and where the KiwiRail has responded with options for the minister to make a decision on.

This letter is in response to the remaining parts of your request:

1. *Please provide the KiwiRail cost savings projections that have been provided to you as the State Owned Enterprises Minister.*
2. *And the request that has been delivered to KiwiRail from you as the minister to find cost savings from your term as the minister.*

Information to be released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1.	18 April 2024	KiwiRail letter: Shareholding Ministers' expectations for KiwiRail Holdings Limited	Release in part
2.	13 June 2024	Excerpt from KiwiRail email	Release excerpt in part

I have decided to release the documents listed above, subject to information being withheld under the following sections of the Official Information Act:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons,
- advice still under consideration, section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials, and
- section 9(2)(i) – to enable the Crown to carry out commercial activities without prejudice or disadvantage.

Some information has been redacted because it is not covered by the scope of your request. This is because the documents include matters outside your specific request.

Information publicly available

The following information is also covered by your request and is publicly available on the Treasury and KiwiRail websites:

Item	Date	Document Description	Website Address
3.	20 December 2022	Letter: 2023/24 Owner Expectations for KiwiRail Holdings Limited	Letter of Expectations - KiwiRail Holdings Ltd 2023/24 from the Responsible Minister - 20 December 2022
4.	N/A	Statement of Corporate Intent 2025 - 2027	KiwiRail SCI 2024 Wed 26.indd

Accordingly, I have refused your request for the documents listed in the above table under section 18(d) of the Official Information Act – the information requested is or will soon be publicly available.

In addition, some relevant information has been removed from documents listed in the above table and should continue to be withheld under the Official Information Act, on the grounds described in the documents.

Information to be withheld

I have decided to withhold the documents listed in the table below in full, under one or more of the following sections of the Official Information Act, as applicable:

- section 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,

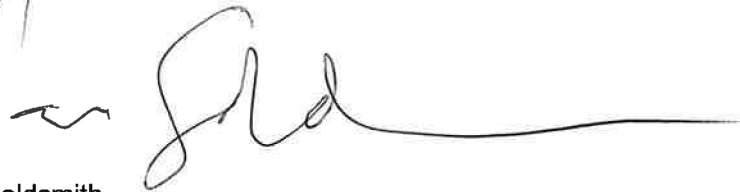
- section 9(2)(ba)(i) – protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied, and
- section 9(2)(i) - enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

Item	Date	Document Description	Decision
5.	7 June 2024	Briefing – KiwiRail and Shareholding Ministers Full Potential Assessment	Withhold in full under s9(2)(b)(ii), s9(2)(ba)(i) & s9(2)(i)
6.	14 August 2024	KiwiRail's commercial plan	Withhold in full under s9(2)(b)(ii) & s9(2)(i)

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision.

Yours sincerely



Hon Paul Goldsmith
Minister for State Owned Enterprises