

MINUTES: Tuesday 14 August 2018 – 9.00 am Teleconference

Attending

- Bruce Conaghan
Transport Technical Services and Design Team Leader, Vertical Capital
Delivery and Professional Services Unit, City Services Group, Christchurch City
Council (chair)
- Eddie Cook
Project Engineer Level Crossings, KiwiRail
- Dale Phillip
Property Team, KiwiRail
- Tom Simonson
Principal Regulatory Advisor, Local Government New Zealand
- Michael Kulpa
RATA-Waikato
- Glenn Bunting
Network Manager, Safety and Environment, NZTA
- Wayne Newman
Administrator, RCA Forum Research and Guidelines Steering Group (secretary)

Apologies

- Chris Cordwell
Rail Services – AT Metro
- Andrea Nicol
Ruapehu District Council
- John Price
Wellington City Council

Actions

D. Phillip to complete proposed FAQ section to accompany the draft template and provide both to the working group by mid-September.

B. Conaghan will review the legislation appertaining to vegetation clearance and the maintenance of sightlines, considering the legal rights and responsibilities relating to not just the rail corridor, but also to adjacent private property and to council-owned land, and the potential inclusion of specified responsibility for maintaining sightlines within the draft deed template.

Actions from last meeting

1. *E. Cook to contact KR property team to arrange for draft Deed to be disseminated to local authorities and for a list of land ownership under crossings to be supplied to local authorities.*

D. Phillip reported that the Deeds of Grant had been signed with NZTA for 102 level crossings on state highways and the template for local roads crossings had now been drafted.

It was agreed that the draft template for local road crossings will come to the working group and be disseminated to councils from the working group, which will then receive feedback on the draft template.

The legal requirement for each crossing to have a Deed of Grant was recognised as providing an opportunity for each crossing to be fully assessed, with a description of the assets on the site and their condition. This would provide a sound foundation for effective asset management, with maintenance requirements more clearly understood and planned for.

D. Phillip to complete proposed FAQ section to accompany the draft template and provide both to the working group by mid-September.

2. *B. Conaghan to ask R. Alkema what notice was circulated of the need for councils to include works on the RLTP if they were not to miss out on 100% funding this year.*

B. Conaghan reported that, from discussions with R. Alkema, it appears that the NZTA regional offices received notice and some, but not all, local authorities did also. Efforts are now being made to compile contact lists for the person in each RCA who would deal with a level crossing funding business case, as well as the person likely to have operational oversight.

It was agreed that being able to maintain lists of the appropriate RCA and KiwiRail contacts for every crossing would facilitate communications for all parties.

3. *E. Cook to investigate the H&S or PTE requirements for a joint RCA-KR inspection.*

E. Cook reported that he had confirmed that no H&S or PTE obstructions prevented any local RCA from contacting their local KiwiRail manager to arrange to make a joint inspection of a crossing.

It was agreed that such inspections would be a sensible preliminary proceeding in progressing any Deeds of Grant to be agreed for crossings.

4. *C. Cordwell reported that AT is undertaking trials of level crossing CCTV analytical software and expects to be able to report on these to a future meeting.*

Deferred to next meeting.

5. *E. Cook reported that the Associate Minister of Transport had attended recent Tracksafe meetings with senior representatives from NZTA and there is increased momentum for KR to become an AO, so the necessary legislative changes might be put on the agenda soon.*

While it was noted that several recent remarks by the Minister and the Associate Minister could be construed as indicating momentum towards such a change, for the working group there is nothing to be done but await the outcome.

6. *E. Cook to provide background and details of proposed KR representation to W. Newman for drafting a formal proposal to go from the group to the Transport Special Interest Group of regional councils through LGNZ.*

A key outcome from the Hamilton seminar was a decision to convene 6-monthly operational meetings between RCA, Rail, Emergency Services and community groups in the BOP and Waikato regions. These meetings are being planned for September this year and, if they prove successful in communicating all parties' operational plans for that region, the idea to have KiwiRail representation on RLTC and RAG groups will then be superseded. The operational meetings, if effective, will be rolled out across all regions.

Report on attendance at TrackSafe NZ meeting

B. Conaghan reported on his attendance at the recent TrackSafe NZ meeting, where he was able to explain that the current focus of the working group is on getting agreed Deeds of Grant in place and achieving better asset management around crossings. The working group has the potential to contribute to a wider local authority acceptance of shared responsibility for level crossings and to be a key conduit for communications between RCAs and KiwiRail.

Actions derived from the seminars

The working group was to be asked to facilitate four actions proposed at the seminars:

1. Approach NZTA for increased advertising funding for national level crossing television campaigns.

A compelling business case, clearly supported by local authorities and the Transport Agency as RCAs with crossings on their networks, might be made. As a starting point KiwiRail should contact Rachel Prince within NZTA to discuss the concept.

2. Consider a level crossing asset management plan and depreciation.

It was agreed that KiwiRail needs to know what assets are there, what their condition is, their value and their maintenance requirements in order to have an effective asset management plan or credible asset depreciation schedule. If this information can be incorporated into the Deed of Grant, ideally as a schedule

able to be kept current, for each crossing, it will be much easier to develop a level crossings asset management plan.

3. Provide national list of Council and NZTA staff to KiwiRail regional staff.

It was noted that this is already being done on the initiative of M. Weeds of NZTA southern regional office. B Conaghan liaising with NZTA and LGNZ to develop the list of RCA contacts.

4. Introduce RCA/NZTA funding for the maintenance of sightlines at level crossings.

E. Cook noted that the Coronial recommendations from the level crossing fatality at Kawerau increase the urgency for KiwiRail to prioritise sightline maintenance, but the budget available for this is insufficient to maintain vegetation clearance for every level crossing nationally. The TCD Manual Part 9 is silent on funding the maintenance of sightlines, but the current legislation makes KiwiRail responsible. KiwiRail would like to see a 50:50 sharing of responsibility at each crossing with the relevant RCA.

It was agreed that vegetation maintenance would also be something that needs to be included within the Deed of Grant, which needs to be as comprehensive as possible to facilitate planning and funding.

B. Conaghan will review the relevant legislation, considering the legal rights and responsibilities relating to not just the rail corridor, but also to adjacent private property and to council-owned land, and the draft deed template.

Other business

1. E. Cook noted that the TCD Manual Part 9 is due for review. G. Bunting explained that the responsibility for the TCD Manual now lies with the System Design and Delivery Team within NZTA. It has just begun consultation on Part 5; Part 4 is scheduled for review next. There will need to be a decision on what will come after that and what resources are available to do it.
2. E. Cook referred to the comments made at the recent AGM of the RCA Forum by the co-chair that it might be time to extend membership of the Forum to include regional councils and queried whether KiwiRail might join the Executive of the RCA Forum. W. Newman noted that the rules of the RCA Forum as an incorporated society might need to be changed to allow the expansion suggested and KiwiRail might be better off simply a member of the RCA Forum, rather than being on the committee charged with its management.

Meeting concluded at 9.55