

14 October 2019

Georgina Campbell
Multimedia Journalist
georgina.campbell@nzme.co.nz

REF: OIA-5724

Dear Georgina,

Request made under the Official Information Act 1982

Thank you for your email of 2 September 2019 requesting the following information under the Official Information Act 1982 (the Act):

'I would like to request under the Official Information Act any correspondence including attachments and briefings regarding concerns NZTA has about Wellington's Rainbow Crossing from 8 October to date.'

On Tuesday 17 September 2019 the NZ Transport Agency sent you the following clarification email:

'The NZ Transport Agency has interpreted your request for information to be for correspondence (including attachments and briefings) that relate directly to concerns the Transport Agency may have had regarding the Wellington Rainbow Crossing. We have not considered that, for example, correspondence we may have received from members of the public regarding the rainbow crossing, to be correspondence 'regarding concerns NZTA has about Wellington's Rainbow Crossing'.

Please confirm that our interpretation is correct?'

You confirmed this interpretation was correct via your email of 17 September 2019.

Some of the information you requested has already been previously released to you through OIA-4452, this request was published on our website and is accessible here:
<https://www.nzta.govt.nz/about-us/official-information-act/media-official-information-act-oia-responses/>

There are 26 documents that fall within the scope of your request, all of which are listed in the document schedule attached to this correspondence, and if being released, have been provided to you as an attachment.

Certain information in these documents have been withheld under the following sections of the Act.

- Section 9(2)(a), this section allows for the withholding of information to protect the privacy of natural persons, including that of deceased persons.
- Section 9(2)(g)(i), this section allows for the withholding of information necessary 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 department or organisation in the course of their duty.

- Section (9)(2)(h), this section allows for the withholding of information necessary to maintain legal professional privilege.
- Section 9(2)(j), this section allows for the withholding of information if necessary to enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to withhold this information. You can find the contact details for the Ombudsman at www.ombudsman.parliament.nz

Please note, this response will also be published on the Transport Agency's website:
<https://www.nzta.govt.nz/about-us/official-information-act/media-official-information-act-oia-responses/>

If you would like to discuss this reply with the Transport Agency, please contact Andrew Knackstedt, Senior Manager – Media, by email to andrew.knackstedt@nzta.govt.nz or by phone on 04 894 6285.

Yours sincerely

A handwritten signature in blue ink that reads "Dennis Crequer". The signature is fluid and cursive, with a long, sweeping tail on the letter 'e'.

Dennis Crequer
Senior Manager – Partnering Externally

Appendix 1: Document schedule

OIA-5724 document schedule

Ref.	Document name	Document description
1	Attachment 1 Re: Rainbow Crossing Monitoring Update.	
2	Attachment 2 RE: Rainbow crossing – Take #2.	
3	Attachment 3: attached WCC Letter Rainbow Crossing 14Feb2019.	CAVEAT: This is a draft letter that was never sent, it does not reflect the formal view of the NZ Transport Agency.
4	Attachment 4	WITHHELD IN FULL – LEGALLY PRIVILEGED.
5	Attached 5: attached FW Rainbow Crossing.	
6	Attachment 6 attached Technical Direction.	
7	Attachment 7: attached shared zone policy.	
8	Attachment 8: attached 4 Briefing for Nic on WCC proposal Sept 2018.	NOT PROVIDED AS RELEASED UNDER PREVIOUS OIA.
9	Attachment 9 There was also an attachment attached to this email, which is also withheld in full under section 9(2)(h) of the Act.	WITHHELD IN FULL UNDER LEGAL PRIVILEGE.
10	Attachment 10 – attachment to above email.	WITHHELD IN FULL UNDER LEGAL PRIVILEGE.
11	Attachment 11 - Rainbow Crossing – Legally Privileged.	
12	Attachment 12.	WITHHELD IN FULL UNDER LEGAL PRIVILEGE.
13	Attachment 13 – attached to attachment.	WITHHELD IN FULL UNDER LEGAL PRIVILEGE.
14	Attachment 14 Fwd Rainbow Crossing Monitoring Update.	
15	Attachment 15	WITHHELD IN FULL – under section 9(2)(g)(i).

16	Attachment 16 FW Rainbow Crossing -monitoring information.	
17	Attachment 17 - attached Pedestrian crossing Risk Ratio testing.pdf.	Caveat: this is an analysis carried out by NZTA staff, of data that has been provided by the WCC.
18	Attachment 18 FW Rainbow crossing - monitoring information.msg.pdf.	
19	Attachment 19 - attached rainbow before after comparison.pdf	Caveat: this is an analysis carried out by NZTA staff, of data that has been provided by the WCC.
20	Attachment 20 Re Rainbow crossing – monitoring information.msg.pdf.	
21	Attachment 21 - Attached WCC Letter Rainbow Crossing July 2019 draft.pdf.	CAVEAT: This is a draft letter that was never sent, it does not reflect the formal view of the NZ Transport Agency.
22	Attachment 22 FW Rainbow crossing - monitoring information.msg.pdf.	
23	Attachment 23 - 0440 Ped Rainbow Xing.xlsx.	WCC Data.
24	Attachment 24 FW FOR APPROVAL Letter to WCC re rainbow crossing.msg.pdf.	
25	Attachment 25 Rainbow Crossing Letter.mg.pdf	
26	Attachment 26 - attached17 WCC Letter Rainbow Crossing Aug 2019.pdf.	Final Letter sent to WCC.