

22 July 2020

Charlotte Cook
Radio New Zealand
Charlotte.Cook@rnz.co.nz

REF: OIA-6759

Dear Charlotte

Request made under the Official Information Act 1982

Thank you for your email of 10 June 2020 requesting information regarding the Transmission Gully project under the Official Information Act 1982 (the Act). In our response of 8 July 2020, we advised that information relating to certain parts of your request required further consultation or a thorough search through a large number of documents, and that a further response would be provided to you on or before 22 July 2020.

Your remaining questions and my responses are below.

What is the total length of road that needs to be re-laid/re-done where there are errors as mentioned in this press release "Process errors have occurred at isolated locations on Transmission Gully, the longest of which was 400m in length." From the 5/5/20

Following consultation with CPB HEB JV (the Builder), the information falling within scope of this part of your request has been withheld under section 9(2)(b)(ii) of the Act. This section allows for the withholding of information where making it available would be likely to unreasonably prejudice the commercial position of the person who supplied or is the subject of the information.

Transmission Gully - including but not limited to, emails [excluding admin, but including attachments] texts, minutes, meetings and agendas between March 2020 to June 10 2020 where problems, faults, delays, vulnerabilities, liabilities and contractual decisions/change/variations are discussed.

Any communications, lists, records or documentation between NZTA and the Wellington Gateway Partnership, regarding independent reviews and/or assessments of faults on Transmission Gully regarding: road seal, base course, paving or bridge supports.

Any communications, lists, records or documentation between NZTA and the Wellington Gateway Partnership, regarding independent reviews and/or assessments of delivery or design of Transmission Gully.

In order to appropriately determine the amount of information falling within scope of your request, Waka Kotahi completed a sample search of communication with employees that were in direct contact with Wellington Gateway Partnership (WGP). It was found that one staff member had over 1,000 emails during the timeframe you had requested. As there are approximately 20 staff that have had direct communication with representatives of WGP between 1 March 2020 and 10 June 2020, there would be an estimated 10,000 emails falling within scope of your request.

Based on the sample above, Waka Kotahi determined your request would necessitate a thorough search through a large number of documents. In accordance with section 15 and 15A of the Act, consideration was given to a reasonable charge for information and/or extension of the 20-working day time limit. However, based on the availability of resources within Waka Kotahi to carry out the work required, it was determined this part of your request cannot be made available without substantial collation or research. It has therefore been declined under section 18(f) of the Act.

Further to the communication with employees, 27 independent reviews regarding Transmission Gully have been located. Waka Kotahi would like to advise our decision to release these documents to you, subject to the provisions of the Act, on or before 29 July 2020.

All communications between NZTA and the Transport Minister Phil Twyford including but not limited to, emails [excluding admin, but including attachments] texts, minutes, meetings and agendas between March 2020 to June 10 2020.

The information falling within scope of this part of your request can be located in Attachment 1.

Certain information has been withheld under section 9(2)(a) of the Act in order to protect the privacy of individuals. Information that is or will soon be publicly available has also been withheld under section 18(d) of the Act.

To maintain the constitutional conventions for the time being and the effective conduct of public affairs, the confidentiality of advice tendered and the free and frank expression of opinions by officials in the course of their duty, some information has been withheld under sections 9(2)(f)(iv) and 9(2)(g)(i) respectively.

Waka Kotahi also attended one meeting with Minister Twyford regarding the Transmission Gully project on 22 May 2020. The communication related to that meeting has also been withheld under sections 9(2)(f)(iv) and 9(2)(g)(i). In order to maintain legal professional privilege, certain advice provided in the meeting has been withheld under section 9(2)(h) of the Act.

Further to the information released in Attachment 1, two items regarding Transmission Gully were located in reports that were sent to Minister Twyford on 13 March 2020 and 10 April 2020. As the majority of information contained in these documents falls outside the scope of your request, only the relevant excerpts have been provided below:

Report #186 for week ending 13 March 2020

Lower North Island – Transmission Gully site visit: On 17 March 2020, Minister Twyford will attend a celebration of the progress of Bridge 20, the largest structure on Transmission Gully. Local reporters from the Dominion Post and Kapiti News have confirmed their attendance.


Report #190 for week ending 10 April 2020

The Advanced Entitlement Payment (AEP) is now available to contractors who currently have projects in construction with Waka Kotahi NZ Transport Agency, with the exception of the two Public Private Partnerships; Transmission Gully and Puhoi to Warkworth.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse part of your request and withhold information. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with Waka Kotahi, 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, appearing to read 'A. Thackwray', is positioned above the printed name.

Andrew Thackwray
Senior Manager Project Delivery