

24 August 2020

Phil Pennington
Reporter
Radio New Zealand
phil.pennington@rnz.co.nz

OIA-6936

Dear Phil

Request made under the Official Information Act 1982

Thank you for your email of 21 July 2020 requesting the following information, pertaining to Dynes Transport Tapanui Limited (Dynes), under the Official Information Act 1982 (the Act):

RNZ requests TA advise what information it can readily provide – and provide links where able - about the past record of Dynes (or any other operator) as it pertains to convictions, fatalities, Operator Rating and any conditions imposed on it or its drivers.

We request to know if Dynes has been involved in any other fatalities since March 2018; or been prosecuted at all since then. If Dynes' full record is available, pls provide it for 2012 till now.

I understand on 27 July 2020, following correspondence between yourself and Andy Knackstedt, Senior Manager Media, your request was refined to be for:

... my request 21 July was for Dynes' full record from 2012 till now; to make that more explicit, we request release of all audit results TA has of this company for this period

Waka Kotahi NZ Transport Agency has interpreted your request to be for audits carried out under section 198 of the Land Transport Act 1998.

A search of Waka Kotahi records has found no audits have been conducted under section 198 of the Land Transport Act 1998, against Dynes from 2012 until present. Your request has therefore been refused under section 18(e) of the Act as the information does not exist.

However, following the incident of March 2018, Waka Kotahi conducted a desktop assessment of Dynes Transport's compliance history, specific to work time records, to determine any systemic issues within the company. Overall, Dynes was found to be generally compliant and as such, no further action was required. To provide reasonable assistance, a copy of the assessment is enclosed.

Certain information has been withheld under section 9(2)(a) of the Act in order to protect the privacy of individuals, section 9(2)(h) of the Act in order to protect legal professional privilege and

section 9(2)(b)(ii) of Act to protect the commercial position of the person who is the subject of the information.

Transport Service licence information has been refused under section 18(c)(i) of the Act as section 199A(4)(b) of the Land Transport Act 1998 prohibits the release of licence numbers without the consent of the licence holder.

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to withhold some information and to refuse this request. 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 Andy Knackstedt, by email to andrew.knackstedt@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Brett Aldridge', with a stylized flourish at the end.

Brett Aldridge
Senior Manager Safer Commercial Transport