

12 August 2022

Phil Pennington  
Reporter  
Radio NZ  
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REF: OIA-10452

Dear Phil

**Request made under the Official Information Act 1982**

Thank you for your email of 1 July 2022 requesting the following information under the Official Information Act 1982 (the Act):

- *Tolling (Back Office Systems) Business Case that obtained Board approval recently (referred to in OIA 10061)*
  - *And any substantive update to it, including scope, costs, timings, since then*
- *Safety Cameras paper recently going to Board for approval (referred to in OIA 10061)*
  - *And any substantive update to it, including scope, costs, timings, since then*
  - *Nb I note I am not sure what 'safety cameras' refers to*
- *Latest substantive business case, and/or paper, and/or tender notice, and /or similar re NZTA taking over speed cameras from police*
  - *And same re infringement processing system (as referred to at <https://www.gets.govt.nz/NZP/ExternalTenderDetails.htm?id=23490775> or NZTA version)*
- *Noting the link in other NZTA docs b/w cameras, tolling technology and congestion charging, and noting TA says its tolling tech from Kapsch was at end of life as of 2019, and given I find no record so far in Annual Reviews about Kapsch contracts, pls provide the latest business case, and/or paper, and/or tender doc and/or similar that has either gone to the board, proceeded past the board, or is at some other stage regards the intersect of any or all of these*

I have numbered the parts of your request for convenience and will answer each of them in turn. Please note, the documents falling within scope, and my decision on each, is also outlined in the Document Schedule appended to this letter.

- 1. *Tolling (Back Office Systems) Business Case that obtained Board approval recently (referred to in OIA 10061)***
  - ***And any substantive update to it, including scope, costs, timings, since then***
- 4. *Noting the link in other NZTA docs b/w cameras, tolling technology and congestion charging, and noting TA says its tolling tech from Kapsch was at end of life as of 2019, and***

***given I find no record so far in Annual Reviews about Kapsch contractsd, pls provide the latest business case, and/or paper, and/or tender doc and/or similar that has either gone to the board, proceeded past the board, or is at some other stage regards the intersect of any or all of these 3***

The following documents fall within the scope of parts one and four of your request and are enclosed:

- Attachment 1 - 12. Tolling Back Office Systems Replacement March 2022
- Attachment 2 - RC 12 Document 1 - Implementation BC Tolling Systems Replacement

Attachment 1 is the Board paper regarding the Tolling Back Office Systems and Attachment 2 is the business case that was considered by the Waka Kotahi Board. There has not been a substantive update to the content in either of these documents.

With regard to Attachments 1 and 2, we are withholding information relating to costs and third-party suppliers under section 9(2)(b)(ii) of the Act, in order to protect information, where making it available would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

Releasing these costs would enable competitors to better understand the service and cost offered by third parties and therefore disadvantage its commercial position. Information about our own costs is also commercially sensitive.

Key risks are withheld under section 9(2)(c) of the Act to avoid prejudice to measures protecting the safety of members of the public. Releasing this information increases the consequence of a breach to our security position, in which the impact on the public would be severe.

Certain information in Attachment 2 has also been withheld under section 9(2)(g)(i) of the Act 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 public service agency or organisation in the course of their duty. Releasing this information may inhibit the free and frank advice tendered by officials in the future.

In Attachments 1 and 2, certain information is being withheld under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being, which protect the confidentiality of advice tendered by Ministers of the Crown and officials. This information relates to matters that are or will be under active consideration.

Please also see the updated GETS webpage for the Tolling System Replacement Solution request for proposals: [www.gets.govt.nz/NZTAHNO/ExternalTenderDetails.htm?id=24041804](http://www.gets.govt.nz/NZTAHNO/ExternalTenderDetails.htm?id=24041804). Sociedad Ibérica de Construcciones Eléctricas, S.A. (SICE) was successful and was awarded the contract on 21 June 2022.

- 2. Safety Cameras paper recently going to Board for approval (referred to in OIA 10061)**
  - **And any substantive update to it, including scope, costs, timings, since then**
  - **Nb I note I am not sure what 'safety cameras' refers to**
  
- 3. Latest substantive business case, and/or paper, and/or tender notice, and /or similar re NZTA taking over speed cameras from police**
  - **And same re infringement processing system (as referred to at <https://www.gets.govt.nz/NZP/ExternalTenderDetails.htm?id=23490775> or NZTA version)**

The following documents fall within the scope of parts two and three of your request and are enclosed:

- Attachment 3 - 14.\_Safety\_Camera\_System\_Indicative\_Business\_Case
- Attachment 4 - SCS\_IBC\_Final\_v0.25

With regard to Attachments 3 and 4, we are withholding information relating to costs and third-party suppliers under section 9(2)(b)(ii) of the Act, in order to protect information, where making it available would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. Further information is being withheld under section 9(2)(g)(i) of the Act 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 public service agency or organisation in the course of their duty. Releasing this information may inhibit the free and frank advice tendered by officials in the future.

Information regarding the number of safety cameras in the future is being withheld under section 9(2)(g)(ii) to maintain the effective conduct of public affairs through the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment.

Regarding Attachment 4, we are withholding some information under section 9(2)(a) of the Act, to protect the privacy of natural persons.

Certain information is also being withheld under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. This information relates to matters that are or will be under active consideration.

Information relating to independent quality assurance is being withheld under section 9(2)(ba)(i) to 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 making it available 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.

On top of those, there are two other documents that fall within the scope of question two, as they were provided to the Waka Kotahi Board as related documents to the Board paper in Attachment 3:

- 3. GW 1417 - Gateway Review 0-1 FINAL
- 4. GW 1417 - Gateway Review 0-1 WK Action Plan v0.1 DRAFT

These two documents are being withheld in full under section 9(2)(ba)(i) of the Act, as the withholding of these documents is necessary to 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..

Although there was no tender notice or anything similar, there are three other documents that fall within the scope of question three, which were procurement plans and the due diligence report:

- SCS - Back Office Infringements Processing System Procurement Plan 20211012 Final Signed
- SCS - Safety Cameras and Safety Camera Management System Procurement Plan 20211108 FINAL\_Procurement endorsed
- Waka Kotahi NZTA - SCS Due Diligence Report on Preferred Tolling Solution Final

These three documents are being withheld in full under section 9(2)(b)(ii) of the Act, in order 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.

Finally, there are many devices intended to improve safety outcomes which can be classified as a safety camera. The main types of safety cameras are red-light or dual function red-light/speed cameras, average-speed (point-to-point) cameras, static (fixed) cameras, and mobile cameras.

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 this information. The contact details for the Ombudsman can be located at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

In line with Waka Kotahi policy, this response will soon be published on our website, with personal information removed.

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](mailto:andrew.knackstedt@nzta.govt.nz).

Yours sincerely



**Neil Cook**

Deputy General Manager, Regulatory Services & Deputy Director of Land Transport

**OIA-10452 Document Schedule**

Ref	Document	Date	Description
1.	Attachment 1 - 12. Tolling Back Office Systems Replacement March 2022	1 March 2022	Certain information being withheld under section 9(2)(b)(ii) as it is commercially sensitive. Certain information also withheld under section 9(2)(c) for security reasons and under section 9(2)(f)(iv) as the advice is under active consideration.
2.	Attachment 2 - RC 12 Document 1 - Implementation BC Tolling Systems Replacement	February 2022	Certain information being withheld under section: <ul style="list-style-type: none"> <li>• 9(2)(b)(ii) as it is commercially sensitive</li> <li>• 9(2)(c) for security reasons</li> <li>• 9(2)(f)(iv) as the advice is under active consideration</li> <li>• 9(2)(g)(i) as free and frank advice.</li> </ul>
3.	Attachment 3 - 14._Safety_Camera_System_ Indicative_Business_Case	13 April 2022	Certain information being withheld under sections <ul style="list-style-type: none"> <li>• 9(2)(b)(ii) as it is commercially sensitive</li> <li>• 9(2)(g)(i) as free and frank advice</li> <li>• 9(2)(g)(ii) to protect from improper pressure or harassment.</li> </ul>
4.	Attachment 4 - SCS_IBC_Final_v0.25	March 2022	Certain information being withheld under section: <ul style="list-style-type: none"> <li>• 9(2)(a) to protect privacy</li> <li>• 9(2)(b)(ii) as it is commercially sensitive</li> <li>• 9(2)(g)(i) as free and frank advice.</li> <li>• 9(2)(g)(ii) to protect from improper pressure or harassment</li> <li>• 9(2)(f)(iv) as the advice is under active consideration</li> <li>• 9(2)(ba)(i) as the information which is subject to an obligation of confidence</li> </ul>
5.	3. GW 1417 - Gateway Review 0-1 FINAL	February 2022	Withheld in full under section 9(2)(ba)(i) as the information which is subject to an obligation of confidence
6.	4. GW 1417 - Gateway Review 0-1 WK Action Plan v0.1 DRAFT	2022	Withheld in full under section 9(2)(ba)(i) as the information which is subject to an obligation of confidence

7.	SCS - Back Office Infringements Processing System Procurement Plan 20211012 Final Signed	12 October 2021	Withheld in full under section 9(2)(b)(ii) as it is commercially sensitive
8.	SCS - Safety Cameras and Safety Camera Management System Procurement Plan 20211108 FINAL_Procurement endorsed	8 November 2021	Withheld in full under section 9(2)(b)(ii) as it is commercially sensitive
9.	Waka Kotahi NZTA - SCS Due Diligence Report on Preferred Tolling Solution Final	12 May 2022	Withheld in full under section 9(2)(b)(ii) as it is commercially sensitive