

11 September 2023


Radio New Zealand
@rnz.co.nz

REF: OIA-13169

Dear 

Request made under the Official Information Act 1982

Thank you for your emails of 24 July 2023 requesting information under the Official Information Act 1982 (the Act). I will address your questions in turn.

WK released quite a bit of info about liquidated damages on TG in the end. I seek similar re P2W – essentially how much they are per day, and are they being paid as of now given remedial works having to be done (or not, since the road is in use).

I am withholding this information under section 9(2)(b)(ii) of the Act. Section 9(2)(b)(ii) provides for withholding 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.

Also, given the construction is only part of it, what is the entire contract to build and operate worth? Pls provide details of what the 25-year contract is worth (per year, or however it has been agreed) for NX2 to operate the road for 25 years. I thought I would find media reference to it, but cannot.

The current project cost for Ara Tūhono Pūhoi to Warkworth comprises of three components being \$709.5 million (2016 Net Present Value), plus two settlement packages paid by Waka Kotahi, which include \$85 million to cover the cost resulting from the COVID-19 shutdown and a further \$83 million which was agreed pre COVID-19 to cover some historic claims including extra costs to work at the northern end of the project.

Final costs will not be known until all claims for additional cost entitlement from the contractor have been resolved.

Additional information regarding the value of the contract, including in relation to unitary payments, is withheld under section 9(2)(b)(ii) of the Act.

I also can't find unredacted figures for liquidated damages or total costs/annual operation fees in the masses of docs released - <https://www.nzta.govt.nz/projects/ara-tuhono-puhoi-to-warkworth/working-in-partnership/>. If they are here, somewhere, pls provide a steer or link to them.

I refer you to my response to the first part of your request.

The list it has of all the work that remains outstanding (yet to be completed) on P2W

A list of remaining works for the Pūhoi to Warkworth motorway at the end of August 2023 is below:

- Finishing works in various locations
- Fencing and planting at multiple locations along the project
- Completion of earthworks (including the works at the northern end of the project)
- Demobilisation and finalisation of the site egress and exit points
- Finalisation of works on local roads
- Demobilisation of compound and site compounds
- Finalisation of artworks including lighting
- Miscellaneous finalisation works.

Also Warkworth to Wellsford does not seem to have a WK update since 2021 - is this the latest? – <https://www.nzta.govt.nz/projects/ara-tuhono-warkworth-to-wellsford/> Pls update RNZ on the latest

- ***re if it is going ahead,***
- ***is it a PPP***
- ***what stage it is at,***
- ***has environment court process been finalised***

On 25 March 2021, Auckland Council granted resource consents, subject to conditions, for the Ara Tūhono – Warkworth to Wellsford project. The Council also recommended Waka Kotahi confirm the Notice of Requirement (NoR).

The appeal periods for resource consents and NoR have closed, and a small number of appeals have been filed. Discussions are continuing with the one remaining submitter in an effort to resolve the remaining appeal and good progress has been made.

Once the Environment Court process has concluded, Waka Kotahi will provide further information on the outcome of this process.

Completing the route protection phase for this project will provide long-term certainty for property owners, adjacent communities and the wider region. No decision has been made on the contract model for the project.

The Detailed Business Case (DBC) for construction is conditional on certain project triggers such as safety and increased traffic volumes. More information can be found in the DBC here:

www.nzta.govt.nz/assets/projects/ara-tuhono-warkworth-to-wellsford/detailed-business-case-oct-2019.pdf

- ***if the current business case is OK or needs changing,***

The October 2019 DBC was prepared to support route protection. An Implementation Business Case will be required to make the investment case for construction closer to the likely time of construction. The following triggers were set for implementation (and further detailed investigation), being at least two of the following criteria:

- Death and serious injury (DSI) savings forecast from Dome Valley safety improvements not achieved within 3 years
- A 30 percent increase in total number of closure hours per annum from 2018 levels
- Forecast traffic volumes are predicted to exceed 25,000 annual average daily traffic counts.

- ***all estimates of costs (build and operate)***

While there are funds available for early property purchases, Waka Kotahi has not yet allocated any construction funding for the project. I refer you to page 99 of the 2019 DBC for estimated project delivery costs: www.nzta.govt.nz/assets/projects/ara-tuhono-warkworth-to-wellsford/detailed-business-case-oct-2019.pdf.

- ***timeframe including completion***

The 2019 DBC estimates that if the project was completed in a single stage, the construction duration would be between 6 and 7 years.

- ***any tenders on GETS that relate to this project***

There are no active tenders for this stage of Ara Tuhōno – Warkworth to Wellsford.

With respect to the information that has been withheld in this response, 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 on this request. The contact details for the Ombudsman can be located at 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 Media Manager, by email at andrew.knackstedt@nzta.govt.nz.

Yours sincerely



Andrew Robertson
National Manager Commercial Delivery