

13 February 2024

[REDACTED]

REF: OIA-14436

Dear [REDACTED]

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

Thank you for your email of 12 January 2024 requesting information under the Official Information Act 1982 (the Act) relating to the closure of State Highway 1 at the Brynderwyn Hills.

Your request was refined on 29 January 2024 as follows:

1. *Who decided that the Brynderwyn Job in regard to the major works and closure from 26<sup>th</sup> Feb 2024 did not need to follow a tender process?*
2. *Why this decision was made?*
3. *Why did they choose the contractor they did?*
4. *Was central government asked by NZTA for a Northland support package of any sort?*

As a result of the extreme weather events occurring since August 2022, roading infrastructure across Northland has been damaged or is at risk of consequential damage requiring immediate remediation. Considering the significant number of locations where damage occurred, an effective recovery approach requires a region-wide approach. NZ Transport Agency Waka Kotahi (NZTA) determined that the most effective approach was to establish a single management team with the ability to rapidly progress implementation of solutions and to combine the recovery response into packages of work covering priority areas in Northland.

Procurement was completed on a direct appoint basis as per the approved procurement approach for recovery works. An assessment was completed of all suppliers that had appropriate knowledge and experience of the area, and the capability and capacity to commence work quickly in an emergency response environment.

The route through the Brynderwyn Hills is considered a critical lifeline route. A damage assessment identified a large number of intervention sites requiring recovery of slips, storm water infrastructure, embankment recovery and retaining solutions, with an immediate requirement to prevent worsening of existing slips or the occurrence of additional slips with the potential to significantly increase the overall cost and network impact.

Although various suppliers are established within the Northland region, Fulton Hogan were chosen for this work as they have been undertaken other emergency works across the corridor and have the best

understanding of the area and site conditions. The earthworks component at the site is significant, and it is anticipated that the majority of time and effort will be focused on this activity. Fulton Hogan is currently mobilised and delivering the required earthworks.

As a Crown Agency, NZTA is unable to provide compensation to businesses. NZTA has not requested central Government support for compensation but is aware of a request made by the Northland Inc Steering Group for central Government compensation for the impacts of the closure. Central Government has decided not to provide compensation in this instance. NZTA and its contractors are working as quickly and safely as possible during the closure in order to minimise the impact on the community and local businesses.

In accordance with NZTA policy, this response will be published on our website shortly with personal information redacted.

If you would like to discuss this reply with NZTA, please contact Ministerial Services by email to [official.correspondence@nzta.govt.nz](mailto:official.correspondence@nzta.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Kinvig', with a long horizontal flourish extending from the end of the signature.

**Mark Kinvig**  
National Manager Infrastructure Delivery