

15 March 2024



REF: OIA-14607

Dear 

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

Thank you for your email of 5 February 2024 requesting the following information under the Official Information Act 1982 (the Act):

*The Aug 2023 NTS governance board minutes say the programme is tracking the level of confidence on delivery dates from Cubic, ECAN and NTS Programme, and the board asked it to also include ratings for other PTAs where work has commenced.*

*RNZ News requests release of the following in full:*

- *The three latest documents of any kind that WK is relying on in 'tracking the level of confidence on delivery dates'*

*The Sept minutes say 'YA provided background and update on recent NTS media coverage post comments made at a technology conference attended by Cubic representatives. The matter has been raised with Cubic management. Discussion followed on communications protocols, and it was acknowledged that the protocols will work for proactive media releases, however we do need to consider how we respond to reactive issues'*

*RNZ News requests release of the following in full:*

- *A copy of the 'background and update' noted above*
- *A full record of the discussion as above in red*
- *A full record of the consideration (as per above in green) subsequently given; and any changes or initiatives or similar arising from that consideration*

*RNZ reported per WK statement in Nov that Cubic put forward "an updated release schedule" that NZTA was assessing for impact on its plans.*

*Pls release*

- *Details of the impact of the 'updated release schedule' including of any changes made to NTS deliverables, structure or timing as a result*

I have numbered each part of your request for convenience and will answer each in turn.

**1. *The three latest documents of any kind that WK is relying on in ‘tracking the level of confidence on delivery dates’***

The following documents fall within the scope of your request:

- Document 1: 20240213 - NZ NTS Customer Version 12-Feb.mpp
- Document 2: 20240229 FSP Integrated Plan.mpp
- Document 3: TTP plan.

Document 1 is the Cubic milestone schedule, document 2 is the Financial Service Provider’s milestone schedule, document 3 is the Transport Ticketing Payments team’s draft schedule for NZ Transport Agency’s (NZTA) delivery.

I am withholding documents 1 and 2 in full under section 9(2)(b)(ii) of the Act. This section allows for the withholding of information 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.

I am also withholding document 3 in full under section 9(2)(ba)(ii) of the Act. This section allows for the withholding of information 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 damage the public interest.

The potential damage to the public interest would be to protect effective government decision-making processes through premature disclosure of ‘deliberative material’ which is still under active consideration.

Please note that the NTS programme has a number of workstreams that each provide regular updates to the Governance Board to support its decisions and contribute to the level of confidence at any given time. As with any programme, confidence grows as milestones across all workstreams are met through the design, build and delivery phases. The NTS programme is currently in a building phase and several key milestones have already been met, including Cubic delivering its first technical solution as per the revised schedule, which will enable testing to begin. An integrated test facility has been set up for this to occur. At the same time, we are finalising the rollout plan in Canterbury focusing on a successful transition for customers, and we expect to confirm that plan by June 2024.

**2. a) *A copy of the ‘background and update’ noted above***

There is no copy of a “background and update” as this was a verbal update at the National Ticketing Solution (NTS) Governance Board meeting. Therefore, I am refusing this part of your request under section 18(e) of the Act as the document alleged to contain the information requested does not exist.

**2. b) *A full record of the discussion as above in red***

By way of a summary of this discussion, the media article published on 27 September 2023 about the NTS included verbal comments made from a Cubic spokesperson and a Greater Wellington Regional councillor. The article raised the question of whether the communications protocol agreement in place with Public Transport Authorities (PTA) covered this scenario. The conclusion was that:

- the protocols included verbal communications in scope but did not specifically reference expectations when answering of unplanned verbal questions.
- Cubic was not party to the NTS Communications Protocols agreement, but it does have similar responsibilities under its contract.
- while Greater Wellington Regional Council is party to the protocol agreement, it has less influence over comments made by councillors.

**2. c) A full record of the consideration (as per above in green) subsequently given; and any changes or initiatives or similar arising from that consideration**

There is no full record of the consideration as this was a verbal update.

Actions completed after this meeting included a review and updating and recirculation of the NTS Communications Protocol agreement, requesting PTAs ensure expectations were widely understood throughout each organisation. This included clarifying expectations around answering unplanned verbal questions.

We also confirmed with Cubic its understanding of its contractual obligations when commenting on the NTS and clarified expectations around answering unplanned verbal questions.

**3. *Details of the impact of the 'updated release schedule' including of any changes made to NTS deliverables, structure or timing as a result***

We are still on track to complete the full roll-out to all PTAs by the end of 2026, and no features have been removed from scope. The updated release schedule provided by Cubic was one input into a revised Integrated Plan for the delivery of the NTS solution which was developed in November 2023.

This plan indicates a revised timeline of late 2024 for the start of delivery in Canterbury, as compared to August 2024 timeline previously estimated. The programme involves a multi-phased delivery, with those phases including both regional rollouts and an iterative addition of features over time.

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 and refuse part of this request. The contact details for the Ombudsman can be located at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

In line with NZTA 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 Andy Knackstedt, Senior Manager, Media, by email to [andrew.knackstedt@nzta.govt.nz](mailto:andrew.knackstedt@nzta.govt.nz) or by phone on (04) 894 6285.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Yogesh Anand', with a long horizontal stroke extending to the right.

**Yogesh Anand**

Executive Sponsor, National Ticketing Solution