

25 September 2019

9(2)(a)



REF: OIA-5453

Thank you for your correspondence of 17 July 2019 requesting the information under the Official Information Act 1982 (the Act) regarding the Baypark to Bayfair link (B2B).

Please find attached the documents in scope of your request. Certain information is withheld as detailed in the document schedule. 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.

For clarity, your questions and clarifying notes are responded to as follows:

1. The traffic plan for this project at the time that a tender was accepted for its construction.

I expect this to be a single, and significant report detailing the traffic plan for this project at time it was awarded.

Please refer to attachment 1.

2. Changes to the project's traffic plan since awarding the tender and your reply to me.

I expect this to be between 1, and another small number of reports including drawings detailing changes to the projects traffic plan. Civil or structural details are not requested.

Please refer to attachment 2.

3. Traffic Engineers analysis of why the Bayfair underpass was added to the project.

I expect this to be a single report, detailing the reasons that an underpass to replace the underpass the project would destroy, was added to the project.

Please refer to attachment 3.

4. Traffic Engineers analysis of why the Bayfair underpass was deleted from the project.

I expect this to be a single report from your project's traffic engineer setting out the implications of not having an underpass for pedestrians and cyclists to cross this state highway.

Please refer to attachments 4 and 5.

5. Civil Engineering detailed analysis and reports for the underpass when it was added to the project.

I expect an overview detailing the proposed design to construct this underpass when added to the project with a budget cost of \$13 million.

Please refer to attachment 6.

6. Civil Engineering detailed analysis and reports for the underpass when it was deleted from project.

I expect a civil engineering report describing the changes in design which added some \$20million to the cost of the underpass.

Please refer to attachments 7 and 8.

7. Quantity Surveyors detailed cost analysis of the underpass when it was added to the project.

I expect a detailed worksheet showing the component costs, P&G, and any other costs which support the published cost for the underpass being \$13 million.

Please refer to attachment 6.

8. Quantity Surveyors detailed cost analysis of the underpass when it was deleted from the project.

I expect a detailed worksheet showing the component costs, P&G, and any other costs which support the published cost for the underpass being \$30 million before the underpass was removed from the project.

Please refer to attachment 7.

9. Details of consultation held with the public to canvas the implications on users of the roading network at this point to understand the importance of the underpass to these people.

I expect a summary of this public consultation and list of parties and public who were consulted on this matter.

Please refer to appendix b of attachment 4.

10. Details of consultation or communications with other groups of road users, particularly pedestrians, cyclists and school children, through local organisations, schools or groups.

I expect copies of all hard copy of electronic information sheets describing the project, and all communication in whatever form occurred between NZTA and of road users, particularly pedestrians, cyclists and school children, through local organisations, schools or groups.

Please refer to appendix b of attachment 4.

11. Traffic Safety Engineer or Urban Planning expert's analysis of the safety implications for pedestrians and cyclists moving through this area and crossing the proposed roading system at Bayfair.

I expect a single or final report from a Traffic Safety Engineer in which the safety of pedestrians and cyclists crossing the proposed roading system at ground level through a number of controlled intersections.

Please refer to attachments 9, 10 and 11.

12. NZTA analysis of compliance of the B2B Project with the Government's GPS for transport.

I expect a copy of NZTA's review of the B2B Project alignment with the Government's GPS for transport.

The B2B project was not re-evaluated against the Government Policy Statement on land transport (GPS) 2018/19 – 2027/28. As such, your request is refused under section 18(e) of the Act as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

13. All civil design, budgetary, and traffic engineering reports relating to bus lanes, and tidal flow lanes as variations to the original design at the time the tender was awarded.

I expect a copy of the civil design, costings, and traffic engineering reports relating to bus lanes and tidal flow lanes considered, or confirmed, as variations to the original design at the time the base contract was awarded.

No work relating to bus lanes or tidal flow lanes as variations to the original design was undertaken at the time the tender was awarded. Subsequent to contract award work progressed to develop proposals for prioritization; please refer to attachment 12. This work was placed on hold following approval to progress an underpass concept design. Given the underpass will no longer progress this work is being re-initiated.

14. Can you please provide all information you have which sets out the grounds for your decision to abandon the first listed 'Project Benefit', to 'improve walking and cycling connections' and create something which is quite the opposite.

I expect that you have a document which you produced specifically addresses this issue before making your decision, if not, please confirm that to be the case.

Please refer to attachment 7.

15. Can you please provide all information you have which sets out the grounds for your decision to abandon the second listed 'Project Benefit', to 'improve safety for all road users through the area' and create something which creates significant and new dangers to people walking and cycling through the area.

I expect that you have a document which specifically addresses this issue, if not, please confirm.

Please refer to attachment 7.

16. Can you please provide most recent information you have which confirms the current expected total cost of this project, and what key features not on original drawings have been deleted and what additions, if any, have been made.

I expect a copy of the latest report produced by your project team which confirms the current contract value, including a short description of each addition or deletion to the original design, and the value ascribed to each. If no such report exists, please compile a short summary from other documents which contain this information.

Please refer to attachment 13.

Under section 28 of the OIA, you have the right to ask the Ombudsman to review our decision to withhold certain information. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz

In accordance with NZ Transport Agency policy, this response will be published on the Transport Agency website shortly. Your name and contact details will be withheld in order to protect your privacy.

If you would like to discuss this response further, please contact Sarah-Lee Crellin, Media Manager, by email to sarah-lee.crellin@nzta.govt.nz or by telephone on 021 807 745.

Yours sincerely



Andrew Thackwray
Senior Manager Project Delivery

OIA-5453 document schedule.

REF	Document name	Date	Decision	Relevant to question
1.	CPB Tender Traffic Staging	November 2016	Released in full	1
2.	Traffic changes since contract awarded.	11 May 2017 – 9 June 2019	Some information withheld under section 9(2)(a) of the Act	2
3.	Baylink Scope Variation MGI active mode recommendation	19 September 2018	Release in full	3
4.	Scheme Assessment for Implementation (Baypark to Bayfair Link Upgrade)	17 December 2014	Some information withheld under sections 9(2)(b)(ii) and 9(2)(a) of the Act.	4, 9 (appendix b), 10 (appendix b)
5.	SH2 Pedestrian and Cyclist grade separation options at the B2B Project	November 2017	Some information withheld under section 9(2)(a) of the Act.	4
6.	Underpass - Concept Design Report including Costs	18 September 2018	Some information withheld under sections 9(2)(b)(ii) and 9(2)(a) of the Act.	5, 7
7.	Baylink underpass memo	21 June 2019	Some information withheld under sections 9(2)(b)(ii), 9(2)(g)(i) and 9(2)(a) of the Act.	6, 8, 14, 15
8.	50% Design Submission CPB – 90 documents	March 2019	Some information withheld under section 9(2)(a) of the Act.	6
9.	RSA Client Decision Tender Design for signalised roundabout	September 2016	Some information withheld under section 9(2)(a) of the Act.	11
10.	B2B CI 0242 Attachment 1 - Road Safety Audit - Rev E - Client Decision - In response to NTE 0171	October 2017	Some information withheld under section 9(2)(a) of the Act.	11
11.	NZTA Safety Spt for Signalised RAB	18 May 2018	Some information withheld under section 9(2)(a) of the Act.	11
12.	Baylink Retrofit Project 5 Dec Workshop		Released in full	13
13.	No 24_Bay Link Monthly Report - June 2019_Redacted.pdf	June 2019	Some information withheld under section 9(2)(b)(ii) of the Act.	16

Key to withholding grounds:

- 9(2)(a): to protect the privacy of natural persons, including that of deceased natural persons
- 9(2)(b)(ii): to protect information that the release of would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- 9(2)(g)(i): 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 department or organisation in the course of their duty.