

5 October 2021

s 9(2)(a)

REF: OIA-8770

Dear **s 9(2)(a)**

Request made under the Official Information Act 1982

Thank you for your email of 7 September 2021 requesting the following information under the Official Information Act 1982 (the Act):

i) the "14 reports into the risks of building the shared path"

The documents you are requesting are outlined in the attached Document Schedule. These have been released to you in the same format, and subject to the same redactions, as they have been released previously.

Some information has been withheld under the following sections of the Act:

- section 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons
- section 9(2)(b)(ii) to protect the commercial position of the person who supplied or who is the subject of the information
- section 9(2)(g)(i) 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 department or organisation in the course of their duty
- section 9(2)(j) to enable Waka Kotahi to carry on, without prejudice or disadvantage, negotiations.

I am withholding attachments three, five and seven in full under section 9(2)(g)(i), 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 department or organisation in the course of their duty. However, a summary of these documents, as provided to the reporter referred to in the article you linked, is provided below.

Summary of attachments three, five and seven:

Northern Pathway's Westhaven to Akoranga key risks	
Risk	Mitigation
Inability to secure the material and plant resources at the approved rates. Post COVID-19 worldwide response to the pandemic may induce extraordinary market demand and rise in inflation.	Undertaking parallel estimates, appointing steel procurement specialists, monitoring rate movement, securing long lead orders, and allowing for this risk in the contingency*. This risk will reduce as procurement activities progresses.
Changing project definition during IPAA (conceptual design) the project scope and how it connects with the environment is still being defined.	Early engagement with stakeholders to understand their requirements and allowing for this risk in the contingency*. This risk will resolve at the signing of the Project Alliance Agreement.
Insufficient allowance for design development / refinement between total outturn cost design and issued for construction design.	Monitoring design development, having the estimator involved in the design development, and allowing for this risk in the contingency*. This risk will reduce as construction progresses
High Court Appeal post consent.	High quality planning and legal advice on project options, challenging issues along the route, and solutions to those, in order to minimise the risk of appeal proceedings. The risk will resolve at the end of the High Court appeal period.
Additional scope introduced to upgrade existing infrastructure.	Early engagement with stakeholders to understand their requirements. This risk will resolve at the signing of the Project Alliance Agreement.
COVID-19 Pandemic impacts during detail design and construction.	This is being managed with the business continuity plan and it is an on-going risk
Misaligned / unresolved expectations between Alliance, User Groups and Interface Organisations.	Working with stakeholders to understand their concerns, and a communications plan. This risk will resolve at the opening of the project
Staging of southern connection proves more complicated than anticipated.	Understanding the site constraints, and working with stakeholders to understand any concerns, developing design solutions that address those concerns and allowing for this risk in the contingency*. This risk will resolve at the completion of the construction at Westhaven.
Large component structures are no longer feasible to erect.	Understanding the site, material, and plant constraints, and working with stakeholders to understand their concerns, and allowing for this risk in the contingency*. This risk will resolve at the completion of the construction of the large component structures.
Additional effort / consultation to minimise strong opposition during the statutory process resulting in time delays.	This risk is being managed by working with stakeholders to understand their aspirations and any concerns and employing a communications plan that ensures careful and consistent engagement with partners, stakeholders and interest groups.

ii) the "Specimen Design Report into the September investigations"

iii) A copy of the Wind tunnel testing analysis and reporting carried out for the Northern Pathway Shares Path (being the design announced by NZTA in May 2019).

Copies of these documents are also attached to this response as attachments 15 and 16. Certain information has been withheld from these under section 9(2)(a) to protect the privacy of natural persons.

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.

If you would like to discuss this reply with the Waka Kotahi NZ Transport Agency, please contact the Ministerial Services team at official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. Thackwray', with a stylized flourish at the end.

Andrew Thackwray
National Manager Infrastructure Delivery

OIA-8770 Document Schedule

Ref	Document	Date	Description
1.	RE: Additional updates/ construction methodology	22 February 2020	Information withheld under section 9(2)(a), 9(2)(g)(i) and as out of scope.
2.	Northern Pathway Westhaven to Akoranga – NZUP Project Delivery Plan	March 2020	Information withheld under section 9(2)(j).
3.	Northern Pathway W2A - Combined Project Risk Register	8 April 2020	Summarised. Document withheld under section 9(2)(g)(i).
4.	AHB construction use of Gold Hole Reserve	12 May 2020	Information withheld under section 9(2)(g)(i).
5.	07a NPW2A Combined Safety in Design Register	3 June 2020	Summarised
6.	2020087 NPW2A Project Steering Committee Dashboard August	7 August 2020	Information withheld as out of scope.
7.	02a Northern Pathway W2A – Combined Project Risk Register rev21	1 September 2020	Summarised
8.	Northern Pathway Westhaven to Akoranga Bridge Component Design Summary Report	2 September 2020	Information withheld under section 9(2)(g)(i).
9.	NPW2A Project Steering Committee Dashboard September v2	9 September 2020	Information not relating to risks is withheld as out of scope.
10.	Northern Pathway Westhaven to Akoranga Scope Prioritisation Layers (FINAL)	9 September 2020	Names withheld under section 9(2)(a). Other information withheld under section 9(2)(g)(i) and as out of scope.

11.	Northern Pathway Westhaven to Akoranga Options Development Summary	6 November 2020	Information withheld under sections 9(2)(a) and 9(2)(g)(i).
12.	NZ Upgrade Programme Paper – (Withheld under section 9(2)(g)(i) – Final	6 November 2020	Information withheld under section 9(2)(j).
13.	Report – NP2A Specimen Design Report Review	24 November 2020	Information withheld under section 9(2)(g)(i).
14.	Northern Pathway Scope Challenge Report v4.0	18 December 2020	Names withheld under section 9(2)(a).
15.	Specimen Design Report	30 June 2020	Names and contact information withheld under section 9(2)(a).
16.	Wind Tunnel Testing Analysis	June 2020	Names and contact information withheld under section 9(2)(a).