

20 November 2024



REF: OIA-16747

Dear 

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

Thank you for your email of 22 October 2024 requesting the following information under the Official Information Act 1982 (the Act):

- *Please could I request a copy of the latest version of the Business Case (as at 21 October 2024) for the Hawke's Bay Expressway Road of National Significance (RoNS), including all of the supporting documents that inform the business case*
- *Could I also please request any NZTA advice to the Minister on the Hawke's Bay Expressway Road of National Significance (RoNS) up to and including until 21 October 2024.*

I am withholding all information that falls within the scope of the first part of your request under section 9(2)(ba)(ii) of the Act, in order 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 otherwise to damage the public interest. The investment case will soon be considered by the NZ Transport Agency Waka Kotahi Board.

The documents that fall within the scope of the second part of your request are listed in the attached document schedule and enclosed. Documents 1, 2, and 3 are included in Attachment 1 as extracts from other documents which are not within the scope of your request. Some information contained within the documents released to you falls outside the scope of your request, so has been removed and labelled as such.

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

- section 9(2)(a) in order to protect the privacy of natural persons, including that of deceased natural persons; and,
- section 9(2)(ba)(ii) of the Act in order 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 otherwise to damage the public interest.

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.

It is important to provide some context for what work is being undertaken and why. Early physical works, known as enabling works, began on 21 October 2024. Ground improvements are required as the ground is currently too soft to immediately construct on. NZ Transport Agency Waka Kotahi (NZTA) made the decision early to split this early enabling work out and have it designed and constructed separately to the rest of the stage one work. This will result in a 12-15 month saving on the programme compared to waiting to complete the design and consenting for the entire stage 1 package before commencing enabling works construction. This is outlined in greater detail in Document 4.

After compaction, the placed silt will be left to settle for at least 12 months prior to further construction works commencing. Work is continuing on other aspects such as planning and detailed design, but further early works funding will only be available once the NZTA Board has endorsed the investment case for the project.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse part of your request and to withhold some information. 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 NZTA, please contact the Ministerial Services team, 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 'Robyn Elston', with a stylized flourish at the end.

**Robyn Elston**  
National Manager System Design

**OIA-16747 Document Schedule**

<b>Ref</b>	<b>Document</b>	<b>Date</b>	<b>Description</b>
1.	Extract from BRI-3058 (Extract)	24 May 2024	Released in full
2.	Extract from MIN-4556 Monthly RoNS Report for June 2024 (Extract)	5 July 2024	Released in full
3.	Extract from MIN-4573 Monthly RoNS Report for July 2024 (Extract)	14 August 2024	Released in full
4.	BRI-3207 Hawke's Bay Expressway	17 October 2024	Section 9(2)(a) – privacy of natural persons Section 9(2)(g)(i) – free and frank for Board consideration Out of Scope – some marked OOS as not related to HB Expressway