

1 November 2022

Jacob Chandler
fyi-request-20771-d4b5ba14@requests.fyi.org.nz

REF: OIA-11157

Dear Jacob

Request made under the Official Information Act 1982

Thank you for your email of 5 October 2022 requesting the following information under the Official Information Act 1982 (the Act):

*There is a road-sign in Wellington on SH2 travelling south approximately -
41.24241502737991, 174.8221231519057*

It contains a black stylised information "I" in a white circle. with 88.2fm in white on a blue background below it.

It appears to be an official road-sign and points to a low powered radio station broadcasting in a small area of Wellington CBD containing obsolete tourist information.

I would like to know when this sign was installed and what other vested parties there are in this particular sign?

*How many of these signs were installed in NZ and how many of these signs are still in use?
what are their locations?*

I would also like any communication, if any, pertaining to the removal of the sign.

Waka Kotahi NZ Transport Agency is unaware of when this sign was installed and can confirm that the sign does not refer to a current radio channel.

Waka Kotahi is unaware of the number of these signs that are installed across New Zealand, and therefore unaware of their location should they exist elsewhere.

With regard to communication pertaining the removal of the sign, I am refusing your request under section 18(e) of the Act as the information does not exist. Waka Kotahi was not aware of this sign prior to receiving your request. Upon being made aware of this sign, Waka Kotahi has requested its maintenance contractors to check the sections of the network that they are responsible for and remove any signs with incorrect information, such as this one, when traffic management is next working in the area.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to partially refuse your request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with Waka Kotahi, please contact Ministerial Services by email to official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read "M. Owen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Owen
Regional Manager Maintenance and Operations.

OIA-XXXX Document Schedule [Delete this table and use method outlined above if less than 4 attachments]

Ref	Document	Date	Description (if needed)
1.			
2.			
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[Most common grounds have been highlighted for convenience]

9 Other reasons for withholding official information

(1) Where this section applies, good reason for withholding official information exists, for the purpose of section 5, unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

(2) Subject to sections 6, 7, 10, and 18, this section applies if, and only if, the withholding of the information is necessary to—

(a) protect the privacy of natural persons, including that of deceased natural persons; or

(b) protect information where the making available of the information—

(i) would disclose a trade secret; or

(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

(ba) 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—

(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

(ii) would be likely otherwise to damage the public interest;

(c) avoid prejudice to measures protecting the health or safety of members of the public; or

(d) avoid prejudice to the substantial economic interests of New Zealand; or

(e) avoid prejudice to measures that prevent or mitigate material loss to members of the public; or

(f) maintain the constitutional conventions for the time being which protect—

(i) the confidentiality of communications by or with the Sovereign or her representative:

(ii) collective and individual ministerial responsibility:

(iii) the political neutrality of officials:

(iv) the confidentiality of advice tendered by Ministers of the Crown and officials; or

(g) maintain the effective conduct of public affairs through—

(i) 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; or

(ii) the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment; or

(h) maintain legal professional privilege; or

(i) enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities; or

(j) enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or

(k) prevent the disclosure or use of official information for improper gain or improper advantage.

18 Refusal of requests

A request made in accordance with section 12 may be refused only for 1 or more of the following reasons, namely:

(a) that, by virtue of section 6 or section 7 or section 9, there is good reason for withholding the information:

(b) that, by virtue of section 10, the department or Minister of the Crown or organisation does not confirm or deny the existence or non-existence of the information requested:

(c) that the making available of the information requested would—

(i) be contrary to the provisions of a specified enactment; or

(ii) constitute contempt of court or of the House of Representatives:

(d) that the information requested is or will soon be publicly available:

(da) that the request is made by a defendant or a person acting on behalf of a defendant and is—

(i) for information that could be sought by the defendant under the Criminal Disclosure Act 2008; or

(ii) for information that could be sought by the defendant under that Act and that has been disclosed to, or withheld from, the defendant under that Act:

(e) that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found:

(f) that the information requested cannot be made available without substantial collation or research:

(g) that the information requested is not held by the department or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is either—

(i) held by another department or Minister of the Crown or organisation, or by a local authority; or

(ii) connected more closely with the functions of another department or Minister of the Crown or organisation or of a local authority:

(h) that the request is frivolous or vexatious or that the information requested is trivial.