

Hon Simeon Brown

Minister for Energy
Minister of Local Government
Minister of Transport
Minister for Auckland
Deputy Leader of the House



OIA23-025

Andrew Riddell
fyi-request-25209-c018bf09@requests.fyi.org.nz

14 MAR 2024

Dear Andrew,

Thank you for your email of 10 February 2024 seeking information that was marked as being out of scope of your previous request (OIA-23-025 refers) under the Official Information Act 1982 (the Act). Specifically, you requested:

1. *Therefore I request copies of all documents provided with the 'out of scope' redactions removed.*
2. *Please confirm that the Minister of Transport did not receive any written or verbal assessment of the costs and/or benefits prior to making the decision to instruct Waka Kotahi on cycling and walking initiatives.*

There are four documents that fall within the scope of your request, as listed below. Copies of these documents are enclosed:

- Attachment 1 – Letter to NZ Transport Agency Waka Kotahi Board 12 December 2023
- Attachment 2 – BRI-2886 Crown Funding proactive briefing to Minister of Transport's Office 11 December 2023
- Attachment 3 – Email from the Ministry of Transport to Minister of Transport's Office 11 December 2023
- Attachment 4 – BRI-2921 Additional Detail Regarding Transport Choices 7 December 2023

Regarding part 1 of your request, while most of the information that was out of scope of your previous request is released to you, 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)(f)(iv) to protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 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)(h) to maintain legal professional privilege.
- Section 9(2)(j) to 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).

I understand my office emailed you on 12 February 2024 to advise that you had already been provided information on costs and benefits of walking and cycling initiatives, which is contained in BRI-2921 *CERF Transport Choices programme*.

Unfortunately, this information was inaccurate as you had not been provided with a copy of this briefing. Enclosed with this response is a copy of BRI-2921 *CERF Transport Choices programme* which has been released to you, with some information withheld under section 9(2)(a) of the Act to protect the privacy of natural persons, including that of deceased 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.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Simeon Brown', with a long horizontal line extending to the right.

Hon Simeon Brown
Minister of Transport