



Ref: 0000117
11 February 2025

Ohakune Ratepayers and Residents' Society Inc
fyi-request-27868-4698be23@requests.fyi.org.nz

Dear Ohakune Ratepayers and Residents' Society Inc

OFFICIAL INFORMATION REQUEST

I refer to your official information request dated 21 December 2024 for information related to SH49, Teitei Drive intersection.

In response:

2./ The application for funding to MBIE for the "Regional Mid-sized Tourism Facilities Grant Fund" (R - MFF-R2-004), RDC's application contained the following information for funding. Section 3.1.b stated 2 options were available "Option 1 kept the access road on road reserve while Option 2 created a safer 90 degree "T" shaped intersection with SH49" ... "NZTA has been instrumental in the final design option chosen" Which of the above Options was subject to approved funding?

Both options fitted funding criteria.

Q1.a) How has council completed the SH49 intersection over the Ohakune Domain under the guise / guidance of contractors such as PLATEAU SURVEYORS LTD & GHD NZ and any other parties involved; to install an illegal option without Ruapehu Council picking up on this.

Q1.b) If a ratepayer bordered a reserve or park and submitted to council approvals to build a driveway / access way over said reserve; which RDC departments would oversee the approvals and note / decline said application for breach.

Q1.c) If a ratepayer bordered a reserve or park & installed a driveway (without submitting any approvals / documentation) over a reserve, what ramifications would that ratepayer have and which policies would they be in breach of.

Q1.a,b and c do not fit the criteria for a LGOIMA request.

Q1.d) Which RDC departments were involved in the SH49 intersection and were any approvals sought for the SH49 intersection to be installed on SH49.



Land Transport. A similar request was made by Ohakune Ratepayers and Residents' Society Inc on 31 July 2024, 1) Please provide documents pertaining to Teitei Drive from 2014 through to 2019 relating to the conception, design, consent, approval & sign off from staff or contractors for Teitei Drive intersection to the State Highway.

Council provided all information it had in response to this request, dated 20 September 2024 Ref 000055. Council has no new information to add.

We therefore have decided to refuse your request under section 17 (e) that the document alleged to contain the information requested despite reasonable efforts to locate it, cannot be found.

Q1.e) Based on council having no documentation / approvals / signoff for SH49, and the design from GHD / PLATEAU SURVEYORS LTD (or any other 3rd party) not questioned encroaching Ohakune Domain, is this illegal formation of SH49 the fault of a 3rd party or Council? If the former, will Council be seeking compensation for the third parties for the correction of SH49 physically or to legally resolve the encroachment.

This does not fit the criteria for a LGOIMA request.

Q2.a) Councils application for funding stated "NZTA has been instrumental in the final design option chosen", please provide copies of ALL communications & documentation and evidence as to NZTA's involvement and assistance in the design of the intersection.

Q2.b) Was NZTA advised the intersection would be encroaching Ohakune Domain.

Q2.c) Did NZTA ever question the encroachment.

Council has, despite all reasonably practicable efforts been unable to locate documents relating to Q2.a, b and c, we therefore have decided to refuse your request under section 17(e) of the LGOIMA 1987: that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found. Searches were conducted of the following sources: multiple email archive accounts, and Council's current and legacy document management systems.

Q3.1)a) In the same application, point 3.4 (Regulatory and other matters) point a (Provide evidence that you completed will meet all relevant local and national regulatory requirements) lacks any information regarding the encroachment, nor does it provide any standards for the road or intersection itself. It does however state that the Pavement will be constructed to TNZ B/02:2005 specification, that road signs will be to specification + footpath specifications. Was council asked to provide any further information regarding the SH49 intersection and Road specifications?

Council has, despite all reasonably practicable efforts been unable to locate documents relating to this question. Council has decided to refuse your request under section 17(e) of the LGOIMA 1987: that despite all reasonable efforts to locate the information, it cannot be found. Searches were conducted of the following sources: multiple email archive accounts, and Council's current and legacy document management systems.

Q3.1)b) As this above specification is a "performance based specification" (as opposed to a method type) does the road constructed cater for all those projected developments listed in Mr Furner's email of 5 September 2016? If not then what category and usage does the road constructed cater for to comply with this specification? Our questions must be answered by a Licensed Roading Engineer involved in the project.

Please explain the reason and purpose of your request. This is to help identify the public interest considerations that may favour disclosure of the information.

Q3.2) In the same point 3.4 for Regulatory, sub point d (provide evidence that land access and other necessary permissions required for the project (if any) have been obtained); it is stated "This project is on road reserve as well as Public Land - Scenic Reserve / Local Purpose Reserve under the current management of RDC" and that "There is no land access issue to be considered further".

Q4.1) Section 5 (Declaration) has many points around agreeing that "activity/project that is a lawful activity" and "application is complete and correct and there have been no misleading statements, omissions of any relevant facts nor any misrepresentations made". Please provide evidence that RDC provided to MBIE or any other party / minister / agency, that council were to encroach on Ohakune Domain; this differs from all communications and documentation we have seen to date that always state the road will be moved to "Road Reserve" and never once mentions encroaching on Ohakune Domain.

As per the Hon Tama Potaka, Minister of Conservation's letter to you dated 23 January 2025 Ref: OIAM-240 explaining Councils requirements related to Q4.1. It is not a requirement; we are therefore refusing your request under section 17(e) of the LGOIMA 1987 as the documents alleged to contain the information requested does not exist.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink that reads "Clive A Manley". The signature is fluid and cursive, with a large loop at the end of the last name.

Clive Manley
CHIEF EXECUTIVE

mf:cm