

26 June 2018

Nicholas Lee
emptysands@gmail.com

REF: OIA-3771

Dear Nicholas

Request made under the Official Information Act 1982

Thank you for your email of 24 April 2018 requesting the following information under the Official Information Act 1982 (the Act):

1. *Please provide a copy of the report mentioned in item 2 of the Special Board Meeting Minutes (9/Feb/18).*
2. *Please provide a copy of the paper mentioned in item 4 - board paper 2018/02/1211.*
3. *Please provide a copy of the agenda and/or minutes for the March board meeting. (I assume these are now approved by the 20th April meeting)*
4. *Please provide board papers related to the March board presentation mentioned in item 4/Resolution 3c.*
5. *Please provide a copy of the agenda and/or draft minutes for the April board meeting. I'm happy for these to be sent separately.*

See: <https://nzta.govt.nz/assets/About-us-2/docs/board-meeting-minutes-2018/minutes-20180209-special.pdf>

On 21 May 2018, the NZ Transport Agency extended the 20 working days available to respond to your request by an additional 20 working days, pursuant to section 15A of the Act.

I also refer to your second email of 22 May 2018 requesting additional information under the Act:

Additionally, can I request:-

1. *Board Paper 2018/03/1217 from item 5.1 of the 1st March board meeting.*
2. *CEO's Report (item 2.1) from the 1st March board meeting.*

The following documents fall within the scope of your request and are enclosed:

1. Chief Executive's Report – February 2018
2. Board paper 2018/02/1211 *Strategic Alignment to Government Direction and Implications for Statement of Intent/Statement of Performance Expectations, Investment Assessment Framework and Business Planning*

3. Board paper 2018/03/1214 *Statement of Intent 2018-2022 and Statement of Performance Expectations 2018/19 (plus attachments)*
4. Board paper 2018/03/1217 *East West Link – Options Review*
5. Chief Executive's Report – March 2018.

Please note that certain information has been withheld from the above documents under the following sections of the Act:

- section 9(2)(b)(ii) of the Act to protect the commercial position of the person who supplied the information or who is the subject of the information
- section 9(2)(g)(i) of the Act to maintain the effective conduct of public affairs through the free and frank expressions of opinion.
- section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

In terms of the requests for copies of Minutes for specific Board meetings, I advise as follows.

Your request for the 1 March 2018 Board meeting minutes is refused under section 18(d) of the Act as the information requested is publicly available on the Transport Agency's website at <https://nzta.govt.nz/assets/About-us-2/docs/board-meeting-minutes-2018/minutes-20180301.pdf>.

The minutes for the 20 April 2018 Board meeting were confirmed and ratified at the 15 June 2018 Board meeting and will soon be publicly available on the Transport Agency website. Therefore, this part of your request is also refused under section 18(d) of the Act.

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 the information under this request. The Ombudsman can be contacted by email at info@ombudsman.govt.nz or online at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the Transport Agency, please contact Sarah Parsons, Lead Advisor Board, by email to sarah.parsons@nzta.govt.nz or by phone on 04 894 6456.

Yours sincerely



Richard May
Senior Manager, Government & Governance