

21 June 2018

Jared Nicoll
Senior Reporter
Stuff
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Ref: OIA-3777

Dear Jared

Request made under the Official Information Act 1982

Thank you for your request of 18 April 2018 under the Official Information Act 1982 (the Act) which was transferred to the NZ Transport Agency from the Ministry of Transport on 30 April 2018. You were seeking:

...all information – emails, documents etc. – regarding the possibility of motorists paying a toll to use Transmission Gully please.

The idea was raised in this story back in October.

<https://www.stuff.co.nz/motoring/news/97567778/for-whom-the-road-tolls-transmission-gully-motorway-could-become-userpays>

On 2 May 2018, you narrowed down your request to include information for the last six months for:

Documents (briefings/memos) which the Transport Agency produced and sent to the Minister or his office regarding the possibility of motorists paying a toll to use Transmission Gully along with any Transport Agency Board papers regarding the possibility of motorists paying a toll to use Transmission Gully.

On 28 May 2018, the Transport Agency extended the 20 working days available to respond to your request by an additional 15 working days, pursuant to section 15A of the Act.

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

- **Attachment 1:** *Update on investigations into tolling of Transmission Gully (BRI-1247)*, 21 February 2018
- **Attachment 2:** *MIN 2647 Advice on Transmission Gully tolling (BRI-1247)*, 9 March 2018.

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

- section 9(2)(a) to protect the privacy of natural persons

- section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expressions of opinion
- section 9(2)(f)(iv) to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

Some information has been withheld as it is out of scope of your request.

Point 15 from the *Transmission Gully status update* (BRI-1143), 10 November 2017, also falls within the scope of your request. The relevant excerpt from the update is provided below. The remainder of the document has been withheld as it is out of scope.

15. The NZ Transport Agency is proposing to advertise in mid-November 2017 a public Registration of Interest of firms wanting to be involved in undertaking toll investigations for the TG motorway.

The *Chief Executive's Report – December 2017*, which was presented to the 8 December 2017 Board meeting, contains some material that falls within the scope of your request. However, the relevant material has been withheld in full under the following sections of the Act:

- section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expressions of opinion
- section 9(2)(f)(iv) to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

The remainder of the document has been withheld as it is out of scope.

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.

Please note that a decision has not yet been made on whether or not to toll Transmission Gully once it is opened in 2020. There are very prescriptive requirements under the Land Transport Management Act 2003 before a decision can be made to implement a toll on a road. This includes extensive public consultation determining the level of community support.

Under section 28 of the Act, you have the right to complain to the Ombudsman about the information that was withheld under this request. More information about the Ombudsman is available online at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the Transport Agency, please contact me by email to andrew.knackstedt@nzta.govt.nz.

Yours sincerely



Andrew Knackstedt,
Senior Manager, Media