

17 December 2021

Stephen Judd
fyi-request-17636-3f41d9bd@requests.fyi.org.nz

REF: OIA-9092

Dear Stephen

Extending the time to respond to your request made under the Official Information Act 1982

Thank you for your email of 20 November 2021 requesting the following information relating to carbon emission modelling of the effects of the proposed upgrade of Brougham Street in Christchurch, under the Official Information Act 1982 (the Act):

- *whether analysis has been undertaken, and if yes:*
- *results of the analysis*
- *correspondence relating to the results*
- *description of scenarios modelled*
- *description of the model used*
- *source code and if relevant configuration information for any software, or spreadsheets, or other implementation of the model used*

Waka Kotahi NZ Transport Agency is extending the 20 working days available to respond to your request as allowed for under section 15A of the Act. We are extending the deadline because you have requested a large quantity of information, and it will take more than 20 working days to locate, collate and prepare this information.

We require a further 15 working days to respond to your request. In accordance with guidance from the Office of the Ombudsman, the days between 25 December 2021 and 15 January 2022 are not considered working days. Waka Kotahi will therefore respond to your request on or before 28 January 2022.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to extend the time we will take to respond to your request. You can find the contact details for the Ombudsman at: www.ombudsman.parliament.nz.

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

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JS', written in a cursive style.

James Sorensen

Principal Advisor - Enterprise

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.			
3.			
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11.			
12.			

[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.