

28 June 2019

Gerard Byrne

By email to: fyi-request-10420-9f0b2590@requests.fyi.org.nz
fyi-request-10421-41c67b29@requests.fyi.org.nz
fyi-request-10423-b4a29b87@requests.fyi.org.nz

Ref: OIA-5245, 5246, 5248

Dear Gerard

Requests made under the Official Information Act 1982

Thank you for your emails of 31 May 2019 requesting the following information under the Official Information Act 1982 (the Act):

Received at 9:53am:

a copy of all emails notes reports etc of all threatening correspondence that was received by NZTA HR in 2015.

Please redact all names etc just providing the threatening parts of the correspondence.

Received at 9:58am:

a copy of NZTA internal procedures for the removal of suppliers employees for health and safety reasons from NZTA contracts.

Please provide the internal procedures for suppliers that have SIGNED and UNSIGNED contracts.

Received at 10:06am

all details, emails, reports, memos etc from the removal of the client representative for NZTA on the northland bridges program in dec 2018

I am refusing your request under section 18(h) of the Act as the NZ Transport Agency has determined that the requests are frivolous or vexatious or that the information requested is trivial.

In coming to this determination, I have considered a number of factors in line with the Office of the Ombudsman's guidelines for the application of s18(h), including:

- The burden the requests place upon the Transport Agency
- The purpose or value of the requests
- The intention of the requests, including the history and context
- The effect of the requests on Transport Agency staff

I consider that the history and context of these requests suggest that they have gone beyond what is reasonable. Therefore, based on the evidence and circumstances, I consider that the use of s18(h) to refuse the requests is justified.

With respect to the information that has been refused, 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 refuse these requests. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the NZ Transport Agency, please contact Official Correspondence, by email to official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R May', with a large, stylized flourish at the end.

Richard May

Senior Manager – Government & Governance