

29 January 2020

Gerard Byrne
fyi-request-11919-622c9c51@requests.fyi.org.nz

Ref: OIA-6241

Dear Gerard

Request made under the Official Information Act 1982

Thank you for your email of 19 December 2019 requesting the following information under the Official Information Act 1982 (the Act):

... the gps readings showing the speed of vehicle LMM902, driven by your employee from the northland office, on ranui rd, karetu on 18/12/2019 at 3.30pm.

As you know this employee is bound by a court order, not to exceed 50kph past my property due to health and safety for our local community, especially children. It seems he was travelling much faster than this which seems to be a regular occurrence in NZTA supplied vehicles.

This employee of yours seems to think he is immune from the law while he drives your vehicles.

In addition, on 23 January 2020, you sent the following email:

Please don't forget to reply to this request.

I am waiting on this to take legal action against your employee.

If you don't want to hand over the information, I will have to ask a judge to ask you. It seems like once again you are obfuscating the law for your employee who has been proved to be using the NZ justice system to ruin people's careers and lives.

The vehicle with the registration of LMM902 is not owned or leased by Waka Kotahi, the NZ Transport Agency. Therefore, I am refusing your request under section 18(g) of the Act as the information requested is not held by the Transport Agency 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.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse your request. You can find the contact details for the Ombudsman at www.ombudsman.parliament.nz

If you would like to discuss this reply with the NZ Transport Agency, please contact Linda Bird, Manager Employment Relations, by email to linda.bird@nzta.govt.nz or by phone on 04 894 5400.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Lokum', with a long horizontal flourish extending to the right.

Chris Lokum
General Manager, People