

OC220924

16 December 2022

Tēnā koe

I refer to your email dated 19 October 2022 in which you requested the following under the Official Information Act 1982 (the Act):

*"I would like to request information under the Official Information Act 1982 about the proposed Marsden Point rail link in Northland, which is also known as the rail link to Northport. For brevity in this request, I have shortened this to "the rail link".*

*I would like to see:*

- 1. Any reports, memos, letters, notes, advice or emails between the Ministry of Transport and KiwiRail about the rail link, between the period of May 2021 and September 2022 (inclusive).*
- 2. Any reports, memos, letters, notes, advice or emails between the Ministry of Transport and the Minister of Transport about the rail link, between the period of May 2021 and September 2022 (inclusive)."*

On 1 November 2022, we advised you that we were transferring Question 1 of your request to KiwiRail as we believed the information to be held by them.

On 17 November 2022, we advised you of an extension of 20 working days to the time period for responding to your request, pursuant to Sections 15A(1)(a) and 15A(1)(b) of the Act. The extension of 20 working days was due to the request necessitating a search through a large quantity of information and due to the consultation necessary to make a decision on your request being such that a proper response could not reasonably be made within the original time limit.

Between the period of May 2021 and September 2022 (inclusive), there have been multiple teams that have provided advice on projects within the New Zealand Upgrade Programme (NZUP) at Te Manatū Waka. We used an electronic discovery tool to search for any reports, memos, letters, notes, advice or emails in scope of your request to ensure no information would be missed.

In processing your request, we have interpreted reports, memos, letters, notes, advice or emails specifically about the Marsden Point Rail Link, or where it is mentioned in detail as part of another document as being in scope.

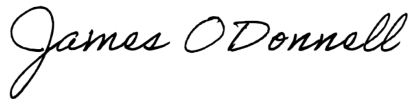
11 documents and three emails fall in scope of your request. Seven of the documents are publicly available. Details on each of these seven documents are included in the document schedule attached as Annex One. These documents are therefore refused under section 18(d).

We are withholding the titles and the contents of the four remaining documents and the three emails. Both the titles and contents remain under active consideration and are therefore withheld under Section 9(2)(f)(iv). No further detail about these documents and emails has been provided to you in this response. I am satisfied that the reasons for withholding the information at this time, under Section 9 of the Act, are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with Section 28(3) of the Act. The relevant details can be found on the Ombudsman's website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry's website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

A handwritten signature in black ink that reads "James O'Donnell". The signature is written in a cursive, flowing style.

James O'Donnell  
**Acting Manager, Programme Assurance and Commercial**

## Annex One - Document Schedule

Doc #	Title of Document	Decision on release
1	OC210362 NZUP – Advice on the Remaining Programme Options	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210362-nz-upgrade-programme-advice-on-the-remaining-programme-options-20210511.pdf">https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210362-nz-upgrade-programme-advice-on-the-remaining-programme-options-20210511.pdf</a>
2	OC210394 New Zealand Upgrade Programme - Programme Options	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210394-nz-upgrade-programme-programme-options-20210524.pdf">https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210394-nz-upgrade-programme-programme-options-20210524.pdf</a>
3	NZ Upgrade Programme kept on track – Media Statement	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.beehive.govt.nz/release/nz-upgrade-programme-kept-track">https://www.beehive.govt.nz/release/nz-upgrade-programme-kept-track</a>
4	OC210496 New Zealand Upgrade Programme Contingency Arrangements	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210496-new-zealand-upgrade-programme-contingency-arrangements-20210714.pdf">https://www.nzta.govt.nz/assets/Roads-and-Rail/20-011/oc210496-new-zealand-upgrade-programme-contingency-arrangements-20210714.pdf</a>
5	New Zealand Upgrade Programme – Report Back	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.transport.govt.nz/assets/Uploads/Cabinet-Paper-New-Zealand-Upgrade-Programme-Report-Back-for-Release-v2.pdf">https://www.transport.govt.nz/assets/Uploads/Cabinet-Paper-New-Zealand-Upgrade-Programme-Report-Back-for-Release-v2.pdf</a>
6	KiwiRail Delegation Letter	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.transport.govt.nz/assets/Uploads/KiwiRail-Delegation-Letter-Hon-Michael-Wood_for-release.pdf">https://www.transport.govt.nz/assets/Uploads/KiwiRail-Delegation-Letter-Hon-Michael-Wood_for-release.pdf</a>
7	Waka Kotahi Delegation Letter	Refused under Section 18(d). This document has been proactively released at: <a href="https://www.transport.govt.nz/assets/Uploads/Waka-Kotahi-Delegation-Letter-Hon-Michael-Wood_for-release.pdf">https://www.transport.govt.nz/assets/Uploads/Waka-Kotahi-Delegation-Letter-Hon-Michael-Wood_for-release.pdf</a>