

By email

10 October 2019

File Ref: OIAP- 212673595-598

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Dear Mr Davenport

Recent LGOIMA correspondence

This letter is in response to your recent emails to Greater Wellington Regional Council (GWRC) specifically, your emails sent on 27 September and 30 September 2019. I have taken the opportunity to review the situation in view of the tone and content of your correspondence.

General content and tone of requests

To date we have received 56 requests for information from you, including 11 which were cancelled following further dialogue with you. We have also been in contact with you in response to various complaints logged in the Resolve Customer enquiry system, and in reply to email correspondence with GWRC staff. Over time we have become increasingly concerned at the way the requests have developed.

We refer in particular to your emails to Nichola Powell, sent Friday 27 September at 10:09 am and Monday 30 September at 10:45 am, under the subject headings “RE: Response to OIA 2019-304”.

GWRC responds to all requests for information in good faith and in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 (**LGOIMA**).

The language and tone of your emails of Friday 27 September at 10.09 am and Monday 30 September at 10.45 am cause us concern. We have particular concerns about the serious allegations made against GWRC officers – these are strongly denied. It is one thing for you to question the competence of GWRC officers, but it is quite another to accuse them of lying, corruption and physiological torture.

If you continue to correspond in the manner of your recent emails, we may ask you to resubmit future requests or correspondence in more appropriate terms. If you fail to submit future requests or correspondence in appropriate terms we may need to consider whether it is necessary to refuse future requests as frivolous and vexatious under section 17(h) of the LGOIMA.



Attempts to resolve safety concerns

GWRC has made several attempts to resolve your safety concerns that relate to alleged red light running. This has included commissioning Jacobs New Zealand, consulting engineers to undertake a safety assessment of the Chews Lane Pedestrian Crossing and produce a report which we have shared with you. Staff at GWRC have also met with you in person, on several occasions, to discuss your concerns relating to alleged red light running, including:

- 20 March 2017 - to discuss alleged red light running
- 24 January 2019 - to discuss concerns including alleged red light running
- 12 April 2019 - to discuss concerns including alleged red light running
- 21 June 2019 - to present the Jacobs report
- 26 June 2019 - attendance at the Public Transport Chief Executive Operator Group meeting to present your concerns about bus drivers driving unsafely directly to bus operators.

Through this engagement with you, GWRC has gone out of its way to understand your concerns. We have always tried to deal with you in good faith and in a positive and professional manner.

Jacobs traffic light adherence report

We understand that you are questioning the accuracy of the Jacobs Safety Assessment of Chews Lane Pedestrian Crossing report. GWRC is comfortable with the report and its findings. In addition we have taken the additional step of obtaining an independent peer review of the report which supports the validity of the report and its conclusions.

You have asked for an apology from GWRC senior managers regarding their treatment of your concerns and their actions relating to the Jacobs Safety Assessment of Chews Lane Pedestrian Crossing report. As advised to you in an email from General Manager Public Transport dated 10 July 2019, we have looked at the footage that you have provided and we see nothing in the footage from Jacobs that would cause us to question their findings, or that supports your assertions. Again, as previously advised, our ongoing discussions with bus operators will focus on the promoting good driving practices, including traffic light adherence.

Response to earlier LGOIMA Request 2019-256

On Friday 27 September, you reviewed parts of the Jacobs footage from which you selected a number of photo stills that you wanted as copies for your own reference. The photo stills are enclosed as requested with this letter. Please note that the identities of individuals have been obscured, in order to meet our privacy obligations under the LGOIMA.

Refund of deposit

In response to your email of 7 October (and as previously advised to you in an email dated 3 October 2019) GWRC are processing a refund of your deposit in the payment run of 10 October 2019 and you can expect to see this in your bank account by the 11th of October (pending on your own bank processing times).

Summary

In summary, GWRC has gone out of its way to understand and resolve your concerns. We have always tried to deal with you in good faith and in a positive and professional manner. As noted at the outset of this letter, we ask that future correspondence and requests are made in appropriate terms. If you chose not to do so we will consider whether it is necessary to refuse future requests as frivolous or vexatious under section 17(h) of the LGOIMA.

Yours sincerely



Greg Campbell
Chief Executive

Attachments – photo stills