

## Hon Simeon Brown

MP for Pakuranga

Minister for Energy  
Minister of Local Government  
Minister of Transport

Minister for Auckland  
Deputy Leader of the House



12 February 2024

Ben

[fyi-request-25365-1d7ce097@requests.fyi.org.nz](mailto:fyi-request-25365-1d7ce097@requests.fyi.org.nz)

Dear Ben

Thank you for your email of 9 January 2024 requesting the following information under the Official Information Act 1982 (the Act):

*Please provide a copies of any instructions you have given to Waka Kotahi, or any communications with it, in relation to road maintenance (including state highway maintenance).*

*Also provide all advice received by yourself in relation to road maintenance (including state highway maintenance).*

In regard to the first part of your request, I wrote to the NZ Transport Agency Waka Kotahi (NZTA) Acting Board Chair on 11 December 2023, signalling my expectations for NZTA, including my general expectation that NZTA primarily focus on its core business, such as road maintenance. The remainder of this letter is not considered to be in scope of your request.

Advice that I have received from NZTA and the Ministry of Transport in regard to road maintenance and my decision on the release of each document is outlined in the attached document schedule.

I am withholding six documents in full under section 9(2)(f)(iv) of the Act to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Contact details are withheld under section 9(2)(a) of the Act to maintain the privacy of natural persons.

I am also refusing two documents under section 18(d) of the Act, as the information requested is publicly available.

With respect to the information that has been withheld, 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 withhold some information and partially refuse your request. The contact details for the Ombudsman can be located at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Simeon Brown', written in a cursive style.

Hon Simeon Brown  
**Minister of Transport**

## OIA24-041 Document Schedule

Ref	Document	Date	Decision on release
1.	BRI-2887 State Highway Asset Condition and Maintenance	30 November 2023	Out of scope information removed. Contact details withheld under section 9(2)(a) of the Act.
2.	MIN-4332 Road Maintenance	30 November 2023	Released in full.
3.	MINO-918 Road Maintenance	7 December 2023	Refused under section 18(d) as this is publicly available at <a href="https://www.nzta.govt.nz/about-us/official-information-act/proactive-releases#2023">https://www.nzta.govt.nz/about-us/official-information-act/proactive-releases#2023</a> .
4.	MIN-4335 Potholes and Road Maintenance	8 January 2024	Released in full.
5.	NZTA Briefing to the Incoming Minister		Refused under section 18(d) as this is publicly available at <a href="https://www.nzta.govt.nz/resources/briefing-for-incoming-minister/">https://www.nzta.govt.nz/resources/briefing-for-incoming-minister/</a> .
6.	OC230611 Cost Pressures in the Land Transport System	28 November 2023	Withheld in full under section 9(2)(f)(iv) of the Act.
7.	OC230887 Seeking Direction on Draft GPS 2024	28 November 2023	Withheld in full under section 9(2)(f)(iv) of the Act.
8.	OC230889 Tier 2 BIM: Government Policy Statement on land transport 2024		Withheld in full under section 9(2)(f)(iv) of the Act.
9.	OC231033 Strategic Priorities, Proposed Activity Classes, Funding Ranges, and Pre-Commitments	8 December 2023	Withheld in full under section 9(2)(f)(iv) of the Act.
10.	GPS 2024 Discussion, Including Additional Information on Activity Class Expenditure	12 December 2023	Withheld in full under section 9(2)(f)(iv) of the Act.
11.	OC231060 Initial Draft of the Government Policy Statement on land transport 2024	21 December 2023	Withheld in full under section 9(2)(f)(iv) of the Act.