

28 September 2023

File Ref: 2023-191 [REDACTED]

Tēnā koe [REDACTED]

Request for information 2023-191

I refer to your request for information dated 19 July 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 19 July 2023. You have requested the following:

“(a) The inspections records file, including but not limited to:

- (i) The sediment retention plans put in place throughout the Project;*
- (ii) Consent conditions;*
- (iii) Any detailed specifications required for sediment retention ponds (‘SRP’) and associated infrastructure;*
- (iv) As-built SRP plans and associated as-built plans;*
- (v) Inspection notices;*
- (vi) Replies to inspection notices;*
- (vii) Correspondence regarding compliance;*
- (viii) Meeting minutes and/or notes;*
- (ix) CPB’s notices to GWRC of the mitigation and remedial works it planned and implemented prior to and following rain events, under the environmental regime.*

(b) In relation to resource consent, environmental regulation, compliance and enforcement:

(i) the memoranda and email correspondence from the Transmission Gully SMPRP (Sediment Management Peer Review Panel) and all responses from GWRC and the CPB HEB Joint Venture in the period from 2016 - 2022;

(ii) the correspondence covering the time frame the Earthworks Compliance Reference Group (ECRG) operated in the period from 2016 - 2022;

(iii) the GWRC approved Transmission Gully SSEMPs, (for example: Transmission Gully SSEMP B1 – Stage 1 TG-CPBH-SSEMP-EN-0001 Revision 00, prepared by CPB HEB Joint Venture, dated 25/02/2016) in the period from 2016 - 2022;

(iv) the environmental compliance monitoring inspections named as “Erosion and Sediment Control Inspection” issued by GWRC, monitoring officer [REDACTED] in the period from 2016 - 2022;

(v) the ‘Cease Work’ instructions to the CPB HEB Joint Venture, to include all Abatement Notices issued by GWRC in the period from 2016 - 2022.

(vi) the resource consents on the Project, including the following categories in the period from 2016 - 2022:

Enabling Works:

- 1. Enabling Works Management Plan (‘EWMP’)*
- 2. Network Utilities Management Plan (‘NUMP’)*
- 3. Construction Health and Safety Plan*
- 4. Noise Mitigation Plan (‘NMP’)*

Main Works:

- 5. Construction Management Plan*
- 6. Construction Environmental Management Plan (‘CEMP’), including:*
 - a. Contamination Land Management Plan (‘CLMP’)*
 - b. Erosion and Sediment Control Plan (‘ESCP’)*
 - c. Erosion and Sediment Control Monitoring Plan (‘ESCMP’)*
 - d. Chemical Treatment Plan (‘CTP’)*

- e. Ecological Management and Monitoring Plan ('EMMP')*
- f. Forest Harvesting Plan ('FHP')*
- g. Ecological Mitigation Schedule*
- 7. Site Specific Environmental Management Plans ('SSEMP')*
- 8. Conservation Plans, including:*
 - a. St Joseph's Church*
 - b. Brick Fuel Containment Structure NZTA 18*
- 9. Site Specific Traffic Management Plans ('SSTMP')*
- 10. Inspection and Test Plan ('ITP')*
- 11. Overall Staging Plan"*

Background

On 9 August 2023 Greater Wellington advised you of its decision to transfer to Porirua City Council the following elements of your request:

"The resource consents on the Project, including the following categories in the period from 2016 – 2022:

- 2. Network Utilities Management Plan ('NUMP')*
- 3. Construction Health and Safety Plan*
- 4. Noise Mitigation Plan ('NMP')*
- 8. Conservation Plans, including: a. St Joseph's Church b. Brick Fuel Containment Structure NZTA 18*
- 9. Site Specific Traffic Management Plans ('SSTMP')*
- 10. Inspection and Test Plan ('ITP')*
- 11. Overall Staging Plan"*

On 11 August 2023 Greater Wellington requested clarification in relation to parts (a)(vii) and (b)(i) of your request. You provided clarification of the request on 25 August 2023, providing "Claim Specific Date Ranges."

On 16 August 2023 Greater Wellington advised you that it considers it necessary to extend the timeframe to advise you of our decision on your request, to 29 September 2023.

On 8 September 2023 Greater Wellington requested further clarification by Monday 18 September 2023 in relation to parts (a)(vii) and (b)(i). No response was received by the specified date.

Greater Wellington's response follows:

Parts (a)(vii) and (b)(i)

We are refusing parts (a)(vii) and (b)(i) of your request under section 17(f) of the Local Government Official Information and Meetings Act 1987 (the Act) on the basis that the information requested cannot be made available without substantial collation or research.

Our search returned over 65,000 results for these two parts. We estimate that this would take approximately 542 hours of staff time to find and collate the information. Meeting these two aspects of your request would unreasonably impact Greater Wellington's operations.

As outlined above, we attempted to consult with you twice to refine your request. We did not hear from you subsequent to our letter dated 8 September 2023.

We have also considered charging you for the supply of the information. In this instance, we do not believe that charging you would minimise the considerable impact that meeting the request would have on our operations.

If you choose to make a fresh request, we ask that it is made with due specificity. If it would assist, [REDACTED] would be available to discuss with you the information that Greater Wellington holds. Please be aware that we may charge you for the supply of the requested information in accordance with the Act.

Parts (a)(i) – (vi), (a)(viii)-(ix); (b)(ii) – (b)(vi)

For all other parts of the request, we have decided to release the information. We will be withholding certain information under section 7(2)(g) of the Act – to maintain legal professional privilege. It may also be necessary to withhold information under 7(2)(a) of the Act, in order to protect the privacy of natural persons, including that of deceased natural persons.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold certain aspects of the requested. As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding parts of the documents under the grounds identified above.

Under section 13(1) of the Act we are required to decide whether the request is to be granted, in what manner and for what charge (if any); and give or post to you notice of the decision on the request within the timeframes outlined in the Act. Our decision on your request for information is set out in this letter. We require more time to prepare the information for release. You will receive the information no later than 20 October 2023.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



David Hipkins

Kaiwhakahaere Matua Taiao | Group Manager Environment (Acting)

PROACTIVE RELEASE