

4 November 2024

s9(2)(a)

Via email: s9(2)(a)

Dear s9(2)(a)

Thank you for your Official Information Act request, received on 21 October 2024. You requested:

"... copies of all reports or information held by you related to the New Dunedin Hospital project. This includes any reports or aide memoires, emails or any other communication to, or seen by, the commission or any officer within the commission, and any internal documents or internal correspondence within the commission, any reports, aide memoires or any other communication to or from any other parties, and commission papers or briefings including to any committees of the commission."

On 30 October 2024, we advised you that as currently framed, your request is administratively challenging to deal with, and it would take significant time and work to respond fully. In addition, much of the information within scope will be administrative, so is likely to be of low value to you. For these reasons, we would likely need to refuse your request under section 18(f) of the Official Information Act (the Act) because the information requested cannot be made available without substantial collation or research. We then asked if you were able to narrow the scope of your request. You agreed to refine it to be for *"all briefings, reports, advice, aide memoires on the Dunedin hospital project from the Infrastructure Commission for the past year"*.

For context, Health New Zealand (Health NZ) is the lead agency for the New Dunedin Hospital project, with the Ministry of Health, the Treasury and the New Zealand Infrastructure Commission (the Commission) as monitors. At the Government's request, the Commission facilitated an independent review of the project, and this led to the 'Rust report' which was published on 26 September 2024 and is available here: <https://tewaihanga.govt.nz/news-events/new-dunedin-hospital-independent-review>.

Officials from the four agencies listed above are currently preparing key documents related to the New Dunedin Hospital for proactive release. Health NZ is coordinating this material and will soon be publishing it on their website here: <https://www.tewhatauora.govt.nz/health-services-and-programmes/infrastructure-and-investment/new-dunedin-hospital-whakatuputupu>.

This proactive release will include briefings, reports, advice and aides memoire from the Commission to other agencies and Ministers on the New Dunedin Hospital project. This includes information about the independent review. Accordingly, I am refusing your refined request under section 18(d) of the Act as this information will soon be publicly available on Health NZ's website. Key documents held by the Commission, and likely to be part of the proactive release, are listed at Annex 1.

In addition to this proactive release material, you may also wish to read the recent written questions to Ministers about the New Dunedin Hospital project and their replies. These can be found on Parliament's website here: <https://www.parliament.nz/en/pb/order-paper-questions/written-questions/>.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: <http://tinyurl.com/yckxn6bz>.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'Barbara Tebbs', written in a cursive style.

Barbara Tebbs
General Manager, Policy

Annex 1: Schedule of documents held by the Infrastructure Commission that are likely to be included in an upcoming proactive release on the New Dunedin Hospital project

Item	Date	Document description	Decision
1	8 December 2023	TW-2023-311 Health Infrastructure: NZIER – Building a Healthy Future Report 2023	Refused under s18(d)
2	12 December 2023	Memo from Ross Copland to Jeremy Holman titled: ‘New Dunedin Hospital Inpatient Building Contractor Decision – Te Waihanga Comment on Te Whatu Ora Board Paper	Refused under s18(d)
3	25 January 2024	TW-2024-335 Dunedin Hospital Funding Decision <ul style="list-style-type: none"> Annex A: Project funding timeline Annex B: NZIER health funding requirements Annex C: Te Waihanga advice to Te Whatu Ora 	Refused under s18(d)
4	1 March 2024	TW-2024-357 New Dunedin Hospital – Cabinet Paper Points	Refused under s18(d)
5	28 March 2024	TW-2024-380 New Dunedin Hospital Independent Review – Draft Terms of Reference <ul style="list-style-type: none"> 1.Attachment: DRAFT New Dunedin Hospital: Independent Expert Review – Terms of Reference 	Refused under s18(d) – noting that the attachment is already published at https://media.umbraco.io/te-waihanga-30-year-strategy/g4j1w4ph/new-dunedin-hospital-expert-review-cover.pdf (at Appendix A)
6	5 April 2024	TW-2024-385 New Dunedin Hospital Independent Review – approval of Terms of Reference <ul style="list-style-type: none"> 1.Attachment: FINAL DRAFT New Dunedin Hospital: Independent Expert Review – Terms of Reference 	Refused under s18(d) – noting that the attachment is already published at https://media.umbraco.io/te-waihanga-30-year-strategy/g4j1w4ph/new-dunedin-hospital-expert-review-cover.pdf (at Appendix A)
7	30 May 2024	TW-2024-398 New Dunedin Hospital Independent Expert Review <ul style="list-style-type: none"> 1.Attachment: New Dunedin Hospital Review – Independent Expert Readiness Review 30 May 2024 	Refused under s18(d) – noting that the attachment is already published at https://media.umbraco.io/te-waihanga-30-year-strategy/g4j1w4ph/new-dunedin-hospital-expert-review-cover.pdf
8	26 June 2024	TW-2024-435 New Dunedin Hospital Independent Expert Review	Refused under s18(d)
9	4 April-15 August 2024	Extracts from weekly reports to the Minister for Infrastructure	Refused under s18(d)