

Official Information Act Request

Requester's details

Date: 5 November 2021

Name: [REDACTED]

Organisation: [REDACTED]

Email: [REDACTED]

Reference number: ENQ-42171-G4R1Z1

Dear [REDACTED]

I am writing about your request for information about the recent ORC/Clutha investigation, which we received on 22 July 2021:

Under the Official Information Act 1982, I request copies of all correspondence including emails and notes made based upon telephone calls, between the Environmental Protection Agency (EPA) and the Otago Regional Council (ORC)- relating to the dumping of hard material on the banks of the Clutha River in March 2021.

I also request all correspondence, including emails and notes made based upon telephone calls, between the EPA and representatives of Andrews Haulage 2011 Ltd including its managing director.

I also request any draft copies of the EPA investigation into the above issue that were made available to the parties above, prior to the final report being provided to the Otago Regional Council.

Finally, I request answers to the following questions:

- 1. On what date did the ORC first contact the EPA regards the above issue?*
- 2. On what date did the EPA decide to investigate the above issue?*
- 3. Did EPA investigators visit either Dunedin to talk with the ORC, or Balclutha to interview representatives of Andrew Haulage, to conduct their inquiry, and if so, on what dates?*
- 4. What was the total cost of the EPA inquiry into the above, and who paid for the costs of the inquiry?*

We responded to your final four questions on 26 August 2021, which leaves three remaining questions.

Regarding the first two remaining questions:

1. *Under the Official Information Act 1982, I request copies of all correspondence including emails and notes made based upon telephone calls, between the Environmental Protection Agency (EPA) and the Otago Regional Council (ORC)- relating to the dumping of hard material on the banks of the Clutha River in March 2021.*
2. *I also request all correspondence, including emails and notes made based upon telephone calls, between the EPA and representatives of Andrews Haulage 2011 Ltd including its managing director.*

Please find two OneDrive links in the covering email for this letter that will allow you to access and download the information we are sending you in response to the above two questions respectively. These links will be live until 6 December 2021.

Some information has been withheld under section 9(2)(a) of the Official Information Act 1982 (OIA) to protect the privacy of natural persons. Information has also been withheld under section 9(2)(ba)(i) of the OIA to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

The OIA withholding ground used is noted wherever any information has been withheld or redacted.

Regarding the third remaining question:

3. *I also request any draft copies of the EPA investigation into the above issue that were made available to the parties above, prior to the final report being provided to the Otago Regional Council.*

There were no draft copies of the EPA investigation into the above issue that were made available to the parties above, prior to the final report being provided to the Otago Regional Council.

Therefore, this part of your request is refused under section 18(e) of the OIA, on the basis that the document alleged to contain the information requested does not exist.

I trust the attached information will be helpful.

Please be aware that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

We may publish your request and our response on our website, www.epa.govt.nz. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Yours sincerely



Dr Allan L. Freeth
Chief Executive