

11 April 2024

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your request to Kāinga Ora – Homes and Communities, dated 26 February 2024, requesting the following information under the Official Information Act 1982 (the Act):

- *The policy of portaloo hireage for construction workers.*
- *The total amount of days that portalooos have sat on sites after constructions completed.*
- *The total daily charge for portaloo hireage.*
- *This can be broken down by region if easier for staff.*

Kāinga Ora emailed you on 28 February 2024 to request a refinement of your request as the information sought was not held centrally by Kāinga Ora but rather by its contracted build partners at an individual project level. You were advised that attempting to gather the requested information for hundreds of current and former housing developments would involve substantial collation and be an administrative burden to prepare a response. A follow up email was then sent to you on 5 March 2024 again asking the request be refined.

On 12 March 2024 you responded to the refinement request, limiting the request to the following:

“Would it be possible to refine this to only work done on s 9(2)(a) Hamilton?”

The Kāinga Ora property at s 9(2)(a) is currently being redeveloped and details for the three 2-bedroom homes being built can be found here: <https://kaingaora.govt.nz/en/NZ/urban-development-and-public-housing/public-housing/public-housing-developments/waikato-region/fitzroy-avenue/>.

There have been two phases of work recently at the property, with demolition and site remediation occurring in October and November 2023, with excavation work then commencing in January 2024.

When the demolition and remediation works were done by our contractor Maxion Civils there was one portaloo on site for one month. It was removed after the work was completed.

When DNA Properties (Sentinel Homes) started excavation work in January 2024 it installed one portaloo at the worksite.

Below I will answer the requests for official information with a mix of general context about portaloo use on Kāinga Ora building sites and information specific to s 9(2)(a) Hamilton.

The policy of portaloo hireage for construction workers.

The policy for portaloo hireage has a requirement to have at least one portaloo on a site, and the number of portalooos required increases in line with the number of people on site.

The total amount of days that portalooos have sat on sites after constructions completed.

As work for the redevelopment project at s 9(2)(a) is still ongoing, this answer is limited to the demolition and remediation works carried out over a month period in October and November 2023. Our practice is never to have a portaloo left on a Kāinga Ora building site unnecessarily. Once work is fully completed the demolition manager has the portaloo removed. Traditionally portalooos are normally removed well before handover on site. For s 9(2)(a) the portaloo was removed within a week of demolition and remediation works being completed.

As broader context, once demolition and decontamination works are completed, a portaloo (sometimes multiple portalooos) and security fencing is removed procedurally from a site. There are occasions when a portaloo remains for an additional week or so as the demolition manager waits for site validation reports to be issued and the site is then confirmed as finally clear (allowing portaloo removal to take place). Sometimes additional site remediation activities may be required at the end of a job and this would require a portaloo to remain in place until all works are completed.

The total daily charge for portaloo hireage.

Typically portalooos are not charged out separately but are included in and form part of the overall charge for new construction and demolition sites. Establishment related costs are based on the contract programme (which relates to the project timeline for the roll out of the works to completion), with direct costs and logistics being the responsibility of the contractor. It is worth noting the cost of a toilet/toilets located on site often includes the cost of transport and servicing.

In the case of s 9(2)(a) Kāinga Ora asked our contractor to provide the exact portaloo hire cost charged for the month it was on site. In assessing this information for release, Kāinga Ora considers there is some commercial sensitivity associated with providing the exact figure, as releasing it could provide the contractor's competitors information about its charging practices.

Therefore, the exact figure requested is withheld under section 9(2)(b)(ii) of the Act, to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. I do not consider the withholding of the information is outweighed by public interest considerations in making that information available.

However, I can advise the hire cost was less than one percent of the total charged for demolition and remediation works. This is considered reasonable given the length of time the portaloo was on site.

Under section 28(3) of the Act, you have the right to seek an investigation and review by the Ombudsman of this response. Contact details for the Ombudsman can be found at www.ombudsman.parliament.nz.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at kaingaora.govt.nz/publications/official-information-requests/ with your personal information removed.

Yours sincerely



Patrick Dougherty
General Manager – Construction and Innovation