

DOIA 22-018

12 August 2021

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Dear [ s 9(2)(a) ]

**Response to your official information request**

Thank you for your official information request received on 11 July 2021 regarding the "Occupation of Crown Land on the Miramar Peninsular."

Toitū Te Whenua Land Information New Zealand (LINZ) is aware of the occupation and are currently working on an approach to manage this sensitive issue. Please find below responses to your questions.

1. **Who is the registered proprietor of the occupied site?** Her Majesty the Queen for Justice Purposes is the registered proprietor however the day-to-day management of the site/property is administered by LINZ, not the registered proprietor.
2. **Does the group or any individual have written consent from the registered proprietor to occupy the land?** No.
3. **If so what is the legal status of the occupation. For example, is the land occupied under the terms of a Licence to Occupy, a Lease or some form of residential tenancy agreement?** Under the legal status, this is an unauthorised occupation with no agreements in place.
4. **Can you please provide details of the terms and conditions of any agreement that has been entered into either by the group or an individual?** No agreement is in place with any group or individual.
5. **If the occupation is not legal has the registered proprietor issued the occupier, either the group or an individual with a Trespass Notice requiring that the land be vacated within a time frame and what the consequences of non-compliance are?** No trespass notices have been issued to the occupiers.
6. **Have the police been advised of the potentially illegal occupation of the land?** The New Zealand Police have not been advised of the unauthorised occupation.

7. **If not why not?** LINZ has not notified Police at this stage as the unauthorised occupation has been a peaceful demonstration.

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact Nick Caddick on 04 494 2537 or [NCaddick@linz.govt.nz](mailto:NCaddick@linz.govt.nz).

Yours sincerely



Jerome Sheppard  
Head of Crown Property

DOIA 22-071

12 October 2021

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Dear [ s 9(2)(a) ]

**Response to your official information request**

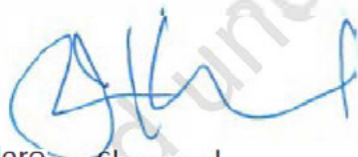
Thank you for your official information request received on 20 September 2021 requesting 'substantive reasons to support the decision made as set out in paragraph 6 of the response, "LINZ has not notified Police at this stage as the unauthorised occupation has been a peaceful demonstration."'

Toitū Te Whenua Land Information New Zealand (LINZ) is aware of the occupation and are continuing to work on managing this sensitive issue. LINZ's decision not to notify Police has been detailed in our letter to you dated 12 August 2021.

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact Nick Caddick on 04 494 2537 or [NCaddick@linz.govt.nz](mailto:NCaddick@linz.govt.nz).

Yours sincerely



Jerome Sheppard  
Head of Crown Property

DOIA 22-232

19 July 2022

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Dear [REDACTED]

**Response to your official information request**

Thank you for your official information request received on 26 June 2022 regarding the "Occupation of Crown Land on the Miramar Peninsular."

Please find below responses to your questions.

1. ***My request is that you provide me with a detailed chronological report on the approach and measures you have undertaken to end this, what you have acknowledged is an unauthorised occupation of publicly owned land?***

Around 14 July 2021, LINZ was informed that an occupation was established on the site in order to stop development of the former Department of Corrections land. The peaceful protest was never formally authorised by Toitū Te Whenua Land Information New Zealand (LINZ).

On 20 July 2021, LINZ was notified of earthworks occurring and gravel material being brought onto the site. A LINZ official had a phone conversation with the occupier and gave a verbal warning that ground disturbance and importing materials to site would not be tolerated. The occupier confirmed this had occurred and said it would stop.

At the end of November 2021, LINZ was notified of additional earthworks and a digger present on site. A LINZ official gave a second verbal warning about the earthworks happening again. LINZ advised the occupant that if it happened again, we would issue a formal warning.

On 11 June 2022, LINZ was advised that more earthworks had occurred. A digger has been observed onsite undertaking the works. A formal warning was issued to the occupant on 11 July 2022.

**2. Are you aware that the prison property is being used as a drag strip and if so, what are you doing to apprehend the vandals?**

LINZ is aware that antisocial behaviour has been happening near the former prison since January 2021, including the incidents you refer to plus an increase in the dumping of stolen cars. Since January, we have taken a number of steps to improve security in order to minimise damage to Crown land and stop these antisocial activities. As well as working closely with police, we have increased security patrols. Three patrols are now carried out every day - two during the day and one at night - with an additional patrol each Friday, Saturday, and Sunday night.

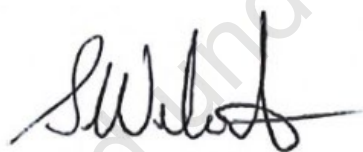
**3. Has your consent been obtained by the unlawful occupiers of the Nevay Road site for the excavation work being undertaken and have the appropriate resource consents been obtained and if not, what do you propose to do about stopping the unlawful activity and remediating the damage to Crown property?**

No consent has been given by LINZ for any work to be done during the occupation. LINZ has issued a warning letter asking for works to cease and will engage with the occupier about remediating any damage caused.

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact the Ministerial Support team at [minsterialsupport@linz.govt.nz](mailto:minsterialsupport@linz.govt.nz).

Yours sincerely



Sonya Wikitera  
Head of Crown Property

Our Ref DOIA 23-016

10 August 2022

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Dear [REDACTED]

**Response to your official information request**

Thank you for your official information request received on 22 July 2022 for a copy of the formal warning letter sent to the occupant on 11 July 2022 that we referred to in our letter of 19 July 2022.

Please find enclosed a copy of the formal warning letter which is released in part. The letter required the site be vacated by 1 August 2022 due to unauthorised earthworks and construction activities. Since issuing the letter, the earthworks and other construction activities have ceased. LINZ is continuing to work with the recipient on the matter and will not be pursuing an eviction at this time.

The identity of the recipient has been withheld under section 9(2)(a) of the Official Information Act to protect their personal privacy. If you wish to discuss this decision with us, please feel free to contact [ministerialsupport@linz.govt.nz](mailto:ministerialsupport@linz.govt.nz).

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



Sonya Wikitera  
Head of Crown Property

**Wellington Office**

Radio New Zealand House  
155 The Terrace  
PO Box 5501  
Wellington 6145  
New Zealand  
T 0800 665 463  
F +64 4 472 2244  
E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)  
W [www.linz.govt.nz](http://www.linz.govt.nz)

11/07/2022

[ s 9(2)(a) ]

[ s 9(2)(a) ]@gmail.com

Kia ora [ s 9(2) ]

**Earthworks and Construction at the former Mount Crawford Prison**

The former Mount Crawford Prison site, being Section 7 SO 477035, is under the administration of Toitū Te Whenua Land Information New Zealand (LINZ).

LINZ officials gave you verbal warnings in June and November 2021 advising that earthworks and other construction activities must cease and that any further works or construction activities would not be tolerated.

We are aware that further construction works and the creation of a new building platform on the site, including concrete piping, a digger, and imported fill material.

By carrying out these works without authorisation, you may be liable for remediating any damage you cause to the land and the cost of removing any unauthorised structures.

As a result of earthworks and construction continuing onsite without authorisation despite two previous verbal warnings, we now request that you vacate the site by the 1<sup>st</sup> of August.

If you need assistance to seek alternative accommodation, LINZ is able to direct you to housing providers who can help find a suitable alternative. You can also apply to the Ministry of Social Development via Work and Income by phoning 0800 559 009.

Yours sincerely



Sonya Wikitera  
Head of Crown Property

Our Ref DOIA 23-077

14 November 2022

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Dear [REDACTED]

**Response to your official information request**

Thank you for your official information request received on 29 October 2022 for:

*all communications either in person, by email, letter, telephone or social media, that you or your officers have had with the unlawful occupiers since 11/07/2022 regarding their vacation of the site which they are unlawfully occupying and when you will be pursuing an eviction.*

In response to your request, I advise that there has been only one communication. This communication was on Wednesday 27 July 2022 when [REDACTED] called a representative and advised that given the earthworks and other construction activities have ceased, LINZ would not be pursuing an eviction at this time.

We are still not pursuing eviction of the site. However, we are continuing to monitor activities on the site.

If you wish to discuss this decision with us, please feel free to contact [ministerialsupport@linz.govt.nz](mailto:ministerialsupport@linz.govt.nz).

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note, this response letter outlining our decision on your request, **with your personal details withheld**, and any attached documentation may be published on the Toitū Te Whenua Land Information New Zealand's website at some future time.

Yours sincerely



Sonya Wikitera  
Head of Crown Property



14 September 2023

[ s 9(2)(a) ]

**Wellington Office**

Radio New Zealand House  
155 The Terrace

PO Box 5501

Wellington 6145

New Zealand

T 0800 665 463

F +64 4 472 2244

E [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz)

W [www.linz.govt.nz](http://www.linz.govt.nz)

Tēnā koe [ s 9(2)(a) ],

**Response to your official information request**

Thank you for your official information request received on 23 August 2023 for "evidence of any communication with the occupier/s since the date of your last request, 29 October 2022." We have interpreted your request to mean any communication with the occupier/s regarding their illegal occupation.

There has been no communication between Toitū Te Whenua Land Information New Zealand (LINZ) and the occupier/s. Therefore, we are refusing your request under section 18(e) of the Official Information Act 1982.

If you wish to discuss this decision with us, please feel free to contact Kennie Critchlow – [kcritchlow@linz.govt.nz](mailto:kcritchlow@linz.govt.nz).

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note, this response letter outlining our decision on your request, **with your personal details withheld**, and any attached documentation will be published on the Toitū Te Whenua Land Information New Zealand's website. This is likely to be published by 31 October 2023.

Nāku noa, nā



Sonya Wikitera  
Head of Crown Property