

Our Ref DOIA 24-122

Your Ref Unextinguished Aboriginal Title High Court Proceedings

15 December 2023

[Redacted]
[Redacted]
[Redacted]
Email [Redacted]

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

W www.linz.govt.nz

Tēnā koe [Redacted]

Response to your official information request

Thank you for your official information request for

1. A full list of memorialized properties under s27b of the State-Owned Enterprises Act 1986 marked in yellow on the map attached to the Statement of Claim and the current valuations of those properties; and
2. A full list of properties held in the Land Bank in the Port Nicholson Block and also a full list of properties that were owned by the Crown that have been sold from 1993 that was part of Māori interest in surplus Crown land in the Port Nicholson Block Settlement.

As advised in our letter of 21 November 2023 Toitū Te Whenua Land Information New Zealand took responsibility for Land Bank properties from 1 July 2016. Therefore, we have transferred part 2 of your request to Te Arawhiti for information prior to 1 July 2016.

In response to part 1 of your request attached is a list of the properties we consider to be within the area shown on the map you provided which have been memorialised under section 27B of the State-Owned Enterprises Act 1986. We have also provided an overview map of the titles to give some more clarity.

While we have made our best efforts to identify all the relevant properties, we cannot guarantee our spatial query exactly corresponds with the area you refer to, given the limits of the scale and precision of your map.

Your request for the current valuations of the properties is refused under sections:

- 9(2)(ba) of the Official Information Act to protect the information which is subject to an obligation of confidence and where making available the information would likely prejudice the ongoing supply of the information; and

- 9(2)(b)(ii) of the Official Information Act as making the information available would likely unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

In this regard, Toitū Te Whenua receives district valuation role (DVR) data, which includes property valuations, from individual Territorial Authorities (TAs) and collates it into a national dataset. Conditions set out in the [data supply agreements](#)¹ between Toitū Te Whenua and the TAs, and the national dataset's licence agreement², limits access to local and central government users only. Furthermore, some TAs commercially licence their DVR data to third parties.

We are of the view the withholding of the information is not outweighed by the public interest to make that information available.

In response to part 2 of your request, a full list of properties held by Crown for Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Settlement can be found in their Deed of Settlement. The link to the relevant documents is below:

<https://www.tearawhiti.govt.nz/te-kaui-whakatau-treaty-settlements/find-a-treaty-settlement/taranaki-whanui-ki-te-upoko-o-te-ika/#Taranaki-Whanui-DOS-DOC>

We have included the below list of properties sold by Toitū Te Whenua from 1993 that were included in the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Deed of Settlement. We do not hold information of properties sold by other Government departments within this Deed of Settlement.

- 16813 - Tramways Building
- 12019 - Reclamation Petone
- L/B PF1595 56 Wood Street, ex Woodhatton Primary School, Lower Hutt
- 16562 - Former Petone West School Site
- 15799 - Traction Workshops - 162 Hutt Road, Kaiwharawhara
- Katherine Avenue, Thorndon (DIA)
- 117 Muritai Road, Easbourne, Lower Hutt (Ex NZ Police)
- 21 King Street, Mount Cook, Wellington (Ex NZ Police)
- 32 Miro Street, Heretaunga, Upper Hutt

If you wish to discuss this decision with us, please feel free to contact ministerialsupport@linz.govt.nz

¹ You can read the data supply agreement template here:

https://www.linz.govt.nz/sites/default/files/2021-06-02_dvr_data_supply_agreement.pdf

² You can read the National DVR licence here:

<https://data.linz.govt.nz/license/linz-agreement-national-dvr-data/>

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.

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 website. This is likely to be published by 31 January 2024

Nāku noa, nā



Simon Espie
Head of Legal

Proactive Release