



DOIA21/22120682

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your letter dated 9 February 2021 requesting the following information under the Official Information Act 1982 (the Act):

...we specifically request that you advise us whether the MoHUD has any interest/s (legal or equitable) in land within the Drury-Ōpaheke area, and, more particularly:

- (a) when that interest was acquired;*
- (b) the nature and scope of the interest; and*
- (c) the size and location of the land concerned.*

In the event that you advise that the MoHUD has no interest (legal or equitable) in land within the Drury-Ōpaheke area, we specifically request that you advise us whether the MoHUD intends, in the reasonably foreseeable future, to obtain an interest (legal or equitable) in land within the Drury-Ōpaheke area.

If the MoHUD intends, in the reasonably foreseeable future, to obtain an interest (equitable or real) in land within the Drury-Ōpaheke area, we request that you provide us with the following documents:

- (a) any and all correspondence between the MoHUD and the Ministry of Transport, Auckland Council, KiwiRail Limited and/or the Supporting Growth Alliance in relation to the intended acquisition of the interest (equitable or real) in land within the Drury-Ōpaheke area; and*
- (b) any and all minutes, records, correspondence or other documents created, received or otherwise held by MoHUD, relating to the intended acquisition of the interest (legal or equitable) in land within the Drury-Ōpaheke area.*

Regarding paragraph 2(b) of our Request, we specifically request that you provide us with any and all correspondence that has passed between the MoHUD and the entities listed in this paragraph of our Request, for the period commencing on 1 August 2019 and terminating on 30 August 2020, where such correspondence relates to development in the Drury-Ōpaheke area.

Regarding paragraph 2(c) of our Request, we specifically request that you provide us with any and all minutes, records, correspondence or other documents created, received or otherwise held by MoHUD in relation to the location and/or development of the train stations in the Drury-Ōpaheke area, particularly the Drury West train station, for the period commencing on 1 August 2019 and terminating on 30 August 2020.

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (the Ministry) does not have an interest currently, or in the foreseeable future, in land in the Drury West area, including the Drury West Train Station. The Ministry has entered a conditional agreement to purchase land in the Drury East area, under the Land for Housing Programme.

Under the Land for Housing Programme, the Ministry acquires land suitable for residential development and on-sells that land to iwi and private developers who use their own capital to develop the land. The Ministry requires each site to be developed subject to conditions, so that its development contributes to addressing the Government's social objectives in relation to housing, by:

- i. increasing total housing supply in supply-constrained markets
- ii. expediting the pace of construction, and
- iii. requiring a proportion of new dwellings to be built for public housing and/or prices attainable for first home buyers

The agreement is still conditional. As such, the details requested about the land are withheld under section 9(2)(j) of the OIA, to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Your request for any and all correspondence and documents created between 1 August 2019-30 August 2020 about the above-mentioned conditional agreement is refused under section 18(e) of the Act as the documents do not exist.

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 www.ombudsman.parliament.nz.

As part of our ongoing commitment to openness and transparency, the Ministry proactively releases information and documents that may be of interest to the public. As such, this response, with your personal details removed, may be published on our website.

Yours sincerely



Matt Fraser
Head of Land Acquisition and Development