

Our Ref DOIA 25-042

29 August 2024

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Tēnā koe [REDACTED]

**Response to your official information request**

Thank you for your official information request received on 5 August 2024 for information relating to tree felling and log removal at Shelly Bay. Please find our response to your request below.

1. *Requesting to know how the Shelly Bay land titles were acquired from native Hapu.*

LINZ is not the owner of land at Shelly Bay. However, historical information about the New Zealand Company's purchase of land at the northern tip of Motu Kairangi (Miramar Peninsula), including Shelly Bay, from iwi can be found on pages 9 and 10 of the publicly available [Archaeological Assessment](#)<sup>1</sup> on the LINZ website.

2. *If site hazard assessments and heritage values assessment included Shelly Bay Wharf and if not why not.*

The site hazards assessments and heritage values assessment relate to the land known as Watts Peninsula and do not include any land or structures in Shelly Bay because that land is in private ownership. You can access the various hazard assessments on the [LINZ website](#)<sup>2</sup>.

3. *A copy of the cultural safety audit provided by Taranaki Whānui*

The cultural safety audit is publicly available [here](#)<sup>3</sup> on the LINZ website.

4. *Location of dangerous trees that were removed, detailed cost of works and removal, disposal methods of trees, dead wood and stacks of logs, contributions received for costs from other parties whether contractual or otherwise. Reasoning trees overhanging 270 and 270A Massey Road were not included in the works.*

Land at 270 and 270A Massey Road is not owned or managed by LINZ. Trees in proximity to this property that are within the LINZ managed land were not included in the scope of planned felling works as they were identified as 'broadly acceptable' in the Arboricultural Safety Audit report (Arborlab Ltd, 2020) and no action was required. A copy of the report is publicly available [here](#)<sup>4</sup> on the LINZ website.

<sup>1</sup> <https://www.linz.govt.nz/sites/default/files/archaeologicalassessment - 2020 arch assessment - motu kairangi - andy dodd updated 2021.pdf>

<sup>2</sup> <https://www.linz.govt.nz/our-work/crown-property-management/projects-and-hazard-management/watts-peninsula/watts-peninsula-and-mt-crawford>

<sup>3</sup> <https://www.linz.govt.nz/sites/default/files/culturalsafetyaudit - motukairangi - taranaki whaanui cultural safety report 2020.pdf>

<sup>4</sup> <https://www.linz.govt.nz/sites/default/files/arboriculturalsafetyassessment - arboricultural safety audit for te motu kairangi final.pdf>

Watts Peninsula is a large site with a number of aging trees. Trees are removed when they present an immediate significant threat to people or infrastructure onsite. We regularly send contractors to the site to remove or manage trees as soon as hazards are identified.

In addition to the reactive maintenance of the site noted above, there have been two large pieces of work relating to felling and removal of tree stands from LINZ-managed land at Watts Peninsula. Information requested relating to this work is summarised in Table 1 below.

**Table 1: Tree Felling Summary**

	2017-2018 Works	2021-2022 Works
Location	Felling of trees threatening structures located along the road connecting Shelly Bay to Mt Crawford Prison.	<ul style="list-style-type: none"> <li>i Clearance of previously felled trees along the road connecting Shelly Bay to Mt Crawford Prison.</li> <li>ii Removal of trees as per recommendation of the Arboricultural Safety Report (T6.2, T15.1, T2.1, T21.4, T21.5, T24.1, T8.1, T8.2 and S2).</li> <li>iii Remedial pruning and deadwood removal as per the recommendations of the Arboricultural Safety Report (T14.1, T21.3, T23.1, T23.2, T26.2 and S6).</li> </ul>
Total Cost	\$131,890.79 ex GST	\$232,842 ex GST
Disposal method	Combination of sale of logs to third party, firewood generation and mulching.	Firewood generation and mulching donated to others.
Contributions Received	~\$24,000 for logs received and used to offset costs to LINZ.	None.

5. *Date contractor appointed to do regular mowing and maintenance works across the site, all documentation of appointment, costs and dates for works done*

LINZ has been responsible for managing the land at Watts Peninsula since 2017 when it was transferred from the New Zealand Defence Force. Prior to 2021, oversight of grounds maintenance contracts was led by our former third-party property managers.

The procurement and appointment of the contractors listed below followed LINZ policy and guidance which is aligned and supported by the [Government Procurement Rules](#)<sup>5</sup>. More information about the procurement of suppliers by LINZ can be found [here](#)<sup>6</sup> on the LINZ website.

A summary of LINZ's contractor engagements is provided in Table 2 below.

**Table 2: Regular Mowing and Maintenance Contract Summary**

Contractor	Type of Appointment	Dates
Colliers International Ltd	Service Agreement	2017- August 2021
Fulton Hogan Ltd	Government Model Contract Form 1 Crown Services (3 <sup>rd</sup> Edition)	August 2021 – September 2022
Colliers International Ltd	Service Agreement	September 2022 - October 2023
Downer New Zealand Ltd	Master Services Agreement	October 2023 - present

A summary of total costs relating to each supplier for scheduled property maintenance, reactive property maintenance and mowing and grounds is provided in Table 3, below.

<sup>5</sup> <https://www.procurement.govt.nz/procurement/principles-charter-and-rules/government-procurement-rules/>

<sup>6</sup> <https://www.linz.govt.nz/about-us/our-organisation/procurement>

**Table 3: Mowing and Maintenance Cost Summary**

Contractor	Total Cost ex GST*			Combined Total ex GST
	Scheduled Property Maintenance	Reactive Property Maintenance	Mowing & Grounds	
Colliers International Ltd	N/A	\$40,631	\$11,022	<b>\$51,653</b>
Fulton Hogan Ltd	\$45,559	N/A	N/A	<b>\$45,559</b>
Downer New Zealand Ltd	\$387	N/A	N/A	<b>\$387</b>
Colliers / Downer	\$2,196	N/A	N/A	<b>\$2,196</b>

*For contracts with suppliers from 2021 onwards, mowing & grounds was considered scheduled maintenance as such the costs listed in the Scheduled Property Maintenance column relate to regular mowing and maintenance.*

6. *Details of stiles installed and all correspondence communicating intended works and completion of works with farm owners and/or managers*

Details of the stiles installed are attached as Appendix 1.

Discussions between LINZ (or the LINZ-contracted supplier) and the farmer regarding the intended works to install the stiles, and the completion of the works, were not documented.

Therefore, I must refuse this request under section 18(e) of the Official Information Act as the information does not exist.

If you wish to discuss this decision with us, please email [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 will be published on the Toitū Te Whenua Land Information New Zealand website. This is likely to be published by 30 September 2024.

Nāku noa, nā



Sonya Wikitera  
Head of Crown Property