

Response: OIA2019.45

23 September 2019

To Patrick Dunford
Via FYI.org

Dear Patrick

Official information request for information on the ownership of Addington Junction site

I refer to your official information request dated 24 August 201, asking if KiwiRail has a covenant on the Turners Auctions site, to be able to take back the site should the land be required to restore a curve for the Addington Junction.

The response to your query is no.

While the New Zealand Railways Corporation (NZRC) do have easement interest rights over the site, these relate to the right for NZRC/KiwiRail to convey water, drainage, electricity, sewage and telecommunication services through the property.

I attach the relevant documents, as they relate to the transfer of title. As noted, there are no further covenants on the land aside from those dealing with contamination.

It is however possible that the site could be purchased back under a Public works scenario, or standard sale and purchase agreement.

We trust this answers your query.

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 by calling free-phone 0800 802 602.

Yours sincerely

Dave Allard

KiwiRail
Official Correspondence Unit