



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2020-3944

20 October 2020

Mr Bruce Miller
fyi-request-13944-855bb0f4@requests.fyi.org.nz

Dear Mr Miller

I refer to your email of 10 October 2020 requesting, under the Official Information Act 1982 (OIA), *electronic copies of any Order in Council or Defence Force Order as referred to in the Defence Act relevant to this address [1-15 Pipitea Street, Wellington], and the rank and position of the officer in charge of this Defence Area.* You also requested *information and documentation regarding how the decision to notify the building as a Defence Area was reached.*

The empowering legislation for the creation of Defence Areas is the Defence Act 1990. At section 2, a defence area is defined as -

Any land...or any building, or part of a building, either in New Zealand or elsewhere, that is set apart, used, or occupied for the purposes of the Defence Force...and more particularly includes; any land, or any building, declared by Order in Council or Defence Force Order to be a defence area for the purposes of this Act.

To aid in giving effect to that definition, the Defence Force Order (DFO) *Officers in Charge of New Zealand Defence Force Defence Areas* was issued. This DFO focuses on security matters and security organisation, so it is withheld under section 6(a) of the OIA

As to how the decision to classify the building [Pipitea House] as a Defence Area was reached, at the time the building was declared to be a Defence Area, New Zealand Defence Force (NZDF) personnel were employed within the building on a permanent full-time basis. Although there are now fewer NZDF employees in the building, those who remain justify the ongoing Defence Area classification.

You retain a right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request.

Yours sincerely

AJ WOODS
Air Commodore
Chief of Staff HQNZDF