

19-D-02698

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your email of 6 December 2019 requesting the following under the Official Information Act 1982 (the Act):

In relation to this page on your website <https://www.mfe.govt.nz/fresh-water/reform-programme/water-conservation-orders/existing-water-conservation-orders/lake> can you please supply me with the following official information:

- 1. The names and organisations represented by the 80 objections to the proposal that were received.*
- 2. The purpose, invitations to attend, attendees and any records of proceedings minutes or reports emanating from a meeting cited as "An informal meeting was held on 5 November 1986."*

On a related matter can you please advise, in relation to claims by the Crown, and numbers of its agencies that it owns the bed of Lake Wairarapa, (for example on this website the government appears to be holding out that it owns the lake bed and that no private land is involved in handing that lake bed back to Maori <https://www.govt.nz/treaty-settlement-documents/ngati-kahungunu-ki-wairarapa-tamaki-nui-a-rua/ngati-kahungunu-ki-wairarapa-tamaki-nui-a-rua-deed-o-new-o-t-s-multi-info-page-3/> , by what authority it makes that assertion in apparent contradiction to titles to land held in Estate Fee Simple that extend well into the bed of the Lake and on which various governments namely the Greater Wellington Regional Council and the South Wairarapa District Council levy and receive rates. As an adjunct to that matter are you able to identify by what authority the Crown can claim to own land which it has appropriated.

If you are not the specific agency of the machinery of government that can answer this part of this request for Official Information can you please pass it to the appropriate authority or agency.

The Ministry for the Environment (the Ministry) has not been able to locate the information that you have requested in points 1 and 2 of your request.

These aspects of your request are, as a result, refused under section 18(e) of the Official Information Act 1982 as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

On 8 January 2020, the Ministry advised you that we would be partially transferring the remainder of your request under section 14(b)(i) of the Act as the information you are seeking is more closely connected to the functions of two other agencies.

The table below details which aspects of your request have been partially transferred and to which agencies.

Aspect of your request	Agency transferred to
<p><i>“On a related matter can you please advise, in relation to claims by the Crown, and numbers of its agencies that it owns the bed of Lake Wairarapa,</i></p> <p><i>(for example on this website the government appears to be holding out that it owns the lake bed and that no private land is involved in handing that lake bed back to Maori https://www.govt.nz/treaty-settlement-documents/ngati-kahungunu-ki-wairarapa-tamaki-nui-a-rua/ngati-kahungunu-ki-wairarapa-tamaki-nui-a-rua-deed-o/new-ots-multi-info-page-3/ , by what authority it makes that assertion in apparent contradiction to titles to land held in Estate Fee Simple that extend well into the bed of the Lake and on which various governments namely the Greater Wellington Regional Council and the South Wairarapa District Council levy and receive rates”</i></p>	<p>Department of Conservation OIA@dcc.govt.nz</p>
<p><i>“As an adjunct to that matter are you able to identify by what authority the Crown can claim to own land which it has appropriated”</i></p>	<p>Crown Law OIA@crownlaw.govt.nz</p>

Please note these agencies will respond to you directly and contact details are included for your information.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz

Released under the provision of the Official Information Act 1982

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent.

If you have any queries about this, please feel free to contact our Executive Relations team: ministerials@mfe.govt.nz.

Yours sincerely



Annabelle Ellis
Acting Director, Water

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