



9 May 2024

OIAD-1046

9(2)a

Dear 9(2)a

Thank you for your email of 10 April 2024 to the Ministry for the Environment (the Ministry) making the following request under the Official Information Act 1982 (the Act):

- *all correspondence between Greater Wellington Regional Council and the Ministry relating to the Environment Court cases: Adams/Quality Homes vs GWRC and Page/Crosbie vs GWRC, and methods for delineating and identifying wetlands.*
- *any correspondence or advice/briefings/memos between the Ministry and other regional councils related to the above.*
- *any briefings, reports or advice prepared or received since 01/01/20 by the Ministry relating to the suitability of the Clarkson method, and other MFE-recommended tools for delineating wetlands.*

Please include entire documents, not just the parts deemed in scope. Under section 16(2) of the OIA my preferences are (a) to receive a copy of the whole of each document (b) that the information is disclosed in a text searchable format, either Word or PDF, and (c) that it is sent to the email address from which MFE received this request.

The Ministry has identified eight documents in scope of your request, as outlined in the below **document table**.

One document is being released to you in full. Four documents are being released to you in part, with information withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.

One email attachment is being refused in full under section 18(d), as the document is publicly available on the Ngā Kōti o Aotearoa Courts of New Zealand website at: <https://www.courtsofnz.govt.nz/assets/cases/2024/2024-NZCA-51.pdf>.

One document is being provided to you as a summary, as per section 16(1)(e) of the Act. It is a summary of a meeting between Ministry and Greater Wellington Regional Council (GWRC) officials, dated 8 April 2024. As no formal notes were taken at the meeting, this document was prepared by officials based on recollections, for the purposes of your request.

One document is being provided to you as an extract, as per section 16(1)(e) of the Act. We consider that provision of the entire document, as you have requested, would be contrary to the interests protected by section 9(2)(f)(iv) of the Act. Therefore, we consider that an extract under section 16(1)(e) is appropriate due to section 16(2)(c) of the Act. The remainder of the document is being withheld under s9(2)(f)(iv) of the Act.

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

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.

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 Ministerial Services team: ministerials@mfe.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nik Andic', written over a light grey horizontal line.

Nik Andic, Manager – Land and Water Systems
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	11 March 2024	Email attachment: Page vs. Greater Wellington Regional Council decision in the Court of Appeal	Refuse in full	18(d)
2	25 March 2024	Environment Weekly Update extract	Release as an extract	16(1)(e)
3	8 April 2024	GWRC and MfE meeting summary notes	Release as a summary	16(1)(e)
4	9 April 2024	Update regarding wetlands delineation (Group email to regional and unitary councils)	Release in full	
5	9 April 2024	Email chain: Wetland fauna guide (Manaaki Whenua, Environment Southland)	Release in part	9(2)(a)
6	9 April 2024	Email chain: Wetland fauna guide (Environment Southland)	Release in part	9(2)(a)
7	9 April 2024	Email chain: For feedback Lucid key to wetland types, and field guide to wetland types (Auckland Council)	Release in part	9(2)(a)
8	10 April 2024	Email chain: Update regarding wetlands delineation (Northland Regional Council)	Release in part	9(2)(a)