

16 April 2024

File Ref: OIAPR-1274023063-26160

Tēnā koe [REDACTED]

Request for information 2024-046

I refer to your request for information dated 18 March 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 18 March 2024. You have requested the following:

“In evidence given to the Appeal Court - GWRC v Page/Crosbie, Mr Spearpoint is on the Court transcript as stating that he has delineated some 70 plus Wetlands utilising his interpretation of the Clarkson Method.

Please will you provide full details of the Wetlands concerned.

Location.

Area and legal description of the land.

Ownership of the land.

Date determination made.

Any associated court case or enforcement action.”

Greater Wellington’s response follows:

Clarification was sought from you via email on the 21 March 2024. Your reply was received on the 21 March 2024 and no changes to the original request were made.

Knowledge and Insights store a database of geospatial database of wetlands. This database formed the basis of this search noting the following assumptions:

- Where the person who delineated the wetland was not already in the database with a date, our files were searched to locate and add this information.

- Where the date was not immediately apparent, e.g. emails arranging site visits, the date of the delineation has been inferred from dates of photos, wetland calculation spreadsheets, or date the shapefile was created.
- The Clarkson Method / Vegetation tool was published in late 2013. We discussed with key staff when it was in use, and based on their input, we have used January 2015 as a conservative start date.
- The Clarkson method describes a rapid assessment and full delineation with plots. We have interpreted all delineations using either the rapid assessment or full plot method to be included in this discussion. It is our understanding that this was what Mr Spearpoint was referring to in his evidence.
- Once the Clarkson method was in use, we have assumed all delineations have been undertaken with this method in mind – i.e. even a quick site assessment is using a rapid assessment to identify a boundary where dominance is observed over 50% facultative wet or obligate species.
- Once this database was updated, we filtered out all the delineations made by other persons, and those outside of the dates January 2015 and 26 May 2021. The latter of which represented the date Mr Spearpoint presented in court and talked to this evidence.
- In addition to those held in this database, we undertook a manual search of the 'Assessments and Advice' folder on the network drive where the records for internal requests for advice from the terrestrial ecology team are stored. Any delineation that was identified in these manual searches and was not already captured in the Scientific wetland database were captured manually.
- The enforcement database was then searched, using the keyword 'wetland' to identify any formal enforcement actions at these wetlands. Three sites were identified where enforcement actions were associated with the wetlands identified by Owen Spearpoint.
- The attached excel document, **Attachment 1**, details the information requested. The following table describes the information contained in that document.

Table 1: Details of the source of the data presented in this request

Location (easting and northing NZTM)	Coordinates of the center of the wetland are provided and the relevant territorial authority. Note where a wetland is an irregular shape, the centroid as calculated automatically may not fall specifically within the wetland area, but will identify a location central to each wetland delineated.
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Territorial authority	District or city council over the area concerned.
Area	Area of the wetland identified in square meters.
Delineation and date	Persons involved in the delineation and the best approximation of date based on the available records.
Legal description of the land	The legal description of the land as listed at December 2023. This may not be true for the time of the delineation (e.g. where a subdivision may have gone through in the time since the delineation).
Ownership of the land	Ownership is true for December 2023 and may not be true at the time of delineation.
Enforcement	Details any enforcement action taken by Greater Wellington.

We are withholding part of the information requested in **Attachment 1** relating to the names of individual landowners under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (the Act) in order to protect the privacy of natural persons, including that of deceased natural persons.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold certain aspects of the requesting ownership information. As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding the ownership information under the grounds identified above.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Lian Butcher

Kaiwhakahaere Matua Taiao | Group Manager Environment

PROACTIVE RELEASE