

15 December 2023

File Ref: OIAPR-1274023063-2474

[REDACTED]

[REDACTED]

Tēnā koe [REDACTED]

Request for information 2023-306

I refer to your request for information dated 17 October 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 17 October 2023. You have requested the following:

“All policies, plans, guidelines, directions and checklists which the Greater Wellington Regional Council (GWRC), and/or any person acting for and/or on behalf of the GWRC, has created and/or used and/or had regard to, since 16 July 2023, for the purpose of performing the GWRC’s duties, relating to emissions produced by combustion, pursuant to:

- (a) [Section 23 of the Health Act 1956.](#)
- (b) [Section 30 and section 29\(m\) of the Health Act 1956.](#)
- (c) [Section 145 of the Crimes Act 1961.](#)

I make the requests for information stated in this document pursuant to all relevant law - including but not limited to the Local Government Official Information and Meetings Act 1987.

I request that the information I have requested in this document be provided to me, by reply email, in electronic form.”

Greater Wellington's response follows:

Yesterday, we became aware of your information request through an approach by the Ombudsman's office. We have looked into this matter and found, unfortunately, that your request was not dealt with when it was originally received due to an administrative error. We apologise for the delay in responding to you.

Greater Wellington's responsibilities, policies and procedures regarding emissions produced by combustion, being discharges to air, are prescribed and performed in accordance with the provisions of the Resources Management Act 1991, rather than under the legislation specified in your request for information. Accordingly, we have refused your request under section 17(g) of the Local Government Official Information and Meetings Act 1987 (the Act) on the basis that the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either—

- (i) held by another local authority or a department or Minister of the Crown or organisation;
or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation.

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 Act.

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