

25 September 2024

File Ref: OIAPR-1274023063-30722

By email: [REDACTED]

Tēnā koe [REDACTED]

Request for information 2024-2022

I refer to your request for information dated 3 September 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 3 September 2024. You have requested the following:

"I am seeking a breakdown by financial year for the past 15 years on:

- 1. How much GWRC has spent on lawyers fees on Resource Management Act 1991 prosecutions.*
- 2. How much GWRC has received from the fines levied on offenders prosecuted for offending under the Resource Management Act 1991. "*

Greater Wellington's response follows:

Below are the lawyer fees (excl. GST) and fines for each financial year with some notes relating to the collation of this information:

Financial Year	Lawyer fees	Fines
2009/2010	\$94,867*	\$124,400
2010/2011	\$83,664*	\$30,700
2011/2012	\$138,351*	\$126,000 [#]
2012/2013	\$75,178*	\$0
2013/2014	\$102,692*	\$129,000 [#]
2014/2015	\$54,928	\$66,750 [#]
2015/2016	\$20,509	\$1,356 [#]

Financial Year	Lawyer fees	Fines
2016/2017	\$21,582	\$30,000
2017/2018	\$3,042	\$0
2018/2019	\$20,600	\$0
2019/2020	\$248,306*	\$180,500
2020/2021	\$218,228*	\$310,000
2021/2022	\$322,013*	\$107,000
2022/2023	\$156,678	\$47,000
2023/2024	\$143,323	\$158,875

Notes:

1. The data provided relates to 36 prosecutions that have concluded during the period from 1 July 2009 – 30 June 2024. It does not include incomplete prosecutions.
2. In a few instances other enforcement or Resource Management Act 1991 (RMA) related activity that was not directly connected to the prosecution case is included in the lawyer fees. Of the total lawyer fees of \$1,624,450 represented in the table above, it is estimated that the lawyer fees directly connected to prosecution cases is \$1,362,513. The years where this applied are marked with * above.
3. The fine amount in most instances is the Court directed fine. The total of Court directed fines is \$1,335,775, however as 90 percent of any Court directed fine is then passed on to Greater Wellington, total fines received by Greater Wellington is \$1,202,197.
4. A small amount of the fines identified above (\$56,356) was for Court directed costs or Court advised payments to environmental restoration initiatives, where a Court directed fine was not imposed. The years where this applied are marked with # above.

As noted in our response to a prior information request (2024-069) on 24 May 2024, we advised that we would consider charging for future requests. In this instance we considered charging but have decided not to pass on a charge. Whilst it took a reasonable amount of time to research and collate the request (15 hours), the review of various databases and documents was administratively inefficient during some parts of the research and collation. Hence in accordance with Ombudsman's guidelines for charging, we have decided not to charge in this instance. We will continue to consider our options in responding to any future requests in accordance with the Act, which may include charging you for the supply of information.

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 appropriate. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Nigel Corry

Te Tumu Whakarae | Chief Executive

PROACTIVE RELEASE