

File No: 03 04 02H
Document No: 16442930
Enquiries to: Jennie Cox
Client ID: REQ161781



24 June 2020

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Wendy Pond
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Dear Wendy

Official Information Request REQ161781 Operation Plan Papakai 2017

I refer to your official information request dated 26 May 2020 for information relating to the Papakai Operation Plan in 2017.

Your request:

1. Please provide me with a copy of the Operation Plan submitted to you by Department of Conservation DOC Hauraki (probably Whitianga office) prior to the 2017 Papakai aerial 1080 operation.
2. Please state what are the fiduciary duties of WRC with respect to such operation plans. Please provide the legislation or regulations that you depend on.
3. Was the 2017 Papakai aerial 1080 operation plan reviewed by staff?

Council response:

The response will be addressed by each question in turn.

1. *Please provide me with a copy of the Operation Plan submitted to you by Department of Conservation DOC Hauraki (probably Whitianga office) prior to the 2017 Papakai aerial 1080 operation.*

The Department of Conservation did not submit an operational plan for the 2017 Papakai aerial 1080 operation to Waikato Regional Council. Your previous request (REQ161046) for the copy of the operation plan was transferred to the Department of Conservation.

The requirement for notice for activities of this nature, arises from the Resource Management (Exemption) Regulations which commenced on 1 April 2017. Schedule 2 of these exemptions provides the detail that is to be provided within the notice of proposed discharge.

<http://legislation.govt.nz/regulation/public/2017/0021/latest/DLM7104015.html>

2. *Please state what are the fiduciary duties of WRC with respect to such operation plans. Please provide the legislation or regulations that you depend on.*

There is no legal requirement for Waikato Regional Council to review the Department of Conservation's operational plans. These operational plans are Department of Conservation internal planning documents, with no legal status under any Act administered by council.

Council staff will review the information that is provided within the notice of proposed discharge to ensure that it meets the requirements of Schedule 2 of the exemptions. Follow up occurs with the relevant parties, where information is deemed to be missing.

3. *Was the 2017 Papakai aerial 1080 operation plan reviewed by staff?*

The notice of proposed discharge was reviewed by staff. As the operational plan was not submitted to council it was not reviewed by council staff.

If you wish to discuss this further, please feel free to contact me at xxxxxx.xxx@xxxxxxxxxxxxx.xxx.xx .

Yours faithfully

Jennie Cox
Statutory Processes Advisor, Democracy