

05 September 2022

Ryan

[fyi-request-20181-1688805f@requests.fyi.org.nz](mailto:fyi-request-20181-1688805f@requests.fyi.org.nz)

Tēnā koe

Thank you for your Official Information Act request to the Department of Conservation, received on 08 August 2022. Your questions and our responses are listed below:

1. *Please provide evidence and proof that the principal officers of Habitat Tuatēawa Incorporated have obtained consent from the landowners within their 'HTPCA' as defined on their site maps, <https://tuatēawa.com/2022/08/> to administer poison.*

Please find attached a copy of the permission letter provided to Habitat Tuatēawa by the Department. This is being released to you in part.

2. *Please provide names of the individuals that have ultimately made the application to poison and signed any consent agreements or similar with the Department of Conservation or any of its third party affiliates or contractors for the proposed plan to poison Tuatēawa September 2022.*

The information you have requested is declined under section 9(2)(a) to protect the privacy of the applicants.

3. *Please provide contract, agreement or similar showing the parties involved with the consent application and any approvals given to poison Tuatēawa in 2022 along with evidence showing that all individuals named on the consent have the authority to administer natural land of substance and deploy Cholecalciferol and Diphacinone.*

Please find attached a copy of the Habitat Tuatēawa Management Agreement. This is being released to you in part.

4. *Should the minister impose an immediate halt to this poisoning of forest land that has direct run-off into private property given this notice confirms that I consider the actions by Department of Conservation and its third party affiliates to be a criminal nuisance under section 200 of the Crimes Act 1961 and would the minister confirm that no government funded agency or third party contractor or incorporation can legally administer poison upon land without written informed consent of the surrounding land owners who stand present in protection against the poisoning of our land?*

The Department does not administer the Crimes Act 1961 legislation and these queries should be directed to New Zealand Police.



The Minister of Conservation will not be imposing any restrictions on this group's activity. The particular work you are referring to - carried out by Habitat Tuatēawa - is not funded by the Department of Conservation.

Guidelines for predator control programmes of this kind can be accessed via the Predator Free 2050 website ([Home - Predator Free 2050 Limited : Predator Free 2050 Limited \(pf2050.co.nz\)](https://www.pf2050.co.nz)). Permissions and consent aspects vary according to the method of control. For Habitat Tuatēawa to carry out this work consultation in line with DOC permissions was undertaken. No adjacent land owner consent was required.

As noted above, I have decided to release the relevant parts of the documents of authority and agreement, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- personal contact details of staff, under section 9(2)(g)(ii) – to protect employees from improper pressure or harassment.

Item	Date	Document description	Decision
1	11 Aug 2022	DOC Permissions Habitat Tuatēawa 2022	Released in part
2	15 Aug 2022	DOC / Habitat Tuatēawa Management Agreement	Released in part

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act and determined there are no public interests which outweigh the grounds for withholding.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Department's website.

If you wish to discuss this with the Department, please contact Nick Kelly, Operations Manager on 0275406165 or by email [nkelly@doc.govt.nz](mailto:nkelly@doc.govt.nz).

Nāku noa, nā

Dan Heinrich  
Director Operations  
Hauraki Waikato Taranaki  
Department of Conservation  
*Te Papa Atawhai*