

23 May 2023

Katherine Raue
fyi-request-22113-efdf5ed0@requests.fyi.org.nz

Tēnā koe Katherine

Thank you for your email of 15 March 2023 requesting information relating to Julian Batchelor and the Cape Brett walkway. Your request has been considered under the Official Information Act 1982 ('OIA').

You requested the following:

[...] all information including correspondence, contracts, etc, regarding Julian Batchelor; All information regarding the involvement of Julian Batchelor with the Cape Brett Walkway, including all information, correspondence, etc, from local hapu, whanau and individuals regarding Julian Batchelor, and the Cape Brett Walkway. All information regarding payments from DoC to Julian Batchelor.

On 29 March 2023, the Department of Conservation ('the Department') contacted you, suggesting refining the timeframe in which you are seeking information from 1 January 2015 to the date of your request.

As we have not heard back from you regarding our suggested refinement, we proceeded with the timeframe for the information you requested to be from 1 January 2015 to 15 March 2023.

If you request information outside this timeframe, please lodge another request with our Government Services team, at governmentservicxx@xxx.xxxx.xx.

On 14 April 2021, we extended the timeframe to respond to your request to 19 May 2023, as your request is for a large quantity of information, and consultation that is necessary to make a decision on your request.

On 19 May 2023, we advised you that we had made a decision on your official information request, and that we would provide you with a response by 23 May 2023.

Your questions and our responses are listed below:

1. *[...] all information including correspondence, contracts, etc, regarding Julian Batchelor*
2. *All information regarding the involvement of Julian Batchelor with the Cape Brett Walkway, including all information, correspondence, etc, from local hapu, whanau and individuals regarding Julian Batchelor, and the Cape Brett Walkway.*



Please find attached, as Appendix One, all information relating to these matters from 1 January 2015 to the date of your request. *Table 1 – Schedule of Documents*, also attached, provides further detail on the information released to you in Appendix One.

We are also providing you documentation on the one arrangement that the Department currently has with a third-party at the Cape Brett Track. Despite this documentation falling outside the 1 January 2015 timeframe, we are releasing this to you, also for context.

Some information has been withheld in Appendix One, pursuant to the following sections of the OIA:

- Section 9(2)(a) – *to protect the privacy of natural persons, including that of deceased natural persons*
- Section 9(2)(ba)(i) – *to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied*
- Section 9(2)(b)(ii) – *to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information*
- Section 9(2)(h) – *to maintain legal professional privilege*
- Section 9(2)(i) – *to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.*

3. *All information regarding payments from DoC to Julian Batchelor.*

The Department has not made any payments to Julian Batchelor. Therefore, part three of your request has been refused pursuant to section 18(e) of the OIA, as the information requested does not exist.

Please refer to items 15, 40, 41, and 42 in *Table One – Schedule of Documents* relating to requests for payments and further advice the Department sought on this matter.

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

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the OIA.

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 Bronwyn Bauer-Hunt, Operations Manager Pēwhairangi, by email, at bxxxxxxxx@xxx.xxxx.xx.



Nāku noa, nā

A handwritten signature in black ink, appearing to read "Sue Reed-Thomas".

Sue Reed-Thomas
Regional Operations Director, Northern North Island
Department of Conservation
Te Papa Atawhai

Table One - Schedule of Documents

Reference	Subject	Date	Information
1	FW: assyst: An update for request R226679 - Legal - Legislation.	Thursday, December 9, 2021	Released in part
2	FW Cape Brett additional fee being requested on the track	Tuesday, February 8, 2022	Released in part
Attachments to 2	see Screenshot_20220205-173233.png; Screenshot_20220205-173315.png; Screenshot_20220205-173323.png; Screenshot_20220205-173241.png	Tuesday, February 8, 2022	Released in full
3	s9(2)(h)	Friday, January 28, 2022	Released in part
4	FW: Oke Bay - recent survey done by landowner of FW: 147 Rawhiti Road	Monday, August 17, 2020	Released in part
Attachment to 4	DOC Oke Bay Site Plan.pdf	Monday, August 17, 2020	Released in part
5	Fw: Report for Te Araaka	Friday, August 13, 2021	Released in part
Attachment to 5	Te Araka.WTA.Report Extract.MHC1.21Jun21.pdf	Friday, August 13, 2021	Released in part
6	Response: Cape Brett walkway		Released in part
7	9(2)(a)	9(2)(a)	Released in part
8	147 Rawhiti Rd	Wednesday, May 13, 2020	Released in part
Attachment to 8	received_342454120050561.jpeg	Wednesday, May 13, 2020	Released in full
9	147 Rawhiti Road FW: please stop all earthworks on your property	Thursday, November 25, 2021	Released in part
10	assyst: Your request R169896 for Statutory land management - Support and advice has now been closed.	Monday, December 16, 2019	Released in part
11	9(2)(a)	9(2)(a)	Released in part
Attachment to 11	Email String Master.pdf	Tuesday, February 8, 2022	Released in part
12	FW: 147 Rawhiti Rd	Tuesday, November 23, 2021	Released in part
13	FW: 147 Rawhiti Rd - Survey Data	Tuesday, June 18, 2019	Released in part
14	FW: Access over private land	Wednesday, October 7, 2020	Released in part
15	Compensation	Wednesday, November 3, 2021	Released in part
16	Re: 147 Rawhiti Rd. Owner flouting District planning Rules	Wednesday, February 5, 2020	Released in part
17	9(2)(a)	9(2)(a)	Released in part
18	9(2)(a)	9(2)(a)	Released in part
19	FE THE CAPE BRETT WALKING TRACK	17/00/2021	Released in part
20	Fw: 147 Rawhiti Road	Tuesday, October 15, 2019	Released in part
Attachment to 20	Site Plan.pdf	Tuesday, October 15, 2019	Released in part
21	FW: KA7049 FW: Cape Brett walkway	Tuesday, February 1, 2022	Released in part
22	FW: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.	Tuesday, August 27, 2019	Released in part
Attachment to 22	AK DP 51670. Oke Bay.png		Released in full
23	FW_ Hauai No 2G 3 Block - Seeking evidence of a tribal walkway - Enquiry 2 E20190012721 (Assyst R169896-closed)	Tuesday, January 14, 2020	Released in part
Attachment to 23	RE: Investigation into hauai 2G3	Wednesday, November 20, 2019	Released in part
24	FW: Hauai No. 2G 3 Block-Seeking evidence of a tribal walkway	Monday, November 18, 2019	Released in part
Attachment to 24 No 1	RE: Hauai No.2G 3 Block- seeking evidence of a tribal walkway	Wednesday, September 4, 2019	Released in part
Attachment to 24 No 2	RE: Hauai No.2G 3 Block- seeking evidence of a tribal walkway	Thursday, September 5, 2019	Released in part
Attachment to 24	Site Plan - Ref 218269	Monday, November 18, 2019	Released in part
Attachment to 24 - Transfer 282971 Hauai No2G Sec 3		Wednesday, September 4, 2019	Released in full
Attachment to 24 - NA683 56		Wednesday, September 4, 2019	Released in part
25	FW: Hauai No. 2G 3 Block-Seeking evidence of a tribal walkway	Tuesday, November 19, 2019	Released in part
26	FW: Investigation into hauai 2G3	Wednesday, November 20, 2019	Released in part
27	9(2)(a)	9(2)(a)	Released in part

28	9(2)(a)	9(2)(a)	Withheld
Attachment to 28	9(2)(a) 9(2)(a) 9(2)(a)		Withheld
29	FW: Update re esplanade	Monday, May 13, 2019	Released in part
30	Julians Survey	Saturday, June 15, 2019	Released in part
Attachments to 30 - s9(2)(ba)(i) s9(2)(ba)(i) s9(2)(ba)(i) s9(2)(ba)(i)			Withheld
31	Lot 6 Accessway	Friday, April 17, 2020	Released in part
Attachments to 31 - Lot 6 Access vested to crown part 2.JPG; Lot 6 Access vested to crown Part1.JPG; received_248439672943379.jpeg; received_531167727590067.jpeg; received_552412422319052.jpeg; Lot 6 cert of title 1965.JPG; Lot 6 access 6th sept 1974 letter.JPG; 19 sept 1972 Lot 6 access confirming vesting to queen.JPG			Released in part
32	New petition to you: Government abuse - DOC is earning revenue from the use of our land without paying us	Friday, February 11, 2022	Released in part
33	Oke Bay aerial from Walking Access NZ website photography	Saturday, September 17, 2022	Released in part
Attachment to 33 -Sniplmage			Released in full
34	OKE Bay Stair/Track Access from Top	Thursday, February 13, 2020	Released in part
35	Oke Bay Update: FW: 147 Rawhiti Road - Survey Data	Monday, July 1, 2019	Released in part
Attachment to 35 - 147 Rawhiti Road RAW Data.pdf; DOC270619-27062019155925.pdf			Released in full
36	Re: Our accessway	Friday, January 17, 2020	Released in part
37	Re: 147 Rawhiti Road	Wednesday, May 1, 2019	Released in part
s9(2)(ba)(i) s9(2)(ba)(i)			Withheld
38	RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.	Thursday, August 29, 2019	Released in part
39	RE: Cape Brett walk	Wednesday, March 15, 2023	Released in part
40	Re: Compensation	Wednesday, November 3, 2021	Released in part
41	Re: Compensation	Thursday, December 2, 2021	Released in part
42	Re: Compensation	Tuesday, January 25, 2022	Released in part
43	Re: Esplanade Reserve	Sunday, April 26, 2020	Released in part
44	Re: FW: Hauai No. 2G 3 Block-Seeking evidence of a tribal walkway	Tuesday, November 19, 2019	Released in part
45	Re: FYI: Cape Brett walk	Tuesday, March 14, 2023	Released in part
46	Re: Investigation into hauai 2G3	Friday, December 6, 2019	Released in part
47	Re: Julian Bachelor	Tuesday, November 23, 2021	Released in part
48	RE: Meeting Request	Tuesday, May 21, 2019	Released in part
49	Re: Photos of Oke Lodge clearing and Taiwan cherry	Thursday, May 14, 2020	Released in part

	50	Re: Progress	Saturday, June 22, 2019	Released in part
	51	RE: Survey of esplanade reserve in rawhiti	Monday, May 20, 2019	Released in part
	52	Re: 147 Rawhiti Road	Thursday, May 14, 2020	Released in part
	53	RE: 147 Rawhiti Rd. Owner flouting District planning Rules	Thursday, April 2, 2020	Released in part
	54	RE: 147 Rawhiti Rd. Owner flouting District planning Rules	Sunday, April 5, 2020	Released in part
	55	Re: 147 Rawhiti Rd. Owner flouting District planning Rules		Released in part
Attachment to 55 - 9(2)(a)				Withheld
9(2)(a)	56	9(2)(a)	Thursday, April 2, 2020	Released in part
Attachment to 56 - 147 Rawhiti Road.jpg				Released in part
	57	FW: 147 Rawhiti Road - Survey Data	Wednesday, August 21, 2019	Released in part
	58	RE: Assyst request R 194042	Wednesday, October 7, 2020	Released in part
	59	RE: assyst: Statutory land management - R169896 (Oke Bay Scenic reserve and alleged tribal walkway)	Thursday, September 12, 2019	Released in part
	60	RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.	Wednesday, September 4, 2019	Released in part
	61	RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.	27/08/20219	Released in part
Attachment to 61 - AKC ML 9143.png				Released in full
	62	RE: assyst: Statutory land management - Support and advice request with the reference number R169896 has been assigned to you.	Wednesday, September 4, 2019	Released in part
Attachment to 62 - DOC 6061365				Released in part
	63	RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway	Monday, November 4, 2019	Released in part
	64	RE: E20190009099 – Hauai No.2G 3 Block- seeking evidence of a tribal walkway	Wednesday, November 13, 2019	Released in part
	65	Re: FW: Contact re esplanade boundary on behalf of Ngati Kuta	Wednesday, July 3, 2019	Released in part
	66	Re: FW: FW: Survey outline	Monday, October 21, 2019	Released in part
	67	Re: FW: Survey outline	Tuesday, August 20, 2019	Released in part
	68	Re: FW: Survey outline	Tuesday, August 20, 2019	Released in part
9(2)(a)				Withheld
	69	Re: FW: Survey outline	Monday, August 19, 2019	Released in part
	70	Re: FW: Survey outline	Friday, May 31, 2019	Released in part
9(2)(a)				Withheld
	71	Re: FW: Survey outline	Tuesday, August 20, 2019	Released in part
	72	This just in from the surveyor	Wednesday, May 29, 2019	Released in part
	73	RE: Oke Bay aerial from Walking Access NZ website photography	Friday, September 18, 2020	Released in part
	74	Soil is gone	Sunday, May 17, 2020	Released in part
	75	Re: Soil is gone	Monday, May 18, 2020	Released in part
	76	Survey Outline	Tuesday, May 28, 2019	Released in part
Attachment to 76 - Survey of Oke Bay.jpg				Released in full
	77	Re: Survey Outline	Friday, June 14, 2019	Released in part
	78	Re: Survey Outline	Friday, June 14, 2019	Released in part

79	S95E Task Assignment RC2224 Julian Batchelor (Council Comments)	Tuesday, June 22, 2021	Released in part
80	RE: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272	Monday, June 28, 2021	Released in part
81	RE: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)	Tuesday, June 29, 2021	Released in part
82	RE: 1 of 2 emails: FW: S95E Task Assignment RC2224 Julian Batchelor (Council Comments)	Tuesday, June 29, 2021	Released in part
Attachment to 82 - RMA Decision Support Document - RC2224 - DOC-6705022			Released in part
83	RE: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272	Tuesday, June 29, 2021	Released in part
84	Fwd: RE: Subject: 2200523-RMALUC - Lot 6, Rawhiti Road, Russell 0272	Wednesday, June 23, 2021	Released in part
85	RE: Investigation into hauai 2G3	Friday, December 6, 2019	Released in part
86	RE: Investigation into hauai 2G3	Thursday, November 21, 2019	Released in part
87	RE: Investigation into hauai 2G3	Wednesday, November 20, 2019	Released in part
88	RE: Investigation into hauai 2G3	Thursday, November 21, 2019	Released in part
Attachment to 88 - Court minutes - 14 Bay of Islands MB 139 and 163.pdf; Court minutes - 15 Tokerau MB 383-386, 388.pdf; Court minutes - 12 Appellate Court Auckland District MB 30-33.pdf			Released in full
89	RE: Investigation into hauai 2G3	Wednesday, November 20, 2019	Released in part
90	RE: Investigation into hauai 2G3	Thursday, September 10, 2020	Released in part
Attachment to 90 - (DOC-6156778)& (DOC 6135164)			Released in part
91	BOI TA Oke Bay boundaries - DOC-5966546	Monday, June 10, 2019	Released in part
92	Briefing for MOC-Oke Bay09-A-0041	Thursday, January 29, 2009	Released in part
93	Cape BrettAccess-Batchelor-08-B-0267 (1)	Friday, June 6, 2008	Released in part
94	Draft Ministerial Response to Julian Batchelor	undated	Released in part
95	Ministerial Response to Julian Batchelor (15-A-0104)	undated	Released in part
96	NVB - Service Provider Agreement (Cape Brett Walkways Independent Walks)	Wednesday, November 25, 2009	Released in part
97	Permit- Cape Brett	1/10/2001 (assumption. Date not specified. Based on right of renewal and insurance expiry)	Released in part
98	(Untitled)	Wednesday, April 19, 2023	Released in part
99	Cape Brett Whangamumu %2c Te Toroa%2c etc. signed permit	Friday, July 27, 2007	Released in part
100	Cape Brett Whangamumu %2c Te Toroa%2c etc. signed permit	undated	Released in part
101	Cape Brett WW - Permit Cape Brett NO-20728-GUI	Undated (2006)	Released in part
102	Cape Brett WW - Report NO-20728-GUI	undated (2006/2007)	Released in part
103	Cape Brett Walkways - Lt enc cheque returned NO-20728-GUI	Wednesday, April 19, 2023	Released in part