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Ref: OIAD-6299

Tēnā koe Nigel

Thank you for your subsequent (and connected to OIAD-6124 (our reference)) request to the Department of Conservation, received on 30 April 2026, in which you stated and asked for:

"I am writing to request clarification and further information under the Official Information Act 1982. This request is made in light of several statements in your response that require refinement to ensure the Department's decision is properly grounded in the Act."

1. Basis for Refusal Under Section 18(e)

Your response refused Parts 3 and 5 of my request under s 18(e) on the grounds that the information "does not exist or, despite reasonable efforts to locate it, cannot be found."

To assist me in understanding the Department's decision, please provide:

1.1 Search Methodology

A description of the search steps undertaken for Parts 3 and 5, including:

- teams, business units, and individuals consulted
- search terms used
- systems, databases, and document repositories checked
- date ranges applied
- any limitations or constraints on the search

This request concerns methodology only, not the content of any documents.

1.2 Definitions Applied

Please provide the Department's working definitions of:

- "external review"
 - "external input"
 - "approval by external parties"
 - "conflict-of-interest declaration"
- as used when assessing Parts 3 and 5 of my request.*

This is to understand how the Department distinguished between:

- consultation
- stakeholder engagement
- inter-agency coordination, and
- external influence over final public statements.

2. External Input Into Public Statements (Part 3)

Your response states: "this type of engagement is not considered to equate to public statements."

To ensure I correctly understand the Department's position, please provide:

2.1 Clarification of Scope

The Department's criteria for determining when:

- external review,



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- suggested edits,
 - factual corrections, or
 - sign-off by another agency
- does or does not constitute “external input” into a final public statement.

2.2 Inter-Agency Review

Confirmation of whether the Department excluded from scope any instances where:
MPI, MfE, Te Uru Rākau, regional councils, or other government agencies
reviewed or commented on DOC’s forestry-related public statements.

If excluded, please provide the basis for that exclusion.

3. Conflict-of-Interest Declarations (Part 5)

Your response states that no declarations were located.

To clarify this finding, please provide:

3.1 Registers and Systems

Whether the Department maintains:

- conflict-of-interest registers,
 - annual declaration records,
 - onboarding declarations, or
 - project-specific conflict registers
- for staff involved in:
- forestry-related policy
 - compliance or enforcement
 - environmental monitoring
 - public communications relating to forestry

If such registers exist, please confirm whether they were searched.

3.2 Policy Framework

Copies of the Department’s policies or procedures governing:

- when staff must declare conflicts of interest
- how such declarations are recorded
- where they are stored
- who is responsible for maintaining the register(s)

4. Statutory Timeframe and Extensions

Your letter states: “more time is required to prepare the Department’s response for release.”

Please confirm:

Whether this constitutes a further extension under s 15A of the OIA.

If so, please provide the statutory ground(s) relied upon.

If not, please provide the legal basis for extending the timeframe beyond the date previously notified.

5. Public Interest Considerations

Your response states that no public interest factors outweigh withholding.

5.1 Public Interest Assessment

The factors considered under s 9(1), including:

- environmental impacts of forestry
- erosion and sedimentation risks
- transparency of public communications

- *external influence over official statements*
 - *accountability in regulatory and monitoring functions*
- and the reasons these were assessed as insufficient to outweigh withholding.*

Administrative Notes

This request is made in good faith to ensure the Department's decision is fully understood and properly grounded in the Act. It does not seek to revisit the substance of the original request, but to clarify the reasoning and processes underlying the Department's response. "

We have considered your subsequent request under the Official Information Act 1982 (OIA).

Before proceeding to the Department's response to your subsequent request, we have provided some relevant contextual information and outlined our approach to this request.

Obligation to provide official information

As noted in our letter dated 5 May 2026, a distinction under the OIA exists between a request for information already known to and held by an agency (official information); and a request to an agency to form an opinion or provide an explanation or comment and thus create new information to answer the request (not official information).

There is no obligation on an agency, such as the Department, to form an opinion, provide an official position, or create information to answer a request or question – or respond to commentary. Consequently, the Department's responses will generally not provide any perspective or view and will be specific to fact only.

Further, the OIA is not an avenue for engagement, consultation or dialogue. It was not enacted for this purpose.

Guidance for approach to responding to OIA requests

The provisions of the OIA, and guidance from and decisions of the Office of the Ombudsman (Ombudsman), inform and support the approach that the Department takes in dealing with the OIA requests that it receives. For completeness, we include the following links:

- [Official Information Act 1982 | New Zealand Legislation |
https://www.legislation.govt.nz/act/public/1982/156/en/latest/#DLM65396](https://www.legislation.govt.nz/act/public/1982/156/en/latest/#DLM65396)
- [Ombudsman New Zealand | Tari o te Kaitiaki Mana Tangata |
https://www.ombudsman.parliament.nz/](https://www.ombudsman.parliament.nz/)

Decision on an OIA request and release of information

The legal requirements for responding to requests for official information are to:

- *make a decision and communicate it to the requester 'as soon as reasonably practicable' and no later than twenty (20) working days after the request is received; and*
- *make available any official information it has decided to release without 'undue delay'.*

The reference to twenty (20) working days in the OIA is a maximum - unless the timeframe is extended within the grounds available in the OIA.

Generally, when a decision is made to grant a request for information, whether in full or in part, the decision and the information should be provided to the requester at the same time.

However, there may be times when this is not possible. For example, when the request is for a large amount of information or a large amount of information has had to be reviewed and although the Department has reached a decision to grant the request, it will still take the Department further time to prepare the information for release. The information may be provided to the requester at a later stage, after the decision has been made and communicated. In these circumstances, the notice of the decision should clearly indicate that the information will be provided at a later date, and where possible with an estimated timeframe for the release.

If some of the information is to be withheld, the notice of the decision should also advise this and state the reasons for refusal of that part of the request.

Approach to this request

Your subsequent request was received following the Department's part response and decision letter dated 30 April 2026, and before the remaining part of the Department of Conservation's response to your request was sent to you on 5 May 2026. These Departmental letters were in respect of OIAD-6124 (our reference).

Consequently, there may be some overlap with the information supplied in this response letter and the Department's letter dated 5 May 2026.

Please note that the Department's response only considers policies, processes, registers and systems currently in place in providing information for this response letter.

In addition to determining what information it holds, the Department must also decide how the information will be released. Section 16 of the OIA allows information to be made available in several ways in response to a request.

Information can be provided in a narrative and/or summarised form where not doing so would unreasonably impact the normal functions of the agency responding. Please note the Department has decided to provide certain information you have requested in these forms.

Limits to information available

As advised earlier (OIAD-6124), the Department's approach to the native forests it administers and manages is not the same as planted production forest. Work is usually focused and/or connected to conservation, protection, restoration, sustainable use, pest control, climate change and/or carbon storage.

Consequently, it took some time to research and review the Department's records across relevant teams to identify what may be held by the Department within scope of the five parts making up your request (OIAD-6124).

While every effort was made to identify and provide you with what the Department holds given our approach to your request, we note limitations to the availability of information for a range of reasons. Over time there have been revised policies and processes, different record keeping

practices (including naming protocols), new information management systems, and staff turnover.

As well, the search engine connected to the Department's current information management system produced results in the hundreds, depending on the search terms used (that proved to include a number of false positives).

Department's response to your subsequent request

When approaching OIAD-6124, the Department noted your interest in external influence(s) over public communication and decision-making with respect to the forestry industry and engagement with forestry-sector representatives. When determining what the forestry industry means in a New Zealand context and how this applied to official information held by the Department, these interests were taken into account, along with the way you had set out the five parts forming your request. This allowed us to respond, as otherwise a wider interpretation would have amounted to substantial collation and research, and we would therefore have had to refuse that request under section 18(f) of the OIA.

Your subsequent request is comprised of five parts, as follows.

1 **Basis for refusal of parts (3 and 5) of request under section 18(e) of the OIA – Search methodology and definitions**

The teams involved in undertaking searches for relevant material in response to OIAD-6124 included Flora and Ecosystems, Terrestrial Biodiversity, Freshwater, Policy, Threats Science, Landscape Threats, and Climate Change. There was some general liaison with Regional Operations.

Key search terms were drawn from your request. These included forestry, forestry slash event; forestry and erosion; forestry and sedimentation and forestry-related environmental impacts.

The date range used was 1 January 2021 to 22 February 2026 (being the date of your request).

The Department's approach to the native forests it administers and manages is not the same as planted production forest. Work is usually focused and/or connected to conservation, protection, restoration, sustainable use, pest control, climate change and/or carbon storage. This approach, as noted earlier, does not lend itself to much work or material of the type the forestry sector would be engaged in.

Consequently, it took some time to research and review the Department's records across relevant teams to identify what may be held by the Department within scope of the five parts making up your request.

As noted before and above, there were limits to the availability of information.

The working definitions of various terms, such as those listed by you, is determined by nature and type of work being undertaken. Standard dictionary definitions would be a

starting point, with consideration taken of definitions in relevant policies, guidance and legislative measures.

2 External Input Into Public Statements (Part 3) - Scope

While the Department does consult and/or inform other parties where our work affects them, the information and documents related to this type of engagement would not equate to 'public statements' - noting the type of information you listed for this part of your request (OIAD-6124).

As noted earlier, we limited our response to public statements relating to forestry issued solely by the Department that involved review, editing or approval by external parties. None were identified.

The extent and nature of engagement and/or consultation undertaken by the Department is governed by a mix of legislative measures and current policy, depending on the matter. Identification of affected stakeholders is also typically determined in a similar manner.

There is due consideration of views submitted from across the spectrum of interested parties with respect to a range of issues, when engagement or consultation is undertaken. It is recognised however that, for a range of reasons, decisions made by the Department concerning (and/or approaches to) an issue may result in some parties seeking to express their dissent or dissatisfaction.

The right of individuals and groups to raise and/or discuss the issues that are important to them and the Department is respected. This right however does not extend to re-litigation of determined matters, or further dialogue where a consensus is unlikely in the face of widely disparate views – particularly where existing scientific evidence, research and monitoring supports the decisions and/or position the Department has taken.

Not every action of the Department is subject to the need to engage with the public. Such an approach would severely limit the ability of the Department to undertake its functions, which include managing all land and resources held under the Conservation Act 1987.

The Department administers 25 pieces of legislation and has functions under others - including the Resource Management Act 1991, the Fisheries Acts 1983 and 1996, the Biosecurity Act 1993, the Fire and Emergency New Zealand Act 2017 and the Crown Pastoral Land Act 1998.

See: <https://www.doc.govt.nz/about-us/our-role/legislation/>

There presently exists a number of ways that New Zealanders can submit their views or engage on and/or get involved with conservation-related matters that are within the Department's remit. In particular, please refer to: [Have your say: Get involved](#) | <https://www.doc.govt.nz/get-involved/have-your-say/>

3 Conflict of Interest Declarations (Part 5) – Registers, Systems and Policy Framework

The Department does maintain the type of registers, records, declarations and registers you have outlined.

The search undertaken used the terms in your request and not the expanded terms contained in this request.

As noted above and/or set out in the Department's letter dated 5 May 2026:

- The Department's approach to the native forests it administers and manages is not the same as planted production forest.
- Work is usually focused and/or connected to conservation, protection, restoration, sustainable use, pest control, climate change and/or carbon storage.
- A search was undertaken to locate declared conflicts of interest by staff of the type you expressed an interest in - that is, staff involved in forestry-related policy; forestry compliance or enforcement; environmental monitoring relating to forestry; or forestry-related public communications. None were located.

In terms of conflicts of interest, rather than provide a range of documents (in whole or in part), we note that there is information available to all Departmental staff concerning what a conflict of interest is, why it matters and how to declare and manage it at the Department. This information canvasses actual, potential and perceived conflicts. It also links further resources that are publicly available from the Public Service Commission and the Office of the Auditor-General.

There is an annual conflict of interest process that applies to all Departmental staff.

As well, there are other key times when conflict of interest declarations are encouraged:

- Procurement, contract, and supplier management
- HR processes;
- Employment interests (before, after, or future)
- Grant funding and sponsorship engagement
- Conservation or commercial concessions
- Land, asset, or resource management
- Research and scientific collaboration
- Board, committee, or panel memberships
- Gift, hospitality, or benefit offers

4 Statutory Timeframe and Extensions – Notices of Decision and Information release

Our letter dated 30 April 2026 provided a part response (that is, refusals connected to two parts (3 and 5) of your request) and notice of the Department's decision on the remaining parts (1, 2 and 4).

The Department's letter dated 5 May 2026 provided relevant contextual information, further details related to the refusals and responses to the remaining parts of the request.

As outlined above, the approach taken in the circumstances by the Department is one allowed for by the OIA. It is also supported by guidance issued by the Ombudsman.

For example, see The OIA for Ministers and agencies: A guide to processing official information requests | Ombudsman New Zealand |

<https://www.ombudsman.parliament.nz/resources/oia-ministers-and-agencies-guide-processing-official-information-requests>

5 Public Interest Assessment

Public interest considerations are taken into account when information is withheld under the reasons available under section 9 of the OIA.

Other reasons exist for withholding information (such as section 6 of the OIA) and refusing requests (section 18 of the OIA).

Of the information released, very limited withholding by redaction was applied. Most was for the protection of privacy for which the Department will tend to err on the side of caution – particularly where names and contact details of individuals is not material to the OIA request and the information that has been sought.

Notably, the Department does take note and consider Ombudsman guidance in this regard: [Public interest: A guide to the public interest test | Ombudsman New Zealand | https://www.ombudsman.parliament.nz/resources/public-interest-guide-public-interest-test](https://www.ombudsman.parliament.nz/resources/public-interest-guide-public-interest-test)

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) may be published on the Department's website.

Nāku noa, nā



Andrew Martin
Acting Director, Governance and Government Services
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