

Levonne Scott

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6 May 2026

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Ref: OIAD-6242

Tēnā koe Levonne

Thank you for your request to the Department of Conservation, received on 12 April 2026, in which you asked for information regarding the aerial application of agrichemicals (including glyphosate and associated surfactants) in the Te Henga / Bethells Beach wetland area funded or authorised by the Department of Conservation for the 2025/2026 season:

I also note your request to Auckland Council that was transferred to the Department of Conservation on 13 April 2026 asking:

“Can they please give me their responsibilities for monitoring endangered species that these chemicals affect in many ways and how they protected them during spraying over 28 hectares with over 6000 litres of chemicals over their habitat during nesting season. When it’s illegal to disturb these birds that are protected under the nzcps as the zone is a coastal zone with endangered species. What is docs responsibility here “

We have considered your request under the Official Information Act 1982.

On 1 May 2026, your request for information relating to an Assessment of Environmental effects and monitoring of your request was transferred to Auckland Council.

Your questions and our responses are listed below:

1. ***Wildlife Act Authorities: Copies of any authorities or permits granted under Section 53 or 54 of the Wildlife Act 1953 to the Department, its contractors, or partner organizations (e.g., forest and bird,) to incidentally disturb, catch, or kill absolutely protected wildlife—specifically Australasian Bittern (Matuku-hūrepo) and Long-tailed bats (Pekapeka-tou-roa)—during spraying operations.***

There are no Wildlife Act authorities granted under Section 53 or 54 of the Wildlife Act 1953 to the Department, its contractors, or partner organisations in relation to the spraying being undertaken at Te Henga Wetland. Therefore, this aspect of your request is refused in accordance with s18(e) of the Act as the information does not exist.

2. ***Assessment of Environmental Effects (AEE): Any internal reports, ecological assessments, or advice held by DOC regarding the potential impact of aerial spraying on the nesting cycles of the Matuku and the roosting/foraging behavior of the Long-tailed bat in this specific Significant Ecological Area (SEA).***

This aspect of your request was transferred to Auckland Council on 1 May 2026.

3. **Surfactant Toxicity Data: Any information held regarding the specific toxicity of the surfactants being used (e.g., Aquakynde or similar) on the aquatic invertebrate food chain that supports the Matuku and Pekapeka populations.**

The Department does not hold information regarding the toxicity of surfactants such as Aquakynde beyond the information provided by the manufacturers Safety Data Sheets. As this information is already publicly available and the Department does not hold any further information, your request is refused in accordance with s18(g) of the Act as the information is not held.

4. **Monitoring Requirements: Details of any requirements for on-site ecological monitoring during the spray to ensure no "take" or "disturbance" of protected wildlife occurs.**

This aspect of your request was transferred to Auckland Council on 1 May 2026.

5. **Species-Specific Safety Evidence: Please provide any scientific reports, peer-reviewed studies, or internal DOC technical advice held by the Department that specifically assesses the toxicological effects of glyphosate and the surfactant [e.g., Aquakynde/Polaris] on:**

- **The Australasian Bittern (Matuku-hūrepo), specifically regarding secondary poisoning via their aquatic prey (fish/insects). Also disturbance due to aerial spraying and loss of habitat.**
- **The Long-tailed bat (Pekapeka-tou-roa), specifically regarding the ingestion of insects that have been exposed to the spray or the inhalation of aerosolized spray drift.**

The Department does not hold any scientific reports, peer-reviewed studies, or internal DOC technical advice held by the Department that specifically assesses the toxicological effects of glyphosate or surfactants on the Australasian Bittern or the Long-tailed bat. Therefore, your request is refused in accordance with s18(e) of the Act as the information does not exist, or s18(g) of the Act as the information is not held.

6. **Expert Consultation: Please provide any internal correspondence or records of consultation with Dr. Colin O'Donnell (or other DOC Principal Scientists) regarding the potential risks of this specific aerial spray operation on the Te Henga bat and bittern populations.**

There have been no internal communications involving Dr. Colin O'Donnell, or other DOC Principal Scientists, regarding the potential risks of this specific aerial spray operation on the Te Henga bat and bittern populations. Therefore, your request is refused in accordance with s18(e) of the Act as the information does not exist.

7. **Data Gaps: If no such evidence exists, please provide the Department's rationale for proceeding with the spray in a Significant Ecological Area (SEA) despite the lack of baseline data on species-specific chemical sensitivity.**

DOC is not proceeding with spraying in the Te Henga/Bethells area. The activity is being undertaken by the Matuku Reserve Trust. As you have previously been advised, monitoring and compliance, including compliance with Hazardous Substances and New Organisms Act 1996 (HSNO) and the Resource Management Act 1991 (RMA), is the responsibility of Auckland Council.

As DOC is not undertaking this activity, your request is refused in accordance with s18(e) of the Act as the information does not exist.

8. ***Can they please give me their responsibilities for monitoring endangered species that these chemicals affect in many ways and how they protected them during spraying over 28 hectares with over 6000 litres of chemicals over their habitat during nesting season. When it's illegal to disturb these birds that are protected under the nzcps as the zone is a coastal zone with endangered species. What is docs responsibility here***

DOC does not have a role in authorising, undertaking, or monitoring the spraying activity you describe.

DOC's statutory responsibilities are set out primarily under the Conservation Act 1987, Wildlife Act 1953, and related legislation. In general terms, DOC's role is to manage public conservation land and advocate for the conservation of indigenous biodiversity within statutory and planning processes. DOC does not oversee or monitor operational activities carried out by other agencies or organisations on land outside DOC's control unless a specific statutory function applies.

The spraying activity referred to was not undertaken by DOC, nor was it carried out under a DOC permit or approval. As a result, DOC did not have responsibility for designing, implementing, or monitoring the activity, including decisions relating to timing, chemical use, or mitigation measures. Therefore, this aspect of your request is refused in accordance with s18(e) of the Act as the information does not exist.

As you have previously been advised, responsibility for ensuring compliance with relevant environmental and wildlife protection requirements for spraying activities rests with the agency or entity that authorised and undertook the work, and with the relevant regulatory authorities. This includes compliance with legislation and instruments such as the Wildlife Act 1953, the Resource Management Act 1991, and any applicable regional or district plans, including those that give effect to the New Zealand Coastal Policy Statement. Enforcement and monitoring of those requirements sit with the responsible consent authority and/or regulator and in this case Auckland Council is the responsible consent authority and regulator.

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 Official Information Act.

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

Nāku noa, nā

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Tim Bamford
Director Terrestrial Biodiversity
Department of Conservation
Te Papa Atawhai