



Our ref: 18-E-0165
File ref: 5474964

22 May 2018

Wendy Pond
fyi-request-7686-68b96e81@requests.fyi.org.nz

Dear Ms Pond

OFFICIAL INFORMATION REQUEST

Thank you for your email of 21 April 2018 asking for the following information under the Official Information Act 1982 (the Act):

- 1) *Please provide all incident reports by DoC staff, security personnel, and any others, for 17 October 2017 covering the period from 4 pm to 11 pm at 20 Joan Gaskell Drive Whitianga when members of the public were assaulted by DoC security guards during loading of 1080 poison baits in a public car park.*
- 2) *Please provide copies of correspondence between DoC staff and senior personnel and the Minister relating to this incident together with correspondence relating to the lease of space in the Liquor King building and car parking area around it.*
- 3) *Please state when the lease held by Platinum Homes was transferred to Department of Conservation for storage of 1080 poison baits.*
- 4) *Please advise when the owner of the Liquor King building was advised that 1080 poison baits were stored in the building.*

I have responded to each part of your request in turn below.

Question 1

In response to this part of your request please find attached the following document:

Item	Date	Document description	Decision
1	04/12/17	Email report from Operations Manager Nick Kelly to Penny Loomb dated 4 December 2017	Released in full

Security personnel did not provide an incident report to the Department regarding this incident.

Questions 2 and 3

In response to this part of your request please find attached the following documents:

2	25/10/17	Debrief notes from Nick Kelly to David Speirs	Released in part
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3	22/11/17	Email from Herb Christophers to David Speirs, Nick Kelly and Des Williams	Released in part
4	01/12/17	Email from Nick Kelly to Des Williams and David Speirs	Released in full
5	15/12/17	Email from Nick Kelly to David Speirs	Released in full
6	09/01/18	Email from David Speirs to Gemma White and Nick Kelly	Released in part
7	10/01/18	Email from David Speirs to Nick Kelly, David Hunt, Herb Christophers	Released in part
8	17/01/18	Email from Nick Kelly to David Speirs	Released in full
9	20/02/18	Internal media advisory	Released in part
10	12/02/15	Agreement to Lease for Whitianga Premises	Released in full
11	12/02/15	Agreement to Lease	Released in full
12	Undated	Deed of Lease template	Released in full

There was no correspondence between the Department and the Minister regarding this incident.

It is important to note that the building at 20 Joan Gaskell Drive is not “the Liquor King building”. Liquor King is a tenant as is the Department of Conservation.

The Department leases two units directly from the property owners along with the use of carparks. One unit is used for office space while the second unit is used for storage. An additional unit, ex Platinum Homes was acquired in late 2016 from the property owners, for an expansion of Departmental office space. This area was not used for storage of bait.

I have decided to release the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Act, as applicable:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people, and
- to allow free and frank expression of opinions, under section 9(2)(g)(i)
- protection of members of organisations and employees from improper pressure or harassment 9(2)(g)(ii).

Please note that information that is publicly available, such as social media posts, is not included.

Question 4

I am able to advise that the property owner of 20 Joan Gaskell Drive was advised verbally by the previous Operations Manager prior to any bait storage at the site, however we are not able to provide you with a precise date. Therefore, in response to this part of your request, this information is not held by the Department and your request is declined under section 18(g).

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 1982.

Yours sincerely

A handwritten signature in black ink, appearing to be 'David Speirs', written over a horizontal line.

David Speirs
Director, Operations
Hauraki Waikato Taranaki Region

