

19 October 2023

[REDACTED]
[REDACTED]
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Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 24 August 2023, in which you asked a range of question in relation to the Department's WARO operations under the Wild Animal Control Act. I have set out your request in further detail below.

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

On 20 September we extended the timeframe to respond to your request 12 October due to the large quantity of information sought. On 12 October 2023 we made a decision on your request but advised that additional time was required to prepare the material for release. Thank you for your patience while we finalised this process.

Your questions and our responses are listed below:

Questions asked in relation to WARO (under the Wild Animal Control Act 1977)

1. *Provide me with the number of ungulates harvested each year for the past 5 years by WARO operator, there are between 32-34 total, for each land schedule area. You can see the index map here. Please break it down by area and if there is more than one operator per area, by operator.*

This information is not collected by the Department. I am therefore unable to release this information and am refusing this part of the request under section 18(e) as the information does not exist.

2. *Please provide me with the complaints made to DOC in respect to WARO operations in the past 5 years, or a summary, including their location, time of year, and summary of the impact by the complainant, by reference to the WARO land schedule areas. Please also describe the actions taken by DOC.*

As the requested information is not centrally held in a database it has instead been sourced and collated from each District Office throughout the country. This information has been collated, and is included in a table at the end of this letter (see Table 2), setting out a summary of complaints received by Districts in relation to WARO operations over the last five years and

the location of that operation. Seven complaints have been recorded in relation to WARO operations over the past five years.

3. *What obligations regarding health and safety does DOC require of WARO operators? Please provide copies of those documents.*

The specific health and safety conditions within Schedule 2, section 5 of the WARO permit contract are included as an excerpt below:

5.1. The Concessionaire must operate under this Concession in a safe and reliable manner and must comply with the Health and Safety at Work Act 2015 and its regulations and all other provisions or requirements of any competent authority, including the Civil Aviation Authority, relating to the performance of this Concession.

5.2. The Concessionaire must:

- (a) eliminate risks to health and safety, so far as is reasonably practicable; and
- (b) if it is not reasonably practicable to eliminate risks to health and safety, minimise those risks so far as is reasonably practicable.
- (c) record and report to the Grantor all accidents or incidents involving serious harm within 24 hours of their occurrence and forward an investigation report to the Grantor within 3 working days of the accident or incident occurring;
- (d) at the request of the Grantor make available for interview any of the Concessionaire's directors, employees, contractors or agents who in the opinion of the Grantor might assist any investigation by the Grantor into the cause of any such serious harm accident or incident.

5.3. The Concessionaire must notify the Grantor as soon as practicable of any natural event or activity or other hazard on the Land or the surrounding area of which it is aware, and which may endanger the public or the environment.

4. *What obligations regarding ammunition type does DOC require of WARO operators? Please provide copies of those documents.*

There are no conditions within the WARO permit contract that relate specifically to ammunition type. Conditions within Schedule 3 conditions 6 of the WARO permit contract relates generally to the use of firearms and ammunition and states:

6. The Concessionaire must ensure, in respect of any person who carries and uses firearms and ammunition as part of undertaking the Concession Activity, that person holds a current firearms licence with relevant endorsements and exemptions as required under the Arms Act 1983.

- 5. Please provide me the standing operating procedures regarding firearms and ammunition for DOC in generals and its contractors and WARO operators.*

I have attached a copy of DOC's Firearms Standard Operating Procedure (SOP), which is our primary SOP regarding firearms and ammunition. It applies to any work that requires procuring, maintaining, storing, transporting, using or disposing of any firearm or ammunition by a staff member in the course of DOC work. This SOP is currently under review to align with Arms Act changes including the NZ Firearms Registry, and until this review is complete the current (2022) version is still in effect. This SOP accompanies our response as item 1, referenced in the Table 1 schedule of documents.

I am also providing you with a copy of the Firearm and Ammunition Supplement to the Aerial Hunting SOP, which provides best practice and reference information for DOC staff about the use of firearms and ammunition for helicopter aerial hunting. This SOP accompanies our response as Item 2, referenced in the Table 1 schedule of documents.

- 6. Please quantify the biodiversity benefit assessed by DOC of WARO each year for the past 5 years, and provide your data to support that and the statements made in the recent WARO land schedule decision of July 2023.*

Within the timeframe specified, there has been one study analysing data from Fiordland quantifies available evidence of change in browse impacts on selected species in alpine environments relative to WARO activity levels. I am providing you with a one-page summary of this information. This summary accompanies our response as Item 3, referenced in the Table 1 schedule of documents.

- 7. Please confirm how many active WARO operators there are in New Zealand presently, and for each of the past 5 years.*

39 permits have been issued under the National WARO bulk permit process. Prior to the release of that decision there were 34 operators with active permits.

- 8. Please provide copies of all documents and correspondence relating to the monitoring of WARO permits and explain how compliance is undertaken. How may compliance issues have DOC managed in the past 5 years. Please provide detail*

If a notification or concern is raised relating to compliance, the Operational Districts and Office of Regulatory Services (where DOC's National Compliance Team sits) use DOC's compliance guidelines to determine if a breach of an authorisation has occurred, or an alleged illegal activity. These guidelines and assessment processes are not specific to the monitoring of WARO permits.

If a WARO authorisation is not held (or the operator is outside of their permitted location, or undertaking an activity outside of their permission), it would likely be investigated as someone allegedly operating illegally. This could result in different outcomes, depending on what is determined appropriate for the proven circumstances. These outcomes are: no action (i.e.



insufficient evidence), education and advice being provided to prevent a future occurrence, a formal/written warning being issued, an infringement fine or potentially prosecution.

In the last five years, three incidents were escalated to the compliance team.

Question asked in respect to recreational hunting permits issued by DOC:

1. *How many permits are issued each year?*
2. *What is the maximum number of permits issued at any point during the year, i.e peak time for permits?*

Table 3 attached to this letter sets out the recreational hunting permits issued each year for the past five years, and a breakdown of the month of the year that they were issued in. Please note that an individual can hold multiple hunting permits so the numbers need to be considered within this context.

3. *How many ungulates are harvested each year by those permitted hunters?*
4. *How many hunting days are done under each permit by each hunter?*
5. *How does DOC monitor the quantity of ungulates harvested by hunters, recreational and commercial. Please provide a breakdown of this data by year for each of the past 5 years.*

Information on numbers of ungulates, hunting days undertaken or the split of these figures across differing parts of the hunting community, is not collected and recorded by the Department. I am therefore refusing this part of the request under section 18(e) as the information does not exist.

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



Sarah Owen
Director, Office of Regulatory Services (acting)
Department of Conservation
Te Papa Atawhai

Table 1: Schedule of Attachments

Item	Date	Description	Released in full?
1	27 April 2022	Firearms SOP	Yes
2	April 2022	Firearm and Ammunition Supplement	Yes
3	2019	Can the commercial venison recovery industry protect Fiordland's alpine flora	Yes

Table 2 – List of complaints in relation to WARO operations by District and location

Item	Date	Complaint subject	Location
1	January 2019	Disposal of gut bags and body parts on track	Kowhai River at the bottom of Mt Fyffe, Kaikoura
2	March 2019	Disposal of gut bags	Silverstream, Branch River, Kaikoura
3	March 2019	Fuel dump of jerry cans.	Mt Morris, Kaikoura
4	April 2019	Flying in close proximity to ground hunters	Poerua, South Westland
5	April 2019	Hunting within balloted roar block	South Westland
6	April 2022	Hunting and removing animals in conflict with ground party	Upper Otoko, South Westland
7	February 2023	Disposal of gut bags and body parts	St James, North Canterbury.

Table 3: Recreational hunting permits by month and year

Year	Total for year	Month	Number For Month In Year
2018	47208	1	3664
		2	3784
		3	7724
		4	6091
		5	2842
		6	2883
		7	2737
		8	3016
		9	3419
		10	4096
		11	3277
		12	3675
2019	46399	1	3884
		2	3573
		3	6629
		4	7332
		5	2933
		6	2603
		7	2570
		8	2679
		9	3085
		10	3897
		11	3599
		12	3615
2020	45988	1	3802
		2	3786
		3	5551
		5	7674
		6	3844
		7	3569
		8	3026
		9	3693
		10	4066
		11	3469



		12	3508
2021	45536	1	3939
		2	3860
		3	7584
		4	6565
		5	2694
		6	2613
		7	2773
		8	1844
		9	3367
		10	3898
		11	3105
		12	3294
2022	43681	1	3833
		2	3405
		3	6717
		4	6895
		5	2620
		6	2439
		7	2133
		8	2264
		9	3405
		10	3789
		11	2955
		12	3226
2023	35668	1	3533
		2	3250
		3	7089
		4	6554
		5	2614
		6	2742
		7	2855
		8	2753
		9	2982
		10	1296
			264480