



OIAD-3709

13 February 2024



Tēnā koe 

Thank you for your request to the Department of Conservation, received on 14 January 2024, in which you asked for:

All communications, including reports and investigations, into the effect the Sail GP race will have on dolphins in Lyttelton Harbour.

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

The high-speed yacht racing event SailGP is returning to Whakaraupō/Lyttelton Harbour on 23 and 24 March 2024.

Race organisers do not require a permit or permission from the Department to hold the event. The Department's role is to advocate for the protection of marine mammals, and to carry out compliance functions if any incidents involving protected wildlife were to occur.

Following the 2023 event we undertook two investigations regarding the Marine Mammal Protections Regulations 1992. We could not be certain of any breaches.

The Department of Conservation is currently providing feedback on SailGP's 2024 Marine Mammal Management Plan to advocate for the protection of the marine mammals based on what the Department and local iwi learnt from the 2023 event.

The documents listed in the document schedule at the end of this letter fall within the scope of your request.

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

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people;



- the protection of such Ministers, members of organisations, officers, and employees from improper pressure or harassment under section 9(2)(g)(ii) – to maintain the effective conduct of public affairs;
- advice subject to legal privilege, under section 9(2)(h) – to maintain legal professional privilege.

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act and determined there are no public interests that 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 Official Information Act.

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

[Redacted]

Nāku noa, nā

[Redacted]

Jo Macpherson
Director Operations, Eastern South Island
Department of Conservation *Te Papa Atawhai*

Encls.



Table 1 - Schedule of documents

Item	Date	Document description	Decision
1	Nov 2023	Meeting Memo discussing Hector's Dolphins	Released in part
2	March 2023	DOC SailGP Operations Plan	Released in part
3	March 2023	DOC/Ngāti Wheke joint marine mammal recovery plan for SailGP event	Released in part
4	March 2023	Andy Thompson Official Statement	Released in part
5	March 2023	Marine Mammal Spotter Statement	Released in part
6	March 2023	Extract from Status Report	Released in part
7	March 2023	DOC Comms plan for SailGP	Released in part
8	April 2023	SailGP Communication logs	Released in part
9	March 2023	DOC Compliance Strategy - SailGP	Released in part
10	May 2023	DOC Status Report	Released in part
11	May 2023	Compliance Investigation Report - SailGP	Released in part
12	June 2023	Investigation memorandum and endorsement	Released in part
13	July 2023	Sail GP Race Data	Released in part
14	May 2023	Hot Topics - SailGP	Released in part
15	Dec 2023	23-B-0500 Departmental Memo SailGP	Released in part