



1 May 2023



Tēnā koe 

Thank you for your Official Information Act request to the Department of Conservation, received on 13 March 2023 in which you asked for:

All correspondence between DOC and former leaseholders of Chateau Tongariro, Kah New Zealand Ltd, from January until now, and any reports DOC holds about the condition of the Chateau building or grounds.

On 15 March 2023 you refined your request to reports indicating current condition of Chateau Hotel i.e. since October 2021.

On 04 April 2023 we extended your request to 27 April 2023. This enabled us to undertake necessary consultation with third parties impacted by our response.

Four items have been identified as within the scope of your request and are listed in Table 1 (page 4) for your reference. Not all listed items are provided as part of our response due to a variety of considerations. A summary of in scope items and our decision regarding their provision is outlined in further detail below.

Item 1 contains collated email correspondence between DOC and KAH New Zealand Limited (**KNZ**) regarding the Chateau Tongariro from January to March 2023. I have decided to release the relevant parts of Item 1, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:

- information about security, under section 6(d) – to not endanger the safety of any person,
- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- legally privileged information, under section 9(2)(h) – to maintain legal privilege,



- commercially sensitive information, under section 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities, and
- information subject to negotiations, under section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations.

Item 2 contains a draft Agreement in Respect of Lease End Arrangements, proposed by KNZ. This is withheld in full under section 18(a) by virtue of section 9(2)(f)(iv) as it remains under consideration by Departmental officials; to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

Item 3 contains advice subject to legal privilege and is withheld in full under section 18(a) by virtue of section 9(2)(h); to maintain legal professional privilege.

Item 4 contains meeting minutes that were shared between DOC and KNZ as attachments to emails. I have decided to release these minutes, 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,
- commercially sensitive information, under section 9(2)(b)(ii) – to protect the commercial position of the person who is the subject of the information, and
- commercially sensitive information, under section 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

The correspondence refers to chattels at the Chateau owned by KNZ with heritage values. The Ministry of Culture and Heritage has reviewed the list of heritage chattels provided by KNZ. MCH has advised the only item they consider holds significant heritage value is a Carl Kahler painting of the pink and white terraces. We have offered to provide support to KNZ to sell the Kahler painting to a public gallery or museum, as it is not a conservation priority for the Department to purchase the painting.

We do not hold any reports since October 2021 about the condition of the Chateau building or grounds. While we have commissioned a condition assessment of the Chateau, we have not yet received a final report for this assessment. This aspect of your request is refused in full under section 18(g) of the Official Information Act as the information requested is not held by the Department.

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 which 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 enclosed documents may be published on the Department's website.



Nāku noa, nā



Karl Beckert
Director, Operations Support
Department of Conservation
Te Papa Atawhai



Table 1 - Schedule of documents

Item	Date	Document description	Decision
1	January - March 2023	Collated email correspondence between DOC and KAH	Released in part, 6(d), 9(2)(a), 9(2)(h), 9(2)(i), 9(2)(j)
2	7 March 2023	Proposed Agreement in Respect of Lease End Arrangements	Withheld in full, 9(2)(f)(iv)
3	16 March 2023	Correspondence subject to legal privilege	Withheld in full, 9(2)(h)
4	January – March 2023	Collated meeting minutes shared between DOC and KAH	Released in part, 9(2)(a), 9(2)(b)(ii), 9(2)(i)