

22 April 2024

s9(2)(a)

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Tēnā koe s9(2)(a)

Thank you for your request to the Department of Conservation (DOC), received on 22 March 2024, in which you asked for correspondence regarding the maintenance of and condition of the Chateau Tongariro as well as any correspondence pertaining to its future between:

1. DOC and KAH New Zealand Limited
2. DOC and Minister Tama Potaka
3. DOC and the Ruapehu District Council

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

Your questions and our responses are listed below:

1. *Correspondence regarding the maintenance of and condition of the Chateau Tongariro and as well as any correspondence pertaining to its future between DOC and KAH New Zealand Limited.*

This aspect of your request is refused in full via section 18(a) of the Official Information Act by virtue of having grounds to withhold under section 9(2)(j) – this is 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 (including commercial and industrial negotiations).

For context, end of lease negotiations with KAH New Zealand Limited are on-going. Due to the nature of these negotiations we are unable to provide in scope material which concerns maintenance and condition of the Chateau Tongariro until they (negotiations) are concluded. The Department has previously proactively released material associated with the initial closure of Chateau Tongariro and maintenance/condition discussions on our website. This material can be accessed via: <https://www.doc.govt.nz/news/oia-responses/2023/>.

2. *Correspondence regarding the maintenance of and condition of the Chateau Tongariro and as well as any correspondence pertaining to its future between DOC and Minister Tama Potaka.*

We have identified five documents within scope your request. Four of these documents are provided and accompany our response as Attachment 1 (items 1, 2, 3 and 4) the fifth document (24-B-0063 – *Briefing – Chateau Tongariro Decommissioning Options*) is withheld in full under section 9(2)(f)(iv). For context this advice remains under active consideration and is not provided to maintain the effective conduct of public affairs.

The nature of these documents is detailed in the associated documents table.

3. *Correspondence regarding the maintenance of and condition of the Chateau Tongariro and as well as any correspondence pertaining to its future between DOC and the Ruapehu District Council.*

We have identified two email chains within scope your request. These documents are provided and accompany our response as Attachment 2 (items 1 & 2). Please note that the statement in respect of the BWOFF for the Chateau Tongariro in item 2 is incorrect and has been corrected as shown in item 1. The nature of these documents is detailed in the documents table.

I have decided to release relevant parts of in scope documents listed in schedule 1, subject to information being withheld for the following reasons:

- Personal contact details and names of third parties, under section 9(2)(a) – to protect the privacy of natural persons, including deceased persons;
- advice still under consideration, section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials
- Advice subject to legal privilege, under section 9(2)(h) – to maintain legal professional 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
- Confidential information under section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice; and
- Information that is out of scope of the request;

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.

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

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.

Nāku noa, nā

s9(2)(a)

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CJ Juby  
Director, Business Services  
Department of Conservation  
Te Papa Atawhai

**Table 1 – Schedule of Documents**

<b>Attachment 1 (Chateau Tongariro Correspondence - Minister Potaka)</b>			
<b>Item</b>	<b>Date</b>	<b>Document description</b>	<b>Decision</b>
1	7/12/2023	SIGNED – 23-B-0479- Briefing – Abandoned Buildings COD-7513485	Released in part
2	4/12/2023	Status Report for the Minister of Conservation Week beginning 4 December 2023	Released in part
3	29/01/2024	Status Report for the Minister of Conservation Week beginning 29 January 2023	Released in part
4	20/12/2023	FW: FURTHER QUESTIONS: 23-B-0479 - Abandoned Building	Released in part
N/A	22/02/2024	SIGNED – 24/B-0063 – Chateau Tongariro Decommissioning Options	Withheld in full

<b>Attachment 2 (Chateau Tongariro Correspondence – Ruapehu District Council)</b>			
<b>Item</b>	<b>Date</b>	<b>Document description</b>	<b>Decision</b>
1	8/04/2024	Email: FW: Official Information Request - Chateau Tongariro	Released in part
2	5/03/2024	Email: The Chateau - BWOFF due 13/02	Released in part