

15 January 2024

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Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 18 December 2023, in which you asked for a copy of the lease agreement between the Department of Conservation and Kah NZ Limited along with information relating to any legal dispute including correspondence between the parties.

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

Your questions and our responses are listed below:

1. *A copy of the lease agreement entered into between the Department of Conservation and the lessee of Chateau Tongariro (who is understood to be 'Kah New Zealand Limited' – but please correct me if I am wrong);*

The requested agreement is a registered lease and is publicly available via Land Information New Zealand. A copy of the lease is also available as a proactively released document on our website which can be accessed at:
<https://www.doc.govt.nz/globalassets/documents/about-doc/oia/2023/oia-3227-attachment-1.pdf>

2. *A brief summary of any dispute or agreement between DOC and the lessee regarding the lessee's obligation to return the building in good repair and condition*

End of lease negotiations with the previous leaseholders are ongoing. Due to the nature of these negotiations (which are subject to legal privilege) we are unable to provide further comment.

3. *Any correspondence between DOC and the lessee (or either parties' lawyers) regarding the issue of the repair and condition of the building.*

Correspondence material sought consists of advice subject to legal privilege. Subsequently, 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)(h) to maintain legal professional privilege.

For your reference the Department has proactively released material associated with the initial closure of Chateau Tongariro and end of lease arrangements/discussions on our Website. This material can be accessed via:

<https://www.doc.govt.nz/news/oia-responses/2023/>

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 attached documents may be published on the Department's website.

Nāku noa, nā



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