

## Item 1

**From:** [Stacey Wrenn](#)  
**To:** [Johnston, Joana](#)  
**Cc:** [Damian Coutts](#); [Steve Brightwell](#); "[Erin Hill](#)"; [Karl Woodhead](#)  
**Subject:** Draft email to iwi and hapu  
**Date:** Thursday, 22 June 2023 10:46:06 am  
**Attachments:** [image001.png](#)  
[FW Turoa and Whakapapa Skifields.msg](#) Out of scope  
[FW re. Ngati Hikairo ki Tongariro.msg](#) Withheld in full - Section 9(2)(ba)(i)

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Kia ora Joana,

Here's our starter for a generic email to iwi and hapū:

On Tuesday 20 June you received a letter Ministers Little, Allan and Prime summarising discussions from hui over the weekend and Monday, and committing to send a revised draft concession document for your review. Our teams have been working on these documents with urgency, however following the letter some new issues have been raised that will need to be worked through between MBIE, DOC and Te Arawhiti before we can send amended documents to you. I do appreciate that we undertook to share these documents with you as soon as possible and that you in turn agreed to respond quickly. We understand that you will require time to consider the documents. We remain committed to meaningful engagement on these issues and will ensure that these delays do not result in additional time pressure for you.

In the interim, if there are issues or questions that you have arising from the other components of the letter, please feel free to contact me.

**But also...** we need to respond to direct follow up emails we've had from Ngāti Rangī and Ngāti Hikairo (both attached). We will be responding to these formally, after the cascade of comms has gone out today. However, we need to recognise that they have contacted DOC to follow up from the weekend. We suggest adding the following lines:

- Ngāti Hikairo:
  - I note that you have separately written to the Department of Conservation in relation to the engagement process. They will be responding directly to you in a separate email.
- Ngāti Rangī:
  - I note that you have written separately to the Department of Conservation seeking additional information in relation to the Whakapapa Ski area licence, and the rationale and legal authority that is being relied upon to propose the varying of the concessions by deed of variation. The Department of Conservation will be sending that information to you by way of separate email.

We will also work on an email Ngā Tangata Tiaki and share this with you shortly.

Cheers,  
Stacey and Damian

**Stacey Wrenn (she/her)**  
Principal Advisor, Operations Support  
Whare Kaupapa Atawhai | Conservation House  
Phone: +64 Sec 9(2)(a)

**From:** [Stacey Wrenn](#)  
**To:** [Karl Woodhead](#)  
**Subject:** Fwd: Liquidation questions [DC-DOCUMENTS.FID3371603]  
**Date:** Wednesday, 21 June 2023 8:34:32 am  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Hi Karl,

As discussed, please see the advice from Sec 9(2)(a) about the liquidators operating under RAL's concession. Please note this shared on the basis legal privilege is maintained.

Cheers,  
Stacey

Sec 9(2)(h)



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Sec 9(2)(h)



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**From:** [Karen Rainbow](#)  
**To:** [Michelle Paki](#); [xxx](#)  
**Cc:** [Sec 9\(2\)\(a\)](#)  
**Subject:** Mt Ruapehu Skifield - Iwi Collective Hui 29th Aug  
**Date:** Wednesday, 23 August 2023 4:07:00 pm  
**Attachments:** [image001.png](#)

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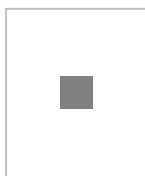
Kia ora Michelle and Joana

Just wanted to give you both a heads up that we have a collective iwi leadership hui for those with connections to the maunga scheduled to take place on Tuesday 29<sup>th</sup> Aug in Ohakune. This hui has been requested by a number of iwi and Ngā Tāngata Tiaki particularly in order to give them an opportunity to discuss their values and principles together and share their views on what any new concession should consider for skifields on Mt Ruapehu. The format for the hui is that the collective leaders will meet from approx. 10-12pm, followed by lunch, and we (ie DOC and our independent consultants [Sec 9\(2\)\(a\)](#)), will join after lunch at about 1pm to continue the discussions and hopefully confirm the pathway forward.

I wanted to give you both a heads up and see whether you would like to join us in the afternoon to hear the korero, give any updates and contribute to the conversation if appropriate? I can provide an MS teams link if you would prefer to join remotely. Those attending are: Ngā Tāngata Tiaki, Uenuku, Ngāti Rangi and Ngāti Haua. We will be holding another separate hui with Ngāti Hikairo over the coming weeks to discuss the Whakapapa concession further, but they won't be attending this collective hui on Tuesday.

Please just let me know and I can forward the invite.

Ngā mihi



*Karen Rainbow / Statutory Manager – Central North Island*

**Department of Conservation Te Papa Atawhai**

Taupo Office | Central North Island Region

37 Motutaiko Street, Taupo

Ph: [Sec 9\(2\)\(a\)](#)

Email: [xxxxxxx@xxx.xxx.xx](#) | [www.doc.govt.nz](http://www.doc.govt.nz)

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**From:** [Eamonn Whitham](#)  
**To:** [Erin Hill](#); [Johnston, Joana](#); [Kate Wevers](#); [Tara Allardyce](#); [ruth.fairhall@dpmc.govt.nz](mailto:ruth.fairhall@dpmc.govt.nz) [Marie Long](#); [Damian Coutts](#); [Steve Brightwell](#)  
**Cc:** [Steve Brightwell](#)  
**Subject:** RAL joint advice revised version  
**Date:** Wednesday, 19 July 2023 2:47:25 pm  
**Attachments:** [RAL - draft paper CLO-Docs.DOC041.1008.msg](#) Withheld in full - Section 9(2)(h)  
[image001.png](#)  
[23-B-0304 Joint Briefing - RAL concessions process and funding - DOC-7394609 \(10\).docx](#) Withheld as still in draft

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Kia ora koutou,

Attached, for discussion at 4pm, is a revised version of the joint RAL advice. This version includes input from Crown Law and MBIE. I've also attached Crown Law's advice on an earlier version of the paper which, in the comments, details their rationale for providing the advice they have on expediting the concessions process. Kate will attend the meeting at 4.

As you'll see the paper is still a working draft, with clarity still needed on what is being recommended by officials and what decision, if any, we're seeking from Ministers. We are also mindful of not wanting to put the Minister of Conservation in a difficult position in relation to making decisions about funding that could affect her ability to make decisions on the concessions (ref Crown Law's advice) so will need to tread carefully in that respect.

Ngā mihi,

**Eamonn Whitham** (he/him)  
Operations Issues Manager  
OSU  
M: +64 Sec 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



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**From:** Eamonn Whitham  
**Sent:** Thursday, 21 September 2023 5:21 pm  
**To:** Kate Wevers; Tim Baxter [TSY]; Johnston, Joana; josh.hercus; Steve Brightwell; Victoria Rhodes-Carlin [TSY]; Carl Walrond; Ruth Fairhall [DPMC]; Tara Allardyce; Cameron Tyson; Mario DiMaio [DPMC]; Erin Hill; Shaun Brown  
**Cc:** Hyett, Fern; Barr, Hinerangi  
**Subject:** RE: Draft Cabinet paper for consultation - Ruapehu Alpine Lifts Limited (RAL) options for government support - as at 20 Sept [IN-CONFIDENCE] [CLO-Docs.MBE001.710]  
**Attachments:** 21 Sept - Final draft RAL Cabinet paper (003).docx **Withheld as still in draft**

Kia ora Josh,

DOC comments attached also. Looking forward to seeing the final version you send to Min McAnulty's office tomorrow and the version that goes out for Ministerial consultation on Monday.

Out of Scope

Nga mihi,  
Eamonn

Line from para 71: Once the previous operator's lease is concluded it will be available for future potential uses

Sec 9(2)(h)

The remainder of this email chain is out of scope

**From:** [Steve Brightwell](#)  
**To:** [Tara Allardyce](#); [Carl Walrond](#); [Josh Hercus](#); [Erin Hill](#)  
**Cc:** [Kate Wevers](#); [Cameron Tyson](#); [Sec 9\(2\)\(a\)](#)  
**Subject:** RE: RAL - Concession Process and Changes  
**Date:** Friday, 11 August 2023 4:17:21 pm

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Hi [Sec 9\(2\)\(a\)](#)

On our side we have only conveyed what is required verbally, however, we provided edits to the draft Kanoa/Calibre letter to potential purchasers that went out yesterday which described the process as being for a new concession and needing an application.

Josh or Erin (copied) should be able to confirm if that was what went out in the final version.

Ngā mihinui

**Steve Brightwell**

Principal Advisor Operations Issues

Department of Conservation

WHAKATĀNE

[Sec 9\(2\)\(a\)](#)

[Sec 9\(2\)\(h\)](#)

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The remainder of this email chain (three pages) is withheld in full under section 9(2)(h) of the OIA



**From:** [Ruth Isaac](#)  
**To:** [Erin Hill](#); [Marie Long](#); [Karl Beckert](#); [Jonty Somers](#)  
**Cc:** [Isabel Poulson](#)  
**Subject:** RE: RAL restructuring urgent cabinet paper  
**Date:** Wednesday, 2 November 2022 10:14:05 pm  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Hi Erin

Thanks for your email. We will have to consider how best to respond to this request – I think the advice on this needs to sit with DOC/MOC as it relates to the Conservation legal framework, including any options advice/development, so thanks for reaching out.

We will come back to you with an initial response/thoughts by end of this week.

Ngā mihi  
Ruth

Ruth Isaac  
DDG Strategy and Policy  
Department of Conservation  
Mobile +64 Sec 9(2)(a)

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**From:** Erin Hill <xxxx.xxxx@xxxx.xxxx.xx>  
**Sent:** Wednesday, 2 November 2022 10:32 am  
**To:** Ruth Isaac <xxxxxx@xxx.xxxx.xx>  
**Cc:** Isabel Poulson <xxxxxx.xxxxxxx@xxxx.xxxx.xx>  
**Subject:** RE: RAL restructuring urgent cabinet paper

Kia ora Ruth

Thank you so much for your help on the RAL Cabinet paper last week. I was hoping to work with you (or someone in your team) on another request. We've been asked to consider if there's any way we can remove or reduce the liability the Crown would face regarding the "make good" provisions on Mt Ruapehu, in the event RAL (or another operator in the future) were unable to fulfil the "make good" provisions.

I'm keen to understand if you have any existing tools in your toolkit and discuss possibilities/options. We don't have a set report back date for Cabinet, but I'd like to include at least high-level/general information on this when we do. This may be the 14<sup>th</sup>, but this is not set in stone at this stage, as it will be dependent on how the other negotiations go.

I'm happy to discuss if that's easier than email.

Thank you,

Erin

Erin Hill ([she/her](#))

Principal Advisor

Strategy, Planning and Performance Branch  
Kānoa – Regional Economic Development and Investment Unit  
Ministry of Business, Innovation & Employment - Hīkina Whakatutuki

[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx) | Telephone: +64 Sec 9(2)(a)  
PO Box 1473, 15 Stout Street, Wellington 6140, New Zealand, [www.mbie.govt.nz](http://www.mbie.govt.nz)

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**From:** Ruth Isaac <[xxxxxxx@xxx.xxxx.xx](mailto:xxxxxxx@xxx.xxxx.xx)>  
**Sent:** Wednesday, 26 October 2022 1:59 pm  
**To:** Erin Hill <[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx)>  
**Cc:** Isabel Poulson <[xxxxxxx.xxxxxxx@xxxx.xxxx.xx](mailto:xxxxxxx.xxxxxxx@xxxx.xxxx.xx)>; Karl Beckert <[xxxxxxx@xxx.xxxx.xx](mailto:xxxxxxx@xxx.xxxx.xx)>; Marie Long <[xxxxxx@xxx.xxxx.xx](mailto:xxxxxx@xxx.xxxx.xx)>  
**Subject:** RE: RAL restructuring urgent cabinet paper

Thank you so much Erin – that is great teamwork.

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**From:** Erin Hill <[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx)>  
**Sent:** Wednesday, 26 October 2022 12:46 pm  
**To:** Ruth Isaac <[xxxxxxx@xxx.xxxx.xx](mailto:xxxxxxx@xxx.xxxx.xx)>  
**Cc:** Isabel Poulson <[xxxxxxx.xxxxxxx@xxxx.xxxx.xx](mailto:xxxxxxx.xxxxxxx@xxxx.xxxx.xx)>; Karl Beckert <[xxxxxxx@xxx.xxxx.xx](mailto:xxxxxxx@xxx.xxxx.xx)>; Marie Long <[xxxxxx@xxx.xxxx.xx](mailto:xxxxxx@xxx.xxxx.xx)>  
**Subject:** RE: RAL restructuring urgent cabinet paper

Kia ora Ruth

Thanks for all of your feedback. I've attached the version of the paper sent to the Minister's office today for your information.

Please let me or Isabel know if you have any concerns.

Thanks,

Erin

**Erin Hill** ([she/her](#))  
Principal Advisor

Strategy, Planning and Performance Branch  
Kānoa – Regional Economic Development and Investment Unit  
Ministry of Business, Innovation & Employment - Hīkina Whakatutuki

[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx) | Telephone: +64 Sec 9(2)(a)

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**From:** Ruth Isaac <[xxxxxxx@xxx.xxxx.xx](mailto:xxxxxxx@xxx.xxxx.xx)>  
**Sent:** Wednesday, 26 October 2022 10:17 am

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**To:** Erin Hill <xxxx.xxxx@xxxx.xxxx.xx>; xxxxx.xxxxxx@xxxx.xxxx.xx  
**Cc:** Isabel Poulson <xxxxxx.xxxxxxx@xxxx.xxxx.xx >; Karl Beckert <xxxxxxx@xxx.xxxx.xx >; Marie Long <xxxxx@xxx.xxxx.xx >  
**Subject:** RE: RAL restructuring urgent cabinet paper  
**Importance:** High

Thanks Erin. DOC doesn't have any concerns with what is proposed, but we strongly advise that Cabinet should have some wider context around the liabilities/risks to the Crown arising in the DOC space given the area is a national park and over which we provide significant concessions for operating activity on the mountain.

This could be added as a separate section perhaps, titled "**Wider Crown risks and liabilities**"?:

- **RAL liability – potential remediation liability to the Crown \$50m plus**

RAL operate the ski fields under two concession agreements granted by the Minister of Conservation. The Whakapapa concession expires in 2046 with rights of renewal of up to 30 years, and the Turoa concession expires in 2042 with rights of renewal of up to 25 years. Under the terms of the concessions, RAL is responsible for removing all infrastructure from Tongariro National Park and remediating the land (**make good clause**). s9(2)(g)(i)

[Redacted]

[Redacted]

- [Redacted]

- **Crown revenue from RAL**

RAL currently pays s 9(2)(b)(i) of their gross revenue as an annual concession fee. This fee is Crown revenue. Prior to COVID-19, RAL were paying approximately s 9(2)(b)(ii) in annual concession fees.

Happy to discuss – please contact Karl Beckert direct for any discussion or info on above given your timeframes!

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Ngā mihi  
Ruth

Ruth Isaac  
DDG Strategy and Policy  
Department of Conservation  
Mobile +64 Sec 9(2)(a)

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**From:** Erin Hill <[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx)>  
**Sent:** Tuesday, 25 October 2022 5:16 pm  
**To:** [xxxx.xxxxxx@xxxx.xxxx.xx](mailto:xxxx.xxxxxx@xxxx.xxxx.xx); Ruth Isaac <[xxxxxx@xxx.xxxx.xx](mailto:xxxxxx@xxx.xxxx.xx)>  
**Cc:** Isabel Poulson <[xxxxxx.xxxxxxx@xxxx.xxxx.xx](mailto:xxxxxx.xxxxxxx@xxxx.xxxx.xx)>  
**Subject:** FW: RAL restructuring urgent cabinet paper

Kia ora Mario and Ruth

Please find attached an initial draft of the RAL Cabinet paper (Government support for an alternative solution for continued operation of the ski field at Mt Ruapehu) for your review. Thank you for your help with this in such short deadlines.

We are required to provide a draft to our Ministers Office by noon tomorrow, so I'd appreciate your feedback as early as possible tomorrow morning, ideally before 9.30am. Please feel free to call me, or Isabel (Sec 9(2)(a)) if that's faster than written feedback.

FYI Treasury has also been consulted. Also – please be aware that there is significant commercial sensitivity around this paper. Please do not share this paper wider than necessary and ensure that anyone you do share the paper with is aware of the sensitivities.

Kind regards,

Erin

**Erin Hill** ([she/her](#))  
Principal Advisor

Strategy, Planning and Performance Branch  
Kānoa – Regional Economic Development and Investment Unit  
Ministry of Business, Innovation & Employment - Hikina Whakatutuki

[xxxx.xxxx@xxxx.xxxx.xx](mailto:xxxx.xxxx@xxxx.xxxx.xx) | Telephone: +64 Sec 9(2)(a)  
PO Box 1473, 15 Stout Street, Wellington 6140, New Zealand, [www.mbie.govt.nz](http://www.mbie.govt.nz)

Out of Scope

The remainder of this email chain is out of scope

Read

# Departmental Briefing



Department of Conservation  
*Te Papa Atawhai*



MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
HIKINA WHAKATUTUKI

## In Confidence

GS ref: 23-B-0304  
DOCCM: DOC-7394609  
MBIE ref: 2324-XXXX

**To:** Minister for Regional Development, Minister of Conservation

**Date:** 28 July 2023

**Subject:** Ruapehu Alpine Lifts (In Liquidation) concessions process and  
Out of Scope

**Action sought:** To note options outlined in the paper to address  
Out of Scope

**Time Frame:** 4 August 2023

<b>Risk Assessment</b>	Out of Scope	<b>Department's Priority:</b>	Very High
		<b>Level of Risk:</b>	High

Note: Appendix 2 is withheld in full via section 9(2)(h) of the Official Information Act

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**Contacts**

Name and position	Cellphone	First contact	Principal author
Marie Long DDG, National Programmes and Regulatory Services, DOC	Sec 9(2)(a)	✓	
Robert Pigou, Deputy Chief Executive and Head of Kānoa – Regional Economic Development & Investment Unit (Kānoa), MBIE		✓	
Jonty Somers, Chief Legal Advisor, DOC			
Steve Brightwell, Principal Advisor, DOC			✓
Erin Hill, Principal Advisor, Strategy, Planning & Performance, Kānoa, MBIE			

**Executive summary – Whakarāpopoto ā kaiwhakahaere**

1. 

Out of Scope
2. 

Out of Scope
3. 

DOC will be engaging with iwi and hapū to ensure that iwi and hapū have adequate opportunity to raise issues and provide feedback on the proposed concessions, to ensure that DOC is well-informed about iwi and hapū views prior to making decisions, and to ensure that DOC complies with its legal obligations in s4 of the Conservation Act 1987 (to give effect to the principles of the Treaty of Waitangi). DOC will also need to ensure that the process meets all other requirements of the Conservation Act. New concessions will also need to be acceptable to the new operator(s).
4. 

The concessions application and draft concessions will be publicly notified. Early feedback has revealed iwi and hapū expect some concession changes and time to properly consider the proposals. Public notification will take a minimum of four months following an application for the concession. Ministers for Regional Development, Treaty of Waitangi negotiations, and Conservation have expressed their views in writing to iwi that officials will work with iwi differently, keeping iwi fully informed at every step.
5. 

Out of Scope

Out of Scope

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Sec 9(2)(g)(i)

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Out of Scope

10.

An inability on the part of the liquidators to operate through to the end of the concession process risks an early closure of the ski-fields with attendant costs falling on DOC. Potential buyers may also walk away from the table leaving the Crown with an obligation to remove ski-field infrastructure at a conservative cost of between \$44M and \$87M, and at risk of legal action from disgruntled parties.

11.

Out of Scope

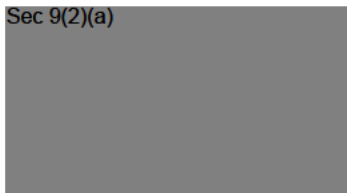
12.

13.

DOC will continue to work with iwi and hapū to incorporate their feedback into draft concessions documents and plan for public notification once a preferred operator(s) has lodged its application.

**We recommend that you ... (Ngā tohutohu)**

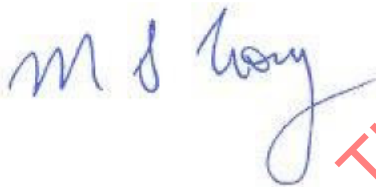
	Decision
a) 	
b) 	

Sec 9(2)(a)  


Date: 28 /07 /2023

Date: / /

Robert Pigou  
Deputy Chief Executive,  
Regional Economic Development &  
Investment Unit, MBIE



Date: 28/07/2023

Marie Long  
DDG, National Programmes and  
Regulatory Services  
For Director-General of Conservation

Hon Kieran McAnulty  
**Minister for Regional Development**

Date: / /

Hon Willow-Jean Prime  
**Minister of Conservation**

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## Purpose – Te aronga

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1. The purpose of this briefing is to:
  - provide an analysis of options for a new operator(s) to potentially acquire concessions for the Tūroa and Whakapapa ski-fields


- Out of Scope




## Background and context – Te horopaki

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2. Out of Scope




3. On 26 June 2023, Cabinet Out of Scope



. This decision was made to allow time for:

- DOC to conduct an appropriate process, including consultation with iwi and hapū, to consider a new operator(s) potentially acquiring the concessions.

- Out of Scope



4. DOC officials were previously of the view that it might be possible to conclude the process for considering the new operator(s) potentially acquiring the concessions by 1 July 2023, unless issues were raised through engagement that were unable to be resolved by this date.

5. As it transpired, consultation revealed:

6. All iwi require further time to consider how their interests should be reflected in the Whakapapa concession;

7. Out of Scope



- 8.



**Potential acquisition of Tūroa and Whakapapa concessions by a new operator**

**Public notification**

9. The proposed new operator(s) will make an application under the Conservation Act for a new concession. Applications for concession leases or licences must be publicly notified unless they fall within a narrow exception. Sec 9(2)(h)
  
10. Further, DOC is proposing that the new concessions will (if granted) contain some different terms compared with the current concessions. The proposed amendments currently contemplated include:
  - Changes to improve how the concessions are administered (for example, clarifying that the definition of ‘visitor’ includes both skiers and sightseers, as this is currently ambiguous).
  - Sec 9(2)(j)
  - [Redacted]
  - Sec 9(2)(g)(i)
  - [Redacted]
  
11. Under the Conservation Act, DOC needs to know the identity of the proposed new operator before the application can be publicly notified. DOC cannot notify a mere intent that an undetermined operator will apply to acquire the concessions. This means DOC needs to wait until the liquidator determines its preferred operator(s), and the preferred operator(s) makes an application for the concessions before DOC can publicly notify that application.

**Proposed process and timeframes**

12. DOC expects the process for the new operator(s) to acquire the Tūroa and Whakapapa concessions to be as follows (also shown as Appendix One):

Step	Work	Details	Timeframe
a.	Determine preferred operator(s)	<ul style="list-style-type: none"> <li>• <span style="background-color: black; color: white;">Out of Scope</span></li> <li>• <span style="background-color: black; color: white;">[Redacted]</span></li> <li>• <span style="background-color: black; color: white;">[Redacted]</span></li> <li>• <span style="background-color: black; color: white;">[Redacted]</span></li> <li>• <span style="background-color: black; color: white;">[Redacted]</span></li> </ul>	Approximately eight weeks (steps a to c), from 26 June 2023

b.	Continue to consult with iwi and hapū	Iterative process, building on consultation to date. Some (but not all) consultation may be alongside Te Ariki Tā Tumu Te Heuheu.	
c.	Draft concession documents	Incorporating iwi feedback and other changes recommended by DOC.	
d.	Receive application by new operator(s) for the concessions		Four months (steps d to h), to December 2023
e.	Publicly notify application and concession documents	Public notification for 20 working days.	
f.	Review submissions and hold public hearings		
g.	Preparation of final concession documents	Includes analysis of information presented at hearings and advice to decision maker. Consultation with iwi and hapū ongoing.	
h.	Decision on proposed concessions	DOC recommends the decision is made by a delegated senior DOC official (Director-General or Deputy Director-General).	

13. DOC has developed this process to ensure it is working as efficiently as possible while also running a robust regulatory process that meets the requirements of DOC's legislative framework. It is expected to take four months to run the regulatory process after the liquidator determines its preferred operator(s), and consultation with iwi and hapū on the draft concessions documents has been completed. Changes to the concessions may vary depending on who the operator is.
14. These timeframes are significantly shorter than DOCs usual timeframes, and do not include contingencies. It is possible that these timeframes may need to be longer depending on who the proposed new operator is and the issues that arise through engagement with iwi and hapū and public consultation.

Out of Scope

15. Out of Scope

16. Out of Scope

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Out of Scope

18. Out of Scope

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20.

**Options to address emerging risk if funding is insufficient to cover running costs prior to new concessions being in place** *[this section contains legal advice]*

21. Sec 9(2)(h)

22.

23.

Out of Scope

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24.

25.

26. Officials therefore see the only prudent course of action is to bridge the potential funding gap, if it is needed, to enable the liquidators to continue operating the ski fields to the end of 2023 and the likely conclusion of the concessions process.

27. Options to bridge the potential gap are set out below. MBIE officials will provide further detailed advice, and recommendations on a proposed way forward, in separate, subsequent advice to the Minister for Regional Development.

Out of Scope

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3) Out of Scope

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41.

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42. Out of Scope

Out of Scope

43. Out of Scope

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45.

46.

### Risk assessment – Aronga tūraru

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47. Out of Scope

48.

49.

50. Sec 9(2)(h)

51. Despite DOCs best efforts there is a risk that the concessions process will be delayed. The timeframes proposed are significantly shorter than DOC's usual timeframes, and do not include decent contingencies. To achieve these timeframes, DOC officials will be working with external planners with existing relationships with iwi and hapū. DOC will

also have senior leadership overseeing the process and ensuring the work is resourced and prioritised appropriately.

52. Iwi and hapū may not hold a collective view on changes to the concessions. [REDACTED]

Sec 9(2)(g)(i)

[REDACTED] Regardless of the operator, DOC will need to ensure it is fully informed of all iwi and hapū views when recommending changes to the concessions by engaging with iwi and hapū throughout the process.

53. Sec 9(2)(g)(i)

54. Sec 9(2)(f)(iv)

55. Sec 9(2)(h)

- 56.

57. Regardless of source, additional funding to support the Tūroa and Whakapapa ski fields to operate while the concessions process is completed reduces the amount of funding available for Regional Development projects or for emerging priority events if BBC/PCCA is used.

#### **Treaty principles (section 4) – Ngā mātāpono Tiriti (section 4)**

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58. If DOC sought to further expedite the concessions consideration process, DOC risks both a legal challenge under s4 of the Conservation Act and setting back relationships with iwi and hapū that are essential for the delivery of DOC's core conservation work. The level of risk however ultimately depends on whether meaningful consultation and fully informed decisions can be made within the relevant period.

59. Out of Scope

#### **Financial implications – Te hiraunga pūtea**

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60. Out of Scope



Out of Scope

61. Sec 9(2)(h) [redacted] A breakdown of the process that resulted in temporary suspension of activities on the mountain would have financial implications for DOC in managing its health and safety obligation. In the event of there being no new operator – the worst-case scenario – this would result in the Crown being liable for ensuring the mountain was restored to its natural state, conservatively estimated at \$47 to \$88 million.

62. Out of Scope [redacted]

### Next steps – Ngā tāwhaitanga

63. Out of Scope [redacted]

64. DOC will continue to work with iwi and hapū to incorporate their feedback into draft concessions documents and plan for public notification once a preferred operator or operators have lodged their application.

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