

14 June 2024

Stephen Prendergast

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Tēnā koe Stephen

Thank you for your request to the Department of Conservation, received on 03 May 2024, in which you asked for:

'Please supply the following info from 1 January 2023.

1) All communication between DOC and PwC or Calibre covering the surrender of the RAL concessions for Tūroa and Whakapapa Ski fields.

2) All DOC communications internally, with MBIE or to the Minister covering this issue.

3) All DOC analysis of the impact on the surrender of the Whakapapa concession, with or without a new concessionaire.'

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

On 31 May 2024 we extended the timeframe to respond to your request to 14 June 2024 due to the large quantity of information sought.

Your questions and our responses are listed below:

- 1. All communication between DOC and PwC or Calibre covering the surrender of the RAL concessions for Tūroa and Whakapapa Ski fields.*

This aspect of your request is refused via section 18(g) of the Official Information Act as the requested information is not held by the Department. For context, we have not had any direct communication with either PwC or Calibre Partners covering the surrender of either the Tūroa or Whakapapa Ski fields.

- 2. All DOC communications internally, with MBIE or to the Minister covering this issue.*

In scope documents are listed in the table below as items 1 to 13 and accompany our response for your reference. Please note that our release excludes the following in scope documents:

- Correspondence between the Department and MBIE legal representatives (or legal representatives contracted to the Department or MBIE) written to advise and inform matters concerning surrender of the RAL concessions for Tūroa and Whakapapa Ski fields. This information is withheld in full under section 9(2)(h) to maintain legal professional privilege. Documentation withheld includes:
 - *All email communication internally covering this issue*
 - *All email communication with MBIE covering this issue*
 - Documentation that if released would prejudice or disadvantage the Departments commercial activities. This documentation is withheld in full under section 9(2)(i) to protect the crowns position. Documentation withheld includes:
 - *Attachment B_Treasury template for out-of-cycle Budget request – Ruapehu Alpine Lifts – RAL 5 years OpEx.*
 - One document has been refused in full under section 18(d) of the Official Information Act. Please note that this document is publicly available on the Ministry of Business, Innovation and Employment website at [Decisions on the future of Ruapehu Alpine Limited in Liquidation and Receivership - Post March 2024 \(mbie.govt.nz\)](https://www.mbie.govt.nz/decisions-on-the-future-of-ruapehu-alpine-limited-in-liquidation-and-receivership-post-march-2024).
3. *All DOC analysis of the impact on the surrender of the Whakapapa concession, with or without a new concessionaire.*

The draft RAL contingency plan for the Whakapapa Ski field closure is the only document within scope of this question. This document is listed as item 14 in the table below. This document has been released subject to a number of redactions. Please note it is an early draft and any final version may be markedly different to that currently supplied

I have decided to release the relevant parts of the documents listed above, 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 supplied the information, or who is the subject of the information,
- sensitive information subject to a confidence, under section 9(2)(ba)(i) – where it could prejudice the supply of information,

- 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,
- free and frank expression under section 9(2)(g)(i) – to maintain the effective conduct of public affairs,
- 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
- 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.

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



Stacey Wrenn
Director Regulatory Authorisations
Department of Conservation
Te Papa Atawhai

Table 1 - Schedule of documents

Item	Date	Document description	Decision
1	12 April 2024	Email: FW: Concession	Released in part
2	5 April 2024	Attachment: Deed of Surrender 48601-SKI (Tūroa)	Released in full
3	9 November 2022	Memo 22-B-0702: Potential liabilities from RAL ski fields and similar concessions on conservation land	Released in part
4	26 January 2024	Meeting memo: 24-M-0004: Joint Ministers meeting on Ruapehu Alpine Lifts and Mt Ruapehu	Released in part
5	27 February 2024	Email: 24-B-0109 – Email – Request – Cabinet Paper Consultation – Future of Ruapehu Alpine Lifts Limited	Released in part
6	27 February 2024	Cabinet Paper Consultation – Future of Ruapehu Alpine Lifts Limited	Released in part
7	28 February 2024	Email: Briefing: Approval for out-of-cycle funding request to cover RAL decommissioning liability	Released in part
8	28 February 2024	Attachment 1 Briefing: 24-B-0019 Approval for out-of-cycle funding request to cover RAL	Released in part
9	28 February 2024	Attachment 2 Letter to Hon Nicola Willis – Pre-approval for out-of-cycle funding request with financial implications	Released in part
10	28 February 2024	Attachment 3 - Attachment 3: Attachment B_Treasury template for out-of-cycle Budget request – Ruapehu Alpine Lifts – Make Good provision	Released in part
11	4 March 2024	Email: 24-B-0121 Aide memoire 24-K-0003 – Cabinet memo; Decisions on the future of RAL post-March 2024	Released in part
12	4 March 2024	Aide memoire 24-B-0121: Further information on Ruapehu Alpine Lifts Limited decommissioning liability	Released in part
13	5 March 2024	Cabinet paper talking points 24-K-0003: Decisions on the future of Ruapehu Alpine Lifts Limited (in Liquidation and Receivership)(RAL) post-March 2024	Released in part
14	Undated	DRAFT RAL Contingency Plan	Released in part