



28 August 2024

Ref: DOIA 2425-0196

Jason Lee

Email: fyi-request-27706-8b00431e@requests.fyi.org.nz

Tēnā koe Jason Lee

Thank you for your email of 18 July 2024 to Crown Regional Holdings Limited requesting, under the Official Information Act 1982 (the Act), the following information:

For the period of 1 June 2024 to 18 July 2024, I would like to request emails between Crown Regional Holdings and the directors and/or shareholders of Pure Turoa Ltd (or an agent acting on behalf of them).

On 31 July 2024, you were advised that your request was transferred to the Ministry of Business, Innovation and Employment (MBIE), as the information requested is more closely aligned with the functions of MBIE.

Please find attached the documentation relevant to your request.

Date	Type	Title	Decision
20/06/2024	Email	Whakapapa Paper	Released – with redactions
20/06/2024	Document	[9(2)(b)(ii)]	Withheld - 9(2)(b)(ii)
13/06 - 11/07/2024	Email thread	OIA Consult required – Request for Shareholder Agreement (ref. DOIA 2324-2620)	Released – with redactions
13/06/2024	Contract	04 Shareholders' Agreement - signed and dated .pdf	Withheld – 9(2)(b)(ii), 9(2)(ba)(i), 9(2)(h), 9(2)(j)
17/07/2024	Email	Fwd Retraction demand in respect of article published 17 July 2024 titled Skifield operating without audited safety plan	Released – with redactions
17/07/2024	Letter	NZ Herald - Letter 17 July	Released – with redactions
18/07/2024	Email	RE Retraction demand in respect of article published 17 July 2024 titled Skifield operating without audited safety plan	Released – with redactions

Please note some information has been withheld under the following sections of the Act:

- 9(2)(a), to protect the privacy of natural persons, including that of deceased natural persons;

- 9(2)(b)(ii), to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- 9(2)(ba)(i), to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;
- 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty;
- 9(2)(h), to maintain legal professional privilege; and
- 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 (including commercial and industrial negotiations).

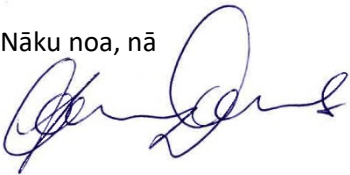
I do not consider that the withholding of this information is outweighed by public interest considerations in making the information available.

Please note that this response and enclosed documents, with your personal details removed, may be published on the MBIE website: www.mbie.govt.nz.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Tane Dewes

Manager, Operations Support and Improvement

Kānoa – Regional Economic Development & Investment Unit

From: [Robert Pigou](#)
To: [Josh Hercus](#)
Subject: FW: Whakapapa Paper [UNCLASSIFIED]
Date: Thursday, 20 June 2024 1:36:55 pm
Attachments: s 9(2)(b)(ii) [redacted]
[Logo_small.png](#)

From: Greg Hickman <[redacted]>
Sent: Wednesday, June 19, 2024 3:33 PM
To: Robert Pigou <[redacted]>
Subject: Whakapapa Paper

Afternoon Robert

Terrance and Josh have been helpful over the past few weeks and we're close to finalising our governance documentation. s 9(2)(j) [redacted]
[redacted]
[redacted]

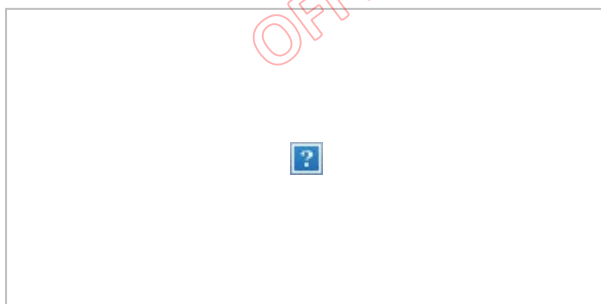
s 9(2)(b)(ii) [redacted]

s 9(2)(a) | s 9(2)(b)(ii) [redacted]

s 9(2)(a) [redacted]

Regards

GREG HICKMAN
s 9(2)(a) [redacted]
[@](#)



pureturoa.nz / Ohakune / New Zealand

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

From: [Josh Hercus](#)
To: [Greg Hickman](#)
Cc: [Robert Pigou](#); [Cam Robertson](#)
Subject: RE: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]
Date: Thursday, 11 July 2024 11:16:23 am
Attachments: [image001.jpg](#)
[image002.png](#)

Brilliant, thanks Greg. To confirm – we have not released the Shareholder Agreement under the OIA.

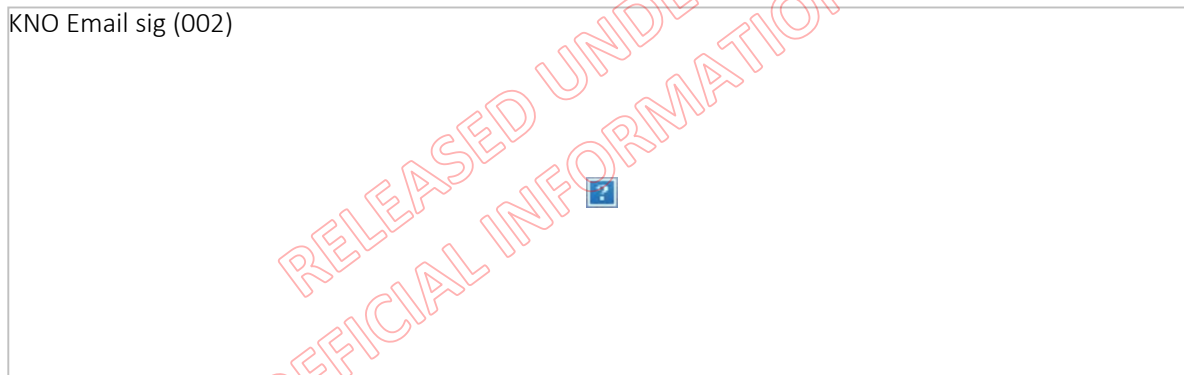
Cheers,
Josh

Josh Hercus

PRINCIPAL ADVISOR TO ROBERT PIGO, DEPUTY CHIEF EXECUTIVE and
HEAD OF KĀNOA - REGIONAL ECONOMIC DEVELOPMENT & INVESTMENT UNIT

xxxx.xxxxxx@xxxx.xxxx.xx | Mobile: s 9(2)(a)
15 Stout Street, Wellington 6011, PO Box 1473, Wellington 6140

KNO Email sig (002)



From: Greg Hickman <xxxx@xxxxxxxxx.xx>
Sent: Thursday, July 11, 2024 10:44 AM
To: Josh Hercus <xxxx.xxxxxx@xxxx.xxxx.xx>
Cc: Robert Pigou <xxxxxx.xxxxx@xxxx.xxxx.xx>; Cam Robertson <cam@pureturoa.nz>
Subject: Re: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Hi Josh

Sorry about the slow response on this. We had thought our lawyer had responded. s 9(2)(j)
And understand that there wont
be a release under the other OIA.

Thanks very much,

GREG HICKMAN

s 9(2)(a)

@.



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On 21/06/2024, at 11:32 AM, Josh Hercus <xxxx.xxxxxx@xxxx.xxxx.xx> wrote:

Hi Greg,

s 9(2)(j)

This isn't the version that will be released through the OIA.

Let us know if there's any further redactions that you would like us to include.

Cheers,
Josh

Josh Hercus

PRINCIPAL ADVISOR TO ROBERT PIGOUE, DEPUTY CHIEF EXECUTIVE and
HEAD OF KĀNOA - REGIONAL ECONOMIC DEVELOPMENT & INVESTMENT UNIT

xxxx.xxxxxx@xxxx.xxxx.xx | Mobile: s 9(2)(a)
15 Stout Street, Wellington 6011, PO Box 1473, Wellington 6140

<image001.jpg>

From: Greg Hickman <xxxx@xxxxxxxxxx.xx>

Sent: Friday, June 21, 2024 9:15 AM

To: Robert Pigou <xxxxxx.xxxxxx@xxxx.xxxx.xx>

Cc: Josh Hercus <xxxx.xxxxxx@xxxx.xxxx.xx>; Cam Robertson <xxx@xxxxxxxxxx.xx>

Subject: Re: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Morning Robert

s 9(2)(j) [redacted] If so, yes we're fine with this.

s 9(2)(g)(i) [redacted]
[redacted]
[redacted]
[redacted]

Thanks

GREG HICKMAN
s 9(2)(a) [redacted]
[@._____](#)

<image002.png>

pureturoa.nz / Ohakune / New Zealand

On 21/06/2024, at 8:16 AM, Robert Pigou <xxxxxx.xxxxxx@xxxx.xxxx.xx> wrote:

Morning Greg

s 9(2)(g)(i) [redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Kind regards
Robert

From: Josh Hercus
Sent: Thursday, June 13, 2024 4:12 PM
To: xxxx@xxxxxxxxxx
Cc: Robert Pigou <xxxxxx.xxxxxx@xxxx.xxxx.xx>
Subject: FW: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Hi Greg,

Thanks for the discussion on Tuesday. In terms of Peter's response below to our response to the OIA, we will go ahead and action that.

s 9(2)(g)(i) [redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Robert and I are happy to discuss.

Cheers,
Josh

Josh Hercus

PRINCIPAL ADVISOR TO ROBERT PIGOUE, DEPUTY CHIEF EXECUTIVE and
HEAD OF KĀNOA - REGIONAL ECONOMIC DEVELOPMENT & INVESTMENT
UNIT

xxxx.xxxxxx@xxxx.xxxx.xx | Mobile: s 9(2)(a)
15 Stout Street, Wellington 6011, PO Box 1473, Wellington 6140

<image001.jpg>

From: Peter Sygrove <xxxxx@xxxxxxxxxxxxxxx.xxx>
Sent: Thursday, June 13, 2024 11:17 AM
To: *OIA <xxx@xxxx.xxxx.xx>
Cc: Greg Hickman <xxxx@xxxxxxxxxxx.xx>; Laura McPhail
<xxxxx@xxxxxxxxxxxxxxx.xxx>; Josh Hercus <xxxx.xxxxxx@xxxx.xxxx.xx>
Subject: RE: OIA Consult required: Request for Shareholder Agreement
(ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Dear Ministerial Services

We act for Pure Tūroa Limited. Greg Hickman has forwarded us the below correspondence and OIA request in respect of the attached shareholders' agreement for Pure Tūroa Limited.

s 9(2)(h)
[Redacted]

[Redacted]

Thanks
Peter

Peter Sygrove
Principal

P: +64 3 441 2743 | M: +64 27 444 9928

E: [@.](mailto:)

W: www.toddandwalker.com

<image003.png>

CONFIDENTIALITY: The contents of this email (including any attachment) may be legally privileged and confidential. Any unauthorised use of the contents is prohibited. If you have received this email in error, please advise us immediately, and then delete this email together with all attachments.

From: Greg Hickman <xxxx@xxxxxxxxxx>

Sent: Tuesday, June 11, 2024 4:11 PM

To: Peter Sygrove <xxxx@xxxxxxxxxxxxxxx>

Subject: Fwd: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

GREG HICKMAN

s 9(2)(a)

[@.](mailto:)

<image002.png>

pureturoa.nz / Ohakune / New Zealand

Begin forwarded message:

From: *OIA <xxx@xxx.xxx.xx>

Sent: Thursday, June 6, 2024 3:07 PM

To: xxx@xxxxxxxxxx

Subject: OIA Consult required: Request for Shareholder Agreement (ref. DOIA 2324-2620) [IN-CONFIDENCE: RELEASE-EXTERNAL]

Tēnā koe Greg

I am writing to you because the Ministry of Business, Innovation and Employment (MBIE) has received an Official Information Act (OIA) request for a copy of the shareholder agreement for Pure Tūroa Limited.

As the information is about you and could potentially affect you if disclosed, we are seeking your views before making a decision on this request.

What is the OIA

The Official Information Act enables people to request official information held by government agencies, including MBIE.

MBIE must release the requested information unless there is a good reason for withholding it. The good reasons for withholding official information are listed in sections 6 and 9 of the Act, which you can view here:

Section

6 <http://www.legislation.govt.nz/act/public/1982/0156/latest/DLM65366.html>

Section

9 <http://www.legislation.govt.nz/act/public/1982/0156/latest/DLM65371.html>

The reason that seems most relevant in this case is:

- 9(2)(b)(ii), to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

The information at issue

We enclose a copy of the information at issue for your ease of reference.

Your views

We would appreciate your views about how disclosure of the information at issue would affect your interests. It may be that you do not object to the information being disclosed. However, if you have concerns about release of the information, the more detail you can provide, the better. With that in mind, please let us know:

- what information (if any), you are happy for MBIE to release;
- what information you are most concerned about MBIE releasing, and why;
- how release of that information is likely to affect your interests; and
- any other information you think MBIE should take into account before making its decision.

MBIE's decision

It is MBIE's responsibility to make the final decision on this request. MBIE will take your views into account in making that decision, but you cannot veto release of the information.

Please provide your views by **13 June**

2024 to xxx@xxxx.xxxx.xx.

If you wish to discuss this, please contact Josh Hercus at [REDACTED] s 9(2)(a) or xxxx.xxxxxx@xxxx.xxxx.xx.

Please note that if we do not hear from you by **13 June 2024**, we may assume you do not want to comment, and proceed

to make our final decision based on the information before us.

We look forward to hearing from you.

Ngā mihi

Ministerial Services

Ministry of Business, Innovation and Employment
15 Stout Street, Wellington 6011 | PO Box 1473, Wellington
6140

<image004.jpg>

<Marked up - 04 Shareholders' Agreement - signed and dated 12-04-2024.pdf>

<Redacted - 04 Shareholders' Agreement - signed and dated 12-04-2024.pdf>

Withheld - 9(2)(b)(ii), 9(2)(ba)(i), 9(2)(h), 9(2)(j)

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From: [Robert Pigou](#)
To: [Greg Hickman](#); [Josh Hercus](#)
Subject: RE: Retraction demand in respect of article published 17 July 2024 titled "Skifield operating without audited safety plan" [IN-CONFIDENCE: RELEASE-EXTERNAL]
Date: Thursday, 18 July 2024 7:51:31 am
Attachments: [image001.png](#)
[image002.png](#)

Thanks Greg.

Appreciate the advice. An appropriate response – the Herald article was unbalanced, unfair and damaging to the business.

Regards

Robert

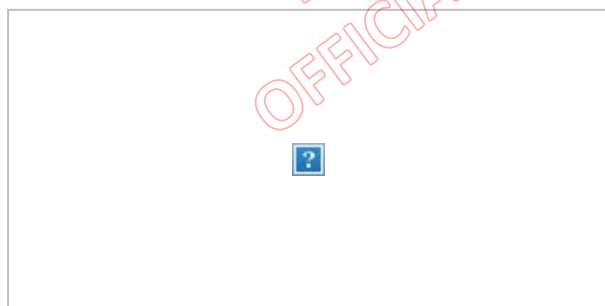
From: Greg Hickman <[@](#)>
Sent: Wednesday, July 17, 2024 6:12 PM
To: Robert Pigou <[@](#)>; Josh Hercus <[Josh.Hercus@mbie.govt.nz](#)>
Subject: Fwd: Retraction demand in respect of article published 17 July 2024 titled "Skifield operating without audited safety plan"

Evening. FYI please see attached PTL's response to the misleading and damaging article on the NZ Herald front page today. We are also talking directly with the Editor in Chief to hopefully have a satisfactory retraction published asap.

Thanks

GREG HICKMAN
s 9(2)(a)

[@](#)



[pureturoa.nz](#) / Ohakune / New Zealand

Begin forwarded message:

From: Peter Sygrove <[@](#)>
Subject: Retraction demand in respect of article published 17 July 2024 titled "Skifield operating without audited safety plan"
Date: 17 July 2024 at 5:54:47 PM NZST
To: "[@](#)" <[@](#)>, "[@](#)" <[@](#)>
Cc: "[@](#)" <[@](#)>, "[@](#)"

<@._____>, "@._____ " <@._____>,"
"@._____ " <@._____>," "@._____ "
<@._____>," "@._____ "
<@._____>," "@._____ "
<@._____>, Ben Gresson <@._____>

To whom it may concern,

See our letter attached.

Regards,
Peter

Peter Sygrove

Principal

P: +64 3 441 2743 | M: +64 27 444 9928

E: @._____

W: www.toddandwalker.com



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17 July 2024

Murray Kirkness
NZ Herald Editor-In-Chief

By email: complaints@nzme.co.nz; formalcomplaints@nzherald.co.nz

Copy to: Greg@pureturoa.nz; Cam@pureturoa.nz; Dean@pureturoa.nz;
Jess@pureturoa.nz; Sarah@breathepr.co.nz; murray.kirkness@nzme.co.nz;
azaria.howell@nzme.co.nz

**Retraction demand in respect of article published 17 July 2024 titled
“Skifield operating without audited safety plan”**

1. We act for Pure Tūroa Limited.
2. We refer to the article published by NZ Herald today, featuring on the cover of today's print edition and online.
3. We hereby demand that you immediately remove the article from the NZ Herald website and issue a retraction correcting the errors in the article.
4. The article is misleading in the extreme and in parts entirely untrue. We attach to this letter a press release issued by our client which sets out the inaccuracies contained in the article in more detail, however we specifically note that:
 - (a) the article strongly implies that our client is not operating in compliance with all health and safety requirements, which is false;
 - (b) notwithstanding there is no requirement for our client's safety plan to be audited until October this year, it has been reviewed and approved by the Department of Conservation and mirrors the previous audited safety plan prepared by Ruapehu Alpine Lifts Ltd (in liquidation and receivership). The article states that the “*skifield was approved without an audited plan or initial overview*”, which is false; and
 - (c) the full front page picture showing a damaged chairlift tower from 2018 infers that the infrastructure and operations on Tūroa skifield are currently dangerous and unsafe.
5. The article and its front page presentation with the damaged tower are misleading to the point of being malicious. The article is going to cause our client reputational harm and financial loss, which is accentuated by the timing of its publication, during the first school holiday period since our client's acquisition of the skifield.

6. We further note that the article has been published in breach of the New Zealand Media Council's principles, to which the NZ Herald has committed, Principle 1 stating that publications should be bound at all times by accuracy, fairness and balance, and should not deliberately mislead or misinform readers by commission or omission.

7. s 9(2)(h)

Yours faithfully

TODD & WALKER LAW



Peter Sygrove

Principal

Email: peter@toddandwalker.com

Matter ID: 36100

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IMMEDIATE RETRACTION REQUEST

PURE TŪROA

DATE: Wednesday 17th July 2024

IN RESPONSE TO: New Zealand Herald Article published Wednesday 17th July, 2024
“Skifield operating without audited safety plan”.

On Wednesday 17th July 2024, NZ Herald published a misleading article titled “Skifield operating without audited safety plan”. This article implies that skifield concession holders, Pure Tūroa, should not be operating Tūroa Skifield due to health and safety concerns. We request the publication of an immediate clarification to reassure our audiences of the high standard of safety operations in place at Tūroa.

Pure Tūroa, and Tūroa Skifield, are currently completely compliant with all regulations required to safely operate a skifield.

Pure Tūroa is operating in a very fragile and challenging local economic environment. Aside from the current economic challenges, we are a new business working hard to make Tūroa Skifield the best it's ever been. This misleading article is causing unnecessary damage to both Tūroa and our local tourism economy which affects many livelihoods.

HEALTH AND SAFETY PLAN: Pure Tūroa included a **health and safety plan as part of the concession application, which has been accepted by DoC as part of the concession approval**. The article states that Tūroa has been operating without an audited safety plan, however this is highly misleading. The plan, largely unchanged from previous years, was accepted by DoC on the basis that it was audited previously. A requirement for the plan to be externally audited this year will be satisfied by the 5th October, the date due under the DoC Concession.

AVALANCHE CONTROL: Pure Tūroa works closely with DoC to ensure that all necessary works are permitted to be completed to safely operate the skifield. This includes some work out of the skifield boundary, with DoCs approval, which is requested as and when required. This arrangement has been the requirement for operators for decades (including previous concession owners, Ruapehu Alpine Lifts Ltd). The article emphasises “At this time, no additional [avalanche control] measures have been authorised.” implying that Pure Tūroa isn't approved for any works to make the skifield safe. **No works have been authorised because they have not yet been required this season.** In the event that there is significant snowfall which requires attention, Pure Tūroa will work with DoC to ensure that any work required is completed to provide a safe environment for everyone.

In the article, the writer states that ‘*The Tūroa safety overview, sent to the Department of Conservation, is yet to be audited. It was finalised on May 5, just less than a month after the concession was signed off, meaning the skifield was approved without an audited plan or initial overview*’. This is untrue. The Concession was issued without an externally audited safety plan because it didn't need one at that time (refer to clause 14.3 in the Concession). And as above, a Safety Plan that satisfied the Concession requirements was provided and accepted by DoC. Again, the external audit is scheduled to be completed prior to the required 5th October date.

Pure Tūroa Ltd is proud of its incredibly hard working health and safety team that are going the extra mile to ensure a successful and safe winter season. Our team, and our very supportive local business community, are disappointed with this confusing, misleading and damaging article that does not meet the journalistic standards we'd expect from the NZ Herald. We hope NZME can correct this with the publication of an immediate retraction.

For media inquiries, please contact:

Jess Till
Marketing Manager
s 9(2)(a)

About Pure Tūroa Ltd:

Pure Tūroa Ltd is a new snow sports company committed to delivering exceptional experiences on the slopes. With a focus on environmental sustainability and community collaboration, Pure Turoa strives to create a quality, much-loved destination for snow enthusiasts of all levels. Visit www.pureturoa.nz for more information.

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