From: Stacey Wrenn
To: Sec 9(2)(a)

Cc: Ruth Isaac; Sec 9(2)(a) Government Services; Damian Coutts

Subject: Advice about letters to iwi re Whakapapa

Date: Friday, 3 May 2024 2:33:00 pm

Attachments: image001.png

Kia ora Harry,

Please see advice for the Minister regarding the letters to Te Ariki Tā Tumu Te Heuheu and iwi with an interest in Whakapapa. Please let me know if you'd like any further information about this.

DOC officials are recommending you along with Ministers Jones and Goldsmith sign the letters to Tā Tumu and each iwi. We have engaged with Te Arawhiti on this advice.

- 1. The Cabinet Committee instructed officials to focus on removing regulatory barriers to achieve a commercial outcome for Whakapapa within 12 months. We consider the primary regulatory barrier is the length of concession term required to enable a venture to be commercially successful and have previously advised joint Ministerial engagement directly with iwi would likely be required to gain iwi and hapū support for a longer concession term (24-B-0134 refers).
- 2. As you are aware, representatives Ngāti Tūwharetoa recently occupied the Tussock Tavern in Whakapapa Village and expressed concern about options for Whakapapa (including an EOI run by RAL's receivers) progressing without engaging with iwi and hapū upfront. Sec 9(2)(f)(iv)
- 3. We consider Ministerial engagement with Tā Tumu and other iwi is an important next step to enable us to progress options for Whakapapa ski field and the Chateau Tongariro. We recommend this is a cross-Ministerial and cross-agency approach, as there are three Ministers with roles related to the future options for Whakapapa and the Chateau you, the Minister for Regional Economic Development, and the Minister for Treaty of Waitangi Negotiations.
- 4. There has been ongoing engagement with iwi and hapū by senior officials over the last year relating to the maunga, including a cross-agency commitment to collaborate. Moving away from this commitment could be taken as a sign of bad faith, which could further destabilise relationships in the region.
- Sec 9(2)(g)(i)

This is likely to have an adverse impact on engagement with iwi and hapū under s4 of the Conservation Act and Te Awa Tūpua as part of a future concession process for Whakapapa ski field. While the sale and purchase process and the concession process are separate, they are intrinsically linked, as a concession is needed for any purchaser to operate the ski field under the current legislation. There is also a risk, similar to Tūroa, that the sale and purchase agreement negotiations put constraints around the concession process unhelpfully.

- 6. We see two options to proceed:
 - All three Ministers engage in the process, with a uniform approach to engagement that sets expectations across both the sale and purchase and concession processes; or

7. As there is limited time to meet Cabinet's expectations for this process, a joined up process between Ministers and agencies is preferable and more likely to lead to a successful outcome.

We recommend you talk further with Minister Jones about this matter.

Ngā mihi, Stacey

Stacey Wrenn (she/her)

Director, Regulatory Authorisations Whare Kaupapa Atawhai | Conservation House

Phone: Sec 9(2)(a) www.doc.govt.nz



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From: Doc PrivateSecs **Government Services** To: Cc: Doc PrivateSecs Subject: FW: re Ruapehu Alpine Lifts Tuesday, 7 May 2024 8:23:57 am Date:

Attachments: image001.ipg

Hi Team,

Can we please commission the below. Many thanks.

Ministerial Reply			
Note: Response letter and invite advice (if applicable) must be returned to the Office concurrently.			
Due to Office	10 working days from commissioning		
GS check	Yes	No	

Ngā mihi



Ariane La Porte

Private Secretary - Conservation | Office of Hon Tama Potaka MP

Minister of Conservation | Minister for Māori Development Minister for Māori Crown Relations: Te Arawhiti | Minister for Whānau Ora Associate Minister of Housing (Social Housing)

From: Tama Potaka (MIN) Sec 9(2)(a) Sent: Monday, May 6, 2024 4:17 PM

To: Doc PrivateSecs <docprivatesecs@parliament.govt.nz>

Subject: FW: re Ruapehu Alpine Lifts

COR-916 Ruapehu Alpine Lifts

Ngā mihi,



Teana Macdonald
Private Secretary (Administration)
Office of Hon Tama Potaka
Minister for Māori Development | Minister for Whānau Ora | Minister of Conservation |
Minister for Māori Crown Relations: Te Arawhiti | Associate Minister of Housing (Social Housing)

DDI: Sec 9(2) | EW4.5L Email: Sec 9(2) | Website: www.Beehive,govt.nz Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: Sec 9(2)(a)

Sent: Monday, May 6, 2024 11:09 AM

Cc: Ngati Hikairo ki Tongariro < Sec 9(2)(a)

Subject: re Ruapehu Alpine Lifts

To Whom It May Concern

Tongariro te maunga, Rotoaira te moana Te Wharerangi te tangata Ko Ngati Hikairo te hapu. Tuwharetoa te iwi.

Tena koutou,

Te Runanganui o Ngati Hikairo ki Tongariro, is the mandated Trust that operates on behalf of our hapu. It is our hapu that holds mana whenua, when it comes to matters of interest within our rohe, and of course, the northern face of Mt Ruapehu falls within this boundary.

As Ngati Hikairo, we have <u>always</u> held interest in our maunga, with Mt Ruapehu being no different. These maunga are our 'constants' and are part of who we are.

Therefore, Te Runanganui o Ngati Hikairo ki Tongariro, being the hapu at place, would like to officially express our interest in Whakapapa.

Nga mihi Huria (JB) Chambers Chairperson Te Runanganui o Ngati Hikairo ki Tongariro

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Status Report item template

This item is for the **Minister of Conservation**.

1.1 Update on Tongariro regulatory matters

- Along with officials from Te Arawhiti, we attended a hui with Gerrard Albert and Sheena Maru from Ngā Tangata Tiaki and representatives from Ngāti Rangi, Ngāti Hāua and Patutokotoko on 10 May 2024. Out of Scope
- It was clear throughout the hui that iwi and hapū will not accept a truncated process
 for any concession application to operate Whakapapa ski field, and expect to be
 engaged on all statutory decisions within the process under Te Awa Tupua
 (Whanganui River Claims Settlement) Act 2017, including decisions about whether an
 application is complete and ready to be publicly notified.
- Out of Scope
- To ensure we are able to make a decision on any concession application for Whakapapa ski field by Sec 9(2)(f)(iv), as instructed by Cabinet, we are preparing to engage with iwi and hapū on the parameters for a potential concession to operate the ski field. This engagement will likely start after you and the Minister for Treaty of Waitangi Negotiations have met with Te Ariki Tā Tumu Te Heuheu and iwi leaders. We understand letters from you and Minister Goldsmith are being sent to Tā Tumu and iwi leaders during the week of 13 May 2024 initiating this engagement.
- The initial phase of the expression of interest process led by Ruapehu Alpine Lifts Limited's receivers closed last week. We understand the next phase is for interested parties to undertake their due diligence before submitting final proposals. Officials from Kānoa Regional Economic Development and Investment Unit (Kānoa RDU) are briefing the Minister for Regional Economic Development this week about the proposals and the next steps in the process.
- We understand Kānoa RDU is advising Minister Jones their preferred timeframe is Sec 9(2)(f)(iv). We have written to Kānoa RDU advising this timeframe is not possible if a concession application is received Sec 9(2)(f)(iv) as currently planned. Based on what we learned through the Tūroa ski field process and the strong expectations set by iwi and hapū, we will require at least six months to process a complete concession application, provided the parameters for the concession have been identified through upfront engagement with iwi and hapū.

Representatives from Ngāti Tūwharetoa are currently occupying the Tussock Tavern and motel units in Whakapapa Village. We are working to understand what these representatives are seeking, but expect they hold ongoing concerns related to the maunga and Whakapapa ski field. We have been engaging with Nigel Chee, Chief Executive of Te Kotahitanga o Ngāti Tūwharetoa, about how best to resolve concerns.

Next steps

 We are progressing actions agreed with Ngā Tangata Tiaki, iwi and hapū, including setting up a meeting with iwi, hapū, and Pure Tūroa.

Item 4

To: Stacey Wrenn

FW: Next Steps of the commercial process to sell Ruapehu Alpine Lift Limited"s (in liquidation and Receivership) Whakapapa business Subject: Date

Tuesday, 21 May 2024 11:55:37 am 2324-3326 - Next steps on the comm

Kia ora Stacey, sending this through – I received it from Min Jones' office yesterday afternoon.

I was thinking we could include a summary in the next status report but let me know if you think anything else is required?

Harry

Please see the attached briefing: 2324-3326: Next steps of the commercial process to sell Ruapehu Alpine Lift Limited's (in liquidation and Receivership) (RAL) Whakapapa business.

It is a noting briefing that outlines the expression of interest process RAL's Receivers are undertaking to seek potential purchasers of its Whakapapa ski field assets and operations, based on Cabinet decisions on RAL in March 2024. It also includes indicative timeframes for next steps and potential risks to completing a timely sale.

	,	
	Urgency of paper	Low/Medium.
	Key messages	RAL's Receivers have completed the first stage of a two-stage expression of interest (EOI) process for its What are a series in the second of the seco
		Whakapapa business. Sec 9(2)(f)(iv) to the second stage and will undertake further due
		diligence to enable them to submit final binding bids by 10 June 2024.
		Kānoa – RD officials have outlined an indicative timeline to complete a sale Sec 9(2)(f)(iv) which is a safe and from a company of the same than the complete and from the same timeline to complete a sale Sec 9(2)(f)(iv)
		is preferred from a commercial perspective due to the operational and financial benefits.
		• Sec 9(2)(g)(i)
		DOC have indicated the need for early engagement with iwi and hapū as part of the concession process. DOC's in the transport is a small to the concession of the concession process. DOC's in the transport is a small to the concession of the concession process. DOC's in the transport is a small to the concession of the concession process. DOC's
		view is that a concession cannot be completed between Sec 9(2)(f)(iv) (as outlined in the indicative
	No. 1 Classic	timeline). Their preference is to complete the process by the end Sec 9(2)(f)(iv).
	Next Steps	RAL's Receivers will continue the expression of interest process until 10 June. Kānoa – RD will provide Ministers with an
		update on the outcome of the EOI process once completed. The outcome will determine the next steps including
		whether Ministerial/Cabinet decisions are required.
	Action for Ministers	Noting only. Ministers may wish to discuss the contents of the briefing.
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Status Report item template

This item is for the **Minister of Conservation**.

1.1 Whakapapa ski field

- Minister Jones sent you a briefing prepared by MBIE's Kānoa Regional Development and Investment Unit (Kānoa) about the next steps to identify a commercial operator to take over Ruapehu Alpine Lifts Limited's (RAL) Whakapapa assets.
- The briefing outlines the process from Kānoa's perspective, including that:
 - RAL's receivers are working to a timeframe that includes bidders submitting final proposals by Sec 9(2)(f) and decisions made on a preferred bidder (iv) . Proposals will be taken to Cabinet to approve if Crown support is required.
 - Commercial proposals will be assessed based on the same criteria as used in 2023. Kānoa will determine which, if any, of the potential bidders is best qualified for Crown support.
 - The preferred transition timeframe from Sec 9(2)(f)(iv)
 , as this is the end of the ski season and would reduce summer maintenance costs for the Crown.
 - Any successful purchaser should submit a concession application Sec 9(2)(f)(iv)
- Three bidders submitted expressions of interest: Sec 9(2)(b)(ii)

These

bidders are now progressing to the second phase of the expression of interest process, including undertaking due diligence and visiting the ski field.

- Sec 9(2)(f)(iv)
- We provided a specific 'DOC comment' section in the briefing that included:
 - DOC's recommendation to Ministers that early engagement with iwi and hapū at a senior level is essential to identify the likely opportunity available through a concession process.
 - It is not feasible to complete a concession process Sec 9(2)(f)(iv)

 . For a decision to be made by Sec 9(2)(f)(iv) (the timeframe setby Cabinet in March 2024), a complete concession application Sec 9(2)(j) be submitted by September 2024.

Next steps

- Kānoa will brief Ministers on the outcome of the expression of interest process in mid
- DOC has sent a letter initiating engagement with iwi and hapū about the terms and conditions of a potential concession for Whakapapa ski field to Te Ariki Tā Tumu Te Heuheu, Te Kotahitanga o Ngāti Tūwharetoa, Te Korowai o Wainuiārua, Ngāti Rangi, Ngāti Hāua, Patutokotoko and Ngā Tangata Tiaki.
- Officials will brief you prior to your hui with Te Ariki Tā Tumu's representatives on 20



Status Report item template

This item is for the **Minister of Conservation**

1.1 Update on engagement with iwi and hapū about Whakapapa ski field

- The Department wrote to iwi and hapū with an interest in Whakapapa ski field on 4 June seeking their views on what they would like to see in a future ski field operator and any potential terms that should underpin a future concession. The letter specifically noted that this request was in advance of your meeting with iwi and hapū, likely to be held in July, to ensure the Department is informed of their preliminary views.
- The Department wrote to:
 - Te Ariki Tā Tumu Te Heuheu
 - · Ngā Tāngata Tiaki o Whanganui (Ngā Tāngata Tiaki)
 - · Ngāti Hāua
 - · Ngāti Rangi
 - Te Kotahitanga o Ngāti Tūwharetoa, who will also liaise with Ngāti Hikairo
 - · Te Korowai a Wainuiārua
 - Pātutokotoko
- So far, the Department has received three responses:
 - Ngāti Rangi has provided a substantial response that includes the Department developing Sec 9(2)(ba)(i)

 Ngāti Hāua has acknowledged the correspondence and suggested a collective hui to discuss potential concession terms. Sec 9(2)(a) responded on behalf of Ngāti Hāua and noted he is awaiting further instructions. Officials are considering whether to suggest a collective hui prior to the hui with you and the Minister for Treaty of Waitangi Negotiations.

• Officials have spoken with Sec 9(2)(a) of Te Korowai a Wainuiārua. Sec 9(2)(a) Sec 9(2)(b)(ii)

Sec 9(2)(f)(iv)

Sec 9(2)(f)(iv)

Sec 9(2)(a) did not share any views about the potential concession apart from noting a Sec 9(2)(b)(ii)

- The Department has not received any further responses at this stage.
- Separately, Sec 9(2)(a) has written to the Department and Te Arawhiti on behalf of Ngā Tāngata Tiaki setting out his proposed actions following the hui in Whanganui about Tūroa ski field. Officials are considering the matters raised by Sec 9(2)(a) and will respond during the week starting 17 June.

Next steps

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- The Department will continue to proactively engage with iwi and hapū and encourage replies in writing.
- The Department will write back to Ngāti Rangi and Te Korowai o Wainuiārua sharing our position on what each iwi has proposed. The Department will do this for any further responses received from other iwi.
- The Department and Te Arawhiti will brief you and the Minister for Treaty of Waitangi Negotiations before the collective hui in July.

Contact: Stacey Wrenn, Director Regulatory Authorisations Sec 9(2)(a)

From: <u>Harry.Evans</u>
To: <u>Stacey Wrenn</u>

Cc: Government Services; Joanne Dixon
Subject: RE: 24-M-0064 - Tuwharetoa meeting
Date: Wednesday, 19 June 2024 10:13:07 am

Attachments: image001.png

24-M-0064 - Memo - Meeting with representatives of Te Ariki Ta Tumu Te Heuheu - DOC-7670277

(002).docx

Thanks - I've added Lils number

From: Stacey Wrenn <swrenn@doc.govt.nz> Sent: Wednesday, June 19, 2024 9:59 AM

To: Harry Evans Sec 9(2)(a)

Cc: Government Services < Government Services@doc.govt.nz>; Joanne Dixon

<jdixon@doc.govt.nz>

Subject: 24-M-0064 - Tuwharetoa meeting

Hi Harry,

Please see attached briefing for the meeting tomorrow, I will share with Te Arawhiti as well.

GS, Harry asked for this to be sent direct. Jo will follow up with anything you need.

https://doccm.doc.govt.nz/cwxv4/wcc/faces/wccdoc?dDocName=DOC-7670277

Cheers, Stacev

Stacey Wrenn (she/her)

Director, Regulatory Authorisations

Whare Kaupapa Atawhai | Conservation House

Phone: Sec 9(2)(a)

www.doc.govt.nz



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Meeting Memo

Meeting with representatives of Te Ariki Tā Tumu Te Heuheu

То	Minister for Treaty of Waitangi Negotiations Minister of Conservation	Date submitted	19 June 2024	
GS tracking #	24-M-0064			
Security Level				

Meeting date/time	20 June 2024, 12pm
Meeting location	Minister Potaka's office – 4.5L, Beehive
Attachments	Attachment A – Talking points

Key contacts			
Name	Organisation	Role	Cell phone
Lil Anderson, Tumu Whakarae	Te Arawhiti	Te Arawhiti meeting support	Sec 9(2)(a)
Ruth Isaac, DDG, Policy and Regulatory Services	DOC	DOC meeting support	Sec 9(2)(a)

Context & purpose

- 1. You are meeting with sec 9(2)(a) and Nigel Chee (Chief Executive, Te Kotahitanga o Ngāti Tūwharetoa (TKNT)) on behalf of Te Ariki Tā Tumu Te Heuheu. The purpose of the meeting is to hear Te Ariki's views relating to Tongariro Maunga and Tongariro National Park (TNP) and the process moving forward.
- 2. On 15 May, you wrote to Te Ariki expressing your desire for a more strategic conversation about protection of TNP given its world heritage status, reinforcing the importance of honouring the Crown's commitment to collective negotiations over TNP, and offering to meet.
- 3. You also wrote to leaders of TKNT, Ngā Tangata Tiaki (the post-settlement governance entity for the Whanganui River), Ngāti Hāua, Ngāti Rangi and Te Korowai o Wainuiārua, and we are working with your offices to confirm a meeting with their representatives on 20 July in Turangi.

Sec 9(2)(ba	Out of Scope
6.	
Stra 7.	The main objective from this meeting is to understand Te Ariki's views regarding future engagement in relation to the process and options for Whakapapa ski field (and other Crown processes surrounding the mountains). Out of Scope
	A UINDER
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Commercial opportunities at Whakapapa

19. Commercial activities operating on public conservation land require a concession granted by the Minister of Conservation or their delegate. Under s4 of the Conservation Act, the Minister must give effect to the principles of the Treaty of Waitangi when deciding whether to grant a concession.

20.	Sec 9(2)(ba)(i)	
_		

Commercial solution for Whakapapa ski field Sec 9(2)(f)(iv)

- In March 2024, Cabinet directed Kānoa Regional Development and Investment Unit
 (Kānoa) and DOC to put in place a commercial solution for Whakapapa ski field within
 one year, if possible.
- 23. Ruapehu Alpine Lifts Limited's (RAL) receivers led an expression of interest (EOI) process to identify parties interested in taking over RAL's operations and running Whakapapa ski field. Kānoa will be briefing Ministers in mid-June on the outcome of the EOI, including whether there is a viable bid they recommend is taken forward.
- 24. Sec 9(2)(g)(i), Sec 9(2)(b)(ii)
- 25. Both DOC and Te Arawhiti have previously advised that for the Minister of Conservation to be likely to be in a position to grant a concession to a new operator by Sec 9(2)(f)(iv) early engagement with iwi with an interest in Whakapapa ski field is required to set the broad parameters for the concession (for example term). Agreeing these parameters upfront with iwi will help to ensure that the Minister's responsibilities under s4 of the Conservation Act are met for a concession of this magnitude, within the required timeframe.
- 26. On 4 June DOC wrote to all iwi with an interest in Whakapapa ski field seeking their views on a potential concession and offering to meet. So far, Ngāti Rangi have provided a written response and officials have met with Te Korowai o Wainuārua.
- 27. DOC is aware that a minimum, Te Ariki will expect to see no further development within the location of the tuku (the mountain peaks), and managed retreat of existing infrastructure from the mountain at some point.

Future of Chateau Tongariro

28. Out of Scope

Risks & implications

31. There is significant financial risk to the Crown associated with Whakapapa ski field. If RAL is liquidated, the cost to remove the ski field infrastructure and remediate the land will practicably fall to the Crown, although there will be decisions for Cabinet to make about how and when to remove infrastructure.

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

33. Members of Ngāti Tūwharetoa have recently occupied buildings in Whakapapa Village, including the tavern and a set of motel units formally leased to Kah and now owned by the Crown. Both Te Ariki and Gerard Te Heuheu have been present at the occupation. Sec 9(2)(f)(iv)

Key attendees

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Name	Organisation	Bio highlights
Sec 9(2)(a)	Office of Te Ariki	Sec 9(2)(a) Te Ariki Tā Tumu Te Heuheu
Nigel Chee	Te Kotahitanga o Ngāti Tūwharetoa	Chief Executive

MEMO ENDS

Attachment A: Talking points



Hon Tama Potaka

Minister of Conservation Minister for Māori Crown Relations: Te Arawhiti Minister for Māori Development Minister for Whānau Ora Associate Minister of Housing (Social Housing)



1 July 2024 Ref: CORM-1319

Huria Chambers Te Runanganui o Ngati Hikairo ki Tongariro

Sec 9(2)(a)

Tēnā koe Ms Chambers

Thank you for copying me into your email dated 6 May 2024 regarding your expression of interest in acquiring the Whakapapa ski field from Ruapehu Alpine Lifts Limited's receivers Calibre Partners.

I appreciate being kept informed of general developments within the areas covered by my portfolios.

In this case, I need to maintain separation from the commercial process in which you are engaging and the concession process for which I may be the decision-maker should a sale agreement eventuate. Instead, I recommend you contact Calibre Partners to discuss this matter.

Thank you for taking the time to write.

Mauriora

Hon Tama Potaka

Minister of Conservation



Meeting Memo

Meeting with iwi representatives about Whakapapa ski field

То	Minister of Conservation	Date submitted	11 July 2024
GS tracking #	24-M-0075	DocCM	DOC-7690632
Security Level			

Meeting date/time	12 July 2024, 11.15 am
Meeting location	Zoom
Attachments	Attachment A – Annotated agenda with talking points Attachment B – Additional talking points

Key contacts		9	
Name	Organisation	Role	Cell phone
Ruth Isaac, DDG Policy and Regulatory Services	DOC	DOC meeting support	Sec 9(2)(a)
Francis Toko, Kaihautu	DOC	Cultural support	Sec 9(2)(a)
Damian Coutts, Director, Regional Operations	DOC	DOC meeting support	Sec 9(2)(a)
Stacey Wrenn, Policy and Regulatory Services	DOC	DOC meeting support	Sec 9(2)(a)
Ian Hicks	Te Arawhiti	Te Arawhiti meeting support	Sec 9(2)(a)

Purpose

The purpose of this meeting is to initiate engagement with iwi and hapū about what they would like to see in a future concession for Whakapapa ski field and encourage them to engage further with the Department in detail about this.

Context

Ruapehu Alpine Lifts Limited's (RAL) receivers are running a process to identify a
purchaser and commercial operator for Whakapapa ski field. If successful, the purchaser
will require a concession to operate the ski field. It is likely that the Department will be

- asked to process a concession application quickly, to provide certainty for the 2025 ski season and reduce the financial impact on the Crown.
- 3. As part of the concession process, you must give effect to the principles of the Treaty of Waitangi and consider any relevant Treaty settlements, in this case Te Awa Tupua (Whanganui River Claims Settlement) Act (Te Awa Tupua).
- The Crown is committed to collective negotiations for redress over Tongariro National Park with Ngāti Hāua, Ngāti Rangi, Ngāti Tūwharetoa and the iwi of Te Korowai o Wainuiārua.
- 5. The Department has previously advised you that early engagement with iwi is essential to understand how iwi want to see their interests reflected in any concession process. Ideally this engagement will help to inform the parameters of a future concession, which will in turn help the Department process a concession application quickly while meeting our responsibilities under s4 of the Conservation Act 1987 and Te Awa Tupua.
- 6. You and the Minister for Treaty of Waitangi Negotiations wrote to iwi in May inviting them to meet to discuss both the upcoming Treaty negotiations for Tongariro National Park and a potential concession for Whakapapa ski field.
- 7. Separately, the Department has written to each iwi on 4 June, inviting them to share their views on this matter in writing with the Department. So far, the Department has had a substantive response from Ngāti Rangi that sets out conditions they would like to see as part of a concession (including to minimise environmental impacts) and an initial discussion with Te Korowai o Wainuiārua.
- 8. On 20 June you and Minister Goldsmith met with representatives of Te Ariki Tā Tumu Te Heuheu. Te Ariki Tā Tumu's representatives advised you that Te Ariki Tā Tumu Sec 9(2)(ba) (i)
- As officials haven't been able to schedule a meeting with collective iwi with both you and Minister Goldsmith, you have agreed to meet with iwi representatives via zoom to discuss their initial views about a concession for Whakapapa ski field.

lwi views on Tūroa ski field concession process



Expression of interest process for Whakapapa ski field

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

	Sec 9(2)(f)(iv)	
12.	Sec 9(2)(b)(ii)	
13.	Sec 9(2)(b)(ii)	

Proposed agenda items

- 14. An annotated agenda with talking points is included as Attachment A.
- 15. Additional talking points addressing potential discussion points that may be raised are included as Attachment B.

Risks and implications

- 16. Sec 9(2)(g)(i)
- 17. Te Kotahitanga o Ngāti Tūwharetoa has written to you asking whether the inclusion of Ngā Tangata Tiaki in this hui indicates they are included in the iwi collective for the purposes of Tongariro National Park negotiations. While Ngā Tangata Tiaki are not part of the iwi collective, Te Awa Tupua is relevant for the concession because Whakapapa ski area falls within the Whanganui River catchment.
- 18. When you and Minister Goldsmith met with Nigel Chee and Sec 9(2)(a) on behalf of Te Ariki Tā Tumu Te Heuheu in June 2024, they advised that Te Ariki Tā Tumu's preference is that discussions with iwi regarding the maunga should be led by his office. While this hui is about an operational matter (a concession for Whakapapa ski field) rather than the broader relationship, there is a risk proceeding with a separate hui may cause offence. Officials have discussed your reason for calling the collective hui with Mr Chee prior to invitations being sent. Mr Chee will be attending both in his role representing Te Ariki Tā Tumu's office and his role as Chief Executive of Te Kotahitanga o Ngāti Tūwharetoa.
- 19. There may also be some tension between attendees over matters that have arisen through individual Treaty settlements overlapping claims processes. We recommend that where possible the conversation remains focused on options for Whakapapa ski field.
- 20. Attendees may raise that they would like a decision making role in this process. Ngāti Hāua in particular raised this through the Tūroa concession process. Under the current conservation legislation, statutory decisions cannot be delegated or shared with iwi.
- 21. Attendees may express concern about the likely timeframes for processing a concession for Whakapapa ski field. To ensure the Department is well informed of iwi views and interests, the Department is engaging early with iwi about a potential concession application. This hui is a critical part of this engagement process.

22.	Sec 9(2)(b)(ii)	
23.	Out of Scope	

24. Some attendees, in particular Sec 9(2)(a) from Te Korowai o Wainuiārua, may question why the Department is willing to progress this concession urgently while other applications from iwi are in train. Sec 9(2)(a) Out of Scope

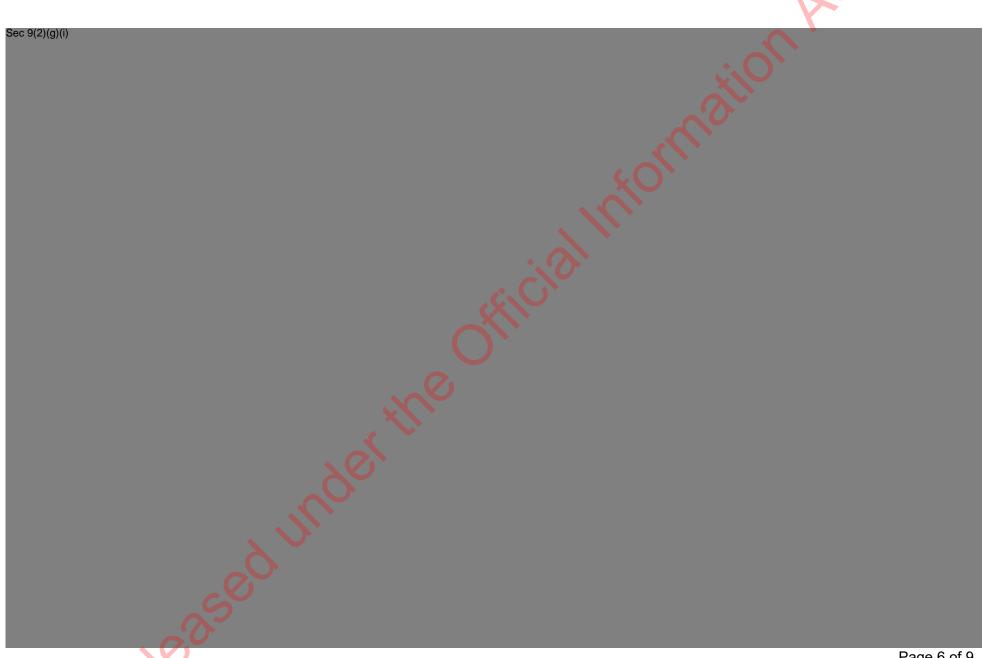
Key attendees

- 25. Attendees for this meeting have not yet been confirmed. It is likely there will be representatives present from the following iwi and hapū (likely attendees noted):
 - Te Ariki Tā Tumu Te Heuheu's office Sec 9(2)(a)
 - Te Kotahitanga o Ngāti Tūwharetoa Sec 9(2)(a)
 - Ngāti Rangi Sec 9(2)(a)
 - Te Korowai o Wainuiārua Sec 9(2)(a)
 - Ngāti Hāua Sec 9(2)(a)
 - Pātutokotoko Sec 9(2)(a)
 - Ngā Tangata Tiaki (on behalf of Te Pou Tupua) Sec 9(2)(a)

MEMO ENDS

Attachment A: Agenda with talking points







Attachment B: Additional talking points







Departmental Memo

То	Minister of Conservation	Date submitted	15 July 2024
GS tracking #	Ref: CORM-1382	DocCM	DOC-7676180
Security Level			
From	Ruth Isaac, Deputy Director-General, Policy and Regulatory Services: Sec 9(2)(a)		
Subject	Supporting Memo for Ref: CORM-1382		
Attachments	Attachment A – Draft response letter		

Purpose - Te aronga

1. The purpose of this memo is to support your response to a letter from Sec 9(2)(a) at Te Kotahitanga o Ngāti Tūwharetoa (Te Kotahitanga), regarding the agenda and attendees for an upcoming hui about Whakapapa ski field.

Background and context – Te horopaki

- 2. You and the Minister for Treaty of Waitangi Negotiations wrote to iwi, including Te Ariki Tā Tumu Te Heuheu and Te Kotahitanga, inviting them to meet to discuss both the upcoming Treaty negotiations for Tongariro National Park and a potential concession for Whakapapa ski field.
- 3. Sec 9(2)(a) has written to you and Minister Goldsmith confirming the role of Te Ariki Tā Tumu, Te Kotahitanga and Ngāti Hikairo ki Tongariro in engagements relating to Tongariro National Park and Whakapapa ski field.
- 4. Sec 9(2)(a) has also asked why Ngā Tāngata Tiaki would be invited to this hui noting they are not part of the Tongariro National Park Collective (the Collective) established in 2014.
- 5. Sec 9(2)(a) is seeking to understand what discussions at the proposed hui will encompass, including Tongariro National Park negotiations, Whakapapa ski field, the Chateau Tongariro, and/or Tūroa ski field.
- 6. You met with iwi representatives via Zoom on 12 July for an initial discussion about the future options for Whakapapa ski field (24-M-0075 refers). As Minister Goldsmith is not attending this hui, the agenda for this meeting is focused on matters related to Whakapapa ski field.

Proposed response letter

Engagement about Whakapapa ski field

7. You invited all iwi with an interest in Whakapapa ski field to the Zoom hui, including Te Ariki Tā Tumu, the four iwi that make up the Collective, Pātutokotoko, and Ngā Tangata Tiaki.

- 8. The draft response letter notes that this is because it is important for you to hear the views of all iwi and iwi entities with an interest in Whakapapa ski field.
- 9. Ngā Tangata Tiaki's interest comes from the tributaries within Tongariro National Park, meaning that part of Whakapapa ski field forms part of the catchment to the Whanganui River. Tributaries to the Whanganui River are vested in Te Awa Tupua. As a result, and consistent with s15 of the Te Awa Tupua (Whanganui River Settlement Claims) Act 2017, you must consider the impact of any concession activities within the Whanganui Catchment that affect the Whanganui River, including having particular regard to Tupua te Kawa and the Te Awa Tupua status.



Consultation

12. Officials from Te Arawhiti have reviewed the response letter.

Risk assessment – Aronga tūraru

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

Next steps - Ngā tāwhaitanga

The response letter will be copied to Minister Goldsmith.

ENDS





Meeting Memo

Meetings with iwi with an interest in Tongariro National Park

То	Minister for Treaty of Waitangi Negotiations Minister of Conservation	Date submitted	16 August 2024
GS tracking #	24-M-0094 Te Arawhiti Report - 61	DocCM	DOC-7722892
Security Level			

Meeting date/time Hui one: 21 August 2024, 1.00-1.30pm Hui two: 23 August 2024, 9.30-11.30 am Hui three: 23 August, 12.00-12.45pm		
Meeting location Hui one: Online Hui two: Tongariro Lodge, Turangi Hui three: Tongariro Lodge, Turangi		
Attachments	Attachment A – Draft agendas for hui one and two Attachment B – Context about concession matters including Whakapapa ski field Attachment C – Out of Scope Attachment D – Introductory talking points Attachment E – Talking points about concession matters Attachment F – Out of Scope	

Key contacts			
Name	Organisation	Role	Cell phone
Lil Anderson, Tumu Whakarae	Te Arawhiti	Te Arawhiti meeting support	Sec 9(2)(a)
Penny Nelson, Director-General	DOC	DOC meeting support	Sec 9(2)(a)
Francis Toko, Kaihautu	DOC	Cultural support	Sec 9(2)(a)

Context and purpose

 This memo provides background information for upcoming meetings on the regulatory matters related to Tongariro National Park (TNP), including a potential ski field concession application to operate Whakapapa ski field, Out of Scope Hui one – 1.00-1.30 pm, Wednesday 21 August, online: Meeting with the office of Te Ariki Tā Tumu Te Heuheu and representatives from Te Kotahitanga o Ngāti Tūwharetoa (TKNT) and Ngāti Hikairo.

The purpose of hui one is to hear the views of Ngāti Tūwharetoa ahead of the hui with all iwi on 23 August. Sec 9(2)(g)(i)

Ngāti

Tūwharetoa representatives have also been invited to attend hui two as an observer.

 Hui two – 9.30-11.30 am, Friday 23 August, Turangi: Meeting with representatives from Ngā Tangata Tiaki, Ngāti Hāua, Ngāti Rangi, Te Korowai o Wainuiārua and Patutokotoko, with representatives from TKNT and/or Ngāti Hikairo attending as observers.

The purpose of hui two is to discuss how iwi wish to engage in a concession process for Whakapapa ski field and to confirm Out of Scope

Hui three – 12.00-12.45 pm, Turangi (Minister of Conservation only):
 Meeting with the office of Te Ariki Tā Tumu Te Heuheu and representatives
 from TKNT and Ngāti Hikairo.

The purpose of hui three is to discuss Out of Scope

Ngāti Tūwharetoa may also discuss their views on Whakapapa ski field Out of Scope in more detail.

- Background about the potential Whakapapa concession application, Pure Tūroa Limited's (PTL) concession to operate Tūroa ski field and the Chateau Tongariro is included as Attachment B, and talking points on these matters are included as Attachment E.
- Out of Scope
- Department of Conservation (DOC) officials are preparing a separate briefing and draft agenda for the Minister of Conservation to provide context about other matters related to his portfolios that Ngāti Tūwharetoa representatives may raise at hui three (24-M-0096 refers).

Strategic objectives

- 5. The main objectives from these meetings are:
 - To progress discussions with iwi and hapū about what they would like to see in a future concession for Whakapapa ski field and understand how they would like to engage with DOC through any upcoming concession application process. This meeting follows a zoom hui held by the Minister of Conservation on 12 July to initiate this discussion.
 - Out of Scope

Proposed agenda items

6. Draft agendas for hui one and two are included as Attachment A. Context and talking points for agenda items are included in Attachments B to F.

Attendees may express concern about the likely timeframes for processing a concession

Risks and implications

7.

	for Whakapapa ski field. To ensure DOC is well informed of iwi views and interests, DOC has been attempting to engage early with iwi about a potential concession application. This hui is a critical part of this engagement process.
8.	Sec 9(2)(b)(ii)
9.	Out of Scope
10.	Out of Scope Out of Scope
11.	Sec 9(2)(g)(i)
12.	In addition, there are ongoing issues between the Crown and the iwi you will be meeting, including:
	Out of Scope

Released under the Official Information As

Sec 9(2)(a),	Out of Scope
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Likely attendees

Hui one:

Name	Organisation	Bio highlights
Sec 9(2)(a)	Office of Te Ariki	Sec 9(2)(a) , Te Ariki Tā Tumu Te Heuheu
Nigel Chee	Office of Te Ariki TKNT	Chief Executive of TKNT
Wiari Rauhina	TKNT	Chair
Te Ngaehe Wanikau	Ngāti Hikairo TKNT	Former Chief Negotiator for TKNT

Hui two:

Name	Organisation	Bio highlights
Whetu Moataane	Ngāti Rangi	Chair
Helen Leahy	Ngāti Rangi	Chief Executive
Graham (Tinka) Bell	Ngāti Hāua	Chair
Sec 9(2)(a)	Ngāti Hāua	
Aiden Gilbert	Te Korowai o Wainuiārua	Chair
Sec 9(2)(a)	Patutokotoko	
Sec 9(2)(a)	Patutokotoko	
Sheena Maru	Ngā Tangata Tiaki	Chair
Sec 9(2)(a)	Ngā Tangata Tiaki	
Sec 9(2)(a)	Office of Te Ariki	Sec 9(2)(a) , Te Ariki Tā Tumu Te Heuheu
Nigel Chee (observer)	Office of Te Ariki TKNT	Chief Executive of TKNT
Wiari Rauhina (observer)	TKNT	Chair
Sec 9(2)(a)	Ngāti Hikairo TKNT	

MEMO ENDS

Attachment A: Agendas

Agenda for hui one (online) with Ngāti Tūwharetoa, Wednesday 21 August:

Agenda for hui one		
Time	Item	
1.00 – 1.05	Whakawhanaungatanga (lead – Francis Toko)	
1.05 – 1.10	Context and introductory comments	
1.10 – 1.20	Whakapapa ski field concession (lead – MOC)	
1.20 – 1.30	Out of Scope	
1.30	Close meeting	7.0

Agenda for hui two with collective iwi, Friday 23 August

Agenda for hui	Agenda for hui two		
Time	Item		
9.30 – 10.00	Whakawhanaungatanga (lead – Francis Toko)		
10.00 – 10.10	Context and introductory comments		
10.10 – 10.50	Whakapapa ski field concession (lead – MOC) Update on likely concession timeframes Discussion and iwi views		
10.50 – 11.20	Out of Scope		
11.20 – 11.30	Any other matters		
11.30	Close meeting followed by lunch (lead – Francis Toko)		

The agenda for hui three with the Minister of Conservation and Ngāti Tūwharetoa will be provided separately as part of the briefing for this meeting (24-M-0096 refers).

Attachment B: Background on concession matters

Whakapapa ski field

 In May 2024 RAL receivers ran an expression of interest process to identify a purchaser and commercial operator for Whakapapa ski field.

2.	Sec 9(2)(b)(ii)		
			5
			•.0

Concession requirements and timeframe

- 3. If successful, sec 9(2) will require a concession to operate the ski field. DOC will be asked to process a concession application quickly, to provide certainty for the 2025 ski season and reduce the financial impact on the Crown. DOC officials have previously advised that a concession application will take approximately six months to process, including engagement with iwi and public notification.
- 4. As part of the concession process, the Minister of Conservation must give effect to the principles of the Treaty of Waitangi² and consider any relevant Treaty settlements, in this case Te Awa Tupua (Whanganui River Claims Settlement) Act (Te Awa Tupua).
- 5. DOC understands that to provide certainty for the 2025 ski season and to reduce the financial burden to the Crown, a decision should be made on the concession by 31 March 2025. To enable this:
 - WHL must submit a complete concession application by Sec 9(2)(f)(iv)
 - The application should be publicly notified in late Sec 9(2)(f)(iv)
 - Public hearings should take place in early Sec 9(2)(f)(iv)
- 6. DOC has previously advised that early engagement with iwi is essential. DOC officials will engage with iwi throughout the concession process, and are specifically seeking to understand how iwi would like to see their interests reflected, to inform the potential parameters for a concession (if granted).

Engagement with iwi about a Whakapapa concession

7. DOC wrote to iwi with an interest in Whakapapa ski field on 4 June, inviting them to share their views on this matter in writing. So far, DOC has had a substantive response from Ngāti Rangi that sets out conditions they would like to see as part of a concession (including to minimise environmental impacts) and an initial discussion with Te Korowai o Wainuiārua.

	ortaliana.	
8.	Out of Scope	
	⁷	
7 9		

Page 7 of 20

² Section 4 of the Conservation Act 1987.

Zoom hui with iwi representatives

9.	On 12 July the Minister of Conservation met with iwi representatives via zoom and facilitated a round-table discussion to understand the views of iwi about regulatory matters relating to TNP. Some of the views expressed at this meeting include:
	Sec 9(2)(ba)(i)
10.	Ngāti Tūwharetoa representatives were not able to fully participate in this hui due to technology issues. Sec 9(2)(ba)(i)
Out of	Scope
Sec 9(2	2)(b)(ii)

Out of	Sec 9(2)(b)(ii) Scope		
20108	sedunde		



Meeting Memo

Tongariro ski field discussions with iwi

То	Minister of Conservation	Date submitted	22 August 2024
GS tracking #	24-M-0107	DocCM	DOC-7728801
Security Level			. 0

Meeting date/time	23 August 2024 • Hui one: 9.30 – 11.00am • Hui two: 11.00 – 11.30 am
Meeting location	Zoom
Attachments	Attachment A: Agenda and talking points Attachment B: Background information about Whakapapa
	Attachment C: Background information about Tūroa

Key contacts			
Name	Organisation	Role	Cell phone
Penny Nelson	DOC	DOC meeting support	Sec 9(2)(a)
Francis Toko	DOC	Cultural support	
Damian Coutts	DOC	DOC meeting support	
Stacey Wrenn	DOC	DOC meeting support	

Context and purpose

- This memo is to support you at hui with iwi with an interest in Tūroa and Whakapapa ski fields. Two zoom hui are scheduled for 23 August 2024:
 - 9.30-11.00am: Representatives from Ngā Tangata Tiaki, Ngāti Hāua, Ngāti Hikairo, Ngāti Rangi, Te Korowai o Wainuiārua and Patutokotoko.
 - 11-11.30am: Te Ngaehe Wanikau and Bubs Smith (Ngāti Hikairo).
- Information about the potential Whakapapa concession is included as Attachment B.
- 3. Information about the issues raised by iwi about Pure Tūroa Limited's concession is included as Attachment C.

Strategic objectives

4. The main objectives of these hui are:

- Out of Scope
- To progress discussions with iwi and hapū about what they would like to see in a future concession for Whakapapa ski field and understand how they would like to engage with DOC through any upcoming concession application process, noting the time constraints on the Whakapapa process.

Proposed agenda items

5. A draft agenda and talking points for each hui is included as Attachment A.

Risks and implications

- 6. Out of Scope
- 7. Attendees may express concern about the likely timeframes for processing a concession for Whakapapa ski field. To ensure DOC is well informed of iwi views and interests, DOC has been attempting to engage early with iwi about a potential concession application. This hui is a critical part of the engagement process.
- 8. Sec 9(2)(b)(ii)
- 9. Sec 9(2)(g)(i)

Key attendees

10. Attendees for hui one: ...



11. Sec 9(2)(a) are attending hui two.

MEMO ENDS

Attachment B: Background about Whakapapa concession

Expression of interest process

 In May 2024 RAL receivers ran an expression of interest process to identify a purchaser and commercial operator for Whakapapa ski field.

2.	Sec 9(2)(b)(ii)	
		5
		*.

Concession requirements and timeframe

- 3. If successful, sec 9(2) will require a concession to operate the ski field. DOC will be asked to process a concession application quickly, to provide certainty for the 2025 ski season and reduce the financial impact on the Crown. DOC officials have previously advised that a concession application will take approximately six months to process, including engagement with iwi and public notification.
- 4. As part of the concession process, you must give effect to the principles of the Treaty of Waitangi¹ and consider any relevant Treaty settlements, in this case Te Awa Tupua (Whanganui River Claims Settlement) Act (Te Awa Tupua).
- 5. DOC understands that to provide certainty for the 2025 ski season and to reduce the financial burden to the Crown, a decision should be made on the concession by 31 March 2025. To enable this:
 - Sec 9(2) must submit a complete concession application Sec 9(2)(f)(iv)
 - The application should be publicly notified in Sec 9(2)(f)(iv)
 - Public hearings should take place in Sec 9(2)(f)(iv)
- 6. DOC has previously advised that early engagement with iwi is essential. DOC officials will engage with iwi throughout the concession process, and are specifically seeking to understand how iwi would like to see their interests reflected, to inform the potential parameters for a concession (if granted).

Engagement with iwi about a Whakapapa concession

- 7. DOC wrote to iwi with an interest in Whakapapa ski field on 4 June, inviting them to share their views on this matter in writing. So far, DOC has had a substantive response from Ngāti Rangi that sets out conditions they would like to see as part of a concession (including to minimise environmental impacts) and an initial discussion with Te Korowai o Wainuiārua.
- 8. On 20 June you met with representatives of Te Ariki Tā Tumu Te Heuheu. Te Ariki Tā Tumu's representatives advised you that he would like to establish a relationship framework for how the Crown engages with his office, and would like to lead collective discussions with iwi through his office about TNP going forward.

24-M-0107 - Tongariro ski field discussions with iwi

¹ Section 4 of the Conservation Act 1987.

Zoom hui with iwi representatives

9. On 12 July you met with iwi representatives via Zoom and facilitated a round-table discussion to understand the views of iwi about regulatory matters relating to TNP. Some of the views expressed at this meeting include:



10. Ngāti Tūwharetoa representatives were not able to fully participate in this hui due to technology issues. Sec 9(2)(ba)(i)



Invitation Evaluation – Minister of Conservation			
Name of requestor and reference #	24-I-0100 Sec 9(2)(a)		
Due to Office	4 September 2024	4	
Priority	Low	Medium	High
Type of audience	Private individual	Public/Media	lwi
		- <u>k</u> (
	NGO	Business	Other
Nature of meeting Note: DOC will not provide meeting advice for political meetings.	Standard meeting	Event/Visit	Political
advice for political meetings.			
Meeting purpose	Sec 9(2)(a) wants to discuss his views on what led to Ruapehu Alpine Lifts Limited (RAL) entering liquidation and options for its future.		
Recommendation	Decline Sec 9(2)(b)(ii) We recommend you decline to meet Sec 9(2)(a) at this time to protect your decision making role.		
Minister/SPS/Advisor/Press Sec comment	[For office use only – Office comment / Further actions requested / Calendar conflicts i.e. House leave request required] Accept / Decline Comment:		

	[i.e. alternative actions / decline for now but wrap into future regional visits etc]
Opportunities	This is an opportunity to receive more information about Whakapapa ski field from a highly experienced local operator.
Risks to consider	If you meet Sec 9(2)(a) there is a risk this may impact perceptions of you as a neutral decision maker.
Background information	sec 9(2)(a) e is also a member of the Ruapehu Skifields Stakeholders Association (RSSA) and was a leader in the RSSA's 2023 bid to restructure RAL.
Released under	ine official Info.
24-I-0100 – Sam Clarkson	2

Hon Tama Potaka

Minister of Conservation
Minister for Māori Crown Relations: Te Arawhiti
Minister for Māori Development
Minister for Whānau Ora
Associate Minister of Housing (Social Housing)



Ref: CORM-1382

Sec 9(2)(a)

Te Kotahitanga o Ngāti Tūwharetoa

Sec 9(2)(a)

Tēnā koe Sec 9(2)

Thank you for your email dated 20 June 2024 regarding my letter proposing a meeting to discuss future commercial options at Whakapapa ski field and the Chateau Tongariro, and upcoming Tongariro National Park negotiations.

We have been unable to schedule a joint hui in person to discuss all of the matters proposed, and I held a zoom hui on 12 July 2024. As Minister Goldsmith was unavailable, the meeting focused on commercial options for Whakapapa ski field. At the end of this hui I advised iwi and hapū that I will look to schedule a meeting in person in the next six to eight weeks.

It is important for me to hear the views of all iwi and iwi entities with an interest in Whakapapa ski field. The reason I invited representatives from Ngā Tāngata Tiaki to this hui was that the Whakapapa ski field is within the Whanganui River catchment. As a result, and consistent with s15 of the Te Awa Tupua (Whanganui River Settlement Claims) Act 2017, I must consider the impact of any concession activities within the Whanganui catchment that affects the Whanganui River. This includes having particular regard to Tupua te Kawa and the Te Awa Tupua status.

I acknowledge that Ngā Tāngata Tiaki are not part of the iwi collective for Treaty negotiations for redress in relation to Tongariro National Park. However, as you will appreciate, Ngā Tāngata Tiaki will have an interest in the progress of those negotiations given the Whanganui River catchment begins within the boundaries of the national park.

I appreciate your concern and thank you for taking the time to write.

Mauriora

Hon Tama Potaka

Minister of Conservation

cc Hon Paul Goldsmith, Minister for Treaty of Waitangi Negotiations