

13 March 2024

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Tēnā koe ██████████

Thank you for your request to the Department of Conservation (DOC), received on 10 January 2024, in which you asked for:

- information on the location of the Carl Kahler painting of the White Terraces
- any progress on its sale or rehoming and its current ownership.
- copies of all internal/external correspondence, reports and briefing papers and valuations relating to the painting.

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

Your questions and our responses are listed below:

1. *Where is the Carl Kahler painting now?*

The Carl Kahler painting remains situated at the Chateau Tongariro.

2. *What progress has been made re its sale and/or rehoming?*

The painting remains the property of Kah NZ Ltd. We have been in contact with them to remove the painting, however no action has been taken by Kah NZ Ltd.

3. *Who currently owns the painting?*

The painting remains the property of Kah NZ Ltd.

4. *I request all internal and external correspondence (including emails), reports and briefing papers containing references to the Carl Kahler painting of the white terraces that was/is hanging in the Chateau Tongariro. Any valuations or estimates of the worth of the painting obtained and/or held by the Department of Conservation. I also specifically request any correspondence between the Department of Conservation and Te Papa re the Carl Kahler painting.*

Copies of all internal/external correspondence, reports, briefing papers and valuations (relating to the painting) within scope of your requested are provided. Please refer to the 'Schedule of documents table' for an outline of attachments supplied and their content.

I have decided to release the relevant parts of the documents listed in schedule 1, 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,
- 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,
- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege,
- confidential information, under section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice.
- Sensitive information, under section 6(c) – to prevent the provision of information which would prejudice the maintenance of the law, including the prevention, investigation, and detection of offences.

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



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

Table 1 - Schedule of documents

OIAD-3699 - Attachment 1 - Email Correspondence (Carl Kahler Painting)			
Item	Date	Document description	Decision
1	7/02/2023	Email from Peter Pysk - RE: Charles Blomfield - Pink and White Terraces	Released in part
2	16/02/2023	Email from Stacey Wrenn - FW: Chateau report and letter	Released in part
3	14/03/2023	Email from Stacey Wrenn - RE: Chateau - insurance and property questions	Released in part
4	20/03/2023	Email from Anna Atchley - FW: Chateau artwork - valuation	Released in part
5	3/04/2023	Email from Heather Raeburn - RE: Chateau - Letter to Kah re chattels	Released in part
6	4/04/2023	Email from Alice Girton - FW: Heritage Chattels	Released in part
7	5/04/2023	Email from Karl Beckert - RE: Penny's update Wed 6 Apr	Released in part
8	13/04/2023	Email from David Corley - FW: Pink and White Terraces painting	Released in full
9	13/04/2023	Email from Stacey Wrenn - RE: Pink and White Terraces painting	Released in full
10	13/04/2023	Email from Mitchell Black - Condition report - White Terraces Painting - Chateau Tongariro	Released in part
11	14/04/2023	Email from Michelle Hooper - Chateau Tongariro - Chattels	Released in part
12	11/05/2023	Email from Michelle Hooper - FW: Chateau Tongariro - Chattels [BUD-LIVE.FID1250593] - LEGALLY PRIVILEGED - CONFIDENTIAL	Released in part
13	24/05/2023	Email from Steve Brightwell - FW: Penny's update 26/5	Released in part
14	31/05/2023	Email from Steve Brightwell - RE: Chateau Tongariro - Chattels [BUD-LIVE.FID1250593]	Released in part
15	7/06/2023	Email from Michelle Hooper - Draft letter to KNZ re removal of chattels	Released in part
16	9/06/2023	Email from Steve Brightwell - RE: Chateau - Kahler painting	Released in part
17	9/06/2023	Email from Michelle Hooper - Confidential legally privileged - Draft letter to KNZ re removal of chattels	Released in part
18	20/07/2023	Email from Sarah Apperley - RE: Kahler Work	Released in part
19	29/07/2023	Email from Mark Crookston - RE: Kahler Painting	Released in part
20	13/09/2023	Email from Sarah Apperley - RE: Carl Kahler painting - is it affixed to the wall? [CLO-Docs.DOC041.1005]	Released in part

21	21/09/2023	Email from Sarah Apperley - RE: Chateau draft LONG-TERM Heritage Plan FYF	Released in part
22	25/10/2023	Email from Mitchell Black - RE: Draft Final Art Conservator Report by HPFS	Released in part
23	25/10/2023	Email from Sarah Apperley - RE: Draft Final Art Conservator Report by HPFS	Released in part
24	4/12/2023	Email from Damian Coutts - RE: Kahler Painting Assessment	Released in part

OIAD-3699 - Attachment 2 - Internal Documents (Carl Kahler Painting)			
Item	Date	Document description	Decision
1	26/03/2023	SIGNED - 23-B-0111 - Update on the Chateau Tongariro	Released in part
2	3/04/2023	Letter to Kah re Heritage Chattels -	Released in part
3	N/A	Condition Report - White Terraces Carl Kahler - Chateau Tongariro - DOC-7316412	Released in full
4	19/06/2023	Chateau Lease - Removal of KNZ's Chattels	Released in part
5	N/A	2023-24 Estimates Hot Topics - NORS updates	Released in part
6	18/08/2023	Memorandum on heritage chattels - DOC-7426224	Released in part
7	20/11/2023	SLT Meeting - Abandoned Buildings Cover Paper DOC	Released in part
8	7/12/2023	SIGNED - 23-B-0479 - Briefing - Abandoned Buildings DOC- 7513485	Released in part
9	20/02/2023	Status Report Items - Carl Kahler painting (Chateau Tongariro)	Released in part

OIAD-3699 - Attachment 3 - External Assessment Reports (Carl Kahler Painting)			
Item	Date	Document description	Decision
1	N/A	Artifact preservation correspondence for consultation	Released in part
2	N/A	Significance Assessment - Carl Kahler Painting	Released in part
3	N/A	The White Terrace of Lake Erotomania Panted Before Being Buried by The Eruption Of Mt Tarrawarra 188..._cr	Released in part
4	N/A	Chateau Tongariro Condition Assessment Report FINAL	Released in part