
From: 9(2)(a) s 9(2)(a)
Sent: Tuesday, 17 September 2019 9:12 am
To: Deidre Ewart; Phil Brownie
Cc: David Stavert
Subject: RE: Community Services Contribution

Morning Deidre,

You should expect a communication from our owners this week.

9(2)(a)
Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel
s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>
Sent: Tuesday, 17 September 2019 9:06 AM
To: 9(2)(a) s 9(2)(a) ; Phil Brownie <pbrownie@doc.govt.nz>
Cc: 9(2)(a) s 9(2)(a)
Subject: RE: Community Services Contribution

Hi 9(2)(a),

Just a regular touch base to see how you are progressing with this?

Any update that you may be able to provide?

Nga mihi
Deidre

From: Deidre Ewart
Sent: Tuesday, 27 August 2019 11:36 a.m.
To: 9(2)(a) s 9(2)(a) ; Phil Brownie <pbrownie@doc.govt.nz>
Cc: 9(2)(a) s 9(2)(a)
Subject: RE: Community Services Contribution

Thanks for the update 9(2)(a),

Let's keep in touch

From: 9(2)(a) s 9(2)(a)
Sent: Tuesday, 27 August 2019 10:57 a.m.
To: Deidre Ewart <dewart@doc.govt.nz>; Phil Brownie <pbrownie@doc.govt.nz>
Cc: 9(2)(a) s 9(2)(a)
Subject: RE: Community Services Contribution

Apologies for the delay Deidre,

We have been working in the background on this with our head office. The hold up has come through as expected capital expenditure required has ballooned to over ^{s 9(2)(b)(ii) & s 9(2)(j)}. This level of investment required has pushed us into new territory regarding appropriate research, analysis and business case proposals.

This all of course needs to factor in potential operating costs which include the lease fee and CSC.

We are working hard on this and are mindful of the timeframe, we will get something to you asap but unfortunately I cannot give you a time frame right now.

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel
s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>

Sent: Tuesday, 20 August 2019 2:04 PM

To: 9(2)(a) s 9(2)(a); Phil Brownie <pbrownie@doc.govt.nz>

Cc: 9(2)(a) s 9(2)(a); s 9(2)(a)

Subject: RE: Community Services Contribution

Hi 9(2)(a),

Just touching base.

Any update on when we may expect to see this?

Kind Regards

Deidre

From: 9(2)(a) s 9(2)(a)

Sent: Monday, 5 August 2019 10:44 a.m.

To: Deidre Ewart <dewart@doc.govt.nz>; Phil Brownie <pbrownie@doc.govt.nz>

Cc: 9(2)(a) s 9(2)(a); s 9(2)(a)

Subject: RE: Community Services Contribution

Morning Diedre,

Apologies yes we are still working on this. Will get something through to you as soon as possible.

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel
s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>

Sent: Monday, 5 August 2019 10:39 AM

To: 9(2)(a) 9(2)(a) Phil Brownie <pbrownie@doc.govt.nz>

Cc: 9(2)(a) s 9(2)(a); s 9(2)(a)

Subject: RE: Community Services Contribution

Hi 9(2)(a),

Just touching base.

Any outcome on this or are you still working with your Board?

Nga mihi

Deidre

From: 9(2)(a) s 9(2)(a)

Sent: Tuesday, 23 July 2019 12:53 p.m.

To: Deidre Ewart <dewart@doc.govt.nz>; Phil Brownie <pbrownie@doc.govt.nz>

Cc: 9(2)(a) s 9(2)(a) ; s 9(2)(a)

Subject: RE: Community Services Contribution

Hi Deidre,

We are currently having discussions with the board, we hope to be in a position to table a proposal next week.

Kind regards,

9(2)(a)

Financial Controller

Wairakei Resort & Chateau Tongariro
Private Bag 2006, Taupo

s 9(2)(a)

s 9(2)(a)

Website: www.wairakei.co.nz; www.conferencetaupo.co.nz



 Please consider our environment... do you really need to print this email?

Bayview International Hotels & Resorts are located in exciting destinations in Singapore, Malaysia, Australia and New Zealand. Whether you are on business or leisure, rest assured by our award-winning standard of service and the comfort of well-appointed accommodation.

Bayview International Hotels & Resorts recently unveiled a new online experience to its worldwide internet users on its corporate website, www.bayviewhotels.com. Promoting quicker and faster navigation, the new website combines technology modules that provide users the capacity to make new bookings, modify and cancel reservations instantly. Visit www.bayviewhotels.com for an ultimate online experience.

CONFIDENTIAL NOTE : The information contained in this email is intended only for the use of the individual or entity named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete the mail. Thank you.

From: Deidre Ewart <dewart@doc.govt.nz>

Sent: Tuesday, 23 July 2019 10:33 AM

To: 9(2)(a) s 9(2)(a) ; Phil Brownie <pbrownie@doc.govt.nz>

Cc: 9(2)(a) s 9(2)(a) ; s 9(2)(a)

Subject: RE: Community Services Contribution

H 9(2)(a),

Just touching base on this.

I understand from Phil that the two have been working together, to resolve the questions posed below. Phil had also advised that we were likely to receive your proposed lease fee a week or so ago after it had been considered by your Board.

Please can you give me an update as to when we will be likely to hear from you?

Kind Regards
Deidre

9(2)(a) 9(2)(a)

Sent: Thursday, 6 June 2019 11:08 a.m.

To: Phil Brownie <pbrownie@doc.govt.nz>

Cc: Deidre Ewart <dewart@doc.govt.nz>; 9(2)(a) s 9(2)(a) ; s 9(2)(a)

Subject: Community Services Contribution

Good morning Phil,

Are you able to provide us with an update regarding the Community Services Contribution outlook for the Whakapapa Village? When we last met you had advised that you would be overseeing this issue and would be able to provide more certainty around what this would look like moving forward with the additional capital and operational work required in the village.

As per Deidre's email on the 4th of June for Kah NZ to propose a fee for the Lease agreement we must have an idea of what the CSC cost is going to look like. As it currently stands we pay approximately ^{s 9(2)(b)(i) & s 9(2)(i)} per annum with the last estimate we received showing this to potentially increase by 9(2)(i). As stated in our report the CSC combined with the rates we already pay to local councils significantly exceeds that of any other provincial hotel in NZ. Any further increase would lift that burden even higher.

Our board and I assume potentially any future owner of the Chateau, would not want to sign a lease agreement with such a large unknown expense which would significantly impact on the business being able to operate.

Is it possible that we could have this information as soon as possible so we may propose a lease fee or alternatively are we able to propose a consolidated lease agreement figure/rate which incorporates the CSC as part of it?

Kind regards,

9(2)(a)

Financial Controller

Wairakei Resort & Chateau Tongariro
Private Bag 2006, Taupo

s 9(2)(a)

s 9(2)(a)

Website: www.wairakei.co.nz; www.conferencetaupo.co.nz



 **Please consider our environment... do you really need to print this email?**

Bayview International Hotels & Resorts are located in exciting destinations in Singapore, Malaysia, Australia and New Zealand. Whether you are on business or leisure, rest assured by our award-winning standard of service and the comfort of well-appointed accommodation.

Bayview International Hotels & Resorts recently unveiled a new online experience to its worldwide internet users on its corporate website, www.bayviewhotels.com. Promoting quicker and faster navigation, the new website combines technology modules that provide users the capacity to make new bookings, modify and cancel reservations instantly. Visit www.bayviewhotels.com for an ultimate online experience.

CONFIDENTIAL NOTE : The information contained in this email is intended only for the use of the individual or entity named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete the mail. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.



16 September 2019

Phil Brownie
Principal Commercial and Revenue Advisor
Department of Conservation

Dear Mr Brownie,

Following discussions between Kah NZ and the Department of Conservation, we understand that the Department is unable to provide us with further guidance in terms of the method of calculation and quantum for the Community Services Contribution in future years. As these amounts could be substantial, we are uncomfortable with having what could be an unlimited liability in future years. We have expressed our concern but we understand that nothing definite is forthcoming from the Department for the moment. As the end of the lease is drawing near, we have prepared the following Lease and Community Services Contribution final offer for your consideration subject to contract.

Lease Fee – 9(2)(i) of Total Revenue per annum fixed for the duration of the lease.

Community Services Contribution – Capped at a maximum amount of 9(2)(i) of Total Revenue per annum.

As we are both interested parties, we have also obtained an independent valuation from Colliers and we attach a copy for your reference. We hope this can be used as an unbiased reference point for both parties.

Should we fail to come to an agreement, we assume that the lease termination clause 10.03 under the current lease shall come into effect.

We hope you will give our offer due consideration and we look forward to your favourable response. Thank you very much indeed.

Yours Sincerely,

s 9(2)(a)
K _____ an
Director
Kah New Zealand Limited

Cc: 9(2)(a) | 9(2)(a)

From: Phil Brownie
Sent: Monday, 13 January 2020 8:39 am
To: Deidre Ewart
Subject: FW: FW: Lease renewal offer
Attachments: Chateau_Report_FINAL_Dec_2019.pdf

I haven't had a read yet but will do so today

Phil

From: s 9(2)(a)
Sent: Monday, 13 January 2020 4:47 a.m.
To: Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: FW: Lease renewal offer

Kia ora Phil,

No problem at all on this, I needed a day out of boots anyway!

See attached for a 'final' version of this report to provide to Kah – the changes are relatively minor and largely around the qualifications to the report and reliance.

One point I have introduced is that a new lease has implications for both parties as the pre-existing lease rights are effectively extinguished – this is a legal issue and one that both parties should seek independent legal advice on (which I have no doubt you will be across). I've also bolstered the comments around available market evidence and that more 'research' may be warranted, this would be a good opportunity to raise other transactions that you have referenced.

Let me know if any queries and trust the meeting with them goes well.

Regards
s 9(2)(a)

s 9(2)(a)

From: Phil Brownie <pbrownie@doc.govt.nz>
Sent: Friday, 10 January 2020 11:36 AM
To: s 9(2)(a)
Subject: RE: FW: Lease renewal offer

Hi s 9(2)(a)

Deidre and I are happy with your proposal and the timing you suggest. Sorry to rain in on your holiday.

Kind regards

Phil

From: s 9(2)(a)
Sent: Thursday, 9 January 2020 5:17 p.m.
To: Phil Brownie <pbrownie@doc.govt.nz>
Subject: Re: FW: Lease renewal offer

Kia ora Phil,

Happy New Year to you.

I'm not averse at all to DOC releasing my report, however before you do so I would like to re-review it to be completely comfortable, given the wider audience - the substantive aspects of the report I am happy with, I would simply like to check the semantics around wording of the qualifications and assumptions etc. I can do this in the next day or so and have it ready to go by Monday a.m. NZ time if that works.

Let me know if any issues.

Thanks
s 9(2)(a)

On Wed, 8 Jan 2020 at 14:13, Phil Brownie <pbrownie@doc.govt.nz> wrote:

Kia ora from NZ s 9(2)(a)

Hate to spoil your holiday but need some professional advice around releasing your commentary as per below .

You may recall I shared with you're the report from their valuer late last year.

Thoughts appreciated

Cheers Phil

From: Deidre Ewart <dewart@doc.govt.nz>
Sent: Wednesday, 8 January 2020 2:41 p.m.
To: Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Thanks Phil,

Had a quick chat with Andrew in legal.

We will need to release under the OIA, but I will await your advice from s 9(2)(a) before any release occurs. Please let 9(2)(a) know that it has been requested and that we clearly already have a copy of their valuation

Cheers

Deidre

Sent from Workspace ONE Boxer

On 8/01/2020 12:00 pm, Phil Brownie <pbrownie@doc.govt.nz> wrote:

Hi Deidre

I will go back to s 9(2)(a) for comment

Therefore at this stage we should not be sharing until we have heard back from s 9(2)(a)

I would suggest that a discussion with legal would not be out of the question to give ourselves a degree of protection for those matters which may be currently invisible to our eyes – your thoughts ?

Phil

From: Deidre Ewart <dewart@doc.govt.nz>
Sent: Monday, 6 January 2020 11:15 a.m.
To: Phil Brownie <pbrownie@doc.govt.nz>
Subject: FW: Lease renewal offer

Hey Phil,

Welcome back on Wednesday.....

Please can you confirm that it is OK to share s 9(2)(a) report with Jerome and the Kah team?

Cheers

Deidre

From: [REDACTED] s 9(2)(a)
Sent: Tuesday, 24 December 2019 4:29 p.m.
To: Deidre Ewart <dewart@doc.govt.nz>
Cc: Phil Brownie <pbrownie@doc.govt.nz>
Subject: Re: Lease renewal offer

Thanks Deidre,

Will see you on the 14th. Would appreciate the report at your earliest convenience so that I can discuss with the board to ensure we are in the best position to complete this process on the 14th.

Wishing you a Merry Xmas and New Years.

Kind regards,

9(2)(a)

Financial Controller

Wairakei Resort & Chateau Tongariro
Private Bag 2006, Taupo

[REDACTED] s 9(2)(a)

[REDACTED] s 9(2)(a)

Website: www.wairakei.co.nz; www.conferencetaupo.co.nz

P Please consider our environment... do you really need to print this email?

Bayview International Hotels & Resorts are located in exciting destinations in Singapore, Malaysia, Australia and New Zealand. Whether you are on business or leisure, rest assured by our award-winning standard of service and the comfort of well-appointed accommodation.

Bayview International Hotels & Resorts recently unveiled a new online experience to its worldwide internet users on its corporate website, www.bayviewhotels.com . Promoting quicker and faster navigation, the new website combines technology modules that provide users the capacity to make new bookings, modify and cancel reservations instantly. Visit www.bayviewhotels.com for an ultimate online experience.

CONFIDENTIAL NOTE : The information contained in this email is intended only for the use of the individual or entity named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete the mail. Thank you.

On 24/12/2019, at 16:20, Deidre Ewart <dewart@doc.govt.nz> wrote:

Hi 9(2)(a)

Thanks for this.

I will send through an invite for Tuesday the 14th of January – please feel free to forward to anyone else in your team. Phil will Skype in to the meeting. I am happy to come to you at Wairakei.

We have a report from the Valuer – I will check whether we are in a position to share this with you prior to the meeting – acknowledging that you have shared yours with us.

Have a great Christmas and New year and we will see you in 2020.

Deidre

From: 9(2)(a) s 9(2)(a)
Sent: Friday, 20 December 2019 9:36 a.m.
To: Deidre Ewart <dewart@doc.govt.nz>; Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Good morning Deidre,

Happy to meet with you during the week, whatever day is best for you is fine with me. Please send through a calendar invite, happy to host you here if it is easier.

Have your valuers provided you with a report that you are able to share with us beforehand so that this meeting can be as beneficial and close to an outcome as possible?

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel

s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>

Sent: Thursday, 19 December 2019 9:48 AM

To: 9(2)(a) s 9(2)(a) ; Phil Brownie <pbrownie@doc.govt.nz>

Subject: RE: Lease renewal offer

Hi 9(2)(a)

We have now received our advice from our Valuers.

I think that the next step will be for us to sit down again and engage in further negotiations on this matter.

Both Phil and I are back at work on the 6th of January and would be available to meet and discuss any time in the week of the 6th (except for the 7th) or anytime in the week of the 13th of Jan. I will then mostly be on leave or unavailable again until the 17th of February due to other commitments.

I would come to Taupo and we would skype Phil in.

Can you please let me know of your availability to meet? Now that we have this information, we will be looking to conclude these negotiations as soon as possible.

Kind Regards

Deidre

From: 9(2)(a) s 9(2)(a)
Sent: Tuesday, 17 December 2019 2:25 p.m.
To: Deidre Ewart <dewart@doc.govt.nz>; Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Hi Deidre,

Xmas and the new year is fast approaching. Any chance your valuers have been able to produce their report?

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel

s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>
Sent: Wednesday, 27 November 2019 10:25 AM
To: s 9(2)(a) Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Hi Jerome,

I have heard from the Valuer that we are likely to have his report in the next couple of weeks.

It would be nice to think that we can get this resolved before Christmas.

I'll be in touch as soon as I know something.

Kind Regards

Deidre

From: 9(2)(a) s 9(2)(a)
Sent: Monday, 18 November 2019 8:07 p.m.
To: Deidre Ewart <dewart@doc.govt.nz>
Cc: Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Hi Deidre,

Just wondering if you have a firm timeline for the below?

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel

s 9(2)(a)

From: Deidre Ewart <dewart@doc.govt.nz>
Sent: Thursday, 24 October 2019 8:59 AM
To: 9(2)(a) s 9(2)(a)
Cc: Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Hi 9(2)(a),

Thanks for your email.

At this point, I can advise that we have decided to seek further external advice on this matter from an independent Valuer. We do expect that this will take several weeks and therefore we will respond in due course.

At this stage the Valuer isn't intending on undertaking a specific site visit. He is familiar with the Chateau and the location.

I will keep in touch re our progress.

Kind Regards

Deidre

From: 9(2)(a) s 9(2)(a)
Sent: Tuesday, 15 October 2019 2:20 p.m.
To: Deidre Ewart <dewart@doc.govt.nz>
Cc: Phil Brownie <pbrownie@doc.govt.nz>
Subject: RE: Lease renewal offer

Hi Deidre,

Just following up on the below, did you have an expected timeframe for this?

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel

s 9(2)(a)

From: 9(2)(a)
Sent: Monday, 30 September 2019 8:57 AM
To: Deidre Ewart <dewart@doc.govt.nz>
Cc: Phil Brownie <pbrownie@doc.govt.nz>
Subject: FW: Lease renewal offer

Morning Deidre,

Just looping you into the email from our Head Office last week. It seems like the original failed to be sent.

9(2)(a)

Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel

s 9(2)(a)

From: 9(2)(a) s 9(2)(a)
Sent: Friday, 27 September 2019 5:55 PM
To: pbrownie@doc.govt.nz

Cc: 9(2)(a) s 9(2)(a) : 9(2)(a)
s 9(2)(a)

Subject: FW: Lease renewal offer

Dear Mr Brownie

Apologies I didn't realize this didn't go through. I am resending again. Thanks.

Kheng Hwee Tan

From: Tan Kheng Hwee s 9(2)(a)
Sent: Thursday, 19 September 2019 6:09 PM
To: pbrownie@doc.govt.nz
Cc: 9(2)(a) s 9(2)(a) : 9(2)(a)
s 9(2)(a)
Subject: Lease renewal offer

Dear Mr Brownie

I trust you are well. Please find attached our letter of offer and Colliers' valuation report. We hope to receive the DOC's decision soon. Thank you very much indeed.

Kheng Hwee Tan

Director

Kah New Zealand

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all

copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

From: 9(2)(a) s 9(2)(a)
Sent: Thursday, 13 February 2020 4:43 pm
To: Phil Brownie
Cc: Deidre Ewart; Tan Kheng Hwee
Subject: CT Lease Letter
Attachments: Letter to DOC Feb 2020.pdf

Good afternoon Phil,

Please see attached final letter on behalf of Kah New Zealand Limited.

Please respond via email and if you have any queries or concerns please feel free to contact me on the details below.

9(2)(a)
Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel
s 9(2)(a)



Wairakei Resort Taupo and Chateau Tongariro Hotel are proud members of [Bayview International Hotels and Resorts](#).



13 February 2020

Phil Brownie
Principal Commercial and Revenue Advisor
Department of Conservation

Dear Mr Brownie,

In reference to our letter dated 16 September 2019 we would like to reiterate this as our final offer and is the extreme limit as to where we can continue to operate the Chateau Tongariro for the lease period. To summarise again our offer is as follows.

Lease fee – 9(2)(i) of Total Revenue per annum.

Community Services Contribution – Capped at a maximum amount of 9(2)(i) of Total Revenue per annum, or some other mechanism which provides clarity and structure without the potential for unlimited liability.

This process has been ongoing for over 2 years now without traction and now that we are less than 3 months from lease expiry, we require a final decision from DOC. We have provided an independent valuation of which our offer exceeds but we have not had a response from you whether our offer is accepted or rejected. We understand that you are now wanting to conduct your own independent valuation. Although that may be useful for your own internal purpose, we stress that we have already made our decision and our offer above applies.

Also, we stress that time is of essence as the lease expires in April and we need to have your final decision.

If you reject this offer, we would like you to proceed to appoint a new lessee as per Termination clause 10.03 under the current lease agreement before the expiry date. If this is not achievable, we would be willing to consider a short-term lease in order that we can continue to operate the Chateau until the new lessee is ready to take over.

We believe a short-term lease of two years is required, 1) to give certainty to both parties, 2) in order that the issue of the Community Services Contribution (CSC) can be sorted out. As per our offer, we will only consider renewing the lease if there is certainty on the actual amount of the CSC. And if our offer is rejected, any new lessee would also wish to know the CSC amount. Our recommendation is for the DOC to conduct a thorough investigation and then to determine the CSC to be payable by the lessee. We believe that without certainty, it would be difficult for any new lessee to sign on. It is our hope that a new lessee can be identified and we can pass the Chateau to the new lessee in an orderly manner, should we be unsuccessful in renewing the lease.

We hope you will give our offer due consideration and we look forward to your decision as soon as possible. Thank you.

Yours truly

s 9(2)(a)

Kheng Hwee Tan
Director
Kah New Zealand Limited

CC: 9(2)(a) Deidre Ewart

Our ref: DC32

1 April 2020

Kheng Hwee Tan
Director
Kah New Zealand Limited

By email - [REDACTED] s 9(2)(a)

Dear Kheng Hwee Tan

RE: Chateau Tongariro Lease

Thank you for your letter of 13 February 2020 outlining your offer regarding the Lease for Chateau Tongariro. I apologise for the time it has taken us to respond to you, as we continue to navigate how Covid-19 is affecting our operations.

I would like to advise that the Department of Conservation (DOC) is not in a position to accept your counteroffer of 13 February. DOC is, however, willing to permit you to continue to occupy the property after the Lease expires pursuant to the holding over provisions set out in clause 2.02 of the Lease. We are also open to discussion regarding an extension to the notice period as we recognise the need for longer-term certainty at this time.

While it would normally be advantageous to be able to meet with you to discuss your Lease in more detail, we are conscious that with the Covid-19 scenario and the fact New Zealand is currently in a mandatory lockdown for the foreseeable future, this will prove difficult ahead of your Lease expiring. We would, therefore, like to explore the possibility of a virtual meeting to discuss our position with you, and to look at opportunities to utilise the holding-over provisions in clause 2.02 to allow us time for further discussions.

From here, we would suggest a Skype meeting would be beneficial so we can discuss this matter in more detail. In advance of that it would be advantageous to know your position on this matter. Please let me know your availability for a meeting to further discuss a way forward from here.

Nga mihi
[REDACTED] s 9(2)(a)

Damian Coutts
Director Operations

CC [REDACTED] s 9(2)(a) - [REDACTED] s 9(2)(a)



10 April 2020

Damian Coutts
Director Operations
Department of Conservation

Dear Mr Coutts,

RE: Chateau Tongariro Lease

In reference to your letter dated 1 April 2020 we accept your offer to utilise the holding over provisions set out in clause 2.02 of the existing lease. As per the lease agreement this will be at one-twelfth of the annual lease and community services contribution cost from the previous year's amount paid and will continue for the duration of the holding over period.

We seek transparency of the community services contribution or a mechanism within the new lease which details and limits the liability of this cost. This would be required by Kah NZ or any potential new lessee.

As the holding over provision is determinable with one month's notice by either party, we suggest that both parties engage valuers to determine the value of the improvements as set out in the termination clause 10.03 (b)(1). This will allow the efficient hand over of the property to a potential new lessee if this clause is required.

Please confirm your acceptance of the above and we will engage our valuers as soon as reasonably possible given the current Covid-19 restrictions.

Yours Sincerely,

s 9(2)(a)

Kheng Hwee Tan
Director
Kah New Zealand Limited

CC: Jerome Dyer, Deidre Ewart

From: 9(2)(a) s 9(2)(a)
Sent: Monday, 13 April 2020 12:12 pm
To: Damian Coutts
Cc: Tan Kheng Hwee; Deidre Ewart
Subject: CT Lease
Attachments: KAH NZ CT Lease April 2020.pdf

Good afternoon Damian,

Please see attached letter confirming our discussions late last week.

9(2)(a)
Financial Controller, Wairakei Resort Taupo & Chateau Tongariro Hotel
s 9(2)(a)



Wairakei Resort Taupo and Chateau Tongariro Hotel are proud members of [Bayview International Hotels and Resorts](#).

From: Derek Yan [redacted] s 9(2)(a)
Sent: Monday, 3 October 2022 8:16 pm
To: Connie Norgate; Damian Coutts
Cc: George Taylor; Alana Best
Subject: Re: Heritage protection at the Chateau Tongariro Hotel

Thanks Connie...have already arranged an appointment with Damian.

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
[redacted] s 9(2)(a)

From: Connie Norgate <cnorgate@doc.govt.nz>
Sent: Monday, October 3, 2022 3:00:28 PM
To: Derek Yan [redacted] s 9(2)(a) ; Damian Coutts <dcoutts@doc.govt.nz>
Cc: George Taylor <gttaylor@doc.govt.nz>; Alana Best <abest@doc.govt.nz>
Subject: RE: Heritage protection at the Chateau Tongariro Hotel

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kia ora Derek

I am no longer at Whakapapa however have copied in George Taylor who is currently the Operations Manager at Tongariro National Park. Will leave George to get back to you.

Nga mihi

Connie

From: Derek Yan [redacted] s 9(2)(a)
Sent: Monday, 3 October 2022 4:04 pm
To: Damian Coutts <dcoutts@doc.govt.nz>
Cc: Connie Norgate <cnorgate@doc.govt.nz>
Subject: Re: Heritage protection at the Chateau Tongariro Hotel

Hi Damian

I will be travelling to Auckland next week and was wondering if we could schedule a time to meet up to discuss the lease for Chateau Tongariro Hotel.

As you know, we are currently undergoing a DSA undertaken by WSP and the report should be ready by December. At which we want to be able to make a final decision on the future of CTH.

In the meantime, would like to discuss how to move forward on the new lease agreement with you.

Please let me know if you are free next week on Wednesday 12th Oct (anytime). Happy to do lunch with you too if you are available.

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
s 9(2)(a)

From: Damian Coutts <dcoutts@doc.govt.nz>
Sent: Friday, 28 January 2022 3:45 am
To: Derek Yan s 9(2)(a)
Cc: Connie Norgate <cnorgate@doc.govt.nz>
Subject: Heritage protection at the Chateau Tongariro Hotel

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Derek

My apologies for missing your call.

In answer to your query, upgrade works to the Chateau for strengthening purposes would require a Works Approval from the Department of Conservation. However, in addition there are already consenting procedures in place in relation to the heritage status of the building. This is outlined below:

[1] The Chateau is listed at the highest level of heritage significance and protection in the Ruapehu District Plan Appendix 4, specifically:

- District Plan listing: heritage category A ... and
- Heritage New Zealand listing: heritage category 1

[2] The consequences of this heritage status relevant to earthquake strengthening are:

- This work will require a Resource Consent from the Council ... and
- The Council will regard Heritage New Zealand as an affected party ... and
- The hotel owners are already legally bound by this process regardless of any deed to be signed

I hope this helps clarify the situation.

Kind regards
Damian

Damian Coutts
Director Operations
Department of Conservation

From: Derek Yan [redacted] s 9(2)(a)
Sent: Tuesday, 25 January 2022 2:23 PM
To: Damian Coutts <dcoutts@doc.govt.nz>
Subject: Chateau Tongariro Hotel

Hi Damian

Tried giving you a call but believe you in meetings all day.

I am from Bayview International (currently managing Chateau Tongariro) and I know you have been in discussions with Jerome in regards to extending the lease agreement for quite some time now.

We are currently looking at doing a report for the hotel to determine what needs to be done to meet the %NBS requirements. A detailed report will be in excess of [redacted] s 9(2)(b)(ii) & s 9(2)(j) for us and we have got in principle approval to receive a grant from Heritage NZ Puhere Taonga. However, to receive the grant, we are required to sign a deed for the hotel to be under the Heritage NZ Puhere Taonga Act 2014. Now if we are formally bound by the Act, it means that all future renovations (internal and external) will require the the approval of Heritage NZ.

My question to you is, if we do not sign the deed and choose not to receive the grant, when we go through renovations and and seismic strengthening, will we still need approval from Heritage NZ for the works (even though we are not bound by the Act)? Or is there another governing body (aside from council) that we need approval from due to the historical significance of the property?

Please feel free to contact me further should you wish to chat about it.

Regards
Derek Yan
Regional Head - Projects & Product Development
[redacted] s 9(2)(a)

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

From: George Taylor
Sent: Tuesday, 4 October 2022 11:08 am
To: Derek Yan [REDACTED] s 9(2)(a); [REDACTED] s 9(2)(a)
Cc: Damian Coutts
Subject: RE: Heritage Protection at the Chateau Tongariro Hotel

Tēnā kōrua

My apologies, it was my action to schedule this meeting after my discussion with Peter last month.

I look forward to our meeting at our Taupo office on the 14th.

Ngā mihi

George Taylor | Operations Manager | Pou Matarautaki
Department of Conservation Te Papa Atawhai
Whakapapa Village | State Highway 48 | Mt Ruapehu
[REDACTED] s 9(2)(a)
Email: gttaylor@doc.govt.nz | www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai

-----Original Appointment-----

From: Damian Coutts <dcoutts@doc.govt.nz>
Sent: Tuesday, 4 October 2022 10:34 am
To: Derek Yan [REDACTED] s 9(2)(a); [REDACTED] s 9(2)(a) George Taylor
Subject: Heritage Protection at the Chateau Tongariro Hotel
When: Friday, 14 October 2022 3:00 pm-4:00 pm (UTC+12:00) Auckland, Wellington.
Where: TPO - Kiwi Room (Seats 10, Full AV)

Kia ora Derek

Meeting as requested to discuss the new lease agreement.

Ngā mihi

Joanne de Lange
Kaiāwhina - Kaihautu Matarautaki | *Personal Assistant*
To Director Operations, Central North Island
Taupō office | Taupō-nui-a-Tia Office
Phone: [REDACTED] s 9(2)(a)

www.doc.govt.nz



From: George Taylor
Sent: Tuesday, 18 October 2022 8:01 am
To: Derek Yan; s 9(2)(a)
Cc: Damian Coutts
Subject: Chateau Tongariro lease
Attachments: August 2022 DRAFT layout dispersal fields.pdf

Tēnā kōrua

Thanks to you both for making the time to meet on Friday. I wanted to briefly outline our conversation

Context: Apologies from Director, Damian Coutts who couldn't attend the meeting. Discussion was based around an intention to restart negotiations of the DOC lease for the Chateau Tongariro. My understanding is that lease negotiations last year portrayed a difference in opinion of a figure and an interim a month to month scenario has been in place. Two years of COVID restrictions reducing tourism numbers and staff capacity have made it challenging to operate the hotel. Last week's news of RAL going into Voluntary Administration has not helped the situation. The potential outcome of this scenario plus the pending results of recent seismic testing could determine future management of the hotel.

I outlined that should we move forward in negotiations, to please factor two aspects that would effect the area of management for the lease

- The golf course – DOC would like to use the lower area of the course for irrigation of treated wastewater for the new sewerage scheme (see map attached)
- The commercial buildings on the right hand side of SH 48 of Whakapapa Village – Tussock, Garage, Nunnery, Ferguson's – DOC would like to discuss the future use of these buildings.

Going forward we will look to schedule another meeting in December. This will allow time for the receipt of the report of the seismic testing with recommendations and further understanding of the RAL situation.

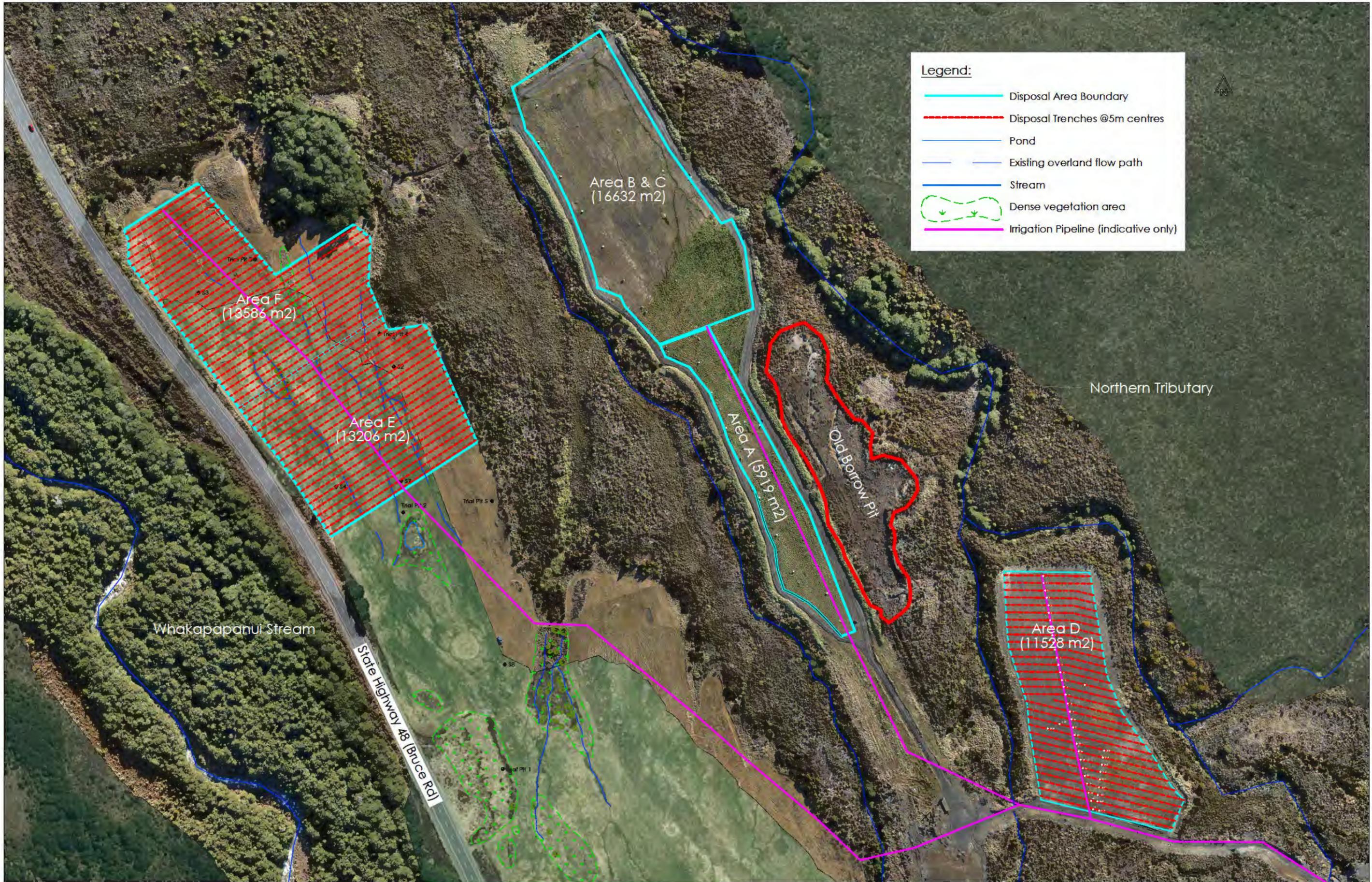
I look forward to meeting again in December and thanks again for taking the time to meet.

Ngā mihi

George Taylor | Operations Manager | Pou Matarautaki
Department of Conservation Te Papa Atawhai
Whakapapa Village | State Highway 48 | Mt Ruapehu
s 9(2)(a)
Email: gttaylor@doc.govt.nz | www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai



Legend:

- Disposal Area Boundary
- - - Disposal Trenches @5m centres
- Pond
- Existing overland flow path
- Stream
- - - Dense vegetation area
- Irrigation Pipeline (indicative only)



DESIGNED:	DATE:	SIGNATURE:	PLOT DATE:	09.08.22
JE	06.10.21			
DRAWN:	DATE:	SIGNATURE:	CAD REF:	Disposal Trenches.dwg
JE	06.10.21			
CHECKED:	DATE:	SIGNATURE:	SURVEY BY:	
JE	08.04.22			
APPROVED:	DATE:	SIGNATURE:	SURVEY DATE:	
JE	28.02.22			
BY:	DATE:	APPROVED:	DATE:	SIGNATURE:
JE	06.10.21			
REF AMENDMENT	BY	DATE		

Department of Conservation
Te Papa Atawhai

PROJECT: DEPARTMENT OF CONSERVATION
WHAKAPAPA TREATED EFFLUENT
DISPOSAL SYSTEM IMPROVEMENTS

TITLE: POSSIBLE FUTURE AREAS E AND F
LOCATION AND LAYOUT PLAN

PLOT STATUS: FOR APPROVAL		
PROJECT No:	SCALES: 1:1000 - A1 1:2000 - A3	A1
DRAWING No:	WW200	REV 5

From: Derek Yan [redacted] s 9(2)(a)
Sent: Friday, 20 January 2023 3:12 pm
To: George Taylor; Peter Pysk
Subject: Re: Chateau/DOC meeting

Hi George

Then lets lock in Tuesday 31st Jan at 1pm.

Peter will join you guys at your office and I will connect with you guys online.

Do you want to send me a meeting link or shall I?

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
[redacted] s 9(2)(a)

From: George Taylor <gttaylor@doc.govt.nz>
Sent: Friday, January 20, 2023 5:48:20 AM
To: Derek Yan [redacted] s 9(2)(a) Peter Pysk [redacted] s 9(2)(a)
Subject: RE: Chateau/DOC meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kia ora Derek

Monday the 30th is actually a public holiday for us (Auckland Anniversary). Suggested times after this are
Tuesday 31st between 1.00-3.00pm
Wednesday 1st between 10.30am-12.30pm
These are the gaps in both mine and Damian's calendars for now. Hope this provides the opportunity for you too.

Cheers

George

From: Derek Yan [redacted] s 9(2)(a)
Sent: Thursday, 19 January 2023 4:59 pm
To: George Taylor <gttaylor@doc.govt.nz>; Peter Pysk [redacted] s 9(2)(a)
Subject: Re: Chateau/DOC meeting

Hi George

Happy New Year to you!

Sorry to have not connected with you sooner but the DSA report is still pending but should be out soon. Peter and I would definitely like to meet but I am not in NZ so can we schedule an online meeting instead.

Would like to have a call on Monday, 30th Jan at 1030am (NZT).

Could you please have Damian on the call as well as I have yet to actually meet him and there are some points that I would like to discuss with him as well.

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
s 9(2)(a)

From: George Taylor <gttaylor@doc.govt.nz>
Sent: Thursday, January 19, 2023 10:26 AM
To: Peter Pysk s 9(2)(a)
Cc: Derek Yan s 9(2)(a)
Subject: Chateau/DOC meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kia ora Peter

Compliments of the season to you.

I'm aware it's been some time since we last talked so I'm wondering if we can meet? Given our last discussion with yourself and Derek, we were going to touch base in December to allow time for the receipt of the report of the seismic testing with recommendations and further understanding of the RAL situation. Given the time past, I feel it's time to meet again. Are you available over the next week or so? Happy to host here in Whakapapa.

Ngā mihi

George Taylor | Operations Manager | Pou Matarautaki
Department of Conservation Te Papa Atawhai
Whakapapa Village | State Highway 48 | Mt Ruapehu
s 9(2)(a)
Email: gttaylor@doc.govt.nz | www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

From: George Taylor
Sent: Friday, 27 January 2023 3:54 pm
To: Derek Yan
Subject: Re: Quick Chat Next Week

Yep, righto all good. Talk then Derek

Sent from Workspace ONE Boxer

On 27/01/2023 3:04 pm, Derek Yan s 9(2)(a) wrote:
Hi George

How abt 1015am? Only need 5 to 10 mins with you.

Rgds
Derek

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
s 9(2)(a)

From: George Taylor <gttaylor@doc.govt.nz>
Sent: Friday, January 27, 2023 9:28:12 AM
To: Derek Yan s 9(2)(a)
Subject: RE: Quick Chat Next Week

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kia ora Derek

I've actually got a project governance meeting 10.30-11.30 that day. Happy to talk either side of that time.

FYI, Damian can't attend on Tuesday. He is taking some leave to attend to his wife who is very ill. Karen Rainbow, Statutory Manager for the CNI Region will join in his absence.

Let me know what time suits you on Tuesday. Happy if it's just a call or MS Teams etc.

Ngā mihi

George

George Taylor | Operations Manager | Pou Matarautaki
Department of Conservation Te Papa Atawhai
Whakapapa Village | State Highway 48 | Mt Ruapehu
s 9(2)(a)
Email: gttaylor@doc.govt.nz | www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai

From: Derek Yan [REDACTED] s 9(2)(a)
Sent: Friday, 27 January 2023 2:19 pm
To: George Taylor <gttaylor@doc.govt.nz>
Subject: Quick Chat Next Week

Hi George

Can we have a quick chat on Tuesday 31 Jan at 1030am new zealand time prior to our online meeting later that day.

Kind Regards

Derek Yan
Vice President – Projects & Product Development
Bayview International Hotels & Resorts
[REDACTED] s 9(2)(a)

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

Kah New Zealand Limited
BN: 9429039113856
640 Wairakei Drive, Wairakei, Taupo, 3330 NZ

6 February 2023

To

George Taylor
Operations Manager
Department of Conservation

By email and delivery

gttaylor@doc.govt.nz

c/- 18 Manners Street, Wellington 6011

Tēnā koe George

Tongariro Chateau – Notice of Termination of Lease

1. As you are aware:
 - (a) Kah NZ Limited (**KNZ**) is tenant under registered lease instrument B183686.1 (varied by instruments 10515769.5 and 10515769.6) (the **Lease**);
 - (b) the Lease is administered by the Department of Conservation (**DOC**), on behalf of the Crown;
 - (c) the Lease expired on 30 April 2020; and
 - (d) KNZ is 'holding over' on a periodic basis under clause 2.02 of the Lease.
2. KNZ wishes to now provide formal notice to DOC that:
 - (a) KNZ exercises its right to terminate the Lease on one month's written notice in accordance with clause 2.02. The Lease will terminate on 9 March 2023 at 9am, or such earlier or later date as agreed by the parties in writing (**termination date**); and
 - (b) in accordance with the provisions of the Lease and subject to paragraph 3 below, KNZ will on or before the termination date:
 - (i) remove certain KNZ fixtures, chattels and equipment from the Land; and
 - (ii) otherwise leave all Improvements in place.
3. KNZ's termination of the Lease is without prejudice to its right to realise value from the Improvements in accordance with clause 10.03(b). DOC will be aware this entitles KNZ to receive from DOC a payment equal to the value of the Improvements, where DOC offers a new lease of the site. KNZ would like to discuss timing of any new incoming tenant and/or the possibility of DOC purchasing the Improvements from KNZ prior to termination.
4. KNZ has appreciated its tenure under the Lease, and values its partnership with DOC. KNZ wishes to ensure a smooth exit and handover with DOC and would be happy to meet with DOC representatives prior to the termination date to discuss KNZ's orderly exit.
5. Please acknowledge receipt of this notice. We look forward to hearing from you.

Kind regards

s 9(2)(a)

TAN Kheng Hwee

Kah New Zealand Limited