



23 October 2024

[REDACTED]

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 31 August 2024, in which you asked for:

1. *All correspondence since 1 Jan 2024 between DOC and other Crown agencies regarding costs to make good the Whakapapa ski concession area, and associated facilities. For instance, lift removal, remediation, ski field buildings, ski club lodges and related infrastructure such as reticulated services etc. Please include all, identified costs such as DOC internal personnel, contract resources as backfill where staff are assigned, or fixed term employees tasked to manage or participate in this work.*

Please provide the information in 6 monthly periods where this is available.

2. *The forecast income loss that DOC will experience as a result of the cessation of ski field operations. Including discussions with other crown agencies.*
3. *All internal DOC correspondence identifying how these figures were determined, and the degree of confidence.*
4. *All documentation and correspondence from 1 Jan 2024 that addresses scenarios to reduce or mitigate the financial impact of such an outcome.*
5. *All ministerial briefings or updates which address this outcome.*

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

On 18 September 2024 you clarified (or refined) your request by confirming that you were seeking information from 1 January 2024 and that in regard to question 4 you seek information that covers operating scenarios which reduce the requirement for make good activities.

On 26 September 2024 we extended the timeframe to respond to your request to 18 October 2024 due to the large quantity of information sought and consultation required to facilitate its release.

Your questions and our responses are listed below:

1. *All correspondence since 1 Jan 2024 between DOC and other Crown agencies regarding costs to make good the Whakapapa ski concession area, and associated facilities. For instance, lift removal, remediation, ski field buildings, ski club lodges and related infrastructure such as reticulated services etc. Please include all, identified costs such as DOC internal personnel, contract resources as backfill where staff are assigned, or fixed term employees tasked to manage or participate in this work.*

Costs to 'make good' the Whakapapa concession were outlined amongst and between agencies via various Memo's and Briefings. Material we hold was previously provided to you via Official Information Act response OIAD-4035 (dated 14 June 2024). We attach another copy of that response for your reference.

Regarding correspondence between the Department and other agencies on 'make good' costs for Whakapapa Ski Area - we do not hold any further correspondence. This accounts for each agency having different responsibilities, with make good provisions primarily the responsibility of DOC. Correspondence on this matter has principally been internal.

For your interest we have provided internal correspondence which concerned 'make good' matters in relation to Whakapapa Ski field. This information accompanies our response as Attachment 1 (items 1 – 3) as outlined in the table below:

Item	Date	Document description	Decision
1	21 February 2024	RE: could you plz send me the RAL cab paper? and is there a separate JM drawdown briefing?	Released in part
2	22 February 2024	RE: RAL Cabinet paper - advice for MOC	Released in part
3	27 February 2024	RE: DOC comments on Cab paper	Released in part

I have decided to release the relevant parts of the documents listed above, subject to information being withheld under one or more of the following sections of the Official Information Act, as applicable:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- commercially sensitive information, under section 9(2)(b)(ii) – to protect the commercial position of the person who supplied the information, or who is the subject of the information,

- advice still under consideration, section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials,
- free and frank expression under section 9(2)(g)(i) – to maintain the effective conduct of public affairs,
- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege,
- commercially sensitive information, under section 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

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.

Other information you may find of interest regarding 'make good' matters is publicly available and can be found at: [Decisions on the future of Ruapehu Alpine Limited in Liquidation and Receivership - Post March 2024 \(mbie.govt.nz\)](#) and [Official Information Act Response 20240354 - Ruapehu Alpine Lifts financial impacts - Received 16 May 2024 - Published Aug 2024 - The Treasury](#).

2. *The forecast income loss that DOC will experience as a result of the cessation of ski field operations. Including discussions with other crown agencies.*

Loss of income due to potential cessation of ski field operations would eventuate should a new concessionaire not be secured to continue operations at Whakapapa Ski field. Loss of income in such a scenario would result from concession fees which could no longer be collected.

Loss of income figures from cessation of Whakapapa Ski-field are withheld under section 9(2)(i) of the Official information Act - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

3. *All internal DOC correspondence identifying how these figures were determined, and the degree of confidence.*

Loss of income figures have not been formally forecast and have rather been deduced from review of fees outlined via existing concession contracts. This aspect of your request is therefore refused under section 18(g) of the Official Information Act as the information requested is not held by DOC.

4. *Information that covers operating scenarios which reduce the requirement for make good activities.*

DOC has not considered operating scenarios which reduce the requirement for 'make good' activities. Any concession application will be considered on its merits when submitted.

DOC contracted third party quantity surveyors in March 2024 to conduct ground-truthing and provide cost estimates for different methods of decommissioning and removal of ski field infrastructure and ski lodges located at Whakapapa ski field. This was to enable us to understand the potential costs involved and how these could be reduced (documents outlined below).

Item	Date	Document description	Decision
1	9 February 2024	RAL Disestablishment Mixed Demolition Method	Withheld in full
2	9 February 2024	RAL Disestablishment Manual Demolition Method	Withheld in full

Until such time that a decision is made regarding Whakapapa Ski Field this information remains commercially sensitive and cannot be released.

This aspect of your request is therefore refused in full under section under 18(a) of the Official Information Act by virtue of having grounds to withhold under section 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

5. *All ministerial briefings or updates which address this outcome*

We do not hold any Ministerial material which directly covers operating scenarios to reduce the requirement for make good activities (apart from briefings which in a general sense cover movement towards securing a buyer for Whakapapa Ski Area). Material identified as in scope has been previously released to you under OIAD-4035 (as discussed in our response to question 1).

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 DOC's website.

Nāku noa, nā



Phillippa Fox
Director Regulatory Authorisations
Department of Conservation
Te Papa Atawhai