

30 January 2024

Stephen Prendergast

fyi-request-24792-6681f1fd@requests.fyi.org.nz

Tēnā koe Stephen

Thank you for your request to the Department of Conservation, received on 20 November 2023, in which you asked:

“For the period 20 June to present please supply all correspondence between either of the minister/DOC and MBIE, or the minister/DOC and Te Arawhiti where the subject or contents include the terms RAL Concession or Whakapapa concession or Turoa concession or concession notification or concession requirements or concession advice.”

I have considered your request under the Official Information Act 1982 (OIA). On 24 November you clarified *“that this request covers the Concession discussions for the ski fields on Mt Ruapehu. Other concessions or locations are not in scope.”*

On 4 December we asked that you refine your request, because, as it was framed, it was very broad and would require searching through a significant volume of information to locate documents in scope. This was because the Department has been in regular contact with the MBIE and Te Arawhiti concerning RAL since June 2023, and the majority of those communications reference the concessions process in some way.

In most cases, this is a minor point in a broader update or communication on other matters, or where multiple versions of a draft document are transmitted between agencies before a final version is confirmed. In these circumstances, we sought your agreement to refine your request to be for:

For the period 20 June to 21 November (date of your request):

- *A copy of all substantive correspondence between DOC, MBIE and/or Te Arawhiti primarily related to the RAL/Whakapapa/Turoa concession process;*
- *A copy of any extracts of finalised documents shared between DOC, MBIE and/or Te Arawhiti concerning the RAL/Whakapapa/Turoa concession process;*
- *Excluding: any draft documents, emails discussing draft documents, or emails of an administrative nature.*

On 6 December you asked, *“Can you please indicate if this is Section 15 (1AB) clarification?”* On 6 December we confirmed that 15(1AB) was applicable. On 7 December you agreed to the proposed refinement. On 19 December we extended the timeframe to respond to your request to 30 January 2024 due to the large quantity of information that remained in scope, and the consultation necessary.

This letter is to confirm that we have decided to release this information to you, subject to redactions as below. However, we need two additional days to prepare the information for release. This information will be sent to you no later than **1 February 2024**, and we appreciate your patience while we take the final steps to prepare the documents for release.

The relevant parts of the documents listed below will be released to you, subject to information being withheld under the following sections of the OIA:

- section 9(2)(a) – to protect the privacy of natural persons;
- section 9(2)(b)(ii) – to protect the commercial position of the person who supplied the information, or who is the subject of all the information;
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs;
- section 9(2)(h) - to maintain legal professional privilege;
- section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice; and
- section 9(2)(f)(iv) – to protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Item	Date	Document description	Decision
1	22 June 2023	Email correspondence between DOC and Te Arawhiti and DOC and MBIE	Released in part - Section 9(2)(a), 9(2)(h), 9(2)(b)(ii)
2	28 July 2023	Departmental Briefing between DOC and Minister of Conservation	Released in part - Section 9(2)(a), 9(2)(h), 9(2)(j), 9(2)(g)(i), 9(2)(f)(iv)

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA 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 OIA. Please note that this letter (with your personal details removed) and attached documents may be published on the Department's website.

If you would like to discuss this response with us, please contact Vicki Crosbie, National Permissions Advisor by email to vcrosbie@doc.govt.nz.

Nāku noa, nā



Rachael Jordan
Principal Advisor, Regulatory Services
Department of Conservation
Te Papa Atawhai