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24 July 2023

Cherry Nield
Cromwell

Email: c/-fyi-request-22942-28626c6a@requests.fyi.org.nz

Dear Ms Nield,

OFFICIAL INFORMATION ACT 1982 (OIA) – REQUEST FOR INFORMATION - CHRISTCHURCH INTERNATIONAL AIRPORT LIMITED (CIAL)

1. We write further to our email of 30 June 2023, acknowledging receipt of your email of 28 June 2023 (via the third party public platform fyi.org.nz) in which:
 - a. you responded to our earlier letter dated 27 June 2023 addressing your OIA request of 29 May 2023 (the “**Original Request**”); and
 - b. you requested further information from CIAL under the OIA (the **Additional Request**).

Your Original Request

2. You have stated in your email of 28 June 2023 that you “*do not accept [CIAL’s] outright refusal for the information requested and the reasons provided. [CIAL has] the option to redact any confidential sections for reasons provided for in the [OIA].*”
3. We noted at paragraph 5 of our letter dated 27 June 2023 responding to your Original Request that correspondence in relation to the purchase of land in the Tarras area is confidential and contains commercially sensitive information that has arisen out of, or has been provided in the course of, CIAL’s evaluation, negotiation and/or entry into arms’ length commercial transactions.
4. CIAL has considered whether redaction of any such correspondence (to the extent any such correspondence exists) would enable its release. However, while land owned by CIAL in the Tarras area is in the public domain, any correspondence in relation to the purchase of any such land, including the existence, form and timing of any specific correspondence, is confidential and commercially sensitive. For this reason, redaction is not appropriate in these circumstances.

Your Additional Request

5. As noted in our email of 30 June 2023, CIAL is, pursuant to section 15(1AA) of the OIA, treating the Additional Request (which was made assuming CIAL continued to refuse your Original Request) as a new request for information. Your Additional Request comprises two separate parts and we deal with both parts below.

Part 1: Did CIAL inform Christchurch City Council (or CCHL) of the intent to purchase the Parcell land before the purchase was completed, ie the land sale contract was signed or went unconditional.

6. CIAL operates on a “no-surprises” basis with its shareholders in respect of agreed material. In relation to the Parcell land purchase, we confirm that CIAL complied with its “no-surprises” obligations to its shareholders.

Part 2: Has CIAL had discussions with land-owners other than Parcell in the Tarras area during the course of this year with the intent to purchase land.

7. Please refer to paragraph 4 of this letter above. The fact of the existence of any discussions or correspondence with any land-owners in relation to the purchase (or potential purchase) of any land is confidential and commercially sensitive.
8. CIAL is therefore refusing this request on the same grounds set out in paragraphs 3 and 4 of our letter of 27 June 2023, as further explained in paragraphs 5 to 8 of that letter.

Your rights of investigation and review

9. We trust you understand the reasons for our decision to refuse your requests. If you require any further information or we have in some way misinterpreted your requests, please let us know.
10. You have the right, by way of complaint under section 28(3) of the OIA, to seek an investigation and review by the Ombudsman of the decisions contained in this letter (and the decisions contained in our earlier letter of 27 June 2023 in response to your Original Request). Information about how to contact the Ombudsman or make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

CIAL LEGAL TEAM

Email: legal@cial.co.nz