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Bettina Meyer

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Tēnā koe Ms Meyer

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

1. We write further to our email of 2 August 2023, acknowledging receipt of your OIA request of 31 July 2023 seeking the following information (if held by CIAL) in relation to the proposed Central Otago airport project:

Request: Received 31 July – The team working on the proposed Central Otago Airport

Please share with me a list of all consultants, designers, contractors, and advisers working on the proposed Tarras airport, their scope of work and list of outputs.

Please share with me a list of the employee (not names, just by position or role) time spent on the Central Otago Airport project from 2017 to date, and the related hours (both number and cost to CIAL) of that internal resource. This includes all project, legal, communications, executive and other staff member time. If you cannot break this down accurately (which would be quite surprising and concerning), please say so, and provide close approximations.

As above, but the projected hours from today's date for the next three years.

2. CIAL will provide you with the requested information where it is able. However, you will note within this letter that it is occasionally unable to release requested information if it would prejudice or disadvantage CIAL's commercial activities. Before we answer your specific queries, it may be helpful to provide some context to this.
3. The OIA permits an organisation to refuse to release requested information it holds if the withholding of such information is necessary to enable the organisation to carry out its commercial activities or negotiations without prejudice or disadvantage (s 9(i) and s9(j) OIA) provided that such withholding is not outweighed in the circumstances by the public interest in making the specific information available. For example, while it may be in the public interest to understand that CIAL is investigating the feasibility

of establishing an airport in Central Otago that does not mean CIAL must share every detail of its analysis, work or negotiations within specific work streams.

4. At present CIAL is under no legal obligation to consult in relation to the Project. To assist public understanding of the context of the Project and CIAL's decisions, CIAL has committed to, and does, proactively publish information as it completes pieces of work which is likely to be in the public interest to receive on its dedicated Project web-site at <https://www.centralotagoairport.co.nz/>. Until work is completed, it is not capable of being released. Over time this will see more information voluntarily released. In such instances the public interest test will have been considered and weighed up as part of the decision whether to release information or not. Equally, each OIA query CIAL receives will be assessed on a case by case basis given the particular given facts and circumstances at play at that time.
5. CIAL is a council-controlled trading organisation that has been specifically established to operate and manage its business as an independent commercial undertaking for the purposes of making a profit, and to follow generally accepted commercial practices and disciplines. CIAL is not a public body collecting and spending public funds. It operates as a wholly commercial, standalone entity. Due to the size and scale of those activities it is one of only three major airports in New Zealand regulated under Part 4 of the Commerce Act.
6. As an airport CIAL has a further overriding obligation under the Airport Authorities Act to act as a commercial undertaking. It does so in a commercially competitive environment both domestically and internationally, where its competitors are not under corresponding disclosure requirements. The proposed Central Otago airport project is a complex commercial activity, acknowledged as being in competition with the interests of other airports within New Zealand.
7. In respect of your request, we respond as follows:

Request:

“a list of all consultants, designers, contractors, and advisers working on the proposed Tarras airport, their scope of work and list of outputs.”

The Project is in the process of obtaining and analysing information related to the Project, which is a complex commercial activity. The disclosure of the identity of consultants and experts engaged by CIAL, or who may have been approached by, or approached CIAL, but are not engaged is information that may impact on CIAL's ability to carry out its commercial activities in relation to the Project without disadvantage. As it completes and publishes pieces of work as described above, it will revisit the public interest in releasing the requested information as it relates to that piece of work. Accordingly, at this time, this information is withheld under Section 9(2)(i) of the OIA.

“a list of the employee (not names, just by position or role) time spent on the Central Otago Airport project from 2017 to date, and the related hours (both number and cost to CIAL) of that internal resource. This includes all project, legal, communications, executive and other staff member time. If you cannot break this down accurately (which would be quite surprising and concerning), please say so, and provide close approximations.”

In addition to the external advisers and consultants already mentioned, we have a dedicated Project Team at CIAL consisting of 2 individuals working predominantly full time on this Project. We do not hold a record of exact hours attributable to this Project however.

“As above, but the projected hours from today’s date for the next three years.”

8. No such specific projections of the type and tenure requested exist. There will be many factors affecting the scope and resource requirements of this Project as it goes through different stages. These are dealt with in CIAL’s general financial planning and reporting processes and we are therefore unable to provide this information. In any event, this is not financial information of the detail that would be disclosed, even if such information existed.
9. We trust we have answered your requests for information. If you require any further information or we have in some way misinterpreted your requests, please let us know.
10. You have the right to seek an investigation and review by the Ombudsman of the decisions contained in this letter. 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