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6 September 2023

Bettina Meyer

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Tēnā koe Ms Meyer

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

1. We write further to our email of 10 August 2023, acknowledging receipt of your OIA request (the **Request**) of 09 August 2023 to CIAL seeking the following information:

Request - Received 09 August 2023 – Dealings with Aurora

“Please supply me with copies of correspondence with Aurora Energy Limited, plus meeting dates, agendas, minutes and notes”.

2. From the outset, please note that CIAL will provide you with the requested information where it is able. 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.
3. At present, CIAL is under no legal obligation to consult in relation to the Central Otago Airport Project (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.
4. 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.

5. 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 Project is a complex commercial activity, acknowledged as being in competition with the interests of other airports within New Zealand.
6. We respond to your Request as follows:

Request:

“Please supply me with copies of correspondence with Aurora Energy Limited, plus meeting dates, agendas, minutes and notes”.

The following meetings have been held between CIAL and Aurora Energy Limited (**Aurora**):

July 2022	Meeting with Aurora
June 2023	Meeting with Aurora

CIAL does not hold any agendas, minutes or notes.

With the exception of emails (i) of an administrative nature between Aurora and CIAL to organise the meetings, and (ii) relating to the removal of trees on land owned by CIAL at Tarras no correspondence is held by CIAL. The latter email chain contains information in relation to the tenant of that property and to protect their privacy and enable CIAL to carry on commercial activities, without prejudice or disadvantage, is withheld under Section (9)(2)(a) and 9(2)(j) of the OIA.

7. We trust we have answered your Request for information. If you require any further information or we have in some way misinterpreted your requests, please let us know.
8. 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.

Ngā mihi

CIAL LEGAL TEAM

Email: legal@cial.co.nz