

11 September 2023

Mike Moody

**Email:** [c/-fyi-request-23834-8eab4c5f@requests.fyi.org.nz](mailto:c/-fyi-request-23834-8eab4c5f@requests.fyi.org.nz)

Dear Mr Moody,

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

1. We write further to our email of 16 August 2023, acknowledging receipt of your email of 14 August 2023 (via the third party public platform [fyi.org.nz](http://fyi.org.nz)) in which you requested the following information pursuant to the OIA:

*“a list of all dates and locations (eg town or Zoom) showing which groups or organisations CIAL or its contractors have presented to in relation to the proposed new airport in Central Otago. Please provide a full list in chronological order.”*

(referred to in this letter as “**Request 1**”)

*“Please also provide the detailed engagement plan the team is working to, and details of the engagement budget, or if there isn’t one, costs associated with engagement - even if a near guesstimate.”*

(referred to in this letter “**Request 2**”)

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 query, 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(2)(i) and s9(2)(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 plans, analysis, work or negotiations within specific work streams.
4. At present, CIAL is under no legal obligation to consult in relation to the proposed 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/> (the **Project Website**).

5. As you may be aware, 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 1986.
6. As an airport, CIAL has a further overriding obligation under the Airport Authorities Act 1966, and reinforced by the Civil Aviation Act 2023, 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.

*Request 1*

7. In relation to Request 1, as we noted to you in our letter of 28 August 2023 sent via the third party public platform fyi.org.nz (responding to a separate request you made on 31 July 2023 (the **Previous Request**)), information on CIAL's approach to engagement can be found at its Project Website. While, as noted above, CIAL is under no legal obligation to consult in relation to the Project or otherwise publicly engage at present, in order to assist public understanding of the context of the Project and CIAL's decisions, CIAL has committed to respectfully engaging with the community. To date, CIAL has also met with a number of different individuals and entities, including specific representatives of community groups, business groups, businesses, and local authorities. CIAL is confident that where there has been a reasonable request to meet, it has done so in line with its approach to engagement described above and its statutory requirements.
8. In terms of groups and organisations that CIAL has presented to in relation to the Project, a general summary is provided below.

	<b>Description</b>	<b>Further details and dates</b>	<b>Virtual or in-person</b>
1.	Members of the public, Tarras Community Hall	July 2020	In person
2.	Members of the public, Community Drop-in Days, Tarras Community Hall	March 2021, August 2023	In person
3.	Members of the public, Community Drop-in Days, Cromwell Presbyterian Hall	August 2023	In person
4.	Members of the public, Community Drop-in Days, Edgewater Resort Wanaka	August 2023	In person
5.	Mana whenua	Hui with 3 Papatipu Rūnunga and their representatives at various dates	Both in person and virtual format
6.	Various community & member groups and organisations	Various dates	Both in person and virtual format

7.	Education Institutions (Secondary Schools and Universities)	Cromwell College (Q2 2022), Dunstan high School (Q2 2022), Mt Aspiring College (Q3 2021 and Q2 2022), Kaikorai Valley College (Q3 2023), University of Otago Geography Department (Q3 2023)	In person
8.	Various business & industry groups and organisations	Various dates (including Wanaka Chamber of Commerce July 2023)	Both in person and virtual format
9.	Local Authorities (Central Otago District Council, Cromwell Community Board, Christchurch City Council, Southland Mayoral Forum, Otago Regional Economic Development (ORED) Working Group)	Various Dates	Both in person and virtual format
10.	Sector Workshops	July 2022	In person
11.	Conferences / Seminars	Aviation Conference 2023, NZ Infrastructure Conference 2022 ( <i>Note, the Project was discussed within talks given at these conferences, but was not the entire focus of the talk</i> )	In person

9. Except as described in rows 1 to 4, and 9 above, those include non-public meetings or events where CIAL has responded to invitations to it to speak. CIAL is not able to disclose further information including the specific identity of each of those groups or organisations with the information requested being withheld under section 9(2)(i) of the OIA.

*Request 2*

10. In relation to Request 2, we note you made a very similar request pursuant to your Previous Request where you requested details of *"all strategy documents, emails, memos and aide memoirs relating to engagement strategies with the Tarras community, individuals or groups that are Tarras based..."* As we noted in our response to your Previous Request (in addition to the information provided at paragraph 7 above) the release of CIAL's internal plans, strategies and methodologies may disadvantage CIAL's ability to carry out its commercial activities in relation to the Project. Accordingly, this information is withheld under Section 9(2)(i) of the OIA. Further, CIAL is not able to release its budgets for the same reasons.
11. 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.
12. 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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

**CIAL LEGAL TEAM**

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