

Uploaded to www.fyi.org.nz

20 April 2020

We refer to your request under the Local Government and Official Information and Meetings Act 1987 ("the Act") to Invercargill Airport Limited ("IAL") requesting the following information:

"In September 2019 it was reported in the Otago Daily Times that "The South's three commercial airports - Dunedin, Invercargill and Queenstown - have signed a memorandum of understanding to "foster a collaborative working relationship" and "the airport leaders have been discussing opportunities to work together in a number of areas including health and safety, environmental sustainability, operational excellence and supporting strategic regional tourism initiatives." Could you please provide me with a copy of the memorandum of understanding."

First, we would like to apologise for the delay in responding to your request. Despite a comprehensive search of our IT system, we have been unable to locate a copy of the request made (other than as supplied by the Office of the Ombudsman) and it appears likely it has been automatically deleted by the IAL's spam filter. We have taken steps to ensure this does not occur again in future.

Having considered your request, IAL's decision is to withhold the Memorandum of Understanding (in its entirety) on the grounds that:

1. the making available of the Memorandum of Understanding would be likely unreasonably to prejudice the commercial position of IAL and the other parties to the Memorandum of Understanding (section 7(2)(b)(ii) of the Act);
2. the withholding of the Memorandum of Understanding is necessary because it is subject to an obligation of confidence, and the making available of the Memorandum of Understanding by IAL in breach of such obligation of confidence would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied, so as to ensure IAL can achieve the objectives of the Memorandum of Understanding outlined in the press release referred to in your request, namely, enhancing health and safety, environmental sustainability and operational excellence at Invercargill Airport, and supporting strategic regional tourism initiatives; and
3. withholding of the Memorandum of Understanding is necessary to enable IAL to carry out, without prejudice or disadvantage, commercial activities, including working together with the other southern commercial airports as contemplated by the Memorandum of Understanding in the areas referred to in the press release (section 7(2)(h) of the Act),

and that the public interest in the Memorandum of Understanding does not outweigh any of the above considerations.

If you wish to discuss this response with us, please feel free to contact admin@invercargillairport.co.nz. If you are not satisfied with this response regarding your request for a copy of the Memorandum of Understanding, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in green ink, appearing to read 'Nigel Finnerty', with a small dot at the end.

Nigel Finnerty

