

22 September 2023

Rod Fee

**Email:** [c/-fyi-request-23965-157a1777@requests.fyi.org.nz](mailto:c/-fyi-request-23965-157a1777@requests.fyi.org.nz)

Dear Mr Fee,

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

1. We write further to our email of 28 August 2023, acknowledging receipt of your email of 27 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:

*“Christchurch Airport has stated that the proposed airport at Tarras is needed for the future economic well being of the community. Please provide evidence, research, and analysis for this.”*  
(the “Request”)

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. 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.
5. 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

6. are not under corresponding disclosure requirements. The proposed Central Otago airport Project (the Project) is a complex commercial activity, acknowledged as being in competition with the interests of other airports within New Zealand.
7. The Project is currently in the validation and planning phase which in and of itself is a complex commercial activity. 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 website at <https://www.centralotagoairport.co.nz/> (the Project Website).
8. With respect to your Request, the recently published *Unlocking potential: Central Otago's runway to a future-focussed airport* (<https://www.centralotagoairport.co.nz/uploads/images/Unlocking-potential-31-Aug2023.pdf>) includes extensive summary information on the economic and social impact an airport is likely to have and the likely impacts of constrained air capacity on communities within the Central Otago region.
9. You may also wish to note the analysis by MartinJenkins in 2020 on behalf of Queenstown Lakes District Council into a number of options to address constrained aviation and the impact of these options. While this analysis does not include any impact beyond the Queenstown Lakes District it provides a useful insight into the significant economic impacts the right infrastructure can have on the Central Otago region. You can find this report at [https://www.qldc.govt.nz/media/0xkdujeq/mj\\_socioeconomic-impacts-of-ql-airports\\_final\\_report\\_15062020.pdf](https://www.qldc.govt.nz/media/0xkdujeq/mj_socioeconomic-impacts-of-ql-airports_final_report_15062020.pdf).
10. CIAL has obtained various reports from external advisers in relation to the economic impact of a new airport, and of constrained air capacity. Noting the information provided publicly so far in relation to the Project, CIAL considers that release of any further, non-public information may impact on CIAL's ability to carry out its commercial activities in relation to the Project without prejudice or disadvantage. Accordingly, this information is withheld under section 9(2)(j) of the OIA.
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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