



12 February 2021

Withheld under Section 9(2)(a) of the Official Information Act 1982

[REDACTED]

[REDACTED]

Dear [REDACTED]

I refer to your request dated 24 December 2020, pursuant to the Official Information Act 1982, seeking:

- All correspondence between MOT and Airways, and any briefings to Ministers, regarding any Airways proposals to exit airfield power and lighting or other aerodrome services at airports.
- A list of any internal MOT documents or correspondence which discuss this issue.

The following documents are relevant to your request:

1. a briefing to the Minister of Transport, dated 31 October 2019, titled *Airways – Structure and Incentives*
2. a Ministry internal email of 2 March 2020, together with an email of 2 March 2020 from the Airways Corporation to the Ministry
3. an email of 2 March 2020 from the Office of Hon Phil Twyford to the Ministry, together with an email of 2 March 2020 from the Airways Corporation to the Office of Hon Phil Twyford
4. a letter of 2 March 2020 from the Airways Corporation to the Ministry
5. an email of 3 March 2020 from the Civil Aviation Authority to the Ministry together with an email of 2 March 2020 from the Airways Corporation to the Ministry
6. an email of 11 March 2020 from the Ministry to the Office of Hon Phil Twyford
7. an aide memoire to the Minister of Transport, dated 11 March 2020, titled *Airways Corporation: Airfield power and lighting*.

As the 31 October 2019 briefing to the Minister of Transport is primarily concerned with matters that fall outside the scope of your request, and further to section 16(1)(e) of the Act, I provide below a summary of the relevant parts of the document rather than the document itself:

The briefing notes that Airways is considering proposals that would free up capital for alternative uses, and that one of these would be to discontinue the provision of airfield power and lighting services. This has the potential to increase costs for airports, and for the Crown in respect of joint venture airports, increasing concerns around the financial viability of regional airports. The briefing goes on to note airports are also concerned about safety implications of losing power and lighting, as these are critical to core air navigation services.

Information has been withheld from documents 2-7 further to section 9(2)(a) of the Act, in order to protect the privacy of natural persons.

www.transport.govt.nz

HEAD OFFICE: PO BOX 3175, Wellington 6140, New Zealand. TEL: +64 4 439 9000

AUCKLAND OFFICE: NZ Government Auckland Policy Office, PO BOX 106483, Auckland 1143, New Zealand. TEL +64 9 985 4800

In regard to the information that has been withheld under section 9 of the Act, I am of the opinion that there are no countervailing considerations that make it desirable, in the public interest, to make the information available.

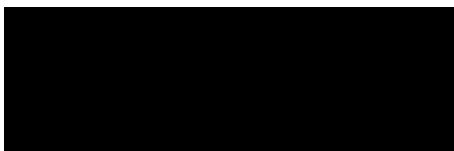
You have the right under section 28(3) of the Official Information Act to make a complaint about the withholding of information to the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing, we will remove any personal or identifiable information.

Yours sincerely

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Tom Forster
Manager, Economic Regulation

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OFFICIAL INFORMATION ACT

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From: [REDACTED]
Sent: Kirstie Hewlett
Monday, 2 March 2020 11:51 AM
To: Tom Forster; Karl Simpson
Subject: Fwd: Airfield Power & Lighting Update from Airways
Attachments: Letter to MOT.pdf
Let's discuss

Sent from Mobile

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From: [REDACTED] on behalf of Bhreatnach, Katie
Sent: Monday, March 2, 2020 11:47 AM To: Kirstie Hewlett
Subject: Airfield Power & Lighting Update from Airways

Dear Kirstie,

Please see the enclosed correspondence.

Acknowledgement of receipt would be most appreciated.

Kind Regards

Katie Bhreatnach
Group Head of Customer Management, Legal and Policy and Standards



Level 2, 6 Leonard Isitt Drive, Auckland Airport, Auckland 2022
PO Box 53093, Auckland, 2150

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e. [REDACTED]
w. www.airways.co.nz



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From: [REDACTED] Withheld under Section 9(2)(a) of the Official Information Act 1982
Sent: Monday, 2 March 2020 12:44 PM
To: Kirstie Hewlett; Tom Forster
Subject: FW: Changes to airfield power and lighting ownership
Hi Kirstie and Tom,

The Office received the below email from Airways this morning around power and lighting services which Airways currently provides at New Zealand aerodromes.

Could the Office please get a short aide memoire on this and whether MoT thinks this is a good time for Airways to be altering the services it provides in light of COVID-19 and the pressures on the aviation industry?

Could you also please provide a letter for the Minister to send to Airways in response to this. Could this letter outline the Minister's preference to delay Airways altering the services it provides or thank Airways for providing these services, dependent on MoT's view?

Could this please be with the Office by COP Wednesday 11 March 2020?

Happy to discuss.

Ngā mihi

[REDACTED] | Private Secretary (Transport)
[REDACTED] | DDI: [REDACTED] | M: [REDACTED]
Withheld under Section 9(2)(a) of the Official Information Act 1982
Office of Hon Phil Twyford
Minister for Economic Development | Minister of Transport | Minister for Urban Development
Private Bag 18041 | Parliament Buildings | Wellington 6160 | New Zealand Office
Phone: +64 4 817 8704 Email: [REDACTED]

Withheld under Section 9(2)(a) of the Official Information Act 1982

From: Davies, Emily [REDACTED]
Sent: Monday, 2 March 2020 10:01 AM
To: [REDACTED]
Subject: Changes to airfield power and lighting ownership
Withheld under Section 9(2)(a) of the Official Information Act 1982
Kia ora [REDACTED],

Over the past few months Airways has been in discussions with airports on a proposal to make changes to, or exit, power and lighting services at New Zealand aerodromes.

Airways has historically owned power and lighting equipment in New Zealand airports. This equipment includes power centres, airfield and taxiway lighting, underground cabling in the runways and taxiways, and lighting control systems. Airways charges the airlines fees associated with the costs of owning and maintaining these assets.

Through our discussions with airports we have formed the view that Airways' skills, expertise and resources should be focussed on the future needs of our airspace and providing safe and efficient air traffic management services.

Airways does not have a regulatory obligation to provide airfield lighting - the provision of runway lighting is part of satisfying the obligations of CAA Rule Part 139 Aerodromes Certification, Operation and Use for which the airports are the certificate holders.

Additionally, we believe that responsibility for airfield lighting and power should reside with the airports, as is the case with the majority of airports globally. Therefore, we will now work to transition our business out of owning and maintaining power and lighting services.

To ensure a successful transfer Airways has established an implementation programme and will work in partnership with each airport, either directly or via NZ Airports Association. These partnerships will be underpinned by clear and transparent communications, a robust and controlled process and a commitment to ensuring minimal disruption to airline customer operations.

It's important to note there is no firm deadline for exit and we will continue to honour our supply and maintenance contracts with airports during the transfer period. It is our preference is to work in partnership with airports on this transition. Equally, we are committed to our strategy and will continue to keep our options open to involve a thirdparty owner should we be unable to reach a mutually satisfactory arrangement.

We will keep you updated as our plans progress. Please let me know if you have any questions in the meantime.

We have updated our shareholding ministers and are in the process of informing Ministry of Transport and CAA.

Kind regards,

Emily Davies

Emily Davies
Head of Public Affairs



Level 2, 6 Leonard Isitt Drive, Auckland Airport, Auckland 2022
PO Box 53093, Auckland, 2150
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m. +64 [redacted] ddi.
+64 [redacted]
e. [redacted]
w. www.airways.co.nz



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This electronic message together with any attachments is confidential. If you receive it in error: (i) you must not use, disclose, copy or retain it; (ii) please contact the sender immediately by reply email and then delete the emails. Views expressed in this email may not be those of the Airways Corporation of New Zealand Limited.



2 March 2020

Kirstie Hewlett
Ministry of Transport
3 Queens Wharf
Wellington 6011

Dear Kirstie,

You may be aware that over the past few months Airways has been in discussions with airports on a proposal to make changes to, or exit, power and lighting services at New Zealand aerodromes.

Through this process we have formed the view that Airways' skills, expertise and resources should be focused on the future needs of our airspace and providing safe and efficient air traffic management services.

Airways does not have a regulatory obligation to provide airfield lighting - the provision of runway lighting is part of satisfying the obligations of CAA Rule Part 139 Aerodromes Certification, Operation and Use for which the airports are the certificate holders.

Additionally, we believe that responsibility for airfield lighting and power should reside with the airports, as is the case with the majority of airports globally. Therefore, we will now work to transition our business out of owning and maintaining power and lighting services.

To ensure a successful transfer Airways has established an implementation programme and will work in partnership with each airport, either directly or via NZ Airports Association. These partnerships will be underpinned by clear and transparent communications, a robust and controlled process and a commitment to ensuring minimal disruption to airline customer operations.

It's important to note there is no firm deadline for exit and we will continue to honour our supply and maintenance contracts with airports during the transfer period.

It is our preference to work in partnership with airports on this transition. Equally, we are committed to our strategy and will continue to keep our options open to involve a third-party owner should we be unable to reach a mutually satisfactory arrangement.

We will keep you updated as our plans progress. If you have any questions in the meantime, please feel free to contact me or our Head of Customer, [REDACTED] at [REDACTED]

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Yours sincerely,

Katie Bhreatnach
Group Head of Customer Management, Legal and Policy & Standards

From: John Kay [REDACTED]
Sent: Tuesday, 3 March 2020 2:08 PM
To: Kirstie Hewlett; Tom Forster
Cc: [REDACTED]
Subject: RE: Airfield Power & Lighting Update from Airways
Hi Kirstie and Tom

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Thanks for letting me know about the letter from Airways in relation to airfield power and lighting — and the fact that the Minister has also been contacted by Airways on the matter.

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I have had a brief conversation with [REDACTED] here. As we discussed (and [REDACTED] has confirmed), aerodrome operators are required under Rule Part 139 to ensure appropriate airfield lighting is in place. Typically, Airways has been contracted by aerodrome operators to provide such services.

We understand, based on a letter we received yesterday from Airways, that it is signalling its intent to pull out of providing such services in a managed way; and that where agreement can't be reached with an aerodrome operator, that Airways considered some alternative arrangements that can be put in place if required to ensure lighting and related services continue to operate.

As I understand it, we don't have a detailed view of Airways plans at this stage.

Tom, if you need further technical information for the advice your providing to the Minister, please contact [REDACTED]

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[REDACTED], copied to you for information and awareness

John

John Kay
Deputy Chief Executive
System and Practice Design

Civil Aviation Authority of New Zealand
Level 15, Asteron Centre
55 Featherston Street
Wellington 6140 New Zealand

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Please consider the environment before printing this e-mail

From: [REDACTED] on behalf of Bhreatnach, Katie

Sent: Monday, March 2, 2020 11:47 AM

1

To: Kirstie Hewlett
Subject: Airfield Power & Lighting Update from Airways

Dear Kirstie,

Please see the enclosed correspondence.

Acknowledgement of receipt would be most appreciated.

Kind Regards

Katie Bhreatnach
Group Head of Customer Management, Legal and Policy and Standards



Level 2, 6 Leonard Isitt Drive, Auckland Airport, Auckland 2022
PO Box 53093, Auckland, 2150

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2

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[REDACTED]

From: Tom Forster
Sent: Wednesday, 11 March 2020 4:52 PM
To: [REDACTED] Withheld under Section 9(2)(a) of the Official Information Act 1982
Cc:
Subject: OC200202 Airways Corporation- Airfield power and lighting - Aide Memoire.docx
Attachments: OC200202 Airways Corporation- Airfield power and lighting - Aide Memoire.docx

[REDACTED] Withheld under Section 9(2)(a) of the Official Information Act 1982

As requested.

Hard copies are in the bag.

Cheers

Tom

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Ministry of Transport: Aide Memoire

To: Hon Phil Twyford, Minister of Transport
From: Economic Regulation Team
Date: 11 March 2020
Subject: Airways Corporation- Airfield power and lighting
OC Number: OC200202

1. Airways is a State Owned Enterprise that provides air navigation services and infrastructure, which are paid for by the aviation sector participants that use those services.

Airways has been reviewing the provision of its services to the aviation sector

2. Over the last few years Airways has been reviewing, and in some cases withdrawing, its provision of air navigation services at smaller airports that are not used by its biggest paying customers, or is now charging airports for its services.
3. Airways has historically owned power and lighting equipment at airports. This equipment includes airfield and taxiway lighting, underground cabling in the runways and taxiways, and lighting control systems. Airways charges the airlines fees associated with the costs of owning and maintaining these assets.
4. Some smaller airports have been charged as little as \$1 a year by Airways for maintaining these services.

Civil Aviation requirements for airfield lighting and power

5. Aerodrome operators are required under Civil Aviation Rule Part 139 to ensure appropriate airfield lighting and power are in place. Typically, Airways has been contracted by aerodrome operators to provide such services.
6. Airways does not have a regulatory obligation to provide airfield lighting as Rule Part 139 places the responsibility for the provision of runway lighting systems on the holder of an aerodrome operator certificate – the airport.

Airways has been consulting with the airports

7. Over the last few months, Airways has been in discussions with airports on the ownership and maintenance of airfield power and lighting.
8. Essentially Airways has reached the view that Airways' expertise is not in this area and it's skills and resources should be focussed on it's core role which is the future needs of New Zealand's airspace and providing safe and efficient air traffic management services.

9. Airways believe that responsibility for airfield lighting and power should reside with the airports, as is the case with the majority of airports globally.
10. Airways has pledged to work in partnership with each airport, either directly or via NZ Airports Association, to transition out of owning and maintaining power and lighting services.
11. Airways has not put a firm deadline for its exit from the provision of such services and if an agreement can't be reached with individual airports, Airways will look to explore whether a third-party owner may be interested in providing the services.
12. We understand that the four largest airports are prepared to take on responsibility for their airfield power and lighting services. The remaining 16 airports are less confident, as they are not fully informed of what ownership and provision of the services entail. There are information gaps and, as a result, they have asked Airways to proceed in a consultative and collaborative manner while alternatives are considered. Airways has already confirmed that it will take a phased and partnership approach to its proposed withdrawal of the services.

Next steps

13. We propose you write to Airways thanking it for advising you of its proposed withdrawal of services, and asking the Corporation to continue to act collaboratively, and in consultation, with airports to ensure a smooth transition of the ownership and operation of airfield power and lighting. In particular, you are keen to ensure that any process continues to deliver a safe, secure, efficient and sustainable aviation system.
14. The letter also urges Airways to continue to be a successful business and, at the same time, play its part in delivering to the government's wider objectives for the transport sector.

Contact:

Tom Forster

Manager, Economic Regulation

Phone: [REDACTED]

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Graeme Sumner
Chief Executive Officer
Airways Corporation of New Zealand Limited
Level 2, 6 Leonard Isitt Drive Auckland,
2022

Dear Graeme

Thank you for advising my office that Airways Corporation proposes to end its provision of airfield power and lighting services at airports throughout the country.

I appreciate the rationale behind this proposal. However, as there are a number of airports for which the proposal will present a challenge, I ask that Airways continue to work collaboratively, and in close consultation, with the airports in order to ensure a smooth transition of the ownership and operation of airfield power and lighting, and to ensure that we continue to have a safe, secure, efficient and sustainable aviation system.

Yours sincerely

Hon Phil Twyford
Minister of Transport