

**Auckland Light Rail Advisory Group
Meeting Minutes**

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| Chairperson | Peter Mersi, Ministry of Transport |
| Date/Time | Wednesday 14 August 2019 from 11.30am – 12.30pm |
| Location | Kauri Room, Auckland Policy Office, Level 6, 45 Queen St, Auckland |
| Present: | Shane Ellison – Auckland Transport (AT) Stephen Town – Auckland Council (AC) Lewis Holden – State Services Commission (SSC) Amanda Moran – (for Vicky Robertson) Ministry for the Environment (MfE) David Taylor – (for Jon Grayson), Treasury Richard Leverington – NZTA (by phone) Bryn Gandy (Senior Responsible Owner, SRO) – Ministry of Transport (the Ministry) |
| In attendance | Amelia East, Karen Lyons, Jo Mackay, [REDACTED] – Ministry of Transport Ben Wells – The Treasury [REDACTED] – Audit NZ (Probity Adviser) Withheld to protect the privacy of natural persons |
| Apologies | Vicky Robertson – Ministry for the Environment Jon Grayson – Treasury Greg Miller – KiwiRail |

Minutes

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| 1. Conflicts of interest declarations | <p>Note from the Chair.</p> <p>The Ministry of Transport has been working hard with NZTA to ensure sufficient separation between NZTA's role as a Respondent and its overall transport functions. For this reason, the Interim CE of NZTA has stepped back from his role on the Advisory Group. Richard Leverington, Head of risk and audit, will take his place.</p> <p>Probity Auditor:</p> <p>COI declarations: Advisory Group members have been asked to think widely and broadly about actual, potential and perceived conflicts, including relating to their professional role. Pecuniary, family, close friends who may be involved in the bid, hospitality received. If members have worked with the Respondents in any shape or form before, they should include information on the nature of the working relationship. Declaring conflicts does not remove members from the process.</p> |
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| 2. Draft minutes of 18 July 2019 meeting | Accepted. |
| 3. Project update from the Chair | <p>Interactive Engagement Process (IEP):</p> <ul style="list-style-type: none"> • Both Respondents have signed probity documents and, in response, received the Resource Requirements Document. Last Friday (9 August) both Respondents confirmed they will take part in the process. • Interactive engagement with the Respondents started this week. Fortnightly meetings are to occur till late November. This process is the Respondents' opportunity to test thinking, to access people from some agencies and have conversations that are not evaluated. • Three early deliverables will be received during this time. • Respondents are not to engage with elected members (local board members as well as councillors). It is a very managed process regarding interactions with stakeholders and the public over the next four months. Neither Respondent is expected to complete an engagement process during this time. <p>Evaluation:</p> <p>The Ministry of Transport is working through the Evaluation Plan and Framework. A big part of this is ensuring the correct expertise is available and MoT will be engaging with those agencies required as part of this planning.</p> <p>Communications:</p> <ul style="list-style-type: none"> • At this stage this process is still confidential. The Minister of Transport is likely to make an announcement on Monday 19 August 2019 at Building Nations. • The project team is aware there is interest from the market – communications will encompass those parties. • The Ministry of Transport is preparing a proactive release of documents. The RRD will not be released. • The NZTA will close off its previous market process, the Ministry is engaging with NZTA on how they will manage this. • A letter is being prepared to the Mayor offering a Ministry of Transport briefing to elected members. • The next steps with the Ministerial Oversight Group is to be determined. The TOR sets out the expectations. • It was agreed the focus and the outcomes of the project should be communicated, along with the process. The CC2M outcomes are about connecting people from home to workplaces. • It was noted that the exact location of the terminus at the Auckland airport is not known at this point, as this level of detail is part of what the Respondents both need to work through. <p>Action: The Ministry of Transport will circulate communications messages to the Advisory Group. Questions can be forwarded to the Ministry, who will have a dedicated media email address.</p> |
| 4. Probity and communications | <ul style="list-style-type: none"> • If either Respondent wishes to engage with a partner agency, they initially have to go through the Ministry's Authorised Representative, who is Amelia East. The Ministry proposes that |

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| <p>protocols for this stage</p> <p>Withheld to protect the confidentiality of advice tendered by Ministers or officials</p> | <p>each partner agency puts forward a representative to manage requests facilitated via the Ministry.</p> <ul style="list-style-type: none"> The Treasury asked a question relating to how NZTA has interpreted Cabinet Paper references to it working further on its business case. The answer provided was the Ministry of Transport is now expecting NZTA to provide a proposal to respond to the RRD rather than submit a business case. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] <p>Action: The Ministry of Transport will develop documentation to guide agencies' involvement in the next stages of the project, including managing conflicts (principles).</p> |
| <p>5. Final Terms of Reference (TOR) for this Group for adoption</p> | <ul style="list-style-type: none"> The changes to the TOR from the last meeting clarified the Advisory Group roles, for example, it would not be expected to receive the bids nor evaluate the proposals. The members discussed what the role of the Advisory Group was and how, if it did not receive the proposals, what would it see and how it would be able to have an advisory role. <p>The conclusion was the Advisory Group's role is:</p> <ol style="list-style-type: none"> to help ensure the process reflects the perspectives and involvement of all agencies present to help advise the Chair on the public policy issues that need to be considered when recommending a Delivery Partner to the Minister. <p>Accordingly it is expected that the Advisory Group will receive:</p> <ol style="list-style-type: none"> information relating to the policy questions that arise from the policy workstream; and the outcome of the evaluation <ul style="list-style-type: none"> It was acknowledged that specific agencies will have a real interest in implications from the proposals: AT in respect to the operation of the transport network, or MHUD in respect to urban development implications, or MfE in respect to environmental implications. It was noted the transport integration question is one of the bigger policy questions, and will be discussed by the Advisory Group. It was noted that this Advisory Group's role and this process would not cut across the standard pre-Cabinet processes of review nor across officials' responsibilities to report back to their Ministers. It was acknowledged that AC and AT do not receive Cabinet papers directly and the quality of their advice rests on what they are provided with. It was commented that the ATAP and the Congestion Question governance groups operate so that the advice of the groups are |

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| | <p>taken forward to Ministers and Auckland Council as a consensus based decision. In contrast, the advice on light rail is Ministry of Transport-led and ultimately, for the Chair to decide.</p> <ul style="list-style-type: none">• The Chair acknowledged this comment, but noted that one of his key objectives is to take into account and reflect all views, when presenting his advice to the Transport Minister. <p>Decision: The TOR for the Group is adopted.</p> |
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the Ministry of Transport