



29 April 2022

OC220235 / T2022/926 / BRF21/22041309

Hon Michael Wood  
Minister of Transport

Action required by:  
Monday, 2 May 2022

Hon Grant Robertson  
Minister of Finance

Hon Dr Megan Woods  
Minister of Housing

## AUCKLAND LIGHT RAIL BOARD: CHAIR AND MEMBER APPOINTMENTS

### Purpose

Provides you with the paperwork to finalise the following appointment decisions you have made regarding the Auckland Light Rail (ALR) Board:

- Hon Dame Fran Wilde as Chair; and
- Leigh Auton and s 9(2)(a) as members.

Updates you on the plans for transitioning to the ALR Board.

### Key points

*This briefing includes the paperwork for you to finalise these three appointments*

- Included within this briefing are the papers required to complete the above appointment decisions. **Appendix One** contains the papers required for Cabinet's Appointment and Honours Committee (APH) to note your intention, **Appendix Two** contains the talking points for your APH meeting, and **Appendix Three** contains the appointment letters. *These appendices are released separately.*
- We understand you intend for these appointments to be considered at the APH meeting on 11 May 2022. For this to take place, the paperwork will need to be lodged by 10am on 5 May 2022. Please also confirm that you are comfortable with the Minister of Transport taking these papers on behalf of all three Ministers.

*Disclosures of Conflicts of Interests have been sought and background checks are underway*

- Written consent to being appointed and a written declaration of conflicts of interest have been sought from each appointee. The following conflicts of interest have been disclosed or identified – each of these are considered manageable:

- Hon Dame Wilde has disclosed that she is a director of Frequency Limited, an infrastructure consultancy firm that has staff seconded into the ALR Establishment Unit following a successful tender to supply. Should Frequency Ltd decide to re-tender or submit further tenders for work relating to ALR, Hon Dame Wilde will recuse herself from the procurement process.
  - s 9(2)(a) [REDACTED]
  - Mr Auton has not disclosed any personal conflicts of interests. s 9(2)(a) [REDACTED]
- Please note that due to the timing of this paperwork, background checks have only just been commissioned and this process will occur in parallel to Ministerial consultation and the paper's lodgement. Your offices will be provided a summary of results in advance of the APH meeting, and any concerns will be flagged within that summary.

*The decision on fees currently remains unresolved*

- At the point of submitting this briefing, a decision regarding ALR Board fees remains unresolved and has been escalated to your office following a discussion with the Public Service Commission about their feedback. We will continue to support your office through the ongoing discussions with the office of the Minister for the Public Service.

*Transitioning from the Establishment Unit Board to the ALR Board*

- Given the benefits of transitioning to the ALR Board as soon as possible, we propose that the three board members appointed through this phase of the appointments process constitute a quorum of ALR Board members. With this, the transition to the ALR Board can commence before the remaining two to four members are recruited.
- Through agreements and terms of references, a framework that empowers the Board and ensures the right accountabilities are in place is being developed. This includes:
  - the ALR Board Terms of Reference, clarifying the role and responsibilities of the Board, providing its mandate
  - an agreement between the Ministry of Transport and Waka Kotahi to provide the necessary services and functions that the ALR Unit needs to operate e.g., IT and HR services
  - a financial delegation from the Ministry of Transport to the ALR Board, enabling the Board to spend the Crown appropriation funding this phase of work
  - letters to current Establishment Unit Board members confirming the completion of their roles.

- Updates and decisions on these arrangements will be brought to Ministers and/or Sponsors in the coming weeks.
- Depending on the timing of your announcement, it may be possible for Hon Dame Wilde and s 9(2)(a) to attend the ALR Establishment Unit Board's meeting on 18 May 2022 in an observer capacity. This meeting is intended to be the last meeting of the Establishment Unit Board. We do not think it would be appropriate for either member to attend without the appointment being confirmed by Cabinet at a minimum, as any action otherwise would presuppose Cabinet's decision.
- For this to take place, ideally, your announcement of the new roles would occur directly after the 16 May 2022 Cabinet meeting, where the appointments are expected to be confirmed.
- As the quorum of the ALR Board formally takes responsibility following the 18 May Establishment Unit Board meeting, it will likely be desirable for the current Establishment Unit Board to be available to provide advice to the ALR Board as the final members are recruited. Officials will provide advice on this as the above documents giving effect to the framework are finalised.

*An induction will be arranged for new members*

- A full induction will be provided to new board members. It is also expected that members of the Establishment Unit Board will provide support to the new Board as it takes on its responsibilities.

*Once these appointments are completed, officials will induct the new members and commence the next phase of appointments*

- The next phase of appointments will look to ensure that the Board is well-balanced in terms of the technical, policy and community-related skillsets required to complete the Board. More detailed planning for the next phase of membership is still to take place but the initial assessment is that we will likely require individuals with:
  - major infrastructure planning, design, construction, and delivery experience (ideally in both transport and urban development settings). This includes overseeing the development of business cases for such projects
  - experience in commercial procurement, consenting and land acquisition; and
  - finance, investment, and assurance expertise
  - further experience in community and stakeholder engagement may be required; however, this will be determined in consultation with the Chair once they have had a chance to come up to speed with the project.
- A copy of the competency matrix for the ALR Board is included in **Annex One**, with the intended appointees included.
- The time taken to complete this appointment round has significantly impacted our ability to finalise the remaining appointments before the Parliamentary recess break

in July. s 9(2)(f)(iv)

A high-level overview of the timeline is included below as **Annex Two**.

- Work is underway to scope and confirm the parameters of the ultimate entity responsible for the delivery of ALR. Ministers have set an expectation that this entity is established in the second half of 2022. Policy work associated with the establishment of the delivery entity will continue alongside the second round of appointments.

## Recommendations

We recommend you:

	Minister of Transport	Minister of Finance	Minister of Housing
1 <b>approve</b> the contents of the papers listed in <b>Appendix One, Appendix Two</b> and <b>Appendix Three</b>	Yes / No	Yes / No	Yes / No
2 <b>advise</b> if you require any further information or action in response to any conflicts of interest disclosed to date	Yes / No	Yes / No	Yes / No
3 <b>note</b> that a summary of background check results will be provided at a later date before the APH meeting			
4 <b>advise</b> if you require a press release to accompany these appointments	Yes / No	Yes / No	Yes / No
5 <b>note</b> it is possible for the Chair and new members to attend the ALR Establishment Unit Board's meeting on 18 May 2022 if the appointments are confirmed before then			
6 <b>authorise</b> the Minister of Transport to conduct Ministerial consultation, lodge the Cabinet paperwork, and send the final appointment letters on behalf of Sponsoring Ministers		Yes / No	Yes / No
7 <i>Minister of Transport only – if authorised</i> <b>lodge</b> the papers at <b>Appendix One</b> by 10:00am on 5 May 2022, so that the papers can be considered at the 11 May 2022 APH meeting	Yes / No		

	Minister of Transport	Minister of Finance	Minister of Housing
8 sign and send the letters at Appendix Three following Cabinet's confirmation of these appointments	Sent / Not Sent		




Gareth Fairweather  
 Director, Auckland Light Rail, Ministry of Transport

Morgan Dryburgh  
 Acting Manager, National Infrastructure Unit, the Treasury



Saskia Patton  
 Manager, Policy and Legislation Design, Ministry of Housing and Urban Development

Hon Michael Wood  
 Minister of Transport  
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Hon Grant Robertson  
 Minister of Finance  
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Hon Dr Megan Woods  
 Minister of Housing  
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Minister's office to complete:

- Approved
- Declined
- Seen by Minister
- Not seen by Minister
- Overtaken by events

Comments

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**Contacts**

Name	Telephone	First contact
Bryn Gandy, Acting Secretary for Transport, Ministry of Transport	s 9(2)(a)	✓
Gareth Fairweather, Director Auckland Light Rail, Ministry of Transport		
Chris Gulik, Auckland Strategic Adviser, Ministry of Transport		
Ben Wells, Principal Adviser, the Treasury		
Mary Barton, Senior Advisor, Ministry of Housing and Urban Development		
Jono Reid, Principal Adviser, Governance, Ministry of Transport		

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Annex One: Auckland Light Rail Competency Matrix with recommended appointments – April 2022

Key: 

✓	Understanding/experience	✓✓	Strength in this area	Q	Qualification	#	Number of directors possessing this desired competency
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Member	Targets	Dame Fran Wilde (Chair)	Leigh Auton	s 9(2)(a)	Member	Member	Member	Member
Age		60+	60+					
Region		Wellington	Auckland					
Ethnicity		NZ European	NZ European NZ Māori (Te Hikutu, Ngāpuhi)					
Gender diversity	50%	Female	Male					
<b>Core skills and competencies</b>		# ✓✓	# ✓					
<b>governance:</b> significant governance experience (preferably in both the public and private sectors) and will be able to ask the right questions of management, distinguish between governance and management, and understand and perform governance functions	3	3	s 9(2)(g)(i)					
<b>strategy and culture:</b> contributes to and drives strategy formulation, direction, implementation and communication	2	3						
<b>te ao Māori:</b> understanding of and respect for the impacts the Treaty of Waitangi has in delivery of key Government priorities and places value on and knows how to incorporate te ao Māori into project design, delivery and decision making	1	3						
<b>legal:</b> understanding of legal frameworks in which a director and the organisation has to operate within	1	5						
<b>Technical skills and competencies</b>		# ✓✓	# ✓					
<b>major infrastructure business case development:</b> experience in delivery or oversight of large business cases, alongside an understanding of Treasury business case and gateway review procedures	1 or 2	1						
<b>major infrastructure project oversight, planning, design, delivery and operating:</b> experience in planning, designing, setting up, overseeing, delivering and/or operating major infrastructure projects, particularly those that require new or innovative ways of working. The successful candidate must be able to demonstrate knowledge of the lifecycles of large infrastructure assets, and their ability to respond to population needs over time; as well as low-emissions construction methodologies	1 or 2	1						
<b>Integrated urban development and transport planning:</b> an understanding of how public transport (including mass transit) systems link with the wider urban environment. This includes enabling housing and urban development, unlocking commercial opportunities and better connecting communities	1	1 or 2						
<b>urban design, land use, infrastructure planning:</b> understanding of the value of taking an integrated approach to transport investment, land use change and urban development outcomes. This includes an appreciation of the contribution that increased density, transit oriented development, high quality urban design and placemaking can make alongside infrastructure investment to social, economic and environmental wellbeing as well as to community cohesion	1	1 or 2						
<b>finance, investment and financial assurance:</b> understanding and experience with public funding mechanisms for large projects, investment funding models, and benefits realisation. Proven audit, risk and assurance experience	2	1						
<b>large scale procurement:</b> experience with negotiating and/or procuring large scale contracts	1	1						
<b>consenting and acquisition:</b> deep experience in overseeing consenting processes and land acquisition strategies. A strong understanding of the Resource Management Act 1991, and other legislative levers for enabling urban development and delivering infrastructure projects at scale	1							
<b>commercial acumen:</b> a working knowledge of business operations, and the factors that determine the performance of the company including people, finances, processes, and strategy	4	3						
<b>emissions reduction:</b> knowledge of the system changes that will be necessary for New Zealand to meet its 2050 zero carbon target, including through the transport and/or housing systems, low-emissions construction methodologies, mode shift from private vehicles to other modes, and harnessing of emerging climate-related technologies.		1						

Member	Targets		Dame Fran Wilde (Chair)	Leigh Auton	s 9(2)(a)	Member	Member	Member	Member
<i>Policy and community related competencies</i>	# ✓✓	#✓							
<b>public sector (local and central government) expertise:</b> a working knowledge of central and local government operations and processes, with political acumen, and a demonstrated history of working to deliver government priorities	2	1	s 9(2)(g)(i)						
<b>stakeholder expertise:</b> experience engaging with a range of stakeholders, networking, and managing a multitude of relationships in and out of the sector. This includes co-directors, management, employees, key individuals, and Māori	3								
<b>community leadership:</b> deep experience in working with local communities, particularly those within the City Centre to Māngere urban corridor. An understanding of the various socioeconomic and behavioural effects is desirable.	1								

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## Annex Two: Timetable for Remaining Appointments

### Notes:

- The time taken to complete this appointment round has significantly impacted our ability to finalise the remaining appointments before the Parliamentary recess break in July (which does not contain any Cabinet or Cabinet Business Committee meetings). The below timetable reflects that change, and has extended some decisions making windows to allow for Ministerial consultation to occur during the July recess period.
- Based on the previous appointment round, it would be ideal for joint meetings to be scheduled if it is considered necessary for decision making.
- Even with the recess period, many of the timeframes remain very tight and will require quick turnaround of information by Ministers and officials.
- An unknown element here is the ability of the Chair to come to speed with the role and develop their views on the types of Board members they personally will want.

Working Week	Key Actions (involvement requiring Ministers listed in bold)	Relevant Meeting Dates
2 – 6 May 2022	Ministry of Transport provides information received to date on background checks prior to papers being lodged with APH. Ministry of Transport to organise a time for panellist officials to meet and discuss remaining appointments, and commission any further targeted searches.	
9 – 13 May 2022	<b>APH considers priority appointments, 11 May 2022.</b>	<b>APH: 11 May 2022</b>
16 – 20 May 2022	<b>Cabinet confirms appointments 16 May 2022.</b> <b>Minister sends appointment letters.</b> Possible announcement date: <b>16 May 2022</b> following Cabinet meeting. Appointment commences. Officials to brief incoming Chair – focus on handover and brief on key phases of project. Opportunity for Chair and s 9(2)(a) to attend ALR Establishment Unit Board meeting on 18 May 2022.	<b>APH: 18 May 2022</b>

s 9(2)(f)(iv)