

OC240294

19 April 2024

Tēnā koe

Thank you for your email of 19 March 2024, requesting the following under the Official Information Act 1982 (the Act):

*“Information relating to the detailed work and professional experience for each of the short-listed candidates for the position of Chair - Waka Kotahi Chair.
I am aware of privacy considerations, so to be clear, I am not seeing any of the identifying details for the any of the candidates; only the information relating to the work and professional experience as detailed above”.*

I can confirm that four candidates, including the Honourable Simon Bridges, were shortlisted and selected for interview. All four candidates were highly experienced in their respective fields, with backgrounds of direct relevance to New Zealand Transport Agency’s functions. A copy of the position description is attached with my response.

We do not consider it is appropriate to provide further details beyond this, and as such the candidate-specific information within briefings that would be in scope of your request is withheld in full under a combination of the below grounds.

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|-------------|---|
| 9(2)(a) | to protect the privacy of natural persons |
| 9(2)(ba)(i) | to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information 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 |
| 9(2)(g)(i) | to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty |

In making this decision, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website www.ombudsman.parliament.nz.

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.

Nāku noa, nā

A handwritten signature in dark ink, appearing to read 'H. Shelton', followed by a long, horizontal wavy line.

Harriet Shelton
Manager, Crown Entity Monitoring

Position Description | Chair, New Zealand Transport Agency

On behalf of the Minister of Transport, the Ministry of Transport is searching for a high-calibre candidate to Chair the Board of the New Zealand Transport Agency (NZTA).

NZTA is a Crown agent under the Crown Entities Act 2004, with responsibility for financial investments in, and the management and regulation of, the land transport system. It is governed by a Board of seven to nine members who are appointed by the Minister of Transport under the Land Transport Management Act 2003.

Competencies sought

The Board requires a full range of competencies across members to be effective. To be considered, candidates must be an experienced Board Chair and possess competencies which complement those of existing Board members. They must bring an understanding of the complexity of operating within a modern transport system.

Section 30(2) of the Crown Entities Act 2004 sets out the criteria for disqualification from membership of a Crown entity board.

You will need to be able to demonstrate most, if not all, of the following qualities and competencies as Chair of the NZTA Board:

- **strategy and culture** – contribute to and drive strategy formulation, direction, implementation and communication and ensure development of organisational culture based on the vision and strategy
- **leadership** – can demonstrate experience in taking responsibility for the effective operation of a Board, ensuring that the Board sets a purpose or vision and articulates organisational values. You should also be able to demonstrate the ability to ask the right questions of management, distinguish between governance and management, and the levels of oversight and leadership required across NZTA's operations
- **experience in the inner workings of Government** – this includes the ability to work with the Minister to problem solve, and navigate issues between the political environment and agency's functions. You should also have an understanding of the political and social context and relationships within which central and/or local Government is required to operate. Understanding of and agreement to implement the Government Policy Statement for Land Transport (GPS).
- **able to navigate complex operating environments to deliver results** – this includes being able to manage competing and/or challenging priorities, as well as political and public policy factors
- **judgement and critical thinking** – demonstrated experience of exercising judgement and critical thinking, preferably within a regulatory environment. In addition, you should be an active listener, open thinker, and be able to draw from your own personal experiences to contribute towards discussions at the Board table
- **able to work collaboratively to reach consensus** – demonstrated understanding of the individual and collective duties Boards possess (particularly within a Crown context), and an ability to reach a collective decision as a Board while respectfully and constructively evaluating each other's personal views on a matter. Accepts the need for collective

responsibility for the final decision reached.

In addition, the Minister of Transport expects the Board as a whole to possess the following competencies. Candidates will be expected to demonstrate experience or understanding of one or more these competencies:

- **engineering, planning and delivery** – experience in overseeing and delivering major infrastructure projects particularly as a lead contractor or part of an alliance/public private partnership model. The successful candidate must be able to demonstrate knowledge of the lifecycles of large infrastructure assets, their resilience and security, and their ability to respond to population needs over time; as well as low-carbon construction methodologies. A qualification and experience in engineering or a related discipline is desirable
- **finance (investment and funding)** – deep understanding of funding mechanisms, investment funding models and debt management, including a strong understanding of how funding works. In addition, you must be able to demonstrate an awareness of how organisations should perform effectively and prudently within a given funding envelope
- **procurement** – experience of contract management of large scale construction contracts on time and on budget
- **governance and strategy** – experience in governance, preferably in both the public and private sectors, with the ability to ask the right questions of management, distinguish between governance and management, and understand and perform governance functions. The successful candidate will be able to engage with a range of stakeholders, deliver on Government policy and direction and have a clear understanding of the role of a governor
- **regulation** – a strong understanding of regulatory functions and powers including senior experience in either a regulated industry or as a regulator. A deep understanding of the fundamentals of a modern regulator and the impacts of regulation is required
- **digitally competent (IT change programmes)** – knowledge of digital systems and experience in overseeing IT change management, assurance of change programmes.
- **health, safety and legal obligations** – an understanding of all the legislative requirements of directors and entities, in particular the Health and Safety at Work Act 2015 and ideally experience in embedding a health and safety culture within a complex organisation.
- **an understanding of the role The Treaty of Waitangi plays in the transport sector.**

Background to NZTA

NZTA's core functions (fully listed under section 95 of the Land Transport Management Act 2003) are:

- **planning the land transport networks:** influencing transport planning and partnering with approved organisations to invest in the transport system for desired results
- **investing in land transport:** partnering with approved organisations to invest in the land transport system for desired outcomes
- **managing the State highway network:** developing and managing the State highway network
- **regulation:** implementing the land transport regulatory framework to ensure safe access and the use of the land transport system
- **investigate and review accidents and incidents involving transport on land** in its capacity as the responsible safety authority, subject to any limitations set out in the Transport Accident Investigation Commission Act 1990
- **assist, advise, and co-operate with KiwiRail** in relation to KiwiRail's role in preparing each rail network investment programme.

The Land Transport Management Act 2003 further outlines NZTA's statutorily independent functions, which are to:

- develop and approve the National Land Transport Programme (NLTP) to give effect to the direction and priorities in the GPS
- approve activities as qualifying for payment from the National Land Transport Fund (NLTF)
- approve procurement procedures for land transport activities
- issue or suspend any land or rail transport document or authorisation
- enforce any provisions relating to its functions.

Background to the role

The Board has the following responsibilities:

- setting the strategic direction for NZTA to ensure that it has the right capability to effectively deliver its core roles and functions
- appointing the Chief Executive and holding management to account for the delivery of Government priorities and the organisation's core functions
- providing oversight of NZTA's operational activities to support the efficient operation of the land transport system, including management and maintenance of the State highway network
- providing oversight and management of the land transport investment system, including providing stewardship and oversight of the NLTF
- developing the NLTP to give effect to the Government's transport priorities set through the GPS
- giving effect to the responsibilities as a regulator of the land transport system to ensure that NZTA operates as a modern, risk-based regulator that is effectively targeting risk across the land transport system, including regulation of commercial transport operators, rail, vehicle certification, driver licensing and speed management.
- appointing the Director of Land Transport
- ensuring NZTA has robust risk and assurance processes across the delivery of NZTA's core functions and activities, including delivery undertaken by its contractors, suppliers and approved organisations
- making significant planning, investment, and funding decisions
- influencing and contributing to the land transport sector, including supporting urban development, regeneration, and land use planning
- overseeing the development and delivery of major land transport infrastructure.

Board members are appointed for a term of up to three years. The Board meets monthly from February to December, and the three Board committees meet every two to three months. Board Chairs are expected to work approximately 50 days a year.

Board fees are set according to criteria in the Cabinet Fees Framework. NZTA is classified as a Group 3a Level 1 General Governance Board. Accordingly, the Chair is entitled to receive an annual fee of \$78,540.

Expressions of Interest

Please note that should a candidate from within the Board be identified for appointment as Chair, the Ministry may approach you for consideration as a member.

To apply for the role, please apply through the Treasury database at <http://www.boardappointments.co.nz>, and include a copy of your full Curriculum Vitae by 9.00 am

on 15 January 2024.

The Minister is interested in completing this process as soon as practicable. To achieve this, candidates may be asked to be available for interview between late January and early February 2024.

If you require further information, please email boardappointments@transport.govt.nz

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982