

17 December 2020

I refer to your request dated 21 October 2020 pursuant to the Official Information Act 1982 (the Act), seeking:

1. *An outline of all overseas trips made by Bryn Gandy, Deputy Chief Executive, in 2018 and 2019, which were related to the Auckland Light Rail Project. I request a breakdown of dates, destinations, the reasons for these trips and the associated costs to the Ministry.*
2. *All correspondence between Bryn Gandy, Deputy Chief Executive, and the New Zealand Transport Agency, regarding the Auckland Light Rail Project between 1<sup>st</sup> June 2019 and 1<sup>st</sup> March 2020.*
3. *All correspondence between Bryn Gandy, Deputy Chief Executive, and NZ Infra (including the New Zealand Superannuation Fund and Canadian institutional investors CDPQ Infra) regarding the Auckland Light Rail Project between 1<sup>st</sup> June 2019 and 1<sup>st</sup> March 2020.*
4. *All correspondence between Amelia East, Light Rail Project Director, and the New Zealand Transport Agency regarding the Auckland Light Rail Project between 20<sup>th</sup> November 2019 and 1<sup>st</sup> March 2020.*
5. *All correspondence between Bryn Gandy, Deputy Chief Executive, and Amelia East, Light Rail Project Director, between 1<sup>st</sup> June 2019 and 1<sup>st</sup> March 2020.*
6. *Information outlining the length of time the Ministry would be paying back NZ Infra under its tender for the Auckland Light Rail Project, and the associated interest costs.*

On 30 October 2020, we clarified the scope of Point 5 of your request to only include correspondence relating to the Auckland Light Rail project. On 10 November 2020, we notified you of our intention to extend the 20 working days available to respond to your request by an additional 20 working days.

#### **Overseas trips made by Bryn Gandy**

The table below list the information related to Point 1 of your request:

<b>Date</b>	<b>Destination</b>	<b>Reason for trip</b>	<b>Costs to the Ministry</b>
26 January – 3 February 2019	Canada (Ottawa, Montreal, Quebec City and Vancouver)	To get a better understanding of the performance and operating style of CDPQ from the perspective of current partners in Canada. This will assist the Ministry in developing advice to Ministers on options for light rail delivery, including establishing a basis and strategy for potential negotiation with NZ Infra.	\$8,612.51 consisting of: <ul style="list-style-type: none"> <li>• Flights (\$5,761.50)</li> <li>• Accommodation (\$2,077.15)</li> <li>• Expenses (\$773.86)</li> </ul>

9 – 11 December 2019	Australia (Melbourne and Sydney)	To meet with various officials and organisations to discuss lessons learned on their light rail projects.	\$2,383.78 consisting of: <ul style="list-style-type: none"> <li>• Flights (\$1,544.32)</li> <li>• Accommodation (\$431.20)</li> <li>• Expenses (\$408.26)</li> </ul>
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### Point 6 of your request

You have requested information relating to NZ Infra's proposal for the Auckland Light Rail project. I am withholding this information in full, in reliance of sections 9(2)(b)(i) of the Act, as the information requested is commercially sensitive.

### Other documents within the scope of your request

The table below lists the documents that are within the scope of your request under points 2, 3, 4 and 5. I have also enclosed the documents with this letter.

No	Title	Proposed response
<b>Correspondence between Bryn Gandy and Waka Kotahi</b>		
1	City Centre to Mangare Light Rail Project [CIC]	Certain information withheld under section 9(2)(a). RRD (attachment) refused under section 18(d) as available on the Ministry's website <a href="https://www.transport.govt.nz/Response-Requirements-Document.pdf">Response-Requirements-Document.pdf (transport.govt.nz)</a>
<b>Correspondence between Bryn Gandy and NZ Infra</b>		
2	City Centre to Mangare Light Rail Project	Certain information withheld under section 9(2)(a). RRD (attachment) refused under section 18(d) as available on the Ministry's website <a href="https://www.transport.govt.nz/Response-Requirements-Document.pdf">Response-Requirements-Document.pdf (transport.govt.nz)</a>
<b>Correspondence between Amelia East and Waka Kotahi</b>		
3	New contact for ALR queries	Certain information withheld under section 9(2)(a).
4	Respondent CQs – CQ-001 and CQ-002	Certain information withheld under section 9(2)(a). CQs (attachment) fully withheld under section 9(2)(ba)(i).
5	Questions relating to Process of Evaluation	Certain information withheld under section 9(2)(a). MoU (attachment) fully withheld under section 9(2)(ba)(i).
6	NZTA MOU – MOT Drafts	Certain information withheld under section 9(2)(a). MoU (attachment) fully withheld under section 9(2)(ba)(i).
7	Stakeholder engagement - Watercare	Certain information withheld under section 9(2)(a).

<b>Correspondence between Amelia East and Bryn Gandy</b>		
8	Fyi Daily tasklist the team for yesterday	Certain information withheld under section 9(2)(a) and section 9(2)(g)(i).
9	PM questions	Certain information withheld under section 9(2)(a).
10	NDA	Certain information withheld under section 9(2)(a).
11	NZSF OIA release	Certain information withheld under section 9(2)(a).
12	Agenda for IEP meeting#1 NZ Infra	Certain information withheld under section 9(2)(a). Proposed stakeholder list and IEP agendas (attachment) fully withheld under section 9(2)(ba)(i)
13	Auckland Light Rail Project [MERW]	Certain information withheld under section 9(2)(a)
14	NZTA – Proposed Media Response to ALR Announcement	Certain information withheld under section 9(2)(a).
15	Ministerial meeting	Certain information withheld under section 9(2)(a).
16	This morning	Certain information withheld under section 9(2)(a).
17	Light Rail – IEP meeting with NZInfra	Certain information withheld under section 9(2)(a).
18	Treasury letter	Certain information withheld under section 9(2)(a), 9(2)(ba)(i) and section 9(2)(g)(i).
19	Draft	Certain information withheld under sections 9(2)(a), and 9(2)(g)(i).
20	Draft Engagement of Advisory Services PwC Wellington	Certain information withheld under sections 9(2)(a), 9(2)(ba)(i) and 9(2)(g)(i).
21	Conflict management arrangements	Certain information withheld under section 9(2)(a).
22	Draft note to Mark A	Certain information withheld under section 9(2)(a), 9(2)(ba)(i) and 9(2)(g)(i)
23	Auckland Light Rail [CIC]	Certain information withheld under sections 9(2)(a) and 9(2)(ba)(i)
24	Scope of work	Certain information withheld under section 9(2)(a)
25	Report for Hon T	Certain information withheld under section 9(2)(a), 9(2)(ba)(i), 9(2)(f)(iv), 9(2)(g)(i), and 9(2)(i)

26	In case you're looking for words	Certain information withheld under section 9(2)(a).
27	ALR	Certain information withheld under section 9(2)(a).
28	Current draft speech	Certain information withheld under section 9(2)(a) and 9(2)(g)(i).
29	MOT City Centre to Mangere Light Rail Project	Information fully withheld under section 9(2)(a) and 9(2)(ba)(i).
30	MOT Auckland Light Rail probity management	Information fully withheld under section 9(2)(a), 9(2)(ba)(i), and 9(2)(g)(i).
31	Treasury meeting	Certain information withheld under section 9(2)(a) and 9(2)(g)(i)
32	PM Memo	Certain information withheld under section 9(2)(a).
33	Letter from Nick Rogers	Information fully withheld under section 9(2)(a) and 9(2)(ba)(i)
34	OAG slides	Certain information withheld under section 9(2)(a).
35	Draft NZTA letter	Certain information withheld under section 9(2)(a). Attachment fully withheld under 9(2)(g)(i).
36	SMET	Certain information withheld under section 9(2)(a).
37	Evaluation stuff	Certain information withheld under section 9(2)(a).
38	SMETs	Certain information withheld under section 9(2)(a).
39	Quick Light Rail Update	Certain information withheld under section 9(2)(a), 9(2)(ba)(i) and 9(2)(g)(i)
40	Auckland City Centre to Light Rail Proposal Process – Stakeholder Engagement Principles	Certain information withheld under section 9(2)(a) and 9(2)(ba)(i)
41	Industry briefing	Certain information withheld under section 9(2)(a).
42	Overview of policy DD discussion	Certain information withheld under section 9(2)(a).
43	Draft media release – Proposals received v2	Certain information withheld under section 9(2)(a).
44	Weekly update	Certain information withheld under section 9(2)(a).
45	About right as an update?	Certain information withheld under section 9(2)(a) and 9(2)(g)(i).
46	PM Report	Certain information withheld under section 9(2)(a) and 9(2)(ba)(i).

47	AG weighs up whether to open an investigation	Information fully released.
48	CC2M Policy Report draft	Certain information withheld under section 9(2)(a). Policy report (attachment) fully withheld under section 9(2)(ba)(i)
49	OET Report	Certain information withheld under section 9(2)(a). OET report (attachments) fully withheld under section 9(2)(ba)(i)
50	OET Report	Certain information withheld under section 9(2)(a). OET report (attachments) fully withheld under section 9(2)(ba)(i).
51	Words	Certain information withheld under section 9(2)(a) and 9(2)(ba)(i).
52	Format for policy issues	Certain information withheld under section 9(2)(a). Attachment fully withheld under section 9(2)(ba)(i)
53	Policy issues	Certain information withheld under section 9(2)(a). Policy report (attachment) fully withheld under section 9(2)(ba)(i) and 9(2)(b)
54	Evaluation Diagram	Certain information withheld under section 9(2)(a). Attachment fully withheld under section 9(2)(ba)(i)
55	Light metro	Certain information withheld under section 9(2)(a), 9(2)(b) and 9(2)(ba)(i).
56	Mediaportal Alert – Auckland Light Rail	Certain information withheld under section 9(2)(a).
57	Update	Certain information withheld under section 9(2)(a) and 9(2)(g)(i).
58	Re:	Certain information withheld under section 9(2)(a).
59	MoU-NZ Infra Comments and Cost Reimbursement Position	Certain information withheld under sections 9(2)(a), 9(2)(ba)(i) and 9(2)(b)(ii). MoU (attachment) fully withheld under section 9(2)(ba)(i).
60	OC200048 Briefing on recommendation and next steps – Aide Memoire	Certain information withheld under section 9(2)(a). Briefing (attachment) refused under section 18(d) as publicly available <a href="https://www.transport.govt.nz/assets/Uploads/Aide-memoire/OC200048-Briefing-on-recommendation-and-next-steps-January-2020.pdf">https://www.transport.govt.nz/assets/Uploads/Aide-memoire/OC200048-Briefing-on-recommendation-and-next-steps-January-2020.pdf</a>
61	Cabinet paper	Certain information withheld under section 9(2)(a) and 9(2)(g)(i). Final version of Cabinet paper (attachment) publicly available at

		<a href="https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf">https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf</a>
62	Cabinet paper ALR	Certain information withheld under section 9(2)(a). Final version of Cabinet paper (attachment) publicly available at <a href="https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf">https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf</a>
63	Draft note on "What is an IPA"	Certain information withheld under section 9(2)(a) and 9(2)(ba)(i).
64	Light rail media query – now needed 2pm	Certain information withheld under section 9(2)(a). Attachments previously released under a different OIA response (OC180937).
65	Auckland light rail: Is it Shane Jones vs Phil Twyford now?	Certain information withheld under section 9(2)(a) and section 9(2)(g)(i).
66	Cabinet paper	Certain information withheld under section 9(2)(a) and 9(2)(g)(i). Final version of Cabinet paper (attachment) publicly available at <a href="https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf">https://www.transport.govt.nz/assets/Uploads/Cabinet/OC200006-Auckland-Light-Rail-Recommendation-for-Preferred-Delivery-Partner-Draft-March-2020.pdf</a>

Certain information is being withheld in reliance of the following sections in the Act:

- Section 9(2)(a) – relates to protect the privacy of natural persons
- Section 9(2)(b)(ii) – relates to the protection of information where the making of information would likely prejudice the commercial position of the person who supplied, or is the subject of the information
- Section 9(2)(ba)(i) – relates to information that is subject to an obligation of confidence
- Section 9(2)(f)(iv) – relates to confidentiality of advice tendered by Ministers and officials
- Section 9(2)(g)(i) – relates to the free and frank expression of opinions
- Section 9(2)(i) – relates to enabling Ministers of the Crown or any public service agency to carry on without prejudice or disadvantage, commercial activities.

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. The Ombudsman can be contacted at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

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

Yours sincerely

A handwritten signature in cursive script, appearing to read "Siobhan Routledge".

Siobhan Routledge

**Director, System Strategy and Investment**





Item 1

**Jonathan Luo**

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**From:** Bryn Gandy  
**Sent:** Monday, 2 November 2020 10:56 AM  
**To:** Lynda Holden  
**Subject:** Fw: City Centre to Mangare Light Rail Project [CIC]  
**Attachments:** 20190731 - Letter to respondents.pdf; Final RRD 310719.pdf

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**From:** Bryn Gandy  
**Sent:** 02 August 2019 16:05  
**To:** Carl Devlin [REDACTED]  
**Cc:** Sarah Sinclair [REDACTED]; Fiona Mules [REDACTED]; Amelia East  
**Subject:** City Centre to Mangare Light Rail Project [CIC] withheld under section 9(2)(a)

Hi Mark and Carl,

Thank you for sending through NZTA's advice regarding the probity letter.

We have taken it as confirming that NZTA intends to meet the probity and process requirements, but wants to engage on its exact approach from a position of having the requirements available. You will need to confirm with us how we will close this issue off, and by when.

We will as requested make sure no Advisory Group papers are provided to the NZTA until otherwise agreed.

Attached to this email is the Response Requirements Document and a covering letter. It should be provided only to people with direct involvement in the NZTA project.

We look forward to seeing NZTA at 2pm on Monday for the response requirements briefing. Attendees at our end will be myself, Fiona Mules, Sarah Sinclair and Amelia East.

Kind regards,

Bryn

**Bryn Gandy**  
Deputy Chief Executive, Strategy & Investment  
Ministry of Transport - Te Manatu Waka

withheld under section 9(2)(a)

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31 July 2019

Dear Respondent Members

## **Auckland City Centre to Mangere Light Rail Project – Response Requirements Document**

Following our respective agreement of the probity and process requirements governing the Proposal Process, we now release to you the Response Requirements Document (RRD). The RRD sets out the minimum response requirements that the Ministry considers necessary to enable an evaluation of the two Respondents' Proposals, and to inform a Cabinet paper in early 2020 in relation to selecting a Preferred Delivery Partner that will enter an exclusive negotiation period with the Ministry with a view to finalising all contractual arrangements (including a Project Agreement).

Please note this is the final form of the RRD. No changes are anticipated. The Ministry is not seeking your feedback on the RRD itself. Clarification may be sought on the content of the RRD through the clarification questions process outlined in the document. The Interactive Engagement Process (IEP) outlined in the document is to be used by Respondents to test their thinking and approach to the response requirements as they proceed to develop their Proposal through the Proposal Process.

An initial briefing/Q&A session to better understand the RRD is scheduled for each Respondent for the week commencing Monday 5 August 2019. The exact timing of these briefings is to be confirmed.

We seek your confirmation in writing to the Authorised Representative that you are willing to participate in the Proposal Process on or before 5pm Friday 9 August 2019.

The first IEP meetings are scheduled for the week commencing Monday 12 August 2019. These will be held in Auckland. Exact timing to be confirmed.

We note that Proposals are due no later than 12pm on 29 November 2019.

### **Virtual Data Room**


A key source of background information to assist with the development of your Proposal will be the Virtual Data Room (VDR). Please provide email addresses for the personnel you wish to have access to the VDR and we will arrange for prompt access.

## Communications

Stakeholders, media and the market have been understandably interested to know what the next step is for light rail development in Auckland. We will discuss with you the timing and content of a public announcement. We will also agree a wider communications plan with you.

We look forward to your involvement in this process. The Ministry is committed to running a fair and equitable process that enables both Respondents to put their best foot forward. Our goal is to make the most well-informed recommendation we can to Ministers in order to deliver the best outcome for light rail in Auckland.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Mersi', with a stylized flourish at the end.

Peter Mersi  
Secretary of Transport

**Jonathan Luo**

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**From:** Bryn Gandy  
**Sent:** Monday, 2 November 2020 10:56 AM  
**To:** Lynda Holden  
**Subject:** Fw: City Centre to Mangare Light Rail Project  
**Attachments:** 20190731 - Letter to respondents.pdf; Final RRD 310719.pdf

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**From:** Bryn Gandy  
**Sent:** 01 August 2019 10:49  
**To:** [redacted]; [redacted]; [redacted]  
**Cc:** Fiona Mules [redacted]; Sarah Sinclair [redacted]  
**Subject:** City Centre to Mangare Light Rail Project

Hi [redacted]

Thanks for sending the deed through. We will return a signed document shortly.

I see the disclosure form regarding conflicts is not complete. We have assumed that you're waiting on a signed deed before you supply that part. Grateful if you could confirm.

Attached to this email is the Response Requirements Document and a covering letter.

We look forward to seeing NZ Infra at 10am next Wednesday for the response requirements briefing. Attendees at our end will be myself, Fiona Mules, Sarah Sinclair and Amelia East.

Kind regards,

Bryn

**Bryn Gandy**  
Deputy Chief Executive, Strategy & Investment  
Ministry of Transport - Te Manatu Waka

[redacted] [www.transport.govt.nz](http://www.transport.govt.nz)

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31 July 2019

Dear Respondent Members

## **Auckland City Centre to Mangere Light Rail Project – Response Requirements Document**

Following our respective agreement of the probity and process requirements governing the Proposal Process, we now release to you the Response Requirements Document (RRD). The RRD sets out the minimum response requirements that the Ministry considers necessary to enable an evaluation of the two Respondents' Proposals, and to inform a Cabinet paper in early 2020 in relation to selecting a Preferred Delivery Partner that will enter an exclusive negotiation period with the Ministry with a view to finalising all contractual arrangements (including a Project Agreement).

Please note this is the final form of the RRD. No changes are anticipated. The Ministry is not seeking your feedback on the RRD itself. Clarification may be sought on the content of the RRD through the clarification questions process outlined in the document. The Interactive Engagement Process (IEP) outlined in the document is to be used by Respondents to test their thinking and approach to the response requirements as they proceed to develop their Proposal through the Proposal Process.

An initial briefing/Q&A session to better understand the RRD is scheduled for each Respondent for the week commencing Monday 5 August 2019. The exact timing of these briefings is to be confirmed.

We seek your confirmation in writing to the Authorised Representative that you are willing to participate in the Proposal Process on or before 5pm Friday 9 August 2019.

The first IEP meetings are scheduled for the week commencing Monday 12 August 2019. These will be held in Auckland. Exact timing to be confirmed.

We note that Proposals are due no later than 12pm on 29 November 2019.

### **Virtual Data Room**


A key source of background information to assist with the development of your Proposal will be the Virtual Data Room (VDR). Please provide email addresses for the personnel you wish to have access to the VDR and we will arrange for prompt access.

## Communications

Stakeholders, media and the market have been understandably interested to know what the next step is for light rail development in Auckland. We will discuss with you the timing and content of a public announcement. We will also agree a wider communications plan with you.

We look forward to your involvement in this process. The Ministry is committed to running a fair and equitable process that enables both Respondents to put their best foot forward. Our goal is to make the most well-informed recommendation we can to Ministers in order to deliver the best outcome for light rail in Auckland.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Mersi', with a stylized, flowing script.

Peter Mersi  
Secretary of Transport

**Jonathan Luo**

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**From:** ALR Queries  
**Sent:** Friday, 6 December 2019 6:18 PM  
**To:** Lucy Riddiford  
**Cc:** Carl Devlin; RRDqueries  
**Subject:** RE: New contact for ALR queries

Hi Lucy

Thank you for sending this through- we will ensure that we direct all correspondence to RRD Queries and continue to CC in Carl.

Regards  
Amelia

**Amelia East**  
Project Director – Auckland Light Rail  
**Ministry of Transport - Te Manatu Waka**

[REDACTED] | [www.transport.govt.nz](http://www.transport.govt.nz)

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*The Ministry of Transport moved on 1 April. Our new address is: Ground Floor, 3 Queens Wharf, Wellington 6011. All other contact details remain the same.*

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**From:** Lucy Riddiford [REDACTED]  
**Sent:** Monday, 2 December 2019 2:28 PM  
**To:** ALR Queries <ALRqueries@transport.govt.nz>  
**Cc:** Carl Devlin [REDACTED]; RRDqueries <RRDqueries@nzta.govt.nz>  
**Subject:** RE: New contact for ALR queries

Hi

Please address future correspondence related to the RRD to: [RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)

Many thanks

Lucy

**Lucy Riddiford** / General Counsel Light Rail

[REDACTED]  
Waka Kotahi NZ Transport Agency

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**From:** Lucy Riddiford  
**Sent:** Friday, 29 November 2019 11:01 AM  
**To:** Amelia East [REDACTED]  
**Cc:** Carl Devlin <[REDACTED]> Hayley Rundle [REDACTED]  
**Subject:** New contact for ALR queries

Hi Amelia

As discussed, this is Hayley's last day.

Please direct any queries to Carl in the interim. We'll let you know once we get a new email address set up.

Lucy

**Lucy Riddiford** General Counsel Light Rail  
Legal Team / Corporate Support

[REDACTED]  
[REDACTED] / w [nzta.govt.nz](http://nzta.govt.nz)

Waka Kotahi NZ Transport Agency  
**Chews Lane Office** / 50 Victoria Street  
Private Bag 6995, Wellington 6141, New Zealand



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[www.nzta.govt.nz](http://www.nzta.govt.nz)

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Released under the Official Information Act



Item 4

**Jonathan Luo**

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**From:** ALR Queries  
**Sent:** Friday, 13 December 2019 3:12 PM  
**To:** Carl Devlin; RRDqueries  
**Cc:** Lyn.Daken  
**Subject:** RE: Respondent CQs- CQ-001 and CQ-002

Attachments withheld in full under section 9(2)(ba)(i)

Hi Carl

Thank you for providing this. We will review the Business Case based on the mapping provided.

Should there be any inconsistencies between the Business Case and your full response, we will not be raising any further CQs but will assume the position in your full response is the one to be relied upon.

Regards  
Amelia

**Amelia East**  
Project Director – Auckland Light Rail  
Ministry of Transport - Te Manatu Waka

Withheld under section 9(2)(a)

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*The Ministry of Transport moved on 1 April. Our new address is: Ground Floor, 3 Queens Wharf, Wellington 6011. All other contact details remain the same.*

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**From:** Carl Devlin [redacted]  
**Sent:** Tuesday, 10 December 2019 2:25 PM  
**To:** ALR Queries <ALRqueries@transport.govt.nz>; RRDqueries <RRDqueries@nzta.govt.nz>  
**Subject:** RE: Respondent CQs- CQ-001 and CQ-002

Withheld under section 9(2)(a)

Amelia,

Please find attached our responses for CQ-001 and CQ-002.

If you have any queries on the attached, please let me know.

Regards

Carl

**Carl Devlin** / GM Rail & Mass Transit Services  
New Zealand Transport Agency

[www.nzta.govt.nz](http://www.nzta.govt.nz)

Withheld under section 9(2)(a)

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**From:** ALR Queries <[ALRqueries@transport.govt.nz](mailto:ALRqueries@transport.govt.nz)>  
**Sent:** Friday, 6 December 2019 3:33 PM  
**To:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>  
**Cc:** Carl Devlin [redacted]  
**Subject:** Respondent CQs- CQ-001 and CQ-002

Withheld under section 9(2)(a)

Hi Carl

Please find attached two CQs for review and response:

CQ-001 is from the Iwi and Stakeholder SMET; and  
CQ-002 is a question on submitted documents.

Please provide a response to both by **4pm Tuesday 10 December**.

If you have any queries, please let me know.

Regards  
Amelia

**Amelia East**  
Project Director – Auckland Light Rail  
Ministry of Transport - Te Manatu Waka

Withheld under section 9(2)(a)

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Item 5

**Jonathan Luo**

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**From:** Amelia East  
**Sent:** Wednesday, 18 December 2019 3:38 PM  
**To:** 'Carl Devlin'  
**Cc:** RRDqueries; ALR Queries  
**Subject:** FW: Questions relating to Process of Evaluation  
**Attachments:** 21777295-2\_PREFERRED Delivery Partner - MOU - Dec 19 (NZTA).DOCX

Attachment fully withheld under section 9(2)(ba)(i)

Hi Carl

Thanks for sending this through. I tried to call you back on Monday, but went through to voicemail. However, hopefully this email answers all the questions you have. Comments below in red.

Any questions, shout out. However, at this point in time – will most likely have to wait until the new year.

Cheers

A

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**From:** Carl Devlin [REDACTED]  
**Sent:** Monday, 16 December 2019 5:02 PM  
**To:** Amelia East [REDACTED]  
**Cc:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>  
**Subject:** Questions relating to Process of Evaluation

withheld under section 9(2)(a)

Amelia,

My internal stakeholders have raised a number of matters relating to process from now for which I require some guidance in order to provide them with an accurate response.

My understanding is that the timeline for submitting CQ's has now closed. If this is not correct please advise and more than happy to submit relevant questions in that manner.

These matters relate to :

1. Process / timing associated with selection of Preferred Delivery Partner
2. Evaluation Process
3. Financial Model
4. Secretary of Transport

Process / timing associated with selection of Preferred Delivery Partner

At our last IEP (21<sup>st</sup> Nov) , you mentioned that you intended to send both respondents a process MOU to govern the exclusive negotiation period with the expectation that both parties sign up to this ahead of any decision being made. This appears to be foreshadowed in the RRD (section 7.1.4).

Is this still your intention ? It would be helpful to receive this so that we can consider it prior to the Christmas break and I am anticipating that this would address many of the issues raised by my internal stakeholders regarding timing of being informed relative to papers being prepared for Cabinet; expectations ahead of any formal announcement so that Board can be prepared etc.

Draft MOU attached.

From a timing perspective, we would need this executed prior to the 24 January. Would therefore suggest you review prior to Christmas and we discuss in the new year. I am happy to deal with this over email or have a face to face meeting if preferred.

Appendix 1 and 2 are currently blank, but for the purposes of expediency – I wanted to get this out today. Will follow up shortly with the process for getting these bits finalised.  
Appendix 3 (Programme to Contractual Close) needs to be completed by yourselves and can be inserted into the final draft.

### Evaluation Process

Section 23.4.3 of the RRD says that the composition of the OET will reflect the diverse skillset required to make a fully considered recommendation to the Secretary of Transport and that any actual or perceived conflicts of interest will be managed and disclosed to Respondents. We are assuming that as nothing has been disclosed that no conflicts of interest have arisen. Please confirm. **Please refer to Evaluation NTR #1 that will follow shortly.**

We are very conscious of the volume and complexity of the material we've submitted and the timeframe that the Evaluation Team has as a whole to consider the Proposals, prepare reports and develop advice. We note that at section 23.4.2 of the RRD, the OET may seek further clarification.

It is normal industry best practice to engage with respondents post submission in complex procurements particularly in the case where both parties will be entering into a long term relationship. This is normally in the form of a presentation giving the evaluation team an opportunity to seek clarification. We would welcome the opportunity to present our proposition to the OET to assist you with the evaluation. It would be helpful to understand whether you would like to take up this opportunity and when this might occur, so that we can ensure that we have the appropriate people available. I will separately advise you of our arrangements over the Christmas and New Year break period. **In accordance with 23.4.2, the OET may request additional information. I will make the OET aware of your offer of a presentation but at this moment in time, this is not anticipated to be necessary and it would not be over the Christmas/New Year break period.**

### Financial Model

Withheld under section 9(2)(a)

We met with KPMG on Tuesday 10<sup>th</sup> December. We presented our model to the KPMG team. [REDACTED] suggested that we might be required to run two further scenarios – a sensitivity on revenue forecast / passenger numbers and a P50 scenario.

Can you please advise if you are likely to require us to undertake these additional scenario runs of our Financial Model. We are running out of time to complete this before Christmas. **This will not be required**

### Secretary of Transport

We are keen to ensure that the Secretary of Transport has all the information he needs to make the right recommendation to Ministers. To this end, can you please confirm that in addition to the OET's report, he will be provided with key artefacts from the respondent submissions. In our case this would be a copy of Sir Brian Roche's cover letter, the exec summary of our Proposal and the fly-through video. We would, of course, also be happy to meet with the Secretary of Transport to present our proposition and to answer any of his questions if that's helpful. **The evaluation process is structured to ensure the appropriate information is provided to the Secretary of Transport to enable him to make a robust, fair and considered recommendation to Ministers. We understand the Board's preferences, but whilst the evaluation process is still underway, I am unable to confirm what material from either bid will ultimately be provided to the Secretary of Transport.**

Happy to discuss over the phone when you have had an opportunity to review.

Best regards

Carl

Carl Devlin / GM Rail & Mass Transit Services  
New Zealand Transport Agency

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withheld under section 9(2)(a)

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Item 6

**Jonathan Luo**

---

**From:** RRDqueries <RRDqueries@nzta.govt.nz>  
**Sent:** Friday, 31 January 2020 8:55 AM  
**To:** ALR Queries; RRDqueries; Carl Devlin  
**Cc:** Amelia East  
**Subject:** RE: NZTA MOU - MOT Drafts

Many thanks. We'll arrange for this to be executed today.

Lucy

**Lucy Riddiford** / General Counsel Light Rail

Waka Kotahi NZ Transport Agency

withheld under section 9(2)(a)

---

**From:** ALR Queries <ALRqueries@transport.govt.nz>  
**Sent:** Friday, 31 January 2020 8:45 AM  
**To:** RRDqueries <RRDqueries@nzta.govt.nz>; Carl Devlin  
**Cc:** Amelia East  
**Subject:** FW: NZTA MOU - MOT Drafts

withheld under section 9(2)(a)

Hi Lucy

Please accept my apologies- the correct version is the one attached as this includes a couple of minor changes to the comms protocol.

Ngā mihi  
Aimee

**Aimee Webb**

Project Co-ordinator – Auckland Light Rail  
EA to Amelia East – Project Director, Auckland Light Rail  
**Ministry of Transport – Te Manatū Waka**

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withheld under section 9(2)(a)

---

**From:** ALR Queries  
**Sent:** Friday, 31 January 2020 7:57 AM  
**To:** 'RRDqueries' <RRDqueries@nzta.govt.nz>; Carl Devlin  
**Cc:** Amelia East  
**Subject:** RE: NZTA MOU - MOT Drafts

withheld under section 9(2)(a)

Hi Lucy and Carl

Thank you for the updated MOU yesterday- there are some minor tidy-up amendments in the attached.

We look forward to receiving your signed copy

Ngā mihi  
Aimee

**Aimee Webb**

Project Co-ordinator – Auckland Light Rail  
EA to Amelia East – Project Director, Auckland Light Rail  
Ministry of Transport – Te Manatū Waka

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**From:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>

**Sent:** Thursday, 30 January 2020 3:58 PM

**To:** ALR Queries <[ALRqueries@transport.govt.nz](mailto:ALRqueries@transport.govt.nz)>; RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>; Carl Devlin  
[REDACTED]

**Cc:** Amelia East [REDACTED]

withheld under section 9(2)(a)

**Subject:** RE: NZTA MOU - MOT Drafts

Hi

Thanks for a constructive meeting this morning.

I attach the MOU:

- I have accepted all the agreed changes in the MOU and appendix 2
- I have compiled all the appendices
- Small changes to appendix 1 to reflect our discussion have been marked up
- A few minor consequential changes to appendix 4 (the comms protocol) to reflect the fact that it's being agreed now have also been marked up.

Can you confirm you're happy and I'll then produce an execution copy. We can arrange for execution tomorrow.

Regards

Lucy

**Lucy Riddiford** / General Counsel Light Rail

[REDACTED]  
Waka Kotahi NZ Transport Agency

withheld under section 9(2)(a)

---

**From:** ALR Queries <[ALRqueries@transport.govt.nz](mailto:ALRqueries@transport.govt.nz)>

**Sent:** Wednesday, 29 January 2020 5:45 PM

**To:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>; Lucy Riddiford [REDACTED]; Carl Devlin  
[REDACTED]

**Cc:** [REDACTED]

withheld under section 9(2)(a)

**Subject:** NZTA MOU - MOT Drafts

Hi Lucy

Attached are mark-ups of the NZTA MOU and Appendix Two (Probity Requirements) for circulation to NZTA in advance of tomorrow morning's call.

Ngā mihi  
Aimee

**Aimee Webb**

Project Co-ordinator – Auckland Light Rail  
EA to Amelia East – Project Director, Auckland Light Rail

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**Jonathan Luo**

---

**From:** Lucy Riddiford [REDACTED]  
**Sent:** Friday, 31 January 2020 10:38 AM  
**To:** ALR Queries <ALRqueries@transport.govt.nz>; RRDqueries <RRDqueries@nzta.govt.nz>  
**Cc:** Carl Devlin [REDACTED]  
**Subject:** RE: Stakeholder engagement - Watercare

Thanks Amelia.

Would you be able to send me the log (I am not sure I can find the latest one in our records).

Lucy

**Lucy Riddiford** / General Counsel Light Rail

[REDACTED]  
Waka Kotahi NZ Transport Agency

---

**From:** ALR Queries <[ALRqueries@transport.govt.nz](mailto:ALRqueries@transport.govt.nz)>  
**Sent:** Friday, 31 January 2020 10:30 AM  
**To:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>  
**Cc:** Carl Devlin <[REDACTED]>; Lucy Riddiford <[REDACTED]>  
**Subject:** Re: Stakeholder engagement - Watercare

Hi both

Watercare signed our confidentiality and stakeholder letter in regards to the project. So for discussions for CC2M, usual rules apply but happy for you to talk with them. And would appreciate the reminder at the start that with the project getting attention, that this meeting does not indicate either way who is the preferred partner.

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For records, if you can let us know who you meet with and when, we can add to the stakeholder log Hayley used to send.

Thanks

A

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**From:** RRDqueries <[RRDqueries@nzta.govt.nz](mailto:RRDqueries@nzta.govt.nz)>  
**Sent:** Thursday, January 30, 2020 11:57 AM  
**To:** ALR Queries  
**Cc:** Carl Devlin; Lucy Riddiford  
**Subject:** Stakeholder engagement - Watercare

Hi

I am unclear on what permissions were given to engage with Watercare. They have requested a meeting with us to discuss the alignment of the Central Interceptor, as they require permission to go through NZTA's designation.

Can you please confirm that we have permission to engage with Watercare for this purpose? We have a memorandum of understanding with Watercare in relation to utilities, which contains confidentiality obligations.

Many thanks

Lucy

**Lucy Riddiford** / General Counsel Light Rail  
[REDACTED]  
Waka Kotahi NZ Transport Agency

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**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:39 AM  
**To:** Lynda Holden  
**Subject:** Fw: FYI Daily tasklist the team for yesterday

---

**From:** Amelia East [redacted]  
**Sent:** 15 August 2019 09:20  
**To:** Jo Mackay [redacted]; Bryn Gandy [redacted]; Karen Lyons [redacted]; Siobhan Routledge [redacted]; Michael Wilkinson [redacted]; Justin Brownlie [redacted]; Aimee Webb [redacted]; Christine Patterson [redacted]  
**Subject:** RE: FYI Daily tasklist the team for yesterday

Thanks for circulating.

[redacted] But regardless of classification, this point was about ensuring consistency in the final few days before announcement and managing the feedback from both the IEPs and the advisory group.

Can discuss this point further at 9.30. withheld under section 9(2)(g)(i)

Thanks

A

**Amelia East**  
[redacted]

---

**From:** Jo Mackay [redacted]  
**Sent:** Thursday, 15 August 2019 9:15 AM  
**To:** Bryn Gandy [redacted]; Amelia East [redacted]; Karen Lyons [redacted]; Siobhan Routledge [redacted]; Michael Wilkinson [redacted]; Justin Brownlie [redacted]; Aimee Webb [redacted]; Christine Patterson [redacted]  
**Subject:** FYI Daily tasklist the team for yesterday

Hi everyone  
My apologies for not sending this round earlier.  
Given it is so late I'll summarise yesterday's conversation briefly in this email.

- Aimee delivered a message from Amelia: No one to talk to any stakeholders apart from Amelia. Decisions all to her.
- [redacted] will now check in with Amelia re a meeting with Auckland Council. Also planning outcomes evaluation.
- Jo: data room information gathering, this also involves talking with Auckland Council.
- Jo and Aimee: working through a plan to rearrange the TARDIS folder structure

- Michael – OIA, including looking at an OIA complaint to the Ombudsman from media relating to 2018 NZTA treatment of light rail information.
- Christine - OIA
- Siobhan – focus is proactive OIA release, evaluation plan
- Advisory Group meeting in Auckland today, an IEP meeting in Auckland also.

Regards

Jo

**Jo Mackay**  
Project Manager  
Ministry of Transport – Te Manatū Waka

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Item 9

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:39 AM  
**To:** Lynda Holden  
**Subject:** Fw: PM questions

---

**From:** Amelia East [redacted] withheld under section 9(2)(a)  
**Sent:** 14 August 2019 21:41  
**To:** Fiona Mules [redacted] >; Bryn Gandy [redacted]  
**Cc:** Sarah Sinclair [redacted] >  
**Subject:** Re: PM questions

Thanks both.

The drawing out in the Cab paper of negotiation time with NZ infra, but staying silent on what we expect to see with NZTA - I thought was maybe implying they might be quicker because of that. But good to get your views on it and I agree. Was also trying to differentiate our responses to the questions a little without committing too much.

Will polish the language and get over in the morning.

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**From:** Fiona Mules [redacted] withheld under section 9(2)(a)  
**Sent:** Wednesday, August 14, 2019 9:26 PM  
**To:** Bryn Gandy  
**Cc:** Amelia East; Sarah Sinclair  
**Subject:** Re: PM questions

Agreed. Can guarantee NZTA delivery will not be quicker as no financial incentives on them to do so, definitely not happy suggesting that would be the case.

On Wed, 14 Aug 2019, 9:03 PM Bryn Gandy, [redacted] wrote: withheld under section 9(2)(a)  
Hi,

Q1 looks good. I'm not sure about the answer to Q2. In NZTA's case it would depend on how they structure their proposal (particularly if it's options!). I'd simply say that "This will be clear once proposals are received. Responses will set out a delivery timetable. We expect that the proposals may look very different from what we've seen previously, by the time they are complete".

Bryn

---

**From:** Amelia East [redacted] >  
**Date:** Wednesday, 14 August 2019 at 8:52 PM  
**To:** Sarah Sinclair [redacted], Fiona Mules [redacted]  
**Cc:** Bryn Gandy [redacted]  
**Subject:** PM questions withheld under section 9(2)(a)

Hi both

Received feedback from PMs office. They have two questions. Set them out below and some provisional answers which will finesse if we are happy with the approach. Can you let me know your thoughts. Need to get back to them in the morning.

Thanks

A

1). Can we advise if there will be any construction before next election

A: no. Construction timetable will become more certain at the end of the process but we would not be able to advise until then. Would avoid making any commitments.

2). How would the delivery timetable differ between the two partners

A: NZ Infra we have noted in the Cab paper would require a further period of negotiation. NZTA would take back the process if successful but cannot advise on timeframe - but expect to be quicker.

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**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:39 AM  
**To:** Lynda Holden  
**Subject:** Fw: NDA

---

**From:** Amelia East [REDACTED]  
**Sent:** 14 August 2019 21:44  
**To:** Bryn Gandy [REDACTED]; Michael Wilkinson [REDACTED]  
**Subject:** Re: NDA

I went old school and left a note on your desk!

But thanks in advance as well for helping. Also thought a precedent NDA for the project might prove useful if needed for any other stakeholder engagement

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**From:** Bryn Gandy [REDACTED]  
**Sent:** Wednesday, August 14, 2019 9:34 PM  
**To:** Michael Wilkinson  
**Cc:** Amelia East  
**Subject:** NDA

Hi Michael

Amelia may already have asked for this, in which case ignore.

But I need to get a NDA out tomorrow am so we can discuss booking some rooms for IEPs. We're seeking to use KPMG which are NZTA's auditor, which should minimise issues for us with the venue.

I'm not sure the NDA is 100% necessary but we should probably be probity nerds given our role in the process.

Is there something we could use as a form NDA?

Bryn

Item 11

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:40 AM  
**To:** Lynda Holden  
**Subject:** Fw: NZSF OIA release

---

**From:** Amelia East [REDACTED]  
**Sent:** 06 September 2019 09:22  
**To:** Bryn Gandy [REDACTED]  
**Subject:** NZSF OIA release

withheld under section 9(2)(a)

<https://www.nzsuperfund.nz/sites/default/files/documents-sys/OIA%20Request%20-%20Tova%20OBrien%20%28Newshub%29%20-%20Light%20Rail%20-%20Appendix%201%20-%20Part%202.pdf>

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Item 12

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:38 AM  
**To:** Lynda Holden  
**Subject:** Fw: Agenda for IEP Meeting #1: NZ Infra  
**Attachments:** 2675904-2-Proposal development stakeholders .XLSX; NZ Infra Proposed IEP Schedule 2019-08-12 DRAFT.docx

---

**From:** Amelia East [REDACTED]  
**Sent:** 12 August 2019 17:31  
**To:** Bryn Gandy [REDACTED]; Sarah Sinclair [REDACTED]; Fiona Mules [REDACTED]  
**Subject:** FW: Agenda for IEP Meeting #1: NZ Infra withheld under section 9(2)(a)

Hi all

Please see attached the materials received from NZ Infra today. We can discuss tomorrow about the meeting times, but a fair request.

And no, we won't be inviting our comms people. My press sec. hat will be on.

Thanks

A

**Amelia East**  
[REDACTED]

withheld under section 9(2)(a)

---

**From:** [REDACTED]  
**Sent:** Monday, 12 August 2019 5:01 PM  
**To:** ALR Queries <ALRqueries@transport.govt.nz> withheld under section 9(2)(a)  
**Cc:** Aimee Webb [REDACTED]  
**Subject:** Agenda for IEP Meeting #1: NZ Infra

Hi Amelia,

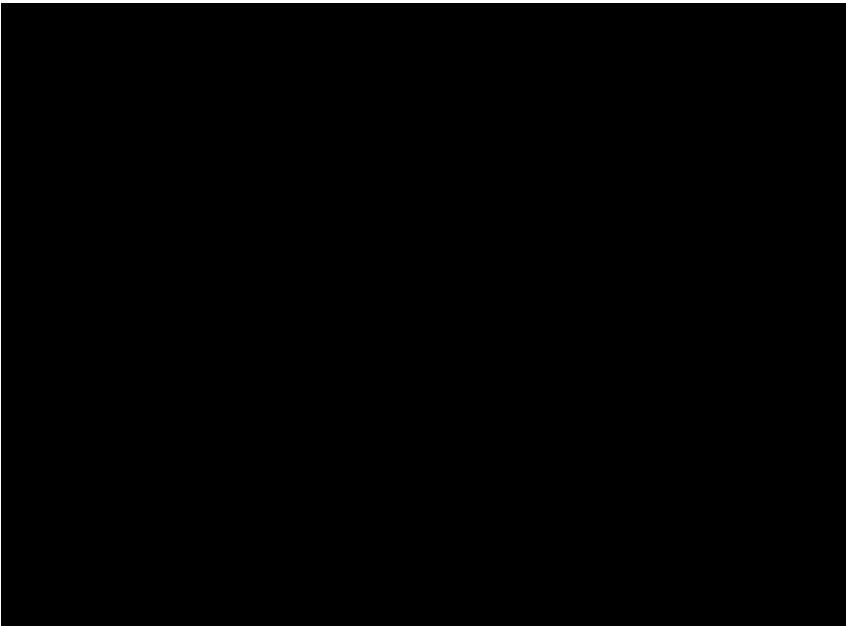
Please see below for our proposed agenda for the meeting tomorrow. I have also included our draft IEP Schedule (for discussion tomorrow) and our proposed Stakeholder List. I assume you will make sure the relevant Communications and Media people are invited tomorrow?

Just a heads up that the Montreal team have raised an issue with our meetings being on a Tuesday. If they leave Montreal on Sunday, they arrive in NZ on Tuesday morning, which doesn't give them sufficient time to catch up with the NZ team before the IEP meeting (not to mention they will have literally just got off the plane!). Could you please have a chat with your team and see whether we can change our day to later in the week.

Thanks and look forward to seeing you tomorrow.

Kind regards,

[REDACTED]



withheld under section 9(2)(ba)(i)



**Senior Investment Strategist**

DDI:  
Mobile:  
Email:

withheld under section 9(2)(a)

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Item 13

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:39 AM  
**To:** Lynda Holden  
**Subject:** Fw: Auckland Light Rail Project [MERW-MERWLIB.FID1520063]  
**Attachments:** NZ Infra Letter 160819.docx

---

**From:** Amelia East [REDACTED]  
**Sent:** 16 August 2019 12:55  
**To:** Bryn Gandy [REDACTED]; Sarah Sinclair [REDACTED]  
**Cc:** Fiona Mules [REDACTED]; Aimee Webb [REDACTED]  
**Subject:** RE: Auckland Light Rail Project [MERW-MERWLIB.FID1520063]

That was good timing. Draft letter attached for comment.

withheld under section 9(2)(a)

Once content approved, Aimee will finalise formatting, signature blocks, address details etc and we will send over.

Thanks

A

**Amelia East**

[REDACTED] withheld under section 9(2)(a)

---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Friday, 16 August 2019 12:44 PM  
**To:** Sarah Sinclair [REDACTED]  
**Cc:** Fiona Mules [REDACTED]; Amelia East [REDACTED]  
**Subject:** Re: Auckland Light Rail Project [MERW-MERWLIB.FID1520063]

withheld under section 9(2)(a)

Yes, she thought it was a good idea. Amelia is pulling it together to get it out today.

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**From:** Sarah Sinclair [REDACTED]  
**Sent:** Friday, August 16, 2019 12:38:55 PM  
**To:** Bryn Gandy [REDACTED]  
**Cc:** Fiona Mules [REDACTED]; Amelia East [REDACTED]  
**Subject:** RE: Auckland Light Rail Project [MERW-MERWLIB.FID1520063]

Bryn did you get feedback from [REDACTED] on this?

withheld under section 9(2)(a)

Sarah

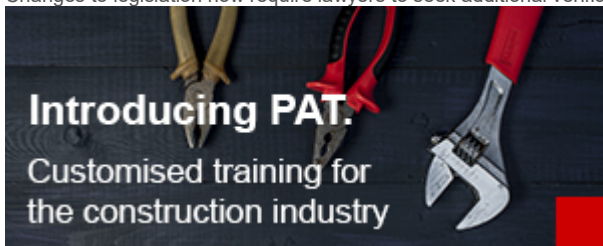
**Sarah Sinclair** 

Chair and Partner

[REDACTED] withheld under section 9(2)(a)

[REDACTED]  
MinterEllisonRuddWatts Lumley Centre 88 Shortland Street Auckland 1010

Changes to legislation now require lawyers to seek additional verification of their client's identity. [Learn more.](#)



**From:** Bryn Gandy [redacted]  
**Sent:** Thursday, 15 August 2019 8:55 PM  
**To:** [redacted]  
**Cc:** Amelia East [redacted]; Sarah Sinclair [redacted]; Fiona Mules [redacted]  
**Subject:** Auckland Light Rail Project withheld under section 9(2)(a)

Hi [redacted]

I want to test with you a way of assisting NZ Infra with the issue raised with us this week, i.e. their challenge with engaging advisors who may have been engaged in NZTA's previous market process. We escalated this to the NZTA CE earlier in the week and have had no reply, and have been considering the most reasonable next steps.

Our suggestion is that we would furnish a Commercial-In-Confidence letter to Infra that they could use with a supplier, which:

- Is on MOT letterhead and signed by me
- Confirms that the previous NZTA market process has ended but NZTA is not in a position to announce this
- Identifies that NZ Infra is participating in a new process
- Confirms that NZ Infra and NZTA should be able to access suppliers on an equal footing, unless NZTA has agreed a new arrangement following its previous market process
- Notes that this may require the supplier to agree a reasonable arrangement that protects confidential information they may have as part of a previous NZTA engagement, or other work they do for NZTA
- Confers a C-in-C obligation in respect of the above
- Offers a way to contact MOT to confirm the content of the letter.

We would also provide a copy of the letter to NZTA, at the same time as providing it to Infra.

Bryn

**Bryn Gandy**  
Deputy Chief Executive, Strategy & Investment  
Ministry of Transport - Te Manatu Waka

[redacted] | [www.transport.govt.nz](http://www.transport.govt.nz) withheld under section 9(2)(a)

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*Letter to NZ Infra*

Dear Alice

I am writing to give you further information on supplier engagement, as per clarificatory question 7 on the IEP Action Items register you sent on Wednesday 14 August.

As the Government has agreed to a new process for developing proposals, the current market process with NZTA has come to an end. Our expectation is that NZTA and NZ Infra should therefore now be able to access suppliers on an equal footing.

We did raise the issue with NZTA of some advisors and consultants being previously tied up by NZTA and being unsure of their availability to now assist others in relation to the new direction of the project. We requested a confirmed list of suppliers who will be directly engaged by NZTA on their proposal and are core to their project to assist in your planning, but as at the time of writing, have yet to receive this detail.

Therefore, please find attached to this letter communication that you will be able to share with Suppliers as you see necessary, that we hope will assist resolve this matter.

Amelia East  
Project Director – Auckland Light Rail

16 August 2019

To whom it may concern

## **Government announcement; Auckland Light Rail project**

### **Background**

The Minister of Transport will be announcing the Government's plans for light rail in Auckland in the next week.

The Government has commissioned the Ministry of Transport (the Ministry) to run a process over the next four to six months to help Government make further decisions. This process involves two parties, *NZ Infra* (a joint venture of the New Zealand Superannuation Fund and Canadian institutional investors CDPQ Infra and the NZ Transport Agency (NZTA)), preparing separate proposals for the delivery of light rail in Auckland. The Ministry will assess these proposals as part of final advice to Ministers.

The proposals will respond to particular requirements set by the Ministry – including commercial and financial matters, the technical solution, service delivery, and consistency with specified outcomes.

To assist you (as a supplier) and to support the proposals process, the letter sets out the Ministry's expectations and understanding of the relationship between the parties and any potential suppliers.

### **Engagement with the parties**

While this process is not a formal procurement process, the parties are subject to usual commercial in confidence disciplines. They have both signed agreements concerning confidentiality and probity. That is why this letter is from the Ministry, not from either of the parties.

It is important to note that the Government's decision, in effect, supersedes the market process that was run by the NZ Transport Agency (NZTA) in 2018. We consider that means, subject to any specific contractual arrangements (including confidentiality relating to previous work) that may already be in place, you could engage with either party as appropriate.

This is not to suggest that you must engage with either or both parties – these are entirely commercial decisions for you to make in discussion with either party.

However, from the Ministry's perspective, it is important that both parties are able to access suppliers that will assist the parties to develop well-informed proposals for consideration by the Government.

### **Engagement with the Ministry**

If you have any questions about the content of this letter, then you are free to contact Amelia East, Project Director, Light Rail ([a.east@transport.govt.nz](mailto:a.east@transport.govt.nz), or 022 006 4723) at the Ministry of Transport.

Please treat this letter as commercial in confidence

I appreciate your assistance in this matter.

Bryn Gandy  
DCE Strategy and Investment

Released under the Official Information Act

Item 14

Jonathan Luo

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:40 AM  
**To:** Lynda Holden  
**Subject:** Fw: NZTA - Proposed Media Response to ALR Announcement  
**Attachments:** NZ Transport Response Statement 190814.pdf

---

**From:** Amelia East [redacted]  
**Sent:** 16 August 2019 14:10  
**To:** [redacted] Bryn Gandy [redacted]; Fiona Mules [redacted]; Sarah Sinclair [redacted]; Siobhan Routledge [redacted]  
**Cc:** Justin Brownlie [redacted]; Michael Wilkinson [redacted]  
**Subject:** RE: NZTA - Proposed Media Response to ALR Announcement

Further comments from me, using [redacted] version as the base. withheld under section 9(2)(a)

**Amelia East**  
[redacted]

---

**From:** [redacted]  
**Sent:** Friday, 16 August 2019 1:37 PM  
**To:** Amelia East [redacted]; Bryn Gandy [redacted]; Fiona Mules [redacted]; Sarah Sinclair [redacted]; Siobhan Routledge [redacted]  
**Cc:** Justin Brownlie [redacted]; Michael Wilkinson [redacted] withheld under section 9(2)(a)  
**Subject:** RE: NZTA - Proposed Media Response to ALR Announcement

Thanks Amelia

A few comments from me in the attached. But in brief it seems NZTA are trying to give a positive spin on things – but I would prefer this was a bit more neutral in tone. Some suggestions are in comments.

Thanks  
[redacted]

withheld under section 9(2)(a)

[redacted]  
[redacted]  
[redacted]

Level 3, Perpetual Guardian House, 99 – 105 Customhouse Quay, Wellington





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**From:** Amelia East [REDACTED]  
**Sent:** Friday, 16 August 2019 1:03 p.m.  
**To:** Bryn Gandy [REDACTED]; Fiona Mules [REDACTED]; Sarah Sinclair [REDACTED]; Siobhan Routledge [REDACTED]  
**Cc:** Justin Brownlie [REDACTED]; [REDACTED] Michael Wilkinson [REDACTED]  
**Subject:** FW: NZTA - Proposed Media Response to ALR Announcement

All

withheld under section 9(2)(a)

Please see attached the draft NZTA press release. Can you let me know if you have any comments on the attached.

Thanks

A

Amelia East withheld under section 9(2)(a)

**From:** Carl Devlin [REDACTED]  
**Sent:** Friday, 16 August 2019 12:31 PM  
**To:** ALR Media <[A.Media@transport.govt.nz](mailto:A.Media@transport.govt.nz)> withheld under section 9(2)(a)  
**Cc:** Amelia East [REDACTED]  
**Subject:** NZTA - Proposed Media Response to ALR Announcement

Dear Amelia,

NZ Transport Agency notes the Ministry of Transport has flagged an intention to announce the next steps in the Auckland Light Rail project early next week by media release and/or interview.

Based on our discussions this week with the Ministry around the communication protocol parameters, we have prepared a reactive statement to be released by the Transport Agency following the announcement.

A draft is attached for consideration. This has been signed off by Mark Ratcliffe, Interim CEO.

I would welcome discussion should you have any queries.

Regards

Carl

Carl Devlin / Head of Light Rail  
New Zealand Transport Agency

[REDACTED] / [www.nzta.govt.nz](http://www.nzta.govt.nz)

withheld under section 9(2)(a)

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## **Auckland Light Rail Announcement – approved reactive messaging for NZTA**

### **The new Government decision-making process**

The Government has requested both NZTA and NZ Infra to prepare refined proposals for the City Centre to Māngere Light Rail (CC2M) rapid transit corridor and future network integration.

The NZTA is continuing with the work already underway to deliver a well-considered and detailed proposal for Government consideration. Our aim is to provide an effective rapid transit solution that is sustainable and supports long term community benefits.

We recognise MoT's responsibility to ensure that commissioning of major infrastructure delivers the best value and long-term outcomes for New Zealand. Delivering large-scale, transformational projects like this requires a diligent and thorough approach to achieve the best outcomes.

### **The draft Indicative Business Case (IBC)**

The NZTA's draft Indicative Business Case (IBC) for CC2M was completed on time in December 2018 and shared with the Ministry of Transport (MoT) and Treasury, for feedback and review.

While the NZTA has previously indicated that parts of the draft IBC may be released, in light of the recent announcement by MoT on the decision-making process, the IBC is now considered to be part of an ongoing government deliberation process and cannot be released until that process has been completed.

### **Market engagement**

The NZ Transport Agency acknowledges previous market engagement processes undertaken as part of the IBC development. The experience and insights of market participants will be invaluable to inform government decisions.

We will review the scope and parameters in the context of MoT's request and consider whether previous market engagement elements are sufficiently aligned to the new requirements. The NZTA's approach will provide for management of delivery partners selected through a appropriate government procurement processes in accordance with standard government policy.

### **Community engagement**

The NZTA acknowledges with gratitude the initial engagement of local communities, mana whenua, businesses and local government around the project. We are committed to listening to your needs and providing the information you need to stay informed. We look forward to working with you in future to deliver critical infrastructure that improves wellbeing by better connecting you to family, community, jobs and education.

### **Background**

In May 2018, the Minister of Transport mandated the NZ Transport Agency to lead the accelerated delivery of the City Centre to Māngere Light Rail (CC2M) line.

To meet this timeline, the NZTA and its partners adopted the light rail scheme previously developed by Auckland Transport which constrained development to fit in with the accelerated delivery mandate. The draft Indicative Business Case (IBC) for CC2M was completed on time in December 2018 and shared with the Ministry of Transport (MoT) and Treasury, for feedback and review.

Review of the draft IBC highlighted that the proposal could better serve future needs of New Zealanders with greater consideration of:

- a city-wide rapid transit network
- integrating the additional Waitematā Harbour Crossing

- the rest of Auckland's public transport network.

Based on this assessment the NZTA has been working collaboratively with MoT, Treasury and project partners to reach a shared understanding of the long-term objectives for integrated transport in Auckland. We're confident this process will produce an enhanced investment and implementation case for Government consideration.

Following the introduction in May 2018 of the NZ Infra proposal, MoT has also been considering how to achieve the best delivery model to meet the Government's transport priorities. MoT's deliberations have resulted in the Government requesting both NZTA and NZ Infra to prepare refined proposals for the CC2M rapid transit corridor and future network integration.

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Item 15

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:40 AM  
**To:** Lynda Holden  
**Subject:** Fw: Ministerial meeting

---

**From:** Amelia East [redacted]  
**Sent:** 16 August 2019 17:05  
**To:** Sarah Sinclair [redacted]; Bryn Gandy [redacted]; Fiona Mules [redacted]; Siobhan Routledge [redacted]  
**Subject:** Re: Ministerial meeting

withheld under section 9(2)(a)

Hi

Just heard from the office and it's been cancelled.

A

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---

**From:** Sarah Sinclair [redacted]  
**Sent:** Friday, August 16, 2019 5:02:48 PM  
**To:** Bryn Gandy [redacted]; Fiona Mules [redacted]; Amelia East [redacted]; Siobhan Routledge [redacted]  
**Subject:** Ministerial meeting

withheld under section 9(2)(a)

Hi there

I see there is a Ministerial meeting in our diaries for Monday afternoon. Is this going ahead?

Sarah

**Sarah Sinclair** 

Chair and Partner

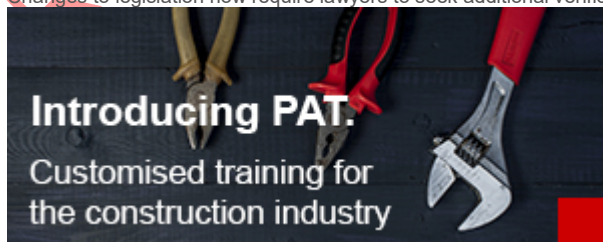
[redacted]  
[redacted]


withheld under section 9(2)(a)

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 Please consider the environment before printing this email message.

Item 16

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:44 AM  
**To:** Lynda Holden  
**Subject:** Fw: This morning

---

**From:** Bryn Gandy  
**Sent:** 23 October 2019 08:18  
**To:** Siobhan [REDACTED] Amelia East [REDACTED]  
**Subject:** Re: This morning

I haven't heard otherwise as yet.

withheld under section 9(2)(a)

But with burning buildings and hail there may still be further signs of the Aucklandocalypse.

Sent by mobile

---

**From:** Siobhan Routledge [REDACTED]  
**Sent:** Wednesday, October 23, 2019 6:50:17 AM  
**To:** Bryn Gandy [REDACTED]; Amelia East [REDACTED]  
**Subject:** This morning

Hi,

withheld under section 9(2)(a)

I'm on the 7:30am flight this morning - just double checking that the IEP isn't disrupted given the fire?

Thanks Siobhan

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Official Information Act

Item 17

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:45 AM  
**To:** Lynda Holden  
**Subject:** Fw: Light Rail - IEP meeting with NZInfra

---

**From:** Amelia East [redacted] >  
**Sent:** 23 October 2019 08:40  
**To:** Aimee Webb [redacted]; Fiona Mules [redacted]; Sarah Sinclair [redacted];  
[redacted]; Bryn Gandy [redacted]; [redacted];  
[redacted]; [redacted]; [redacted]; Siobhan Routledge >  
**Subject:** Re: Light Rail - IEP meeting with NZInfra withheld under section 9(2)(a)

All  
Just to confirm, 11 is still the start date and they truncated their agenda so we can prep from 10.  
[redacted] - no need to come till 11.30.

Thanks  
A  
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---

**From:** Aimee Webb [redacted]  
**Sent:** Wednesday, October 23, 2019 8:38 AM  
**To:** Fiona Mules; Sarah Sinclair; Amelia East; Bryn Gandy; [redacted]  
[redacted]  
**Subject:** Light Rail - IEP meeting with NZInfra withheld under section 9(2)(a)

Morena  
APO is open and the meeting is going ahead today- if you do get stuck in traffic or have any problems getting there then please let me know  
Ngā mihi  
Aimee

**Aimee Webb**  
Project Co-ordinator – Auckland Light Rail  
EA to Amelia East – Project Director, Auckland Light Rail  
**Ministry of Transport – Te Manatū Waka**

[redacted] | [www.transport.govt.nz](http://www.transport.govt.nz) withheld under section 9(2)(a)

Item 18

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:43 AM  
**To:** Lynda Holden  
**Subject:** Fw: Treasury Letter  
**Attachments:** Letter to Caralee McLeish and Struan Little Treasury 9 October 2019.docx

---

**From:** Amelia East [REDACTED]  
**Sent:** 16 October 2019 09:01  
**To:** Bryn Gandy [REDACTED]  
**Cc:** Lynda Holden [REDACTED]; Aimee Webb [REDACTED] >  
**Subject:** Treasury Letter

withheld under section 9(2)(a)

Bryn

The letter we drafted to Treasury. For your final review (and decision re whether you or Peter should send).

A

**Amelia East**  
Project Director – Auckland Light Rail  
Ministry of Transport - Te Manatu Waka

[REDACTED] [www.transport.govt.nz](http://www.transport.govt.nz)

withheld under section 9(2)(a)

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*The Ministry of Transport moved on 1 April. Our new address is: Ground Floor, 3 Queens Wharf, Wellington 6011. All other contact details remain the same.*



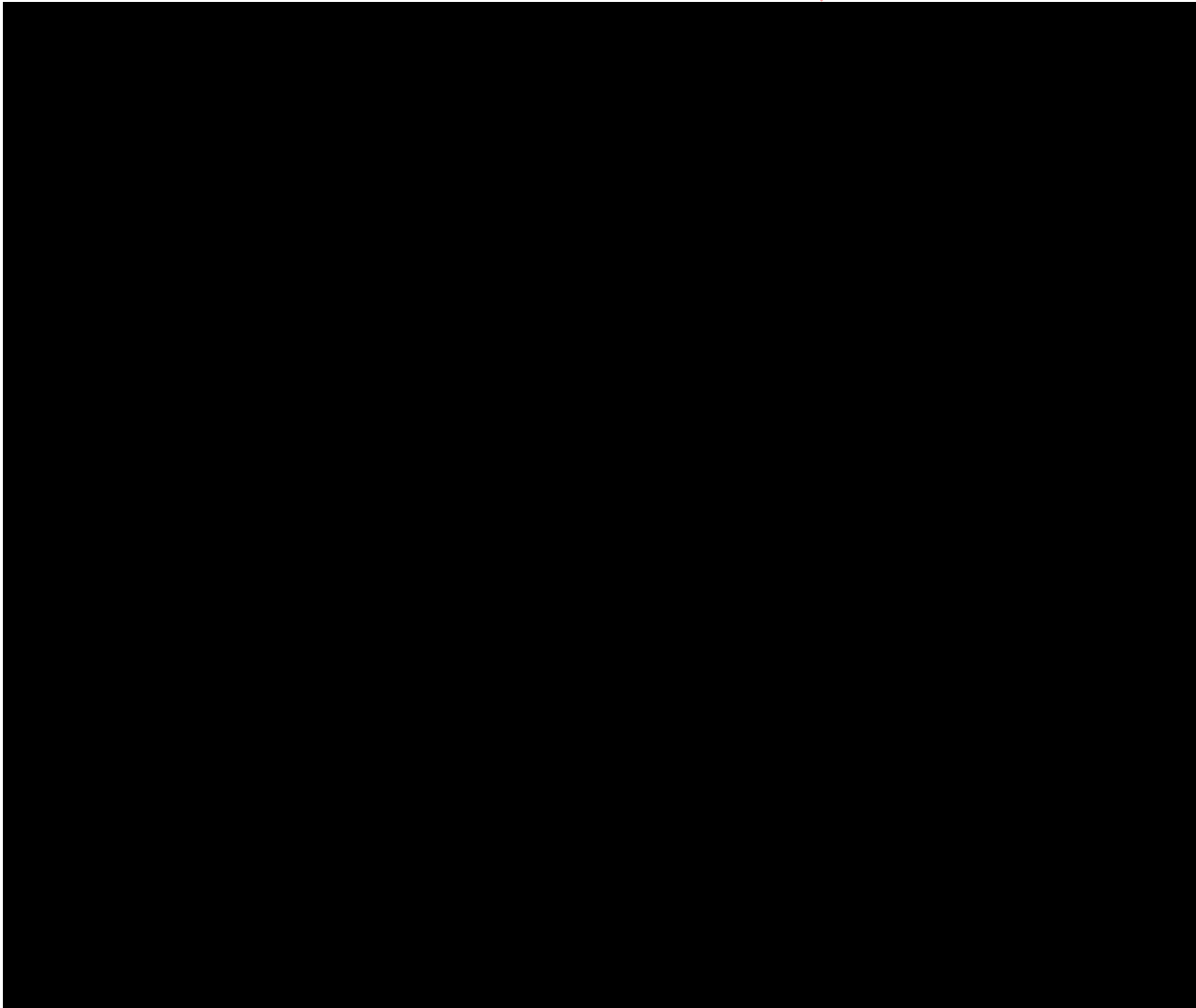
11 October 2019

Caralee McLeish  
**Treasury**  
Sent by email

Dear Caralee

I am writing in relation to the Auckland Light Rail project, following the letter from Peter Mersi of 20 September 2019 to Struan Little (as acting CE). I have attached the correspondence on this matter for your background.

Peter indicated that the Ministry would write to The Treasury once we had consulted the Probity Auditor engaged for the project. The Probity Auditor is an Audit NZ employee. She has now provided her findings on the matter, which are set out below.





On the basis of the above, we consider this matter closed. For your information, we are currently engaging with The Treasury (inclusive of the ITU) about their contribution to the final stages of the project which are a formal evaluation and the provision of advice to Ministers in early 2020.

Regards

Bryn Gandy  
**Deputy Chief Executive, Strategy and Investment**

CC: Amelia East, Jon Grayson

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Item 19

Jonathan Luo

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:42 AM  
**To:** Lynda Holden  
**Subject:** Fw: Draft

---

**From:** Amelia East [REDACTED]  
**Sent:** 12 September 2019 20:25  
**To:** Bryn Gandy [REDACTED]  
**Subject:** Re: Draft

withheld under section 9(2)(a)

Well - no one can excuse us of not doing much!

[REDACTED]

withheld under section 9(2)(g)(i)

For the policy, would also say we are being clear it needs to show how the system can adapt to the proposals and then the implications of any such decisions: it isn't simply a thought piece.

A

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---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Thursday, September 12, 2019 7:55:52 PM  
**To:** Amelia East [REDACTED]  
**Subject:** Draft

withheld under section 9(2)(a)

Hi!

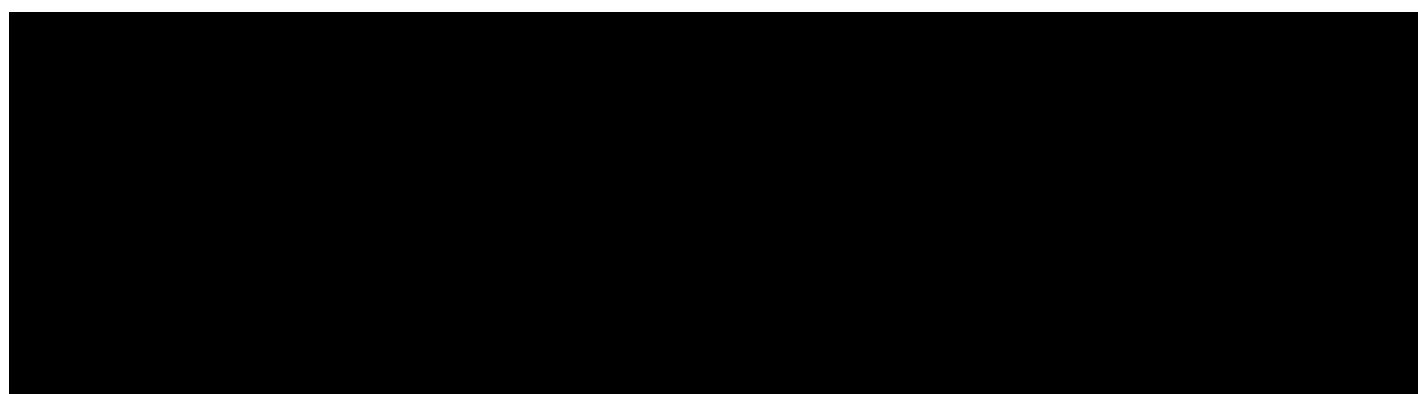
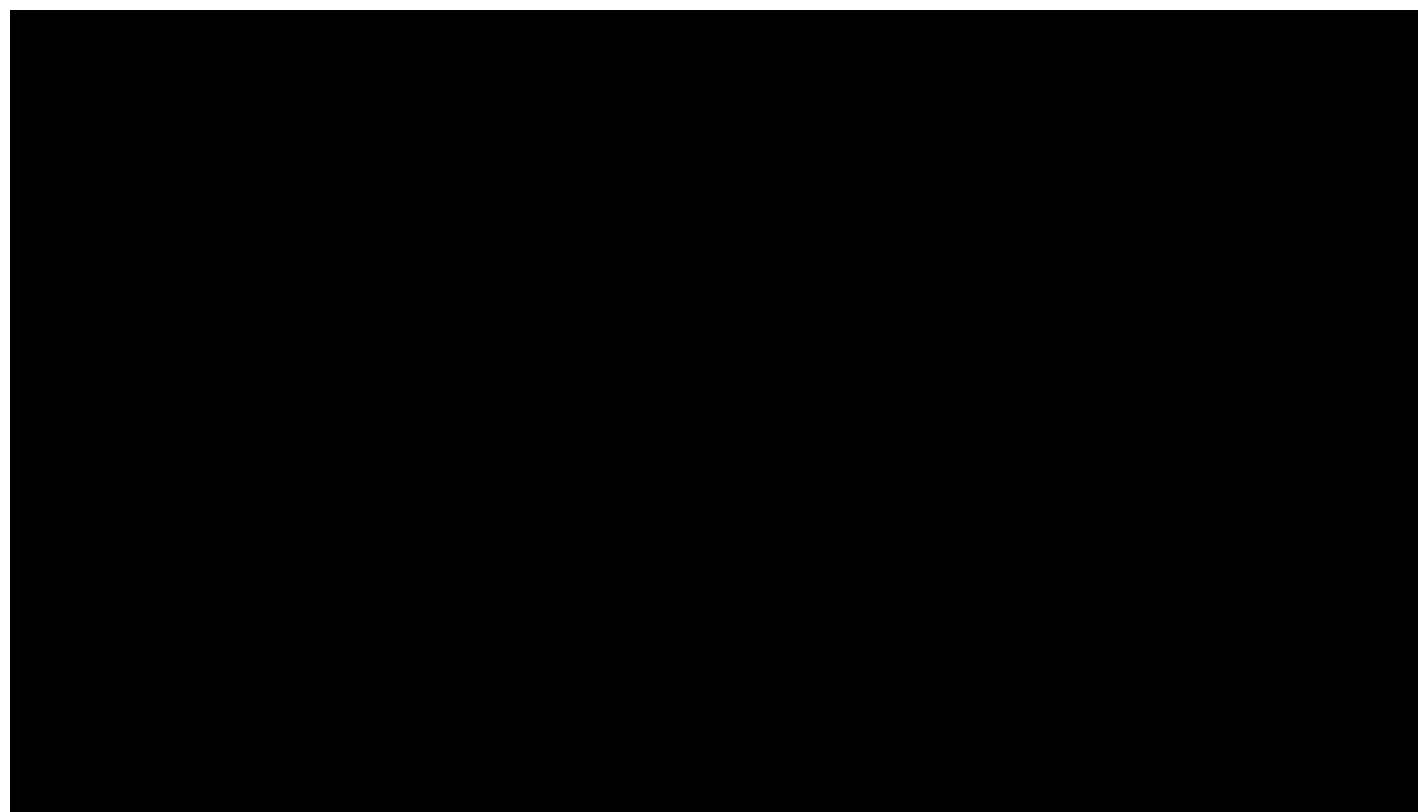
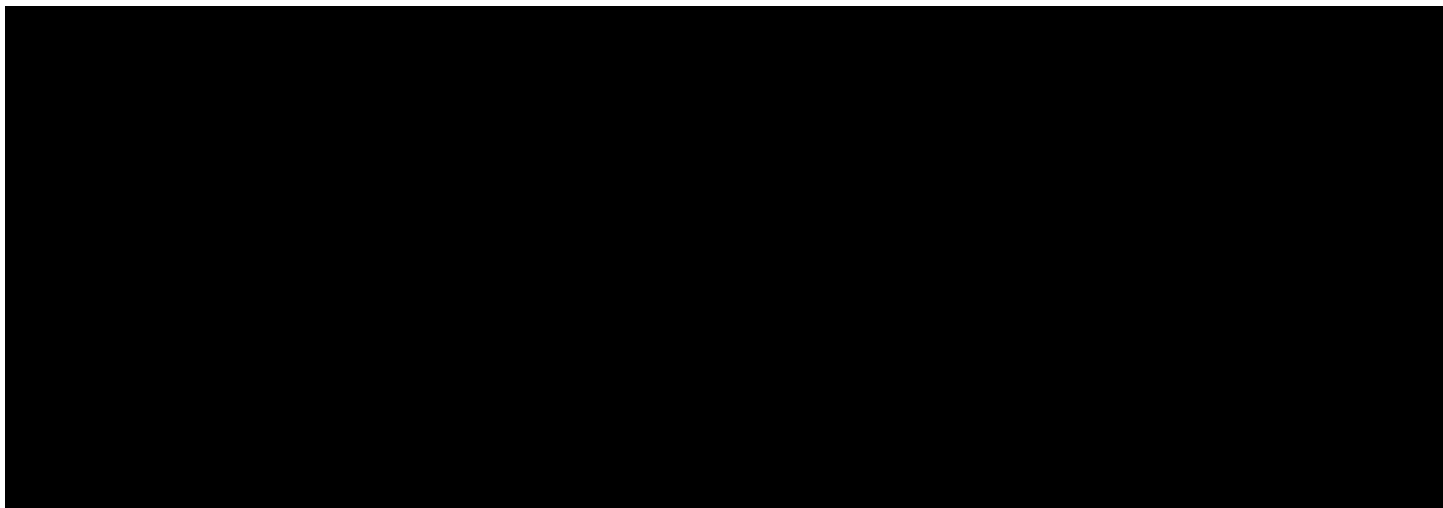
This note sets out progress on light rail stuff while you've been away. Having just read it, it's a lot!

We are making good progress, with not a lot of genuinely new issues but current ones are playing out. So there is a bit of challenge - but it's just where we are, and there a couple of things we are pushing up.

A few of these are around [REDACTED]. We are being careful not to over-do the rules, but also conscious they are important and we have put in place a minimum of "hard rules". So we have to guard these well.

withheld under section 9(2)(g)(i)

[REDACTED]



**4. Attendance at Minister Meeting**

This is currently scheduled for 22 September, and Amelia is currently the only attendee at our end.

[Redacted]

[Redacted]

**6. Other Stuff**

withheld under section 9(2)(g)(i)

A policy team is now in place for the policy work. Siobhan is working through the challenge of having three men named John working on one thing. A key focus has been making sure the policy workstreams include a clear statement of what the Crown's objectives are, even if these change a bit through the process. You may want to engage with this if you have time (it is interesting too).

The budget is tight! Amelia is working on this, and a key issue will be how much external expertise we need on the SMETs.

We are working on the basis that Cabinet will need to make a decision by Easter next year, and we have a loose sense of overall timing. Once I'm back we will consider whether we need to seek some funding to keep key resources onboard / in place. I think we'd want to continue with the lead team, Mott, and Minters at a minimum.

Bryn

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Item 20

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:41 AM  
**To:** Lynda Holden  
**Subject:** Fw: Draft: Engagement of Advisory Services / PwC Wellington

---

**From:** Amelia East [REDACTED]  
**Sent:** 10 September 2019 20:48  
**To:** Bryn Gandy [REDACTED]  
**Subject:** Re: Draft: Engagement of Advisory Services / PwC Wellington

withheld under section 9(2)(a)

No apologies required. Anything that means we aren't having to try and interpret a financial model over Christmas dinner is worth it!

A

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---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Tuesday, September 10, 2019 8:37 PM  
**To:** Amelia East  
**Subject:** Re: Draft: Engagement of Advisory Services / PwC Wellington

withheld under section 9(2)(a)

Thanks! And apologies for interruptions to your evening.

Bryn

---

**From:** Amelia East [REDACTED]  
**Date:** Tuesday, 10 September 2019 at 8:27 PM  
**To:** Bryn Gandy [REDACTED]  
**Subject:** Re: Draft: Engagement of Advisory Services / PwC Wellington

withheld under section 9(2)(a)

Hi

This looks fine. I had made a comment about [REDACTED]. If this is clearly a point of concern to PwC, would leave in. If not - point stands from earlier. The wider scope of work we have, the better! Would hope conflict management is the most important part (I.e separation of offices). Everything else is perception which we can manage - [REDACTED]

A [REDACTED] withheld under sections 9(2)(g)(i) and 9(2)(ba)(i)

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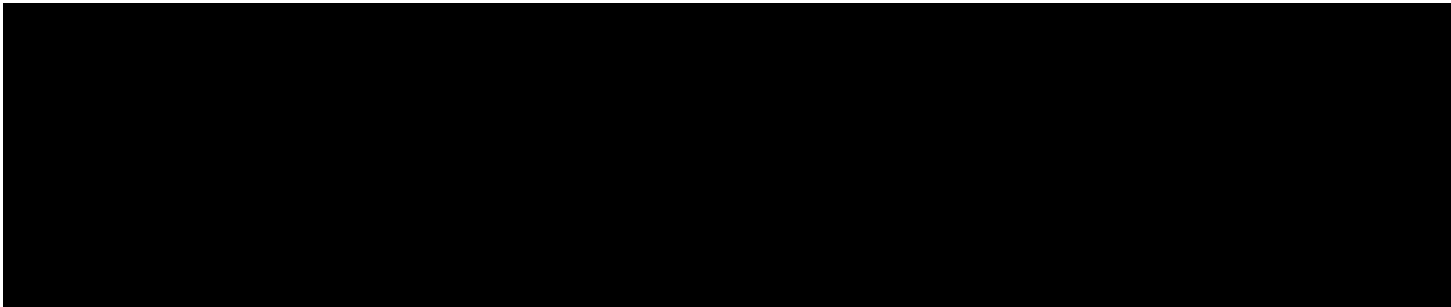
---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Tuesday, September 10, 2019 8:12:29 PM  
**To:** Amelia East [REDACTED]  
**Subject:** Draft: Engagement of Advisory Services / PwC Wellington

withheld under section 9(2)(a)

Hi [REDACTED]

As discussed we have been looking at options to bring some advisory services on board to assist with the evaluation process and financial DD.



We have also indicated we'd check the above with you. Let me know if any of the above raises any concerns from your perspective.

withheld under section 9(2)(ba)(i)

Bryn

Released under the Official Information

Item 21

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:42 AM  
**To:** Lynda Holden  
**Subject:** Fw: Conflict management arrangements

---

**From:** Amelia East [REDACTED]  
**Sent:** 12 September 2019 16:22  
**To:** Bryn Gandy [REDACTED] withheld under section 9(2)(a)  
**Subject:** Fwd: Conflict management arrangements

Please see below

Thanks

A

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---

**From:** [REDACTED]  
**Sent:** Thursday, September 12, 2019 4:17:16 PM withheld under section 9(2)(a)  
**To:** Amelia East [REDACTED]  
**Subject:** Conflict management arrangements

Hi Amelia

As discussed I'm comfortable that the proposed process to ring fence PWC personnel involved in supporting the NZTA Auckland Light Rail team from any PWC personnel supporting MoT (and the information used by each within the PWC systems) should be sufficient to manage the potential conflict of interest (subject to reviewing the probity management plan that PWC are proposing, and MOT reserving the right to audit the application of the management plan in practice should it need to do so).

You may also need to consider the perception issue that may arise. Transparency is the most effective option in dealing with perception – disclosing the situation and how it is being mitigated and monitored, requesting any questions about the situation and its management proactively so you can address any particular concerns with the mitigation and monitoring regime.

Cheers

[REDACTED]

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**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:41 AM  
**To:** Lynda Holden  
**Subject:** Fw: Draft note to Mark A - let me know if this works

---

**From:** Amelia East [REDACTED]  
**Sent:** 10 September 2019 20:22  
**To:** Bryn Gandy [REDACTED] withheld under section 9(2)(a)  
**Subject:** Re: Draft note to Mark A - let me know if this works

Hey

Looks good. My only suggestion would be to rejig the following 3 paragraphs to say that it was our preference to use PwC, we looked at alternatives following advice they couldn't proceed, [REDACTED]. Have set our below. withheld under section 9(2)(g)(i)

Our preference on that basis had been to continue to use Dan / PwC Wellington to assist with the evaluation process, financial DD and to help provide expertise to the SMETs. Given the way these flow on from the project requirements they helped create, this was our first best option, especially given the important NZ Inc nature of the project.

[REDACTED]

[REDACTED]

withheld under section 9(2)(ba)(i)

We will provide a full scope of work if you agree to proceeding, but at a high level we expect it to cover:

[can insert my draft I sent to you]

[REDACTED]



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---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Tuesday, September 10, 2019 7:49:06 PM  
**To:** Amelia East [REDACTED]  
**Subject:** Draft note to Mark A - let me know if this works

withheld under section 9(2)(a)

Hi Mark,

Thanks for taking a call today – I appreciate you will be very busy in Bangkok.

I want to record up front the great work Dan has done for us at the front end of what is a very challenging process. The whole thing has been stood up in about 40 business days, and we wouldn't have been able to do that without Dan and his team.

We would like to continue to use Dan / PwC Wellington to assist with the evaluation process, financial DD and to help provide expertise to the SMETs. Given the way these flow on from the project requirements they helped create, this is our first best option, which is important given the important NZ Inc nature of the project.

We will provide a full scope of work, [REDACTED]

withheld under section 9(2)(b)(ii)

[REDACTED]

We have a probity auditor (Audit NZ) engaged as part of the process, and they are accessible to all parties. We'll verify the detail of any arrangement with Audit NZ, and I understand this has already been discussed with them.

We also have confirmation from NZTA that it is comfortable with us continuing to engage PwC Wellington. Attached below is a note forwarded through from Richard Leverington, NZTA's Head of Risk and Audit. As part of the probity arrangements for the project, the NZTA CE has delegated Richard to provide clearance of consultants, advisory and other suppliers. There are a few reasons for this arrangement – one is that NZTA has signed up to some probity and process obligations not to unnecessarily tie up any of the above, and another is to enable us to focus our engagement with Carl and his team on their bid.

We will provide the scope of the work tomorrow, as well as confirmation following a conversation with Audit NZ. Let me know if there is anything further that might be helpful.

Kind regards,

Bryn Gandy

**Bryn Gandy**  
Deputy Chief Executive, Strategy & Investment  
Ministry of Transport - Te Manatu Waka

withheld under section 9(2)(a)

[REDACTED] | [www.transport.govt.nz](http://www.transport.govt.nz)

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Item 23

**Jonathan Luo**

---

**From:** Bryn Gandy  
**Sent:** Tuesday, 10 November 2020 10:41 AM  
**To:** Lynda Holden  
**Subject:** Fw: Auckland Light Rail [C-I-C]

---

**From:** Amelia East [REDACTED]  
**Sent:** 11 September 2019 20:07  
**To:** Bryn Gandy [REDACTED]  
**Subject:** Re: Auckland Light Rail [C-I-C]

withheld under section 9(2)(a)

Hey

Looks great. Made a minor tweak to point 3 (simply to say they might be aggrieved, not necessarily will be), but think is good to go. Clear we've listened but we need to make some of these decisions ourselves.

Also, I think we might want to be clear about capacity so added that in as well to point 1.

A

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---

**From:** Bryn Gandy [REDACTED]  
**Sent:** Wednesday, September 11, 2019 7:45 PM  
**To:** Amelia East  
**Subject:** FW: Auckland Light Rail [C-I-C]

withheld under section 9(2)(a)

[Draft]

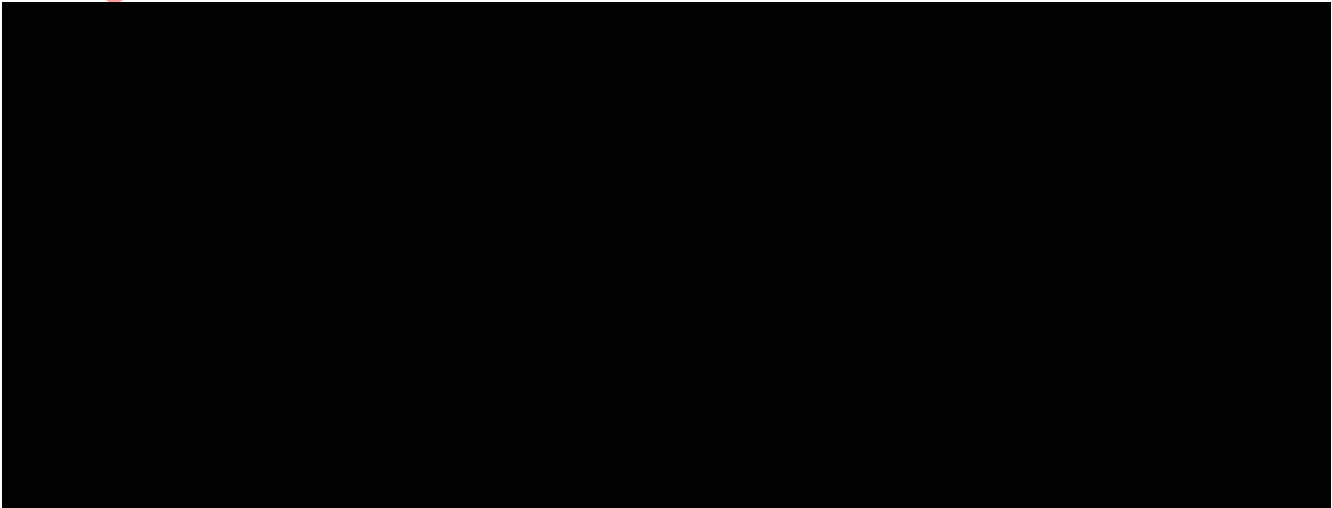
Hi Ian

Thanks for getting back to us so quickly.

We agree with you re the importance of reputation for all involved in the process, and that we need to consider how all players may view any arrangement, including in hindsight.

withheld under section 9(2)(ba)(i)

As per your numbering:



[REDACTED]

Bryn

---

**From:** "Ian McLoughlin (NZ)" [REDACTED]  
**Date:** Wednesday, 11 September 2019 at 4:45 PM  
**To:** Bryn Gandy [REDACTED]  
**Cc:** "Mark Averill (NZ)" [REDACTED], Amelia East [REDACTED] >, [REDACTED]  
**Subject:** Re: Auckland Light Rail [C-I-C] withheld under section 9(2)(a)

Hi Bryn, pleasure to meet, albeit by email.

Further to your discussion with Mark and subsequent internal discussions within PwC, we understand the challenge you face in appointing an unconflicted advisor.

As I am sure you will agree, the reputations of both the Ministry and PwC and the integrity of the CC2M procurement process need to be central to how we collectively respond. These factors were the principle reason to our prior position.

We have set out a suggested approach below and we would appreciate your views on this before it goes beyond the Ministry.

Recognising the unique position in which the Ministry finds itself (and based on the support you have received from NZTA and your Probity Auditor) we propose that, subject to the modified scope and approvals set out below, Dan (and his Wellington based team) resume our support of the Ministry.

[REDACTED]

[Redacted]

[Redacted]

I'd welcome the opportunity to discuss any queries or concerns with you further.

withheld under section 9(2)(ba)(i)

Kind Regards  
Ian

**Ian McLoughlin**

PwC | Managing Partner - Deals

[Redacted]

PricewaterhouseCoopers New Zealand

withheld under section 9(2)(a)

Alternative contact: [Redacted]

On Wed, Sep 11, 2019 at 8:37 AM Bryn Gandy [Redacted] > wrote:

Thanks Mark

I can confirm that Audit NZ have confirmed again this morning their comfort with how we're proposing to proceed, and their support for transparency around the reasons for it.

Bryn

Sent by mobile

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**From:** Mark Averill (NZ) [Redacted]  
**Sent:** Wednesday, September 11, 2019 1:46:22 AM  
**To:** Bryn Gandy [Redacted] >  
**Cc:** Amelia East [Redacted]  
[Redacted] >  
**Subject:** Re: Auckland Light Rail [C-I-C]

withheld under section 9(2)(a)

Hi Bryn

Thanks for your email setting out the matters we discussed. Dan and Ian(Service Line leader) will progress our internal acceptance procedures process tomorrow.

Kind regards

**Mark Averill**

[Redacted]  
Office: [Redacted] | Fax: [Redacted]  
Email: [Redacted]  
PricewaterhouseCoopers New Zealand  
188 Quay Street, Auckland  
<http://www.pwc.co.nz> withheld under section 9(2)(a)

On 10/09/2019, at 3:36 PM, Bryn Gandy [Redacted] wrote:

Hi Mark,  
withheld under section 9(2)(a)

Thanks for taking a call today – I appreciate you will be very busy in Bangkok.

I want to record up front the great work Dan has done for us at the front end of what is a very challenging process. The whole thing has been stood up in about 40 business days following the 'go' from Cabinet, and we wouldn't have been able to do that without Dan and his team.

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Our preference had been to continue to use Dan / PwC Wellington to assist with the evaluation process, financial DD and to help provide expertise to the SMETs. Given the way these flow on from the project requirements they helped create, this was our first best option, especially given the important NZ Inc nature of the project.

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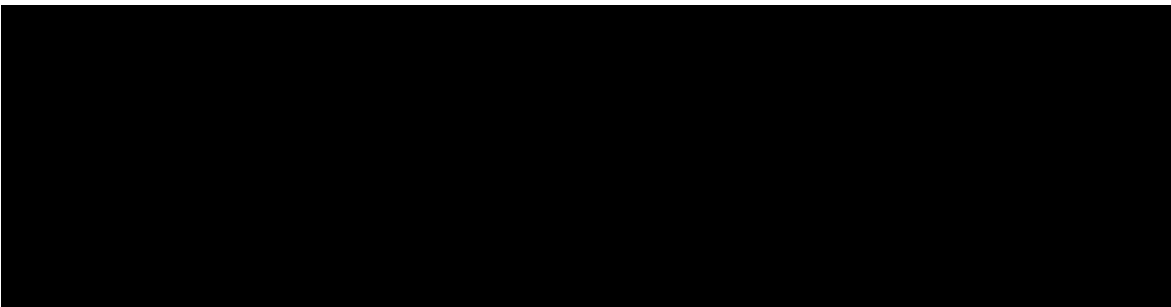
[Redacted]

[Redacted]

We will provide a full scope of work if you agree to proceeding, but at a high level we expect it to cover:

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[Redacted]



We have a probity auditor (Audit NZ) engaged as part of the process, and they are accessible to all parties. We'll verify the detail of any arrangement with Audit NZ, and I understand this has already been discussed with them.

We also have confirmation from NZTA that it is comfortable with us continuing to engage PwC Wellington. Attached below is a note forwarded through from Richard Leverington, NZTA's Head of Risk and Assurance. As part of the probity arrangements for the project, the NZTA CE has delegated Richard to provide clearance of consultants, advisory and other suppliers. There are a few reasons for this arrangement – one is that NZTA has signed up to some probity and process obligations not to unnecessarily tie up any of the above, and another is to enable us to focus our engagement with Carl and his team on their bid.

We will provide the scope of the work tomorrow, as well as confirmation following a conversation with Audit NZ. Let me know if there is anything further that might be helpful.

Kind regards,



**Bryn Gandy**  
Deputy Chief Executive, Strategy & Investment  
**Ministry of Transport - Te Manatu Waka**

 | [www.transport.govt.nz](http://www.transport.govt.nz)

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**From:** Richard Leverington   
**Sent:** Monday, August 26, 2019 4:55:11 PM  
**To:** Amelia East   
**Subject:** RE: Conflict of Interest - ALR

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Kia ora Amelia

Thank you for your email and apologies for my delay in getting back to you whilst I consulted with colleagues.

I have seen correspondence between Mr Ratcliffe and Mr Mersi on the topic of supplier engagement dated 13 and 20 August.

I can confirm that the Transport Agency is comfortable with the Ministry approaching PwC.

Consistent with Mr Ratcliffe's email, we expect PwC to manage issues of confidentiality and actual or perceived conflict of interest directly with the Transport Agency.

Kind regards

Richard

[REDACTED]  
Chews Lane Office, 50 Victoria Street,  
Private Bag 6995, Wellington 6141, New Zealand

withheld under section 9(2)(a)

<image001.jpg>

<image002.jpg> <image003.jpg> <image004.jpg>

**From:** Amelia East [REDACTED]  
**Sent:** Friday, 23 August 2019 8:58 AM  
**To:** Richard Leverington [REDACTED]  
**Subject:** Conflict of Interest - ALR

withheld under section 9(2)(a)

Hi Richard

As you know, the Minister of Transport has announced details of a proposals process for the delivery of light rail in Auckland. There are two Respondents developing proposals; NZ Infra, a joint venture between the New Zealand Super Fund and Canada's CDPO Infra group, and the NZ Transport Agency. The Ministry of Transport (the Ministry) is facilitating this process and will provide advice to the Government for consideration early next year.

The Ministry worked with staff located in PWC's Wellington office in relation the development of the "Response Requirements Document" (RRD). This document sets out the various obligations and requirements that Respondents must meet in preparing their respective proposals. PWC declared a potential conflict early in the engagement, as its Auckland office is advising NZTA as a Respondent to this RRD supporting it to prepare its Proposal, but it has been managed to date through a clear separation between the offices. Careful thought was given to any issues of conflict at this time, and we were satisfied that these can (and were) appropriately managed. This reflects our understanding that while it is not uncommon within large professional services organisations for there to be conflicts of interest, these can be readily addressed.

Based on this view, we are looking to continue our relationship with PWC on this project. The particular focus, at least initially, will be on evaluation planning (this piece of work flows naturally from the earlier work on the RRD). The exact scope of any other work has yet to be agreed but we would consider our work instructions on a case by case basis and we would expect PWC to advise if there are any areas to which they couldn't adequately manage either real or perceived conflict. We would also not be looking to engage them on areas where we perceived there to be clear conflict (such as being an evaluator within the scoring process). PWC Wellington have confirmed they have discussed this approach with PWC Auckland – and both are supportive of this arrangement.

PWC have now also provided the Ministry with a detailed draft conflict management plan, which provides for separation between the offices to manage actual and potential conflict. The probity auditor has reviewed this plan and is comfortable with the management plan, providing the processes are auditable. This approach is also consistent with NZTA's confirmation through its probity requirements letter not to tie resources into its proposal.

As the Head of Risk and representative of NZTA on the ALR Advisory Group, could I ask you to confirm you are comfortable that these arrangements adequately manage any conflict of interest issues for NZTA.

I look forward to hearing from you  
Kind regards