

Item 50

Jonathan Luo

From: Amelia East
Sent: Friday, 24 January 2020 8:13 AM
To: Bryn Gandy
Subject: RE: OET Report

Morning!

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

Can one assume that subject to the inclusion of [REDACTED], you are happy to sign off the report?!

We already have an approval from [REDACTED]. One down, a few more to go.

A

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

From: Bryn Gandy [REDACTED]
Sent: Friday, 24 January 2020 8:09 AM
To: Amelia East [REDACTED]
Subject: Re: OET Report

withheld under section 9(2)(a)

Good morning!

Page 12 top para – looks like the sentence is missing its end.

I think the word you're looking for there is "tunnelling".

Bryn

From: Amelia East [REDACTED]
Date: Thursday, 23 January 2020 at 11:58 PM
To: Fiona Mules [REDACTED], Sarah Sinclair [REDACTED], Bryn Gandy [REDACTED]
Subject: OET Report

withheld under section 9(2)(a)

Hi all

Apologies – later than planned. But still managed to circulate on the day I promised!

Whilst the content has remained broadly the same, I have reframed to reflect our call earlier and everyone's comments. I think this makes the report much easier to read and understand.

I have attached a clean and tracked change version. As you will see, the majority of changes were made to the Executive Summary.

I would advise simply reading the clean version with a clear head to see if you think it better reflects the discussions. If you want to see any specific changes – you can always then refer to the tracked copy.

I realise this is a short turnaround of review based on the deadline of tomorrow. I can assure you – I would have also liked more time for drafting!

Please let me know by the morning whether you have any significant concerns or whether you are happy to agree to the content being a fair representation of the OET discussions.

The deadline for presenting to Peter Mersi is currently 2pm. Therefore, the cut-off for agreement is realistically still midday, which I am hopeful we can all still meet.

I look forward to hearing back and thank you all again.

A

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

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Item 51

Jonathan Luo

From: Amelia East
Sent: Friday, 24 January 2020 10:01 AM
To: Bryn Gandy
Subject: Words

What is the cost estimate?

The cost estimates are a starting point for negotiations rather than fixed and we would express caution in too much reliance on the numbers.

Indicative figures for Respondent A are for a capital cost of [REDACTED]
[REDACTED]
[REDACTED].

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

What are the risks with this choice?

[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

[REDACTED]
[REDACTED]
[REDACTED]

How does the Policy Report influence the recommendation

The Response Requirements Document (RRD) allowed for wider public policy considerations to be taken into account but the OET deemed that these were best assessed by the Secretary for Transport, unless there was likely to be a material impact on deliverability and/or price.

The policy issues have been set out in the Policy Report. This provides information on the policy issues and trade offs. [REDACTED]
[REDACTED]

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

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Jonathan Luo

From: Bryn Gandy
Sent: Tuesday, 21 January 2020 9:47 PM
To: Amelia East
Subject: Re: Format for policy issues

Out of scope

It'll be fine! How gruelling could one omnibus policy paper possibly be? [REDACTED]
[REDACTED]

From: Amelia East [REDACTED]
Date: Tuesday, 21 January 2020 at 9:38 PM
To: Bryn Gandy [REDACTED]
Cc: Bryn Gandy [REDACTED]
Subject: Re: Format for policy issues

withheld under section 9(2)(a)

It might have taken 6 months, but we have policy advice!

Out of scope

I really really like this. [REDACTED] It sets out a guiding principle and shows how we can relate that back to the respondents proposals and how we can address it in the next phase. Raises issues without fixing the problem, but doesn't leave you thinking that we have no idea how to approach it.

So one down, x (15?!) to go... [REDACTED]

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Out of scope

From: Bryn Gandy [REDACTED]
Sent: Tuesday, January 21, 2020 9:32:03 PM
To: Amelia East [REDACTED]
Cc: Bryn Gandy [REDACTED]
Subject: Format for policy issues

withheld under section 9(2)(a)

Hi – how about this kind of approach? I think going back to respective objectives is probably helpful.

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Item 53

Jonathan Luo

From: Bryn Gandy
Sent: Thursday, 23 January 2020 7:50 AM
To: Amelia East
Subject: Re: Draft Policy and System Report
Attachments: Policy Issues.docx

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

Slightly updated

From: Bryn Gandy [REDACTED]
Date: Wednesday, 22 January 2020 at 10:21 PM
To: Amelia East [REDACTED]
Subject: Draft Policy and System Report

withheld under section 9(2)(a)

Definitely not perfect, but it's like a whole report type thing. With words and stuff.

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Item 54

Jonathan Luo

From: Amelia East
Sent: Tuesday, 7 January 2020 4:19 PM
To: Bryn Gandy
Subject: Re: Evaluation Diagram

Looks really good. I've also got something in the evaluation plan that might be helpful - will show you tomorrow. [REDACTED] out of scope

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

From: Bryn Gandy [REDACTED]
Sent: Tuesday, January 7, 2020 3:56:12 PM
To: Amelia East [REDACTED]
Subject: Evaluation Diagram

withheld under section 9(2)(a)

Could even be useful for AT on Friday?

Might still need a few tweaks

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Jonathan Luo

From: Amelia East
Sent: Sunday, 9 February 2020 9:39 PM
To: Bryn Gandy
Subject: RE: Light Metro

Kiss and ride = park and ride.

Got to love a spell check and drafting quickly. [REDACTED]

Amelia East

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

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

From: Amelia East
Sent: Sunday, 9 February 2020 9:26 PM
To: Bryn Gandy [REDACTED]
Subject: Light Metro

withheld under section 9(2)(a)

Hey

Attached below is my attempt at the “why metro” section. Trying to get enough (objective) detail without going overboard and seeming like we have evaluated it against the proposals.

Let me know what you think.

Thanks

A

What is Proposed for Auckland’s First Rapid Transit Line

12. The Government’s Key Outcomes for the project give greatest priority to economic and social access, and integration with the current and future transport network. This has led to two solutions that prioritise capacity and speed, and moving large numbers of people consistently faster than they could travel by car. withheld under section 9(2)(ba)(i)
13. The response requirements did not specify that light rail must be the solution [REDACTED]
[REDACTED]
[REDACTED]
14. The light metro preferred solutions differ from a traditional street running light rail system based on several key aspects which include;
 - 14.1. A light metro system is fully segregated on its own track, reducing any interface and operational constraints with the existing road network. A traditional street running system requires interface management and integration with the existing road system as it has more interfaces with general traffic, buses, cyclists and pedestrians from the surrounding network.
 - 14.2. A light metro system is a faster more reliable system providing enhanced service to the customer through reliable journey times, which has the potential to increase

patronage. [redacted] Traditional street running systems typically offer more localised stops between main stations requiring more stops and wait times while passengers onboard/off board which can impact on the reliability of the service. [redacted]

- 14.3. The proposed light metro system provides for an automated system with driverless vehicles enabling more efficiencies in the operation of the system and network which leads to enhanced reliability and patronage increases.
- 14.4. Light metro systems typically provide larger stations located further apart to enable a faster more reliable service which are accessed by pedestrians, cyclists, interchange buses and kiss and ride services. These stations cater for increased volumes of people providing opportunities to design and enable Transit Oriented Development (TOD) where stations integrate with surrounding urban developments and other interchanges in key locations such as Aotea and Onehunga Rail Stations. Typically, a traditional street running system has more stations and stops with passengers more dispersed across the alignment. This can impact on the scale and density of the urban form due to less concentration of people accessing a station.
- 15. The other key differences demonstrated in both Proposals and the evaluation was the construction methodology, staging of the works and the future expansion of the network. The light metro system provides the opportunity for the system to be constructed via tunnelling, trenching and elevated structures reducing the impact on the operational transport network during construction. A traditional street running system that is constructed within an existing road corridor would have significant impacts on the network during the construction with several road closures required for extended periods of time.
- 16. NZTA had confirmed prior to the start of this Process that it wanted to revisit its solution from first principles, and whilst I had not considered what this might entail, I am pleased that they responded to the Outcomes. [redacted]
- 17. Overall it is evident that both the Respondents tested a range of options, methods and outcomes to determine their preferred solution in accordance with the RRD. [redacted]
[redacted]
[redacted]
[redacted] This will be further tested during stakeholder and community engagement and through the consenting process.

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

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

[redacted] | 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.

Jonathan Luo

From: Bryn Gandy
Sent: Tuesday, 11 February 2020 11:26 PM
To: Suzanne Cookson; Amelia East
Subject: Re: Mediaportal Alert - Auckland Light Rail

[Redacted] out of scope

From: Suzanne Cookson [Redacted]
Date: Tuesday, 11 February 2020 at 10:11 PM
To: Bryn Gandy [Redacted] Amelia East [Redacted]
Subject: Fwd: Mediaportal Alert - Auckland Light Rail

withheld under section 9(2)(a)

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From: mediaportal.nz@isentia.com <mediaportal.nz@isentia.com>
Sent: Tuesday, February 11, 2020 10:03 PM
To: Suzanne Cookson
Subject: Mediaportal Alert - Auckland Light Rail

MEDIAPORTAL ALERT
Mediaportal Alert - Auckland Light Rail



(1 item)



Infrastructure needed
11 Feb 2020 • [Waitomo News, Waitomo](#) (General News)
by [Barbara Kuriger](#)

LAST time I looked at a map of New Zealand, it was made up of two main islands - one in the north and one in the south. I don't know what maps the Prime Minister has in her office, but if her recent infrastructure announcement was anything to go by then the South Island must be missing from most of them.

[Full text \(435 words / ~2 mins to read\)](#) • [Article PDF](#)

Brief: Auckland Light Rail • ASR: NZD 314 • Page 2 • 435 words • Photo: No • Type: News Item • Size: 253.00 cm² • Region: NZ • Market: New Zealand • Item ID: 1233198990 • Sentiment: Neutral

Keywords: Auckland(3), Auckland's(1), light rail(1)

Audience: 7,500 circulation



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Item 57

Jonathan Luo

From: Amelia East
Sent: Wednesday, 19 February 2020 2:13 PM
To: Bryn Gandy
Subject: Update

Hey
out of scope

[REDACTED]. Will be back online later tonight but wanted to quickly download on current progress/updates as didn't get to see you.

withheld under section 9(2)(a)

[REDACTED] all meetings set up including pre brief. Asked Suzanne for you to sign off my very brief AM (more for our process than for the minister) and we can get over to Jemima. Let me know how Greens discussion went and briefing [REDACTED] as well in the morning tomorrow.

withheld under section 9(2)(a)

MOG meeting - office now want an early cabinet paper release as the content for the meeting. They want to send that on Friday 4pm, meaning they need cabinet paper around tomorrow lunchtime. Will get you the draft in the morning for sign off by you and Peter.

withheld under section 9(2)(a)

Ministerial questions: sent to office and they are using that as the top line. [REDACTED] asked me to join question prep to assist in process discussions. Supplementary questions all follow agreed parameters and [REDACTED]

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

Think that's it for the last few hours!

A

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Jonathan Luo

From: Amelia East
Sent: Wednesday, 19 February 2020 11:56 AM
To: Bryn Gandy
Subject: RE:

Happy with this?

I stand by my comments of yesterday. NZ Infra submitted an unsolicited proposal for the delivery of light rail in Auckland. Consistent with procurement guidance, the government is giving further consideration to that proposal. It is doing this by considering it against the alternative option of a public procurement led by NZTA.

Supplementary if required

Following the Cabinet' decision on our preferred delivery partner, the market will be able to engage with either NZ Infra or NZTA

Amelia East

withheld under section 9(2)(a)

From: Suzanne Cookson [redacted]
Sent: Wednesday, 19 February 2020 11:42 AM
To: Amelia East [redacted]
Subject:

withheld under section 9(2)(a)

Question 10 (Chris Bishop): When he said yesterday "...the unsolicited proposal from NZ Infra, is unique. Nothing like this has ever been tackled before in New Zealand, and the Government took the view that it was best to assess that financing and governance model and consider whether we wanted to do that before then going out to the market and inviting other bids",

Why has the government not gone out to the market and invited other bids for the Auckland light rail project?

Suzanne Cookson
Communications and Stakeholder Engagement – Auckland Light Rail
Ministry of Transport – Te Manatū Waka

[redacted] | www.transport.govt.nz

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withheld under section 9(2)(a)

Item 59

Jonathan Luo

From: ALR Queries
Sent: Monday, 20 January 2020 10:29 AM
To: Fiona Mules; Sarah Sinclair; Bryn Gandy
Subject: FW: MoU / NZ Infra Comments + Cost Reimbursement Position
Attachments: SUPERDOCS-#2747339-v1-Vogel_MoU_NZ_Infra_-_Costs_Reimbursement_2020-01-20.docx; SUPERDOCS-#2747355-v1-MoU_NZ_Infra_Comments_2020-01-20.docx

attachments fully withheld under sections 9(2)(ba)(i), 9(2)(b)(ii)

All

Please see below the response from NZ Infra.

Currently trying to find a time when we can discuss this. Looking either like Tuesday afternoon (around 3.30 on a teleconference after OET) or Wed morning.

Thanks

A

Amelia East

withheld under section 9(2)(a)

From: [REDACTED]
Sent: Monday, 20 January 2020 10:12 AM
To: ALR Queries <ALRqueries@transport.govt.nz>
Cc: [REDACTED]

Subject: MoU / NZ Infra Comments + Cost Reimbursement Position withheld under section 9(2)(ba)(i)

Dear Amelia,

Thank you for a productive meeting last Thursday. It was encouraging that we were able to reach agreement on many of the discussion points on the MoU very quickly. We have marked up a revised draft of the MoU for your review.

As discussed, we have separately drafted a "position paper" that addresses the one substantive discussion point from Thursday's meeting. This relates to the various scenarios under which the MoU can be terminated and costs payable by the Crown under each of these. The scenarios are all predicated on "good faith" bargaining between the parties towards an Interim Project Agreement and so we have also attempted to be more precise about what this means. [REDACTED]

[REDACTED]

withheld under sections 9(2)(ba)(i), 9(2)(b)(ii)

Sincerely,



withheld under section 9(2)(a)

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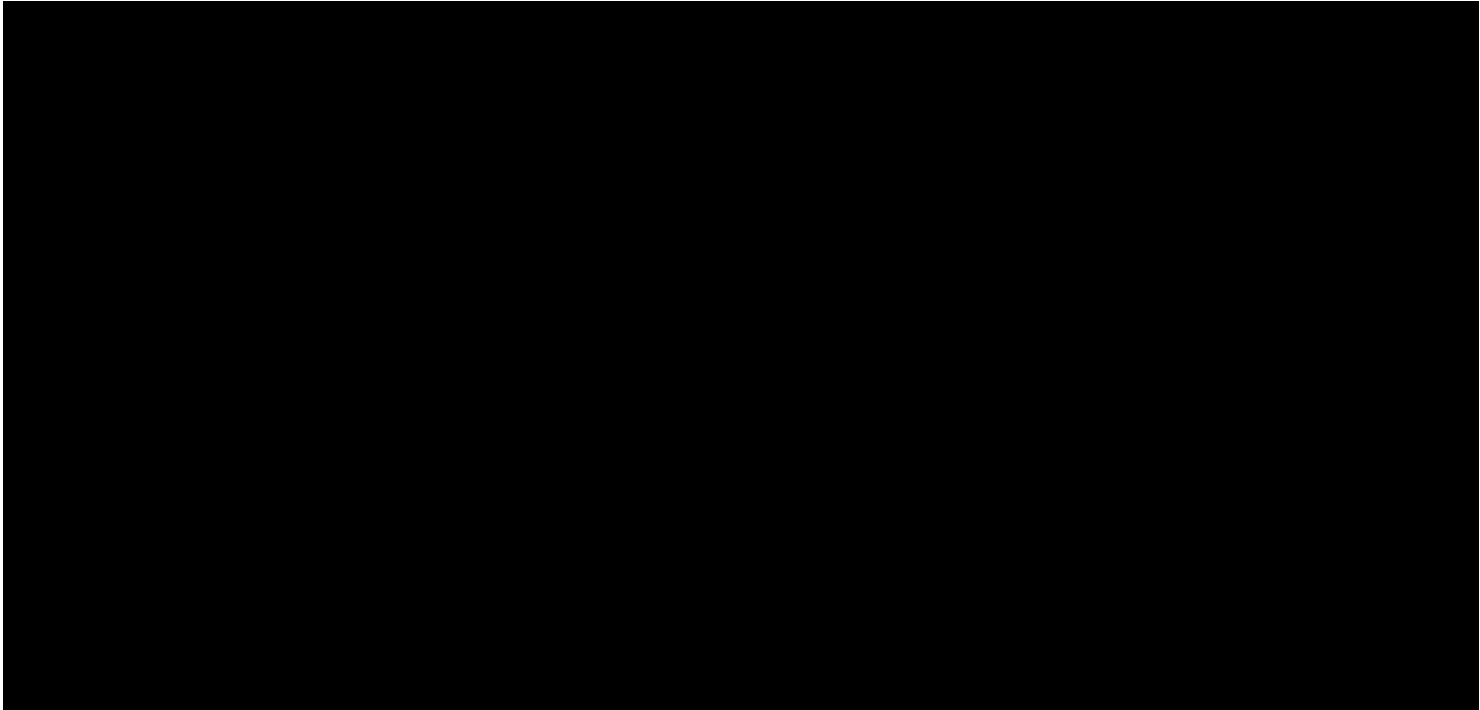
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Item 60

Jonathan Luo

From: Bryn Gandy
Sent: Sunday, 26 January 2020 7:56 PM
To: Peter Mersi; Amelia East
Subject: Re: OC200048 Briefing on recommendation and next steps - Aide Memoire

out of scope



From: Amelia East [redacted]
Sent: Sunday, January 26, 2020 6:04:55 PM
To: Peter Mersi [redacted] withheld under section 9(2)(a)
Cc: Bryn Gandy [redacted]
Subject: RE: OC200048 Briefing on recommendation and next steps - Aide Memoire

Thanks Peter.

My find all and replace was potentially in that case the wrong way round... Apologies!

A

Amelia East
[redacted] withheld under section 9(2)(a)

From: Peter Mersi [redacted]
Sent: Sunday, 26 January 2020 5:10 PM withheld under section 9(2)(a)
To: Amelia East [redacted]
Cc: Bryn Gandy [redacted]
Subject: Re: OC200048 Briefing on recommendation and next steps - Aide Memoire

Thanks Amelia, I'm comfortable with the changes. For some reason it still reads as the Secretary of Transport, rather than 'for' Transport throughout the document.

See you tomorrow.

Peter

Sent from mobile

From: Amelia East [REDACTED]
Sent: Sunday, January 26, 2020 3:59:43 PM
To: Peter Mersi [REDACTED] withheld under section 9(2)(a)
Cc: Bryn Gandy [REDACTED]
Subject: OC200048 Briefing on recommendation and next steps - Aide Memoire

Peter

Updated Ministerial briefing attached.

The key paragraphs to review are 11 and 18 (which I have drafted to cover off your concerns about this being a recommendation and the policy decisions of Cabinet).

Paras 4- 8 have the additional info on the OET and SMETS you wanted. withheld under section 9(2)(ba)(i)

Following Bryn's email, I have left out at this stage the comments on [REDACTED]. Instead I have added a few lines to 17 that we can always expand on at the meeting on Thursday. The other drafting tweaks were made, and your position is now correct. Do forgive that lapse!

Let me know if this is ok or if you would like any other changes. Ideal is to get this out before 9am tomorrow.

Thanks

A

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Item 61

Jonathan Luo

From: Amelia East
Sent: Thursday, 6 February 2020 11:42 PM
To: Bryn Gandy
Subject: RE: Cabinet Paper

[REDACTED]
[REDACTED]
[REDACTED] out of scope

Will be interesting to see what Peter thinks. [REDACTED].

Noticed a few areas to tidy up now the tracked changes are gone – but the QA and sense check can be done once all the comments have been put through. [REDACTED]

[REDACTED] withheld under section 9(2)(g)(i)

I'll have a crack on the appendices and see how things look.

[REDACTED]
[REDACTED] out of scope

A

Amelia East

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

From: Bryn Gandy [REDACTED]
Sent: Thursday, 6 February 2020 9:31 PM [REDACTED] withheld under section 9(2)(a)
To: Amelia East [REDACTED] >
Subject: Re: Cabinet Paper

Thanks! Your changes look really good, and are gratefully received.

I think I like the longer Exec Summary – but keen to see how Peter deals with the length as a completely cold (or mercifully spared?) reader. I think the paper is very short for what it does – so it is really just a question of how it now stacks up for its audiences in absolute terms.

It is worth thinking about whether we'd do an A3 to cover the operational issues, but let's not promise one until we know it will work as I can see how you'd potentially do one... then realise it still doesn't quite move on a difficult conversation. I think it is worth a go, and would be great if we can make it work.

[REDACTED] said a few things at the ALR Advisory Group that [REDACTED]

[REDACTED] But it is possible the public service will be a complete ghost town tomorrow!

[REDACTED] withheld under section 9(2)(g)(i)

Have a good day tomorrow, and see you on Monday :-)

Bryn

From: Amelia East [REDACTED] withheld under section 9(2)(a)
Date: Thursday, 6 February 2020 at 6:40 PM

To: Bryn Gandy [REDACTED]

withheld under section 9(2)(a)

Subject: RE: Cabinet Paper

All good. Was actually quite good to just sit down away from the world and go through it calmly. I am staying in a place next to heavy rail (behind) and trams (in front) so feels like a good place for inspiration.

[REDACTED] . out of scope

withheld under section 9(2)(a)

I think we should be ok, but reach out if you think best. Am going to send out a covering note to everyone on Monday (when they get the link to the Cabinet paper) which will include [REDACTED] which will be covering the level of detail in the paper i.e. thanks for comments, we tried to incorporate but we simply cannot get into every minor detail and the main story is – we have flagged it, it will be dealt with at the next stage, so hopefully that should deal with it. [REDACTED]. I also have told people they can reach out directly Tuesday/Wednesday in case people were still feeling angsty and wanted to talk through something specifically. Am hoping (optimistically) people understand the timeframes, feel fairly consulted, and should be quite pragmatic about it all... withheld under section 9(2)(g)(i)

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

[REDACTED]

I was wondering then whether we created an A3 appendix with issues (i.e. no one ever reads them but agencies, and then you have covered off more stuff) but left as is for now, as can always add that to it next week if we feel like more detail is a good thing.

Thank you!

A

Amelia East

[REDACTED]

withheld under section 9(2)(a)

From: Bryn Gandy [REDACTED]

Sent: Thursday, 6 February 2020 5:40 PM

To: Amelia East [REDACTED]

withheld under section 9(2)(a)

Subject: Re: Cabinet Paper

Thanks! Appreciate this is not the funnest thing to do on a public holiday ([REDACTED])

out of scope

I might have a conversation with [REDACTED] about level of detail, just so that doesn't become an issue next week.

Will get this out to Peter tonight. withheld under section 9(2)(a)

I hope your day with AMPLA is awesome. :)

Bryn

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From: Amelia East [REDACTED]

Sent: Thursday, February 6, 2020 17:22

To: Bryn Gandy

withheld under section 9(2)(a)

Subject: Cabinet Paper

Bryn

Updated version attached, and I have also tried to include agency feedback from the emails attached. Feel free to accept/ignore at leisure.

This was good. Is certainly a challenge to get 6 months of complex work into a readable paper.

In terms of content – main changes from me were on financing areas. [REDACTED]

I also tried to clarify the difference between the IPA and PA and show the Crown had off ramps and help them understand the process from here. [REDACTED]

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

Yet assuming you are comfortable with the level of detail is included as this is absolutely your area, so didn't do anything else.

The rest was more stylistic and trying to help the flow for a reader coming at this fresh. I put NZ infra being the preferred partner as the first point – I just thought we might as well be upfront about the decision before going into the rest of the paper. Understand if you prefer to leave later. I also did a sense check against the SMET, OET and Policy reports to make sure we caught the main items we raised in those – and am comfortable we have.

I have attached the agency feedback. [REDACTED]

[REDACTED]. However, if you want to look through the attached – you might see a gem you want to draw out.

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

Thanks

A

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

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[REDACTED] | www.transport.govt.nz

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Item 62

Jonathan Luo

From: Amelia East
Sent: Thursday, 20 February 2020 11:24 AM
To: Bryn Gandy
Subject: Cabinet Paper ALR
Attachments: Cabinet Paper ALR 200220 (Combined).docx attachment refused under section 18(d)
Follow Up Flag: Follow up
Flag Status: Flagged

Bryn

Tag, you're it.

I have been through all the feedback received and attached is the Cabinet paper that reflects the final version. I have tried to accommodate comments where possible but also filtered as necessary.

Feedback was received from:

The Ministry of Transport
The Treasury
MHUD
MfE
SSC
Crown Law
DPMC

Process from here – we need to get it over to the office for their review today [REDACTED]

[REDACTED]. Ideally by 1ish – no pressure...

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

It is in clean version. Managing so many comments simply made tracked changes impossible.

Thanks

A

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

T: + [REDACTED] www.transport.govt.nz

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Item 63

Jonathan Luo

From: Amelia East
Sent: Monday, 27 January 2020 6:36 PM
To: Bryn Gandy
Subject: Re: Draft note on 'What is an IPA'

We might have the making of the exclusive period code name. Project Stout as we negotiate the IPA.

Anyhow, I digress. Steam of consciousness better than the unconscious version. I've also been jotting down various thoughts as we go - so happy if I have a play with this and we can go from there?

A

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From: Bryn Gandy [REDACTED]
Sent: Monday, January 27, 2020 6:26:01 PM
To: Amelia East [REDACTED]
Subject: Draft note on 'What is an IPA'

withheld under section 9(2)(a)

(not the beer type of IPA)

Potentially a bit stream of consciousness, but it is a start.

Bryn

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The IPA

What is the Interim Project Agreement (IPA)?

The IPA is “an agreement that a deal can be done”, and sets out how the process to reach a final agreement will be managed.

It is the transition between a **bid process** and the process to negotiate a **final agreement**.

It is likely that an IPA for ALR will set out:

- The ‘red flag’ issues and how they have been managed.
- The other / remaining issues are and how they will be resolved.
- The overall shape of the final agreement, and how it may relate to ‘side agreements’.
- That in light of the above, both parties are confident a final agreement can be reached.
- What will happen if they can’t.

During the IPA period the roles of all the (broader) Crown parties will need to be resolved, so each can start its relationship with the bidder.

What Changes?

- There will be more, and more open engagement between broader Crown parties and the bidder.
- Probity requirements will be focused on how commercial confidentiality is maintained, and how negotiation and other processes such as mobilisation proceed at the same time without impacting each other.
- Policy work will focus on more solutions.
- Agency interaction will need to continue and be intensive, and to support the negotiation process the agencies will need to agree a single, resolved position on each issue.
- There will be decisions on how the process will work to reach a final agreement, and what the most important details to work through that process will be.

Cabinet Mandate Needed

It is important that the process is simple and can move quickly, and authorities are clear.

A lead official (Sec for Transport) will need to be appointed by Cabinet to be responsible.

Cabinet will need to:

- Agree to the key parameters for the IPA process, including preferred partner and compensation
- Decide on issues that are ‘red flags’ and need to be renegotiated, deciding this itself or through delegation (or a mixture of the two)

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

- Either itself or through delegation, agree issues where:
 - The Crown may consider a different position but needs to consider the issues ([REDACTED]), or
 - officials can agree a position with parameters ([REDACTED]), or
 - the Crown's position is unlikely to change [REDACTED]
- Work with the lead official on understanding the overall implications of these positions in reaching a final deal.

Cabinet probably cannot do this in its entirety, so it may need to delegate, to:

- A group of very senior Ministers who can agree negotiating positions, bearing in mind that changes to policy and law will require Cabinet agreement before an agreement can be signed – so seniority will give credibility to the Crown's negotiating position.
- The lead official to sign the interim agreement if they are comfortable it reflects the Crown's position and potentially meets other parameters, e.g. provides value for money.

Released under the Official Information Act

Item 64

Jonathan Luo

From: Bryn Gandy
Sent: Monday, 9 November 2020 3:22 PM
To: Lynda Holden
Subject: Fw: Light rail media query - now needed 2pm
Attachments: TWYFORD to NZTA.PDF

From: Amelia East [REDACTED]
Sent: 18 October 2019 15:13
To: Bryn Gandy [REDACTED]
Subject: FW: Light rail media query - now needed 2pm

withheld under section 9(2)(a)

This letter and attachments is also in the possession of the journalist.

Amelia East
[REDACTED]

From: [REDACTED] >
Sent: Friday, 18 October 2019 1:39 PM
To: Amelia East [REDACTED] >
Cc: Aimee Webb [REDACTED] >
Subject: RE: Light rail media query - now needed 2pm

Hi again

withheld under section 9(2)(a)

Attached is the letter of 14 May 2018 referred to by Thomas.

Ngā mihi

[REDACTED]

Office of Hon Phil Twyford

Minister of Transport | Minister of Urban Development | Minister for Economic Development

Private Bag 18041 | Parliament Buildings | Wellington 6160 | New Zealand

Office Phone: +64 4 817 8704 Email: Phil.Twyford@parliament.govt.nz



14 May 2018

Mr Michael Stiassny
Chair
New Zealand Transport Agency

Dear Michael

Auckland City-to-Māngere Light Rail Link

Thank you for your letter dated 24 April 2018 outlining your proposed approach to the New Zealand Transport Agency (NZTA) leading delivery of the Auckland City-to-Māngere Light Rail Link.

On 7 May 2018 Cabinet considered my Cabinet paper *Proposed Approach for Auckland's Rapid Transit Network Programme*. I **enclose** Cabinet's Minute.

Particularly, Cabinet agreed that the:

- 1 New Zealand Transport Agency (NZTA) will lead the development of the city-to-Māngere and North-West light rail lines (Auckland Light Rail Project).
- 2 city-to-Māngere light rail transit be prioritised and delivered on an accelerated schedule (referred to as the "city-to-Māngere link");
- 3 NZTA will lead the preparation of a single stage business case (including economic, financial and commercial aspects) for the the city-to-Māngere link and all subsequent projects within the RTN programme, for consideration by the Government;
- 4 NZTA, in conjunction with the Ministry of Transport and the Treasury, jointly establish a process that can be used to assess all potential proposals, and report back to the Minister of Finance and Minister of Transport; and
- 5 NZTA, in conjunction with the Ministry of Transport and the Treasury, jointly establish and report back to the Minister of Finance and Minister of Transport on:
 - a process to engage with a range of prospective partners; and
 - potential procurement options, including how partnership opportunities can be considered.

NZTA is to lead this process. I expect NZTA to work closely with the Ministry of Transport and the Treasury as it progresses this work, and in partnership with key agencies. I expect the Ministry to work with you on the report back to the Cabinet Economic Development Committee seeking approval of funding and governance arrangements.

I expect NZTA to continue their work on the Auckland Light Rail Project concurrently with the above process.

I intend for NZTA to lead projects in the rapid transit activity class of the draft Government Policy Statement on Land Transport, including the Auckland Light Rail Project. To that end, I make the following direction pursuant to Section 112 of the Crown Entities Act 2004 as permitted by Section 96(1)(j) of the Land Transport Management Act 2003:

Effective immediately, the New Zealand Transport Agency has the following function:

"to plan, fund, design, supervise, construct and maintain rapid transit networks and/or projects, including light rail"

These functions are intended to be enabling and do not prescribe which functions would be appropriate for any particular project. As this, and other rapid transit work, progresses it may be necessary to add an additional function(s) to the NZTA to enable it to participate fully in the development of light rail in Auckland or elsewhere.

In relation to the urban development associated with the light rail proposals, I expect NZTA to lead on developments that are within its functions as set out in the Land Transport Management Act, and the direction I have given you in this letter, and take a coordinating role with other agencies, including those with statutory powers relating to urban development and resource management. I expect the business case process will assist in identifying responsibilities for different aspects.

The Ministry of Transport is responsible for preparing advice on legislative proposals needed to deliver the light rail proposals on an accelerated basis. The Ministry will continue to work with you and other agencies on its advice.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Ph' followed by a long horizontal line and a vertical tick mark.

Hon Phil Twyford
Minister of Transport



Cabinet Economic Development Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Auckland's Rapid Transit Network Programme: Proposed Approach

Portfolio Transport

On 2 May 2018, the Cabinet Economic Development Committee:

Background

- 1 **noted** that rapid transit can play a central role in supporting a number of the government's transport and urban development objectives, including improving access, reducing congestion and emissions, and helping to create a more resilient transport network;
- 2 **noted** that:
 - 2.1 on 24 April 2018, Cabinet agreed to a revised Auckland Transport Alignment Project (ATAP) indicative package [CAB-18-MIN-0169];
 - 2.2 the ATAP indicative package sets out how Auckland's Rapid Transit Network (RTN) may develop over the next decade (including heavy rail, light rail and buses), with the light rail priorities being the city-to-airport route and the northwestern route;

Proposed approach

- 3 **agreed** that, in support of the revised ATAP indicative package findings, the city-to-airport light rail transit be prioritised and delivered on an accelerated schedule (referred to as the "city-to-airport link");
- 4 **agreed** that the New Zealand Transport Agency (NZTA) will lead the preparation of a single stage business case (including economic, financial and commercial aspects) for the city-to-airport link and all subsequent projects within the RTN programme, for consideration by the government;
- 5 **noted** that the majority of an airport to Puhinui bus priority route may be operational by 2021 to provide travellers with a reliable and prioritised public transport connection between the airport and city, with a single transfer of service at Puhinui station;
- 6 **noted** that the draft Government Policy Statement on Land Transport 2018 (draft GPS 2018) creates an activity class funding range of between \$1.9 billion and \$4.7 billion that can be used for rapid transit developments in Auckland, Wellington, Christchurch and other city centres;

- 7 **noted** that a portion of the funding in the draft GPS 2018 provides a sufficient level of funding to start on the city-to-airport link, and will also support further RTN developments if appropriate funding and financing arrangements can be established;
- 8 **noted** that the government has received an unsolicited proposal from the New Zealand Super Fund for the exclusive review of the Auckland Light Rail Project, including both the city-to-airport and northwestern line, which would involve responsibility for the planning, financing, procurement, construction and operating phases of parts of the network;
- 9 **agreed** that the NZTA, in conjunction with the Ministry of Transport and the Treasury, jointly establish a process that can be used to assess all potential proposals, and report back to the Minister of Finance and Minister of Transport;
- 10 **agreed** that the NZTA, in conjunction with the Ministry of Transport and the Treasury, jointly establish and report back to the Minister of Finance and Minister of Transport on:
- 10.1 a process to engage with a range of prospective partners;
 - 10.2 potential procurement options, including how partnership opportunities can be considered;
- 11 **invited** the Minister of Finance and Minister of Transport, in consultation with the Minister for Economic Development and Minister for Regional Economic Development, to ensure that the procurement process gives due consideration to the economic development benefits for New Zealand;
- 12 **noted** that a market sounding exercise, which could be included within a process described in paragraph 10 above, will signal the government's commitment to the project and intention to consider partnership opportunities;
- 13 **noted** that important decisions still need to be worked through regarding delivery, governance, ownership and operation of the RTN network once it is built;
- 14 **noted** that the RTN governance arrangements are expected to reflect the standards and practices that have been developed for similar, significant projects in government and elsewhere, including clear decision rights and responsibilities, and independent governors who can work alongside decision-makers and bring a whole-of-project perspective;
- 15 **noted** that a partnership approach with key organisations is envisaged for the delivery of the programme;
- 16 **noted** that the Minister of Transport will also consult with interested Ministers on specific RTN matters, including governance arrangements, funding and financing, and other additional measures that can help accelerate the city-to-airport link;
- 17 **noted** that the Minister of Transport expects to report back to the Cabinet Economic Development Committee seeking approval of funding and governance arrangements, following advice from officials and Ministerial consultation;

Legislative implications

- 18 **noted** that officials are considering options within existing legislative frameworks, and also potential legislative changes, to help deliver the city-to-airport link within the expected timeframe;

- 19 **noted** that in the coming weeks, the Minister of Transport will consult with interested Ministers, including the Minister for the Environment and the Minister for Land Information, on the assessment of options described in paragraph 17 above;
- 20 **noted** that the Auckland Rapid Transit Network Legislation Bill (the Bill) has a category 5 priority on the 2018 Legislation Programme (to be referred to a select committee in 2018);
- 21 **noted** that the Minister of Transport will report back to the Cabinet Economic Development Committee on proposed legislative changes to be included in the Bill.

Janine Harvey
Committee Secretary

Present:

Rt Hon Winston Peters (part of item)
Hon Kelvin Davis
Hon Grant Robertson (Chair)
Hon Phil Twyford
Hon Dr Megan Woods
Hon David Parker
Hon Nanaia Mahuta (part of item)
Hon Stuart Nash
Hon Iain Lees-Galloway
Hon Jenny Salesa (part of item)
Hon Damien O'Connor
Hon Clare Curran
Hon Shane Jones
Hon Kris Faafoi
Hon James Shaw
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for DEV

Hard-copy distribution:

Minister of Transport

Item 65

Jonathan Luo

From: Amelia East
Sent: Friday, 28 February 2020 9:18 PM
To: Bryn Gandy; Peter Mersi
Cc: Suzanne Cookson
Subject: Re: Auckland light rail: Is it Shane Jones vs Phil Twyford now?

Is a fairly good article in light of the discussions we had with the office today! [REDACTED]

[REDACTED] withheld under section 9(2)(g)(i)

Suzanne - another great job and as always, well managed from the Ministry side.

Peter/Bryn - we will pull together a debrief on what was raised and managed today like we did yesterday on the NZ infra bid, so you have the background if needed. But thanks Bryn for circulating the article in advance of that. We will just need to watch to see whether this gets legs over the next few days.

A

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From: Bryn Gandy [REDACTED]
Sent: Friday, February 28, 2020 7:47:16 PM
To: Peter Mersi [REDACTED]; Amelia East [REDACTED] >
Cc: Suzanne Cookson [REDACTED]
Subject: Auckland light rail: Is it Shane Jones vs Phil Twyford now?

withheld under section 9(2)(a)

Auckland light rail: Is it Shane Jones vs Phil Twyford now?

28 Feb, 2020 7:00pm
5 minutes to read



Shane Jones, Minister for Infrastructure. Photo / John Stone
NZ Herald

By: Simon Wilson

Infrastructure Minister Shane Jones has publicly poured cold water on the proposed light rail project for Auckland. In a speech to an infrastructure conference in Auckland this morning, the minister said cost increases in the City Rail Link "makes me very, very cautious about light rail". He repeated that view in a panel discussion.

Also today, the Government has come under fire from an unprecedented combination of lobby groups for its handling of the light rail project. In a letter to Transport Minister Phil Twyford, the groups accused the Government of not having a transparent process and of undermining public trust in the process before the project is even approved.



Both light rail proposals will include elevated sections, perhaps like this impression of the new line in Montreal being built by the NZ Super Fund's partner in its Auckland proposal. Image / Supplied

Jones later confided to the Herald he was "under strict instruction not to talk about light rail".

Asked if it was party leader Winston Peters or Finance Minister Grant Robertson who gave him that instruction, he said it was Robertson.

Jones said: "I've been told, 'You don't talk for the Government on light rail'."

But although Jones made his doubts clear in the conference, he said the issue "has not been to the NZ First caucus and it will need to be before we have a position as a party".

Jones' remarks point to conflict within the coalition Government over light rail and may shed some light on the concerns raised by the lobby groups in their letter.

Cabinet is due to make a decision on light rail next month. If Jones' view prevails in his caucus, that could mean the project will not survive the Cabinet debate.

Twyford declined to answer questions on Jones' statements.

The lobby groups' letter, obtained by the Herald, is signed by leading members of the Automobile Association (AA), Employers and Manufacturers Association, Greater Auckland, Generation Zero, Bike Auckland and Heart of the City, which is the central city business association.

The combined approach of these groups is significant because they have almost never spoken with one voice on any transport issue in Auckland. Generation Zero, Greater Auckland and Bike Auckland have been strong lobbyists for rapid transit and cycleways, while the AA and EMA have tended to push more for extra vehicle capacity on the roads.

Their letter expresses concern at "the Government's handling of the Auckland rapid transit programme". Rapid transit is a term that covers both light and heavy commuter rail, and rapid bus services like the Northern Busway.



An early image for light rail on Queen St, from when the project was under the wing of Auckland Transport. It is no longer expected to run along the road as shown here. Image / Supplied

The groups do not express a view on the merits of light rail. They say their worries about transparency relate to a lack of information on the project, the failure of the Government to allow for informed public debate, the lack of "engagement with stakeholders" and a perception there is not a "level playing field" for making decisions.

The letter follows a meeting the groups held with the minister last Wednesday and another letter they sent to him in mid-December. Many of the same issues were also raised by Auckland mayor Phil Goff, when he wrote to the minister on December 9.

The letter writers say: "The response we have received from you and your officials has done little to assuage our concerns."

They add that "the cumulative effect of this approach has been to alienate your stakeholders (advocacy organisations, industry and officials), and to generate a significant deficit in public trust and confidence before the project has even started".



Transport Minister Phil Twyford, who remains an enthusiast for light rail in Auckland. Photo / Mark Mitchell

Twyford has responded to questions about the groups' concerns.

"Cabinet has agreed that light rail is Auckland's rapid transit solution to the crippling congestion Aucklanders face every day," he said.

That appears to be at odds with Jones' scepticism today.

Twyford also said: "Our Government wants to build a modern and sustainable rapid transit system for Auckland, which will be well used and which all Aucklanders will be proud of. Those who will use it should have a say and as soon as Cabinet has made a decision about a delivery partner, we'll be in a position to release much more information including the planned route, design and the type of light rail.

"I have ongoing conversations with Mayor Goff and have reassured him that Auckland Council will have plenty of opportunity to have input and there will be more formal engagement with stakeholders."



An early image for light rail on Dominion Rd, when the project was under the wing of Auckland Transport. It is no longer expected to run along the road as shown here. Image / Supplied

Light rail in Auckland was a campaign policy of both Labour and the Green Party in the last election. But it was not NZ First policy and is not in Labour and NZ First's Government coalition agreement.

Currently, the Ministry of Transport (MoT) is evaluating two proposals, one from the NZ Transport Agency and the other from a consortium called NZ Infra, comprising the NZ Super Fund and a Canadian sovereign wealth fund with extensive experience building light rail lines.

Both proposals are understood to involve similar trains, engineering technology, routes and impact on urban streets. The big difference is the NZTA proposal would be funded and owned by the Government, while the NZ Infra project would be built, owned and operated by the consortium.



Railway man: Infrastructure Minister Shane Jones dressed for action. Photo / Supplied

The MoT will report to Cabinet in March. At that meeting, as Twyford indicated, one of the two bidders should be chosen as the preferred delivery partner.

As Jones indicated today, that might not happen.

Earlier this month, Prime Minister Jacinda Ardern gave an assurance that a clear plan for light rail would be in place before the election. The question is whether it will be a Government plan, perhaps included in Budget 2020 in May, or whether it will still be no more than party policy for Labour and the Greens.

Released under the Official Information Act

Item 66

Jonathan Luo

From: Amelia East
Sent: Saturday, 25 January 2020 9:59 PM
To: Bryn Gandy
Subject: RE: Cabinet Paper

Hi

Good work! Will have a look through now and all the notes noted.

But we have a draft Cabinet paper. That in itself is (another) milestone. 2020 has certainly been the year of report delivery.

A

Amelia East

withheld under section 9(2)(a)

From: Bryn Gandy
Sent: Saturday, 25 January 2020 9:45 PM
To: Amelia East
Subject: Cabinet Paper

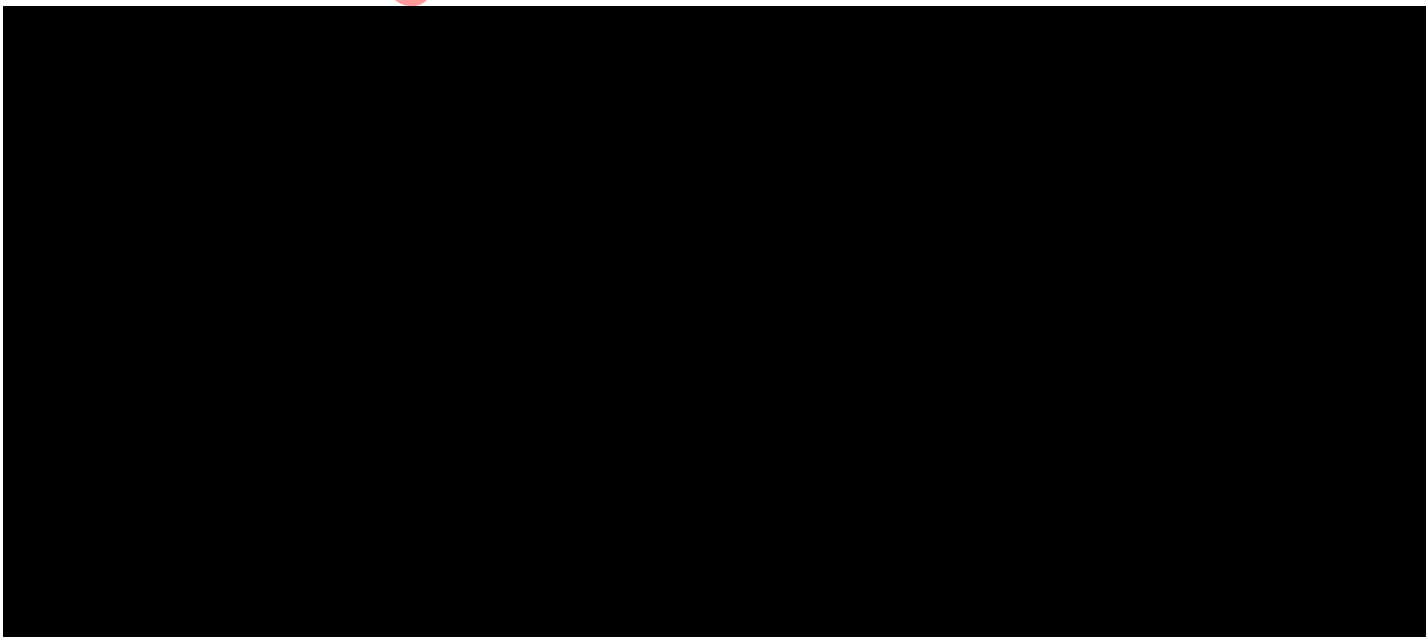
withheld under section 9(2)(a)

Hi! Here is a Cabinet Paper that can be read from start to finish.

It is a first draft of a paper that will probably look quite different when it's finished, but I think there is enough here to pitch the story at a good level.

I hate how it takes ages to finish that first draft, then you look at it and wonder why you didn't just sit down and write it that way the first time.

Notes on the paper:



Bryn

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