

## Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

Listed below are the most commonly used grounds from the OIA.

<u>Section</u>	<u>Description of ground</u>
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> <li>(i) the Government of any other country or any agency of such a Government; or</li> <li>(ii) any international organisation</li> </ul>
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

5 October 2022

OC220796

**Hon Michael Wood**  
 Minister of Transport

**Action required by:**  
 Wednesday, 5 October 2022

**Hon Grant Robertson**  
 Minister of Finance

**Hon Dr Megan Woods**  
 Minister of Housing

## AUCKLAND LIGHT RAIL LTD ESTABLISHMENT - RESPONSE TO LETTER OF ASSURANCE

### Purpose

Provide a draft letter of Response to the Board of Auckland Light Rail Limited's Letter of Assurance.

### Recommendations

We recommend you:

	Minister of Transport	Minister of Finance	Minister of Housing
<b>Note</b> the letter of assurance dated 5 October 2022 provided by Dame Fran Wilde, Chair of Auckland Light Rail Limited	Yes/No	Yes/No	Yes/No
<b>Authorise</b> the Minister of Transport to sign the letter of response on behalf of Sponsoring Ministers		Yes/No	Yes/No
<b>Sign</b> the letter of response	Yes/No		



Gareth Fairweather  
Director, Auckland Light Rail, Ministry  
of Transport

30/09/2022

Hon Michael Wood  
Minister of Transport

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Hon Grant Robertson  
Minister of Finance

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Hon Dr Megan Woods  
Minister of Housing

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**Comments**

**Contacts**

Name	Telephone	First contact
Gareth Fairweather, Director, Auckland Light Rail, Ministry of Transport	s 9(2)(a)	Yes

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TE MANATŪ WAKA MANATŪ WAKA MINISTRY OF TRANSPORT

## AUCKLAND LIGHT RAIL LTD ESTABLISHMENT - RESPONSE TO LETTER OF ASSURANCE

### Response to Auckland Light Rail Limited's Letter of Assurance

- 1 Sponsoring Ministers have received a letter of assurance, dated 5 October 2022, from Dame Fran Wilde, Chair of Auckland Light Rail Limited (ALRL). The letter sets out the ALRL Board's assurance that it "has appropriate systems and processes in place to operate successfully and meet its obligations under the Project Planning and Funding Agreement (PPA) and applicable legislation".
- 2 It is a precondition of the PPA that the ALRL Board has provided this assurance to the satisfaction of the Sponsoring Ministers, before the PPA is able to come into effect.
- 3 Given that Dame Fran has now provided you with this letter of assurance, we see no impediment to the company becoming operational once the PPA has been finalised and the gazetting of the Orders in Council adding ALRL to Schedule 2 of the Crown Entities Act 2004 and being Gazetted on 6 October 2022.
- 4 A draft letter of response to Dame Fran is attached. It is recommended that Sponsoring Ministers authorise the Minister of Transport to sign the letter of response on joint Minister's behalf.

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TE MANATŪ WAKA MINISTRY OF TRANSPORT

**Appendix one: Letter of Assurance from the Board of Auckland Light Rail Limited**

PROACTIVELY RELEASED BY  
TE MANATŪ WAKA MINISTRY OF TRANSPORT

5 October 2022

Hon Michael Wood  
Minister of Transport

Hon Grant Robertson  
Minister of Finance

Hon Dr Megan Woods  
Minister of Housing

Sent via email to the offices of the Ministers: Scott Petty [Scott.Petty@parliament.govt.nz](mailto:Scott.Petty@parliament.govt.nz);  
Tony Frost (Parliament) [Tony.Frost@parliament.govt.nz](mailto:Tony.Frost@parliament.govt.nz); Amanda Wilson  
[Amanda.Wilson@parliament.govt.nz](mailto:Amanda.Wilson@parliament.govt.nz)

Dear Ministers

### **Assurance that Auckland Light Rail Limited is operationally ready**

The purpose of this letter is to provide assurance that Auckland Light Rail Limited has appropriate systems and processes in place to operate successfully and meet its obligations under the Project Planning and Funding Agreement (PPA) and applicable legislation.

The Auckland Light Rail Unit provided an update to sponsors at their 27 September 2022 meeting and I confirm that we are ready to operate successfully and meet our obligations under the PPA.

It is a precondition of the PPA that the Board has provided this assurance to the satisfaction of Sponsoring Ministers.

Yours sincerely



**Dame Fran Wilde**  
Board Chair

cc Tommy Parker, Lucy Riddiford, Bryn Gandy, Gareth Fairweather

**Appendix two: Letter to Dame Fran Wilde Re: Letter of Assurance**

PROACTIVELY RELEASED BY  
TE MANATŪ WAKA MINISTRY OF TRANSPORT

# Hon Michael Wood

MP for Mt Roskill

Minister of Immigration

Minister of Transport

Minister for Workplace Relations and Safety



7 October 2022

Dame Fran Wilde  
Chair  
Auckland Light Rail Board  
[fran@franwilde.com](mailto:fran@franwilde.com)

Dear Dame Fran

Thank you for your Letter of Assurance noting that Auckland Light Rail Limited has appropriate systems and processes in place to be able to operate successfully and meet its obligations under the Project Planning Agreement and applicable legislation.

We note that under clause 3 of the Project Planning Agreement, the Ministry of Transport will continue to provide support services to the company for a limited period. However, Auckland Light Rail Limited must ensure that it is able to carry out its functions without the need of those support services as soon as practicable, and in any event within two months of the date of commencement of the Agreement (unless agreed otherwise by the Crown and Auckland Light Rail Limited).

On that basis, we as Sponsoring Ministers, on behalf of the Crown, have agreed that the condition precedent in clause 2.1(a)(iii) of the Project Planning Agreement has been met.

Yours sincerely

A handwritten signature in blue ink that reads "M. Wood".

Hon Michael Wood  
**Minister of Transport**