

CHAIR



Chris Browne, Wilson Harle, Auckland

Chris is a partner at Wilson Harle, a specialist commercial litigation and public law firm based in Auckland. Following a period as crown counsel in the Crown Law Office, he joined Russell McVeagh in Auckland, where he was a litigation partner for 13 years before founding Wilson Harle in 2002. His practice, like that of the firm, is commercially focused but with a considerable emphasis on public law issues and various forms of commercial regulation. Chris has had extensive experience in advising both public and private sector clients on commercial issues and in conducting litigation arising from public sector procurement and similar commercial transactions.

KEY NOTE ADDRESS



Mai Chen, Chen Palmer, Wellington

Mai Chen, LLB(Hons)(Otago), LLM(Harvard), FNZIM, is a partner in Chen Palmer New Zealand Public Law Specialists, winners of the Best Public Law Firm in the New Zealand Law Awards for 2007, 2008 and 2009. Formerly a senior lecturer at Victoria University Law School, Mai co-authored *Public Law in New Zealand* (OUP, 1993) and has written about 100 articles and contributions to books on public law. She is a former member of the Securities Commission, the New Zealand Advisory Board of New Zealand Trade and Enterprise's Beachheads Programme, the Asia New Zealand Foundation and the Advisory Board of AMP Life Limited (NZ).

SPEAKERS



Paul Buetow, Kensington Swan, Auckland

Paul is the business unit director of Kensington Swan's advocacy business unit. He specialises in construction law and the procurement process and provided legal advice to the New Zealand Transport Agency (NZTA) on its procurement procedures review. Paul acts for government, local authorities and contractors on procurement and has examined procurement best practice in overseas jurisdictions. He is on the Board of the New Zealand Council for Infrastructure Development and the Executive Council of the New Zealand Contractors' Federation.



Dr Andrew Butler, Russell McVeagh, Wellington

Andrew obtained his BCL from University College Dublin and LLM from Osgoode Hall, Toronto. When he first arrived in New Zealand, Andrew taught in the law faculty at Victoria University, specialising in equity, trusts, restitution, human rights and public law. From 1999-2005 he was crown counsel working in the Human Rights Team at the Crown Law Office. Andrew has written extensively here and abroad on human rights and public law, and is the general editor of *Equity and Trusts in New Zealand* (2nd ed, Brookers, Wellington 2009).



Bernard Cuttance, New Zealand Transport Agency, Auckland

Bernard is principal advisor procurement strategy and was a member of the team responsible for the New Zealand Transport Agency's (NZTA's) procurement procedures review. Since completion of the review and publication of the procurement manual for activities funded through the National Land Transport Programme in July 2009, he has been helping local authorities (and the NZTA teams that must use the new manual) as they transition to this new procurement environment.



Jim Harland, Dunedin City Council, Dunedin

Jim is chief executive officer of the Dunedin City Council. He has worked in the public and private sectors at senior levels including Murray North Ltd, the Auckland Regional Council and North Shore City Council. Jim was a part-time senior lecturer in tourism planning at Auckland University. In 1999 he was awarded a distinguished service award by the New Zealand Planning Institute, is a fellow of the New Zealand Institute of Management and a member of the New Zealand Institute of Directors.



Pdraig McNamara, Simpson Grierson, Auckland

Pdraig is a partner in Simpson Grierson's local government and environment group. His particular areas of expertise include resource management advice and litigation, Local Government Act (including governance, decision-making, CCOs, delegations, charging, and bylaws), legislative drafting, and defending council decisions from judicial review. Since late 2009 Pdraig has been advising the Auckland Transition Agency (ATA) on issues associated with establishing the new Auckland Council and its CCOs.



Simon Martin, Hudson Gavin Martin, Auckland

Simon is a partner at Hudson Gavin Martin, a boutique law firm specialising in technology and intellectual property (IP) established in 2007. Prior to this he was a partner at Bell Gully for almost 7 years, and worked at Allen and Overy in London and at Simpson Grierson in Auckland. He has 20 years experience working in the area of technology and IP and has been involved in a variety of large scale information technology projects.



Stephen Reville, Treasury, Wellington

Stephen is a senior lawyer working within Treasury. Prior to this he was acting as general counsel at Unisys New Zealand. He was a partner at Bell Gully for over 15 years where he worked on a number of high profile IT projects including the initial Landonline programme, the Department for Courts modernisation programme and the Department of Internal Affairs Electronic Monitoring project for non-casino gaming machines. Stephen is currently working on a set of model terms for PPP projects.



Nicola White, Office of the Auditor-General, Wellington

Nicola is head of the legal team at the Office of the Auditor-General. She has particular responsibility for managing the conduct of inquiries carried out by the Auditor-General. Prior to this, Nicola was a senior research fellow at the Institute of Policy Studies in the School of Government at Victoria University. She has also worked as a legal and policy adviser over the last 15 years, including in the Cabinet Office and the Policy Advisory Group of the Department of the Prime Minister and Cabinet.



Adrian Wimmers, KPMG, Wellington

Adrian heads KPMG's infrastructure and projects group in New Zealand and has extensive experience in providing procurement advice related to infrastructure projects. He led PPP advice to the Department of Corrections and the National Infrastructure Unit as they developed a PPP business case for Wiri Prison, as well as advising a range of public and private sector clients on potential PPP projects. Adrian worked with KPMG United Kingdom as a PPP transaction adviser in a range of sectors.

CONTENTS

In session order

Understanding how the public sector does business	1
<i>Nicola White</i>	
Doing business with the new Auckland Council	15
<i>Padraig McNamara</i>	
Public sector procurement framework	29
<i>Paul Buetow and Bernard Cuttance</i>	
Social infrastructure public-private partnerships.....	39
<i>Adrian Wimmers</i>	
Forsyth Barr Stadium – how do you run a competitive tender process?	53
<i>Jim Harland</i>	
Contracting out a core function: lessons from Queenstown Lakes District Council	65
<i>Nicola White</i>	
Procurement decisions and public law obligations	73
<i>Dr Andrew Butler and Mei Fern Johnson</i>	
IT Projects – threats and opportunities.....	85
<i>Simon Martin and Stephen Reville</i>	

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Buetow	Paul	Public sector procurement framework	29
Butler	Dr Andrew	Procurement decisions and public law obligations	73
Cuttance	Bernard	Public sector procurement framework	29
Harland	Jim	Forsyth Barr Stadium – how do you run a competitive tender process?	53
Johnson	Mei Fern	Procurement decisions and public law obligations	73
Martin	Simon	IT projects – threats and opportunities	85
McNamara	Padraig	Doing business with the new Auckland Council	15
Revill	Stephen	IT projects – threats and opportunities	85
White	Nicola	Understanding how the public sector does business	1
		Contracting out a core function: lessons from Queenstown Lakes District Council	65
Wimmers	Adrian	Social infrastructure public-private partnerships	39