

CHAIR



Carl Rowling, Auckland City Council, Auckland

Carl is the first ever (and last) general counsel for Auckland City Council. He was appointed in April 2008. Prior to this he was a partner at Simpson Grierson and Buddle Findlay, specialising in mergers and acquisitions and securities law. He was particularly active in the local government, energy and private equity sectors. He leads one of New Zealand's biggest in-house teams and the largest in local government. In addition to his management tasks, Carl has overseen most of the larger commercial transactions undertaken by Auckland City Council in recent years and has had significant involvement in the transition to the Auckland Council.

PRESENTERS



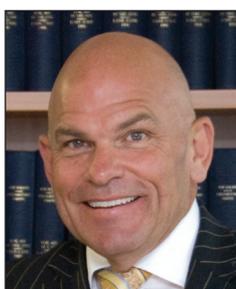
Hon David Caygill, Environment Canterbury Commissioners, Christchurch

David is a former member of Parliament and Cabinet Minister. Before entering Parliament he served three terms as a Christchurch City councillor. His 18 years in parliament included six as a Cabinet Minister. On leaving parliament he became a partner in Buddle Findlay, specialising in public law. His extensive governance experience includes chairing the ACC. He currently chairs the Electricity Commission and Education New Zealand Trust.



Philip Griffiths, GCL Consulting, Auckland

GCL Consulting specialises in optimising value from the client's investment in legal capability and resources. As a consultant Philip draws on his previous experience as a practising lawyer, managing partner, in-house lawyer and senior manager. During 10 years in this field Philip has advised many council clients throughout New Zealand, as well as state sector agencies, on their internal and external legal services requirements.



Hon Rodney Hide, Minister of Local Government, Wellington

Rodney was elected as an MP for the Act Party in 1996. After the 2008 election he was appointed Minister of Local Government, Minister for Regulatory Reform and Associate Minister of Commerce. Rodney has earned the title of "Minister for Ratepayers" for his determination to crack down on red tape and needless bureaucracy. His priorities for 2010 include overseeing the transition of local government reforms in the Auckland region – moving to transform it into a dynamic, world class city.



David Kirkpatrick, Barrister, Auckland

David has considerable expertise in all areas of local government work, having acted for many of the councils in the Auckland region before going to the bar in 2004 and now, as fate would have it, often acting against them. He has considerable experience in both advisory work and litigation at all levels and regularly presents seminars to both clients and professional groups in his specialist areas.

PRESENTERS



Robert Lineham, Christchurch City Holdings Ltd, Christchurch

Bob is CEO of Christchurch City Holdings Limited which is the infrastructure investment arm of Christchurch City Council. He has a background of 35 years as a senior local government manager in finance and management. Bob is a graduate from Canterbury University, is a Fellow of the Institute of Chartered Accountants of New Zealand and the New Zealand Institute of Management and is a member of the New Zealand Institute of Directors.



Bill Loutit, Simpson Grierson, Auckland

Bill is one of New Zealand's leading public sector lawyers and is a partner in the firm's local government and environment group. He specialises in litigation and alternative dispute resolution in the administrative law, environmental and resource management fields. He primarily advises local authorities, but also corporates and developers. He has been involved in many of the "landmark" environmental cases in New Zealand over the last few years which have shaped how the country's environmental legislation is administered.



Andrew McKenzie, Auckland City Council, Auckland

Andrew joined Auckland City Council as general manager of finance in August 2005. Previously at Wellington City Council for six years, his background covers roles such as director strategy and planning, director business improvement, director finance and infrastructure and chief financial officer.



Ronald Pol, Team Factors, Wellington

Ron is managing director of Team Factors, delivering improved effectiveness and innovative solutions for legal departments and professional services firms; and evidence-based insights from leading independent legal market research. He is past president of the Corporate Lawyers Association and formerly on the New Zealand Law Society Council. Ron assisted the Office of the Auditor-General review the latest government procurement guidelines, which now apply to local authorities, and has published legal and business articles internationally.



Tim Rainey, Rainey Law, Auckland

Tim is a specialist commercial litigator with extensive experience in all aspects of commercial and civil litigation. He has a particular focus on building and construction disputes, commercial and contract disputes and insurance law. Tim is widely regarded as one of the leading practitioners in building and construction litigation. He has extensive experience in acting for plaintiffs and defendants involved in "leaky building" litigation and has particular experience in conducting complex proceedings on behalf of multi-unit developments.

PRESENTERS



Jonathan Salter, Simpson Grierson, Wellington

Jonathan leads Simpson Grierson's local government practice out of its Wellington office. He has been a specialist adviser to local government since 1984, and closely involved with all local government reforms since. Jonathan is legal adviser to several city and district councils and to Local Government New Zealand, and is a regular commentator on local government issues.



Stephen Selwood, New Zealand Council for Infrastructure Development, Auckland

Stephen leads NZCID's advocacy of and investigation into key infrastructure development issues in New Zealand and abroad. This key role is focused on highlighting the direct link between world class infrastructure and New Zealand's capacity to achieve its economic and social potential. He is an expert on infrastructure policy issues and a regular adviser and commentator on these subjects.



Steve Taylor, New Plymouth District Council, New Plymouth

Steve has been the general manager support services with the New Plymouth District Council for the last ten years. He has had 28 years in the local government sector at various corporate planning and policy levels. Steve was formally the company secretary to Taranaki Investment Management Limited (TIML) which manages the council's \$260m Perpetual Investment Fund. He is also a member of the New Zealand Society of Local Government Managers (SOLGM).



Michael Weatherall, Simpson Grierson, Auckland

Michael is a partner and head of the construction law team at Simpson Grierson, and is one of New Zealand's leading construction and infrastructure lawyers. Michael is the author of the "Building and Construction" title in the *Laws of New Zealand* publication by Lexis Nexis. Michael is an expert in infrastructure procurement and is currently advising on five of the largest construction and infrastructure projects in New Zealand.

The statements and conclusions contained in this booklet are those of the author(s) only and not those of the New Zealand Law Society. This booklet has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

CONTENTS

In session order

The governments vision for local government.....	1
<i>Hon Rodney Hide</i>	
New Zealand's biggest city – can we achieve the vision?.....	7
<i>David Kirkpatrick</i>	
The role of the holding company and its governance arrangements.....	23
<i>Robert Lineham</i>	
CCO's – lessons from the Auckland experience	31
<i>Andrew McKenzie</i>	
CCO's: Governance at a distance – how close is close enough? The Taranaki Investment Management Limited story	37
<i>Steve Taylor</i>	
The evolving New Zealand infrastructure delivery model.....	45
<i>Michael Weatherall</i>	
Infrastructure development in comparative nations.....	51
<i>Stephen Selwood</i>	
Update on liability issues	77
<i>Tim Rainey</i>	
Local Government Act 2002 – key areas of change.....	105
<i>Jonathan Salter</i>	
Procurement of legal services	119
<i>Philip Griffiths</i>	
Procurement of legal services – the law firm view.....	133
<i>Bill Loutit</i>	
Local Government legal services procurement	139
<i>Ron Pol</i>	

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Griffiths	Philip	Procurement of legal services	119
Hide	Hon Rodney	The governments vision for local government	1
Kirkpatrick	David	New Zealand's biggest city – can we achieve the vision?	7
Lineham	Robert	The role of the holding company and its governance arrangements	23
Loutit	Bill	Procurement of legal services – the law firm view	133
McKenzie	Andrew	CCO's – lessons from the Auckland experience	31
Pol	Ronald	Local Government legal services procurement	139
Rainey	Tim	Update on liability issues	77
Salter	Jonathan	Local Government Act 2002 – key areas of change	105
Selwood	Stephen	Infrastructure development in comparative nations	51
Taylor	Steve	CCO's: Governance at a distance – how close is close enough? The Taranaki Investment Management Limited story	37
Weatherall	Michael	The evolving New Zealand infrastructure delivery model	45