

DAVID COCHRANE

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Positions and Memberships held

- Independent Chair, Hutt CC Audit & Risk Committee 2026 – ongoing.
- Independent Member, Risk & Assurance Committee, Kapiti Coast DC 2022 – 2025, 2026 – ongoing.
- Board Member, New Zealand Infrastructure Commission / Te Waihanga 2019 – 2022.
- Member, Waitangi Tribunal 2014 – 2021.
- Member, Commonwealth Association of Legislative Counsel.
- Member, NZ Law Society's Law Reform Committee 2005 – 2025.
- Member, Institute of Directors (MInstD) (Retd).
- Former Member, Legislation Advisory Committee (now Legislation Design Advisory Committee) 2011 – 2017.
- Former member of the National Board of Chapman Tripp.

General Experience

Before joining Chapman Tripp in 1987 to work on public law and commercial projects, I spent 9 years as a Parliamentary Counsel. In that capacity I drafted legislation and advised on the implementation of Government policy in a range of areas including local government, transport, government administration, corporatisation, conservation, superannuation, primary industry and health. Much of this included legislation with an emphasis on public and statutory body reform. I still draft legislation for New Zealand and some Pacific states.

After more than 20 years as a partner at Chapman Tripp, (during which I was relationship partner for what is now Waka Kotahi/NZTA) I spent 10 years as a special counsel at Simpson Grierson, concluding at the end of 2020.

Most of my work has a public law element or is at the interface of public law and commercial law. I have been involved in mediations and dispute resolution processes and some Government investigations, as well as in developing best practice processes for consultation, governance, codes of conduct and contracting so as to keep Crown and local government clients out of trouble in the first place.

I am familiar with the practical aspects of refining policy, negotiating with interested parties, and documenting reforms including MOUs between Crown bodies, local government, and the private sector.

I have represented clients at Select Committees and Ministerial negotiations and, on different occasions, acted as an advisor to Select Committees, Ministers, and Caucus Committees.

I have advised Crown entities on governance and statutory compliance and the equally important (to them) compliance with the Cabinet Manual, LDAC Guidelines, and other required processes, and their performance obligations and relationships with Ministers. My position on the Board of the NZ Infrastructure Commission gave me a practical insight into what is involved, and current issues for Crown entities.

My work for various departments, agencies and local authorities over more than 40 years mean that I am often called upon to devise and advise on robust decision-making processes and the formation and implementation of policies, programmes and strategies. This is in addition to regular advice on OIA/LGOIMA issues, and providing governance training.

In 2025, I chaired a Ministerial Advisory Group that reported on references to the principles of the Treaty of Waitangi in a number of statutes and what, if anything, should be done about them.

Also in 2025, I was a member of an Independent Technical Advisory Group that reported to a committee of Ministers with a review of the Treaty of Waitangi Act 1975 after 50 years of operation.

Together with Miriam Dean QC, in 2012 I conducted a review for the Government of the role and functions of the Solicitor General and Crown Law Office for the Attorney General and in 2013 I conducted for the Reserve Bank a review of the in-house legal function of the Bank.

As well as drafting Bills (including Local and Private Bills) in New Zealand, I have drafted legislation for Fiji, Vanuatu, Samoa, Kiribati, and Tuvalu, and assisted with sales of State assets in Kiribati; a shipyard and slipway on Tarawa and a hotel on Kiritimati, and the recovery of distressed assets, and have helped Tuvalu dispose of a State-owned hotel. I also advised the Government of Kiribati on tuna fishing reforms. I have advised the Government of Nauru on Public Enterprise reform and governance; involving several SOEs and Government Controlled Enterprises (mostly regulators). Most of these are aid-funded projects. Further information on my Pacific work is available on request.

In November 2007 I visited Malaysia at the invitation of their Attorney-General's office as part of its Visiting Experts Law Reform Programme. I delivered a public address on our ACC systems, and how a no-fault scheme might be introduced for motor vehicle accident injuries in Malaysia. As part of the law reform programme much time was spent in discussion with officials, insurers, lawyers, academics and others involved in the fault based common law system that is not delivering desirable outcomes in Malaysia.

In my time on the Waitangi Tribunal, among other matters, I sat on the panels for the CPTPPA and Hauraki Overlapping Claims inquiries.

Some Other Specific Matters

- Substantial involvement in the development of the Fast-Track Approvals Act 2024.
- Advised on regional fuel taxes, the Provincial Growth Fund and ports issues and initiatives.
- Drafted and shepherded through the Parliamentary process a complex local Bill for NPDC to address longstanding issues of great concern to leaseholders, hapu, and the community generally concerning land at Waitara, a local Bill to enable the Waimea Dam, and a local Bill for Environment Canterbury to allow Ngai Tahu to directly appoint 2 councillors
- Advised Christchurch City Council on aspects of the primary and secondary legislation and Commission of Inquiry into Canterbury earthquake events as well as advising Christchurch City Council on funding agreements with the Crown for the rebuild of city infrastructure, the legislation in 2016 to create Regenerate Christchurch, and the Christ Church Cathedral Reinstatement Act 2017.
- Advising on legislation while before Parliament, ranging from Gambling Harm Reduction to the Food Bill and Same Sex Marriage
- Drafted specific private Bills for trustee companies and special legislation to deal with specific Bank mergers, corporate restructurings, and demutualisations (these included Tower Corporation, General Finance, AMP, Farmers Mutual, and the National Bank).

- Member, External Strategy Review Panel for an ASX listed company in respect of its New Zealand operations.
- Part of a team advising Northland Regional Council on the delisting from the NZX of Marsden Maritime Holdings Ltd, the creation of a joint venture with Port of Tauranga, and provision for potential future Māori investment in Northland's port.
- Advised Northland Regional Council and the Kaipara Moana Remediation programme on commercial matters.
- Assisted with several iterations of Resource Management Act reforms.
- Advised dairy companies on dairy industry restructuring proposals and farmgate milk price issues.
- Legal advisor to the New Zealand Institute of Architects Inc on their standard contracts and other matters, and independent legal member for disciplinary proceedings in another profession.
- Extensive advice on the Maori Fisheries Settlement. The project involved (among other things) advising on the consultation documents Ahu Whakamua and He Kawai Amokura, assisting with the drafting and passage of the Maori Fisheries Act 2004, the dissolution of the Commission, the creation of a number of new trusts, governance, and commercial entities and the reorganisation of fisheries assets in complex transactions under a statutory framework that involve over \$700m in assets. The restructuring was necessary to give final effect to the allocation model developed by Te Ohu consultation with iwi over the past 12 years, and included the constitution of Aotearoa Fisheries Limited which owns the Moana Pacific Group and 50% of the Sealord Group (with Nissui).
- I subsequently drafted for Te Ohu Kaimoana amendments to legislation, trust deeds, and constitutions to give effect to the 10 year statutory review of the Fisheries Settlement Legislation and processes.
- Advised the fishing industry on combining the assets and rules of the Fishing Industry Board, the Fishing Industry Association and Federation of Commercial Fishermen into SeaFIC, and special stakeholder organisations; and the replacement of the Board's levy structure with industry commodity levies. Also advised extensively on the technical aspects of the quota management system; having drafted the legislation for the initial version of it.
- Drafted research contracts and charter party agreements for New Zealand fisheries research parties operating in UAE, Oman and Yemen.
- Advised the NZ Olympic Committee on emblem and symbol protection and obtained specific statutory provisions to protect sponsors of Olympic and Commonwealth Games.
- Advised a major apartment developer on Overseas Investment Act proposals and achieved significant changes as they passed through the House.
- Assisted forestry interests to obtain changes to a new regime to register forestry traders and advisers.
- Wrote the legislation, and advised on the policy, for local government corporatisation of trading activities. In some sectors this was compulsory; in others it was a matter for choice of the elected representatives within a national legislative framework.
- General contracts advice ranging from coal mining operations to shipping container repairs and aerial mapping contracts.
- Provided tendering and process advice to major entities such as Fonterra as well as extensively in the transport sector and to Crown entities, including on IT issues.

- Resolving claims ranging from those made under \$500m defence contracts to those made by motorists about broken windscreens.
- Advised the NZ Transport Agency on a wide range of public and commercial law issues, including funding, procurement, consultation, and statutory compliance as well as strategy and legal aspects of implementation for major matters including Queenstown SH6 options, Tauranga Tolls, Western Ring Route, the Toll Systems Project, PenLink, ALPURT, Supergold Card, ARTA rail acquisitions, Utilities Code of Practice, integrated ticketing, Kapiti Western Link, Mana T2 Lanes and the Planning Policy, Contract Procedures, Procurement and other Manuals.
- Assisted both Transit New Zealand and Land Transport NZ with passage of the Land Transport Management Act 2003.
- Advised the NZ Transport Agency on the Passenger Transport Management Act affecting public transport in all major urban areas, and the implementation of the SuperGold Card scheme.
- My private sector practice has had a strong emphasis on superannuation. Prior to that I was involved in the drafting of superannuation legislation during my time as a Parliamentary Counsel. I have conducted nation-wide seminars on superannuation law and the role of trustees; written articles that have been published in New Zealand and overseas; and given addresses and run workshops at specialist functions.
- I specialised in scheme reconstructions, conflicts issues and the implications of take-overs and business sales (one of which involving Fletcher Challenge and Wrightson was strongly contested and went to the Privy Council), and was involved in the restructuring of the National Provident Fund. I provided superannuation advice to several major schemes in the private sector including New Zealand's largest private sector fund, the BNZOPA, on a dispute that eventually went to the Privy Council, as well as to retail product providers. I was involved in the conversion of a number of defined benefit plans to defined contribution plans.

Further details of my involvement in the transport, local government, ACC, superannuation, and local and overseas legislation drafting sectors is available on request, as is a list of publications.