

I hereby give notice that an ordinary meeting of the Appointments and Performance Review Committee will be held on:

Date: Thursday, 4 May 2017
Time: 9.30am
Meeting Room: Room 1, Level 26
Venue: 135 Albert St
Auckland

Appointments and Performance Review Committee

OPEN AGENDA

MEMBERSHIP

Chairperson Hon Phil Goff, JP
Deputy Chairperson Hon Christine Fletcher, QSO
Members Cr Chris Darby
Cr Richard Hills
Cr Penny Hulse
Cr Desley Simpson, JP

Ex-officio Deputy Mayor Bill Cashmore

(Quorum 3 members)

Kalinda Gopal
Governance Advisor

27 April 2017

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ITEM	TABLE OF CONTENTS	PAGE
1	Apologies	5
2	Declaration of Interest	5
3	Confirmation of Minutes	5
4	Petitions	5
5	Public Input	5
6	Local Board Input	5
7	Extraordinary Business	6
8	Notices of Motion	6
9	Progress report on the appointments process for the Auckland Regional Amenities Funding Board and process for appointments to the board of the Tāmaki Redevelopment Company Limited	7
10	Progress report on the appointment process for the board of the Ports of Auckland Limited	11
11	Consideration of Extraordinary Items	
PUBLIC EXCLUDED		
12	Procedural Motion to Exclude the Public	13
C1	Verbal update on the appointment process for the board of Ports of Auckland Limited	13
C2	Board appointments to the Tāmaki Redevelopment Company Limited	13
C3	Board appointments to the Auckland Regional Amenities Funding Board	13

1 Apologies

At the close of the agenda no apologies had been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Appointments and Performance Review Committee:

- a) confirm the ordinary minutes of its meeting, held on Wednesday, 29 March 2017, including the confidential section, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than **one (1) clear working day** prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5) minutes** speaking time for each speaker.

At the close of the agenda no requests for public input had been received.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5) minutes** during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **one (1) day's** notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

8 Notices of Motion

There were no notices of motion.

Progress report on the appointments process for the Auckland Regional Amenities Funding Board and process for appointments to the board of the Tāmaki Redevelopment Company Limited

File No.: CP2017/06497

Item 9

Purpose

1. To inform and make public the process for the joint appointment to the board of the Tāmaki Redevelopment Company Limited and update the committee on the progress for appointments to the Auckland Regional Amenities Funding Board.

Executive summary

Auckland Regional Amenities Funding Board

2. Further to the decisions made by the Appointments and Performance Committee on 29 March 2017 about the short-listed candidates for the Auckland Regional Amenities Funding Board, the interview panel have completed eight interviews and recommend appointing two candidates for the two vacancies on the board.
3. A confidential report on today's agenda provides the information for the Appointments and Performance Committee to make its decisions.

Tāmaki Redevelopment Company Limited

4. The Tāmaki Redevelopment Company Limited constitution provides that the Crown and Auckland Council appoint one director each to the board, with the balance of directors to be appointed and/or removed jointly by the Crown and council.
5. The term of one jointly appointed director will end on 19 June 2017. At the time of writing this report, the Crown had not made a decision whether or not to reappoint this director for a further term. Staff will update the committee at the meeting regarding the Crown's decision.
6. If the Crown decides not to reappoint the director, decisions will also need to be made regarding the skill sets required for any replacement director, and the membership of the joint appointment panel will need to be agreed.
7. A report on the confidential agenda considers these matters.

Recommendation/s

That the Appointments and Performance Review Committee:

- a) note there are two confidential reports on this meeting agenda providing recommendations:
 - (i) regarding the appointment of two candidates to the Auckland Regional Amenities Funding Board
 - (ii) regarding the potential re-appointment of a director of Tāmaki Redevelopment Company Limited, and if necessary the joint appointment process to fill a director vacancy.
- b) note the appointment process for the jointly appointed board members for the Tāmaki Redevelopment Company Limited set out in this report
- c) note any appointment decisions will be made publicly available at the conclusion of the appointment process.

Comments

Progress on the appointment process for the Auckland Regional Amenities Funding Board

8. A confidential report on this agenda provides the information for the committee to make decisions regarding the two candidates recommended for appointment by the Auckland Regional Amenities Funding Board interview panel.
9. The interview panel have completed eight interviews, and have identified their preferred candidates for the two vacancies on the board. The interview panel chair, Councillor Christine Fletcher, will speak to the interview panel's recommendations at the committee meeting.

Tāmaki Redevelopment Company Limited

10. Auckland Council owns 41 per cent of the shares in Tāmaki Redevelopment Company Limited. The Crown owns the other 59 per cent of the shares. Tāmaki Redevelopment Company Limited's constitution provides that the Crown and council independently appoint one director each, and jointly appoint the other directors.

Review of strategic priorities and board capabilities for Tāmaki Redevelopment Company Limited

11. On 13 April 2015, Cabinet agreed to transfer the ownership and responsibility for the associated tenancy and property management services of Housing New Zealand's Tāmaki assets (approximately 2,800 houses) to Tāmaki Redevelopment Company Limited by 31 March 2016 [CAB Min (15) 11/18 refers].
12. As a result Tāmaki Redevelopment Company Limited's functions have changed significantly to include:
 - management of \$1.5 billion balance sheet
 - asset management, including upgrading of 2,800 social houses
 - redevelopment of approximately 7,500 new houses
 - significant procurement and contract management in respect of existing assets and those to be developed
 - contributing to building and evaluating an outcomes framework for monitoring regeneration outcomes for Tāmaki
 - enabling social and economic outcomes e.g. education and employment.
13. Following the Cabinet decision in 2016, the board of Tāmaki Redevelopment Company Limited commissioned a strategic review which considered its additional responsibilities, the future governance requirements including the number of board members, skill requirements (current and future) and remuneration.
14. The strategic review recommended an increase in directors from seven to eight (nine if required) because of the increased workload. The Tāmaki Redevelopment Company Limited board was increased to eight directors following this strategic review.
15. One director's term is ending in June 2017. As this director was jointly appointed with the Crown, a joint decision needs to be made whether to reappoint this director. At the time of writing this report, the Crown was yet to make a decision.

Tāmaki Redevelopment Company Limited - Board Appointment Process

16. If the joint decision is not to reappoint the director, a process will need to be undertaken to recruit a new director. The recommended process is set out below.

	Step	Decision maker	Date
1	Report to the committee seeking: a) confirmation of the board appointment process b) approval of joint appointment panel members c) approval of required skill sets.	Appointment and Performance Review Committee of council	4 May 2017 (today)
2	Advertising	Joint appointment team (Auckland Council's executive recruitment team and the Crown's appointments team)	5 – 14 May 2017
3	Short-list candidates	Joint appointment panel made up of representatives from Auckland Council (Panuku), Crown (New Zealand Treasury official), Independent Maori Statutory Board (Chief Executive) and the Chair of Tāmaki Redevelopment Company Limited	15 – 20 May 2017
3	Approval of short-list candidates	Appointment and Performance Review Committee and Crown	8 June 2017
4	Interview candidates	Joint appointment panel made up of representatives from Auckland Council (Panuku), Crown (Treasury official), Independent Maori Statutory Board (Chief Executive) and the Chair of Tāmaki Redevelopment Company Limited	9 – 19 June 2017
5	Appointment of candidate	Appointments and Performance Review Committee and Crown	5 July 2017

Item 9

17. Using the process above would mean that a new director would not be appointed before the current director's term ends. However, given the number and experience of directors currently on the board, it is not considered a risk to have a vacancy for a short period of time.
18. It is recommended that the process for the board appointments will be supported by council's executive recruitment team.

Consideration

Local board views and implications

19. Board appointments are the role of the governing body. Local board members are able to provide input through the nomination process.
20. The Maungakiekie-Tāmaki Local Board can contribute to the joint board appointment process through membership on the Tāmaki Coordination Group, which can provide feedback on the appointment process directly to the representatives on the joint appointment panel.

Māori impact statement

21. The Independent Māori Statutory Board is able to provide input into the nomination process and through representation on the joint appointment panel.

Implementation

22. Following approval from this committee, staff from the CCO governance and external partnerships, and the executive recruitment teams will progress the appointment process.

Attachments

There are no attachments for this report.

Signatories

Author	Josie Meuli - Senior Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Phil Wilson - Governance Director

Progress report on the appointment process for the board of the Ports of Auckland Limited

File No.: CP2017/07059

Item 10

Purpose

1. To update the on Auckland Council Investments Limited's progress relating to the appointment of a director to the board of Ports of Auckland Limited.

Executive summary

2. Auckland Council Investments Limited owns and manages council's major equity investments, which includes the Ports of Auckland Limited (100 per cent owned), Auckland International Airport Limited (22.4 per cent owned), and the Auckland Film Studios Limited (100 per cent owned).
3. There is currently a director vacancy on the board of Ports of Auckland Limited.
4. The Auckland Council Investments Limited's Statement of Intent requires it to consult with council in relation to director appointments to Ports of Auckland Limited. The decision regarding who to appoint as a director rests with Auckland Council Investments Limited, and council has no formal role in this process.
5. The Auckland Council Investments Limited Chief Executive, John Crawford will provide a verbal confidential update to the Appointments and Performance Review Committee regarding the candidates that have been short-listed for interview.

Recommendation/s

That the Appointments and Performance Review Committee:

- a) note that a verbal update will be provided in the confidential section of this meeting by the chief executive of Auckland Council Investments Limited regarding the candidates to be short-listed for interview for the director vacancy on the board of Ports of Auckland Limited.

Attachments

There are no attachments for this report.

Signatories

Author	Josie Meuli - Senior Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Phil Wilson - Governance Director

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

b)

That the Appointments and Performance Review Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Verbal update on the appointment process for the board of Ports of Auckland Limited

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the presentation of this report will contain personal and private information regarding potential directors.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C2 Board appointments to the Tāmaki Redevelopment Company Limited

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains information about the jointly appointed board members on the Tāmaki Redevelopment Company Limited.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C3 Board appointments to the Auckland Regional Amenities Funding Board

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains information about the appointed board members on the Auckland Regional Amenities Funding Board	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

