

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

Date: Thursday, 3 August 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, CNZM, 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

31 July 2017

Contact Telephone: 64 21 723 228
Email: kalinda.gopal@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

TERMS OF REFERENCE

Responsibilities

The Appointments and Performance Review Committee is established to:

1. Review the chief executive's performance and to recommend to the Governing Body the terms and conditions of the CE's employment including any performance agreement measures and annual remuneration.
2. Make appointments to Council-Controlled Organisations (CCOs), Council Organisations (COs) and exempt CCOs and COs.
3. Approve policies relating to the appointment of directors and trustees to CCOs and COs.

Powers

All powers necessary to perform the committee's responsibilities.

Except:

- (a) powers that the Governing Body cannot delegate or has retained to itself (section 2)
- (b) where the committee's responsibility is limited to making a recommendation only
- (c) the power to establish sub-committees

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

ITEM	TABLE OF CONTENTS	PAGE
1	Apologies	7
2	Declaration of Interest	7
3	Confirmation of Minutes	7
4	Petitions	7
5	Public Input	7
6	Local Board Input	7
7	Extraordinary Business	8
8	Notices of Motion	8
9	Progress on the appointments for the Tāmaki Redevelopment Company Limited	9
10	Auckland Council Organisational Strategy (Performance Plan)	11
11	Appointments and Performance Review Committee Information Report - 18 July 2017	13
12	Consideration of Extraordinary Items	
PUBLIC EXCLUDED		
13	Procedural Motion to Exclude the Public	15
C1	Board Appointments - Tāmaki Redevelopment Company Limited	15
C2	Auckland Council Organisational Strategy (Performance Plan)	15

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, 5 July 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 on the appointments for the Tāmaki Redevelopment Company Limited

File No.: CP2017/14171

Item 9

Purpose

1. To update the committee on progress regarding the appointment of a director to the board of Tāmaki Redevelopment Company Limited.

Executive summary

2. 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. This report relates to one of the jointly appointed directors.
3. The Appointments and Performance Review Committee is required to make decisions regarding the shortlisting for interview of five candidates for the current director vacancy.
4. A confidential report on today's agenda considers a number of candidates recommended by the joint appointment panel for interview.

Recommendation/s

That the Appointments and Performance Review Committee:

- a) note the confidential report on this meeting agenda which provides recommendations from the joint appointment panel regarding the shortlisting of five candidates for interview
- b) note the final appointment decisions will be made publicly available at the conclusion of the appointment process.

Comments

5. This committee (at its 4 May 2017 meeting) made decisions regarding the process, skill sets and joint appointment panel for a director vacancy on the board of the Tāmaki Redevelopment Company Limited. Following the decisions made by the committee at the May meeting, the following progress has now been made:
 - (i) the council's advertising programme attracted a total of thirty-two candidates
 - (ii) the joint appointment panel has completed the review of the candidates, and seeks approval from the committee to shortlist five candidates for interview.
6. Crown and council representatives from the joint appointment panel (Penny Stonyer and David Rankin) will provide advice on the recommendation that five candidates be interviewed for the director vacancy on the Tāmaki Redevelopment Company Limited board.
7. Council's executive recruitment team (Howard Chaffey and Elvira Bobekova) will support the panel providing information regarding the council's search process and the candidates.

Consideration

Local board views and implications

8. The Tāmaki-Maungakiekie Local Board does not have a formal role in the Board appointment process. However, the chair has received an update from council's representative regarding the process to fill the director vacancy on the Tamaki Redevelopment Company board.

Māori impact statement

9. The Independent Maori Statutory Board (Brandi Hudson) is participating in the interview process.
10. One focus of this appointment is aimed at securing a director with knowledge of and ability to engage with the Pasifika community in Tāmaki, but also with connections to the Tāmaki community more generally. As this community is almost 70 per cent Maori and Pasifika, the impact of this appointment is therefore likely to be neutral or positive.

Implementation

11. Following approval from this committee, staff from the CCO Governance and External Partnerships and the executive recruitment teams will assist to progress the interviews.

Attachments

There are no attachments for this report.

Signatories

Author	Edward Siddle - Principal Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Phil Wilson - Governance Director

Auckland Council Organisational Strategy (Performance Plan)

File No.: CP2017/15120

Item 10

Purpose

1. To discuss Auckland Council's Performance Plan (2017-2019) and any issues as they may arise in relation to the chief executive's current or future performance objectives.

Executive summary

2. Auckland Council's three-year Performance Plan (2017-2019) was endorsed by the Executive Leadership Team and the Governing Body in the last quarter of the 2016/2017 financial year. The Performance Plan summarises council's organisational strategy and three year objectives.
3. While a comprehensive review of the Performance Plan will take place in 2019, annual 'refreshes' will be undertaken to review progress and reprioritise council's focus to ensure we are on track to meet our performance objectives. The Executive Leadership Team met on 15 May 2017 to review progress and agree on focus areas for 2017/2018.
4. The paper on the confidential agenda provides a briefing to committee members on the outcomes from the strategy refresh including:
 - a) highlights from the 2016/2017 financial year
 - b) emerging challenges
 - c) the council's focus for 2017/2018
 - d) giving leadership and culture priority
 - e) improving the trust and satisfaction of Aucklanders with Auckland Council remains as our overriding objective.
5. The chief executive's current performance objectives leverage off the Performance Plan outputs and it is likely that committee members may wish to discuss these aspects with the chief executive. A formal review of the chief executive's performance will take place later this year.
6. In addition, some Performance Plan metrics have been drawn from the council's draft Annual Report 2016/2017 which is still subject to pre-audit confidentiality. For these reasons, staff recommend the staff presentation and committee discussion be held in the confidential agenda until such time that the information can be made publicly available, which should no later than the publication of the Annual Report 2016/2017.

Recommendation

That the Appointments and Performance Review Committee:

- a) note the content of this report.

Local board views and implications

7. Local board views have not been sought for this report.

Māori impact statement

8. Māori outcomes are expected to improve as a consequence of Auckland Council meeting its Performance Plan objectives.

Item 10

Attachments

There are no attachments for this report.

Signatories

Authors	Karuna Dahya, Strategy Analyst, Transformation Team Shameel Sahib, Head of Corporate Strategy
Authorisers	Patricia Reade - Transformation Director Phil Wilson - Governance Director

Appointments and Performance Review Committee Information Report - 18 July 2017

File No.: CP2017/12304

Item 11

Purpose

1. To provide a public record of memos, workshop or briefing papers that have been distributed for the committee's information since 8 June 2017.

Executive summary

2. This is a regular information-only report which aims to provide public visibility of information circulated to committee members via memo or other means, where no decisions are required.
3. The following confidential workshop has taken place:
 - 8 June 2017 – CCO Accountability Review - Review of the Board Appointment and Remuneration Policy (Confidential – no attachment)
4. Note that, unlike an agenda report which requires a decision, **staff will not be present to answer questions about the items referred to in this summary.** Committee members should direct any questions to the authors.

Recommendation/s

That the Appointments and Performance Review Committee:

- a) receive the information report – 18 July 2017.

Attachments

There are no attachments for this report.

Signatories

Author	Kalinda Gopal - Governance Advisor
Authoriser	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 Board Appointments - 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 individuals who have applied for the board vacancies on the Tamaki 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.

C2 Auckland Council Organisational Strategy (Performance Plan)

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 and subsequent committee discussion relates to the Chief Executive's performance review.	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.