I hereby give notice that an ordinary meeting of the Governing Body will be held on:

**Date:** Thursday, 12 December 2019  
**Time:** 1.30pm  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

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**Tira Kāwana/ Governing Body**

**OPEN AGENDA**

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**MEMBERSHIP**

**Mayor**  
Hon Phil Goff, CNZM, JP

**Deputy Mayor**  
Deputy Mayor Cr Bill Cashmore

**Councillors**

- Cr Josephine Bartley
- Cr Dr Cathy Casey
- Cr Fa’anana Efeso Collins
- Cr Pippa Coom
- Cr Linda Cooper, JP
- Cr Angela Dalton
- Cr Chris Darby
- Cr Alf Filipaina
- Cr Hon Christine Fletcher, QSO
- Cr Shane Henderson
- Cr Richard Hills
- Cr Tracy Mulholland
- Cr Daniel Newman, JP
- Cr Greg Sayers
- Cr Desley Simpson, JP
- Cr Sharon Stewart, QSM
- Cr Wayne Walker
- Cr John Watson
- Cr Paul Young

*(Quorum 11 members)*

---

**Sarndra O’Toole**

Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors

9 December 2019

Contact Telephone: (09) 890 8152  
Email: sarndra.otoole@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Terms of Reference

Those powers which cannot legally be delegated:

(a) the power to make a rate
(b) the power to make a bylaw
(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan
(d) the power to adopt a long-term plan, annual plan, or annual report
(e) the power to appoint a chief executive
(f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
(g) the power to adopt a remuneration and employment policy

Additional responsibilities retained by the Governing Body:

(h) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
(i) approval of a draft bylaw prior to consultation
(j) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
(k) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
(l) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
(m) overview of and decisions relating to any CCO review including the implementation of any resulting changes to CCOs
(n) oversight of work programmes of all committees of the governing body.
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.
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<td>CONFIDENTIAL: Process for the Governing Body to appoint the next Chief Executive</td>
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1 Affirmation

His Worship the Mayor will read the affirmation.

2 Apologies

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

3 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.

4 Confirmation of Minutes

That the Governing Body:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 26 November 2019 and the extraordinary minutes of its meeting, held on Tuesday, 10 December 2019, including the confidential section, as a true and correct record.

5 Petitions

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

6 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.

7 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.
8 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."
Te take mō te pūrongo  
Purpose of the report  
1. To appointment Independent Hearing Commissioners to hear submissions and make decisions on Plan Change 32 (Private) Avondale Jockey Club to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua  
Executive summary  
2. Plan Change 32 seeks to rezone 1,870m² of land at Avondale Racecourse from Special Purpose – Major Recreation Facility to Terraced Housing and Apartment Building Zone in the Auckland Unitary Plan (Operative in Part) (AUP). The request also proposes to remove the land in the private plan change area from the Avondale Racecourse Precinct.

3. 10 primary submissions were received on the private plan change request, including four submitters who wish to be heard. The submissions primarily relate to transport and urban design.

4. Feedback received from the Whau Local Board has been in support of the private plan change.

Ngā tūtohunga  
Recommendation/s  
That the Governing Body:

a) appoint two independent commissioners, with expertise in planning, transport and urban design to hear submissions and make decisions on Plan Change 32 (Private) Avondale Jockey Club to the Auckland Unitary Plan (Operative in Part)

b) delegate authority to the chairperson of the Regulatory Committee to make replacement appointments to the hearing panel in resolution a) in the event that a member of the panel is unavailable.

Horopaki  
Context  
5. Avondale Jockey Club lodged a private plan change request to the Auckland Unitary Plan (Operative in Part) in June 2019. On 6 August 2019 the Planning Committee accepted the private plan change request for processing and public notification.

6. Plan Change 32 seeks to rezone 1,870m² of land at Lot 1 DP470450 Avondale Racecourse from Special Purpose – Major Recreation Facility to Terraced Housing and Apartment Building Zone in the Auckland Unitary Plan (Operative in Part) (AUP). The request also proposes to remove the land in the private plan change area from the Avondale Racecourse Precinct.
7. The stated purpose of Plan Change 32 is to alter the split zoning of the newly created Lot 1 DP470450, which is located in the south-western corner of the racecourse, and re-align the precinct boundary with the racecourse boundary.

8. The private plan change was publicly notified on 29 August 2019 and 10 primary submissions were received. The council’s summary of submissions was publicly notified on 24 October 2019 and one further submission was received.

9. The focus of the submissions relate to transport and traffic effects. Other matters raised in submissions include urban design effects and construction effects.

Tātaritanga me ngā tohutohu
Analysis and advice
10. Analysis and advice relating to the private plan change will be provided in the council’s hearing report (section 42A report).

Tauākī whakaaweawe āhuarangi
Climate impact statement
11. The decision to appoint independent hearing commissioners is an administrative one and does not have any associated climate change impacts.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
12. The council’s Healthy Waters Department and Watercare have reviewed the private plan change and will be involved in preparing the hearing report. Auckland Transport has also been involved and has made a submission on the private plan change.

13. The submission from Auckland Transport supports the private plan change under the condition that the Auckland Unitary Plan (Operative in Part) provides a mechanism to assess the effects of traffic. This matter will be addressed in the hearing report and considered by the hearing commissioners.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
14. The Whau Local Board was contacted on 2 July 2019 and invited to provide comment on the private plan change. The Local Board Chair confirmed support for the private plan change.

Tauākī whakaaweawe Māori
Māori impact statement
15. The applicant circulated the private plan change to the eleven iwi authorities with an interest in the area. This is discussed in the applicant’s s32 report. No submissions were received from iwi authorities.

Ngā ritenga ā-pūtea
Financial implications
16. The cost of the private plan change will be recovered from Avondale Jockey Club Limited.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
17. Hearing commissioners are appointed from the council’s pool of independent commissioners due to their professionalism, expertise and experience. This process, in addition to staff reporting, ensures a high-quality of informed decision-making and helps to avoid any procedural or judicial risks.
**Ngā koringa ā-muri**

**Next steps**

18. Council staff will commence preparation for a hearing to take place in February 2020. The key next steps involve:

- contacting the appointed Independent Hearing Commissioners to check their availability;
- notifying submitters of the hearing dates and venue;
- providing submitters with a copy of the hearing report;
- Independent Hearing Commissioners conduct the hearing; and
- Council decision released.

**Ngā tāpirihanga**

**Attachments**

There are no attachments for this report.

**Ngā kaihaina**

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Katie Maxwell - Graduate Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Stephen Town - Chief Executive</td>
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</tbody>
</table>
Auckland Council Fees Framework and Expenses Policy for Appointed Members

Te take mō te pūrongo
Purpose of the report

1. To approve an adjustment in meeting fees paid under the Auckland Council Fees Framework and Expenses Policy for Appointed Members (Framework), in line with a recent change to the Cabinet Fees Framework.

2. To amend the Framework to allow an appointed member to elect to receive a lesser fee.

Whakarāpopototanga matua
Executive summary

3. The current version of the Framework for setting meeting fees for people appointed by the governing body or local boards was approved on 23 May 2017. The Framework is principally used for advisory panel members’ meeting fees.

4. The Framework is based on the Cabinet Fees Framework which was recently updated in July 2019. Rates for fees were updated. The council’s Framework states that fees under the council’s Framework will be adjusted in line with changes to the Cabinet Fees Framework.

5. For the Disability, Ethnic Peoples, Pacific Peoples, Rainbow, Senior, and Youth Advisory Panels members meeting fees will change from $250 to $270 and chairs will change from $530 to $575.

6. A change to paragraph 15 of the Framework is recommended, to give members the ability to elect to take a lesser fee.

7. The current Framework is attached in Attachment A and the proposed replacement Appendix B is attached in Attachment B.

Ngā tūtohunga
Recommendation/s

That the Governing Body:

a) amend the Auckland Council Fees Framework and Expenses Policy for Appointed Members by replacing Appendix B with the revised Appendix B in Attachment B of the agenda report.

b) amend the Auckland Council Fees Framework and Expenses Policy for Appointed Members by replacing paragraph 15 with: “Members of bodies may opt not to get paid meeting fees by not submitting the required forms or may elect to nominate a lesser fee than the fee that is set”.

c) agree that the amendments apply from the date of this meeting.

Horopaki
Context

8. The current version of the Framework was approved by the Finance and Performance Committee on 23 May 2017.
9. First adopted in 2014, the Framework provides a basis for calculating meeting fees for advisory panels but is also used as a basis for payments to members appointed by the Governing Body or by local boards to other bodies.

10. The Framework was modelled on the Cabinet Fees Framework. This framework is used to set fees for all entities that the Crown has an interest in. Bodies covered by the Framework include Crown entities, tertiary education institutions, as well as trust boards, District Health Boards, advisory bodies and committees, Royal Commissions, Public, Government and Ministerial Inquiries, statutory tribunals, individuals appointed as statutory bodies that are not covered by the Remuneration Authority and some subsidiary bodies. It includes bodies set up under legislation that require remuneration to be paid under the Fees and Travelling Allowances Act 1951.

11. The fees for appointed members were calculated using the rates for Group 4 bodies in the Cabinet Fees Framework. The remuneration levels for daily fees for this group were:

<table>
<thead>
<tr>
<th>Total score</th>
<th>Level</th>
<th>Fees range - Chair</th>
<th>Fees range - members</th>
</tr>
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<tr>
<td>24 – 28</td>
<td>1</td>
<td>$500 - $1,062</td>
<td>$375 - $800</td>
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<tr>
<td>20 – 23</td>
<td>2</td>
<td>$360 - $818</td>
<td>$270 - $518</td>
</tr>
<tr>
<td>15 – 19</td>
<td>3</td>
<td>$260 - $530</td>
<td>$190 - $364</td>
</tr>
<tr>
<td>10 – 14</td>
<td>4</td>
<td>$230 - $336</td>
<td>$175 - $252</td>
</tr>
<tr>
<td>9 or less</td>
<td>5</td>
<td>$190 - $245</td>
<td>$140 - $190</td>
</tr>
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</table>

Paragraph 15 of the Framework provides that “Members of bodies may opt not to get paid meeting fees by not submitting the required forms.”

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

12. The Framework states in paragraph 12:

_Fees paid to appointed members under the Auckland Council Fees Framework will be adjusted in line with changes to fees paid under the Cabinet Fees Framework. The Cabinet Fees Framework was last reviewed in December 2012._

13. The Cabinet Fees Framework was modified in July 2019. The changes included adjustments to fees. The daily fee levels for Group 4 bodies were changed to:

<table>
<thead>
<tr>
<th>Total score</th>
<th>Level</th>
<th>Fees range - Chair</th>
<th>Fees range - members</th>
</tr>
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<tbody>
<tr>
<td>24 – 28</td>
<td>1</td>
<td>$540 - $1,150</td>
<td>$405 - $865</td>
</tr>
<tr>
<td>20 – 23</td>
<td>2</td>
<td>$390 - $885</td>
<td>$290 - $560</td>
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<tr>
<td>15 – 19</td>
<td>3</td>
<td>$280 - $575</td>
<td>$205 - $395</td>
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<tr>
<td>10 – 14</td>
<td>4</td>
<td>$250 - $365</td>
<td>$190 - $270</td>
</tr>
<tr>
<td>9 or less</td>
<td>5</td>
<td>$205 - $265</td>
<td>$150 - $205</td>
</tr>
</tbody>
</table>

14. The fees for advisory panels are based on Level 3, except for the Youth Advisory Panel which is based on Level 4. These levels are calculated using a scoring mechanism for:
• skills, knowledge and experience
• function, level and scope of authority
• complexity of issues
• public interest and profile.

15. The meeting fees are calculated from the daily fees. The daily fees apply to an eight-hour day. The chairs of all advisory panels receive the full daily fee for a meeting. Members of all panels receive a fee based on five and a half hours per meeting. These times include preparation time.

16. When the Governing Body decided the setting up of the advisory panels for the 2019 – 2022 electoral term, there was agreement to align the meeting fees of the Youth Advisory Panel with that of all other panels.

17. On this basis the revised fees for the advisory panels are:

| Disability, Ethnic Peoples, Pacific Peoples, Rainbow, Senior, Youth Advisory Panels |
|--------------------------------------------------|------------------|------------------|
|                                                  | Current meeting fee | Proposed meeting fee |
| **Member**                                       |                    |                  |
| • 5.5 hours per meeting including preparation    | $250              | $270             |
| • Pro rata the maximum daily rate for member     |                    |                  |
| **Chair**                                        |                    |                  |
| • 8 hours per meeting including preparation      | $530              | $575             |
| • maximum rate for chair, level 3                |                    |                  |

18. Some members of advisory panels may wish to receive a reduced payment. Currently the Framework provides the ability to opt out of a payment altogether but it does not provide the ability to receive a lesser fee than what is provided.

19. In the proposed Appendix B a column has been added setting out the equivalent hourly rate, which can be used for additional work that approved in accordance with the terms of reference for panels.

20. Appendix B also provides for the General Manager Democracy Services to apply the Framework to other bodies which might be established. The current version limits this to advisory panels.

21. Staff recommend that paragraph 15 is amended to allow for this:

Members of bodies may opt not to get paid meeting fees by not submitting the required forms or may elect to nominate a lesser fee than the fee that is set.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

22. The decision to amend the Framework is administrative and does not impact on climate change. In the wider context, advisory panels can be key in engaging with the community over significant issues such as climate change.
.Item 10

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
23. The decision to amend the Framework is administrative and does not impact on the council group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
24. The Framework is a basis for local boards to set meeting fees for people appointed by them to local board bodies.

Tauākī whakaaweawe Māori
Māori impact statement
25. The decision to amend the Framework is administrative and does not impact on the Māori community. In the wider context, the Framework has the potential to apply, for example, to Māori appointed by a local board to a local reserve co-management committee, where such a committee might exist.

Ngā ritenga ā-pūtea
Financial implications
26. The increased fees will be met from existing budgets.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
27. There is a risk that if the Framework is not amended now its alignment with the Cabinet Fees Framework will become significantly different, leading to a much greater change in fees into the future when alignment is re-established.

Ngā koringa ā-muri
Next steps
28. The recruitment for the new advisory panels is about to commence. The revised meeting fee rates and the ability to elect to take a lesser fee will be advised to those applying.

Ngā tāpirihanga
Attachments

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Ngā kaihaina
Signatories

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<th>Author</th>
<th>WarwickMcNaughton - Principal Advisor - Democracy Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Marguerite Delbet - General Manager Democracy Services</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td></td>
<td>Stephen Town - Chief Executive</td>
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AUCKLAND COUNCIL
FEES FRAMEWORK AND EXPENSES POLICY FOR
APPOINTED MEMBERS

May 2014
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Appointed Members' Fees Framework and Expenses Policy

This document sets out the policy on payment of fees and expenses to appointed members.

This policy is administered by Auckland Council's Democracy Services Department. For queries on the policy please contact:

Michelle Smith
Business Support Manager
Democracy Services
DDI: +64 9 373 6220
MOB: +64 27 207 0893
michelle.smith@aucklandcouncil.govt.nz

This policy may be reviewed annually and is current until superseded.
What this document covers

Auckland Council Fees Framework

1. The Auckland Council Fees Framework is used for setting the fees of appointed members of committees, advisory panels or boards, which have been established by:
   - the Mayor
   - the Governing Body
   - a committee of the Governing Body
   - a Local Board
   - a committee of a Local Board.

2. The Framework does not apply:
   - if payment is set by the Remuneration Authority, or by legislation
   - if payment is made from some other source (for example if a professional consultant is paid by his or her employer to attend)
   - to any appointments made by the Governing Body or a Local Board to an outside organisation
   - if the Governing Body has formally resolved a different form of payment
   - if payments are made on a contractual basis (for example the members of the Code of Conduct Independent Review Panel submit invoices).

Expenses policy

3. The Expenses Policy sets out the criteria and type of expense that will be reimbursed and applies to all appointed members, unless personal expense is compensated in some other way.

Auckland Council Fees Framework

4. The Auckland Council Fees Framework is aligned to the Cabinet Fees Framework, which is used by many Government bodies whose fees are not determined by the Remuneration Authority. The Auckland Council Fees Framework ensures consistency between fees paid to appointees to Auckland Council bodies and fees paid by Government to those on entities in which the Crown has an interest.

5. Most appointments that are made by the Governing Body or Local Boards will be to bodies which can be described as “Group 4 - all other committees and other bodies” within the Cabinet Fees Framework. The assessment criteria for Group 4 have been adapted for use by Auckland Council. Fees paid under the Auckland Council Fees Framework will be adjusted in line with changes to fees paid under the Cabinet Fees Framework. The Cabinet Fees Framework was last reviewed in December 2012.

Assessment process

6. The body (committee, panel) will be scored on the following factors:
   - skills, knowledge and experience required of members
   - function, level and scope of authority
   - complexity of issues
• public interest and profile.

7. The assessment criteria are based on the Cabinet Fees Framework but modified for Auckland Council. The assessment criteria to be used for scoring are attached as Appendix A.

8. The resulting total score is used to identify a remuneration band within the Cabinet Fees Framework. The Governing Body or Local Board decides the remuneration to be paid from within that band.

**Daily rates**

9. The remuneration bands are expressed as daily rates.

10. A daily rate is a good basis for calculating fees to be paid for attending meetings of groups such as panels. This is because the length of a meeting tends to be consistent from month to month. A “meeting fee”, based on the daily rate, is set and applied to all meetings.

11. Where a fee is based on a daily rate, it is expected that a working day is about 8 hours, and the daily fee is calculated on this basis. Work for longer than 8 hours in one day does not attract an extra payment.

12. The daily fee applies to all work, including that performed outside of meetings (e.g. preparation, representing the body at other forums, or administrative work) that is required for the body to carry out its role. All work that is required to be performed for the body by the member should be paid at the approved daily rate.

13. Where a total of 6 hours is worked in one day, a daily fee may be paid. It is accepted that it may not be possible for a member having worked 6 hours in one day on body business to return to other paid work. Where a member spends time, for example one evening, preparing for a meeting the next day, if the preparation and meeting time combined were between 6 and 8 hours, then one daily fee would be paid for the combined preparation and meeting time.

14. Work other than preparation for meetings must be approved and minuted by the body before it is undertaken. Individual members should not be in a position where they could be considered to be setting their own work programmes without the endorsement of the body. The ability of the body to approve additional meetings or work is subject to agreement by the council.

**Hourly rates**

15. Hourly pro-rata rates are calculated by dividing the daily rate by 8 and multiplying by the number of hours worked.

16. An hourly rate is a good basis for calculating fees paid to independent planning commissioners. An hourly rate requires the submission of a statement of hours worked before each payment.

**Annual fee**

17. An annual fee is calculated by multiplying the daily rate by the number of days that will be worked during the year.

18. An annual fee is a good basis for calculating fees paid where a meeting fee does not properly cover all work. Chairpersons of panels receive a higher meeting fee than ordinary members. The higher fee recognises the additional responsibilities of chairpersons. However, it may be deemed more appropriate to pay a chairperson an annual fee in particular circumstances.

19. The annual fee needs to be adjusted in the following ways if there is significant absence:
where absence is for a continuous period of more than two months, the annual fee should be pro-rated (e.g. an absence of two months would result in payment of 10/12 of the annual fee)

where absence is not necessarily continuous but is frequent over the period of a year, the annual fee should also be pro-rated if the total of monthly meetings missed exceeds three.

General absence

20. Where a member fails to attend a significant number of meetings, or otherwise perform their duties as a member, the chair needs to raise the issue of expectations about performance with the member and if necessary with the Manager Democracy Services. Consideration should be given at the time of reappointment of members to the issue of continued absences from body business.

Time spent in travelling to and from meetings

21. The time spent travelling to and from meetings is not paid. However, reimbursement for the costs of travel is through a mileage allowance payable under the Expenses Policy.

Deputy chair

22. Where a body appoints a deputy chair who shares the business workload with the chair between meetings, an additional fee of 25% of a member’s fee will be paid.

23. Where a body does not appoint a deputy chair, then in any instance where a member chairs a meeting that member will receive the daily rate of the chair for that meeting.

Independent Planning Commissioners

24. In 2012 a survey of fees paid to independent planning commissioners was carried out by Strategic Pay Ltd across 26 councils. Strategic Pay assessed commissioners as belonging to Group 2 – “Statutory Tribunals and Authorities” within the Cabinet Fees Framework. Based on the findings of that survey, fees were established of:

- $170 per hour for chairpersons of hearings panels and sole commissioners
- $150 per hour for commissioners who are members of a hearings panel

25. These current fees will continue, but will be aligned to any increases in the Cabinet Fees Framework, such that fees will increase by the same percentage as those within the Group 2 category (“Statutory Tribunals and Authorities”) of the Cabinet Fees Framework.

Expenses Policy

Principles

26. The principles on which reimbursement of expenses will be approved are:

- Payments will be for actual and reasonable expenses; this requires receipts to be produced and expenditure to be modest
- For members of groups such as panels, work conducted other than attending the normal monthly meetings, must be properly approved and minuted prior to the work being carried out.
**Mileage allowance**

27. A mileage allowance is payable for any travel that is required to perform the member’s role as an appointed member. This includes travel between home and meetings.

28. The rate for members who are not self-employed, is the IRD rate for employers reimbursing employees, currently being 77 c/km.

29. A self-employed person may opt to not be paid the mileage allowance in order to claim the cost of mileage in the person’s annual return to the IRD.

**Public transport and taxis**

30. Members are expected to use either their personal vehicle or the cheapest form of public transport for undertaking Council business.

31. A member who uses buses or trains in order to undertake Council business, including travel between home and meetings, may claim for reimbursement by submitting receipts.

32. A member wishing to use a taxi to undertake Council business must obtain prior approval from the Council staff support for that meeting, who will issue a taxi voucher or approve the member lodging a claim for the expense.

**Parking**

33. Members will be reimbursed for personal costs of parking in order to undertake Council business. The method of reimbursement will be arranged by Democracy Services.

**Meals**

34. All meals associated with meetings of groups and hearings panels, will be provided by Democracy Services and will not be a personal cost to members. A member intending to claim for the cost of a meal should receive prior approval from the Council staff support for that meeting.

**Other costs**

35. All other personal expenditure arising from undertaking Council business will be reimbursed in accordance with the principles.
APPENDIX A - Assessment criteria

Skills, knowledge and experience required of members

Skills, knowledge and experience will vary between members on a particular body. The score below should reflect the level of skill required by the majority of members, and should not be based on any particular individual. This factor has a higher weighting than others, to reflect that it is the application of the skills, knowledge and experience in carrying out their responsibilities that is a major contributor to the successful operation of the committee or body.

<table>
<thead>
<tr>
<th>Definition</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-eminent</td>
<td>12</td>
</tr>
<tr>
<td>Outstanding and authoritative knowledge, recognised nationally and internationally for expertise in a particular field.</td>
<td></td>
</tr>
<tr>
<td>Distinguished</td>
<td>10</td>
</tr>
<tr>
<td>Deep and broad knowledge in a specific area or as a leader. Widely respected as a subject matter expert or authority in their field.</td>
<td></td>
</tr>
<tr>
<td>Substantive</td>
<td>8</td>
</tr>
<tr>
<td>Substantial range of knowledge and experience in a field or professional discipline sometimes associated with senior level functional or technical leadership, executive management or governance roles. May include widely respected people with broad community support.</td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td>6</td>
</tr>
<tr>
<td>A number of years experience in a technical, professional field or in a leadership role is a pre-requisite.</td>
<td></td>
</tr>
<tr>
<td>Specialised experience</td>
<td>4</td>
</tr>
<tr>
<td>No specific experience is required but members would have broad general knowledge and may represent a body of opinion.</td>
<td></td>
</tr>
</tbody>
</table>

Function, level and scope of authority

<table>
<thead>
<tr>
<th>Definition</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic decisions</td>
<td>6</td>
</tr>
<tr>
<td>Sets policy or work programme for a major area of economic activity or policy area of importance to the Council’s strategic priorities.</td>
<td></td>
</tr>
<tr>
<td>Policy decisions</td>
<td>5</td>
</tr>
<tr>
<td>Sets policy or work programme and/or exercises regulatory/disciplinary powers.</td>
<td></td>
</tr>
<tr>
<td>Expert advice</td>
<td>4</td>
</tr>
<tr>
<td>Provides expert counsel and advice to the Mayor, Governing Body or local boards on technical or policy issues that are of strategic importance. At this level the body would be expected to be proactive in identifying emerging issues and contributing to policy direction.</td>
<td></td>
</tr>
<tr>
<td>Professionally targeted</td>
<td>3</td>
</tr>
<tr>
<td>Exercises regulatory/disciplinary powers at the individual/professional level. This will include the power to impose sanctions.</td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td>2</td>
</tr>
<tr>
<td>Provides a broad range of advice on technical and/or policy issues.</td>
<td></td>
</tr>
<tr>
<td>Ad hoc</td>
<td>1</td>
</tr>
<tr>
<td>Provides ad hoc advice on minor matters. Generally a limited focus at a single output level.</td>
<td></td>
</tr>
</tbody>
</table>
## Complexity of issues

<table>
<thead>
<tr>
<th>Definition</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Innovative: The development of new concepts is required to find innovative and pathfinding solutions. There will be little or no external guidance (NZ or internationally) to aid resolution of these issues.</td>
<td>5</td>
</tr>
<tr>
<td>Constructive: The development of new policy or advice is required where the issues are complex, multidimensional and involve substantial research, consideration of possible alternatives and their consequences. The body may commission research or utilise the findings to inform their policy development or advice.</td>
<td>4</td>
</tr>
<tr>
<td>Evaluative: Issues will include circumstances, facts and concepts different to those that have been experienced in the past. Analytical thinking and evaluative judgement will be required to identify realistic alternatives and apply/recommend a solution.</td>
<td>3</td>
</tr>
<tr>
<td>Judgement: Solutions will be found from application of professional or personal judgement and generally guided by previous decisions. Circumstances may be different from those previously experienced but there will be a sufficient frame of reference to make a considered decision/recommendation.</td>
<td>2</td>
</tr>
<tr>
<td>Operational: Issues to be resolved are generally within existing policy and prior decisions. Decisions can generally be made quickly and with reasonable certainty.</td>
<td>1</td>
</tr>
</tbody>
</table>

## Public interest and profile

<table>
<thead>
<tr>
<th>Definition</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Widespread: Widespread public interest in outcomes would be expected. Members will attract strong media interest. Potential risk to personal and/or the body’s reputation is high.</td>
<td>5</td>
</tr>
<tr>
<td>Strong: Strong public and stakeholder interest and importance would be associated with these issues. Media interest would also be expected, but potential risk to personal or the body’s reputation is unlikely.</td>
<td>4</td>
</tr>
<tr>
<td>Moderate: Moderate but widespread public interest is likely. Reputational risk is minimal.</td>
<td>3</td>
</tr>
<tr>
<td>Limited: Public interest is likely to be limited, but the issues would be of interest to other members of the particular profession or sector.</td>
<td>2</td>
</tr>
<tr>
<td>Little: There is likely to be little or no wider public interest in the decisions.</td>
<td>1</td>
</tr>
</tbody>
</table>
### Fee levels

<table>
<thead>
<tr>
<th>Total score</th>
<th>Level</th>
<th>Fees range - Chair</th>
<th>Fees range - members</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 – 28</td>
<td>1</td>
<td>$500 - $1,062</td>
<td>$375 - $800</td>
</tr>
<tr>
<td>20 – 23</td>
<td>2</td>
<td>$360 - $818</td>
<td>$270 - $518</td>
</tr>
<tr>
<td>15 – 19</td>
<td>3</td>
<td>$260 - $530</td>
<td>$190 - $364</td>
</tr>
<tr>
<td>10 – 14</td>
<td>4</td>
<td>$230 - $336</td>
<td>$175 - $252</td>
</tr>
<tr>
<td>9 or less</td>
<td>5</td>
<td>$190 - $245</td>
<td>$140 - $190</td>
</tr>
</tbody>
</table>

**Notes**

Fees are daily rates.

Fees are as set out in the Cabinet Office Circular CO (12)6, dated 19 December 2012, for Group 4 bodies.
APPENDIX B – Determination of fees

*Ethnic Peoples, Pacific Peoples, Senior, Disability Advisory Panels*

<table>
<thead>
<tr>
<th>Skills, Knowledge &amp; Experience</th>
<th>The panels include widely respected community leaders in their various communities of interest.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Function, Level &amp; Scope</td>
<td>The panels provide advice on a range of policy matters that are relevant to the communities they represent.</td>
</tr>
<tr>
<td>Complexity of Issues</td>
<td>Analytical thinking and evaluative judgement are required to consider alternatives and make recommendations.</td>
</tr>
<tr>
<td>Public Interest and Profile</td>
<td>There is widespread public interest in their work and reputational risk is moderate to high.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>16 - 19</td>
</tr>
</tbody>
</table>

**Equivalent daily rates**

<table>
<thead>
<tr>
<th>Remuneration level</th>
<th>Chair</th>
<th>Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>$260 - $530</td>
<td>$190 - $364</td>
</tr>
</tbody>
</table>

Fees for these panels will be based on the maximum daily rates for this level ($530 for chair and $364 for member). The daily rate constitutes 8 hours. A meeting fee is calculated by applying the equivalent hourly rate to the average length of a meeting, including preparation time.

**Meeting fees**

<table>
<thead>
<tr>
<th>Meeting fee</th>
<th>Proposed</th>
<th>Previous term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member (based on 5.5 hours per meeting including preparation)</td>
<td>$250</td>
<td>$235</td>
</tr>
<tr>
<td>Chair (based on 8 hours per meeting including preparation)</td>
<td>$530</td>
<td>$235 per meeting or $7,000 pa*</td>
</tr>
</tbody>
</table>

Where meetings are regular and can be forecast, it may be possible to convert the meeting fee into an annual fee. Whether panel members are paid a meeting fee or annual fee will be assessed by the Manager Democracy Services, taking into account the frequency of meetings and likely regularity of attendances.

Where a deputy chair is appointed to share the workload of the chairperson throughout the term, he or she will receive a payment that is 25% higher than that of a member.

---

*Panel chairs received the members' meeting fee except for the chairpersons of the former Ethnic and Pacific Peoples Advisory Panels who received annual fees of $7,000.*
Youth Advisory Panel

This panel consists of members from the youth community. The purpose of the panel is to not only advise the Council of youth issues but to provide a learning experience for the members.

| Skills, Knowledge & Experience | No specific experience is required but members would have broad general knowledge and may represent a body of opinion. | 4 |
| Function, Level & Scope       | Provide advice on a range of policy matters that are relevant to the communities they represent. | 2 |
| Complexity of Issues          | Analytical thinking and evaluative judgement are required to consider alternatives and make recommendations. | 2 - 3 |
| Public Interest and Profile   | Public interest is likely to be limited, but the issues would be of interest to other members of the youth community | 2 |
| **TOTAL**                     |                                                           | **10 - 11** |

Equivalent daily rates

<table>
<thead>
<tr>
<th>Remuneration level</th>
<th>Chair</th>
<th>Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>$230 - $336</td>
<td>$175 - $252</td>
</tr>
</tbody>
</table>

Fees will be based on the maximum daily rates for this level ($336 for chair and $252 for member). The daily rate constitutes 8 hours. A meeting fee is calculated by applying the equivalent hourly rate to the average length of a meeting, including preparation time.

Meeting fees

<table>
<thead>
<tr>
<th>Meeting fee</th>
<th>Proposed</th>
<th>Previous term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member</td>
<td>$173</td>
<td>Nil</td>
</tr>
<tr>
<td>(based on 5.5 hours per meeting including preparation)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chair</td>
<td>$336</td>
<td>Nil</td>
</tr>
<tr>
<td>(based on 8 hours per meeting including preparation)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Where meetings are regular and can be forecast, it may be possible to convert the meeting fee into an annual fee. Whether panel members are paid a meeting fee or annual fee will be assessed by the Manager Democracy Services, taking into account the frequency of meetings and likely regularity of attendances.

Where a deputy chair is appointed to share the workload of the chairperson throughout the term, he or she will receive a payment that is 25% higher than that of a member.

Other panels

Panels are established from time to time for various purposes. The Manager Democracy Services will determine fees to be paid that are consistent with this Framework.
Additional work
Where work is undertaken with prior approval and a meeting fee is not appropriate in the circumstances, the Manager Democracy Services may determine payment on an hourly rate based on the daily rate, subject to the terms of reference for the panel as agreed with the Council (refer paragraph 14 above).
APPENDIX B – Determination of fees

Disability, Ethnic Peoples, Pacific Peoples, Rainbow, Senior, Youth Advisory Panels

<table>
<thead>
<tr>
<th>Skills, Knowledge &amp; Experience</th>
<th>The panels include widely respected community leaders in their various communities of interest.</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Function, Level &amp; Scope</td>
<td>The panels provide advice on a range of policy matters that are relevant to the communities they represent.</td>
<td>2 – 4</td>
</tr>
<tr>
<td>Complexity of Issues</td>
<td>Analytical thinking and evaluative judgement are required to consider alternatives and make recommendations.</td>
<td>3</td>
</tr>
<tr>
<td>Public Interest and Profile</td>
<td>There is widespread public interest in their work and reputational risk is moderate to high.</td>
<td>3 – 4</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>16 – 19</td>
</tr>
</tbody>
</table>

Equivalent daily rates

<table>
<thead>
<tr>
<th>Remuneration level</th>
<th>Chair</th>
<th>Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>$280 - $575</td>
<td>$205 - $395</td>
</tr>
</tbody>
</table>

Fees for these panels will be based on the maximum daily rates for this level ($330 for chair and $364 for member). The daily rate constitutes 8 hours. A meeting fee is calculated by applying the equivalent hourly rate to the average length of a meeting, including preparation time.

Fees

<table>
<thead>
<tr>
<th></th>
<th>Meeting fee</th>
<th>Hourly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member (based on 5.5 hours per meeting including preparation)</td>
<td>$270</td>
<td>$49</td>
</tr>
<tr>
<td>Chair (based on 8 hours per meeting including preparation)</td>
<td>$575</td>
<td>$72</td>
</tr>
</tbody>
</table>

Where meetings are regular and can be forecast, it may be possible to convert the meeting fee into an annual fee. Whether panel members are paid a meeting fee or annual fee will be assessed by the General Manager Democracy Services, taking into account the frequency of meetings and likely regularity of attendances.

The hourly rate may be used for additional work that is approved in accordance with the terms of reference for advisory panels.

Other bodies

Other bodies may be established from time to time for various purposes during a term of the council. The General Manager Democracy Services will determine what fees will be paid in accordance with this Framework.
Te take mō te pūrongo

Purpose of the report
1. To receive the Health and Safety Performance Report referred by the Audit and Risk Committee.

Whakarāpopototanga matua

Executive summary
2. The Audit and Risk Committee will receive the Health Safety and Wellbeing update – November 2019 at its meeting on 9 December 2019.
3. The recommendations to the Audit and Risk Committee are as follows:
   “That the Governing Body:
   a) review and endorse this report for referral to the Governing Body and draw the attention of elected members to their duties under the Health and Safety at Work Act 2015
   b) note that this report will be provided to all local boards for their information.”
4. Clause a) of the recommendation refers the report to the Governing Body, in its role as the person or organisation conducting a business or undertaking and is in line with duties outlined in the Health and Safety at Work Act 2015.
5. Any resolution passed by the Audit and Risk Committee will be tabled at the Governing Body meeting on 12 December 2019.
6. The Health Safety and Wellbeing update – November 2019 that is attached to the Audit and Risk Committee agenda is appended as Attachment A to this report.

Ngā tūtohunga

Recommendation/s
The recommendations referred from the Audit and Risk Committee meeting on 9 December 2019 will be tabled at the Governing Body meeting.

Ngā tāpirihanga

Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Original Report to Audit and Risk Committee on 9 December 2019</td>
<td>35</td>
</tr>
</tbody>
</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarandra O'Toole - Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Health Safety and Wellbeing update - November 2019

File No.: CP2019/19817

Te take mō te pūrongo
Purpose of the report
1. To update the committee on Auckland Council’s health safety and wellbeing (HSW) performance between September and November 2019.

Whakarāpopotanga matua
Executive summary
2. Auckland Council’s strategic HSW vision is ‘to become a leading organisation for HSW by 2020’. Good progress is being made against the strategy.
3. With the elections complete our health safety and wellbeing policy statement becomes due for signing by the mayor and the chief executive, re-establishing a person conducting a business or undertaking (PCBU)’s commitment and support to the health and safety for our people, volunteers and visitors.
4. Auckland Council uses an overall performance measure for our HSW performance measure called ‘Safe365’. Auckland Council’s aggregated Safe365 HSW capability score is at 61 per cent for the period. Our strategy is focussed on achieving 75 per cent by end of June 2020.
5. There are departments who are below the 60 per cent target.
6. Council passed the ACC Accredited Employer Programme Audit at Primary level and will enter the self-insurance accredited employer programme on 16 December 2019.

Ngā tūtohunga
Recommendation/s
That the Audit and Risk Committee:

a) review and endorse this report for referral to the Governing Body and draw the attention of elected members to their duties under the Health and Safety at Work Act 2015

b) note that this report will be provided to all local boards for their information.

Horopaki
Context
7. Under the Health and Safety at Work Act 2015 all elected members are deemed officers and must exercise a duty of due diligence in relation to health and safety. These quarterly reports provide information to assist elected members to carry out that role.
8. Our health and safety framework provides a robust mechanism for ensuring that council can comply with its legal requirements. To ensure this, a commitment is required from council leaders to ensure our framework is supported and effectively managed. Our people also need to know the roles and responsibilities they all play and what is expected from all of us. The health and safety policy statement achieves this.
9. With the election now complete, staff are inviting Mayor Goff and Auckland Council’s Chief Executive Stephen Town to sign this document and reconfirm to our people that HSW is central to ensuring our people are kept healthy and safe in the delivery of their work and that our council operations, as far as is reasonably practicable, do not cause harm.
Tātaritanga me ngā tohutohu
Analysis and advice

10. The key metrics considered from a health and safety perspective are:
   - Safe365 health and safety capability indicator (lead indicator)
   - people leaders trained in their health, safety and wellbeing responsibilities (lead indicator)
   - new starters - health, safety and wellbeing inductions
   - critical risk reporting and assurance audits
   - reporting index.

11. Our health and safety dashboard comprised of the various metrics can be seen in Attachment A.

Safe365

12. The Safe365 indicator provides a holistic view of performance across the council by measuring health and safety capability across the highest risk areas and then aggregating it. The council’s score in November 2019 has not moved since the last report and remains at sixty one per cent. Sixty per cent is an indicator of being in overall compliance.

13. As represented in the starburst graphic below in amber, module 2, forty per cent of our people leaders have attended Managing Safely training, our mandatory HSW Induction.

14. As represented in the starburst graphic below in amber, module 5, our line three assurance program is still in its infancy. Critical risk audits carried out to date have shown very little active monitoring of controls i.e. front-line monitoring, is taking place. This is consistent with organisations developing their safety maturity.

15. As represented in the starburst graphic below in amber, module 6, we must focus on improving our testing or drills on emergencies. The common drill practiced is fire. Our Corporate Security team and HSW team have recently developed training regarding other emergencies such as ‘active shooter’ and response to major injury.

Chart 1 – Safe365 Starburst – Auckland Council Aggregate


16. Departmental Safe365 scores can now be seen in Attachment B.
ACC Accredited Employer Programme Audit
17. Council was audited by ACC between the 9 and 11 October 2019. Council passed the audit at Primary Level and as such were granted access to the accredited employer program. This audit is significant as it is the first audit under our new framework. It verifies and supports that the council health and safety framework is effective.

18. The audit did identify some areas of weakness in the application of the HSW framework in the two departments audited, (the waste transfer station and libraries). These areas are being addressed.

19. The ACC accredited employer program allows large employers to take on the responsibility of managing their own workplace health and safety, including claims management and rehabilitation of their own employees following a work injury. Council has partnered with WellNZ to deliver this.

20. This is another positive step in council’s health and safety maturity level. It is expected that this will deliver council savings but also foster the culture of prevention and equally, positive and swift response in the event of an incident as council’s performance in this area is now financially linked and provides a further business incentive.

Due diligence duties
21. As ‘officers’ (under the Act) elected members have the duties set out in the table below. This also shows measures underway to support those duties.

<table>
<thead>
<tr>
<th>Duty</th>
<th>Support provided</th>
</tr>
</thead>
</table>
| Duty 1 - Acquire and keep up to date with health and safety knowledge and matters | Health and safety training for designated ‘officers’

Health and safety training has been ongoing to ensure elected members and senior management are well informed and up to date on health and safety matters. Following the recent elections, the health and safety induction will be delivered under the Kura Kāwana (elected member development).

Due Diligence Refreshers and proposed coaching for ELT
On 25 November ELT undertook a due diligence refresher. In line with our health safety and wellbeing strategy under the pillar of ‘safety leadership’ and with the view of reaching our vision on becoming a leading organisation for health and safety, we are considering trialling a safety leadership coaching programme for the ELT members who have critical risks under their area of management. If supported by ELT these will roll out from the third quarter.

The Health Safety and Wellbeing team are working with the Legal Service department to arrange a mock trial to deliver to our senior leadership team, ELT and general managers to further focus their responsibilities and provide insight as to how they are meeting these.

Third Party Administrator – Accredited Employer Programme
ACC audited council HSW systems and processes between 9 and 11 October 2019. Council passed the audit and will enter the accredited employer programme on the 16 December 2019. The Central Library and the Waitakere Refuse Centre were chosen as audit locations.
### Health Safety and Wellbeing committee

The ELT operates as the Health Safety and Wellbeing Committee which creates better visibility and understanding of council operations and the health and safety risks in their parts of the organisation. These have been taking place quarterly.

<table>
<thead>
<tr>
<th>Duty</th>
<th>Support provided</th>
</tr>
</thead>
</table>
| Duty 2 - Understand council’s operations and associated hazards/risks | Site visits  
A health and safety site visit plan for the chief executive, ELT members and elected members is in place. In October ELT visited our West Wave leisure centre and the Waitakere Refuse Centre. |
| Duty 3 - Ensure the council has appropriate resourcing and processes to eliminate/minimise risks | Corporate training programme  
A key focus of the current strategy is to build capability within the organisation and to prioritise high risk business areas. A corporate training programme has now been agreed mandating all people leaders to complete a one day ‘Managing Safely’ course. Our indicator in this area has increased to forty percent. The target is 75 per cent by the fourth quarter. |
| Duty 4 - Ensure the council has appropriate processes for receiving and considering information regarding incidents, hazards and risks and for responding in a timely way to that information | Management framework and reporting  
A management framework is now in place. It is designed to ensure robust safety governance, processes, guidance and positive behaviours around health and safety. Risk Manager is also working effectively as our reporting tool for unsafe conditions, incidents and near misses.  
**Triage**  
The Corporate team continues to triage incidents. This assures the quality of the data and furthermore tasks ‘reasonably expected’ actions to people leaders in the business as incidents arise in Risk Manager. This helps safeguard the organisation further to ensure incidents are not closed without knowledgeable oversight and that any serious incidents involving critical risk are appropriately investigated either by people leaders, local health and safety specialist or the Corporate team. |
| Duty 5 - Ensure the council has, and implements, processes for complying with any duty or obligation | Policy statement  
The chief executive and mayor are set to sign the Health and Safety Policy Statement following the elections. This has been implemented alongside the new Health and Safety Framework.  
**Our Charter**  
The health and safety section in Our Charter (we look after our safety and wellbeing) is being prepared for application to all council-controlled organisations. We are ready to roll out this value to all CCOs. |
| Duty 6 - Take reasonable steps to verify the provision and use of resources | Safe365audits  
No external verification audits were done this quarter  
**Assurance framework** |

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Health Safety and Wellbeing update - November 2019

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Referred from the Audit and Risk Committee - Health Safety and Wellbeing update - November 2019
Governing Body
12 December 2019

Audit and Risk Committee
09 December 2019

<table>
<thead>
<tr>
<th>Duty</th>
<th>Support provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>and processes through reviews and audits</td>
<td>Assurance audits are now taking place. The dashboard in Attachment A shows the audits that have taken place in the last quarter. Our AIM Airport Contract was audited this quarter as were the northern regional parks operation.</td>
</tr>
</tbody>
</table>

Tauākī whakaaweawe āhuarangi
Climate impact statement
22. The decisions contained in this report do not have an impact on climate change.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
23. This update includes information about council activities only. It does not provide a group-wide view.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
24. Briefings for elected members, including local boards, will now be rolled out in line with the Kura Kāwana programme inducting all new elected members. The elected members site visit program will be offered at this session.
25. This report will be provided to all local boards together with a briefing from staff.

Tauākī whakaaweawe Māori
Māori impact statement
26. Auckland Council staff work with the Independent Māori Statutory Board and the council’s co-governance entities, such as the Tūpuna Maunga Authority, Te Poi o Kaipātiki ki Kaipara, the Ngāti Whāitu Orākei Reserves Board and Te Motu a Hiaroa (Puketutu Island) Trust to ensure they have information and support to comply with their duties under the legislation.
27. The People and Performance department have integrated Health Safety Wellbeing plans into council’s Māori employment strategy (known as the Mahi Strategy).

Ngā ritenga ā-pūtea
Financial implications
28. There are no financial implications in this report.
29. As reflected in the Corporate Risk Register, non-compliance with Health and Safety Legislation and poor performance in this area can carry substantial fines and impacts to operational costs through incidents and or poor productivity.

Ngā raru ā-pono me ngā whakamaurutanga
Risks and mitigations
30. The risk of non-compliance with health and safety is recorded in the council’s top risk register. As set out above, controls are in place to monitor and respond to critical risks through the Risk Manager System.

Ngā koringa ā-muri
Next steps
31. Staff will continue with the implementation of the HSW strategy, embedding the Health and Safety Framework.
### Ngā tāpirihanga

#### Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Health Safety and Wellbeing dashboard</td>
<td>57</td>
</tr>
<tr>
<td>B</td>
<td>Safe365 Departmental scores</td>
<td>61</td>
</tr>
</tbody>
</table>

### Ngā kaihaina

#### Signatories

| Authors | Oliver Sanandres - Head of Health, Safety and Wellbeing  
          | Andre Lubbe – Head of Health, Safety and Wellbeing (Acting) |
|---------|----------------------------------------------------------|
| Authorisers | Patricia Reade - Director People and Performance  
                          | Phil Wilson - Governance Director |

Health Safety and Wellbeing update - November 2019
Referred from the Audit and Risk Committee - Health Safety and Wellbeing update - November 2019
Governing Body
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Attachment A

Item 10

Attachment A

Item 11

Health Safety and Wellbeing update - November 2019

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Item 11

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Referred from the Audit and Risk Committee - Health Safety and Wellbeing update - November 2019

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**Audit and Risk Committee**

**09 December 2019**

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**Item 11**

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>14 May 19</td>
<td>Home of the council-owned AVV facilities appear under ‘lock’ drop-down menu. Another significant power failure occurred due to lack of monitoring equipment non-functioning backup systems (UPS &amp; Generators) and in apparent absence from responsible departments to address these issues that are well known and ongoing for over one year. The power failure resulted in critical Civil Defence infrastructure being unavailable for several hours. Another power failure was recorded during the same event. The incident was reported to the Civil Defence Operations Centre and subsequently referred to the Corporate Properties as an urgent action for rectification.</td>
</tr>
<tr>
<td>6</td>
<td>29 Apr 19</td>
<td>At 11:42pm, staff were in the office area, and we heard this strange noise coming from the roof. We all ran out to the roadway where the noise had come from, and saw a large white in the roadway in the tiled landing area. Staff member 1, notice a person in a high vis jacket on the floor, revealing as we was injured. Staff member 2 was unable to assist. The contractor was being on the floor in person, we immediately rang 111, staff member 1, assisted the injured contractor and associated him for injuries. He could not speak English, and was hard for him to communicate to the team. The ambulance arrived 15 minutes later and took over the care of the injured contractor. He was assessed and taken to hospital, with a suspected broken leg.</td>
</tr>
<tr>
<td>7</td>
<td>02 Apr 19</td>
<td>It has been brought to my attention that the Samsung Q5 model is unable to receive Civil Defence warning messages. ICT has advised that the field staff with 2 phones should update to Q5 phones. As this may be prevented across council a council wide alert should be raised for those with 2 phones who are concerns of the problem. This has been raised to Assets (HNW006447) in September 2019 but no comm's have been sent out.</td>
</tr>
<tr>
<td>8</td>
<td>10 Feb 19</td>
<td>A person affected was wearing in a garden bed, he heard a vehicle approach. The vehicle was reversing at an uncontrolled speed from further up the street. It mounted the kerb and stopped in the garden bed. He went to the vehicle to check the damage after.</td>
</tr>
<tr>
<td>9</td>
<td>13 Feb 19</td>
<td>Sodium hypochlorite delivery has not been completed. The vehicle was unladen, and the chemical was subsequently opened. The vehicle was unloaded, and the chemical was transferred to the chemical storage area.</td>
</tr>
<tr>
<td>10</td>
<td>25 Jan 19</td>
<td>The love letter door is sticking severely jamming and need some work to ensure it operable when required.</td>
</tr>
</tbody>
</table>

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**Governing Body**

12 December 2019

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**Health Safety and Wellbeing update - November 2019**

Page 60
<table>
<thead>
<tr>
<th>Attachment A</th>
<th>Attachment B</th>
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</thead>
<tbody>
<tr>
<td>Governing Body</td>
<td>12 December 2019</td>
</tr>
<tr>
<td>Audit and Risk Committee</td>
<td>09 December 2019</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Health Safety and Wellbeing Update - November 2019</td>
</tr>
<tr>
<td>Ref: AUK/GR/3/1</td>
<td>Page 45</td>
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</table>

**Referred from the Audit and Risk Committee**

Health Safety and Wellbeing update - November 2019

**Attachment B**

Item 10

Item 11
### Health Safety and Wellbeing Update - November 2019

**Audit and Risk Committee**
*09 December 2019*

<table>
<thead>
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<th>Attachment A</th>
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<tr>
<th>Item 10</th>
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</table>

**Governing Body**

12 December 2019

Referred from the Audit and Risk Committee - Health Safety and Wellbeing update - November 2019
Te take mō te pūrongo
Purpose of the report
1. To receive a summary and provide a public record of memoranda or briefing papers that may have been held or been distributed to Governing Body members.

Whakarāpopototanga matua
Executive summary
2. This is a regular information-only report which aims to provide greater visibility of information circulated to Governing Body members via memoranda/briefings or other means, where no decisions are required.
3. No memos were circulated to members of the Governing Body.
4. The following workshops/briefings have taken place:

<table>
<thead>
<tr>
<th>Date</th>
<th>Workshop/Briefing</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/12/19</td>
<td>CCO Review Panel CONFIDENTIAL</td>
</tr>
</tbody>
</table>

6. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Governing Body members should direct any questions to the authors.

Ngā tūtohunga
Recommendation/s
That the Governing Body:


Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarandra O'Toole - Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Appointment of independent panel for council-controlled organisations review

File No.: CP2019/20689

Te take mō te pūrongo
Purpose of the report
1. To update the Governing Body on the process for appointing the independent panel for the council-controlled organisation (CCO) review.

Whakarāpopototanga matua
Executive summary
2. The Governing Body approved the Terms of Reference for the CCO review at its meeting on the 26 November 2019. Included in the Terms of Reference was the requirement for an independent panel to be appointed to undertake the review. This report sets out the process for identifying panel candidates.

3. It is necessary to protect the privacy of the candidates for these appointments. As such, proposed appointments for the membership of the independent panel are considered in a confidential report included in this agenda.

Ngā tūtohunga
Recommendation/s
That the Governing Body:

a) note that a confidential report is included in the agenda which proposes appointments for membership of the independent panel for the review of council-controlled organisations

b) note that final decisions will be made publicly available at the conclusion of the appointment process.

Horopaki
Context
4. At its meeting on 26 November 2019, the Governing Body met to consider the terms of reference for a review of council’s substantive CCOs. The Governing Body resolved [GB/2019/127] to:
   a) agree the terms of reference for the CCO review
   b) note that the timing and phasing of the CCO review maybe subject to budget and resource allocation and availability and capacity of panel members
   c) agree the criteria for selection of the independent review panel members.

5. In identifying candidates for the panel, staff recommended that panel members will ideally possess some or all of the following key competencies:
   - governance, senior executive or similar experience (e.g. corporate, elected or community representative)
   - ability to think strategically and critically and take a broad perspective on issues
• sound judgement, evaluation and decision-making skills
• stakeholder engagement and management expertise
• knowledge of the local government and/or public sector and the interests of the publicly accountable shareholder
• commercial acumen
• common sense, integrity and a strong sense of ethics
• knowledge of community networks and experience in community engagement
• knowledge of the diverse communities of Auckland
• experience in managing complex multi-stakeholder projects within a short timeframe, which may include sensitive and/or confidential information
• knowledge of the issues of significance for Māori in Tāmaki Makaurau and council’s Te Tiriti o Waitangi obligations.

6. Other factors identified as relevant to panel selection were identified as:
• availability and capacity to undertake the review within the specified timeframes
• any identified actual or potential conflicts of interest
• balance of representation on the panel relative to council’s diversity and inclusion goals.

Tātaritanga me ngā tohutohu
Analysis and advice

7. The process that has been followed to establish recommendations for panel membership is as follows:
   a) nominations of potential panel members sought from Councillors. This identified a long list of potential individual candidates for the panel membership. Some nominees had a clear conflict of interest or could not be considered independent and as such were not asked to submit an expression of interest (EOI).
   b) EOIs were then sent to nominees. The EOI sought a copy of their most recent curriculum vitae and a cover letter which included:
      • relevant skills, knowledge and experience
      • statement of availability/capacity to undertake the work within the specified timeframes
      • remuneration expectations
      • any identified actual or potential conflicts of interest.
   Note: Not all nominees who were sent an EOI responded, and some thanked the council for the opportunity but due to availability or other reasons indicated that they did not wish to be considered.
   c) Staff assessed the EOIs against the key competencies approved by the Governing Body on 26 November 2019 to form a shortlist for consideration at a Governing Body workshop.
   d) A confidential workshop was held with councillors on the 5 December 2019 to discuss the shortlist and to identify preferred candidates. The preferred candidates were then contacted to confirm their interest, availability, remuneration and conflict of interest management.
8. The selection criteria for the independent panel has been grouped into three broad categories of skills and experience as represented in the diagram below:

- **Community engagement**
  - knowledge of community networks and experience in community engagement
  - knowledge of the diverse communities of Auckland
  - stakeholder engagement and management expertise

- **Governance / Senior Executive**
  - governance, senior executive or similar experience
  - ability to think strategically and critically and take a broad perspective on issues
  - knowledge of the local government and/or public sector and the interests of the publicly accountable shareholder
  - experience in managing complex multi-stakeholder projects within a short timeframe, which may include sensitive and/or confidential information

- **Strategic / Evaluation Skills**
  - commercial acumen
  - common sense, integrity and a strong sense of ethics
  - ability to think strategically and critically and take a broad perspective on issues
  - sound judgement, evaluation and decision-making skills

9. The ideal panel will have three members with combined senior expertise in governance in local or central government organisations’ structures, legislation, policy and practices, strong technical skills and community engagement.

10. The panel will require a chair. The functions of the chair position (over and above those of the other panel members) are envisaged to include:

- setting the agenda and running the panel meetings, ensuring action points and decisions are appropriately documented
- representing the panel to key stakeholders
- ensuring effective communication to the Governing Body on progress with the review
- monitoring performance and progress towards the review’s key deliverables, in accordance with the agreed work programme.

11. Ideally, the chair of the panel will have previous experience in a chair role, possess strong leadership and communication / relationship skills, and integrity within relevant sectors.

12. It may be that subject matter experts will be required to support the panel members by providing information, assisting in the assessment and evaluation of issues or opportunities as they arise.

**Tauākī whakaaweawe āhuarangi**

**Climate impact statement**

13. The decision to make appointments to the independent CCO review panel does not have an impact on greenhouse gas emissions and the effects of climate change over the lifetime of the proposed decision are considered minimal.

14. However, the effective functioning of CCOs, in particular Auckland Transport, Panuku Development Auckland Limited and Watercare, can make a positive contribution towards the reduction of greenhouse gas emissions and Auckland's adaptation to climate change.
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
15. The CCO chairs and chief executives have not been engaged in the process to appoint the independent review panel. However, staff will prepare communications for public release at the appropriate juncture once panel membership is approved and the candidates (successful and unsuccessful) have been advised.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
16. The approved terms of reference for the CCO review have been circulated to all local boards, however local boards have not been engaged in the process to appoint the independent review panel members.
17. A key requirement of the review will be for the independent panel to seek feedback from local boards on the issues they experience with CCOs and any options for improvement they may identify. Discussions with local boards are expected to take place in February 2020.
18. An update on the CCO review and local board engagement is being presented to the Local Board Chairs forum on the 9 December 2019.

Tauākī whakaaweawe Māori
Māori impact statement
19. CCOs, as delivery agents of council, have the potential to have a significant impact on positive outcomes for Māori. The review of CCOs is therefore an opportunity to ensure that council’s commitments and obligations to Māori are reflected in the arrangements between council and its CCOs.
20. Consultation with Māori will form part of the public consultation.

Ngā ritenga ā-pūtea
Financial implications
21. The CCO review is currently unbudgeted. Pending confirmation of the panel members and the scope of the review, the financial implications of the review have been estimated at approximately $500,000-$800,000.
22. This does not include any costs that may be associated with implementation outcomes of the review.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
23. The review, as proposed, is very wide ranging and completing the review within the timeframes specified will be challenging. It maybe that elements of the review are prioritised or phased, depending on budget and panel resourcing requirements.
24. Consideration of any actual or potential conflicts of interest has formed a key part of the process that has been followed to establish recommendations for panel membership.
25. If the Governing Body does not appoint panel members at this meeting, it will not be possible to complete the review within the stated timeframes. To mitigate against this risk a workshop was held with Governing Body members to discuss the potential panel members.
Ngā koringa ā-muri

Next steps

26. Immediate next steps following approval of independent panel membership will include advising the candidates (successful and unsuccessful) and letters of appointment. Communications for public release at the appropriate juncture will also be prepared.

27. An introductory meeting with the panel will be scheduled. The panel will need to have its first official meeting as soon as reasonably practicable to finalise the work programme for the review, including the public engagement phases.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

| Authors                  | Sarah Johnstone-Smith - Principal Advisor  
|                         | Claire Gomas - Principal Advisor           
| Authorisers             | Alastair Cameron - Manager - CCO Governance & External Partnerships  
|                         | Phil Wilson - Governance Director          
|                         | Stephen Town - Chief Executive             |
Setting the Chief Executive's Performance Objectives

Te take mō te pūrongo
Purpose of the report
1. To agree a new set of performance objectives for the Auckland Council’s Chief Executive, Stephen Town, for the 2020-2021 calendar years.

Whakarāpopototanga matua
Executive summary
2. On 27 June 2018 the Governing Body agreed to extend the chief executive’s employment for a further two years (Resolution Number GB/2018/103). This means a new set of performance objectives must be agreed by Governing Body for the extension period, that is, for the 2020-2021 calendar years.

3. The Governing Body has delegated to the Appointments Performance Review (APR) Committee responsibility for reviewing the chief executive’s performance and for recommending to the Governing Body the terms and conditions of the chief executive’s employment, including any performance agreement measures.

4. The APR Committee considered this matter at its meeting on 5 December 2019 and has made recommendations for the Governing Body which must make the final decision.

5. The substantive discussion on this matter will take place in the confidential part of the agenda as it will involve the performance of the chief executive as well as the setting of performance objectives yet to be agreed between the chief executive and Governing Body.

Ngā tūtohunga
Recommendation/s
That the Governing Body:

a) note that there is a confidential report included in the agenda and provides information regarding the setting of performance objectives for the Auckland Council’s chief executive for the calendar years 2020-2021.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jaclynn Rathwell - Team Coordinator</td>
<td>Patricia Reade - Director People and Performance</td>
</tr>
<tr>
<td>Shameel Sahib - Head of Corporate Strategy</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Process for the Governing Body to appoint the next Chief Executive
File No.: CP2019/21041

Te take mō te pūrongo
Purpose of the report
1. To seek Governing Body agreement on the process for recruiting a new Chief Executive for Auckland Council

Whakarāpopototanga matua
Executive summary
2. The term of the current Chief Executive expires on 31 December 2020.
3. The process to appoint the Chief Executive of a local authority is specified in the relevant provisions of the Local Government Act 2002 (LGA). Section 42 of the LGA requires local authorities to appoint a Chief Executive to carry out various responsibilities as set out in that section.
4. Under the Act, the power to appoint the Chief Executive cannot be delegated to a subordinate committee. However, clause 32(3), Sch 7 of the LGA provides that nothing restricts the Governing Body from delegating to a committee the power to do anything in relation to the recruitment process prior to the exercise of the decision.
5. The Governing Body has previously delegated the following responsibility to the Appointments & Performance Review Committee (APR): “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 salary reviews”.
6. The substantive discussion on this matter will take place in the confidential part of the agenda as it will involve information that relates to the setting of a recruitment process for the Chief Executive, and the committee may discuss matters relating to the person specification or potential candidates.

Ngā tūtohunga
Recommendation/s
That the Governing Body:

a) note that there is a confidential report included in the agenda and provides information regarding the process to appoint the next Chief Executive.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Jaclynn Rathwell - Team Coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Shameel Sahib - Head of Corporate Strategy</td>
</tr>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>

Governing Body
12 December 2019
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Governing Body

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 CONFIDENTIAL: Appointment of independent panel for council-controlled organisation review

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>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 private information about candidates for appointment to the independent panel for the review of council's substantive council-controlled organisations.</td>
<td>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.</td>
</tr>
</tbody>
</table>

C2 CONFIDENTIAL: Setting the Chief Executive's Performance Objectives

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
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<td>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains information that relates to the setting of performance objectives that have yet to be agreed between the Governing Body and the Chief Executive, and the committee may discuss matters relating to the performance of the Chief Executive.</td>
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In particular, this report contains information that relates to the setting of a recruitment process for the chief executive, and the committee may discuss matters relating to the person specification or potential candidates. | s48(1)(a)  
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