

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

Date: Tuesday, 2 March 2021
Time: 10.00am
Meeting Room: Room 1, Level 26
Venue: 135 Albert St
Auckland

**Kōmiti Mō Te Kopou Me Te Arotake
Whakatutukitanga /
Appointments and Performance Review
Committee**

OPEN AGENDA

MEMBERSHIP

Chairperson	Hon Phil Goff, CNZM, JP
Deputy Chairperson	Cr Christine Fletcher, QSO
Members	Cr Josephine Bartley Cr Pippa Coom Cr Chris Darby Cr Alf Filipaina Cr Richard Hills Cr Desley Simpson, JP IMSB Chair David Taipari
Ex-officio	Deputy Mayor Cr Bill Cashmore

(Quorum 4 members)

Suad Allie
**Kaitohutohu Mana Whakahaere Matua / Senior
Governance Advisor**

24 February 2021

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Terms of Reference

Responsibilities

The Appointments and Performance Review Committee is established to:

1. review the chief executive's performance and 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, with the exception of Ports of Auckland Limited and Auckland International Airport Limited
3. receive updates on appointments to the council organisations, Ports of Auckland Limited and Auckland International Airport Limited, as well as any relevant updates on shareholder voting undertaken at Auckland International Airport Limited annual general meetings
4. 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.

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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 Tuesday, 2 February 2021, 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.”

Board Appointments: Tamaki Redevelopment Company Limited

File No.: CP2021/00160

Te take mō te pūrongo Purpose of the report

1. To consider the reappointment of two directors of the Tāmaki Redevelopment Company. One is jointly appointed by the Crown and Auckland Council; the second is appointed by the council.
2. To endorse the commencement of a joint programme by the Crown and the council to appoint a director to represent the Tāmaki community, a role that has been vacant since 2018.

Whakarāpopototanga matua Executive summary

3. Tāmaki Redevelopment Company Limited (TRC) is a joint venture between Auckland Council and the Crown.
4. One director on the board is appointed by Auckland Council, one director is appointed by the Crown, and the remaining directors are jointly appointed by the Crown and the council.
5. The term of two of the current directors ends soon. Decisions need to be made about the reappointment of the current directors or the appointment of new directors.
6. A confidential report considers the reappointment of the current directors.
7. The Crown is also seeking endorsement from council to jointly appoint a director to the board in a role that has been vacant since 2018.

Ngā tūtohunga Recommendation/s

That the Appointments and Performance Review Committee:

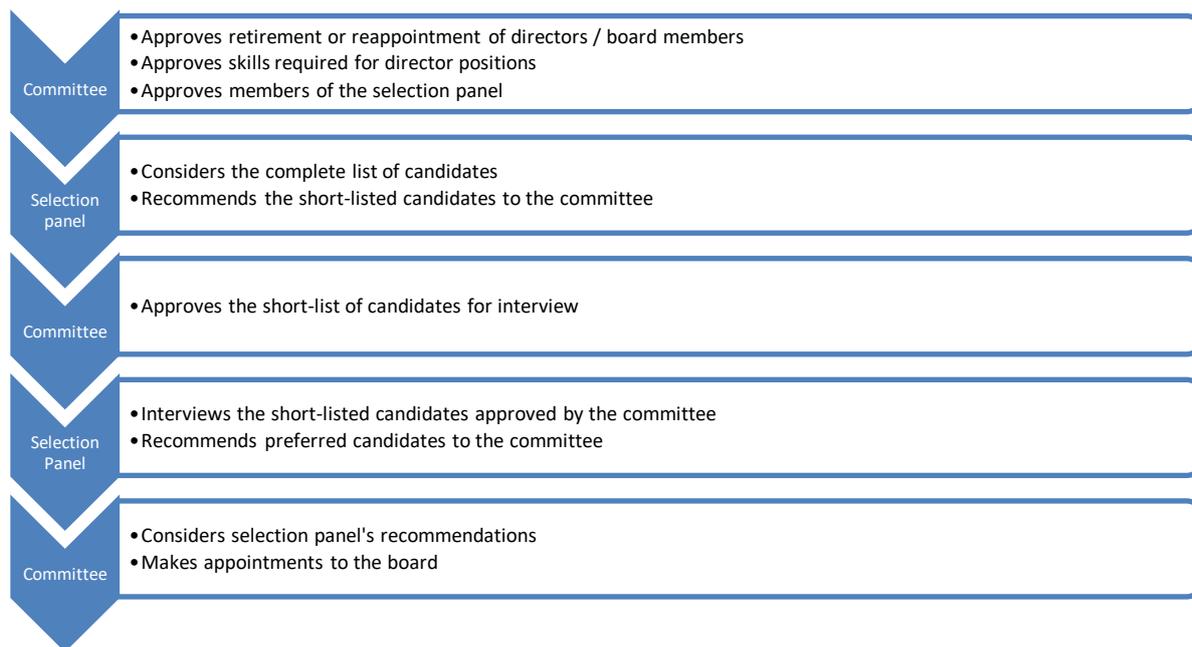
- a) note that there is a confidential report included on today's committee agenda that provides information to:
 - i) make decisions for reappointing directors and filling a director vacancy to Tāmaki Redevelopment Company Limited's board
- b) note that the report is confidential due to the personal information contained within, and that the final appointment decisions will be made publicly available at the conclusion of the appointment process.

Horopaki Context

8. TRC is an urban regeneration company. It aims to transform Tāmaki (including Glen Innes, Point England and Panmure) in Auckland over the next 20-25 years through coordinated economic, social, and housing initiatives.
9. TRC has partnered with Kāinga Ora – Homes and Communities to replace around 2,500 old state homes with a mixture of new state, affordable and market houses. Since partnering with Kāinga Ora, TRC's primary focus has been on transforming the Tāmaki community through social and economic regeneration and creating safe and connected neighborhoods.

Item 8

10. The council's board appointment process for appointing directors to any external partnership board is outlined in the table below:



11. The council's policy sets a maximum tenure of six years for substantive CCO directors to achieve a balance of experience and fresh thinking on individual boards.
12. It is noted that TRC is not a substantive CCO, and while the general policy considerations can be applied, there is a collaborative approach with the Crown that has been successful in past years.
13. The policy also recognises that there are sometimes good reasons to approve extensions beyond the two three-year terms, such as retaining the knowledge, skills and leadership on the board.
14. The confidential report on this agenda provides advice and options to assist the committee to make decisions regarding the appointment of directors to TRC.

Tātaritanga me ngā tohutohu Analysis and advice

15. More detail is included in the confidential report attached to this agenda.

Tauākī whakaaweawe āhuarangi Climate impact statement

16. Auckland Council's Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan was adopted in December 2020 setting out the priority action areas to deliver our goals to reduce emissions and adapt to the impacts of climate change.
17. External Partnerships and CCOs are responsible for services and activities across the Auckland Region. All directors appointed by Auckland Council are responsible for ensuring their planning and funding decisions take into account the priorities outlined in Te-Tāruke-ā-Tāwhiri such as the built environment, transport, economy and others.
18. Current directors and those seeking appointment will need to demonstrate a commitment to integrate Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan into the work programmes of their respective entities.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

19. The appointment of appropriate directors to the boards of its CCOs and external partnership organisations has an impact on the performance of the council group.
20. TRC being a Crown entity, the council cannot set its strategic direction in the same way as a CCO. Any directors appointed to TRC should be aware of council's objectives for TRCs area of activities to enable TRC's decisions to align with the council's plans and policies.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

21. Board appointments to CCOs and external partnership organisations are the role of the Governing Body. Local boards can participate in the nomination process for each director vacancy. The nomination of a candidate requires the consent of that candidate.

Tauākī whakaaweawe Māori Māori impact statement

22. Auckland Council's appointment and remuneration policy for board members of council organisations (the policy) states that the council
"values and supports the benefits that diversity of thought, experience and skills bring to our CCO Boards.
We recognise that increasing diversity and fostering inclusive Board culture is an essential element in supporting high performing boards, driving long-term success and delivering better outcomes for the communities of Auckland".
23. The policy therefore encourages the identification of appropriately experienced Māori directors for consideration for appointment to boards.
24. In addition, an Independent Māori Statutory Board member is involved in the appointment process as a member of the selection panel. This ensures that a Māori perspective informs the recommendations of the selection panel during the shortlisting, interviewing and appointment processes.
25. The Independent Māori Statutory Board is also represented on this committee. This ensures a Māori perspective is brought to the decision-making process and that the Independent Māori Statutory Board's views are considered by the committee.
26. At its 25 August 2020 meeting, this committee agreed to strengthen the focus areas in vacancy briefs by including the following statements in the common priorities for all director vacancy briefs (advertisements):
"Uphold the principles of the Treaty of Waitangi, readiness to promote improved outcomes for Māori and knowledge of Te Ao Māori established networks" (APR/2020/10).
27. One of the five directors on TRC (Diana Puketapu) is of Ngāti Porou descent. Diana Puketapu is jointly appointed by the Crown and the council until June 2022.

Ngā ritenga ā-pūtea Financial implications

28. There are no costs associated with the appointment of three directors to the TRC board.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

29. There are risks associated with all board appointments including:
 - (i) Reputational: all candidates are appropriately screened to meet the skill requirements for directors of a board and have appropriate governance experience

especially within public-facing entities. To mitigate any potential risks of disqualified directors or under-qualified candidates:

- (a) a thorough due diligence process has been completed on all candidate applications in line with the council's appointment policy
 - (b) short-listed candidates have completed the Crown and council's director consent form which requires directors to confirm that there is nothing that would disqualify them from being a director
 - (c) thorough reference checks of candidates who are approved for appointment to the TRC are being conducted jointly by the Crown staff and council's Recruitment and Talent team.
- (ii) Governance: the risk of an unbalanced board where a loss of institutional knowledge impacts decision-making. Conversely, retaining board members for too long can mean the board lack innovation and fresh thinking. By undertaking a joint process with the Crown, the selection panel can ensure an adequate balance of board members with an in-depth knowledge of this joint partnership between Crown and council, balanced with an appropriate director rotation programme for longer serving board members.

Ngā koringa ā-muri

Next steps

30. Following approval from this committee, staff from the CCO Governance and Talent Management departments will liaise with the Crown regarding today's decisions and the process to fill any director vacancies.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

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

Auckland Regional Amenities Funding Board board appointments for 2020-2021

File No.: CP2020/02148

Te take mō te pūrongo

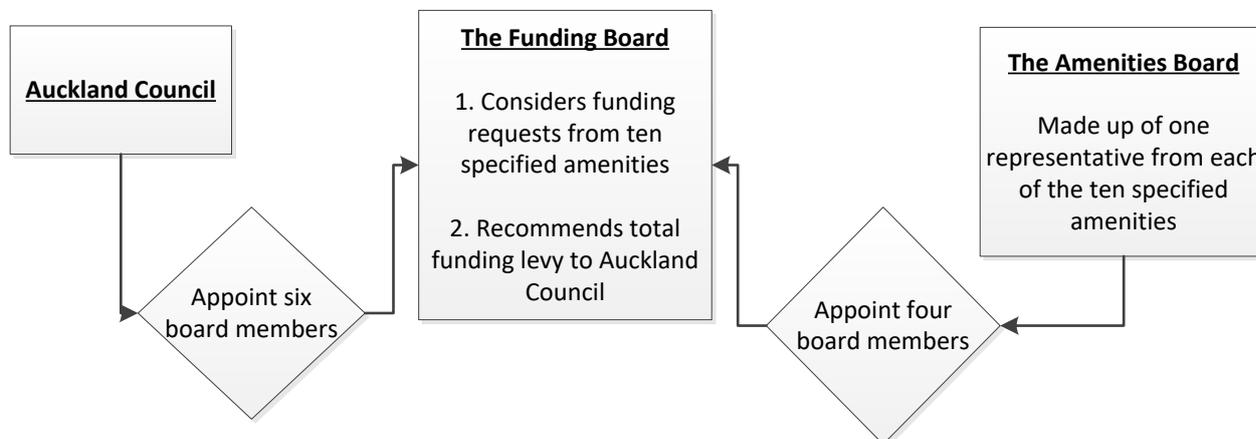
Purpose of the report

1. To update the progress for appointments to the board of Auckland Regional Amenities Funding Board (the Funding Board).

Whakarāpopototanga matua

Executive summary

2. The Auckland Regional Amenities Funding Act 2008 (the Act) established a model for funding ten specified regional amenities.
3. In 2017 the New Zealand Maritime Museum withdrew from receiving its funding through this act and is managed and funded by Auckland Unlimited. In 2020 Coastguard Northern Region withdrew its funding through this act and has merged with Coastguard New Zealand, and is currently funded directly by council.
4. The Act established two administrative bodies, the Funding Board and Amenities Board.
5. The Funding Board assess funding applications from the regional amenities and allocates the funding from Auckland Council to the remaining amenities. The Amenities Board makes appointments to the Funding Board. A diagram outlining the composition of the Funding Board is shown below:



6. Auckland Council appoints six of the ten board members (one of which must represent the interests of Māori in Auckland) and four members are appointed by the Amenities Board.
7. One of the current Funding Board members, Vern Walsh, will finish his term this year. Mr Walsh was appointed by council, so council will need to appoint a replacement director.
8. The current process for appointing directors to any council-controlled organisation (CCO) is outlined in Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the appointment policy). It is recommended that the process for appointing Funding Board members should be consistent with the appointment policy.

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Ngā tūtohunga Recommendation/s

That the Appointments and Performance Review Committee:

- note the process for appointing a director to the Auckland Regional Amenities Funding Board is consistent with council's director appointment policy
- note that a confidential report is included in the agenda and provides information regarding the board appointment programme for 2021 and an update on the vacancy from 2020
- note that the report is confidential due to the personal information contained in them and the final appointment decisions will be made publicly available at the conclusion of the Auckland Regional Amenities Funding Board appointment process.

Horopaki Context

- The board appointment process for appointing directors to any CCO and external partnership board is outlined in the following table.

Tātaringa me ngā tohutohu Analysis and advice



- A confidential report on today's agenda provides the necessary information for the committee to make its decision regarding which directors should be considered for reappointment and which candidates should be interviewed for the previous vacancy in 2020 and potential vacancies in 2021.

Tauākī whakaaweawe āhuarangi Climate impact statement

- Auckland Council's Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan was adopted in December 2020 setting out the priority action areas to deliver our goals to reduce emissions and adapt to the impacts of climate change.

12. External Partnerships and CCOs are responsible for services and activities across the Auckland Region. All directors appointed by Auckland Council are responsible for ensuring their planning and funding decisions take into account the priorities outlined in Te-Tāruke-ā-Tāwhiri such as the built environment, transport, economy and others.
13. Current directors and those seeking appointment will need to demonstrate a commitment to integrate Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan into the work programmes, including their communications and decision-making, that is funded by Auckland Council.
14. However, it is noted that the directors appointed to the Funding Board make decisions regarding funding for independent amenities, and the Act does not allow the funding board to require the amenities to give effect to council plans.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera **Council group impacts and views**

15. There is no significant impact on other parts of the council group as a result of the appointments

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe **Local impacts and local board views**

16. Board appointments to region-wide entities are the role of the Governing Body. Local boards were provided the opportunity to participate in the nomination process. No nominations were received from local boards for these specific roles.

Tauākī whakaaweawe Māori **Māori impact statement**

17. Auckland Council's appointment and remuneration policy states that "The Selection Panel will interview and assess candidates against the required skills, knowledge and experience and may take into account other factors such as:
 - the council's board diversity and inclusion policy
 - candidates with knowledge of Te Ao Māori and established Māori networks".
18. The policy therefore encourages the identification of appropriately experienced Māori directors for consideration for appointment to boards.
19. The Act also states that one of the members appointed by the Auckland Council must be a person who, in the opinion of the Auckland Council, is appropriate to represent the interests of Māori in the Auckland region.
20. In addition, an Independent Māori Statutory Board member is involved in the appointment process by being a member of the selection panel. This ensures that a Māori perspective informs the recommendations of the selection panel during the shortlisting, interviewing and appointment processes.
21. The Independent Māori Statutory Board is also represented on this committee. This ensures a Māori perspective is brought to the decision-making process, and that the Independent Māori Statutory Board's views are considered by the committee.

Ngā ritenga ā-pūtea **Financial implications**

22. The cost of filling the council-appointed vacancy will be met through existing budgets.
23. Council's Governance department Commercial Manager has approved the financial budget for these appointments.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

24. There are risks associated with all board appointments including:
- (i) Reputational: all candidates are appropriately screened to meet the skill requirements for directors of a board such as this and have appropriate governance experience especially within public-facing entities. To mitigate any potential risks of disqualified directors or under-qualified candidates:
 - (a) a thorough due diligence process has been completed on all candidate applications in line with the council's appointment policy
 - (b) short-listed candidates have completed the council's director consent form prior to interview which requires directors to confirm that there is nothing that would disqualify them from being a director
 - (c) thorough reference checks of candidates who are approved for appointment to the Funding Board are being conducted by the Recruitment and Talent team.
 - (ii) Governance: the risk of an unbalanced board where a loss of institutional knowledge impacts decision-making. Conversely, retaining board members for too long can mean the board lack innovation and fresh thinking. By undertaking a joint process with the Amenities Board, the selection panel can ensure an adequate balance of board members with an in-depth knowledge of the nine amenities, balanced with an appropriate director rotation programme for longer serving board members.

Ngā koringa ā-muri Next steps

25. The Talent and Recruitment team will notify the unsuccessful candidates and following approval from this committee staff from the CCO Governance / External Partnerships team will arrange for the interviews to take place.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

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

Board Appointment to Panuku Development Auckland Limited

File No.: CP2020/09116

Te take mō te pūrongo Purpose of the report

1. To provide an update on the programme of appointments for 2020 to the boards of Auckland's council-controlled organisations (CCOs).

Whakarāpopototanga matua Executive summary

2. Auckland Council appoints directors to the boards of its CCOs.
3. On 25 August 2020, this committee approved the commencement of the annual board appointment programme for 2020. This included agreeing the relevant skills required to fill vacancies on the CCO boards (APR/2020/11).
4. The process for identifying and interviewing candidates for these roles continues, and a confidential report on this agenda asks the committee to make decisions on shortlisting candidates for two director vacancies on the board of Panuku Development Auckland.

Ngā tūtohunga Recommendation/s

That the Appointments and Performance Review Committee:

- a) note there is a confidential report on this meeting agenda requesting the committee make decisions regarding the appointment of candidates for vacancies on the boards of Auckland's council-controlled organisations.
- b) note that this report is confidential due to the personal information contained within, and that the final appointment decisions will be made publicly available at the conclusion of the appointment process.

Horopaki Context

5. The board appointment process for appointing directors to any CCO and external partnership board is outlined in the following table.

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6. The confidential report on this agenda provides advice and options to assist the committee to make decisions regarding the candidates that were shortlisted for interviews.

Tātaritanga me ngā tohutohu Analysis and advice

7. On 25 August 2020, this committee approved the commencement of the annual board appointment programme for 2020. This included agreeing the relevant skills required to fill vacancies on the CCO boards (APR/2020/11).
8. The process for identifying and interviewing candidates for these roles continues, and a confidential report on this agenda asks the committee to make decisions on shortlisting candidates for two director vacancies on the board of Panuku Development Auckland.

Tauākī whakaaweawe āhuarangi Climate impact statement

9. Auckland Council's Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan was adopted in July 2020 setting out the priority action areas to deliver our goals to reduce emissions and adapt to the impacts of climate change.
10. CCOs are responsible for services such as water and transport to Aucklanders. Each CCO is accountable for ensuring their planning and decisions reflect the action areas outlined in Te-Tāruke-ā-Tāwhiri.
11. Current directors on the CCO boards / external partnership boards and those seeking appointment will need to demonstrate a commitment to integrate action areas outlined in Te-Tāruke-ā-Tāwhiri into the CCO's activities.
12. Staff will review Auckland Council's appointment and remuneration policy for board members of council organisations (the policy), which will include a discussion with this committee regarding
- Future candidates ability to demonstrate knowledge / understanding of council's Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan
 - Ability for future CCO directors (and other external partnerships) ability to integrate Te-Tāruke-ā-Tāwhiri into the CCO's strategies, operations and decision-making

- (ii) Requirement for CCO boards (and other external partnerships / subsidiary boards) to demonstrate appropriate accountability and responsiveness to assist council with its reduction of carbon emissions.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

13. The appointment of appropriate directors to the CCO boards has an impact on the performance of the council group, however there is no significant impact on other parts of the council group as a result of the overall appointment programme.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

14. Board appointments to CCOs are the role of the Governing Body. Local boards can participate in the nomination process for each director vacancy. The nomination of a candidate requires the consent of that candidate.

Tauākī whakaaweawe Māori Māori impact statement

15. Auckland Council's appointment and remuneration policy for board members of council organisations (the policy) states that the council "values and supports the benefits that diversity of thought, experience and skills bring to our CCO Boards.
16. We recognise that increasing diversity and fostering inclusive Board culture is an essential element in supporting high performing boards, driving long-term success and delivering better outcomes for the communities of Auckland".
17. The policy therefore encourages the identification of appropriately experienced Māori directors for consideration for appointment to CCO boards.
18. In addition, an Independent Māori Statutory Board member is involved in the appointment process by being a member of the selection panel. This ensures that a Māori perspective informs the recommendations of the selection panel during the shortlisting, interviewing and appointment processes.
19. The Independent Māori Statutory Board is also represented on this committee. This ensures a Māori perspective is brought to the decision-making process, and that the Independent Māori Statutory Board's views are considered by the committee.
20. At the 25 August 2020 meeting this committee agreed to strengthen the focus areas in vacancy briefs by including the following statements in the common priorities for all director vacancy briefs (advertisements):
 - (i) Uphold the principles of the Treaty of Waitangi, readiness to promote improved outcomes for Māori and knowledge of Te Ao Māori established networks (APR/2020/10).

Ngā ritenga ā-pūtea Financial implications

21. The costs associated with these appointments will be managed from existing budgets.
22. Council's Governance department Commercial Manager has approved the financial budget for these appointments.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

23. There are risks associated with all board appointments including:

- i) Reputational: all candidates are appropriately screened to meet the skill requirements for appointment to entities such as these and that they have appropriate governance experience especially within public-facing entities. To mitigate any potential risks of disqualified directors or under-qualified candidates:
 - (a) a thorough due diligence process will be completed on all candidate applications in line with the council's appointment policy
 - (b) short-listed candidates have completed the council's director consent form prior to interview which requires directors to confirm that there is nothing that would disqualify them from being a director
 - (c) thorough reference checks of candidates who are approved for appointment to Auckland Transport are being conducted by Kerridge and Partners.
- ii) Reputational: breach of privacy if confidential candidate information is provided to media outlets prior to final decisions being made by the committee. The risk is fewer and potentially less qualified candidates being attracted into future board appointment programmes. To mitigate the risk staff will continue to highlight the need for maintaining confidentiality during the board appointment programme.
- iii) Governance: the risk of an unbalanced board where a loss of institutional knowledge impacts decision-making. Conversely, retaining board members for too long can mean the board lacks innovation and fresh thinking.

Ngā koringa ā-muri

Next steps

- 24. Staff will give effect to the committee's resolutions.
- 25. The appointment of candidates to some vacancies is expected to be reported to this committee on 30 March 2021.
- 26. A media statement will be made following the approval of the successful candidates.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

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

Chief Executive Performance Objectives Update

File No.: CP2021/01211

Item 11

Te take mō te pūrongo Purpose of the report

1. To receive an update on performance objectives for Auckland Council's Chief Executive, Mr Jim Stabback, for the 2021 Financial Year (year ending 30 June 2021).

Whakarāpopototanga matua Executive summary

2. As set out in the Governing Body terms of reference, the Appointments and Performance Review Committee is responsible 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.
3. Under the Local Government Act 2002, the council is responsible for appointing a chief executive and for setting performance expectations. Under clause 34(2) of Schedule 7, the local authority and the chief executive must enter into a performance agreement. The chief executive is responsible to the council for meeting their statutory obligations under section 42(2), and their performance expectations under the performance agreement.
4. Jim Stabback commenced as the chief executive of Auckland Council on 1 September 2020 for a five-year term. Council officers recommended that the first set of performance objectives for the incoming chief executive be set for the current financial year, period ending 30 June 2021. This took into account that his appointment was part way through the current financial year, and that the COVID-19 pandemic had led to the need for an emergency budget which has a flow-on effect for the current year performance.
5. The Governing Body agreed the current set of performance objectives at its meeting on 26 November 2020, and updates on performance were scheduled for March and October 2021. This paper provides the March update on the chief executive's performance objectives.
6. The substantive discussion on this matter will take place in the confidential part of the agenda as it will involve the performance of Chief Executive Jim Stabback.

Ngā tūtohunga Recommendation/s

That the Appointments and Performance Review Committee:

- a) note that there is a confidential report included in the agenda that provides information regarding the performance objectives for Auckland Council's Chief Executive for the 2021 Financial Year (year ending 30 June 2021).

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Shameel Sahib - General Manager Corporate Strategy & Business Improvement
Authorisers	Patricia Reade - Director of Group Services Phil Wilson - Director Governance & CCO Partnerships

Item 11

Chief Executive Performance Objectives - Workforce and FTE Update

File No.: CP2021/01413

Item 12

Te take mō te pūrongo

Purpose of the report

1. To agree on an amendment to the chief executive's performance objectives to adjust the Full Time Equivalent (FTE) target based on a review of assumptions, including demand for council services
2. This report also updates the committee on the work underway to:
 - adopt a strategic approach to organisation design
 - demand driven workforce planning
 - improved measures for workforce productivity.

Whakarāpopototanga matua

Executive summary

3. As set out in the Governing Body terms of reference, the Appointments and Performance Review Committee is responsible 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. Under the Local Government Act 2002, the council is responsible for appointing a chief executive and for setting performance expectations. Under clause 34(2) of Schedule 7, the local authority and the chief executive must enter into a performance agreement. The chief executive is responsible to the council for meeting their statutory obligations under section 42(2), and their performance expectations under the performance agreement.
5. Jim Stabback commenced as the chief executive of Auckland Council on 1 September 2020 for a five-year term. Council officers recommended that the first set of performance objectives for the incoming chief executive be set for the current financial year, period ending 30 June 2021. This took into account that his appointment was part way through the current financial year, and that the COVID-19 pandemic had led to the need for an emergency budget which has a flow-on effect for the current year performance.
6. The Governing Body agreed the current set of performance objectives at its meeting on 26 November 2020, and updates on performance were scheduled for March and October 2021. This paper provides an update on workforce and FTE targets.
7. The substantive discussion on this matter will take place in the confidential part of the agenda as it will involve the performance of Chief Executive Jim Stabback.

Ngā tūtohunga

Recommendation/s

That the Appointments and Performance Review Committee:

- a) note that there is a confidential report included in the agenda that provides information regarding the workforce and adjustment of the Full Time Equivalent performance objectives for Auckland Council's chief executive for the 2021 Financial Year (year ending 30 June 2021).

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Bronwyn Hall - General Manager People & Culture
Authorisers	Patricia Reade - Director of Group Services Phil Wilson - Director Governance & CCO Partnerships

Item 12

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

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 CONFIDENTIAL: Board Appointments to 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 private information about directors being appointed to the board of Tāmaki Redevelopment Company Limited	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C2 CONFIDENTIAL: Board Appointments to Auckland Regional Amenities Funding Board

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. In particular, the report contains private information about the individual candidates that applied for the board member vacancy on the Funding Board.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C3 CONFIDENTIAL: Board Appointment to Panuku Development Auckland Limited

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons,	s48(1)(a) The public conduct of the part of

which good reason for withholding exists under section 7.	including that of a deceased person. In particular, the report contains private information about the candidates being recommended as directors on Auckland's council-controlled organisations.	the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
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C4 CONFIDENTIAL: Update on Chief Executive Performance Objectives (Covering report)

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 that relates to the performance objectives for the chief executive, and the committee may discuss matters relating to the chief executive's current performance	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.

C5 CONFIDENTIAL: Chief Executive Performance Objectives – update on workforce and FTE (Covering report)

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 that relates to the setting of performance objectives that are yet to be agreed between the Governing Body and the Chief Executive. The committee may discuss matters relating to the performance of the Chief Executive.	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.