

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

OPEN MINUTES

Minutes of a meeting of the Appointments and Performance Review Committee held remotely on Tuesday, 2 March 2021 at 10.02 am. A recording will be uploaded to the Auckland Council website at: <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/meetings-council-bodies/Pages/webcasts-council-meetings.aspx>

PRESENT

Chairperson	Hon Phil Goff, CNZM, JP	
Deputy Chairperson	Cr Christine Fletcher, QSO	
Members	Cr Josephine Bartley	
	Deputy Mayor Cr Bill Cashmore	
	Cr Pippa Coom	
	Cr Chris Darby	
	Cr Alf Filipaina	
	Cr Richard Hills	From 10.07am, item 8
	Cr Desley Simpson, JP	
	Member David Taipari	Until 11.08am

ALSO PRESENT

Cr Angela Dalton

IN ATTENDANCE

Claire Denison	Kerridge & Partners
Tim Scanlan	Kerridge & Partners

Note: a roll-call was conducted that ascertained the following councillors were in attendance by electronic link at the commencement of the meeting:

Deputy Mayor BC Cashmore	✓	Cr C Fletcher	✓
Cr J Bartley	✓	Cr R Hills	
Cr P Coom	✓	Cr D Simpson	✓
Cr A Filipaina	✓	IMSB Chair D Taipari	✓
Cr C Darby	✓		

1 Apologies

Resolution number APR/2021/7

MOVED by Mayor P Goff, seconded by Cr D Simpson:

That the Appointments and Performance Review Committee:

a) accept the apology from Cr D Simpson for early departure on council business.

CARRIED

Note: subsequently, Cr D Simpson did not depart early.

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number APR/2021/8

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

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.

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Board Appointments: Tāmaki Redevelopment Company Limited

Cr R Hills entered the meeting at 10.07 am.

Resolution number APR/2021/9

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

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.

CARRIED

9 Auckland Regional Amenities Funding Board board appointments for 2020-2021

Resolution number APR/2021/10

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

That the Appointments and Performance Review Committee:

- a) note the process for appointing a director to the Auckland Regional Amenities Funding Board is consistent with council's director appointment policy
- b) 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
- c) 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.

CARRIED

10 Board Appointment to Panuku Development Auckland Limited

Resolution number APR/2021/11

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

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.

CARRIED

11 Chief Executive Performance Objectives Update

Resolution number APR/2021/12

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

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).

CARRIED

12 Chief Executive Performance Objectives - Workforce and FTE Update

Resolution number APR/2021/13

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

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).

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

14 Procedural motion to exclude the public

Resolution number APR/2021/14

MOVED by Cr C Fletcher, seconded by Cr P Coom:

That the Appointments and Performance Review Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Claire Denison and Tim Scanlan, Kerridge and Partners, be permitted to remain for Confidential Item CONFIDENTIAL: Board Appointment to Panuku Development Auckland Limited, Item C 3 after the public has been excluded, because of their knowledge of matters which will help the Appointments and Performance Review Committee in its decision-making.

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 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 the candidates being recommended as directors on Auckland's council-controlled organisations.	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.

C4 CONFIDENTIAL: Update on Chief Executive Performance Objectives

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. 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 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 Full Time Equivalent

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. 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 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.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

10.24 am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

12.24 pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Board Appointments to Tāmaki Redevelopment Company Limited

Resolution number APR/2021/15

MOVED by Cr J Bartley, seconded by Cr C Fletcher:

- e) agree that the report and attachments will remain confidential until the conclusion of the appointment process after which the decisions will be made publicly available.
- f) note that the report must remain confidential due to the private information relating to individuals contained in the report.

C2 CONFIDENTIAL: Board Appointments to Auckland Regional Amenities Funding Board

Resolution number APR/2021/16

MOVED by Cr C Fletcher, seconded by Deputy Mayor BC Cashmore:

- f) agree that the report and attachments will remain confidential until the conclusion of the appointment process after which the decisions will be made publicly available.
- g) note that the report must remain confidential due to the private information relating to individuals contained in the report.

C3 CONFIDENTIAL: Board Appointment to Panuku Development Auckland Limited

Resolution number APR/2021/17

MOVED by Cr C Fletcher, seconded by Member D Taipari:

- c) agree that the report, attachments and memo containing the Kerridge Shortlist Recommendation report will always remain confidential due to the private information relating to individuals contained in the report.
- d) note that at the conclusion of the appointment process the decisions will be made publicly available.

C4 CONFIDENTIAL: Update on Chief Executive Performance Objectives

Resolution number APR/2021/18

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

- b) agree that there be no restatement of the resolutions, report, and attachments.

C5 CONFIDENTIAL: Chief Executive Performance Objectives – update on workforce and Full Time Equivalent

Resolution number APR/2021/19

MOVED by Mayor P Goff, seconded by Cr C Fletcher:

- e) agree that there be no restatement of the resolutions, report, and attachments.

12.24 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE APPOINTMENTS AND
PERFORMANCE REVIEW COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....