

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

Date: Tuesday, 4 May 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
Ex-officio	IMSB Chair David Taipari Deputy Mayor Cr Bill Cashmore

(Quorum 4 members)

Suad Allie
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

28 April 2021

Contact Telephone: (09) 977 6953
Email: suad.allie@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Terms of Reference

Responsibilities

The Appointments and Performance Review Committee is established to:

1. review the chief executive's performance and 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.

ITEM	TABLE OF CONTENTS	PAGE
1	Apologies	7
2	Declaration of Interest	7
3	Confirmation of Minutes	7
4	Petitions	7
5	Public Input	7
6	Local Board Input	7
7	Extraordinary Business	8
8	CCO Board Appointments: Panuku Development Auckland	9
9	2021 Board appointments - Auckland Unlimited	13
10	Update on process for Auckland Regional Amenities Funding Board appointments	17
11	Appointments and Performance Review Committee Forward Work Programme - 4 May 2021	21
12	Consideration of Extraordinary Items	
PUBLIC EXCLUDED		
13	Procedural Motion to Exclude the Public	27
C1	CONFIDENTIAL: Board Appointments: Panuku Development Auckland	27
C2	CONFIDENTIAL: 2021 Board appointments - Auckland Unlimited	27
C3	CONFIDENTIAL: Approval of shortlist for Auckland Regional Amenities Funding Board appointments	28

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, 30 March 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.”

CCO Board Appointments: Panuku Development Auckland

File No.: CP2021/04386

Te take mō te pūrongo Purpose of the report

1. To receive information regarding the appointment of four directors to Panuku Development Auckland, a council-controlled organisation (CCO). Decisions regarding these appointments will be made in the confidential part of this meeting.

Whakarāpopototanga matua Executive summary

2. A confidential report on this agenda requests the committee to make decisions regarding four appointments to the board of Panuku.

Ngā tūtohunga Recommendation/s

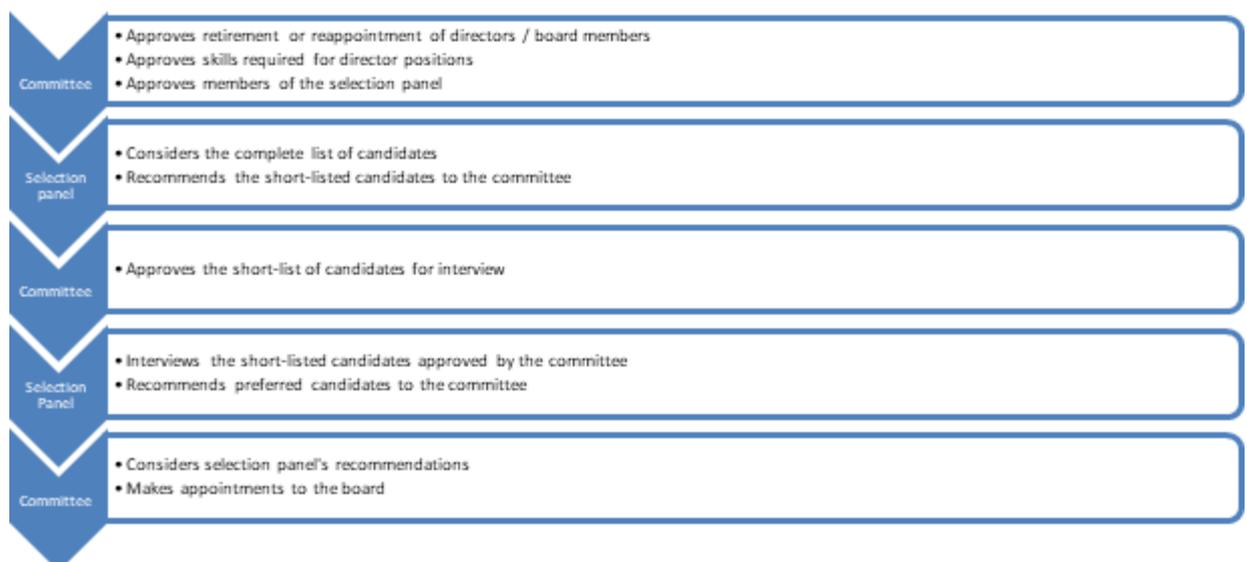
That the Appointments and Performance Review Committee:

- a) note the confidential report on today's committee agenda that provides information to make decisions regarding the appointment of four directors to Auckland Council's council-controlled organisation, Panuku Development Auckland
- b) note that the confidential report on today's committee agenda is confidential due to the personal information contained in it.

Horopaki Context

3. The board appointment process for CCOs is outlined in Auckland Council's appointment and remuneration policy for board members of council organisations and is summarised below.

Figure 1. Board Appointment Process



Tātaritanga me ngā tohutohu Analysis and advice

4. The council's policy provides a three-year term for directors and allows for directors to serve two three-year terms. The policy does allow a maximum tenure of nine years in special circumstances for the directors of substantive CCOs. This is in order to achieve a balance of experience and fresh thinking on individual boards.
5. Council's appointment policy notes that board appointments will be made on the basis of the skills, knowledge and experience which the board as a whole requires, with due regard being given to the benefits of diversity on the board.
6. The confidential report on this agenda provides advice to assist the committee to make decisions regarding four current director vacancies on the Panuku board. If approved, this will bring the Panuku board to eight members. This will fall to seven by the end of 2021, with one existing director due to complete their term.

Tauākī whakaaweawe āhuarangi Climate impact statement

7. 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.
8. CCOs are responsible for delivering services to Aucklanders. Each CCO is accountable for ensuring their planning and decisions reflect the action areas outlined in Te-Tāruke-ā-Tāwhiri.
9. Those directors seeking appointment will need to demonstrate a commitment to integrate action areas outlined in Te-Tāruke-ā-Tāwhiri into the CCO's activities.

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

10. The appointment of the best possible directors to the CCOs boards will have a positive impact on the council group.
11. Council's appointment policy notes that board appointments will be made on the basis of the skills, knowledge and experience which the board as a whole requires to be effective with due regard to the benefits of diversity on the board.

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

12. Board appointments to council controlled organisations (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

13. 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. Council recognises 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.
14. The policy therefore encourages the identification of appropriately experienced Māori directors for consideration for appointment to CCO boards.

15. 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.
16. 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.
17. 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):

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

18. The costs associated with these appointments will be managed from existing budgets.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

19. There are risks associated with all board appointments, specifically reputational risks. This is mitigated by ensuring all candidates are appropriately screened to meet the skill requirements for directors of a board such as this and that they have appropriate governance experience especially within public-facing entities.
20. To mitigate any potential risks of disqualified directors or under-qualified candidates the following controls are in place:
 - (a) a thorough due diligence process will be completed on all candidate applications in line with the council's recruitment policy
 - (b) completion of 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) a thorough reference check of candidates who are approved for appointment to the CCOs and any other additional interviews as required.

Ngā koringa ā-muri Next steps

21. Details regarding the next steps are provided in the confidential report on this agenda.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Claire Gomas - Principal Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Phil Wilson - Director, Governance & CCO Partnerships

2021 Board appointments - Auckland Unlimited

File No.: CP2021/04480

Te take mō te pūrongo Purpose of the report

1. To receive information regarding candidates shortlisted for interview by the selection panel, for up to two vacancies on the board of Auckland Unlimited, a council-controlled organisation (CCO). Decisions regarding the shortlisted candidates for interview will be made in the confidential part of this meeting.

Whakarāpopototanga matua Executive summary

2. A confidential report on this agenda requests the committee to make decisions approving shortlisted candidates for interview by the selection panel, for up to two vacancies on the board of Auckland Unlimited.

Ngā tūtohunga Recommendation/s

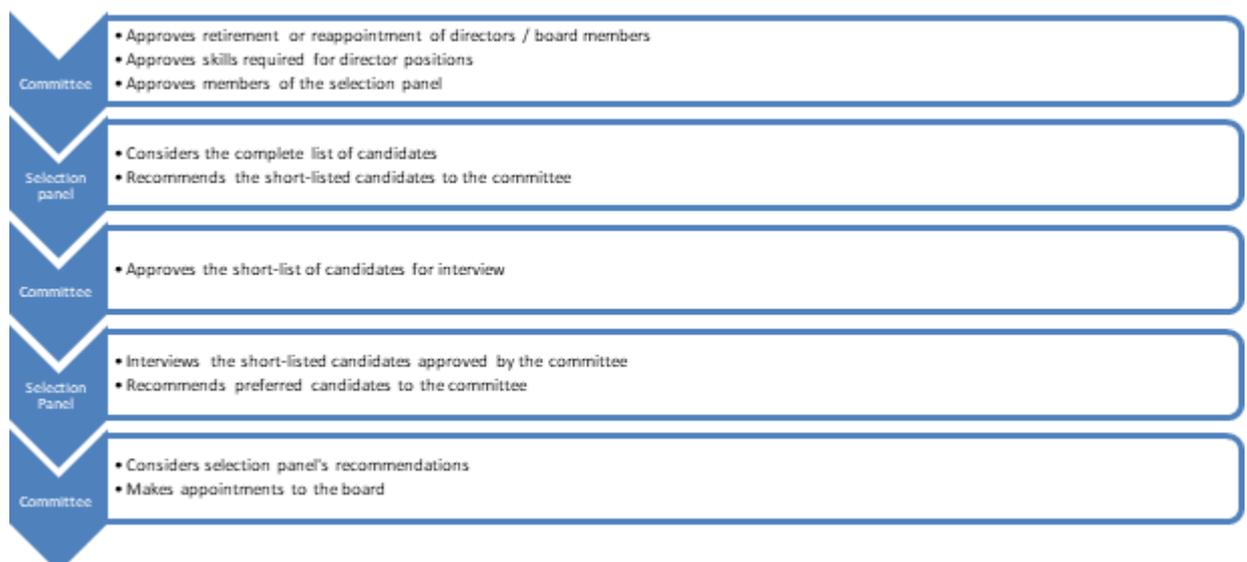
That the Appointments and Performance Review Committee:

- a) note the confidential report on today's committee agenda which provides information to make decisions approving shortlisted candidates for interview by the selection panel, for up to two vacancies on the board of Auckland Council's council-controlled organisation, Auckland Unlimited.
- b) note that the confidential report on today's committee agenda is confidential due to the personal information contained in it.

Horopaki Context

3. The board appointment process for CCOs is outlined in Auckland Council's appointment and remuneration policy for board members of council organisations and is summarised below.

Figure 1. Board Appointment Process



Tātaritanga me ngā tohutohu Analysis and advice

4. The council's policy provides a three-year term for directors and allows for directors to serve two three-year terms. The policy does allow a maximum tenure of nine years in special circumstances for the directors of substantive CCOs. This is in order to achieve a balance of experience and fresh thinking on individual boards.
5. Council's appointment policy notes that board appointments will be made on the basis of the skills, knowledge and experience which the board as a whole requires, with due regard being given to the benefits of diversity on the board.
6. The confidential report on this agenda provides advice to assist the committee to make decisions regarding shortlisted candidates for interview by the selection panel, for up to two vacancies on the board of Auckland Unlimited.

Tauākī whakaaweawe āhuarangi Climate impact statement

7. 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.
8. CCOs are responsible for delivering services to Aucklanders. Each CCO is accountable for ensuring their planning and decisions reflect the action areas outlined in Te-Tāruke-ā-Tāwhiri.
9. Those directors seeking appointment will need to demonstrate a commitment to integrate action areas outlined in Te-Tāruke-ā-Tāwhiri into the CCO's activities.

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

10. The appointment of the best possible directors to the CCOs boards will have a positive impact on the council group.
11. Council's appointment policy notes that board appointments will be made on the basis of the skills, knowledge and experience which the board as a whole requires to be effective with due regard to the benefits of diversity on the board.

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

12. 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

13. 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. Council recognises 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.
14. The policy therefore encourages the identification of appropriately experienced Māori directors for consideration for appointment to CCO boards.

15. 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.
16. 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.
17. 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):

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

18. The costs associated with these appointments will be managed from existing budgets.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

19. There are risks associated with all board appointments, specifically a reputation risk from appointing candidates without appropriate skills or governance experience, especially within public entities.
20. To mitigate any potential risks of disqualified directors or under-qualified candidates the following controls are in place:
 - (a) a thorough due diligence process is completed on all candidate applications in line with the council's recruitment policy
 - (b) completion of 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) a thorough reference check of candidates who are approved for appointment to the CCOs and any other additional interviews as required.

Ngā koringa ā-muri Next steps

21. Details regarding the next steps are set out in the confidential report on this agenda.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Sarah Johnstone-Smith - Principal Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Phil Wilson - Director, Governance & CCO Partnerships

Update on process for Auckland Regional Amenities Funding Board appointments

File No.: CP2021/04646

Item 10

Te take mō te pūrongo

Purpose of the report

1. To update the committee on the process for the appointments to the Auckland Regional Amenities Funding Board.

Whakarāpopototanga matua

Executive summary

2. The Auckland Regional Amenities Funding Act 2008 (the Act) established a model for funding specified regional amenities. The Act established two administrative bodies, the Funding Board and the Amenities Board.
3. The Funding Board considers funding applications from the eligible amenities and recommends a total levy to Auckland Council. Council appoints six members to the Funding Board. The Amenities Board is made up of representatives from the eligible amenities and appoints four of the Funding Board members.
4. On 2 March 2021 the committee noted:
 - that there are three (3) council appointments to be made. This is a result of two of council's appointees reaching their term limit, and one retirement
 - that a joint appointment with the Amenities Board will be undertaken, as the Amenities Board has two appointments to make
 - the selection panel for the appointments
 - the skill requirements for the upcoming appointments, namely an emphasis on governance, relevant industry experience in relation to the amenities, commercial and financial expertise, and public sector experience. (APR/2021/16)
5. A separate report on the confidential section of this committee meeting seeks the committee's approval for the shortlist of candidates to be interviewed by the selection panel. The shortlist has been chosen as they meet the indicated skill requirements for the board.

Ngā tūtohunga

Recommendation/s

That the Appointments and Performance Review Committee:

- a) note the process for appointments to be made to the Auckland Regional Amenities Funding Board and that a shortlist is presented for approval by the committee in the confidential section of its meeting.

Horopaki

Context

6. The Auckland Regional Amenities Funding Act 2008 (the Act) established a model for funding specified regional amenities. The Act established two administrative bodies, the Funding Board and the Amenities Board.

7. The Funding Board considers funding applications from the eligible amenities and recommends a total levy to Auckland Council. Council appoints six members to the Funding Board. The Amenities Board is made up of representatives from the eligible amenities. It appoints four of the Funding Board members.
8. The chair of the Funding Board is selected internally by the Funding Board as a whole, but it must be one of the council appointees.
9. On 2 March 2021 the committee noted:
 - that there are three (3) council appointments to be made. This is a result of two of council's appointees reaching their term limit, and one retirement.
 - that a joint appointment with the Amenities Board will be undertaken, as the Amenities Board has two appointments to make, and a joint appointment process is more efficient and allows the skills on the Board to be seen as a whole.
 - the selection panel for the appointments
 - the skill requirements for the upcoming appointments, namely an emphasis on governance, relevant industry experience in relation to the amenities, commercial and financial expertise, and public sector experience. (APR/2021/16)

Tātaritanga me ngā tohutohu Analysis and advice

10. The selection panel has met and considered a longlist prepared by council recruitment staff. From this list, analysis has been done as to how the candidates meet the skills requirements agreed by the committee in March 2021. The proposed shortlist is provided to the committee in a separate report in the confidential section of its meeting.
11. We note that the shortlist has a good balance of the skills which were requested by the committee earlier this year. However, it is possible that the Funding Board is about to undergo a period of change. It is worth reiterating that the 2020 Review of Auckland Council's council-controlled organisations resulted in the establishment of Auckland Unlimited, and the Cultural Heritage review indicated a preference for further consolidation, which may include discussions with Auckland Regional Amenities Funding Act amenities in the medium term.
12. Other changes in the last year, such as those relating to Coastguard, suggest that active consideration is being given by the amenities themselves on the best way to receive contributions from Auckland Council. Appointing board members with fresh perspectives on how the range of community, cultural and heritage amenities covered by the Act can contribute to the vision of Auckland as a vibrant cultural city, in partnership with organisations such as Auckland Unlimited, will be valuable in the next few years.

Tauākī whakaaweawe āhuarangi Climate impact statement

13. 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.
14. Council-controlled organisations (CCOs) and other organisations that are funded by Auckland Council are responsible for services and activities across the Auckland Region. All board members 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.

15. Current board members 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.
16. However, it is important to note that the Funding Board is independent of council, and the directors appointed to the Funding Board make decisions regarding funding for independent amenities. These decisions must be in accordance with the funding principles in the Act and any which have been subsequently specified by Auckland Council. While one of these principles is to demonstrate how the amenities align with the Auckland Plan, that does not necessarily mean the amenities are bound to give effect to specific plans such as the Climate Action Plan.

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

17. There is no significant impact on other parts of the council group as a result of approving this shortlist.

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

18. 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.

Tauākī whakaaweawe Māori Māori impact statement

19. The appointment policy aims to appoint diverse CCO and partnership boards. This can have positive impacts for Māori by creating opportunities for Māori directors.
20. In line with the policy, an Independent Māori Statutory Board member, Tau Henare, was appointed to the selection panel to provide a Māori perspective throughout the process.
21. We recognise that further 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.
22. The board appointment policy therefore encourages the identification of appropriately experienced Māori board members for consideration for appointment to CCO boards. This requirement is also applied to external partnerships and subsidiary boards.
23. 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):

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

24. The costs associated with these appointments will be managed from existing budgets in council.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

25. There are risks associated with all appointments to external entities including:
- i) Reputational: all candidates are appropriately screened to meet the skill requirements for an entity 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 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 appointed
 - c) thorough reference checks of candidates who are approved for appointment are being conducted.
 - 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 to future appointments. To mitigate the risk staff will continue to highlight the need for maintaining confidentiality during the 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. As noted above, there may be a period of change ahead for ARAFA and its amenities, so this risk will be mitigated by making appointments of directors who are open to new ideas.

Ngā koringa ā-muri Next steps

26. Following approval from this committee of the shortlist, staff will arrange interview times. Once interviews are complete, the panel will consider its recommendations and make those to the 15 June 2021 meeting of this committee.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

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

Appointments and Performance Review Committee Forward Work Programme - 4 May 2021

File No.: CP2021/04979

Te take mō te pūrongo Purpose of the report

1. To note the progress on the forward work programme appended as Attachment A.

Whakarāpopototanga matua Executive summary

2. This committee deals with making appointments and approving policies to Council-Controlled Organisations (CCOs), Council Organisations (COs) and exempt CCOs and COs, with the exception of Ports of Auckland Limited (POAL) and Auckland International Airport Limited (AIAL).
3. The committee also reviews and make recommendations to the Governing Body in relation to the chief executive's employment. Additionally, the committee is also responsible for receiving updates to the council organisations, POAL and AIAL.
4. This forward work programme covers the period February 2021 to December 2021.

Ngā tūtohunga Recommendation/s

That the Appointments and Performance Review Committee:

- a) note the progress on the forward work programme appended as Attachment A of the agenda report.

Ngā tāpirihanga Attachments

No.	Title	Page
A↓	Forward Work Programme	23

Ngā kaihaina Signatories

Author	Suad Allie - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Phil Wilson - Director, Governance & CCO Partnerships

Kōmiti Mō Te Kopou Me Te Arotake Whakatutukitanga / Appointments and Performance Review Committee Forward Work Programme 2021

This committee deals with making appointments and approving policies 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. The committee also reviews and make recommendations to the Governing Body in relation to the chief executive's employment. Additionally, the committee is also responsible for receiving updates to the council organisations, POAL and AIAL.
The full terms of reference can be found here: [\[Terms of Reference agreed 12 November 2019\]](#).

Area of work and Lead Department	Reason for work	Committee role (decision and/or direction)	Expected timeframes											
			Highlight the month(s) this is expected to come to committee in 2021											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<p>[Auckland Regional Amenities Funding Board vacancy]</p> <p>[CCO Governance and External Partnerships]</p>	<p>The Auckland Regional Amenities Funding Act 2008 (the Act) established a model for funding ten specified regional amenities. The Act established two administrative bodies, the Funding Board and the Amenities Board. Council appoints 6 members of the ARAFA Board.</p>	<p>To approve shortlist of candidates for interview</p> <p>May – Shortlist candidates</p> <p>June - Appointments</p> <p>Progress to date:</p>												
<p>Board Appointments 2021 to CCO's</p> <p>[CCO Governance and External Partnerships]</p>	<p>In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.</p>	<p>To approve re appointments</p> <p>To approve:</p> <ul style="list-style-type: none"> • Approve AT Director Brief – 30 March 2021 • Skills • Panel members • IMSB representative on panel <p>Progress to date:</p> <p>30/03/2021 Approval of Auckland Transport Brief. Link to decision</p> <p>Auckland Unlimited board appointments x2- 4 May</p>												
<p>Director Appointments to CCO's – Panuku</p> <p>[CCO Governance and External Partnerships]</p>	<p>In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.</p>	<p>To approve brief – 2 December 2020 (completed)</p> <p>To approve short list – 30 March 2021</p> <p>To approve director appointments – 4 May 2021</p> <p>To approve appointment – 15 June 2021</p> <p>Progress to date:</p> <p>30/03/2021: Panuku short listing - Link to decision</p>												

Item 11

Attachment A

Area of work and Lead Department	Reason for work	Committee role (decision and/or direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2021												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Director Appointments to CCO's – Auckland Unlimited [CCO Governance and External Partnerships]	In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve brief – 2 December 2020 (completed) To approve short list – 4 May 2021 To approve appointment – 15 June 2021													
Director Appointments to CCO's – Watercare [CCO Governance and External Partnerships]	In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve (1 Director): <ul style="list-style-type: none"> vacancy/skill set/selection panel longlist shortlist Appointment/re appointment 													
Annual programme review for CCO's [CCO Governance and External Partnerships]	In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve: <ul style="list-style-type: none"> Appointment re appointment vacancy/skill set/ panel members Progress to date:													
Review of board remuneration appointment policy [CCO Governance and External Partnerships]	In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve the board appointment and remuneration policy													
Board intern programme [CCO Governance and External Partnerships]	In 2013, Auckland Council approved a director intern programme known as the board intern programme	To approve the appointment of five board interns for CCO's													

Area of work and Lead Department	Reason for work	Committee role (decision and/or direction)	Expected timeframes											
			Highlight the month(s) this is expected to come to committee in 2021											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Tamaki Redevelopment Company [CCO Governance and External Partnerships]	Auckland Council is a joint shareholder with the Crown. Council has one director it is responsible for appointment, and jointly appoints with the Crown the other directors.	To approve appointments/reappointments To approve: <ul style="list-style-type: none"> reappointment of council director approve selection panel and criteria Progress to date: Link to decision												
Legacy CCO's Manukau Beautification Charitable Trust [CCO Governance and External Partnerships]	Director appointments	To approve appointments/reappointments Progress to date: To approve appointment of two trustees – 30 March 2021 Link to decision												
AWMM /MOTAT [CCO Governance and External Partnerships]	Auckland Council makes 5 appointments to the AWMM Board and 6 appointments to the MOTAT Board. The appointments are to replace or renew directors who's terms are expiring.	Reappointments/new appointments Progress to date:												
CE Performance Objectives	Setting CE Performance Objectives CE review process	To approve the Chief Executives Performance Objectives Progress to date: Link to decision												

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: Panuku Development Auckland

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 Council's council-controlled organisation, Panuku Development Auckland	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: 2021 Board appointments - Auckland Unlimited

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 candidates for potential appointment to Auckland Unlimited board of directors.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C3 CONFIDENTIAL: Approval of shortlist for Auckland Regional Amenities Funding Board appointments

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
<p>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.</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>In particular, the report contains personal information about candidates being considered for appointment.</p>	<p>s48(1)(a)</p> <p>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.</p>