

I hereby give notice that an ordinary meeting of the Social Impact Fund Allocation Committee Appointments Committee will be held on:

Date: Monday, 27 February 2023
Time: 2.00pm
Meeting Room: Woodside Room
Venue: Level 1, Manukau Civic Building
31-33 Manukau Station Road
Manukau

Social Impact Fund Allocation Committee Appointments Committee OPEN AGENDA

MEMBERSHIP

Chairperson
Deputy Chairperson
Members

Apulu Reece Autagavaia
Tauanu'u Nanai Nick Bakulich
Pongarauhine Renata (IMSB)
Jan Robinson
Matt Winiata

(Quorum 3 members)

Rohin Patel
Democracy Advisor

22 February 2023

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Terms of Reference

SIFAC Appointments Joint Committee

Introduction

The Auckland Council Governing Body has delegated the power to make two Auckland Council appointments to the Wiri Prison Social Impact Fund Allocations Committee to a joint committee established by the Manurewa, Papakura, Māngere-Ōtāhuhu and Ōtara-Papatoetoe local boards. This delegation is subject to:

- (i) The southern ward councillors having attendance and speaking rights
- (ii) the Independent Māori Statutory Board having the ability to appoint two members.

Agreement

The Māngere-Ōtāhuhu, Ōtara-Papatoetoe, Manurewa and Papakura Local Boards agree to establish a joint committee as follows:

Responsibilities

- (i) The committee will be responsible for making two Auckland Council appointments to the Wiri Prison Social Impact Fund Allocation Committee

Membership

- (ii) Each participating local board will appoint either their chairperson or deputy chairperson to the Joint Committee
- (iii) The Independent Māori Statutory Board will appoint two members
- (iv) The southern ward councillors will have attendance and speaking rights but not membership or voting rights

Chairperson

- (v) The first meeting will elect a Committee chairperson and deputy chairperson

Meetings

- (vi) Each participating local board will make its appointments to the Committee at the commencement of each electoral term
- (vii) The Committee will meet as soon as practicable following all members being appointed and following its first meeting will meet only when necessary to carry out its responsibilities

Variations to this agreement

- (viii) The participating local boards may agree to vary this agreement provided any variation is consistent with the delegation from the Auckland Council Governing Body.

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1 Ngā Tamōtanga | Apologies

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

2 Te Whakapuaki i te Whai Pānga | 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 Ngā Pakihi Autaia | 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.”

Election of Chairperson

File No.: CP2023/01128

Te take mō te pūrongo

Purpose of the report

1. In accordance with Schedule 7, clause 25 of the Local Government Act 2002, the Local Area Manager, on behalf of the Chief Executive, will call for nominations for the appointment of the Chairperson of the Social Impact Fund Allocation Committee Appointments Committee.

Whakarāpopototanga matua

Executive summary

2. The Social Impact Fund Allocation Committee Appointments Committee will need to determine (by resolution) what method they will apply to appoint the Chairperson – System A or System B.

Schedule 7, Part 1, Clause 25 of the Local Government Act 2002 states that:

25 Voting systems for certain appointments

- (1) This clause applies to -
 - (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
 - (b) the election or appointment of the deputy mayor; and
 - (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
 - (d) the election or appointment of a representative of a local authority.
- (2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:
 - (a) the voting system in subclause (3) (**system A**):
 - (b) the voting system in subclause (4) (**system B**).
- (3) System A -
 - (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
 - (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

- (4) System B -
 - (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
 - (b) has the following characteristics:
 - (i) there is only 1 round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Ngā tūtohunga Recommendation/s

That the Social Impact Fund Allocation Committee Appointments Committee:

- a) appoint a Chairperson for the 2022 - 2025 political term, utilising either System A or System B of Schedule 7, Part 1, Clause 25 of the Local Government Act 2002.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Rohin Patel - Democracy Advisor
Authoriser	Carol McKenzie-Rex - Local Area Manager Franklin Manurewa Papakura

Election of Deputy Chairperson

File No.: CP2023/01129

Te take mō te pūrongo

Purpose of the report

1. In accordance with Schedule 7, clause 25 of the Local Government Act 2002, the Chairperson will call for nominations for the Deputy Chairperson of the Social Impact Fund Allocation Committee Appointments Committee.

Whakarāpopototanga matua

Executive summary

2. The Social Impact Fund Allocation Committee Appointments Committee will also need to determine (by resolution) what method they will apply to appoint the Deputy Chairperson.

Schedule 7, Part 1, Clause 25 of the Local Government Act 2002 stipulates that:

25 Voting systems for certain appointments

- (1) This clause applies to -
 - (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
 - (b) the election or appointment of the deputy mayor; and
 - (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
 - (d) the election or appointment of a representative of a local authority.
- (2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:
 - (a) the voting system in subclause (3) (**system A**):
 - (b) the voting system in subclause (4) (**system B**).
- (3) System A -
 - (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
 - (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.
- (4) System B -

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) has the following characteristics:
 - (i) there is only 1 round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Ngā tūtohunga Recommendation/s

That the Social Impact Fund Allocation Committee Appointments Committee:

- a) appoint a Deputy Chairperson for the 2022 - 2025 political term, using the same system it used to appoint the chairperson.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Rohin Patel - Democracy Advisor
Authoriser	Carol McKenzie-Rex - Local Area Manager Franklin Manurewa Papakura

Social Impact Fund Allocation Committee – appointment of two members

File No.: CP2023/01130

Item 6

Te take mō te pūrongo

Purpose of the report

1. To appoint two members to Social Impact Fund Allocation Committee.

Whakarāpopototanga matua

Executive summary

2. The Social Impact Fund Allocations Committee (SIFAC) was established under conditions set by the Board of Inquiry into the proposed Wiri Men's Correctional Facility in 2011. The SIFAC and its associated processes are administered by the Department of Corrections. The social impact fund is made available through the Department of Corrections, and the SIFAC is able to allocate \$250,000 each year.
3. Auckland Council must make at least two appointments to the SIFAC. The Governing Body has delegated these appointments to a joint committee as follows:

That the Governing Body:

- a) *delegate to a joint committee established by the Manurewa, Papakura, Māngere-Ōtāhuhu and Ōtara-Papatoetoe local boards, the power to make two Auckland Council appointments to the Wiri Prison Social Impact Fund Allocations Committee subject to:*
 - i) *southern ward councillors having attendance and speaking rights*
 - ii) *the Independent Māori Statutory Board having the ability to appoint two members.*
4. The process under the Local Government Act 2002 to establish a joint committee requires that each participating board must reach agreement with other participating local boards before making appointments. The agreement is found in the front of this agenda and has been agreed by the participating boards.
 5. At the time of preparing this report, the Independent Māori Statutory Board had appointed Member Pongarauhine Renata to the joint committee.
 6. The Local Government Act 2002 requires that when appointing representatives the local authority adopt system A or system B (as described for the appointment of chairperson).

Ngā tūtohunga

Recommendation/s

That the Social Impact Fund Allocation Committee Appointments Committee:

- a) use the same voting system it used for the appointment of chairperson
- b) appoint two members to the Social Impact Fund Allocations Committee on behalf of Auckland Council.

Horopaki Context

7. In 2011, a Board of Inquiry reported on its hearings in relation to the men’s prison at Wiri. An outcome of this process was the establishment of a “Community Impact Forum” and a “Social Impact Fund Allocations Committee”. The social impact fund is to be at least \$250,000 annually.
8. Advice from the Department of Corrections is that possible projects for funding arise from social impact reports.
9. The Community Impact Forum has the role of discussing impacts to the community arising from the corrections facilities and makes recommendations to the SIFAC which decides how the fund should be allocated.
10. The role description of a member of the allocation committee is provided as Attachment A.
11. The SIFAC has up to seven members:
 - the chair is the chair of the Community Impact Forum
 - at least two members appointed by the Minister of Corrections
 - at least two members appointed by Auckland Council
 - up to two members co-opted by the committee itself.

Tātaritanga me ngā tohutohu Analysis and advice

12. When making its appointments the joint committee might wish to consider the areas of impact.
13. The Board of Inquiry and subsequent Social Impact Monitoring Plans¹ defined two areas of social impact:
 - (i) a “local” area comprising the Manurewa Local Board area and Manukau Central (part of the Ōtara-Papatoetoe Local Board area)
 - (ii) a “wider” area comprising, in some social impact monitoring reports, the Manukau and Manurewa-Papakura wards, or, in other reports, the area known as Counties-Manukau.
14. The Board of Inquiry’s actual statement referred to the “immediately impacted community” and the “wider impacted community”:

“We have generally accepted the definitions of the impacted geographic communities Dr Stewart identified in her evidence. As we noted above the site is located in Counties-Manukau, broadly within a 25 square kilometre block that includes Glendon North and South, Burbank, Rowandale, Homai West and East, Manurewa Central, Hillpark, Wiri and Manukau Central (“the immediately impacted community”). The “wider impacted community” follows the boundaries of the Council’s Manukau and Manurewa–Papakura Wards (extending from Mangere Bridge and Otahuhu in the north, to Otara and Flat Bush in the east, and to Papakura and Hingaia in the south).”²

¹ Available here:

https://www.corrections.govt.nz/about_us/getting_in_touch/our_locations/auckland_south_corrections_facility/community_forums

² “Draft Report and Decision of the Board of Inquiry into the Proposed Men’s Correctional Facility At Wiri” paragraph 314, <https://www.epa.govt.nz/assets/FileAPI/proposal/NSP000011/Boards-decision/0d8299eff3/Wiri-Draft-decision-volume-1-Report-and-decision.pdf>

Tauākī whakaaweawe āhuarangi Climate impact statement

15. This report provides background to the committee when considering the appointment of two members of the SIFAC committee and does not itself have any climate impact. The projects put forward for funding by SIFAC may well have climate impacts.

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

16. Making two Auckland Council appointments to the SIFAC does not impact the wider council group.

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

17. The scope of the SIFAC is not regional but is sub-regional, being relevant to the Manurewa, Papakura, Māngere-Ōtāhuhu and Ōtara-Papatoetoe Local Boards. It is because of this that the appointments are being made by a joint committee of the local boards.

Tauākī whakaaweawe Māori Māori impact statement

18. Previously when appointments were made by an ad-hoc committee of the Governing Body (or sub-committee of a Governing Body committee), the Independent Māori Statutory Board was invited to make appointments to the ad-hoc committee. The proposed joint committee is deemed to be a committee of each participating local board and the proposal provides for two Independent Māori Statutory Board members
19. The appointment process itself does not impact on the Māori community however the Social Impact Fund Allocations Committee will be considering applications for funding for projects which will have an impact on the Māori community. Mana whenua take part in the Community Impact Forum. There is also a Tangata Whenua Committee comprising representatives of affected iwi, which advises impacts on Māori to the Minister and also makes recommendations on projects for funding by the Social Impact Fund Allocations Committee.

Ngā ritenga ā-pūtea Financial implications

20. There are no financial implications for Auckland Council resulting from these appointments.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

21. There are no significant risks for Auckland Council resulting from this decision.

Ngā koringa ā-muri Next steps

22. Once the appointments have been made, staff will advise the Department of Corrections.

Ngā tāpirihanga Attachments

No.	Title	Page
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Ngā kaihaina Signatories

Item 6

Author	Warwick McNaughton - Principal Advisor
Authoriser	Carol McKenzie-Rex - Local Area Manager Franklin Manurewa Papakura



DEPARTMENT
OF CORRECTIONS
ARA POUTAMA AOTEAROA

Role Description: Member of Social Impact Fund Allocation Committee

Background

The Social Impact Fund Allocation Committee (SIFAC) is a newly established body resulting from the Board of Inquiry (BOI) hearing relating to the planning designation for the new men's prison to be located at Wiri, Manukau. The BOI's decision included the following conditions:

Condition 55 *"The Minister shall establish a Social Impact Fund Allocation Committee whose purpose is to allocate, review and oversee the funds made available by the Minister under condition 52(d) for the purposes recommended to it from the Community Impact Forum (CIF) and/or the Tangata Whenua Committee."*

Condition 55(a) *"The SIFAC shall be chaired by the chairperson appointed to the CIF."*

Condition 55(b) *"There shall be no more than 7 members of the SIFAC of whom at least 2 shall be appointed by the Minister (one of whom shall be appointed in consultation with the Minister of Maori Affairs), at least 2 shall be appointed by the Council, and up to 2 may be co-opted by the SIFAC following its establishment."*

In establishing the SIFAC, CIF and Tangata Whenua Committee (TWC) the Board was endeavouring to establish a structure that would ensure suitable consideration and mitigation of any effects of the Prison. The Board advised in its decision:

"We have considered the various proposals put forward and decided that a tripartite structure is most likely to be effective, being the CIF, TWC, and a committee responsible for final allocation decisions about the use of the social impact fund. That committee, to be known as the Social Impact Fund Allocation Committee (SIFAC) will be chaired by the chairperson of the CIF will receive recommendations for funding from the CIF, and determine the project priorities and scheduling for allocations from the fund..."

For more information on the new men's prison please refer to the Department's website:

http://www.corrections.govt.nz/news-and-publications/wiri_project.html

Purpose of Role

The purpose of the SIFAC is to allocate, review and oversee funds made available to address social and/or cultural effects.

The establishment of this annual fund of "at least \$250,000" is for the purposes of appropriately avoiding, remedying or mitigating identified social and/or cultural effects directly attributable to the Auckland Region Women's Corrections Facility (ARWCF) and the Men's Corrections Facility (MCF).

Secretariat services for the SIFAC will be provided by the Community Liaison Manager (CLM), a Department employee.

D12-318886

Term of Office

The SIFAC members shall be appointed for a term of three years.

Remuneration

Under the Cabinet Office Fees Framework the SIFAC has been assessed as a Group 4, level 1 body. This equates to a daily fee for non-government SIFAC members of \$375-\$640. The Minister of Corrections has approved a daily rate of \$450.

Key Responsibilities

- Evaluate and prioritise the recommendations of the CIF and TWC regarding the use of the Social Impact Fund.
- Interpret the SIMP to ensure that the decisions made will best address the social and cultural effects of the two correctional facilities.
- Communicate clearly to the CIF and TWC the reasoning for decisions made.
- Support the SIFAC Chairperson as required in preparing the annual report on the SIFAC's activities for the Minister and the Department.
- Support the SIFAC Chairperson as required in meeting any other reporting obligations as agreed.

Criteria for appointment

Knowledge and experience

- Understanding of the Conditions relevant to their duties.
- Proven ability to make balanced and reasonable decisions.
- Proven ability to write in a concise and accurate manner.
- Experience in a decision-making role.
- Ability to cope with stressful situations and balance competing needs and views.
- Demonstrate interest and experience working with community based committees.

Decision-making and analytical skills

- Demonstrate financial acumen.
- Contribute and lead to sound, balanced and defensible decision making.
- Remain open minded and be willing to put aside their own opinions.
- Assimilate and assess competing information.
- Thoroughly analyse the information and quickly identify facts, opinions and key issues.
- Recognise when further critical information is required.

Environmental awareness

- An awareness, sensitivity and commitment to the principles of the Treaty of Waitangi and the role of both mana whenua and tangata whenua.
- Sensitivity and awareness of diversity within communities.
- Sensitivity and awareness of community and social issues.
- Ability to manage competing interests and work with a wide range of stakeholders with diverse and sometimes conflicting views.
- Ability to listen, articulate and understand others.