

## **RELEASE OF INFORMATION**

The attached decision/information was previously included in a confidential agenda/minutes for the Tasman District Council meeting on 27 April 2023.

The reasons for withholding the information no longer apply, the information is therefore being made publicly available.

### **Moved Councillor Dowler/Councillor Walker**

**CN23-04-11**

#### **That the Tasman District Council:**

- 1. receives the Appointment of Independent Members to the Enterprise Committee report, RCN23-04-9; and**
- 2. appoints Mr Manoli Aerakis as the third independent member of the Enterprise Committee for approximately four years, commencing 1 May 2023 and ending 1 November 2027; and**
- 3. appoints Mr Matt Griffin to replace Mr Roger Taylor as an independent member of the Enterprise Committee, for a three-year term, commencing from 14 November 2023 and ending on 1 November 2026; and**
- 4. agrees the term for Mr Roger Taylor will expire following the conclusion of the Enterprise Committee meeting scheduled for 15 November 2023; and**
- 5. advises Mr Taylor of this decision and requests that he remain available to assist the Council with the development of the Port Tarakohe Activity Management Plan at the current level of remuneration for a term of twelve months from 16 November 2023; and**
- 6. agrees that the appointment decisions and the report be made publicly available once the appointment process is finalised, the attachments will remain confidential.**

**CARRIED**

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### 9.3 APPOINTMENT OF INDEPENDENT MEMBERS TO THE ENTERPRISE COMMITTEE - CONFIDENTIAL

**Decision Required****Report To:** Tasman District Council**Meeting Date:** 27 April 2023**Report Author:** Tim King, Mayor**Report Number:** RCN23-04-9

This report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 (s7(2)(a)) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

#### 1 Summary

- 1.1 The function of the Enterprise Committee is to monitor and improve the performance of the Council's commercial and semi-commercial activities; review new commercial investments; and recommend on investments and resourcing to manage the financial and non-financial risks associated with these activities.
- 1.2 The Committee includes five elected members and three independent members appointed in accordance with the Council's policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units.
- 1.3 The term of Mr Alan Dunn's independent membership expired in June 2022.
- 1.4 At the Tasman District Council meeting on 19 May 2022, the Council agreed to undertake an appointment process for the independent member vacancy created by the retirement of Mr Dunn.
- 1.5 Intepeople was engaged to assist with advertising the role and short-listing potential candidates. Mayor King and the Chairperson of the Enterprise Committee, Councillor Dowler were appointed to the interview panel.
- 1.6 Ten applications were received, and from these, five people were shortlisted. After discussing the attributes of the shortlisted applicants, the panel interviewed three applicants.
- 1.7 Following the interview process, Manoli Aerakis is recommended for appointment as the third independent member of the Enterprise Committee. Mr Aerakis' candidate report is available in **Attachment 1**.
- 1.8 Another applicant, Matt Griffin, was considered a strong candidate and the panel has recommended that Mr Griffin be appointed to replace Mr Roger Taylor, whose term on the Committee will end in November 2023. Mr Griffin's candidate report is available in **Attachment 2**.

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**APPOINTMENT OF INDEPENDENT MEMBERS TO THE ENTERPRISE COMMITTEE**

<b>2 Draft Resolution</b>
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**That the Tasman District Council:**

- 1. receives the Appointment of Independent Members to the Enterprise Committee report, RCN23-04-9; and**
- 2. appoints Mr Manoli Aerakis as the third independent member of the Enterprise Committee for approximately four years, commencing 1 May 2023 and ending 1 November 2027; and**
- 3. appoints Mr Matt Griffin to replace Mr Roger Taylor as an independent member of the Enterprise Committee, for a three-year term, commencing from 14 November 2023 and ending on 1 November 2026; and**
- 4. agrees the term for Mr Roger Taylor will expire following the conclusion of the Enterprise Committee meeting scheduled for 15 November 2023;**
- 5. advises Mr Taylor of this decision and requests that he remain available to assist the Council with the development of the Port Tarakohe Activity Management Plan at the current level of remuneration for a term of twelve months from 16 November 2023; and**
- 6. agrees that the appointment decisions and the report be made publicly available once the appointment process is finalised, the attachments will remain confidential.**

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### 3 Purpose of the Report

- 3.1 To appoint Mr Manoli Aerakis as an independent member of the Enterprise Committee commencing 1 May 2023 and to appoint Mr Matt Griffin as an independent member of the Enterprise Committee from 14 November 2023.

### 4 Background and Discussion

- 4.1 The purpose of the Enterprise Committee is to monitor and improve the performance of the Council's commercial and semi-commercial activities. It also reviews new commercial investments including those within the commercial portfolio. This includes recommendations on investments and resourcing to manage the financial and nonfinancial risks associated with these activities. The Committee is expected to identify opportunities that will increase the portfolio and may also recommend to the Council disposal of poor performing assets and investments.

#### Membership

The Enterprise Committee's Terms of Reference state:

5.4 *Membership shall comprise:*

5.4.1 *5 Elected members appointed by Council*

5.4.2 *3 independent members appointed in accordance with Council's Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units. The independent members are appointed for a term of 5 years from the date of appointment or such other terms as Council resolves and are eligible for reappointment in accordance with Council's Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units.*

- 4.2 The Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units states:

5.4 *Reappointment of Independent Members*

5.4.1 *No Independent Member may be reappointed for a fourth successive term unless there are special circumstances, including:*

- *Succession planning*
- *Provision of continuity for redevelopment projects*
- *Provision of specific areas of expertise*

5.4.2 *Subject to the Terms of Reference of the Committee or Business Unit concerned, where an Independent Member's term of appointment has expired and they are offering themselves for reappointment, the Chief Executive and the Mayor:*

- *May make confidential enquiries from the Chairperson and other members of the Committee or Business Unit as necessary, including:*

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- *whether the skills of the incumbent add value to the work of the Committee or Business Unit;*
- *whether there are other skills which the Committee or Business Unit needs;*
- *whether a change to the existing Independent Members would compromise the Committee or Business Unit's ability to pursue a desired vision and long term strategy, or whether there is a need for new skills and ideas on the Committee or Business Unit; and*
- *whether an appointment is necessary.*
- *Must consider any information obtained and form a view on the appropriateness of reappointment or making a replacement appointment; and*
- *Must recommend to Council whether reappointment is appropriate.*

5.4.3 *If reappointment is not appropriate, the appointment process outlined in Section 5.2 will be followed.*

4.3 A robust recruitment process was carried out by Intepeople on behalf of Tasman District Council.

<b>5 Options</b>
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5.1 The options are outlined in the following table:

	Option	Advantage	Disadvantage
1.	Appoint Mr Manoli Aerakis and Mr Matt Griffin as independent members of the Enterprise Committee.	<p>Mr Aerakis brings strong commercial experience to the role. He has a good understanding of iwi and has worked in a cross section of forestry, investment and property portfolios throughout his career.</p> <p>Mr Griffin would bring a well-rounded skill base to the Enterprise Committee. He is enthusiastic and keen to see the region</p>	Nil

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	Option	Advantage	Disadvantage
		grow, especially in the recreational space.	
2.	Not appoint Mr Manoli Aeraki and Mr Matt Griffin	Mr Aeraki and Mr Griffin are the interview panel's preferred appointments.	Not appointing Mr Aeraki and Mr Griffin will require a second round of advertising and interviewing for the roles at an estimated extra cost of \$8,000.

5.2 Option one is recommended.

**6 Strategy and Risks**

6.1 The recruitment and appointment of independent members to the Enterprise Committee is a relatively routine matter. The Council's focus for the Enterprise Committee is to monitor and improve the performance of the Council's commercial and semi-commercial activities; review new commercial investments; and recommend on investments and resourcing to manage the financial and non-financial risks associated with these activities.

**7 Policy / Legal Requirements / Plan**

7.1 The appointment panel has applied the criteria for selection and assessed the qualities of the candidates in arriving at their recommendation.

7.2 While the appointment policy provides for terms for up to five years, the staff recommendation is to appoint one member for three years and the other for four years. This will ensure that continuity is maintained and that both directors do not come up for replacement or reappointment in the same year.

**8 Consideration of Financial or Budgetary Implications**

8.1 There are no financial or budgetary implications for the Council in the decision to appoint two replacement members. The recruitment costs are met from existing budgets.

**9 Significance and Engagement**

9.1 This decision is of low significance, where the public may be interested in the outcome of the process, however it is not likely to be controversial and no formal engagement is necessary.

**10 Conclusion**

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10.1 An appropriate and robust recruitment process has been followed. The appointment panel has assessed the candidates and recommends that Mr Aerakis and Mr Griffin be appointed to the Enterprise Committee. Approving the appointments is recommended.

**11 Next Steps / Timeline**

- 11.1 If the Council agrees to the appointment of Mr Aerakis and Mr Griffin to the Enterprise Committee, staff will ask Intepeople to confirm their acceptance of the roles.
- 11.2 Mr Aerakis will be invited to attend the next Enterprise Committee meeting on 12 May 2023.
- 11.3 Mr Griffin will be invited to attend the Enterprise Committee meeting scheduled for 15 November 2023.
- 11.4 The decision and the report will be made publicly available. However, the attachments will remain confidential.

PREVIEW

