

### 13.3 Recommendation from Extraordinary Directors and Trustees Appointment Subcommittee meeting

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**Authoriser:** Bede Carran, Chief Executive

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| <b>Section under the Act</b>  | The grounds on which part of the Council or Committee may be closed to the public are listed in s48(1)(a)(i) of the <i>Local Government Official Information and Meetings Act 1987</i> . |
| <b>Sub-clause and Reason:</b> | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons   |
| <b>Plain English Reason:</b>  | To protect a person's privacy, including the privacy of deceased persons.  |

#### Recommendation

- 1 That Council accepts the recommendation from of the Directors and Trustees Appointment Subcommittee that it appoints Darren Evans as a Director of Timaru District Holdings Ltd with effect from 6 December 2023.

#### Purpose of Report

- 1 To consider the recommendation from the Extraordinary Directors and Trustees Appointment Subcommittee meeting (the Committee) to appoint a new director to the board of Timaru District Holdings Ltd (TDHL).

#### Assessment of Significance

- 2 This matter is of low significance in terms of Council's Significance and Engagement Policy. This assessment is based on the assessment criteria with specific focus on the impact on the number of people affected, the degree that people may be impacted, community interest, financing and rating impact, and impact on wellbeing. Considering these factors in the exercise of a Council function to appoint a director to the board of TDHL, on the recommendation of the Committee, it is considered to have low significance. Officers note that the appointment of a director to the board of TDHL is a matter of significant public interest.

#### Background and Discussion

- 3 On 5 September 2023 Council considered recommendations from the Subcommittee, including that it commence recruitment of a director for TDHL by way of an open and contested national candidate search and selection process. This recommendation was accepted and the Subcommittee, with support from Council officers and the Institute of Directors (IoD) commenced the recruitment process. A skills matrix was also approved by Council to support identification of candidates with the appropriate skills and experience. The search and recruitment included public advertising, through both local and national advertising, of the position and direct approach to candidates the IoD believed were suitable for the role.

- 4 In total there were 34 applications submitted for the position, and 4 candidates were shortlisted for interview by the Interview Panel. The high calibre of a number of the candidates was pleasing.
- 5 The Subcommittee resolved that the Interview Panel would be comprised of Deputy Mayor Scott Shannon, Cllr Allan Booth, Cllr Michelle Pye and Mark Rogers (TDHL Chair). Interviews took place on 13 November 2023.
- 6 The Subcommittee met on 17 November 2023 to consider the advice and recommendation from the Interview Panel on the preferred candidate to be recommended to Council for appointment to the board of TDHL.
- 7 The Interview Panel explained the process followed, the matters they considered relevant including the strategy and direction of TDHL and the comparative strengths of the interviewed candidates. The interview panel resolved, unanimously, that their preferred and recommended candidate is Darren Evans.
- 8 Darren Evans is currently the Chief Executive (CE) of the Calder Stewart Group, having commenced as CE in 2019. Prior to his appointment as CE of Calder Stewart Group Darren had been the Chief Operating Officer for the Calder Stewart Group. Additionally, Darren is a chartered accountant, has been admitted to the High Court as a Barrister and Solicitor (a prerequisite of which is to have a law degree (LLB)) and broad commercial experience including overseas along with extensive experience in property development. Darren also has growing governance experience through his current role on Otautahi Community Housing Trust and a previous role on Otago Polytechnic. Darren identified strengths in debt structuring, access to capital and building relationships with financiers. In addition to this the panel believe Darren's connection and networks within the construction industry will add significant value to the TDHL board.
- 9 Darren noted a potential and/or perceived conflict of interest regarding operational engagement between Calder Stewart and TDHL. Darren is not directly involved with this engagement; it is at a concept stage and relates to one part of the Aorangi Road Development only. The interview panel considered potential or perceived conflict of interest can be appropriately managed.
- 10 Darren's CV is attached.

### **Options and Preferred Option**

- 11 Council may either accept the recommendations from the Subcommittee, or request that it reconsider the recommendation or recommence the recruitment process.
- 12 Officers recommend that the preferred option is for Council to support the recommendation of the Subcommittee. There has been a thorough and rigorous recruitment process undertaken, with high calibre candidates submitting application for the director vacancy. The nominated candidate complements the existing directors of TDHL and his skills and competencies align closely with the skills matrix, which sought a commercially and financially astute candidate with strong analytical and strategic skills along with extensive property development sector experience. Further, the appointment of Darren Evans will conclude the appointment process and enable the TDHL board to continue focussing on its strategic plan.
- 13 The alternative of recommencing, in part or in whole, the selection of a candidate is likely to be resource heavy, time consuming particularly with the Christmas break intervening, and disruptive of TDHL strategic workstreams. Given the calibre of the recommended candidate

officers do not believe there is a compelling reason to not endorse the recommendation of the Subcommittee.

**Consultation**

- 14 Wider community consultation is not applicable here due to the nature of the appointment. The wide advertising campaign has meant the position has been given significant visibility.

**Relevant Legislation, Council Policy and Plans**

- 15 Local Government Act 2002  
16 Companies Act 1993  
17 Timaru District Holdings Limited Constitution  
18 Timaru District Council External Governance Appointments Policy.  
19 Timaru District Holdings Limited Competency Framework.

**Financial and Funding Implications**

- 20 Director fees are funded from the TDHL budget. The recruitment fees are covered out of existing budgets.

**Other Considerations**

- 21 No other considerations have been identified.

**Attachments**

1. **Darren Evans - TDHL Director Candidate - Cover Letter**
2. **Darren Evans - TDHL Director Candidate - CV**