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# Komiti mō ngā Kopounga me Te Kounga o ngā Mahi / Performance and Appointments Committee

## OPEN MINUTES

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Due to the State of Emergency in effect in Auckland, this meeting was rescheduled from Tuesday, 14 February 2023 at 10.00am.

Minutes of a meeting of the Performance and Appointments Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 21 February 2023 at 2.04pm. <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/meetings-council-bodies/Pages/webcasts-council-meetings.aspx>

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### TE HUNGA KUA TAE MAI | PRESENT

<b>Chairperson</b>	Cr Daniel Newman, JP	
<b>Deputy Chairperson</b>	Cr Chris Darby	
<b>Members</b>	Mayor Wayne Brown	From 2.21pm, Item 10
	Cr Christine Fletcher, QSO	via electronic link
	Cr Lotu Fuli	
	Cr Richard Hills	
	Cr Greg Sayers	
	IMSB Chair David Taipari	via electronic link
	Cr John Watson	

### TE HUNGA KĀORE I TAE MAI | ABSENT

<b>Ex-officio</b>	Deputy Mayor Desley Simpson, JP
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### TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Cr Wayne Walker

**Note:** In accordance with resolution number [GB/2023/3](#) passed by the Governing Body on 10 February 2023, the in-person quorum for this meeting was two (2). All other members were entitled to attend the meeting via electronic link.

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**1 Ngā Tamōtanga | Apologies**

There were no apologies.

**2 Te Whakapuaki i te Whai Pānga | Declaration of Interest**

There were no declarations of interest.

**3 Te Whakaū i ngā Āmiki | Confirmation of Minutes**

Resolution number PACCC/2023/1

MOVED by Chairperson D Newman, seconded by Cr L Fuli:

**That the Performance and Appointments Committee:**

- a) **whakaū / confirm the ordinary minutes of its meeting, held on Tuesday, [13 December 2022](#), as a true and correct record.**

**CARRIED**

**4 Ngā Petihana | Petitions**

There were no petitions.

**5 Ngā Kōrero a te Marea | Public Input**

There was no public input.

**6 Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input**

There was no local board input.

**7 Ngā Pakihi Autaia | Extraordinary Business**

There was no extraordinary business.

**8 Summary of Performance and Appointments Committee information memoranda and briefings - 14 February 2023**

Resolution number PACCC/2023/2

MOVED by Chairperson D Newman, seconded by Cr G Sayers:

**That the Performance and Appointments Committee:**

- a) **whiwhi / receive the Summary of the Performance and Appointments Committee information memoranda and briefings – 14 February 2023.**

**CARRIED**

**9 Replacement member for the Tātaki Auckland Unlimited selection panel**

Resolution number PACCC/2023/3

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

**That the Performance and Appointments Committee:**

- a) **kopou / appoint Councillor Daniel Newman to represent the council on the selection panel for the Tātaki Auckland Unlimited chair vacancy as a replacement for Deputy Mayor Desley Simpson.**

**CARRIED**

**10 Amendments to the Appointments and Remuneration Policy for Board Members of Council Organisations and the Director Appointment Process for Ports of Auckland Limited**

*Mayor Wayne Brown entered the meeting at 2.21pm*

Note: changes were made to the original recommendation, adding new clause e), as a Chair's recommendation.

Resolution number PACCC/2023/4

MOVED by Chairperson D Newman, seconded by Cr L Fuli:

**That the Performance and Appointments Committee:**

- a) **whakaae / approve the following changes to the Appointments and Remuneration Policy for Board Members of Council Organisations:**
- i) **in circumstances where an appointment must be made promptly, the committee may agree to delegate approval of a short-list of candidates to a panel comprised of the chair and deputy of the Performance and Appointments Committee and chair of the Independent Māori Statutory Board (or their nominees)**
  - ii) **add a new core competency for prospective directors of substantive council-controlled organisations requiring them to have “extensive and relevant experience of industries and customers relevant to the operations of the council-controlled organisation”**
- b) **whakaae / agree to recommend to the Governing Body that the frequency of Performance and Appointments committee meetings is increased to monthly**
- c) **whakaae / agree recommend to the Governing Body that it delegates responsibility for appointments to the Ports of Auckland board to the Performance and Appointments committee and revoke the delegation to the Ports of Auckland Appointments Panel**
- d) **whakaae / agree subject to the Governing Body delegating responsibility for Ports of Auckland Limited Board appointments to the Performance and Appointments Committee, amend the Appointments and Remuneration Policy for Board Members of Council Organisations so that the Ports of Auckland Limited section mirrors the section for substantive CCOs**
- e) **tautapa / delegate to the Chair and Deputy Chair of Performance and Appointments Committee and the Chair of the IMSB authority to approve minor consequential amendments to the Appointment and Remuneration Policy for Board Members of Council Organisations to give effect to clause d).**

- f) **whakaae / agree to recommend to the Governing Body that the necessary steps are taken to amend the Ports of Auckland Limited constitution so that:**
- i) **the term length for board members is up to three years. On expiry of the three-year term a director will be eligible for reappointment. No director will be appointed for more than three consecutive terms of three years**
  - ii) **the shareholder appoints the chair and deputy chair of the board.**

**CARRIED**

**11 Process for making appointments to the Tāmaki Redevelopment Company and Haumarū Housing**

Resolution number PACCC/2023/5

MOVED by Cr C Fletcher, seconded by Chairperson D Newman:

**That the Performance and Appointments Committee:**

- a) **tuhi ā-taipitopito / note the information about appointments to the boards of Tāmaki Redevelopment Company and Haumarū Housing**
- b) **tuhi ā-taipitopito / note that two reports in the confidential section of the agenda seek decisions regarding the appointment of directors of council-controlled organisations**
- c) **tuhi ā-taipitopito /note that these reports are confidential due to the personal information they contain.**

**CARRIED**

**12 Te Whakaaro ki ngā Take Pūtea e Autaia ana | Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**13 Procedural motion to exclude the public**

Resolution number PACCC/2023/6

MOVED by Chairperson D Newman, seconded by Cr J Watson:

**That the Performance and Appointments 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: Appointment of directors for Tāmaki Redevelopment Company**

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 personal information regarding director candidates	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: Appointments to the Haumaru Housing 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)(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 personal information about Haumaru Housing Board members	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**

2.30pm 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.

2.49pm The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 CONFIDENTIAL: Appointment of directors for Tāmaki Redevelopment Company**

Resolution number PACCC/2023/7

MOVED by Chairperson D Newman, seconded by Cr L Fuli:

That the Performance and Appointments Committee:

- b) whakaae / agree that the report will always remain confidential due to the private information relating to individuals contained in the report
- c) tuhi ā-taipitopito / note that at the conclusion of the appointment process, the decisions on candidates appointed will be made publicly available.

**C2 CONFIDENTIAL: Appointments to the Haumaru Housing board**

Resolution number PACCC/2023/8

MOVED by Chairperson D Newman, seconded by Cr G Sayers:

That the Performance and Appointments Committee:

- f) whakaae / agree that the report will always remain confidential due to the private information relating to individuals contained in the report
- g) tuhi ā-taipitopito / note that at the conclusion of the appointment process, the noted decisions on candidates appointed will be made publicly available.

2.49 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 PERFORMANCE AND  
APPOINTMENTS COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....