

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

OPEN MINUTES

Minutes of a meeting of the Performance and Appointments Committee held in Room 1, Level 26, 135 Albert Street, Auckland on Tuesday, 30 July 2024 at 10.02am. A recording of the meeting is available here: <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/meetings-council-bodies/Pages/webcasts-council-meetings.aspx>

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Daniel Newman, JP	
Deputy Chairperson	Cr Mike Lee	From 10.04am, Item 8
Members	Mayor Wayne Brown	
	Cr Christine Fletcher, QSO	From 10.12am, Item C1
	Cr Lotu Fuli	Via electronic link
	Cr Richard Hills	From 10.04am, Item 8
	Cr Greg Sayers	Via electronic link
	Cr John Watson	Via electronic link
	Cr Maurice Williamson	
Ex-officio	Houkura Chair David Taipari	

1 Ngā Tamōtanga | Apologies

Resolution number PACCC/2024/50

MOVED by Chairperson D Newman, seconded by Houkura Chair D Taipari:

That the Performance and Appointments Committee:

a) **whakaae / accept the following apologies:**

Early Departure

Cr L Fuli

Lateness

Cr C Fletcher

Cr Hills

CARRIED

Note: Subsequently, Cr L Fuli did not depart early.

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/2024/51

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

That the Performance and Appointments Committee:

a) **whakaū / confirm the ordinary minutes of its meeting, held on [Tuesday, 25 June 2024](#), including the confidential section, as a true and correct record.**

CARRIED

Note: Houkura Chair D Taipari requested it be recorded that he was opposed to Item C2 – CONFIDENTIAL: Appointment of the Watercare Services Chair on the basis he believed that the resolution was unlawful and pending a decision from the High Court specific to that question.

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 Process to make appointments to the boards of substantive council-controlled organisations

*Deputy Chairperson M Lee entered the meeting at 10.04am.
Cr R Hills entered the meeting at 10.04amam.*

Resolution number PACCC/2024/52

MOVED by Chairperson D Newman, seconded by Cr R Hills:

That the Performance and Appointments Committee:

- a) **tuhi ā-taipitopito / note the information about appointment processes contained in this report, and reports on this agenda, seek decisions regarding criteria for selecting directors for the boards of Auckland Transport, Eke Panuku Development Auckland Limited and Tātaki Auckland Unlimited**
- b) **tuhi ā-taipitopito / note that these reports are confidential as they contain personal information regarding board members.**

CARRIED

9 Summary of Performance and Appointments Committee information memoranda, workshops and briefings (including the Forward Work Programme) - 30 July 2024

Resolution number PACCC/2024/53

MOVED by Chairperson D Newman, seconded by Houkura Chair D Taipari:

That the Performance and Appointments Committee:

- a) **tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A of the agenda report**
- b) **whiwhi / receive the Summary of Performance and Appointments Committee information memoranda and briefings.**

CARRIED

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

There was no consideration of extraordinary items.

11 Te Mōtini ā-Tukanga hei Kaupare i te Marea | Procedural motion to exclude the public

Resolution number PACCC/2024/54

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

That the Performance and Appointments Committee:

- a) **whakaae / agree to 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: Criteria to make appointments to substantive CCO boards

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 directors of council-controlled organisations.	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

10.06am 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.

12.03pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Criteria to make appointments to substantive CCO boards

Resolution number PACCC/2024/55

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

- a) whakaae / approve the following specific criteria to guide the selection of a new director for Auckland Transport:
 - i) experienced financial background suitable to lead the board's finance and audit functions
 - ii) experience in the governance of large and complex private or public sector organisations
 - iii) transport sector experience
 - iv) experience within technology industries, especially information and communications technology will be useful
 - v) customer-driven experience within the transport sector

Resolution number PACCC/2024/56

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

- vi) iwi relationships and understanding of Te Ao Māori, and in particular knowledge of tikanga Māori

Resolution number PACCC/2024/57

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

- b) whakaae / approve the following specific criteria to guide the selection of two directors for Eke Panuku Development Auckland Limited:
 - i) property investment and management experience: experience of the property industry suitable to guide Eke Panuku
 - ii) governance experience, including driving outcomes from a board level, especially with regulatory experience
 - iii) iwi relationships and understanding of Te Ao Māori, and in particular knowledge of tikanga Māori
 - iv) a legal background and/or experience of health and safety would be useful, if held in combination with other skills.

Resolution number PACCC/2024/58

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

- c) whakaae / approve the following specific criteria to guide the selection of a new director for Tātaki Auckland Unlimited:
 - i) experience in strategic financial leadership and decision-making, providing financial rigour and ensuring value for money
 - ii) experience of the cultural sector, ability to leverage connections and bring a commercial mind-set to the governance of arts, culture and heritage institutions
 - iii) understanding of how central and local government make decisions

- iv) customer-driven experience
- v) iwi relationships and understanding of Te Ao Māori, and in particular knowledge of tikanga Māori

Resolution number PACCC/2024/55

MOVED by Chairperson D Newman, seconded by Cr M Williamson:

- d) tautapa / nominate the following members of the enduring pool to serve on each of the selection panels for an Auckland Transport director, Eke Panuku Development Auckland Limited directors and Tātaki Auckland Unlimited director:
 - i) Auckland Transport panel – Cr C Fletcher and Mayor W Brown
 - ii) Eke Panuku Development Auckland Limited panel – Cr G Sayers and Mayor W Brown
 - iii) Tātaki Auckland Unlimited panel – Cr R Hills and Deputy Mayor D Simpson
- e) tuhi ā-taipitopito / note that the Houkura Independent Māori Statutory Board are invited to participate on the selection panels for an Auckland Transport director, Eke Panuku Development Auckland Limited directors and Tātaki Auckland Unlimited director.
- f) tautapa / delegate approval of the short-list of candidates for Auckland Transport and Eke Panuku Development Auckland Limited to a panel of the chair and deputy chair of this committee and the chair of Houkura Independent Māori Statutory Board to allow these appointments to be made promptly.

Restatement

- h) whakaae / agree that the decisions be transferred to the open minutes, but clause g) and the report will remain confidential due to the private information relating to individuals contained in the report.
- i) tuhi ā-taipitopito / note that at the conclusion of the appointment process, the decisions on candidates appointed will be made publicly available.

12.03pm

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:.....