

I hereby give notice that an ordinary meeting of the Performance and Appointments Committee will be held on:

Date: Tuesday, 25 March 2025
Time: 10.00am
Meeting Room: Room 1, Level 26
Venue: Te Wharau o Tāmaki - Auckland House
135 Albert Street
Auckland

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

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Daniel Newman, JP
Deputy Chairperson	Cr Mike Lee
Members	Mayor Wayne Brown Cr Christine Fletcher, QSO Cr Lotu Fuli Cr Richard Hills Cr Greg Sayers Cr John Watson Cr Maurice Williamson
Ex-officio	Deputy Mayor Desley Simpson, JP Houkura Chair David Taipari

(Quorum 5 members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

18 March 2025

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1 Ngā Tamōtanga | Apologies

2 Te Whakapuaki i te Whai Pānga | Declaration of Interest

3 Te Whakaū i ngā Āmiki | Confirmation of Minutes

Click the meeting date below to access the minutes.

That the Performance and Appointments Committee:

- a) whakaū / confirm the ordinary minutes of its meeting, held on [Tuesday, 25 February 2025](#), including the confidential section, as a true and correct record.

4 Ngā Petihana | Petitions

5 Ngā Kōrero a te Marea | Public Input

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

7 Ngā Pakihi Autaia | Extraordinary Business

Process to make appointments to the boards of council organisations

File No.: CP2025/01470

Item 8

Te take mō te pūrongo

Purpose of the report

1. To receive information about the process to make board appointments that will be considered in the confidential part of this meeting.

Whakarāpopototanga matua

Executive summary

2. Confidential reports on this agenda seek decisions regarding appointments to the boards of:
 - Tāmaki Redevelopment Company (TRC)
 - Port of Auckland Limited (POAL)
 - Watercare Services Limited (Watercare)

Ngā tūtohunga

Recommendation/s

That the Performance and Appointments Committee:

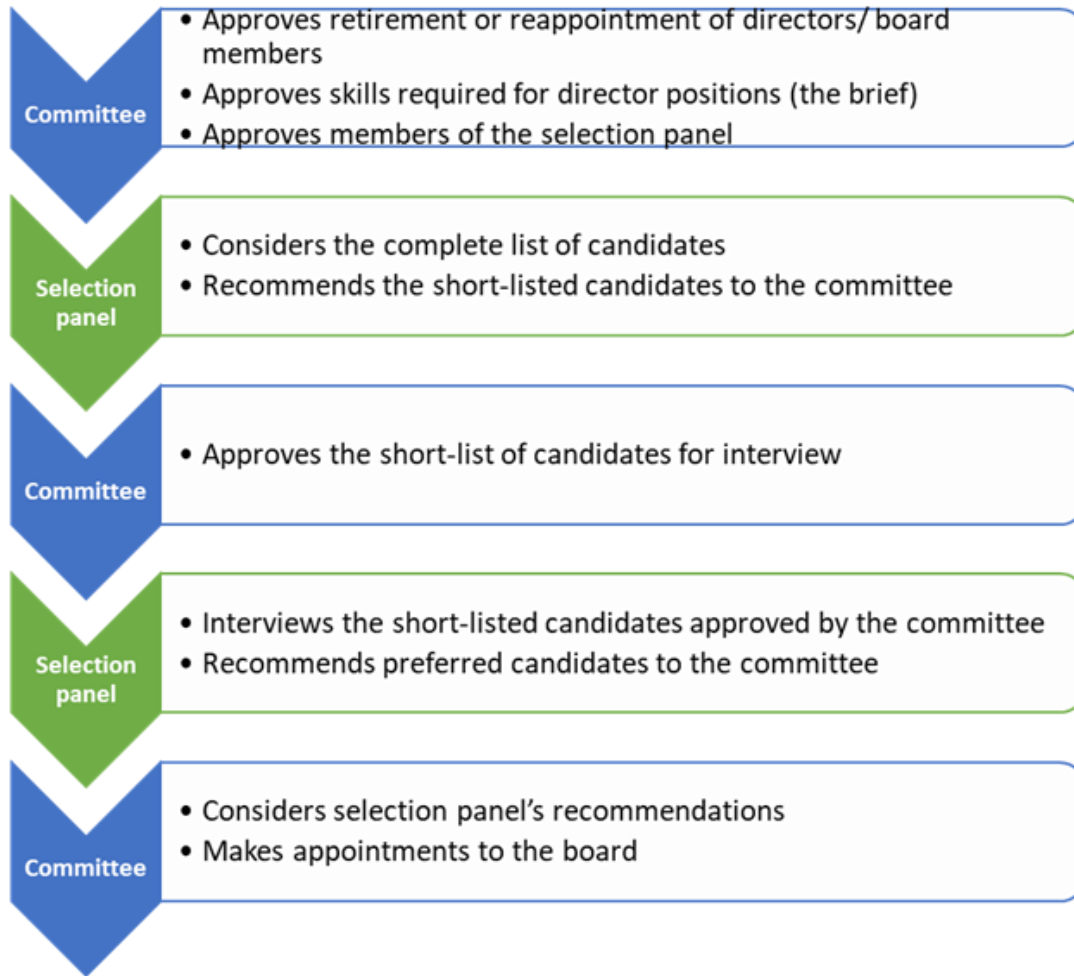
- a) tuhi ā-taipitopito / note the information about appointment processes contained in this report and note that reports on this agenda seek decisions regarding appointments to
 - i) Tāmaki Redevelopment Company
 - ii) Port of Auckland Limited
 - iii) Watercare Services Limited
- b) tuhi ā-taipitopito / note that these reports are confidential due to the personal information contained regarding current board members.

Horopaki

Context

3. Council makes appointments to council organisations in accordance with the Appointment and Remuneration Policy for Board Members of Council Organisations (the Policy).
4. The general process for making new appointments to substantive council-controlled organisations is described in Figure 1 below. This process also applies to the appointment of a Council director to the TRC board and appointments to the POAL board.

Figure 1: Appointment process



Tātaritanga me ngā tohutohu Analysis and advice

5. Confidential reports on this agenda seek approval for appointment decisions as noted in Table 1 below:

Entity name	Decisions sought	Previous decisions relevant to this process
Tāmaki Redevelopment Company (TRC)	Approval to reappoint a board member Approval of criteria to appoint a new board member	None
Port of Auckland Limited (POAL)	Approval to reappoint a board member	None
Watercare Services Limited (Watercare)	Approval of a short-list of candidates	Approval of criteria to appoint a director [PACCC/2024/117]

Tauākī whakaaweawe āhuarangi **Climate impact statement**

6. Auckland Council's Te-Tāruke-ā-Tāwhiri: Auckland's Climate Plan was adopted in July 2020 and sets out the priority action areas to deliver our goals to reduce emissions and adapt to the impacts of climate change.
7. Candidates seeking appointment need to demonstrate a commitment to integrate the action areas outlined in Te Tāruke-ā-Tāwhiri into the council-controlled organisation's activities as one of the core competencies for director candidates.

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

8. The chairs of POAL, TRC and Watercare Services have been consulted to inform the advice contained in the confidential reports.

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

9. Board appointments to the entities considered in the confidential reports are a responsibility that sits with the Governing Body. Local boards may participate in the nomination process for board vacancies and criteria are circulated to local boards to allow their participation in the nomination process.

Tauākī whakaaweawe Māori **Māori impact statement**

10. Kia ora Tāmaki Makaurau sets as a mahi objective that: "Mana whenua and Māori are active partners and participants at all levels of the council group's decision making". This objective is considered as part of the decision making in the confidential items on this agenda.

Ngā ritenga ā-pūtea **Financial implications**

11. There are no new financial implications arising from the confidential reports.

Ngā raru tūpono me ngā whakamaurutanga **Risks and mitigations**

12. There are risks common to all board appointments. These include:
 - Reputational risk of appointing candidates without appropriate skills or governance experience. To mitigate this potential risk, a due diligence process is in place.
 - Governance risk of creating an unbalanced board where too many new members cause a loss of institutional knowledge which impacts decision-making. Conversely, retaining board members for too long can mean the board lacks innovation and fresh thinking.

Ngā koringa ā-muri **Next steps**

13. Next steps are noted in the confidential agenda reports.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	James Stephens - Senior Advisor
Authorisers	Alastair Cameron - Manager CCO/External Partnerships team Phil Wilson - Chief Executive

Summary of Performance and Appointments Committee information memoranda, workshops and briefings (including the Forward Work Programme) - 25 March 2025

File No.: CP2025/02457

Item 9

Te take mō te pūrongo

Purpose of the report

1. To receive a summary and provide a public record of memoranda or briefing papers that may have been distributed to the Performance and Appointments Committee.

Whakarāpopototanga matua

Executive summary

2. This is a regular information-only report which aims to provide greater visibility and openness and transparency of information circulated to Performance and Appointments Committee members via memoranda/briefings or other means, where no decisions are required.
3. The following information items were distributed:

Date	Subject
20/2/2025	Information Memorandum: Change of New Zealand Transport Agency representative at Auckland Transport

4. There were no workshops or briefings held.
5. This document can be found on the Auckland Council website, at the following link: <http://infocouncil.aucklandcouncil.govt.nz/>
 - o at the top left of the page, select meeting/Te hui “Performance and Appointments Committee” from the drop-down tab and click “View”;
 - o under ‘Attachments’, select either the HTML or PDF version of the document entitled ‘Extra Attachments’.
6. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Transport and Infrastructure Committee members should direct any questions to the authors.

Ngā tūtohunga

Recommendation/s

That the Performance and Appointments Committee:

- a) whiwhi / receive the Summary of Performance and Appointments Committee information memoranda, workshops and briefings (including the Forward Work Programme) – 25 March 2025.
- b) tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A of the agenda report.

Ngā tāpirihanga Attachments

Item 9

No.	Title	Page
A	Forward Work Programme	13
B	Information Memorandum: Change of New Zealand Transport Agency representative at Auckland Transport	17

Ngā kaihaina Signatories

Author	Duncan Glasgow - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Phil Wilson - Chief Executive

**Performance and Appointments Committee / Komiti mō ngā Kopounga me Te Kounga o ngā Mahi
Forward Work Programme 2025**

This committee has the oversight to make appointments to Council-Controlled Organisations (CCOs), Council Organisations (COs), Port of Auckland Limited and exempt CCOs and COs and other entities, with the exception of Auckland International Airport Limited (for the avoidance of doubt, the authority to make appointments also includes the power to remove appointees).

The full terms of reference can be found here: [Auckland Council Governing Body Terms of Reference](#)

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2025											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
CCO and Port of Auckland Director Appointments and Reappointments CCO Governance and External Partnerships	In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve: - Appointment - Reappointment - briefs for vacancies - Panel members - Shortlisted candidates for interview Progress to date: Review of the Appointment and Remuneration Policy for Board Members of Council Organisations – Feb 2025 Link to decision	As and when required											
CCOs Non-substantive CCO Governance and External Partnerships	<ul style="list-style-type: none"> Te Tuhi Contemporary Arts Foundation Taumata Toi a Iwi Manukau Beautification Trust In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council-Controlled Organisations.	To approve appointments Progress to date:	As and when required											

Item 9

Attachment A

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2025											
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Appointments to other boards	Appointments to: <ul style="list-style-type: none"> Auckland War Memorial Museum Museum of Transport and Technology Auckland Regional Amenities Funding Board City Rail Link Limited Tāmaki Redevelopment Company Haumaru Housing In accordance with Auckland Council's Appointment and Remuneration Policy for Board Members of Council Organisations (the policy – which is a requirement as per, Section 57(1) of the Local Government Act 2002 (LGA)). The committee are to make appointments and approve policies related to Council Organisations.	To approve: <ul style="list-style-type: none"> Appointment Reappointment briefs for vacancies Panel members Shortlisted candidates for interview Progress to date:	As and when required											
Chief Executive Performance Objectives CE Office	Chief Executive performance review process.	Half-yearly and yearly review of Chief Executives Performance Objectives. (April / August) Draft and final FY25-27 objectives with annual refresh. (April / July- completed for FY25) Informal updates (all other months) Progress to date: Verbal update Feb 2025 – link to decision												
Tātaki Auckland Unlimited (TAU)	Auckland Council appoints the board of TAU. The appointments are to replace or renew directors whose terms are expiring.													

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2025												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Eke Panuku Development Auckland	Auckland Council appoints the board of Eke Panuku. The appointments are to replace or renew directors whose terms are expiring.														
City Rail Link Limited (CRL) CCO Governance and External Partnerships	Auckland Council is a joint shareholder with the Crown and jointly appoints directors with the Crown. The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date:													
Museum of Transport and Technology (MOTAT) CCO Governance and External Partnerships	Auckland Council makes 6 appointments to the MOTAT Board. The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date:													
Tamaki Redevelopment Company CCO Governance and External Partnerships	Auckland Council is a joint shareholder with the Crown. Council has one director it is responsible for appointment, and jointly appoints with the Crown the other directors. The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date:													
Auckland War Memorial Museum (AWMM)	Auckland Council makes five appointments to the AWMM board. The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date:													

Item 9

Attachment A

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2025												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Haumarū Housing	Auckland Council makes two appointments to the Haumarū Housing Board The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date: Criteria for making an appointment to t the board – Feb 2025 Link to decision													
Port of Auckland Limited (POAL)	Auckland Council appoints the Port of Auckland board. The appointments are to replace or renew directors whose terms are expiring.	To approve appointments Progress to date:													



Memorandum

17 February 2025

To: All Governing Body members and Houkura Independent Māori Statutory Board

Subject: Change of New Zealand Transport Agency representative at Auckland Transport

From: James Stephens – Senior Advisor CCO / External Partnerships

Contact information: james.stephens@aucklandcouncil.govt.nz

Purpose

1. To note New Zealand Transport Agency (NZTA) has temporary appointed of Steve Mutton to backfill Richard May as the non-voting director of Auckland Transport for a two-month period.

Summary

2. Under the Local Government (Auckland Council) Act 2009, Section 43, NZTA has the power to nominate one non-voting board member to the Auckland Transport board.
3. Since 1 June 2024, the role of NZTA nominee has been Richard May who is the NZTA Chief of Staff.
4. NZTA has notified Auckland Transport that Richard May will be on secondment to Health New Zealand from 10 February 2025 to 7 April 2025.
5. NZTA has nominated Steve Mutton (Director of Regional Relationships (Northland/Auckland)) to backfill for Richard May for a two-month period.
6. Auckland Transport has two board meetings during this time, as noted below:
 - 27 February 2025
 - 26 March 2025.

Next steps

7. Steve Mutton will attend two Auckland Transport board meetings on 27 February 2025 and 26 March 2025. Afterwards, Richard May will return to the Auckland Transport board.

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

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: Approval of a short-list of candidates for Watercare Services Limited

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 candidates for the board of Watercare Services Limited.	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: Reappointment to the Port of Auckland Limited 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 regarding board members of Port of Auckland Limited.	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.

C3 CONFIDENTIAL: Reappointments and criteria for Tāmaki Redevelopment Company directors

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 board members of the Tāmaki Redevelopment Company.	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.

C4 CONFIDENTIAL: Chief Executive Objectives - FY25 quarter two progress report

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. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains information that relates to the performance objectives for the chief executive, and the committee may discuss matters relating to the chief executive's current performance.	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.