

ORAKEI BASIN ADVISORY GROUP

TERMS OF REFERENCE

Background

The Auckland Council's Governing Body on 22 August 2013 clarified the decision-making for specific parks and in doing so referred to the Council's Long-Term Plan 2012-2022 which allocates decision-making for '*regional parks listed in schedule 1*' to the governing body, while 'local parks' are allocated to local boards". The Governing Body then lists various parks to be allocated. Orakei Basin and the reserves shown in the Orakei Basin Management Plan have not been allocated to the Governing Body or to any other entities. Therefore, Orakei Basin and the reserves listed in the Orakei Basin Management Plan are deemed to be local parks.

Acting under this allocated authority from the Governing Body, the Orakei Local Board of the Auckland Council has the governance responsibility for Orakei Basin and the following reserves, as more particularly shown on the **map attached hereto**: Orakei Basin West Reserve, Orakei Basin East Reserve, Lucerne Road access, Kelvin Road Reserve, MacPherson Street Reserve and access, Waiatarua Road access, Bonnie Brae Reserve, Meadowbank Reserve.

The Orakei Local Board has the responsibility for implementing the Orakei Basin Management Plan, which was approved by the former Auckland City Council in September 2010.

The Orakei Basin Management Plan provided for the establishment of an advisory group (The Orakei Basin Advisory Group), the establishment and purpose of which were approved by the Auckland Council's Regional Development and Operations Committee on 16 June 2011 for which terms of reference were also approved.

The stated purpose of the Advisory Group was to "assist the Auckland Council in managing the Orakei Basin and surrounding open spaces by providing advice and advocacy in relation to these areas and any other role(s) allocated to it by the Auckland Council". It was envisaged at that time that governance would be by way of a committee of the Governing Body to which the Group would report annually by way of minutes of the Group's regular meetings, with copy to the Orakei Local Board. While it was envisaged that the Group was an "advisory" group, a number of what might be considered both governance and management roles were given to it, although it was clear that the Group would "not have any regulatory or decision-making responsibilities and will not hold any funding".

Given the governance allocation to the Orakei Local Board, and noting errors in the Terms of Reference about when members of the Group are to be appointed, it is appropriate and necessary for the Terms of Reference to be amended and updated according to the Orakei Basin Management Plan.

The new Terms of Reference are attached hereto.

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The Orakei Local Board (“the Board”) is the governance body which works with Auckland Council staff to plan, programme and fund projects to achieve the outcomes identified in the Orakei Basin Management Plan (“the Plan”). While a Council parks officer will be a member (ex officio) of the Orakei Basin Advisory Group (“the Group”) to provide technical advice at meetings, liaison between the Group and Council staff and Council contractors will be through the Council’s representative on the Group, who will be appointed by the Orakei Local Board after each triennial election. This, for the time being will be the Local Board member who holds the parks and reserves portfolio.

While it is expected that all consultation with the Group is meaningful, to remove all doubt, the Board shall be the final decision-making authority.

It is also expected that the Group will meet regularly as agreed, and keep a record of meetings and agreed recommendations. Decisions at meetings will be by consensus. The Group is expected to report formally at least quarterly to the Board on the Group’s activities, although there must be ongoing informal liaison.

Purpose of the Orakei Basin Advisory Group

- (1) To operate in accordance with the Terms of Reference.
- (2) To advise, and advocate to, the Board on works identified in the Plan and progress thereof, which will assist the Board to determine areas of priority and to allocate budget funding to deliver the objectives of the Plan.
- (3) To work with the local community and landowners adjacent to the Orakei Basin to advocate for land use practices which support the objectives of the Plan, which the Plan cannot address such as erosion control, planting, weed and vermin clearance on private property.
- (4) To encourage and work with residents in the area to support the objectives identified in the Plan.
- (5) To set up a “Friends of Orakei Basin” group, as required by the Plan, whose purpose is to assist with education of residents regarding erosion management and weed control as envisaged by the Plan and to be responsible for carrying out approved voluntary activities working with Council staff, on local projects such as planting and weed and vermin clearance.

Membership

The membership of the Group will be appointed by the Board triennially following each local government election. The Board shall have the discretion to make further appointments to the Group from time to time, or to remove members from the Group by resolution of the Board.

In determining the composition of the Group, the Board has included those from the stakeholders and the wider community who will bring together a range of views and support: a representative of Ngati Whatua Orakei which with the Board shares *kaitiaki* or guardianship of the area; members of the present organisations which use the Orakei Basin for maritime activities; a member of the Board which has the governance of the Orakei Basin; a member of the council's parks staff to provide technical advice at the group's meeting.

The membership of the Orakei Basin Advisory Group will consist of:

- a member appointed by Ngati Whatua
- a member of the Auckland Water Ski Club
- a member of the Orakei Yacht Club
- a member of the Orakei Sea Scouts
- a member of the Akarana Young Mariners
- a member of Youth Town
- a member of the Orakei Local Board
- a Council parks officer (*ex officio*).

The Orakei Local Board Chairperson shall be responsible for reviewing and confirming the membership of the Group and, if deemed necessary by the Board, reviewing and updating the Terms of Reference after each triennial election.

The Orakei Local Board member, who for the time being holds the parks and reserves portfolio, shall be responsible for convening the first meeting and ensuring the appointment of a Chairperson of the Group by way of a majority vote.

Approved by the Orakei Local Board on

Area included within Orakei Basin Management Plan 2010

