I hereby give notice that an ordinary meeting of the Waitākere Ranges Local Board will be held on:

**Date:** Thursday, 9 August 2018  
**Time:** 6.00pm  
**Meeting Room:** Waitākere Ranges Local Board Office  
**Venue:** 39 Glenmall Place  
Glen Eden

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**Waitākere Ranges Local Board**  
**OPEN AGENDA**

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**MEMBERSHIP**

Chairperson: Greg Presland  
Deputy Chairperson: Saffron Toms  
Members: Sandra Coney, QSO  
Neil Henderson  
Steve Tollestrup  
Ken Turner

(Quorum 3 members)

---

**Brenda Railey**  
Democracy Advisor - Waitakere Ranges  
2 August 2018

Contact Telephone: +64 21 820 781  
Email: brenda.railey@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
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1 Welcome

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

Members were reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

Specifically members are asked to identify any new interests they have not previously disclosed, an interest that might be considered as a conflict of interest with a matter on the agenda.

The following are declared interests of the Waitakere Ranges Local Board:

<table>
<thead>
<tr>
<th>Board Member</th>
<th>Organisation/Position</th>
</tr>
</thead>
</table>
| Sandra Coney | - Waitemata District Health Board – Elected Member  
- Women’s Health Action Trust – Patron  
- New Zealand Society of Genealogists – Member  
- New Zealand Military Defence Society – Member  
- Cartwright Collective – Member  
- Titirangi RSA – Member  
- Portage Trust – Member  
- West Auckland Trust Services - Director |
| Neil Henderson | - Portage Trust – Elected Member  
- West Auckland Trust Services (WATS) Board – Trustee/Director  
- Whau River Catchment Trust - Employee |
| Greg Presland | - Lopdell House Development Trust – Trustee  
- Whau Coastal Walkway Environmental Trust – Trustee  
- Combined Youth Services Trust – Trustee  
- Glen Eden Bid – Member  
- Titirangi Ratepayers and Residents Association - member  
- Waitakere Ranges Protection Society - Member  
- Titirangi RSA - Member  
- Maungakiekie Golf Club - Member |
| Steve Tollestrup | - Waitakere Licensing Trust – Elected Member  
- Waitakere Task force on Family Violence – Appointee  
- Piha RSA - Member |
| Saffron Toms | No declarations |

Member appointments

Board members are appointed to the following bodies. In these appointments the board members represent Auckland Council:

<table>
<thead>
<tr>
<th>Board</th>
<th>Organisation/Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sandra Coney</td>
<td>Friends of Arataki Incorporated – Trustee</td>
</tr>
</tbody>
</table>
| Neil Henderson | - Friends of Arataki Incorporated – Trustee  
- Rural Advisory Panel - Member |
| Steve Tollestrup | - Glen Eden Business Improvement District - Member  
- Aircraft Noise Consultative Committee Group - Member |
4 **Confirmation of Minutes**

That the Waitakere Ranges Local Board:

a) confirm the ordinary minutes of its meeting, held on Thursday, 12 July 2018, as a true and correct record.

5 **Leave of Absence**

At the close of the agenda no requests for leave of absence had been received.

6 **Acknowledgements**

At the close of the agenda no requests for acknowledgements had been received.

7 **Petitions**

At the close of the agenda no requests to present petitions had been received.

8 **Deputations**

Standing Order 7.7 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Waitakere Ranges Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

8.1 **Deputation: Karekare House Trust**

**Purpose**

To receive a deputation from Sarah Elsby, chair, of the Karekare House Trust.

**Executive Summary**

1. Sarah Elsby Karekare House Trust chair will update the Waitakere Ranges Local Board on the Artists Residency programme and future aspirations of the Trust.

**Recommendation/s**

That the Waitakere Ranges Local Board:

a) receive the deputation on the Karekare House Trust activities and thank Sarah Elsby for her attendance.
9 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

At the close of the agenda no requests for public forum had been received.

10 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,-

   (i) The reason why the item is not on the agenda; and

   (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

(a) That item may be discussed at that meeting if-

   (i) That item is a minor matter relating to the general business of the local authority; and

   (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”
Waitākere Ward Councillor Update

File No.: CP2018/14300

Te take mō te pūrongo / Purpose of the report
1. To enable the Waitākere Ward Councillors to verbally update the Board.

Ngā tūtohunga / Recommendation/s
That the Waitākere Ranges Local Board:
a) thank Waitākere Ward Councillors Linda Cooper and Penny Hulse for their update.

Ngā tāpirihanga / Attachments
There are no attachments for this report.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Brenda Railey - Democracy Advisor - Waitakere Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Glenn Boyd - Relationship Manager Henderson-Massey, Waitakere Ranges, Whau</td>
</tr>
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</table>
Renewal and variation of community lease to Royal New Zealand Plunket Trust, 500 South Titirangi Road, Titirangi

Te take mō te pūrongo / Purpose of the report

1. To grant a renewal and variation of community lease to Royal New Zealand Plunket Trust located in part of the Titirangi War Memorial Hall, Titirangi War Memorial Park, 500 South Titirangi Road, Titirangi.

Whakarāpopototanga matua / Executive summary

2. Royal New Zealand Plunket Society Waitemata Area Incorporated held a community lease with Auckland Council for part of the council owned Titirangi War Memorial Hall located on Titirangi War Memorial Park, 500 South Titirangi Road, Titirangi. The lease is for a term of five years commencing 28 August 2013. The lease contains one five-year right of renewal.

3. On 14 September 2017 the lease was assigned to the Royal New Zealand Plunket Society Incorporated and then further assigned on 1 January 2018 to the Royal New Zealand Plunket Trust (Plunket). Both assignments of lease were with the consent of Auckland Council.

4. On 22 June 2018 Plunket agreed to a variation of community lease to record the name change and the inclusion of the Smokefree Policy clause contained in the recommendations below.

5. This report recommends granting a renewal and variation of community lease to Royal New Zealand Plunket Trust for a term of five years commencing 28 August 2018.

Ngā tūtohunga / Recommendation/s

That the Waitākere Ranges Local Board:

a) grant a variation of the renewal of community lease in b) below to:
   i) record the name change to Royal New Zealand Plunket Trust;
   ii) to include the following Smokefree Policy clause:
       Auckland Council has adopted a Smokefree Policy to apply on all council land. The lessee is obligated to abide by the policy during the term of the lease. The lessee will use its best endeavours to ensure its members, employees, invitees, contractors and agents abide by the policy.

b) grant a renewal of community lease to Royal New Zealand Plunket Trust for a term of five years commencing 28 August 2018.

c) approve all other renewal of lease terms and conditions as contained in the existing community lease that commenced 28 August 2013.

Horopaki / Context

6. Royal New Zealand Plunket Society Waitemata Area Incorporated had a community lease with Auckland Council for two rooms totalling approximately 34m² within the council owned Titirangi War Memorial Hall located on Titirangi War Memorial Park, 500 South Titirangi Road, Titirangi (Attachment A – Aerial photograph). The lease is for a term of five years commencing 28 August 2013 and contains one five-year right of renewal.
7. Plunket operates clinics every Tuesday and Wednesday both morning and afternoon, along with every other Thursday. The Titirangi Plunket playgroup utilises the main hall on Tuesday and Thursday mornings each week.

8. On 14 September 2017 the Royal New Zealand Plunket Society Waitemata Area Incorporated assigned the lease to Royal New Zealand Plunket Society Incorporated. On 1 January 2018 the society assigned the lease to Royal New Zealand Plunket Trust (Plunket). Both assignments of lease were with the consent of Auckland Council.

Tātaritanga me ngā tohutohu / Analysis and advice

9. Royal New Zealand Plunket Trust has submitted a comprehensive application in support of its right of renewal of the community lease for the period 28 August 2018 until 27 August 2023. The premises are well managed and maintained.

10. Plunket is the leading provider of Well Child / Tamariki Ora and family health services. Its programmes have been designed to support families with young children by offering a range of services and activities.

11. The lease provides for a right of renewal of five years commencing 28 August 2018 with final expiry 27 August 2023. With both a name change and the inclusion of the Smokefree Policy clause a variation to the renewal of lease is required.

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

12. The Waitākere Ranges Local Board is the allocated authority to approve the granting of a renewal of community lease.

13. A workshop was held on 28 June 2018 to discuss the renewal of lease. No objections were raised.

14. The recommendations within this report support the Waitākere Ranges Local Board 2017 Plan outcome of:

- Local communities feel good about where they live

Tauākī whakaaweawe Māori / Māori impact statement

15. Auckland Council is committed to meeting its responsibilities under Te Tiriti o Waitangi and its broader legal obligations to Māori. The council recognises these responsibilities are distinct from the Crown's Treaty obligations and fall within a local government Tāmaki Makaurau context. These commitments are articulated in the council’s key strategic planning documents the Auckland Plan, the Long-term Plan 2015-2025, the Unitary Plan and Local Board Plans.

16. All Plunket enrolled children are entitled to Well Child / Tamariki Ora services. They connect with Māori whānau through Plunket nurse visits, community karitāne visits, toy library, playgroups, family centres, coffee groups, PEPE (Parenting Education Programme) parenting groups, education courses in schools, antenatal classes, volunteer groups and Plunket mobile bus clinics.

17. Plunket has several projects that focus on Te Reo such as Parenting through Te Reo CDs and the translation of an NZQA Education in Schools parenting course module for secondary schools.

18. There are no changes in use or operational activities being conducted on the land.

Ngā ritenga ā-pūtea / Financial implications

19. There are no financial implications associated with the renewal of community lease.
**Ngā raru tūpono / Risks**

20. There are no known risks with the granting of the renewal and variation of community lease. The provision for a renewal of community lease is provided for in the deed of lease granted to Plunket.

**Ngā koringa ā-muri / Next steps**

21. Subject to the local board grant of a renewal and variation of the community lease, council staff will work with key representatives of Royal New Zealand Plunket Trust to finalise the deed of renewal of community lease agreement.

**Ngā tāpirihanga / Attachments**

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</tr>
</tbody>
</table>

**Ngā kaihaina / Signatories**

<table>
<thead>
<tr>
<th>Authors</th>
<th>Donna Cooper - Community Lease Advisor</th>
</tr>
</thead>
</table>
| Authorisers               | Rod Sheridan - General Manager Community Facilities  
|                           | Glenn Boyd - Relationship Manager Henderson-Massey, Waitakere Ranges, Whau |
Attachment A: Aerial photograph – Royal New Zealand Plunket Trust, Titirangi War Memorial Park, 500 South Titirangi Road, Titirangi
Te take mō te pūrongo / Purpose of the report

1. To close the loop on a Notice of Motion presented by Member Sandra Coney regarding the revocation of the reserve status of 240A Bethells Road Te Henga and to transfer the land to Te Kawerau ā Maki for a marae.

Whakarāpopototanga matua / Executive summary

2. A Notice of Motion was presented by Member Sandra Coney at the Waitākere Ranges Local Board meeting on 14 December 2017 (Attachment A) requesting Auckland Council lift the Reserve Act status on 240A Bethells Road, Te Henga and to gift the land to Te Kawerau ā Maki Tribal Trust for the establishment of a marae.

3. On 11 May 2018, Auckland Council wrote to Te Kawerau Iwi Tribal Authority & Settlement Trust seeking to confirm the Trust’s position pending acquisition of 240A Bethells Road, Te Henga. The Trust’s reply (dated 18.05.2018) confirmed that the land would be used for a marae and papakāinga. (Attachment B)

4. A report seeking the Waitākere Ranges Local Board’s (the Board’s) views on the revocation of the reserve status of 240A Bethells Road, Te Henga and to transfer the land to Te Kawerau ā Maki for a marae and papakāinga was presented at the Board’s meeting on 24 May 2018 by Community & Social Policy.

5. Further, on the 12 June 2018, Community & Social Policy presented a report (Attachment C) to the Environment and Community Committee proposing the Minister of Conservation considers the revocation of the reserve classification of 240A Bethells Road, Te Henga to enable Te Kawerau ā Maki to establish a marae and papakāinga.

The resolution from the 12 June 2018 Environment and Community Committee are as follows:

Resolution number ENV/2018/1

MOVED by Cr L Cooper, seconded by Chairperson P Hulse:

That the Environment and Community Committee:

a) recommend to the Minister of Conservation the revocation of the classification of 240A Bethells Road, Te Henga, identified as Section 1 SO 427404 comprising 2.6836 hectares and contained in CFR538253, as a Local Purpose (marae papakāinga) Reserve under the Reserves Act 1977

b) note that there is no legislative requirement to consult the public on the proposed revocation of the classification of 240A Bethells Road, Te Henga, as a Local Purpose (marae papakāinga) Reserve, in accordance with section 24(7) of the Reserves Act 1977 and council’s Significance and Engagement Policy.

CARRIED

Ngā tūtohunga / Recommendation/s

That the Waitākere Ranges Local Board:

a) note the 240A Bethells Beach, Te Henga – Kainga Whakahirahira report and resolutions from the Environment and Community Committee from the 12 June 2018 meeting.
## Ngā tāpirihanga / Attachments

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<tr>
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<td>Letters Auckland Council to Te Kawerau Iwi Tribal Authority &amp; Settlement Trust dated 11 May 2018 and Letter from Te Kawerau Iwi Tribal Authority &amp; Settlement Trust to Auckland Council dated 18 May 2018.</td>
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<tr>
<td>C</td>
<td>240A Bethells Beach, Te Henga - Kāinga Whakahirahira report to Environment and Community Committee 12 June 2018 meeting</td>
<td>25</td>
</tr>
</tbody>
</table>

## Ngā kaihaina / Signatories

<table>
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<tr>
<th>Authors</th>
<th>Brenda Railey - Democracy Advisor - Waitakere Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Glenn Boyd - Relationship Manager Henderson-Massey, Waitakere Ranges, Whau</td>
</tr>
</tbody>
</table>
Notice of Motion: Member Sandra Coney - Reserve revocation 240a Bethells Road, Te Henga

File No.: CP2017/26591

Purpose

1. Member Sandra Coney has given notice of a motion that she wishes to propose that Auckland Council undertakes the process to lift the Reserve Act status on 240a Bethells Road, Te Henga, and to gift the land to Te Kawerau a Maki Tribal Trust to enable the iwi to establish a marae.

2. The notice is signed by Member Sandra Coney and has Member Steve Tollestrup as seconder.

Executive summary

3. Before the amalgamation in 2010, the Waitākere City Council purchased land at Te Henga with the intention of gifting the land to Te Kawerau a Maki to enable the iwi to build a marae and thus re-establish themselves on their ancestral lands.

4. However, the land was given a Reserves Act classification: Local Purpose – marae and Papakainga, which means the land is owned by Auckland Council.

5. Te Kawerau a Maki has declined to enter into a lease arrangement and this grievance was raised at the meeting of the Environment and Community Committee on 3 December by their leader, Te Warena Tāua.

6. The Waitākere Ranges Local Board believes that the original intention to gift the land should be honoured. It would be of considerable benefit to the iwi and more widely, to the people of the Waitākere Ranges, to have the marae established at Te Henga as intended.

Motion

That the Waitākere Ranges Local Board:

a) request that Auckland Council undertakes the process to lift the Reserve Act status on 240a Bethells Road, Te Henga, and to gift the land to Te Kawerau a Maki Tribal Trust to enable the iwi to establish a marae.

Attachments

There are no attachments for this report.

Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Tua Viliamu - Democracy Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Glenn Boyd - Relationship Manager Henderson-Massey, Waitakere Ranges, Whau</td>
</tr>
</tbody>
</table>
Te Warena Taua M.N.Z.M.
Chairman
Te Kawerau Iwi Tribal Authority & Settlement Trust
2/3 Airpark Drive
Airport Oaks
Auckland 2022

By email: TeWarena.Taua@tekawerau.iwi.nz

Tēnā koe Te Warena

Re: Te Henga Marae and Papakainga (Te Henga Kainga Whakahirihi)

Auckland Council highly values its relationship with Te Kawerau ā Maki. We also understand that development of a marae and papakainga at 240A Bethells Road, Te Henga (the land) is crucial to this relationship.

This letter signals the next key step in a process to enable the development of the marae and papakainga for Te Kawerau ā Maki on its ancestral lands at Te Henga.

We write to seek confirmation from you on the proposed approach, as discussed with you by Council staff on 3 May 2018. This approach is set out in more detail as follows:

- Staff will commence the process to seek a Public Works Act 1981 section 40 waiver from the former owner of the land.
- Staff will prepare a report to the 24 May 2018 meeting of the Waitākere Ranges Local Board to consider revocation of Reserves Act 1977 status of the land. This report will also seek support for the disposal of the land to Te Kawerau ā Maki.
- Staff will prepare a report to the 12 June 2018 meeting of the Environment and Community Committee to consider revocation of the Reserves Act 1977 status of the land and seeking a decision from the Minister of Conservation.
- Staff will prepare a report to the 19 June 2018 Finance and Performance Committee to consider disposal of the land to Te Kawerau ā Maki, subject to completion of required statutory processes and a term of transfer that the land is to be used as a marae and papakainga.
- Subject to the completion of required statutory processes, the decisions of Auckland Council and the Minister of Conservation, preparation of a Public Works Act 1981, section 40, report and memorandum of transfer to Kawerau ā Maki.

Please also note that section 77 of the Local Government Act 2002 requires a local authority to identify all reasonably practicable options for the achievement of the objective of a decision, including an assessment of the advantages and disadvantages of each option. As such, we need clear written confirmation, ideally before 31 May 2018, from Te Kawerau ā Maki on its position on the above proposal and any other possible options, in particular a lease under the Reserves Act.
We are conscious there is a long history on this issue and that Te Kawerau ā Maki has previously expressed its view on a lease, but we ask that you please confirm your position on this, which will be included in the above reports.

We look forward to hearing from you very soon.

Naku noa, na

Councillor Penny Hulse
Chairperson
Environment and Community Committee Committee

Councillor Ross Clow
Chairperson
Finance and Performance
18.05.2018

Councillor Penny Hulse
Chairperson
Environment and Community Committee.

Councillor Ross Clow
Chairperson
Finance and Performance.

Tena korua Clr Hulse and Clr Clow,

Thank you for your letter dated 11 May 2018 setting out Auckland Council’s proposed process for seeing the transfer of the marae and papakainga land at Te Henga to Te Kawerau a Maki as originally intended.

I can confirm that the Trustees of Te Kawerau Iwi Settlement Trust seek:

1. That the land at 240A Bethells Road identified for a Te Kawerau a Maki marae and papakainga be transferred in fee simple to Te Kawerau Iwi Settlement Trust.
2. That the Reserve Status be revoked.
3. That the Trustees confirm the purpose of the land is for marae and papakainga.

This option is the only option that makes good on the intention of the agreement between the former Waitakere City Council and Te Kawerau a Maki. This option is also the only option that is culturally acceptable, in that a mana whenua marae can only be built on whenua/lands wholly owned by mana whenua.

No other alternative options are acceptable, including any form of lease.

We also seek Council to meet the reasonable expenses of our legal advisors as per prior agreement.

I can further confirm in relation to the Henderson Civic Buildings at 6 Henderson Valley Road that Te Kawerau a Maki:

1. Assert a residual financial or commercial interest in the buildings which were enabled in part through Te Kawerau a Maki Treaty Settlement land for the purposes of Waitakere City Council specifically.
2. Assert cultural interest in the buildings which were designed in partnership with Te Kawerau a Maki.
3. Assert our ownership of and seek the return of our pou and other sacred carvings within the Civic Centre which were commissioned by Waitakere City Council but are not under public ownership. Council had a custodianship role with the pou which ended when Waitakere City Council ended.
Please find attached further supporting evidence for your information.

He o i ano.

[Signature]

Te Warena Taua.

---

Te Warena Taua N.Z.O.M
Executive Chair
Te Kawerau Iwi Tribal Authority & Settlement Trust
2/3 Airpark Drive, Airport Oaks, Auckland | PO Box 59-243, Mangere Bridge, Auckland
Cellular: +64 21620486 Email: tewarena.taua@tekawerau.iwi.nz
240A Bethells Beach, Te Henga - Kāinga Whakahirahira

File No.: CP2018/09102

Te take mō te pūrongo / Purpose of the report

1. To propose that the Minister of Conservation considers revocation of the reserve classification of 240A Bethells Road, Te Henga to enable Te Kawerau ā Maki to develop a marae and papakāinga.

Whakarāpopototanga matua / Executive summary

2. To inform Committee decision-making on options to facilitate the development of a marae and papakāinga by Te Kawerau ā Maki at Te Henga.

3. Staff recommend that the Environment and Community Committee support the revocation of the classification of 240A Bethells Road, Te Henga under the Reserves Act 1977.

4. Revocation of the Local Purpose (marae papakāinga) Reserve status would remove compliance costs and enable Te Kawerau ā Maki to obtain commercial funding, if needed. Without this step it is unlikely that Te Kawerau ā Maki will be able to develop a marae and papakāinga at Te Henga.

5. There is no legislative requirement to consult the public on the proposed revocation of the reserve status. The main risk to manage is public expectations about ongoing access. Te Kawerau ā Maki have previously expressed a willingness to make the marae facilities available to community when not in use by the iwi.

6. Staff will prepare a report to the 19 June 2018 Finance and Performance Committee to consider disposal of the land to Te Kawerau ā Maki, subject to completion of the required statutory processes.

Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

a) recommend to the Minister of Conservation the revocation of the classification of 240A Bethells Road, Te Henga, identified as Section 1 SO 427404 comprising 2.6836 hectares and contained in CFR538253, as a Local Purpose (marae papakāinga) Reserve under the Reserves Act 1977.

b) note that there is no legislative requirement to consult the public on the proposed revocation of the classification of 240A Bethells Road, Te Henga, as a Local Purpose (marae papakāinga) Reserve, in accordance with section 24(7) of the Reserves Act 1977 and council’s Significance and Engagement Policy.

Horopaki / Context

7. Waitākere City Council and Te Kawerau ā Maki were in discussions over the development of a marae within the traditional heartland of the iwi and in the vicinity of their ancestral village at Waiti since the mid-1990s.

8. The following is a summary of key developments:
   - Waitākere City Council and Te Kawerau ā Maki investigated three possible sites in 1994 and 1995, before Te Henga was identified as the preferred site for a marae.
Waitākere City Council allocated $30,000 in the 1995/96 Annual Plan to assist Te Kawerau ā Maki to purchase 240A Bethells Road. This site was also zoned as ‘Marae Special Area’ in the District Plan.

- in 1998, Waitākere City Council and Te Kawerau ā Maki entered into a memorandum of partnership, which includes an objective to establish a marae.
- staff investigated the potential to acquire 240A Bethells Road under the Public Works Act 1981 and re-commence negotiations with the landowner. Budget for the acquisition was allocated in 2008/09. There is also a proposal to vest the land with Te Kawerau ā Maki under the Te Ture Whenua Māori Act 1993.
- in 2009, Waitākere City Council purchased the 2.6366 hectares site at 240A Bethells Road, Te Henga for ‘community development purposes’.
- Waitākere City Council proposed to classify the land as a Local Purpose (marae papakāinga) Reserve under the Reserves Act 1977.
- the consultation process on the proposed classification generated 104 public submissions and two Ministerial representations.
- in 2010, the classification was approved by an independent commissioner on condition that: ‘the council provide in the proposed Deed of Lease, or any agreement entered into with Te Kawerau ā Maki for the use of the reserve, provision for the community to have the opportunity for effective input into the type and scale of the facilities to be built on site’.
- on 27 January 2011, approval was granted by the Minister of Conservation for permanent personal accommodation on the reserve (Case No. 2010/11 51) to provide for papakāinga housing.

9. Te Kawerau ā Maki have previously been offered a ground lease over the land at Te Henga. This option was actively considered, however, to-date the iwi have declined to enter into a leasing arrangement with council.

10. There are compliance costs associated with the reserve status, including the requirement to develop and consult on a reserve management plan. The reserve status may also limit the ability to obtain commercial funding.

11. Te Kawerau ā Maki have indicated a preference for the land to be general freehold land in Fee Simple before they develop their marae and papakāinga. In the view of the iwi this would recognise their mana and align with what they hold to be the undertakings given by the former Waitākere City Council.

**Tātaritanga me ngā tohu tohu / Analysis and advice**

12. Auckland Council is considering a range of options to enable Te Kawerau ā Maki to develop a marae and papakāinga at Te Henga. These options include:

- **Option 1:** To negotiate a long-term ground lease with Te Kawerau ā Maki in accordance with the classification of the land as a Local Purpose (marae and papakāinga) Reserve.

- **Option 2:** To revoke the reserve status on the land and transfer the land to Te Kawerau ā Maki as general freehold land in Fee Simple.

- **Option 3:** To revoke the reserve status on the land and to dispose of the land by way of sale to Te Kawerau ā Maki.

13. Option 1, outlined directly above, represents the status quo.

14. Whereas, Option 2 appears to accord with the resolutions of the former Waitākere City Council and the Waitākere Local Board [WTK/2018/47] refers.

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1 Negotiations between the landowner and Te Kawerau ā Maki were unsuccessful.
15. Option 3, however, has largely been discarded because it does not align with the decisions of the former Waitākere City Council.

16. This report seeks support for the revocation of the classification under the Reserves Act 1977. This would provide a first step towards implementation of options two and three outlined above, but is not dependent on any decisions regarding the disposal of 240A Bethells Road.

**There are several factors for the Committee to consider, including alignment with the Auckland Plan, legislation and the Unitary Plan**

17. There is clear evidence of the longstanding intent of the Waitākere City Council to support, and then acquire land, to enable the development of the marae.

18. Auckland Plan directives ‘support marae development to achieve social, economic and cultural development’ (Directive 2.4). Directive 2.1 is to ‘investigate and implement a suite of options to support papakāinga development on both traditional Māori land and general land’.

19. Provision of land for a marae for Te Kawerau ā Maki appears to be aligned with the Waitākere Ranges Heritage Area Act (2008).

20. Section 29(1) of the Act acknowledges Te Kawerau ā Maki (alongside Ngāti Whātua) as tangata whenua of the heritage area, with a particular historical, traditional, cultural, or spiritual relationship with any land in the heritage area.

21. Any deed of acknowledgement developed under section 29 “must identify any specific opportunities for contribution by the tangata whenua to whom the deed relates to the management of the land by the Crown or the Council” [section 29(5)(d) refers].

22. The Minister of Conservation has previously given approval in accordance with the Reserves Act 1977 for permanent personal accommodation on the reserve (Case No. 2010/11 51) to provide for papakāinga housing.

23. The objectives, policies and rules of the Unitary Plan: Special Purpose Zone – Māori Purpose enable marae, papakāinga and other activities on the site.

**There is ample provision of open space provision in Bethells Beach**

24. Potential disposals of open space, such as a transfer, are assessed against the criteria in the Parks and Open Space Acquisition Policy and the Open Space Provision Policy.

25. There is ample provision of open space provision within this area. Local residents and the wider community have access to Te Henga Park, Te Henga Recreation Reserve and Lake Wainamu Scenic Reserve within a 400 metre radius of 240A Bethells Road.

26. The parcel of land has a very narrow access (approximately 5.8 metres wide and 395 metres long), which limits the utility of the open space and poor crime prevention through environmental design outcomes.

27. A range of other factors need to be considered prior to disposal, including the possible future development of the area and the potential for increased demand for parks and open space.

28. Given that Te Henga is situated within the Waitākere Ranges Heritage Area there is limited growth and potential for future development.

29. Community views and preferences are another consideration. Local residents of Bethells Beach attended the 24 May 2018 meeting of the Waitākere Ranges Local Board and spoke during Public Input in support of efforts to facilitate the development of a marae and papakāinga by Te Kawerau ā Maki at Te Henga.

30. A summary of the disposal assessment is provided in Table 1 below.
Table 1: Assessment of proposed disposal of land in Bethells

<table>
<thead>
<tr>
<th>Park type: Open space</th>
<th>Number of lots: 123 (within one km catchment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density: Low</td>
<td>Number of residents: 375</td>
</tr>
<tr>
<td>Unitary plan zone: Special Purpose Zone – Māori Purpose</td>
<td>Proposed size of disposal: 26,836m²</td>
</tr>
<tr>
<td>General valuation: $650,000 – 2017</td>
<td>Settlement: To be determined</td>
</tr>
</tbody>
</table>

Potential future use: Cultural | Nature / Ecological

<table>
<thead>
<tr>
<th>Disposal Criteria</th>
<th>Comment</th>
</tr>
</thead>
</table>
| Meeting community needs, now and in the future | Not a priority:  
- the land does not contribute to the provision targets in the Open Space Provision Policy. |
| Connecting parks and open spaces | Not a priority:  
- the land does not connect to any existing open space. |
| Protecting and restoring Auckland’s unique features and meanings | Not a priority:  
- the land does have identified landscape values, its value as public open space is negligible. |
| Improving the parks and open spaces we already have | Not a priority:  
- the land does not improve the functionality of existing open space. |

Overall Rating: Disposal recommended

Assessment conclusion

31. Staff recommend that the Committee support the revocation of the reserve status. It aligns with the wider strategic objectives of Auckland Council and there is ample provision of open space within this area.

There is no legislative requirement to consult the public on the proposed revocation of the classification

32. There is no requirement to consult on the revocation of Local Purposes Reserves in accordance with section 24(7) of the Reserves Act 1977.

33. There is also no requirement to consult in accordance with council’s Significance and Engagement Policy, developed under the Local Government Act 2002.

34. Whether council needs to engage with the community depends on:
   i) the extent to which the council already knows the current views and preferences of the people who may have an interest in the decision
   ii) the nature and significance of the decision

2 Based on the average household size of 3.0 in Auckland at Census 2013.
iii) the costs and benefits of any consultation process or procedure

iv) whether there are statutory exemptions negating the requirement to engage with the community.

<table>
<thead>
<tr>
<th>Factors to consider</th>
<th>Assessment</th>
</tr>
</thead>
</table>
| i Views and preferences of interested parties | • Aucklanders were consulted over an 11-week period in 2013 during the development of the Unitary Plan, including the Special Purpose – Macu Purpose Zone.  
• The Waitākere Ranges Local Board has considered reports and passed several resolutions to enable the development of a marae and papakāinga at Te Henga.  
• The proposal is consistent with the Local Purpose (marae papakāinga) Reserve status, which was previously subject to public consultation.  
• Members of the local community have publically supported the proposal. |
| ii Significance of the decision      | • Council’s threshold for determining ‘significance’ includes transferring the ownership or control of strategic assets; however, this only applies to the network of 357 local parks not a single asset. |
| ii Costs and benefits                | • The costs of consultation are estimated to be $20,000 including developing collateral and staff time. This does not appear justifiable given previous engagement and recent public input. |
| iv Statutory exemption               | • There is no requirement to consult on the revocation of Local Purposes Reserves in accordance with section 24(7) of the Reserves Act 1977. |

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

35. The Waitākere Ranges Local Board has sought to enable the development of a marae and papakāinga at Te Henga.

36. In May 2013, the Local Board recommended that staff enter into formal discussions with Te Kawerau ā Maki iwi Authority to develop a ground lease over the land at Bethells Beach [WTK/2013/93 refers].

37. In October 2014, the Local Board recommended a four step process by which the land at 240A Bethells Road, Te Henga, could be transferred to Te Kawerau ā Maki for the purposes of a marae and papakāinga [WTK/2014/161 refers].

38. The Local Board, at its meeting of 24 May 2018 resolved that it:
• supports the possible revocation of the classification of 240A Bethells Road, Te Henga, identified as Section 1 SO 427404 comprising 2.6636 hectares and contained in CFR538253, as a Local Purpose (marae papakāinga) Reserve under the Reserves Act 1977.
• supports the possible transfer of the 240A Bethells Road, Te Henga, identified as Section 1 SO 427404 comprising 2.6836 hectares and contained in CFR538253, to Te Kawerau ā Maki as general freehold land in Fee Simple for the purpose of constructing a marae and papakāinga.

39. Local residents of Bethells Beach attended the 24 May 2018 meeting of the Local Board and spoke during Public Input in support of efforts to facilitate the development of a marae and papakāinga by Te Kawerau ā Maki at Te Henga.
Tauākī whakaaweawe Māori / Māori impact statement

40. Te Kawerau ā Maki have clearly stated their aspirations to establish a marae within their traditional heartland and in the vicinity of their ancestral village at Waiti. They have also noted that they are the only mana whenua group without an iwi-based marae.

41. Te Kawerau ā Maki have indicated a preference for the land to be general freehold land in Fee Simple before they develop their marae and papakāinga.

42. Revocation of the Reserves Act 1977 classification would be a step towards iwi achieving this objective.

43. On 10 May 2018, the Chairperson of the Environment and Community Committee, Councillor Penny Hulse, and the Finance and Performance Committee, Councillors Ross Crow, wrote to Te Kawerau ā Maki. The purpose of this letter was to outline the steps that council proposes to undertake to enable the development of the marae and papakāinga at Te Henga.

44. A full response from Te Kawerau ā Maki will be provided at the Committee meeting to inform decision-making.

Ngā ritenga ā-pūtea / Financial implications

45. 240A Bethells Road was acquired for $335,000 (inclusive of GST) in 2009.

46. An indicative valuation, based on council’s geographic information system data, records a rateable value of $650,000. This valuation reflects the zoning of the land as a Special Purpose Zone – Māori Purpose and Outstanding Natural Features and Landscape Overlays, as well as the Waitākere Ranges Heritage Area Overlay.

Ngā raru tūpono / Risks

47. The main risk is to manage is public expectations about future access. Te Kawerau ā Maki have previously expressed a willingness to make the marae facilities available to community when not in use by the iwi.

48. The independent commissioner hearing submissions to the reserve classification process set a condition that the local community should have an input to the type and scale of the facilities to be built on the marae site. This condition has been met as part of the consultation process to develop the Unitary Plan. The policies and rules of the Special Purpose Zone – Māori Purpose control the type and scale of buildings and activities that can be undertaken on the site.

Ngā koringa ā-muri / Next steps

49. Staff will prepare a report for the Finance and Performance Committee on 19 June 2018, seeking a decision on the possible disposal of the land to Te Kawerau ā Maki.

50. Implementation will be subject to the completion of required statutory processes and a decision by the Minister of Conservation. Council is not able to guarantee these outcomes.

Ngā tāpirihanga / Attachments

There are no attachments for this report.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Paul Marriott-Lloyd - Senior Policy Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Kataraina Maki - GM - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Dean Kimpton - Chief Operating Officer</td>
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</table>
Waitākere Ranges Local Board Community Services Work Programmes 2018/2019 approve a three year funding term with Hoani Waititi Marae

File No.: CP2018/13778

Te take mō te pūrongo / Purpose of the report
1. To approve the Hoani Waititi Marae funding term (Sharepoint Item ID 669).

Whakarāpopototanga matua / Executive summary
2. The Waitākere Ranges Local Board Community Services Work Programme 2018/2019 was put forward to the Board’s business meeting on 28 June 2018. This was approved.
3. Currently the Board has approved a one year funding term and it is the intention of the local board to extend this term to three years. (Attachment A)
4. Based on direction from the local board, the new term of three years is being put forward for approval.

Ngā tūtohunga / Recommendation/s
That the Waitākere Ranges Local Board:
a) approve entering into a three year funding agreement with the Hoani Waititi Marae.

Ngā tāpirihanga / Attachments

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<tr>
<th>No.</th>
<th>Title</th>
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<tr>
<td>A</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Brenda Railey - Democracy Advisor - Waitakere Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Glenn Boyd - Relationship Manager Henderson-Massey, Waitakere Ranges, Whau</td>
</tr>
<tr>
<td>ID</td>
<td>LB Plan Outcome</td>
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<td>----</td>
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</tr>
<tr>
<td>190</td>
<td>Our community spaces, safety, sports and recreation facilities meet local needs and are easy to get to</td>
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