

DELEGATION INSTRUMENT

Reference number: []

I, Stephen Michael Town, Chief Executive, Auckland Council, hereby authorize and delegate or sub-delegate, as the case may be and to the extent that a delegation is required, separately to each person who for the time being performs the role of Chief Executive of Panuku Development Auckland Limited (**Panuku**) the following responsibilities, duties and powers subject to conditions 1-3 below.

- i) Subject to Auckland Council's Significance & Engagement policy and any statutory limitations, authority to manage the waterfront assets transferred and to generally do anything at any time that Auckland Council could do in relation to them, including without limitation rights to occupy, manage, control, allow others a right to use, exclude others, lease, collect revenue and use any dominant interests that land being part of the waterfront asset contains over other land". For the avoidance of doubt this does not include the ability to sell or otherwise dispose of waterfront assets.

- ii) Authority to enter into development agreements, including long term leases, on the properties listed below (following the transfer) that are required to achieve the objectives of the Waterfront Plan 2012 and to enable the running of the 36th America's Cup:
 - Wynyard Quarter commercial development:*
 - 28 Madden Street (Lot 3 DP 490387)
 - 143 Beaumont Street (Lot 102 DP 518633)
 - Wynyard Quarter residential development:*
 - 117 Pakenham Street West (Lot 14 DP 490387)
 - 124 Halsey Street (Lot 9 DP 490387)
 - America's Cup related sites*
 - 44-56 Hamer Street (Lot 8 DP 133386, Lot 9 DP 13338, Lot 4 DP 456818)

- iii) authority to manage the Westhaven Marina and Silo Marina and undertake development, maintenance and renewals to improve amenity and access for both berth holders and Aucklanders in accordance with the Waterfront Plan 2012, Westhaven Plan 2015 and any updated plan or strategy for marinas approved by Auckland Council.

This delegation is subject to the following conditions:

1. In exercising this delegated authority, the delegate is at all times under the control of Auckland Council, through me as its Chief Executive and is, where relevant, an officer of the Council and/or designated my deputy for those purposes.
2. In exercising this delegated authority, the delegate must comply with any service level agreements between Auckland Council and Panuku.

3. This delegation cannot be sub-delegated.

Stephen Michael Town
Chief Executive
Auckland Council

Date

I, [], Chief Executive of Panuku Development Auckland Limited,
hereby accept these delegations on the conditions set out above.

[]
Chief Executive
Panuku Development Auckland Limited

Date