I hereby give notice that an ordinary meeting of the Ngāti Whātua Ōrākei Reserves Board will be held on:

Date: 20 April 2020
Time: 4.00pm
Meeting Room: Ōrākei Marae
Venue: Conference Call

Ngāti Whātua Ōrākei Reserves Board
OPEN AGENDA

MEMBERSHIP

Chairperson
Marama Royal
Cr Desley Simpson, JP
IMSB Member Renata Blair
Cr Linda Cooper, JP
Member Wyllis Maihi
Member Scott Milne

(Quorum 3 members)

Andrew Gray
Kaitohutohu Mana Whakahaere / Governance Advisor
15 April 2020

Contact Telephone: (09) 977 1735
Email: andrew.gray@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

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.
<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Apologies</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>Declaration of Interest</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>Confirmation of Minutes</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>Extraordinary Business</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>Minutes of the Ngāti Whātua Ōrākei Reserves Board meeting, 10 February 2020</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Ngāti Whātua Ōrākei Reserves Board Register of Interests</td>
<td>17</td>
</tr>
<tr>
<td>7</td>
<td>Delegations</td>
<td>21</td>
</tr>
<tr>
<td>8</td>
<td>Operations Report</td>
<td>59</td>
</tr>
<tr>
<td>9</td>
<td>Project Reports</td>
<td>63</td>
</tr>
<tr>
<td>10</td>
<td>Quarter 3 financial update as at 31 March 2020</td>
<td>77</td>
</tr>
</tbody>
</table>

Whakakwātea
1 **Apologies**

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

2 **Declaration of Interest**

Members are 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.

3 **Confirmation of Minutes**

That the Ngāti Whātua Ōrākei Reserves Board:

a) confirm the ordinary minutes of its meeting, held on Monday, 10 February 2020, including the confidential section, as a true and correct record.

4 **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.”
Minutes of the Ngāti Whātua Ōrākei Reserves Board meeting, 10 February 2020

File No.: CP2020/04545

Te take mō te pūrongo
Purpose of the report

1. As per the Board’s request, attaching a copy of the minutes of the Ngāti Whātua Ōrākei Reserves Board meeting, held on Monday, 10 February 2020 – Attachment A.

Ngā tūtohunga
Recommendation/s

That the Ngāti Whātua Ōrākei Reserves Board:

a) note the minutes of the Ngāti Whātua Ōrākei Reserves Board meeting held on Monday, 10 February 2020.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Minutes of the Ngati Whatua Orakei Reserves Board meeting, 10 February 2020</td>
<td>9</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Andrew Gray - Kaitohutohu Mana Whakahaere / Governance Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
</tr>
<tr>
<td></td>
<td>Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua</td>
</tr>
</tbody>
</table>
Minutes of a meeting of the Ngāti Whātua Ōrākei Reserves Board held in the Ōrākei Marae, 59b Kitemoana Street, Ōrākei, Auckland on Monday, 10 February 2020 at 6.58pm.

PRESENT

Chairperson
Member Marama Royal
Deputy Chairperson
Cr Desley Simpson, JP
Members
Member Renata Blair
Member Wyllis Maihi
Member Scott Milne

ABSENT

Cr Linda Cooper

IN ATTENDANCE

Jamie Sinclair
Chief Executive Officer, Ngāti Whātua Trust
Jane Aickin
Kaiwhakahaere Te Waka Tai-ranga-whenua
Tom Irvine
Chief Operating Officer, Whai Maia
Munen Prakesh
Lead Financial Advisor
Maea Petherick
Kaitohutoh Mana Whakahaere Matua
1 Apologies

Resolution number NGA/2020/1
MOVED by Cr D Simpson, seconded by Member R Blair:
That the Ngāti Whātua Ōrākei Reserves Board:
a) accept the apology from Cr L Cooper for absence.

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

There were no minutes to be confirmed.

4 Extraordinary Business

There was no extraordinary business.

5 Minutes of the Ngāti Whātua Ōrākei Reserves Board meeting, 5 August 2019

Resolution number NGA/2020/2
MOVED by Cr D Simpson, seconded by Member R Blair:
That the Ngāti Whātua Ōrākei Reserves Board:
a) note the minutes of the Ngāti Whātua Ōrākei Reserves Board meeting held on Tuesday, 5 August 2019.

CARRIED

6 Health and Safety Policy

Note: changes to the original recommendations were made, adding clause c) and sub-clauses c) i) and c) ii) with the agreement of the meeting.

Resolution number NGA/2020/3
MOVED by Member S Milne, seconded by Member W Maihi:
That the Ngāti Whātua Ōrākei Reserves Board:
a) adopt the Ngāti Whātua Ōrākei Reserves Board Health and Safety Policy as provided in attachment A in the agenda report
b) note the commitment to periodic review of the Health and Safety Policy on a three-yearly basis.
c) noting changes to the Relationship diagram of attachment A in the agenda report:
   i) add Reserves Board to description of Ngāti Whātua Ōrākei officer
   ii) add Ngāti Whātua Trust to Relationship diagram.

CARRIED
7 Operations Report

A document were tabled in support of the item. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Note: changes to the recommendations were made, original clause c) was been deferred to April 2020 and a new clause c) was added with the agreement of the meeting.

Resolution number NGA/2020/4

MOVED by Member R Blair, seconded by Cr D Simpson:

That the Ngāti Whātua Ōrākei Reserves Board:

a) note the operational updates as detailed in the agenda report.

b) approve funding to Whai Maia for the Technical Officer function, for the period 1 Jan 2020 to 30 June 2020. Total funding $26,376.00

c) request that a health and safety dashboard for all incidents that occur on Whenua Rangatira be included with every operations report.

CARRIED

Attachments
A 10 February 2020 Ngāti Whātua Ōrākei Reserves Board Item 7: Operations Report - FY20 forecast table

8 Contract Report

Resolution number NGA/2020/5

MOVED by Member R Blair, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) note the Project Status report for the following projects:
   i) Pourewa Nursery Complex
   ii) Combined Management Plan

CARRIED

9 Events

Resolution number NGA/2020/6

MOVED by Member R Blair, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) receive the events report for the period 1 July 2019 to 31 January 2020.

CARRIED
10 Concessions

Documents were tabled in support of the item. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Note: changes to the original recommendations clauses b) and c) were made with the agreement of the meeting.

Resolution number NGA/2020/7

MOVED by Member R Blair, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) decline the application for Hunger Zone
b) approve the application for Good Addiction for a maximum of 6 days per week for the period of no longer than a year subject to:
   i) 10% turnover being recovered for the Ngāti Whātua Ōrākei Reserves Board
   ii) Appropriate management of para kore
   iii) Location on the Whenua Rangatira to be agreed by Whai Maia, Chief Operations Officer

c) approve, in principal, the application for Raumati Toi, requesting integration with other activations as part of Americas Cup 36

CARRIED

Attachments

A 10 February 2020 Ngāti Whātua Ōrākei Reserves Board Item 10: Concessions - New concession applications on the Whenua Rangatira

11 Waitangi Day 2020

Resolution number NGA/2020/8

MOVED by Member S Milne, seconded by Member R Blair:

That the Ngāti Whātua Ōrākei Reserves Board:

a) receive this report
b) approve, retrospectively, funding of $5,000 for the mauri tent used to interpret the history of the Whenua Rangatira noting that this is in line with the budget and previous years funding.

CARRIED

12 Audited Annual Performance Report for the year ended 30 June 2019 for Ngāti Whātua Ōrākei Reserves Board

Resolution number NGA/2020/9

MOVED by Member R Blair, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) delegate authority to the Chair and Deputy Chair to sign the letter of representation for external auditor RSM Hayes for the year ended 30 June 2019 (Attachment A of the agenda report)
b) delegate authority to the Chair and Deputy Chair to adopt and sign the audited financial performance report for the year ended 30 June 2019 (Attachment B of the agenda report)

c) approve the distribution of a copy of the audited financial performance report to the trustee of the reserves board and to Auckland Council.

CARRIED

13 Quarterly financial update and year-end forecast

Note: changes were made to the original recommendations incorporating a new clause a) and amended clause b) with the agreement of the meeting.

Resolution number NGA/2020/10

MOVED by Member R Blair, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) approve the following funding to be spent in the remaining part of the current financial year in line with the available funds and forecasts presented in this report:
   i) $50,000 for a reserves board support role in the form of a part-time executive assistant or similar
   ii) $30,000 for the installation of wi-fi capability on the Whenua Rangatira
   iii) $20,000 for phase one signage, being the design and consent, for Pourewa Creek Recreation Reserve

b) request Auckland Council to carry forward the 2019/2020 unspent operational and capital budget at year end into the 2020/2021 budget to support growth aspirations at Pourewa Creek Recreation Reserve and delivery of the joint management plan.

CARRIED

14 Annual plan for 2020/2021 financial year and 10-year budget update

Resolution number NGA/2020/11

MOVED by Member W Maihi, seconded by Member S Milne:

That the Ngāti Whātua Ōrākei Reserves Board:

a) confirm the 2020/2021 annual budget, as provided in the Auckland Council’s Long Term Plan and reflected in the Ngāti Whātua Ōrākei Reserves Board 10-year budget per attachment A of the agenda report, is sufficient for the 2020/2021 proposed reserves board work programme.

b) note the need to review the current long-term plan and prepare a submission to the Auckland Council’s Long Term Plan for 2021-2031 by November 2020.

CARRIED
15 **Ngāti Whātua Ōrākei Reserves Board 2020 meeting dates**

Note: a change was made to the sub-clause i) with the agreement of the meeting.
Resolution number NGA/2020/12

MOVED by Member R Blair, seconded by Cr D Simpson:

**That the Ngāti Whātua Ōrākei Reserves Board:**

a) consider the following dates for the remaining meetings for the 2020 calendar year:
   i) Monday, 20 April 2020, 4pm, Orākei Marae, Orākei
   ii) Monday, 22 June 2020, 5pm, Orākei Marae, Orākei
   iii) Monday, 10 August 2020, 5pm, Orākei Marae, Orākei
   iv) Monday, 19 October 2020, 5pm, Orākei Marae, Orākei
   v) Monday, 7 December 2020, 5pm, Orākei Marae, Orākei

**CARRIED**

Note: The Ngāti Whātua Ōrākei Reserves Board acknowledge and thanked Jane Aicken, for HERsupport of the Ngāti Whātua Ōrākei Reserves Board and wished her well in her new role.

Member Renata Blair closed the meeting with a karakia.

9.04pm The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFERMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE NGĀTI WHĀTUĀ ŌRĀKEI RESERVES BOARD HELD ON

DATE:........................................................................................................

CHAIRPERSON:......................................................................................
Ngāti Whātua Ōrākei Reserves Board
Register of Interests

File No.: CP2020/04607

Te take mō te pūrongo
Purpose of the report
1. To provide and updated Ngāti Whātua Ōrākei Reserves Board Register of Interests (Attachment A).

Whakarāpopototanga matua
Executive summary
2. An updated version of the Ngāti Whātua Ōrākei Reserves Board Register of Interests is provided as Attachment A of this report.

Ngā tūtohunga
Recommendation/s
That the Ngāti Whātua Ōrākei Reserves Board:
a) note the Ngāti Whātua Ōrākei Reserves Board Register of Interests (Attachment A of the agenda report).

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Ngāti Whātua Ōrākei Reserves Board Register of Interests</td>
<td>19</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

Author | Jamie Sinclair – Chief Executive Ngāti Whātua Trust

Authorisers | Jamie Sinclair – Chief Executive Ngāti Whātua Trust
| Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua |
### Ngāti Whātua Ōrākei Reserves Board
#### REGISTER OF INTERESTS

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>TYPE OF BUSINESS</th>
<th>ORGANISATION</th>
<th>DATE JOINED</th>
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<tbody>
<tr>
<td>BLAIR, Renata</td>
<td>Director</td>
<td>PRIVATE</td>
<td>NGĀTI WHĀTUA ĬRĀKEI TRUSTEE LIMITED</td>
<td>2013</td>
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<td>Geoffrey</td>
<td>Owner</td>
<td>PRIVATE</td>
<td>STRATEGIC PATHWAYS LTD</td>
<td>2000</td>
</tr>
<tr>
<td></td>
<td>Member</td>
<td>CHARITABLE</td>
<td>WYNRS CHARITABLE TRUST</td>
<td>2009</td>
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<td></td>
<td>Member</td>
<td>PUBLIC</td>
<td>NWO RESERVES BOARD</td>
<td>2016</td>
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<tr>
<td></td>
<td>Member</td>
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<td>INDEPENDANT MAORI STATUTORY BOARD</td>
<td>2016</td>
</tr>
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<td></td>
<td>Member</td>
<td>PRIVATE</td>
<td>EDEN PARK TRUST BOARD</td>
<td>2018</td>
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<td></td>
<td>Director</td>
<td>PRIVATE</td>
<td>HARRISON GRIERSON HOLDINGS LTD</td>
<td>2019</td>
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<tr>
<td>MAIHI, Wylis</td>
<td>Member</td>
<td>PRIVATE</td>
<td>MAORI &amp; PACIFIC TRADE FORUM</td>
<td>2017</td>
</tr>
<tr>
<td></td>
<td>Member</td>
<td>PUBLIC</td>
<td>NWO RESERVES BOARD</td>
<td>2018</td>
</tr>
<tr>
<td>ROYAL, Marama</td>
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<td>PRIVATE</td>
<td>NGĀTI WHĀTUA ĬRĀKEI TRUSTEE LIMITED</td>
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<tr>
<td>Jacqueline</td>
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<td>RANGINUI No. 12 TRUST</td>
<td>2003</td>
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<td>Member</td>
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<td>AUCKLAND POLICE TAUMATA</td>
<td>2008</td>
</tr>
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<td>PUBLIC</td>
<td>COMMUNITY ADVISORY BOARD – DRUG AND ALCOHOL COURT</td>
<td>2015</td>
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<td>JUSTICE OF THE PEACE ASSOCIATION</td>
<td>2002</td>
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<td>2018</td>
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<td>Chair</td>
<td>PUBLIC</td>
<td>SKY CITY COMMUNITY TRUST BOARD</td>
<td>2020</td>
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</tbody>
</table>
Te take mō te pūrongo
Purpose of the report
1. The purpose of this paper is to set out the amendments the Reserves Board requested at its February workshop hui to the Board’s Relationship Principles, Terms of Reference, and Authorisations for the Reserves Board to discuss and approve.

Whakarāpopototanga matua
Executive summary
2. An amended version of the Reserves Board’s original 2015 Delegations Policy was tabled at the Reserves Board’s February workshop hui for discussion. The amended version was retitled “Relationship Principles, Terms of Reference, and Authorisations” and included a number of amendments including the move from the concept of “delegations” to one of “authorisations”.
3. The Reserves Board requested a number of additional amendments be made to the Relationship Principles, Terms of Reference and Authorisations for discussion at the Reserves Board’s April hui.

Ngā tūtohunga
Recommendation/s
That the Ngāti Whātua Ōrākei Reserves Board:
  a) approve the amended Relationship Principles, Terms of Reference, and Authorisations for adoption as set out in attachment A of the agenda report and subject to the further amendments agreed at the Reserves Board hui.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
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<tr>
<td>A</td>
<td>Relationship Principles, Terms of Reference and Authorisations</td>
<td>23</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Natasha Strong – General Counsel Ngāti Whātua Trust</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Authorisers</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
<td></td>
</tr>
<tr>
<td>Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua</td>
<td></td>
</tr>
</tbody>
</table>
Amended Relationship Principles, Terms of Reference, and Authorisations

Prepared for: Ngāti Whātua Ōrākei Reserves Board
Prepared by: Natasha Strong
Authorised by: Jamie Sinclair / Nick Turoa
Meeting Date: 20/04/2020

Purpose

The purpose of this paper is to set out the amendments the Reserves Board requested at its February hui to the Board’s Relationship Principles, Terms of Reference, and Authorisations for the Reserves Board to discuss and approve.

Summary

An amended version of the Reserves Board’s original 2015 Delegations Policy was tabled at the Reserves Board’s February hui for discussion. The amended version was retitled “Relationship Principles, Terms of Reference, and Authorisations” and included a number of amendments including the move from the concept of “delegations” to one of “authorisations”.

The Reserves Board requested a number of additional amendments be made to the Relationship Principles, Terms of Reference, and Authorisations for discussion at the Reserves Board’s April hui.

Amendments

A copy of the amended Relationship Principles, Terms of Reference, and Authorisations is attached and the table of amendments is set out below:

<table>
<thead>
<tr>
<th>Page</th>
<th>Paragraph</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>1.1</td>
<td>Split the definition of “Pourewa Creek” out from the definition of “Whenua Rangatira” and created “Whenua” as a new definition to include both Pourewa Creek and Whenua Rangatira.</td>
</tr>
<tr>
<td>Various</td>
<td>Various</td>
<td>Updated use of defined terms.</td>
</tr>
<tr>
<td>Various</td>
<td>Various</td>
<td>Updated the use of “his” and “his or her” with “their”</td>
</tr>
<tr>
<td>14</td>
<td>17 (Finance)</td>
<td>Updated the committed expenditure criteria:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Switch the order of the first and second bullet points; and</td>
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Amended Relationship Principles, Terms of Reference, and Authorisations   April 2020   Page 1 of 3
### Attachment A

#### Item 7

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<tr>
<th>No.</th>
<th>Description</th>
<th>Action</th>
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</thead>
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<tr>
<td>15</td>
<td>17 (Trespass)</td>
<td>Addition of the words: &quot;(Including the Police)&quot;.</td>
</tr>
<tr>
<td>16</td>
<td>17 (Fees and Charges)</td>
<td>Deletion of the words &quot;for [insert list – licence fees?]&quot;</td>
</tr>
<tr>
<td>16</td>
<td>17 (Consent to use / occupy)</td>
<td>Addition of the words: &quot;in accordance with the relevant Concessions Policy&quot;.</td>
</tr>
<tr>
<td>19</td>
<td>17 (Health and Safety)</td>
<td>Deletion of the words: &quot;to eliminate or minimise the risk&quot; to reflect the language of the Health and Safety at Work Act 2015.</td>
</tr>
<tr>
<td>20</td>
<td>17 (Insurance)</td>
<td>Inclusion of the words: &quot;as noted in the Financial Authorisation&quot;.</td>
</tr>
<tr>
<td>32</td>
<td>Appendix B</td>
<td>New Appendix to include a plan of Pourewa Creek Recreation Reserve.</td>
</tr>
<tr>
<td>33</td>
<td>Appendix C</td>
<td>New Appendix to include a plan of the Whenua Rangatira.</td>
</tr>
</tbody>
</table>

### Additional Matters

In addition to the above amendments, the following additional matters are recommended for consideration by the Reserves Board:

**Commitments authorization (page 14)**

The Chief Executive Ngāti Whātua Ōrākei Trust and the Kaikēkahaere Tai-rānga-whenua are the only officers currently authorized to commit the Reserves Board to contracts which are necessary for carrying out the functions and duties of the Reserves Board. I recommend the Reserves Board consider authorizing other officers to carry out this function.

**Appendix A - Relevant Provisions of the Reserves Act (from page 22)**

Consider whether the hyperlinks within some sections of the Reserves Act extract are necessary.

### Recommendation

That the Ngāti Whātua Ōrākei Reserves Board resolves to approve the amended Relationship Principles, Terms of Reference, and Authorisations for adoption as set out in this paper, subject to any amendments agreed at the Reserves Board hui.
RESOLUTION:

That the Ngāti Whātua Ōrākei Reserves Board:

a) Approves the amended Relationship Principles, Terms of Reference, and Authorisations for adoption as set out in this paper subject to the further amendments agreed at the Reserves Board hui.
Ngāti Whātua Ōrākei Reserves Board Relationship Principles, Terms of Reference and Authorisations

April 2020

1. History

1.1 The Ōrākei Act 1991 created New Zealand's first co-governed public park - Whenua Rangatira. 22 years on and Ponoum Creek Recreation Reserve was added to the existing co-governance arrangement via the Ngāti Whātua Ōrākei Act Claims Settlement Act 2012.

1.2 Ngāti Whātua Ōrākei and Auckland Council are therefore embarking on their third decade of co-governance. The journey over the first two decades can be roughly categorised into three phases:

(a) Taking time to reunite with the Whenua and getting to know each other;

(b) Planning (creation of the Whenua Management Plan and Master Plan); and

(c) Restoration and development.

1.3 Initially co-governance of the Whenua did not, in practice, change any of the day to day management of the Whenua by Auckland Council with co-governance decision making focused mainly on policy and design. As the capacity within Ngāti Whātua Ōrākei strengthened and with development of the Whenua occurring the co-governance arrangement has increasingly been mirrored by a co-management ethos.

1.4 The spirit of the settlement and co-governance arrangement is now met with a genuine co-management framework.

2. Relationship Principles

2.1 The strength of the co-governance and co-management arrangement will always be embodied in the strength of relationships between people. These relationship principles capture the intent, spirit and kaupapa of the co-governance and associated co-management arrangement and builds upon the foundations of the treaty settlement.

2.2 The Ngāti Whātua Ōrākei Act Claims Settlement Act 2012 only provides guidance on how the Whenua Rangatira and Ponoum Creek will be co-governed. What is both apparent and essential to meeting the spirit of the settlement is that co-governance is mirrored by co-management. While membership of the governance structure is strictly specified in the Ngāti Whātua Ōrākei Act Claims Settlement Act 2012 it is appropriate and necessary to help frame the co-management relationship that supports the governance entity.

2.3 Ngāti Whātua Ōrākei and Auckland Council agree that the foundations of effective co-governance and co-management of the Whenua are built upon the principles of:

- Rangatiratanga: building a relationship based upon mutual respect and good faith.
• **Mahi Ngātahi**: sharing knowledge and working in good faith and collaboratively. This requires open and honest discussion on all matters pertaining to the Reserves Board and the Whenua - a no surprises approach

• **Whanaungatanga**: supporting each other and working actively to sustain and grow the co-governance relationship now and into the future

• **Matauranga**: bringing all the knowledge to the table and utilising the best skills for the job – this may mean that there is uneven application of resources between the organisations (by agreement and reflecting the issue at hand) but that whatever skills are used they’ve been agreed as the most appropriate for the time and job to hand.

• **Mana motuhake**: enabling and empowering mana whenua – the spirit of the settlement and co-governance arrangement is about enabling Ngāti Whātua Ōrākei to exercise kaitiakitanga over the Whenua and empowering whānau to practice manaakitanga in welcoming visitors to share this special place.
Terms of Reference

Ngāti Whātua Ōrākei Reserves Board

Explanatory Note:

These Terms of Reference are based on the key legislative provisions applying to the Ngāti Whātua Ōrākei Reserves Board (under Ngāti Whātua Ōrākei Claims Settlement Act 2012 and the Reserves Act 1977). Accordingly, some aspects of the Terms of Reference cannot be amended unless those legislative provisions are also amended. Appendix A sets out additional parts of the Reserves Act that apply to the operation of the Ngāti Whātua Ōrākei Reserves Board for members’ ease of reference.

1. Background

1.1 Definitions

(a) "Act" means the Ngāti Whātua Ōrākei Claims Settlement Act 2012;

(b) "Council" means the Auckland Council established by section 6 of the Local Government (Auckland Council) Act 2009;

(c) "Office" means the designated Office for the Reserves Board as determined by the Reserves Board from time to time;

(d) "the Minister" means the Minister of Conservation;

(e) "Pourrewa Creek" means the Pourrewa Creek Recreation Reserve defined in section 10 of the Act and as shown on the map in Appendix B;

(f) "Reserves Act" means the Reserves Act 1977;

(g) "Reserves Board" means Ngāti Whātua Ōrākei Reserves Board established under the Ngāti Whātua Ōrākei Claims Settlement Act 2012 to act as the administering body of the Reserve;

(h) "Trustee" means the trustee or trustees of the Ngāti Whātua Ōrākei Trust in its or their capacity as trustee or trustees of the Ngāti Whātua Ōrākei Trust; and

(i) "Whenua" means Pourrewa Creek and Whenua Rangatira;

(j) "Whenua Rangatira" – means the land as defined in section 59 of the Act and as shown on the map in Appendix C;

2. Membership of Reserves Board

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1 Based on Schedule 4 of the Act
2.1 The Reserves Board must consist of 6 members (or any greater even number of individuals as may be fixed by written agreement between the Council and the Trustee).

2.2 The Trustee must appoint half of the members of the Reserves Board by notice in writing to the Council, and the Council must appoint half by notice to the Trustee.

2.3 An act or decision of the Reserves Board is not invalid because fewer than the number of members required by subclause a) have been appointed.

3. **Term of Office of Reserves Board members**

3.1 A member of the Reserves Board holds Office for a term of 3 years and may be reappointed.

3.2 A member may be removed from Office:

(a) If the body by which a member of the Reserves Board is appointed, at any time in its discretion, by notice in writing to the member, removes the member from office;

(b) If a member of the Reserves Board resigns their Office by written notice addressed to the body by which the member was appointed;

(c) If the member becomes bankrupt;

(d) If the member is absent from 3 consecutive meetings of the Reserves Board without the leave of the Reserves Board; or

(e) If the member is absent from New Zealand for 3 consecutive months without the leave of the Reserves Board.

3.3 If a member of the Reserves Board dies or resigns or is removed from Office, their Office becomes vacant and the vacancy is an extraordinary vacancy.

3.4 An extraordinary vacancy must be filled in the manner in which the appointment to the vacant Office was originally made.

3.5 A person appointed to fill an extraordinary vacancy must be appointed for the residue of the term for which the vacating member was appointed.

3.6 The powers of the Reserves Board are not affected by any vacancy in its membership.

3.7 Where any member of Reserves Board is appointed by virtue of any office, the member shall vacate their appointment on ceasing to hold that office, and shall be replaced by their successor in office without any further appointment.
4. **Chairperson and deputy chairperson**

4.1 The Trustee must appoint a member of the Reserves Board as chairperson of the Reserves Board.

4.2 The Council must appoint a member of the Reserves Board as deputy chairperson of the Reserves Board.

4.3 Appointments made under subclauses 4.1 and 4.2 must be made triennially or following the vacation of either office.

5. **Members of Reserves Board not personally liable**

5.1 The members of the Reserves Board shall not be personally liable for any act done or omitted to be done in good faith in the course of the operations of the Reserves Board or for any debt or other liability lawfully incurred by the Reserves Board.

**OPERATIONAL MATTERS**

6. **Function of Reserves Board**

6.1 The Act specifies that the Reserves Board shall be treated as if it was a local authority and the administering body for the Whenua. The Act states that the Reserves Board must control and manage the Whenua subject to:

(a) the powers conferred on the trustees of a Maori reservation by any regulations made under section 338 of Te Ture Whenua Maori Act 1993 (does not apply to Pourewa Creek);

(b) the powers conferred by the Reserves Act on the administering body of a recreation reserve to control and manage a reserve.

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2 Schedule 4, Section 3 of the Act
3 Section 34 of the Reserves Act
4 Sections 46 and 67 of the Act
6.2 Section 10 of the Reserves Act applies to the Reserves Board as if it were a local authority in respect of the Whenua.

6.3 To avoid doubt, the Reserves Board must prepare and maintain a management plan, in accordance with section 41 of the Reserves Act, to provide for the uses to which the Whenua may be put.

6.4 The Reserves Board may, on behalf of the Trustee or in its own name, grant, in writing, leases or licences over any part or parts of the Whenua to enable 1 or more members of Ngāti Whātua Ōrākei to carry on farming activities or to conduct any tribal, community, or cultural activities.

6.5 Section 6.4 of the Terms of Reference overrides any enactment to the contrary; but is subject to the management plan prepared in accordance with section 7.4 of the Terms of Reference.

6.6 The Governor-General may, by Order in Council, make regulations for one or more of the following purposes:

(a) facilitating the ability of the Reserves Board to grant leases or licences over the Whenua;

(b) prescribing any act or thing necessary to render more effectual the administration of the Reserves Board, or its management of the Whenua;

(c) providing for any other matters that are contemplated by or necessary for giving full effect to the provisions of this part or necessary for the due administration of this part.

7. Management plans

7.1 The Reserves Board shall prepare one or more management plan(s) for the Whenua and make the plan(s) available for inspection by or on behalf of the Minister whenever so required.

7.2 The management plan shall provide for and ensure the use, enjoyment, maintenance, protection, and preservation, as the case may require, and, to the extent that the Reserves Board's resources permit, the development, as appropriate, of the reserve for the purposes of recreation, and shall incorporate and ensure compliance with the principles set out in section 17 of the Reserves Act.

7.3 The Reserves Board shall keep its management plan under continuous review, so that, subject to section 7.2, the plan is adapted to changing circumstances or in accordance with increased knowledge; and the Minister may from time to time require the administering body to review its management plan, despite the fact that the plan does not require the approval of the Minister.

7.4 Before preparing the management plan the Reserves Board shall—

(a) give public notice of its intention to do so; and

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5 Based on section 41 of the Reserves Act but with the text amended to reflect that the Reserves Board is treated as if it were a local authority for the purposes of preparing the plan.
in that notice, invite persons and organisations interested to send to the Reserves Board at its Office written suggestions on the proposed plan within a time specified in the notice; and

(c) in preparing that management plan, give full consideration to any such comments received.

7.5 Nothing in section 7.4 shall apply in any case where the Reserves Board has, by resolution, determined that written suggestions on the proposed plan would not materially assist in its preparation.

7.6 Every management plan shall be prepared by the Reserves Board in draft form in the first place, and the administering body shall—

(a) give public notice published once in a newspaper circulating in the area in which the reserve is situated and in such other newspapers (if any) as the Reserves Board decides stating that the draft plan is available for inspection at a place and at times specified in the notice, and calling upon persons or organisations interested to lodge with the Reserves Board written objections to or suggestions on the draft plan before a specified date, being not less than 2 months after the date of publication of the notice; and

(b) on giving notice in accordance with section 7.6(a), send a copy of the draft plan to the Commissioner; and

(c) give notice in writing, as far as practicable, to all persons and organisations who or which made suggestions to the Reserves Board under section 7.4 stating that the draft plan has been prepared and is available for inspection at the place and during the times specified in the notice, and requiring any such person or organisation who or which desires to object to or comment on the draft plan to lodge with the Reserves Board a written objection or written comments before a specified date, being not less than 2 months after the date of giving of the notice; and

(d) make the draft management plan available for inspection, free of charge, to all interested persons during ordinary office hours at the Office of the Reserves Board; and

(e) before approving the management plan, give every person or organisation who or which, in lodging any objection or making any comments under sections 7.6(a) or (c), asked to be heard in support of their or its objection or comments, a reasonable opportunity of appearing before the administering body or a committee thereof or a person nominated by the administering body in support of their or its objection or comments; and

7.7 Where in terms of its responsibilities under the Reserves Act the Reserves Board resolves to undertake a comprehensive review of its management plan, the Reserves Board shall follow the
procedure specified in sections 7.4 and 7.6 as if the review were the preparation of a management plan.

7.8 Where under section 7.3 the Reserves Board considers any change not involving a comprehensive review to its management plan is required, it may, if it thinks fit, follow the procedure specified in sections 7.4 and 7.6.

7.9 The Reserves Board or committee or person before which or whom any person appears at any hearing in support of any objection or comments shall determine its or their own procedure at the hearing.

7.10 The Reserves Board shall in the exercise of its functions comply with the management plan for the reserve and any amendment thereof, being, in the case of a plan or an amendment that requires the approval of the Minister, a plan or an amendment so approved.

7.11 The Minister may, by notice to them, require the Reserves Board and any other administering body or bodies of reserves in any locality to consult with each other in the preparation of their management plans so that the management plans are integrated for the benefit of the locality.

7.12 Where the approval or consent of the Minister is required to any action by an administering body, the Minister may, at their discretion, refuse to grant their approval or consent unless and until the administering body has submitted its management plan for approval (whether or not the plan otherwise requires the approval of the Minister under this section) and the plan has been approved by him.

8. Procedures of Reserves Board

8.1 The Reserves Board may regulate its own procedure subject to—

- the Act; and
- any regulations made under section 76 of the Act; and
- any regulations made under Te Ture Whenua Maori Act 1993 relating to trustees of Maori reservations that do not conflict with the provisions of the Act.

8.2 The Reserves Board may regulate its own procedure, unless otherwise provided for in these Terms of Reference, including procedures for—

(a) subcommittees of the Reserves Board, including their appointment and powers; and

(b) the resolution of disputes.

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7 Section 66 of the Act
8.3 The Reserves Board may appoint persons who are not members of the Reserves Board to be members of subcommittees.

8.4 Every matter before the Reserves Board must be determined by a majority of votes of the members present and voting on that matter.

9. Meetings of Reserves Board

9.1 The Reserves Board must hold meetings at successive intervals of no more than 6 months.

9.2 Each meeting must be held at a time and place fixed by the Reserves Board.

9.3 At each meeting, a quorum consists of one-half of the members, but no meeting may be held or continue unless—

(a) the chairperson or the deputy chairperson is present; and

(b) at least 1 member appointed by the Trustee and 1 member appointed by the Council are present.

9.4 The chairperson must chair all meetings at which he or she is present.

9.5 The deputy chairperson must chair any meeting from which the chairperson is absent.

9.6 All resolutions to be considered by the Reserves Board must be proposed by a member and must be seconded by another member.

9.7 A resolution is passed or rejected according to the voting, by a show of hands, of the members present at the meeting.

9.8 The person presiding over a meeting has a deliberative vote, and, in the case of an equality of votes, also a casting vote.

9.9 The proceedings and resolutions of every meeting of the Reserves Board must be recorded in a minute book to be kept for the purpose.

10. Form of contracts of Reserves Board

10.1 A contract which, if made by private persons, is not enforceable unless made in writing signed by the persons to be charged therewith may be made on behalf of the Reserves Board in writing signed by any person acting under its authority, express or implied.

10.2 A contract which, if made by private persons, may be made orally on behalf of the Reserves Board by any person acting under its authority, express or implied provided that the Reserves Board’s policy is that all contracts must be entered into in writing except in exceptional circumstances.

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5 Schedule 4, Section 4 of the Act
9 Section 33 of the Reserves Act

Page 9 of 33
and the Reserves Board’s authority to enter into an oral contract can only be implied where a resolution has been passed by the Reserves Board that would require the entry into such a contract in order for the resolution to be given effect.

11. Naming of the Whenua

11.1 In relation to the Whenua Rangatira:

(a) The Trustee may give the Whenua Rangatira the name or names it considers appropriate and will notify the Minister of Māori Affairs of its decision.

(b) The Minister of Māori Affairs must, by notice in the Gazette, publish any name given to the Whenua Rangatira by the Trustee that is notified to him or her.

11.2 In relation to Pouroewa Creek:

(a) The New Zealand Geographic Board need not comply with the requirements of sections 16, 17, 18, 19(1), and 20 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 Act in making a determination to alter the official geographic name of the feature named by this subpart.

(b) Instead, the New Zealand Geographic Board may make the determination as long as it has the written consent of the Trustee.

(c) To avoid doubt, the New Zealand Geographic Board must give public notice of the determination in accordance with section 21(2) and (3) of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

(d) The Minister must not change the name of the reserve under section 16(10) of the Reserves Act without the written consent of the Reserves Board, and section 16(10A) of the Reserves Act does not apply to any proposed change.

ADMINISTRATIVE MATTERS

12. Application of revenue from reserves

12.1 All money received by way of rent, royalty, or otherwise in respect of any dealing with the reserve under the Reserves Act shall be held by the Reserves Board and applied for the purposes of the Whenua.

13. Funding of Reserves Board

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10 Sections 46, 52 and 65 of the Act
11 Section 78 of the Reserves Act
12 Sections 46 and 65 of the Act
13.1 A member of the Reserves Board who is appointed by the Trustee must be paid, in accordance with the Fees and Travelling Allowances Act 1951, out of money appropriated by Parliament for the purpose,—

(a) remuneration by way of fees, salary, or allowances for the member’s services as a member of the Reserves Board; and

(b) travelling allowances and expenses in respect of time spent travelling in the service of the Reserves Board.

13.2 Other than the provisions above all costs and expenses incurred in and incidental to the administration of the Whenua must be paid by the Council to the extent that any income arising from the Whenua is insufficient to defray those costs and expenses.

13.3 All costs and expenses incurred in and incidental to the control and management of the Whenua must be paid by the Council to the extent that any income arising from the Whenua is insufficient to defray those costs and expenses.

14. **Accounting and auditing of the Reserves Board**

14.1 No later than 4 months before the end of each financial year of the Council, the Reserves Board must give the Council an estimate of the income and expenditure of the Reserves Board, in relation to the Whenua, in the next financial year.

14.2 The Reserves Board must keep full and accurate accounts of all money received and paid by it.

14.3 At the close of each financial year, the Reserves Board must have its accounts audited by a chartered accountant.

14.4 The Reserves Board must give a copy of the accounts audited under section 14.4 to the Trustee and Council, together with a report of the financial position of the Reserves Board and its financial operations during the period to which the accounts relate.

15. **Adoption of Policies**

15.1 From time to time the Reserves Board may adopt by resolution such policies as it deems appropriate including policies in relation to the financial management of the affairs of the Reserves Board and otherwise in connection with the operation of the Reserves Board.

16. **Reserves Board to be administering body**

16.1 In respect to the Whenua Rangatira:

(a) The Reserves Board must control and manage the Whenua Rangatira. The Reserves Board has:

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13 Schedule 4, section 5 of the Act
14 Sections 46 and 67 of the Act
(i) the powers conferred on the trustees of a Maori reservation by any regulations made under section 338 of Te Ture Whenua Maori Act 1993; and

(ii) the powers conferred by the Reserves Act on the administering body of a recreation reserve to control and manage a reserve.

(b) Section 10 of the Reserves Act applies to the Reserves Board as if it were a local authority in respect of the Whenua Rangatira.

(c) To avoid doubt, the Reserves Board must prepare and maintain a management plan, in accordance with section 41 of the Reserves Act, to provide for the uses to which the Whenua Rangatira may be put.

16.2 In respect to Pourewa Creek:

(a) The Board is the administering body of Pourewa Creek for the purposes of the Reserves Act as if—

(i) the reserve were vested in the Reserves Board under section 26 of the Reserves Act; and

(ii) the Reserves Board were a local authority within the meaning of section 2(1) of the Reserves Act.

(b) However, the Reserves Board must still submit its management plan for the reserve to the Minister for approval under section 41(13) of the Reserves Act.

(c) Section 10 of the Reserves Act applies to the Reserves Board as if it were a local authority in respect of Pourewa Creek.

(d) The Reserves Board is not required to comply with section 88 of the Reserves Act in respect of the Pourewa Creek. Instead, it must comply with schedule 4, section 5(1) of the Act.

(e) To avoid doubt, sections 48A, 114, and 115 of the Reserves Act apply to Pourewa Creek.
17. **Authorisations**

17.1 The Reserves Board has authorised the following Officers the responsibilities, duties, or powers as listed and these Officers can, without further confirmation by the Reserves Board (unless expressly noted as necessary below), exercise or perform the powers, responsibilities, or duties in the same manner and with the same effect as the Reserves Board could itself have exercised or performed them.

17.2 In addition to the authorisations below, the Board will, by resolution from time to time, appoint officers of the Board, who may serve as officers of the Board and carry out their duties for and on behalf of the Board in accordance with their appointment.

17.3 **No** authorisation relieves the Reserves Board of the liability or legal responsibility to perform or to ensure the performance of any function or duty.

17.4 Unless otherwise noted, where more than one Officer (for example both the Chief Executive Ngāti Whātua Ōrākei and Kaiwhakahaere Tai-ranga-whenua) is authorised to perform a function or exercise a power, each Officer may exercise the power and undertake the function individually.

17.5 All exercises of authorisations must be reported to the Board at the following meeting, unless earlier reporting is required in accordance with the authorisations set out below.

<table>
<thead>
<tr>
<th>General subject area</th>
<th>Definition</th>
<th>Authorisation and Conditions of Authorisations</th>
</tr>
</thead>
</table>
| Financial            | Financial delegation is needed to ensure the day to day operation of Reserves Board can be effected in an efficient manner that complies with the Act. | Bank account authorisation  
Kaiwhakahaere Tai-ranga-whenua is authorised to exercise the Reserves Board’s authority to open and manage bank accounts for the Reserves Board (Bank Account), following approval of the Reserve Board.  
**Withdrawing money authorisation**  
The Reserves Board may appoint Kaiwhakahaere Tai-ranga-whenua and another Officer to be signatories and counter-signatories of the Bank Account. Withdrawals may only be made either with the prior approval of the Reserves Board in each instance or, if less than $50,000 including GST, if required in order to comply with the Reserves Board’s obligations pursuant to any contracts it is a party to.  
**Receiving revenue authorisation** |
## General subject area

<table>
<thead>
<tr>
<th>Definition</th>
<th>Authorisation and Conditions of Authorisations</th>
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<tbody>
<tr>
<td></td>
<td>The following Officers are authorised to collect revenue on behalf of the Reserves Board when carrying out their duties on behalf of the Reserves Board:</td>
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<td></td>
<td>- Chief Executive Ngāti Whātua Ōrākei Trust</td>
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<td></td>
<td>- Kawhiwhahehe Tai-rangi-whenua</td>
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<td>- Team Leader Events</td>
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<td>All revenue collected must be promptly forwarded to the Bank Account.</td>
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<td>The authorisation to receive revenue excludes debt collection or the exercise of any enforcement power in relation to debt collection.</td>
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<td>In all cases a summary of all transactions since the previous meeting must be reported to the Reserves Board at the next meeting.</td>
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<td>Commitments authorisation</td>
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<td>The following Officers are authorised to commit the Reserves Board to contracts which are necessary for carrying out the functions and duties of the Reserves Board:</td>
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<td></td>
<td>- Chief Executive Ngāti Whātua Ōrākei Trust</td>
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<td>- Kawhiwhahehe Tai-rangi-whenua</td>
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<td>provided the total committed expenditure of each such contract:</td>
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<td>- is either included in the Reserves Board’s budget; or has received the prior approval of Reserves Board; and;</td>
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<td>- is less than $50,000 (including GST); and</td>
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<td>- the term of the contract is less than 6 months; and</td>
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<td>- the Reserves Board’s liability pursuant to the contract is capped to a maximum of the contract price.</td>
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<td>The authorisation to enter into contracts includes the authority to vary such contracts provided any such variation complies with the conditions described above and the variation does not increase the committed expenditure pursuant to the contract.</td>
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<td></td>
<td>The authorisation to enter contracts excludes contracts or other arrangements for the disposal or write-off</td>
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</tbody>
</table>

Attachment A

Item 7
<table>
<thead>
<tr>
<th>General subject area</th>
<th>Definition</th>
<th>Authorisation and Conditions of Authorisations</th>
</tr>
</thead>
</table>
| **Trespass**         | Power to grant authority to any employee or other person to act as occupier of the Whenua.  
                        Power to warn a trespasser to leave the Whenua.  
                        Power to, either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the Whenua.  
                        Power to, where there is reasonable cause to suspect that any person is likely to trespass on the Whenua, warn that person to stay off the Whenua and to require that a person give name and other particulars. | Trespass authorisation  
The following Officers are authorised to exercise the Reserve Board’s powers as occupier for the purposes of the Trespass Act 1980 (and any Act in substitution or replacement):  
- Chief Executive Ngāti Whātua Ōrākei Trust  
- Kaiwhakahiwha Taiao-Whenua  
- Maintenance Manager  
For the avoidance of any doubt, the Officers above may authorise an employee or agent (including the Police) to perform functions under the Trespass Act 1980 (including warning a person to leave or stay off the Whenua).  
In all cases a summary of each instance of the exercise of this authorisation must be reported to the Reserves Board promptly following its exercise. |
| **Media**            | All media responses where that response is compelled by existing policy / management plan or associated with any development that has been approved.  
                        All other responses will be referred to the Chair of the Reserves Board. | Media Responses authorisation  
The Reserves Board Chair is authorised to make media releases on behalf of the Reserves Board.  
In all cases a copy of each media release must be provided to the Reserves Board promptly following its release. |
<table>
<thead>
<tr>
<th>General subject area</th>
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<th>Authorisation and Conditions of Authorisations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fees and charges</td>
<td>Power to vary existing fees and charges to reflect market changes. Any changes shall be benchmarked off CPI or like for like services elsewhere. New charges or more substantive changes in fees and charges are not delegated and should be reported to the Reserves Board</td>
<td>Fees and Charges authorisation&lt;br&gt;The following Officers:&lt;br&gt;  - Chief Executive Ngāti Whātua Ōrākei Trust&lt;br&gt;  - Kaawhakahe re Tai-ranga-whenua&lt;br&gt;are authorised to vary any existing fees and charges when reasonably required to reflect the change in cost of services (as measured by the Consumer Price Index) or to align with the current market rates for similar services in New Zealand.&lt;br&gt;Any other variance of fees and charges, or new fees and charges, will require specific authorisation from the Reserves Board.&lt;br&gt;In all cases, any variance of existing fees and charges or the introduction of any new fees and charges shall be reported to the Reserves Board at the next meeting.</td>
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<tr>
<td>Reserve Act functions / Consent to use/occupy the reserve</td>
<td>Power to grant licences to temporarily occupy a reserve, conditional on the activity being provided for or contemplated in an approved management plan or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale.</td>
<td>Power to Grant Concessions and Licences to Occupy authorisation&lt;br&gt;The following Officers:&lt;br&gt;  - Chief Executive Ngāti Whātua Ōrākei Trust&lt;br&gt;  - Kaawhakahe re Tai-ranga-whenua&lt;br&gt;are authorised to grant concessions or licences to temporarily occupy the Whenua in accordance with the relevant Concessions Policy, provided the activity is clearly provided for or contemplated in an approved management plan or is an existing use and the effects of the proposed use will be the same or similar in character, intensity and scale.&lt;br&gt;The Officers must refer all other applications to the Reserve Board for approval. For the avoidance of doubt, the Officers may refer any application, including those which meet the criteria above, to the Reserves Board for approval.&lt;br&gt;In all cases a summary of all instances of the exercise of this authorisation since the previous meeting must be reported to the Reserves Board at the next meeting.</td>
</tr>
<tr>
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</table>
| (Asset) Maintenance  | Exercise or perform the powers, responsibilities, or duties required in maintaining the Whenua in the same manner and with the same effect as the Reserves Board could itself have exercised or performed them. This includes all works on trees and the power to close a premises / facility in an emergency situation. | Asset Maintenance and Renewals authorisations. The following Officers:  
  - Chief Executive Ngāti Whātua Ōrākei Trust  
  - Kāwhakahaere Tai-ranga-whenua  
  are authorised to engage agents to maintain the Whenua (including for work on trees or to close a premises or facility in an emergency situation) and to renew assets associated with the Whenua provided such maintenance or renewal is in accordance with the Management Plan.  
  For the avoidance of doubt, this authorisation is subject to the Commitments authorisation set out above. |
| Asset renewals        | Exercise or perform the powers, responsibilities, or duties required in renewing assets associated with the Whenua in the same manner and with the same effect as the Reserves Board could itself have exercised or performed them subject to financial delegations listed in these delegations or separate financial approval obtained for renewal works. | Combined with Asset Maintenance, above. |
| Enforcement           | Power to appoint a person to act as an enforcement officer for any relevant legislation.  
  Power to make application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw; or rule over which they have authority to enforce. | No authorisations - keep with Reserves Board. |
<table>
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<tr>
<th>General subject area</th>
<th>Definition</th>
<th>Authorisation and Conditions of Authorisations</th>
</tr>
</thead>
</table>
| Delegations          | Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation. | Development autorisations  
No authorisations - keep with Reserves Board except where activity in this subject area is dealt with in other authorisations. |
| Privacy Act          | All functions, powers and duties under the Privacy Act 1993 | Privacy autorisations  
The following Officers:  
- Chief Executive Ngāti Whātua Ōrākei Trust  
- Kaitiaki kaiwha Taite-ranga-whenua  
are authorised to carry out administrative tasks on behalf of the Reserves Board as required under the Privacy Act 1993 (and any Act in substitution or replacement), including responding to requests for information made under the Act and managing privacy breaches.  
In the case of a privacy breach or alleged privacy breach, full details of the breach or alleged breach and the steps taken by the Officer in response must be provided to the Reserves Board promptly following its occurrence. In all other cases, a summary of all instances of the exercise of this authorisation since the previous meeting must be reported to the Reserves Board at the next meeting. |
| General Delegation   | All other powers that may be considered necessary for the proper and beneficial management, administration, and control of the Whenua for the protection, preservation, and well-being of the assets (cultural, natural, built) | General authorisation  
For the avoidance of doubt, the Reserves Board may authorise its Officers to exercise any incidental administrative powers or functions necessary for the proper exercise of the Reserves Board’s functions, duties, powers, and responsibilities provided such authorisation is not unlawful. |
<table>
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<tr>
<th>General subject area</th>
<th>Definition</th>
<th>Authorisation and Conditions of Authorisations</th>
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</thead>
<tbody>
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<td>and to carry responsibilities for routine management provided:</td>
<td></td>
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<tr>
<td>• They are consistent with, and ancillary to, the specific powers detailed in these delegations and any policies or protocols adopted by Reserves Board;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Staff will report to Reserves Board any matter that is of significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health and Safety</td>
<td>The Health and Safety at Work Act 2015 and related regulations apply to employees and contractors. The Health and Safety at Work Act 2015 and related regulations require that workers and others are given the highest level of protection from risks so far as is reasonably practicable. The Reserves Board does not directly employ staff however under the Health and Safety at Work Act 2015 the Board carries responsibilities in their role as officers. The Whenua becomes a workplace whenever instruction is given to work on the land or associated facilities. For the purposes of defining accountability under the Health and Safety at Work Act 2015 people working on the Whenua have accountability and legal responsibilities.</td>
<td>Health and Safety authorisation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In the event of immediate risk of harm to the health and safety of any workers or other persons on the Whenua, all Officials are authorised to take any action necessary to ensure the health and safety of any such workers or other persons.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If there is a conflict between this authorisation and any other authorisation, this authorisation will prevail.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In all cases, full details of all instances of the exercise of this authorisation must be reported to the Reserves Board immediately.</td>
</tr>
</tbody>
</table>
### General subject area | Definition | Authorisation and Conditions of Authorisations
---|---|---
**Insurance** | Enter into property insurance arrangements and/or change insurance arrangements. | Insurance authorisation

The Reserves Board authorises the following Officers:

- Chief Executive Ngāti Whātua Ōrākei Trust
- Kaipakapahe Tai-ranga-wenua
- Insurance Manager

To enter into, or vary, property insurance arrangements on behalf of the Reserves Board provided such arrangements comply with the Commitment Authorisation as noted in the Financial Authorisation.

In all other cases, insurance matters must be referred to the Reserves Board.

In all cases, a summary of all instances of the exercise of this authorisation since the previous meeting must be reported to the Reserves Board at the next meeting.

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17.5 **Key Terms defined:**

<table>
<thead>
<tr>
<th>Term used in Authorisation</th>
<th>Meaning / role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kaiwhakahaere Tai-ranga-wenua</td>
<td>Kaiwhakahaere Te Waka Tai-ranga-wenua, Auckland Council</td>
</tr>
<tr>
<td>Maintenance Manager</td>
<td>GM Transformation, Whai Maia, Ngāti Whātua Ōrākei Senior Maintenance Delivery Coordinator, Auckland Council</td>
</tr>
<tr>
<td>Insurance Manager</td>
<td>Insurance and Claims Manager, Auckland Council</td>
</tr>
</tbody>
</table>

17.6 **General rules applying to all authorisations:**

(a) Any change to the authorisations, including appointed officers in this instrument, are to be signed off by the Reserves Board.

(b) An authorisation to an Officer holding a named position or level of authority is also given to all officers in a direct line of authority above that officer.
(c) An authorisation to an Officer holding a named position is also given to any Officer who performs or exercises the same or a substantially similar role or function, whatever the name of their position.

(d) An officer who is given an authorisation is also given any ancillary responsibilities, duties or powers necessary to give effect to that authorisation.

(e) Responsibilities, duties or powers authorised to Officers may not be sub-authorised.

(f) Unless specifically time-limited, an authorisation continues in force until revoked, altered or varied by the Reserves Board.

(g) When an Officer is exercising an authorisation in an acting capacity, this should be expressly stated.

(h) An Officer must comply with any conditions (such as financial limits, and reporting or other procedural requirements) relevant to the exercise of an authorisation, and should also comply where required with all applicable Reserves Board policies.

(i) Officers can only exercise an authorisation to the extent that it is not inconsistent with their terms of employment.
APPENDIX A

Relevant Provisions of the Reserves Act

17 Recreation reserves

(1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.

(2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—

(a) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:

(b) where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve: provided that nothing in this subsection shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Historic Places Act 1993:

(c) those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:

(d) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.
42 Preservation of trees and bush

(1) The trees and bush on any historic reserve or scenic reserve or nature reserve or scientific reserve shall not be cut or destroyed, except in accordance with a permit granted under section 48A or with the express consent in writing of the Minister and subject to such terms and conditions as the Minister may determine, including (as appropriate) the method of cutting, extraction, and restoration.

(2) The trees or bush on any recreation reserve, or government purpose reserve, or local purpose reserve shall not be cut or destroyed, except in accordance with a permit granted under section 48A or unless the administering body of the reserve is satisfied that the cutting or destruction is necessary for the proper management or maintenance of the reserve, or for the management or preservation of other trees or bush, or in the interests of the safety of persons on or near the reserve or of the safety of property adjoining the reserve, or that the cutting is necessary to harvest trees planted for revenue producing purposes.

(3) Where in the case of any recreation reserve or government purpose reserve or local purpose reserve the administering body is satisfied that the cutting or destruction of trees or bush is necessary for any of the reasons mentioned in subsection (2), the administering body shall not proceed with the cutting or destruction and extraction except in a manner which will have a minimal impact on the reserve and until, as circumstances warrant, provision is made for replacement, planting, or restoration; and the administering body shall not proceed to authorise the cutting or destruction, except subject to conditions as to the method of cutting or destruction and extraction which will have minimal impact on the reserve and, as circumstances warrant, replacement, planting, or restoration; and any other conditions which the administering body considers to be appropriate in the circumstances.

44 Unauthorised use of reserve

(1) Except with the consent of the Minister, no person shall use a reserve, or any building, vehicle, boat, caravan, tent, or structure situate thereon, for purposes of permanent or temporary personal accommodation: provided that nothing in this subsection shall be deemed to prohibit the use, for purposes of personal accommodation, of any reserve or any building, vehicle, boat, caravan, tent, or structure situate on any reserve, subject to compliance with every term or condition on which such use is permitted,—
(a) in areas set apart under the appropriate provisions of this Act for residences for officers or servants of the administering body or for rangers appointed under section 8(1); or

(b) in camping grounds set apart under the appropriate provisions of this Act; or

(c) in shelters, huts, cabins, lodges, or similar resting or sleeping accommodation approved by the Minister under section 45; or

(d) in a government purpose reserve or local purpose reserve, where living or sleeping accommodation is necessary because of the purposes specified in the classification of the reserve; or

(e) in areas defined on management plans prepared under section 41 and for the time being in force; or

(f) [Repealed]

(2) Except with the consent of the Minister, the owner of any vehicle, caravan, tent, or removable structure shall not permit it to remain on a reserve for a total period of more than 4 weeks during the period commencing on 1 November in any year and ending with 31 March.

(3) The provisions of this section are in addition to and not in substitution for any other provisions of this Act.

45 Erection of shelters, huts, cabins, and lodges

The administering body may, with the prior approval of the Minister, erect, or authorise any voluntary organisation or educational institution to erect, shelters, huts, cabins, lodges, and similar resting or sleeping accommodation on any recreation reserve or scenic reserve in order to encourage the public to appreciate and enjoy the benefits of the outdoors and nature, where, because of the isolation, rugged contour, or very large area of the reserve, this type of accommodation is necessary and cannot be provided outside and in close proximity to the reserve. Any approval granted under this section shall be on such terms and conditions as to location, structure, custody, use, and otherwise as the Minister approves.

47 Wilderness areas

(1) Subject to subsections (2) and (3), the Minister (in the case of a reserve in respect of which there is no administering body) or the administering body with the consent of the Minister (in the case of a reserve in respect of which there is an administering body) may from time to time, by notice in the Gazette, set apart the whole or any
specified part of a reserve as a wilderness area, and may in like manner revoke or
vary any such setting apart.

(2) Before any reserve or any part of a reserve is set apart as a wilderness area, —

(a) the administering body shall give public notice of the proposal in accordance
with section 119,—

(i) stating that a plan of the proposal is available for inspection at a place
and at times specified in the notice; and

(ii) calling upon persons or organisations interested to lodge with the
administering body written objections to, or written submissions in
support of, or suggestions on, the proposal before a specified date,
being not less than 3 months after the date of publication of the notice;
and

(b) the Minister shall give full consideration in accordance with section 120 to
all objections and submissions in relation to the proposal received pursuant
to the said section 120.

(3) No part of a government purpose reserve shall be set apart as a wilderness area
without the consent of the Minister appointed under section 22 or section 36 to
control and manage that reserve.

(4) Subject to subsections (5) to (7), while any reserve or part of a reserve is set apart
as a wilderness area, —

(a) its indigenous natural resources shall be preserved;

(b) no building or machinery shall be erected on the area;

(c) no building, machinery, or apparatus shall be constructed or maintained on
the area;

(d) no livestock, vehicles, or motorised vessels (including hovercraft and jet
boats) shall be allowed to be taken into or used in the area and no helicopter
or other motorised aircraft shall land or take off or hover for the purpose of
embarking or disembarking passengers or goods in the area;

(e) no roads, tracks, or trails shall be constructed on the area.

(5) If—
(a) the doing of anything in a wilderness area is in conformity with the conservation management strategy or conservation management plan or other management plan for the area; and

(b) the Minister is satisfied that its doing is desirable or necessary for the preservation of the indigenous natural resources, — the Minister may authorise it.

(6) If satisfied that the undertaking of any scientific test or study in a wilderness area is necessary or desirable for the preservation of indigenous natural resources, the Minister may authorise it.

(7) Nothing in subsection (4) prevents the doing of anything necessary for any person’s protection or because of some emergency involving any person’s property.

48 Grants of rights of way and other easements

(1) Subject to subsection (2) and to the Resource Management Act 1991, in the case of reserves vested in an administering body, the administering body, with the consent of the Minister and on such conditions as the Minister thinks fit, may grant rights of way and other easements over any part of the reserve for—

(a) any public purpose; or

(b) providing access to any area included in an agreement, lease, or licence granted under the powers conferred by this Act; or

(c) the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or

(d) an electrical installation or work, as defined in section 2 of the Electricity Act 1992; or

(e) the provision of water systems; or

(f) providing or facilitating access or the supply of water to or the drainage of any other land not forming part of the reserve or for any other purpose connected with any such land.

(2) Before granting a right of way or an easement under subsection (1) over any part of a reserve vested in it, the administering body shall give public notice in accordance with section 119 specifying the right of way or other easement intended to be granted, and shall give full consideration, in accordance with section 120, to all objections and submissions received in respect of the proposal under that section.
(3) Subsection (2) shall not apply in any case where—

(a) the reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and

(b) the rights of the public in respect of the reserve are not likely to be permanently affected—by the establishment and lawful exercise of the right of way or other easement.

(4) The District Land Registrar for the land registration district in which is situated any reserve in respect of which any right or easement has been granted under this section shall, on the application of the administering body, register the instrument granting the right or easement against any certificate of title that may have been issued for the reserve, and, if the reserve is held on registered lease or licence, any such instrument may be registered in the same way as any dealing with the lease or licence.

(5) Where no certificate of title has been issued for any reserve over which a right or easement has been granted under this section, the instrument granting the right or easement may be registered with the District Land Registrar in the same manner and with any necessary modifications as any lease or licence of Crown land may be registered under the Land Act 1948.

(6) Rights of way and other easements may be granted under this section to any person, including, notwithstanding any rule of law to the contrary, the administering body in which the reserve is vested, and, where the right of way or other easement is granted to the administering body, covenants and agreements in respect of any such transaction may be entered into by the administering body in the one capacity so as to bind or benefit the administering body in the other capacity as fully and effectually as if the administering body were a separate person in each capacity.

48A Use of reserve for communications station

(1) The administering body of a reserve vested in the administering body acting with the consent of the Minister may grant a licence to any person or department of State—

(a) to erect, maintain, and use buildings, dwellings, masts, and other structures, and plant and machinery; and

(b) to construct, maintain, and use tracks and engage in other works—comprising or in connection with and for the purposes of any station for the
transmission, emission, or reception of any form of radio, electric, or
electronic communication on any reserve or part of a reserve that is not set
apart as a wilderness area under section 47.

(2) No licence shall be granted under subsection (1) unless the administering body is
satisfied—

(a) that the buildings, dwellings, masts, structures, plant, machinery, tracks, or works
are necessary for the purposes of the station; and

(b) that they cannot readily be provided outside the reserve.

(3) Every licence issued under subsection (1) shall be subject to such terms and
conditions as to duration, design, materials, situation, use, rental, inspection,
maintenance, and public access, or otherwise, as the administering body
determines with the approval of the Minister.

(4) Except as provided in subsection (5), where the granting of any licence under
subsection (1) is not in conformity with and contemplated by a management plan
approved for the reserve, the administering body shall give public notice in
accordance with section 119 of the proposal to grant a licence, and shall give full
consideration, in accordance with section 120, to all objections and submissions
received in respect of the proposal under that section.

(5) Subsection (4) shall not apply in any case where—

(a) the reserve is not likely to be materially altered or permanently damaged; and

(b) the rights of the public in respect of the reserve are not likely to be
permanently affected—by the granting and lawful exercise of the rights and
powers contained in the licence.

(6) This section applies only to reserves vested in an administering body under section
26.

49 Taking of specimens

The Minister may from time to time, by writing under his hand, and subject to such conditions
as he may impose in that behalf, grant any qualified person who in the Minister's opinion has
the necessary credentials a right to take specified specimens of flora or fauna or rock mineral
or soil from a reserve for scientific or educational purposes, provided the taking of such
specimens does not unduly deplete the number of any species, damage ecological
associations, or damage the values of the reserve: provided that nothing in this section shall
authorise the doing of anything with respect to fauna that would contravene anything in
the Wildlife Act 1953 or in any regulations or Proclamation or notification under that Act.

50 Taking or killing of fauna

(1) The Minister, in the case of any scenic, historic, nature, or scientific reserve, and
the administering body, in the case of any recreation, government purpose, or local
purpose reserve, may from time to time, subject to such conditions as may be
imposed in that behalf by the Minister or the administering body, as the case may
be, authorise any person to take and kill any specified kind of fauna that may be
found therein, and may for that purpose, notwithstanding anything to the contrary
in this Act, authorise the use of firearms, traps, nets, or other like objects within the
reserve:

provided that neither the Minister nor the administering body shall authorise the
taking or killing for commercial purposes of any indigenous fauna in any reserve,
unless it was a condition of the establishment of that reserve that the donor,
vendor, or lessee, as the case may be, of the land has reserved the right to take or
kill for commercial purposes that species of fauna in the reserve.

(2) Any authorisation under subsection (1), and any authorisation in any case where
the administering body has decided that all or any part of a recreation reserve or
government purpose reserve for wildlife management purposes may be used
pursuant to bylaws made under this Act for the hunting or killing of game or the
catching of acclimatised fish, shall be in writing.

(3) Subsections (1) and (2) shall apply only where the taking and killing of fauna would
not be in contravention of Part 5B of the Conservation Act 1987, or of the Wildlife
Act 1953, or of any regulations or Proclamation or notification under those Acts.

51 Introduction of flora and fauna

(1) For the purpose of—

(a) restoring ecological communities in any historic, scenic, nature, or scientific
reserve; or

(b) promoting the survival of any indigenous species of flora or fauna in any
nature or scientific reserve; or

(c) developing a scenic reserve of a type specified in section 19(1)(b),— the
Minister may from time to time, by writing under his hand, authorise the
administering body to introduce indigenous flora or fauna into the reserve,
and also, in the case of a scientific reserve or of a scenic reserve to which
section 19(1)(b) applies, to introduce exotic flora into the reserve. Any such authorisation may be subject to such conditions as the Minister may impose on that behalf.

(2) Before granting any authorisation under this section, the Minister shall have due regard to the principles set out in sections 18, 19, 20, and 21, as the case may require, and shall also have regard to the possible effects of such introduction on other flora and fauna already within the reserve.

51A Introduction of biological control organisms

(1) Notwithstanding anything in this Act or any other enactment, but subject to subsections (2) and (3), the Minister may authorise the introduction of any biological control organism to control wild animals or animal pests or plant pests in any reserve vested in the Crown or in any other reserve if so requested by the administering body of that reserve.

(2) Before granting an approval under subsection (1), the Minister shall—

(a) consult the New Zealand Conservation Authority; and

(b) have regard to whether—

(i) any introduced organism will itself become a problem or adversely affect any other indigenous organisms, or have a negative impact on any ecosystem; and

(ii) there is sufficient scientific advice, supported by research, to indicate that none of these will occur.

(3) An authority granted under subsection (1) shall not be inconsistent with any provision in—

(a) any other Act applicable to the import, genetic modification, or use of the organism or organisms concerned; or

(b) any general policy approved under section 15A; or

(c) any conservation management strategy or conservation management plan or other management plan approved for the reserve.

52 Union of reserves

(1) The Minister may, in the case of reserves of the same classification, by notice in the Gazette, declare that any 2 or more reserves, or parts of 2 or more reserves, or
parts of 1 or more reserves and the whole of 1 or more other reserves, shall, as from a date to be specified in that behalf in the notice, be united to form 1 reserve, with such name as he thinks fit: provided that where there is an administering body or bodies of 1 or more of those reserves, the consent of the administering body or bodies shall first be obtained.

(1A) Before the Minister gives notice in the Gazette under subsection (1), the Minister must refer the proposed name to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa under section 27(2) section 27(2) or 30 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, as the case may be.

(2) Where 2 or more reserves, or parts of 2 or more reserves, or parts of 1 or more reserves and the whole of 1 or more other reserves, have been so declared to be united as 1 reserve, the Minister may appoint an administering body to control the reserve, and thereupon the previous administering body or bodies (if any) shall cease to hold office as such, and the new administering body shall have in respect of the united reserve all the rights and liabilities of the several former administering bodies of the several reserves.
APPENDIX B

Pourera Creek Recreation Reserve
APPENDIX C
Whenua Rangatira
Te take mō te pūrongo
Purpose of the report
1. To update the Ngāti Whātua Ōrākei Reserves Board (reserves board) on the operational work carried out by Whai Maia - Okahu Rakau.

Whakarāpopototanga matua
Executive summary
2. The following Operational Update covers the following:
   • Operational update
   • Kaitiaki Service
3. Covid-19 Business support

Ngā tūtohunga
Recommendation/s
That the Ngāti Whātua Ōrākei Reserves Board:
   a) note the operational updates as detailed in the agenda report.
   b) approve funding to Ngāti Whātua Ōrākei Whai Maia Ltd for Covid-19 Business Continuity Support for the 4-week, level 4 lock-down period to the value of $50,916.80

Operational update

Whenua Maintenance & Ecology
5. Ecology maintenance – Pest Weed control: focus continues in public areas, Hapimana Street, MJS, Okahu Bay and Kitemoana Street. Ongoing training continues with kaimahi regarding pest weed identification and removal. We are participating in community conversation, involving schools and residents around Moth Plant removal and disposal. Five main pest weeds are: Moth vine, Honey suckle, Pampus, Wattle, Wolly nightshade and Ginger. Methodology of composting on site reduces the regeneration of the weed however enriches the soil.
6. Pest Animal Control: huge increase in our mahi within our pest animal control. We have gone from monthly to weekly trapping with the support from Eastern Songbird volunteers. Hopefully we will be able to have some accurate data on our progress for the next quarter. Po9urewa is also being used by the community for Pest trap hand outs and training. Staff were scheduled to complete the DoC pest animal control training in March, however due to Covid-19 all training was cancelled and rescheduled for next year.
7. **Parakore:** nothing new to report. Kaimahi collecting loose litter daily in all areas of the Whenua. More feedback from public appreciating the tidiness of the areas. Majority of dumped rubbish is mainly on Hapimana Street and MJS encampments. We also collect a lot of rubbish next to the MJS rubbish bins. Prefer the rubbish to be removed.

8. **Citizen Science:** every quarter Okahu Rakau and Sustainable Coastlines volunteers do a Parakore Audit of Okahu Bay. We collect every little bit of rubbish within a certain area each quarter and do an audit. We have done this for three quarters and have found that the amount of rubbish found has decreased.

**Volunteers and visiting groups**

9. We continue to work alongside the following groups:
   - Sustainable Coastline Volunteers who support us on a regular basis
   - Eastern Songbird
   - Research teams: AUT, UOA, and Carbon Watch NZ
   - Corporate groups

**Biodiversity**

10. **Bio-Diversity monitoring:** ongoing monitoring of the 4 Weta Condo’s on the Whenua. This is an indication of what other life is on the Whenua.

11. **Bird monitoring:** ongoing monitoring of Manu on the Whenua. We started putting out water containers due to the long hot days and no rain. We have had several Magpies which we have started trapping as they are territorial and chase other birds away.

12. **Water monitoring:** the team are currently not so involved due to other mahi commitments however it is beneficial for Kaimahi to learn or be exposed to this Kaupapa in the very near future as all our kaitiaki mahi Whenua ki te Moana, Moana ki te Whenua.

**Health and Safety**

13. There have been zero lost time injuries since the last report. H&S awareness and reporting has improved with the adoption of the BWARE reporting software.

14. Takutai Moana have cameras on site for safety and security reasons. This is reassuring for staff when working alone on site.

**Maintenance work outside of scope**

15. A list of outstanding works required for Hapimana Street need to be collated with priorities and timelines for repairs. A project manager should be appointed for this to ensure efficient coordination with the various parties *i.e* AT, Reserves Board, Okahu Rakau etc.
   - Road gate
   - Chain fence
   - White fence
   - Uneven road and pathways
   - Bollards and locks
   - Sink hole
   - Sink hole
A list of outstanding works required for Kitemoana Street and Tamaki Drive

- Fencing
- Bollards
- Park pathways
- Seating
- Lighting for the stairs

**Kaitiaki Report**

16. Our Kaitiaki season started in October 2019 however, due to unforeseen circumstances, the service was only fully implemented in December 2019, in-time for the busy summer period. Current cost YTD is $30,139 for OPEX (Annual Budget $77,240) and NIL CAPEX spend YTD (Annual Budget $50,000).

17. Even with a reduced presence at times, we are still able to provide a very positive service by use of “utilities buggy” to move between the upper and lower areas of the Whenua Rangatira.

18. We have a current team of eight on our roster and one permanent part-time on morning rubbish duty. We will continue to operate a skeleton crew all year round.

**Covid-19 Business Continuity Support**

19. Since the Covid-19, Level 4 lockdown period started, and due to the government regulations our Okahu Rakau Kaimahi have not been able to do their regular mahi.

20. We have continued to provide necessary daily maintenance work on the Whenua via our Operations Manager and Team Lead (from the same bubble).

21. Whai Maia have made the commitment to pay all our staff during Covid-19, Level 4 lockdown period, to provide reassurance to our staff and to ensure business continuity through staff availability when we are bel to return to the fulfil the Contract. Total cost for Whenua Rangatira permanent staff for the 4 weeks = $50,916.80. We are asking that the Reserves Board support the continuity of this contract and the kaimahi involved by funding the staff cost for the 4-week lock-down period.

**Ngā tāpirihanga**

**Attachments**

There are no attachments for this report.

**Ngā kaihaina**

**Signatories**

<table>
<thead>
<tr>
<th>Author</th>
<th>Tom Irvine, Technical Officer, Ngāti Whātua</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
</tr>
<tr>
<td></td>
<td>Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo
Purpose of the report
1. To update the Ngāti Whātua Ōrākei Reserves Board (Reserves Board) on the active projects underway in relation to the nursery development and management plan.

Whakarāpopototanga matua
Executive summary
2. Refer to Project Reports (Attachment A) for update.

Ngā tūtohunga
Recommendation/s
That the Ngāti Whātua Ōrākei Reserves Board:

a) note the project update report.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Project Reports</td>
<td>65</td>
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</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
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<tbody>
<tr>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
</tr>
<tr>
<td></td>
<td>Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua</td>
</tr>
</tbody>
</table>
Project Reports

Prepared for: Ngāti Whātua Ōrākei Reserves Board
Authorised by: Jamie Sinclair / Nick Turoa
Date: 14/04/2020

Project Reports

Refer to the attached project update reports for the following projects:

1. Pourea Nursery and Entranceway
2. Combined Management Plan

RESOLUTION:

That the Ngāti Whātua Ōrākei Reserves Board:

a) Note the project update reports.
Pourewa Nursery Complex

PROJECT STATUS REPORT

31 March 2020
1.1 Highlights and Progress

- Budget and Billings to plan as at 31 March 2020.
- Main Civil works and drainage completed KB Contractors.
- Refurbishment work on the Community Engagement Hub / Visitor Centre completed February 2020.
- Planter bays, water catchment and storage tanks completed

1.1.1 Objectives/Deliverables Achieved

- Project on budget
- Community and Whanau engagement ongoing. Engagement hub available from late Feb 2020

1.1.2 Objectives/Deliverables Not Achieved

- Propagation house delayed by Covid-19
- Ecopods delayed by resource consent and Covid-19

- Plan Schedule for Next 2 Months

- Propagation house and EcoPod office delivery
- Irrigation and water re-use system installation

1.2 Plan Changes

- Improvements to Eastern entrance and water catchment re-use will be achieved all within project timeframes and budget
1.3 Performance

1.3.1 Overall

1.3.2 Specific Indicators

<table>
<thead>
<tr>
<th>Project Indicator</th>
<th>Current Status</th>
<th>Previous Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial</td>
<td></td>
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</tr>
<tr>
<td>Resources</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Changes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.4 Issues and Risks

<table>
<thead>
<tr>
<th>Number</th>
<th>Date Raised</th>
<th>Issue or Risk Item</th>
<th>Owner</th>
<th>Due date</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30/5/2019</td>
<td>Budget spend of $220k by 30 June 2019 may not be achieved due to delays accessing the old Pony Club Rooms</td>
<td>TI</td>
<td>30 June 19</td>
<td>30 June</td>
</tr>
<tr>
<td>2</td>
<td>1/12/2019</td>
<td>Ecopod building consent delays</td>
<td>TI</td>
<td>Feb 2020</td>
<td>March 2020</td>
</tr>
<tr>
<td></td>
<td>April 2020</td>
<td>Delays in completion due to Covid-19 situation</td>
<td>TI</td>
<td>June 2020</td>
<td></td>
</tr>
</tbody>
</table>

1.5 Cost and Revenue

<table>
<thead>
<tr>
<th>Planned to Date</th>
<th>Actual to Date</th>
<th>Estimate at Completion</th>
<th>Budget at Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost $1,300,000</td>
<td>$1,670,000</td>
<td>$2,300,000</td>
<td>$2,100,000</td>
</tr>
</tbody>
</table>
1.6 Project Milestones

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree scope and receive instruction to commence</td>
<td>End April 2019 - complete</td>
</tr>
<tr>
<td>from Ngāti Whātua Ōrākei.</td>
<td></td>
</tr>
<tr>
<td>Appoint Design Team, ready to commence developed and detailed design</td>
<td>End May 2019 - complete</td>
</tr>
<tr>
<td>Complete Developed Design including investigation of opportunities to</td>
<td>End July 2019 - complete</td>
</tr>
<tr>
<td>retain all stormwater on site; review and confirm cost estimates</td>
<td></td>
</tr>
<tr>
<td>Complete detailed design for Building Consents</td>
<td>End August 2019 - complete</td>
</tr>
<tr>
<td>and Construction.</td>
<td></td>
</tr>
<tr>
<td>Complete Pricing / procurement process - all packages</td>
<td>Early October 2019 - complete</td>
</tr>
<tr>
<td>Commence Construction (utilise summer earthworks season)</td>
<td>Early October 2019 - complete</td>
</tr>
<tr>
<td>Complete civil engineering / earthworks / groundworks</td>
<td>Christmas 2019 - complete</td>
</tr>
<tr>
<td>Complete Buildings: (Crop toppers, EcoPod offices, containers, etc)</td>
<td>End May 2020</td>
</tr>
<tr>
<td>Facility Operational</td>
<td>End June 2020</td>
</tr>
</tbody>
</table>

1.7 Original Budget

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Cost (NZ$)</th>
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</thead>
<tbody>
<tr>
<td>A</td>
<td>Car Park</td>
<td>19,375</td>
</tr>
<tr>
<td>B</td>
<td>Western access</td>
<td>28,713</td>
</tr>
<tr>
<td>C</td>
<td>Eastern access and turning head</td>
<td>19,267</td>
</tr>
<tr>
<td>D</td>
<td>Existing building – old clubroom</td>
<td>50,000</td>
</tr>
<tr>
<td>E</td>
<td>Stormwater &amp; rainfall drainage</td>
<td>358,025</td>
</tr>
<tr>
<td>F</td>
<td>Sterile Bay(s)</td>
<td>20,107</td>
</tr>
<tr>
<td>G</td>
<td>Hard stand - Stage 1</td>
<td>297,628</td>
</tr>
<tr>
<td>H</td>
<td>Hard stand - Stage 2</td>
<td>211,621</td>
</tr>
<tr>
<td>I</td>
<td>Crop Topper Propagation House</td>
<td>131,050</td>
</tr>
<tr>
<td>J</td>
<td>Seedbanks</td>
<td>56,000</td>
</tr>
<tr>
<td>K</td>
<td>Eco Pod Offices</td>
<td>190,750</td>
</tr>
<tr>
<td>L</td>
<td>Signage</td>
<td>5,000</td>
</tr>
<tr>
<td>M</td>
<td>Services</td>
<td>35,000</td>
</tr>
<tr>
<td></td>
<td><strong>SUBTOTAL</strong></td>
<td><strong>1,422,535</strong></td>
</tr>
<tr>
<td>N</td>
<td>Temporary Works, Preliminary &amp; General costs</td>
<td><strong>213,380</strong></td>
</tr>
<tr>
<td></td>
<td><strong>SUBTOTAL</strong></td>
<td><strong>1,635,915</strong></td>
</tr>
<tr>
<td>O</td>
<td>Detailed Design, Consent &amp; professional fees</td>
<td>179,951</td>
</tr>
<tr>
<td>P</td>
<td>Building / Resource Consents, project establishment and contingency</td>
<td>284,134</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>2,100,000</strong></td>
</tr>
</tbody>
</table>
1.8 Cashflow Forecast as at 31 March 2020

![Cashflow Forecast Graph]

1.9 Project Layout

![Project Layout Diagram]
1.10 Recent site images

END OF DOCUMENT
Combined Reserve Management Plan

PROJECT STATUS REPORT

31 March 2020
### Attachment A

#### Item 9

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Combined Reserve Management Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT MANAGER:</td>
<td>Tom Irvine (Whai Maia)</td>
</tr>
<tr>
<td>TOTAL BUDGET:</td>
<td>$115,000</td>
</tr>
<tr>
<td>TO DATE COST:</td>
<td>$12,668.23 (invoiced in April 2020)</td>
</tr>
<tr>
<td>AS AT DATE:</td>
<td>31 March 2020</td>
</tr>
<tr>
<td>Prepared by:</td>
<td>Tom Irvine</td>
</tr>
<tr>
<td>Authorised by:</td>
<td>Jamie Sinclair / Nick Turoa</td>
</tr>
<tr>
<td>Date:</td>
<td>15 April 2020</td>
</tr>
</tbody>
</table>

#### 1.1 Highlights and Progress

- The Board has resolved to complete the combined reserve management plan for Whaua Rangatira and Pourewa Creek Recreation Reserve by December 2020. At the February hui management provided a timeframe that sought Board approval of the final Plan in October 2020.
- The notice of intention to prepare the Management Plan was published in March 2020 and suggestions close on 17 April 2020. To date, no responses have been received.
- The team are preparing to undertake engagement with whānau and local stakeholders during the lockdown period to support the development of the draft plan. The purpose of these engagements is to:
  - Highlight the work done to date on the Ōrākei Visual Framework
  - Seek feedback on priorities for delivery
  - Inform the draft reserve management plan for formal consultation
- While some of the work can continue, the timeframes will now need to be reviewed to enable appropriate public engagement on the draft reserve management plan and a genuine opportunity to be heard through the formal notification process. Depending on the government decisions around the management of COVID-19, it is likely that at best the plan can obtain Ministerial approval in early to mid-2021.
- At the next comprehensive Board hui, the Board will need to approve a revised set of timeframes, Communication and Stakeholder Engagement Plan and the composition of the Hearings Panel.

#### 1.2 Objectives/Deliverables Achieved

- Notice of intention to prepare the Management published
- Public suggestions closed on 17 April 2020 and to date no suggestions have been received.

#### 1.3 Objectives/Deliverables Not Achieved

- Stakeholder engagement to inform development of draft Reserve Management Plan

#### 1.4 Plan Schedule for Next 2 Months

- Stakeholder engagement to inform the draft Reserve Management Plan
- Preparation of the draft Reserve Management Plan based on stakeholder engagement and Board priorities
- Board approval of Communication and Stakeholder Engagement Plan
- Board approval of Hearings Panel Composition
1.5 Plan Changes

- Not applicable

1.6 Performance

1.6.1 Overall

1.6.2 Specific Indicators

<table>
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<tr>
<th>Project Indicator</th>
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<td></td>
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<tr>
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1.7 Issues and Risks

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<th>Issue or Risk Item</th>
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<th>Due date</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>R01</td>
<td>Aug-19</td>
<td>Whanau and Key Stakeholders may not have been involved in the development of the Orakei Visual Framework and not see the connection to the Management Plan. This may cause increased tension if not communicated well. The content presented by the project team must highlight the journey to date, including key decisions and impact on the Management Plan. <strong>Mitigation:</strong> A comprehensive communication plan must be developed to ensure that key and relevant information is communicated.</td>
<td>Tom I / Comms</td>
<td>May-20</td>
<td></td>
</tr>
<tr>
<td>R01</td>
<td>Aug-19</td>
<td>Negative perceptions and feedback may disrupt future ability to progress the Management Plan. <strong>Mitigation:</strong> Communication plan as above.</td>
<td>Tom I / Comms</td>
<td>May-20</td>
<td></td>
</tr>
<tr>
<td>R02</td>
<td>Apr-20</td>
<td>The impact of the COVID-19 lockdown will cause delays to the delivery of the Plan by December 2020. Key stakeholder engagement and formal notification will need to be delayed</td>
<td>Tom /Comms</td>
<td>May-20</td>
<td></td>
</tr>
</tbody>
</table>
1.8 Cost and Revenue

<table>
<thead>
<tr>
<th>Planned to Date</th>
<th>Actual to Date</th>
<th>Estimate at Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>$28,750</td>
<td>$12,668.23</td>
<td>$115,000 split over 2 financial years to 30 June 2021</td>
</tr>
</tbody>
</table>

END OF DOCUMENT
Te take mō te pūrongo
Purpose of the report

1. To provide Ngāti Whātua Ōrākei Reserves Board (reserves board) an update on financial performance for the quarter ending 31 March 2020.

Whakarāpopototanga matua
Executive summary

2. March year to date operational expenditure is under budget by about $565,000 mainly due to project works and repairs and maintenance.

3. To achieve the year-end operational expenditure forecast we must spend about $650,000 in the last quarter which seems highly unlikely due to Covid-19 lockdown. It should be noted that Auckland Council is financially impacted by the lockdown and is mitigating it by reducing costs where possible.

4. Capex expenditure is forecast to be about $461,000 below budget and remains unchanged at the time of writing this report.

Ngā tūtohunga
Recommendation

That the Ngāti Whātua Ōrākei Reserves Board:

a) receive the quarterly financial report.
Financial update

5. An overview of the operational and capital expenditure for the financial year to date is included in the table below.

<table>
<thead>
<tr>
<th>Ngāti Whātua Ōrākei Reserves Board</th>
<th>Actual YTD Mar-20</th>
<th>Budget YTD Mar-20</th>
<th>Variance YTD Mar-20</th>
<th>FY20 Forecast</th>
<th>Y2Go vs Forecast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue - licenses and permits (Vodafone)</td>
<td>-14,300</td>
<td>-14,300</td>
<td>-14,300</td>
<td>-14,300</td>
<td></td>
</tr>
<tr>
<td>Revenue from events</td>
<td>-3,104</td>
<td>-2,700</td>
<td>404</td>
<td>-3,600</td>
<td>-2,161</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>-17,404</td>
<td>-17,000</td>
<td>404</td>
<td>-17,900</td>
<td>-16,461</td>
</tr>
</tbody>
</table>

| Expenditure:                      |                   |                   |                     |               |                 |
| Operational Expenditure:         |                   |                   |                     |               |                 |
| Repairs and Maintenance - Ōkahu Rakau | 501,768          | 454,496           | -47,271             | 605,995       | 755,995         |
| Repairs & Maintenance - future growth | 290,953          | 290,953           | 387,938             | 98,657        | 289,280         |
| Repairs and Maintenance - Ventia and others | 14,660           | 47,033            | 32,373              | 62,711        | 57,000          |
| Governance and operational costs | 715               | 11,162            | 10,447              | 14,883        | 13,565          |
| Technical officer / reserves board executive officer | 24,999           | 38,532            | 13,533              | 51,376        | 100,000         |
| Total Operational expenditure    | 542,142           | 842,177           | 300,035             | 1,122,902     | 1,025,217       |

| Project works:                   |                   |                   |                     |               |                 |
| Research project                 | 8,112             | 8,112             | 10,816              | 10,816        |                 |
| Management plan                  | 86,250            | 86,250            | 115,000             | 85,000        | 30,000          |
| Ōrākei Visual Framework Engagement Plan | 15,000           | 15,000            | 20,000              | 30,000        | 10,000          |
| Wi-Fi Fibre - Whenua             | 32,448            | 32,448            | 43,264              | 43,264        |                 |
| Storytelling, guided tours & celebrations | 64,896           | 64,896            | 86,528              | 5,000         | 81,528          |
| Kaitiaki and summer services     | 57,930            | 57,930            | 77,240              | 50,000        | 27,240          |
| Total Outsourced works and project expenditure | 254,636         | 264,636           | 352,848             | 170,000       | 182,848         |

| Total expenses                   | 542,142           | 1,106,813         | 564,671             | 1,475,750     | 1,195,217       |

| Total Net Operating expenditure  | 524,738           | 1,089,813         | 565,075             | 1,457,850     | 1,178,757       |

<table>
<thead>
<tr>
<th>Ngāti Whātua Ōrākei Reserves Board</th>
<th>Actual YTD Mar-20</th>
<th>FY20 Forecast</th>
<th>Y2Go vs Forecast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Renewals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whenua Rangitira developments:</td>
<td>22,413</td>
<td>140,000</td>
<td>52,413</td>
</tr>
<tr>
<td>Fibre installation</td>
<td></td>
<td>30,000</td>
<td>30,000</td>
</tr>
<tr>
<td>Kaitiaki presence</td>
<td></td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>Mahuhu o te rangi</td>
<td></td>
<td>60,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Atkin Ave</td>
<td>22,413</td>
<td>22,413</td>
<td></td>
</tr>
<tr>
<td>Pourewa Creek developments:</td>
<td>1,468,435</td>
<td>1,973,000</td>
<td>1,915,533</td>
</tr>
<tr>
<td>Brand and identity - wayfinding signage</td>
<td>60,000</td>
<td>20,000</td>
<td>447,117</td>
</tr>
<tr>
<td>Improved access</td>
<td>1,468,335</td>
<td>1,399,800</td>
<td>427,117</td>
</tr>
<tr>
<td>Fibre</td>
<td></td>
<td>3,200</td>
<td>3,200</td>
</tr>
<tr>
<td>Pourewa Nursery and Entranceway</td>
<td></td>
<td>1,895,533</td>
<td>427,117</td>
</tr>
<tr>
<td>Recreation facilities</td>
<td></td>
<td>3,200</td>
<td>3,200</td>
</tr>
<tr>
<td>Capital renewals</td>
<td>328,139</td>
<td>12,000</td>
<td>316,139</td>
</tr>
</tbody>
</table>

| Net Capital Expenditure           | 1,490,849         | 2,441,139     | 1,979,966       |

Quarter 3 financial update as at 31 March 2020
6. Revenue from Vodafone was received this quarter. The operational expenditure continues to be behind budget and this is primarily due to the additional budget provision allocated to nursery and increased staff presence on Pourewa starting later than planned and the slight delay in progressing the management plan.

7. Good progress is being made on capital works projects including the entrance way and nursery complex development at Pourewa Creek.

8. The underspend in capital budget is primarily driven due to delays in agreeing the scope of

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Munen Prakash - Lead Financial Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Jamie Sinclair – Chief Executive Ngāti Whātua Trust</td>
</tr>
<tr>
<td></td>
<td>Nicholas Turoa - Kaiwhakahaere Te Waka Tai-ranga-whenua</td>
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</table>