



Te Kaunihera o
MANUKAU
City Council



Tapuwae Onuku,
Tapuwae Ariki,
Tapuwae Otai

**CO-MANAGEMENT AGREEMENT FOR WAIOMANU PA KAINGA
RESERVE**

**MANUKAU CITY COUNCIL
AND
NGAI TAI KI TAMAKI TRIBAL TRUST**

This agreement is made on the day of 2010

2. COUNCIL'S COMMITMENT TO CO-MANAGEMENT

2.1 Council commitment to co-management is set out in the following strategies, policies and plans:

- a) *Making Connections –A Strategy for Manukau's Parks 2002-2010: Goal 11: Action 2:*
Develop close working relationships with Tangata Whenua by identifying opportunities for co-management of parks.
- b) *Te Tiriti O Waitangi Strategic Plan 2004: Goal 3: Action 4:*
Identify potential areas/reserves that can be co-managed with Mana Whenua and assist to facilitate co-management strategies.
- c) *Manukau Operative District Plan: Objective 15.3.3:*
To ensure Tangata Whenua are involved in the management of the provision and development of public open space.
- d) *Manukau Operative District Plan 2002: Method 3.A.4.1:*
Co-management with tangata whenua of taonga that are in Council's ownership
- e) *Park Management Plans Policy Cultural Heritage Section:*
Consult with Mana Whenua to identify reserves that are of special historical or spiritual importance and establish co-management agreements where appropriate.
- f) *(The Co-Management of Manukau Parkland by MCC and Mana Whenua Council Decision June 2008)*
That work continues on developing co-management agreements at Otataua Stone fields and Motukaraka and other sites that may be identified by iwi.

3. NGAI TAI'S COMMITMENT TO CO-MANAGEMENT

3.1 Ngai Tai's commitment to Co-Management is set out in the;

- a) Waikato Tainui Management Plan, 1992;
- b) Huakina Iwi Management Plan, 1992, 2002 Revised Plan;
- c) Ngai Tai ki Tamaki Management Plan, 1994;
- d) Ngai Tai Umupuia Te Waka Totara Strategic Plan, 2002;
- e) Hauraki Iwi Environment Plan, 2004; and
- f) Waikato Iwi Management Plan 2007.

3.2 **Rangatira-tanga**

3.2.1 Ngai Tai shall ensure that all potential candidate members that represent Ngai Tai interest in this co-management agreement are of Rangatira status so as to uphold the leadership attributes intended by Ngai Tai in this agreement.

3.3 **Kawana-tanga**

3.3.1 Ngai Tai is focussed on equity and as such is committed to equitable governance arrangements that serve to enhance Ngai Tai future and provide for sustainable cultural, environmental, social and economic outcomes with all parties concerned.

3.3.2 Ngai Tai can best demonstrate their commitment to governance through the recent Framework Agreement that the Crown has just signed with twelve iwi, hapu authorities through the Tamaki – Auckland region known as the Tamaki Collective and where the ownership returns to the hapu, iwi who have an ancestral interest to any of the cones however the operational and statutory responsibilities and obligations shall remain with the local Government authority soon to be the Auckland Council.

3.3 **Kaitiaki-tanga**

3.3.1 Ngai Tai commitment to Kaitiakitanga is well known to Manukau City Council and is best summarised in the High Court judicial review decision, M1323/99 SW99, 1999. Refer Appendix *.

3.3.2 Ngai Tai is totally committed to local Government authorities giving effect to Kaitiakitanga rather than ‘have regard’ for Kaitiakitanga as described in the RMA 1991.

4. **WAIOMANU RESERVE – COUNCIL PERSPECTIVE**

4.1 This land was acquired by Manukau City Council in 1967 as *Recreation Grounds* under the old Reserves and Domains Act 1953. The site is now classified as *Recreation Reserve* under the Reserves Act 1977. (Note that the appropriateness of the *Recreation Reserve* classification should be considered. It may be that a *Historic Reserve* classification is more appropriate).

4.2 The legal description of the reserve is: Lot 1 DP 186245. The total area of the site is 5.53ha. and is located at 15R Maraetai Coast Rd.

- 4.3 The reserve forms the backdrop to beaches at Waiomanu and Magazine Bays. Apart from the toilet block and car park at Magazine Bay, public access has not yet been established over this reserve and it is largely undeveloped.
- 4.4 The Ross Family Trust has an easement over the reserve giving access to their farm property behind. The reserve is also subject to two electricity easements in favour of Vector.
- 4.5 In 1998 the reserve was subject to land exchange between Manukau City Council and the Ross Family Trust. The reason for the exchange was to bring the majority of the farm access road into Ross Family Trust ownership in exchange for more reserve land behind Magazine Bay. Council made a net gain on land exchanged.
- 4.6 In 1999 coastal erosion along Waiomanu Bay threatened to undermine the coast road. As a result the road was diverted back through part of the reserve. This road diversion has yet to be regularised.
- 4.7 The reserve contains a significant pa site that is protected under Schedule 6G (Archaeological Sites) in the Manukau Operative District Plan. The reserve and pa site are included in the Coastal & Riparian Reserves Management Plan 2009 and covered under Policy 2.5.1 (Archaeological and Historic Sites) and Policy 2.5.2 (Cultural Heritage).
- 4.8 The pa has been described in a Department of Conservation report prepared for Manukau City Council in 1976 and a more recent Archaeological Site Assessment has been prepared in 2010. Refer Appendix C.
- 4.9 Waiomanu Reserve is included in the *Coastal & Riparian Reserves Management Plan 2009*. Refer Appendix B. As such it is subject to the objectives and policies contained in the management plan. The *Coastal & Riparian Reserves Management Plan* should be read in conjunction with this co-management agreement. Unless otherwise changed or amended through due public process, these objectives and policies should guide management of the reserve. It is considered, however, that objectives and policies contained in the management plan are consistent with co-management and should not be any impediment.
- 4.10 The following objectives and policies are included under Section 2.5.2 Cultural Heritage:

***Objective:** To recognise Maori connectedness to the land and ensure that mana whenua are able to give effect to their kaitiaki role in the development and management of coastal and riparian reserves.*

***Policies:** Consult with Mana Whenua to identify reserves that are of special historical or spiritual importance or subject to customary rights and practices and establish co-management agreements where appropriate.*

Where a reserve has special European historical significance this will be acknowledged through appropriate community consultation, protection and signage.

5. WAIOMANU RESERVE – NGAI TAI PERSPECTIVE

5.1 Preamble

5.1.2 Tapuwae-Onuku, Tapuwae-Ariki, Tapuwae-Otai

We of the sacred footprint in the earth – the footprints of the high-born – the footprints on our foreshores.

5.1.3 Tapuwae-Onuku - Ngāi Tai have a long, unbroken genealogy and occupation of their lands, waters and seas extending from the aboriginal Polynesian settlers, pre-dating the Hawaiiki immigrants. The symbol best describing this is the taonga currently residing in the Auckland Museum, being a fossil human footprint dating from the founding eruption of Rangitoto 600 years ago and discovered on Motutapu Island. A place long held sacred to Ngāi Tai for their many waahi tapu and association with the Tupua (goblin people) at that place.

5.1.4 Tapuwae-Ariki - Smaller footprints remind us of the many descendants & mokopuna (riki), who have crossed this region over that long period of time. Larger footprints remind us of our high-born chiefly lines (ariki) and ancestors. These remind us how important those leaders were and their value as navigators through our history.

5.1.5 Tapuwae-Otai - Even our tribal name Ngāi Tai, resounds as the story of a maritime people unencumbered by any normal sense of boundaries. Where our vision was only limited by our imagination. It was the same vision, honed by thousands of years of exploration, facing the challenge of crossing the world's greatest ocean for survival. These descendants of Maui today carry his DNA and values

into the new world of Ngāi Tai, true inheritors and worthy recipients of a boundless legacy left by the ancients and their numerous descendants.

“Ko ngā whetū ki te rangi, ko ngā kirikiri ki te one taitapa, ko ngā mana whakaheke o Ngāi Tai.”

“As the stars in the sky and the grains of sand on our many foreshores, so are the myriad chiefs in the pantheon of Ngāi Tai forebears.”

5.2 Historical Account

- 5.2.1 Historically the Pa, Te Papawhиту was located in an elevated position southward of the headland – toes on the ridgeline immediately behind the current Waiomanu Pa reserve.
- 5.2.2 The beachfront council reserve land at 15R Maraetai Coast Rd (Waiomanu Bay) contains the sites of Papawhиту, Te Waiōmaru, Te Aute and Te Raho ō Māhia. These Pa sites are the ‘toes’ of the ridgeline main Pa.
- 5.2.3 Re: “Waiomanu” – the proper name is Te Waiōmaru. This refers to the bay itself extending between the prominent headland Pā at the north end of the bay and the next headland to the southeast (Te Aute).
- 5.2.4 The bay is called Te Wai-ō-Maru after the Ngāi Tai/Ngāti Kōhua ancestor Maruwhenua. Maruwhenua is the same ‘Maru’ commemorated in the name of Te Whatu ō Maru Pā (on the Couldrey Property at Kawakawa Bay).
- 5.2.5 Maruwhenua lived around the late 1700s and early 1800s, and was a contemporary of Hikapouri and Te Kohu of Ngāti Kōhua, Te Rangitāwhia and Takurua (sons of Te Wana), and Te Māhia and his son Te Haupā of Te Urikaraka.
- 5.2.6 The Pā site itself is called Papawhиту, meaning “place of gathered forces”. The Pā was built by the descendants of Te Wana sometime around the mid-late 1700s (i.e. in Maruwhenua’s time), and was one of two principal Pā of Maraetai in the early 1800s – the other was Pōhaturua (a.k.a. Pōwhaturua; immediately west of Papawhиту near Maraetai Beach, currently obscured by pine forestry).
- 5.2.7 These were the principal Pā occupied by Ngāi Tai under Tara Te Irirangi at the time when Patuone came to Maraetai in 1821 with the intention of invading Ngāi Tai, but then secured peace due to shared whakapapa with Te Irirangi. Papawhиту (“Waiomanu Pa”) and Pōhaturua were then temporarily evacuated in favour of Te Tōtara Pā up the Wairoa.

- 5.2.8 Te Aute (also within the reserve strip) is a site associated with the arrival of the ancestress Mārama of Tainui, and the celebrated Aute (paper mulberry) shrub of Hauraki tradition which Mārama introduced to the shores of Hauraki Gulf from Hawaiki.
- 5.2.9 This was also the site of a sacred Karaka Grove of the original Tainui/Ngāti Tai settlers. Later, in Maruwhenua's time, following the death of Te Māhia (c.1793) at Taupō, Kawakawa Bay, his body was dismembered, and his scrotum & testicles were suspended in a Karaka tree at Te Aute, which tree then became known as Te Raho o Māhia.
- 5.2.10 In 1854, following the Crown confiscation of the Fairburn Purchase, Waiōmaru Bay including Papawhiti Pā and Te Aute (also Pōhaturoa to the west) remained within the 6,063 acre Umupuia Native Reserve Block awarded to "the chiefs of Ngatitai" by Governor FitzRoy.
- 5.2.11 By the time of the outbreak of the Land Wars in 1863, Papawhiti of Waiōmaru Bay and Pōhaturoa of Maraetai Beach were also the main Pā occupied by Ngāi Tai under Hori Te Whētuki, Wī Te Hauā and Wātene Te Makuru. Honetana Te Irirangi and Ihaia Te Kupuroa (Ngāti Kōhua) meanwhile commanded the Ngāi Tai settlements along the Lower Wairoa. At the outbreak of fighting most of the iwi again evacuated Pōhaturoa and Papawhiti, and gathered at the mouth of the Wairoa River.
- 5.2.12 Between 1866 and 1869 the Umupuia Native Reserve was subdivided into 11 individual land parcels, and title to the Waiomaru Block (564 acres) was awarded to Honetana Te Irirangi, Anaru Makiwhara and Henare Te Whētuki (eldest son of Hori Te Whētuki and his first wife; Rehara Te Irirangi).

5.3 Current Status

- 5.3.1 The reserve has been subjected to intensive cattle grazing. Ngai Tai note the results of the grazing have contributed to the erosion of the site.
- 5.3.2 In 2008, Ngai Tai engaged in dialog with Manukau Parks and Reserves to have the erosion and farm management issues addressed as the damage from the stock grazing within the Pa reserve became a very contentious issue between Ngai Tai and Manukau Parks.
- 5.3.3 In 2009, Manukau Parks informed Ngai Tai that the farm management had been served notice on restricting access and use of the Pa site for grazing purposes.

5.3.4 Since access has been restricted and grazing terminated, Ngai Tai has noticed an immediate improvement in vegetation, the return of birdlife and a reduction in erosion.

5.4 Future Outcome/s

5.4.1 Ngai Tai believes “Waiomanu Reserve” to be a significant and valuable taonga or jewel and as such believe the site to be of significant heritage value for the local, regional and national population.

5.4.2 Whilst Ngai Tai are committed to protecting and promoting taonga including wahi tapu sites such as this, the ultimate outcome Ngai Tai seeks is to partner with Council to co-manage these taonga which Ngai Tai believes is the purpose of this agreement.

6. COUNCIL OBJECTIVES FOR CO-MANAGEMENT ARE:

- a) To ensure cultural understanding;
- b) To ensure the sustainable management of the reserve;
- c) To provide for wider community needs;
- d) To ensure accountability for management of the reserve; and
- e) To ensure statutory obligations are met.

7. NGAI TAI OBJECTIVES FOR CO-MANAGEMENT ARE:

- a) To Protect Taonga.
- b) To Promote Taonga.
- b) To Partner Taonga.

8. MANAGEMENT COMMITTEE

8.1 Waiomanu Reserve will be managed by a Committee comprising equal membership from Ngai Tai ki Tamaki Tribal Trust and Manukau City Council. Each party will decide on their membership to the committee.

- 8.2 It is intended that the Establishment Committee (The In-Augural Committee) shall comprise of three members from each party totalling six.
- 8.3 The IMC shall determine the frequency of meetings in accordance with work-load demands, the venue of meetings, voting, chairpersonship and the protocols under which meetings will be held.
- 8.4 Manukau City Council representatives on the Management Committee will be responsible for the management of Waiomanu Reserve in accordance with the Coastal & Riparian Reserves Management Plan 2009 and in accordance with the Standing Orders of the Manukau City Council which include Schedules of Delegations. Refer Appendix *
- 8.5 Ngai Tai ki Tamaki Tribal Trust representatives on the Management Committee will be responsible for the management of Waiomanu Reserve in accordance with this Co-Management Agreement and *Ngai Tai Tikanga*.
- 8.6 Information, recommendations or decisions relating to the management of Waiomanu Reserve will be made jointly by the Management Committee and (where appropriate) reported jointly to the partners' respective authorities.
- 8.7 Where and when disputes and differences occur between the partners over reserve management issues and they cannot be resolved within the Management Committee, Clause 8.0 of the Relationship Agreement will apply.

9. MANAGEMENT DUTIES AND TASKS OF THE COMMITTEE

- 9.1 This section is not meant to be exhaustive or prescriptive. The Management Committee will form its own view of duties and tasks and priorities.
- 9.2 Prepare plans and programmes relating to:
- a) reserve operations;
 - b) reserve development;
 - c) heritage protection;
 - d) reserve education and visitor services;

- e) funding requirements through annual Plan Budget submissions; and
- f) provide for community involvement to develop local community programs that serve to protect and enhance Waiomanu Reserve

10. MANAGEMENT COMMITTEE ADMINISTRATION

- 10.1 The Management Committee will determine the administration requirements at its inaugural meeting.
- 10.2 The council shall provide administration resources and support to the Management Committee to carry out its functions.

11. APPENDICES

- A) The Relationship Agreement between Manukau City Council and Ngai Tai ki Tamaki Tribal Trust, adopted March 2010;
- B) Coastal and Riparian Reserves Management Plan, December 2009;
- C) Draft Archaeological Site Assessment and Management Advice Report, June 2010;
- D) Manukau City Council Delegated Functions and Powers of Committees;
- E) Delegated Functions and Powers of Community Boards;
- F) Delegated Powers and Functions of Officers;
- G) Mandate Recognition of the Crown to Ngai Tai ki Tamaki Tribal Trust, January 2010;
- H) Nga Maunga o Tamaki Framework Agreement, February 2010;
- I) Ngai Tai ki Tamaki Tribal Trust and the Crown, Terms of Negotiations, June 2010; and
- J) The High Court Contract Agreement between Manukau City Council and Ngai Tai ki Tamaki Tribal Trust, July 2010.

The Relationship Agreement between

**Manukau City Council
and Ngai Tai ki Tamaki Tribal Trust**

He kaupapa ka tino tautokohia e

**Te Kaunihera o Manukau
Me Ngai Tai ki Tamaki Tribal Trust**

9 HERE-TURI-KŌKĀ 2010

RELATIONSHIP AGREEMENT BETWEEN TE KAUNIHERA O MANUKAU CITY COUNCIL AND NGAI TAI KI TAMAKI TRIBAL TRUST

**This Relationship Agreement (hereinafter referred as “Agreement”) is made
On the 9 August 2010.**

**BETWEEN TE KAUNIHERA O MANUKAU CITY COUNCIL
(Hereinafter referred to as “Council”)**

**And NGAI TAI KI TAMAKI TRIBAL TRUST
(Hereinafter referred to as “Ngai Tai ki Tamaki Tribal Trust”)**

1.0 PARTNERS TO THE RELATIONSHIP AGREEMENT

1.1 Te Kaunihera o Manukau City Council.

Council is the duly elected Territorial Authority for the City of Manukau whose boundaries are defined in the Local Government (Auckland Region) Reorganisation Order 1990, Gazette 1990, page 2247. Council is represented by members of its elected Council.

Council is charged with giving effect to the purpose of local government, as specified in the Local Government Act 2002 (LGA) which is:

- (a) “to enable democratic local decision-making and action by, and on behalf of communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.”

Council is also charged with giving effect to the purpose of the Resource Management Act (RMA) 1991 which is:

“to promote the sustainable management of natural and physical resources”.

1.2 Ngai Tai ki Tamaki Tribal Trust.

Council recognises that Ngai Tai have Mana Whenua status within Manukau.

Ngai Tai is represented by its mandated agent Ngai Tai ki Tamaki Tribal Trust.

It is intended that the Chairperson of Ngai Tai ki Tamaki Tribal Trust will notify the Council from time to time of the person or persons authorised to act on behalf of the Tribal Trust for specific purposes. Such notification will be conclusive evidence of the authority of such a person or persons.

2.0 PURPOSE/INTENT

The intent of this Relationship Agreement is to formally acknowledge and clarify the Tiriti/Treaty based special relationship that exists between Council and Ngai Tai ki Tamaki Tribal Trust, and to provide the foundation for mutual co-operation, goodwill and planned progress into the future.

The Relationship Agreement confirms that both partners will co-operate to recognise and support their mutual responsibilities as regards:

- **Kaitiakitanga** – the efficient and effective sustainable management of the natural resources of Manukau by Council and Mana Whenua as respective stewards and Kaitiaki of Manukau.
- **Manaakitanga** – the planning and development of policies and procedures which will contribute to increasing the capacity of Mana Whenua to participate as progressive, proud and prosperous citizens within Manukau City.

The Relationship Agreement also seeks to provide a clear understanding of the basis and ongoing conduct of relationships between the two partners to meet legislative requirements and to carry out mutually beneficial projects and activities. This is addressed through the provision of transparent operating protocols that will underpin future collaborative arrangements.

In entering into this Relationship Agreement both partners recognise the need to have a long term focus and co-operation to achieve the sustainable management of the natural resources within the rohe (boundaries) of the City of Manukau.

Both partners agree to work together in good faith, goodwill and reciprocity, and with clarity of purpose to develop this kaupapa for the present and the future.

The Relationship Agreement also provides the foundation for the reflection of a Tiriti/Treaty based relationship.

3.0 GOALS

Both Council and Ngai Tai ki Tamaki Tribal Trust will:

- 1) Work together for the well being of all within the City of Manukau under the kaupapa of Te Tiriti/Treaty of Waitangi
- 2) Foster harmonious relationships between Council and the people of Ngai Tai
- 3) Recognise the will of Ngai Tai to exert kaitiakitanga over the lands and waters within their rohe as provided for in the RMA 1991, the LGA 2002, other relevant legislation and current Council policy and,
- 4) Develop and continually monitor the means by which the participation of the people of Ngai Tai in the decision-making processes of Council can be implemented.

This Relationship Agreement demonstrates a commitment to uphold respective Kaitiaki/stewardship responsibilities by sharing expertise, knowledge, services and resources as appropriate, financial or otherwise, with the ultimate aim of contributing to the well being of the people of Ngai Tai and all who reside in Manukau.

4.0 OPERATIONAL PROTOCOLS BETWEEN COUNCIL AND NGAI TAI KI TAMAKI TRIBAL TRUST

The operational protocols that are contained in the following sections outline the code of conduct for this Relationship Agreement. The protocols will underpin all future service level agreements and contractual arrangements between Council and Ngai Tai ki Tamaki Tribal Trust. They provide the solid base upon which the relationship will grow and develop. Where any agreement is inconsistent with the protocols herewith, that agreement will take precedence.

5.0 REPRESENTATION

5.1 Te Kaunihera o Manukau City Council

Representatives from Council to work with Ngai Tai ki Tamaki Tribal Trust will be drawn from:

- 1) Governance levels – Elected members chosen triennially by Citywide and ward electoral processes. The Mayor will be the main contact for identifying the elected members who will interact with Ngai Tai ki Tamaki Tribal Trust in the areas of governance activity and decision-making. It should be noted that the ultimate responsibility for final decision-making at governance levels, will reside with the appropriate governance body which comprises the elected members of Council.

- 2) Policy and operational – Council’s City Manager will identify Council staff with appropriate authority (under legislation and Council delegation) for the particular policy and or operation that requires Ngai Tai ki Tamaki Tribal Trust participation.

5.2 Ngai Tai ki Tamaki Tribal Trust

Representatives from Ngai Tai ki Tamaki Tribal Trust to work with Council will be determined by the following processes:

- 1) Governance levels – Representatives of Ngai Tai ki Tamaki Tribal Trust will be identified by the Chairperson of Ngai Tai ki Tamaki Tribal Trust to work at governance levels with elected members of Council.
- 2) Policy and operational – Representatives of Ngai Tai ki Tamaki Tribal Trust to work with Council officers in policy and operational areas of Council activity will be identified by the Chairperson of Ngai Tai ki Tamaki Tribal Trust.

Council and Ngai Tai ki Tamaki Tribal Trust agree that in each case written notifications and validation will be provided respectively by the appropriate authority within Council and Ngai Tai ki Tamaki Tribal Trust such as the City Manager on behalf of Council, and the Chairperson of Ngai Tai ki Tamaki Tribal Trust on behalf of Ngai Tai ki Tamaki Tribal Trust.

6.0 PARTICIPATION

6.1 Te Kaunihera o Manukau City Council

Council will develop, maintain and sustain an ongoing positive and effective working relationship with the people of Ngai Tai. This includes representation at governance and operational levels to be determined in accordance with the spirit and intent of this Relationship Agreement.

Processes for participating in decision-making will be implemented as required by the provisions of the LGA 2002, and resourced by Council as appropriate; in order to meet legislative and organisational commitments to Tiriti/Treaty of Waitangi based responsibilities.

Council will have regard to, and provide for tikanga as appropriate.

6.2 Ngai Tai ki Tamaki Tribal Trust

Ngai Tai ki Tamaki Tribal Trust will contribute consistently, and where appropriate, to Council decision-making processes and provide the required authority for members to represent and be involved in these processes.

Ngai Tai ki Tamaki Tribal Trust will exchange views, ideas, and perspectives with Council. This will include the provision of cultural guidance and advice where considered appropriate.

Ngai Tai ki Tamaki Tribal Trust will contribute consistently as mutually arranged, to providing input to the development of policy, including the review and monitoring of plans according to appropriate resourcing.

7.0. CONSULTATION

7.1 Te Kaunihera o Manukau City Council

Council recognises the status of Ngai Tai as a Tiriti/Treaty partner with the Crown and will, with regard to the principles of the LGA 2002 and the requirements of the RMA 1991, ensure that consultation with Ngai Tai ki Tamaki Tribal Trust is consistent and active.

Council will, in consultation with Ngai Tai ki Tamaki Tribal Trust and other Mana Whenua groups in Manukau, establish and maintain processes to provide opportunities for them to contribute to the decision-making processes of Council.

Council will provide ways for Ngai Tai ki Tamaki Tribal Trust, to develop their capacity to contribute to its decision-making processes.

Council will ensure consultation takes place with Ngai Tai ki Tamaki Tribal Trust on issues or developments within the City of Manukau boundaries and areas where it has whakapapa interests and manaakitanga responsibilities. Council will provide resources as mutually agreed upon to facilitate consultation and participation by Ngai Tai ki Tamaki Tribal Trust.

7.2 Ngai Tai ki Tamaki Tribal Trust

Ngai Tai ki Tamaki Tribal Trust will provide advice to Council on issues they wish to discuss, in accordance with the appropriate timing and consultative process to be followed.

Ngai Tai ki Tamaki Tribal Trust will respond within agreed timeframes to requests for advice and feedback regarding areas of interest and concern to them.

Ngai Tai ki Tamaki Tribal Trust will indicate to Council when it is unable to provide advice or feedback within agreed timeframes.

Ngai Tai ki Tamaki Tribal Trust will identify members or delegated representatives, to be the key contact people for specific areas of interest and/or concern and will provide a list of such representatives and inform Council of any changes to personnel on a regular and ongoing basis.

8.0 DISPUTES

The Relationship Agreement between Council and Ngai Tai ki Tamaki Tribal Trust is based on good faith and co-operation, including mutual understanding and respect for each others world views and perspectives.

Both partners agree that there should be open dialogue, clear communication and a commitment to work towards acceptable solutions with honesty and respect.

Where and when disputes and differences occur that are not resolved, an independent mediator may be used but only upon the approval of all parties involved.

9.0 RESOURCING

In recognition of this Relationship Agreement Council will provide appropriate resources to Ngai Tai ki Tamaki Tribal Trust as mutually agreed which may include professional and legal advice, information, human resources and financial support to assist in allowing effective participation and consultation.

Appropriate resourcing will be mutually agreed upon by each partner in recognition of the difficulties, limitations and constraints that may inhibit the capability of Ngai Tai ki Tamaki Tribal Trust to respond adequately or appropriately.

10.0. TRANSFER OF POWER

Council will consult with Ngai Tai ki Tamaki Tribal Trust prior to any transfer of power to a public authority under the RMA 1991. The public authority that subsequently receives this power of transfer will meet their commitment and responsibility to Ngai Tai ki Tamaki Tribal Trust directly.

Council will monitor, evaluate and review the public authority's responsibility, commitment and duties to Ngai Tai ki Tamaki Tribal Trust.

Council acknowledge and will give effect to kaitiakitanga under the RMA 1991, and any other relevant legislation. Council will investigate all opportunities under Section 33 of the RMA 1991, transfer of powers and partnership arrangements with Ngai Tai ki Tamaki Tribal Trust.

11.0 CONFLICTS OF INTEREST

To assist in the ongoing development of a transparent and accountable relationship, Council and Ngai Tai ki Tamaki Tribal Trust will inform each other as soon as practicable of any situation or development which may jeopardise or compromise each partners commitment to this Agreement and their overall relationship with each other.

Council and Ngai Tai ki Tamaki Tribal Trust agree to meet to attempt to resolve any conflict of interest that may arise.

12.0 PROTECTION OF SENSITIVE INFORMATION

In recognition of the spirit of partnership and an active sharing of information, Council and Ngai Tai ki Tamaki Tribal Trust will undertake every precaution to protect, or restrict access to, any sensitive or confidential information, silent files or plans held in their respective care.

The restriction on access to sensitive information will be in accordance with the Local Government Official Information and Meetings Act 1987 [ss. 6 and 7] and the RMA 1991[s.42[i] [a)].

13.0 ALTERATION and REVIEW

In recognition of trust, co-operation and goodwill, the Relationship Agreement can be amended at any time by mutual agreement of both Council and Ngai Tai ki Tamaki Tribal Trust.

Both partners will review the Relationship Agreement on an annual basis from the date of execution.

14.0 ATTESTATION

This Tiriti/Treaty based Relationship Agreement is freely entered into by both parties in the spirit of goodwill, good faith, and mutual reciprocity.

The Relationship Agreement will maintain the basis of a meaningful long term partnership.

The Relationship Agreement is a statement of good intention.

***SIGNED FOR AND ON BEHALF OF TE KAUNIHERA O MANUKAU CITY COUNCIL
ON 9 HERE-TURI-KŌKĀ (August) 2010***

Len Brown
Mayor of Manukau

Leigh Auton
Chief Executive Officer

SIGNED FOR AND ON BEHALF OF NGAI TAI KI TAMAKI TRIBAL TRUST

James Brown
Chairman

[INSERT NAME]
[INSERT DESIGNATION]

[INSERT NAME]
[INSERT DESIGNATION]

[INSERT NAME]
[INSERT DESIGNATION]

[INSERT NAME]
[INSERT DESIGNATION]

[INSERT NAME]
[INSERT DESIGNATION]

DATE OF SIGNING: *9 Here-Turi-Kōkā (August) 2010*

PLACE OF SIGNING: *Te Kaunihera o Manukau*

APPENDIX

Glossary

It is understood and agreed to by both partners that the following definitions shall apply –

“Mana Whenua” in relation to a particular area means those Maori who are tied culturally to the area by whakapapa (genealogy) and had ancestors who lived and died in that area.

“Ahi kaa” means title to land by occupation.

“Kaitiakitanga” means the exercise of guardianship in relation to a natural or physical resource in a particular area.

“Kaitiaki” means the person or group of persons charged with exercising guardianship over a natural or physical resource.

“Manaakitanga” means the act of hospitality towards others.

“Kaupapa” means the theme, idea or topic.

“Taonga” means something of value, both tangible and intangible.

“Rohe” means the area or boundary.

“Tikanga” means a set of customs or beliefs pertaining to Maori.



Te Kaunihera o
MANUKAU
City Council

Coastal & Riparian Reserves Management Plan



December 2009

*A Manukau Combined Management Plan
Adopted under Council Minute No.1338/09*

Vision for Manukau's Parks

Parks that provide a sense of connection by linking the environmental and cultural diversity of Manukau City.

*Making Connections
A Strategy for Manukau's Parks into the Future
2002 – 2010*

Coastal & Riparian Access and Protection

A continuous reserve around the coast and along major streams

Manukau has 353 kilometres of coastline of which over 100 kilometres is either esplanade reserve or functions as esplanade reserve (legal road). In addition there are 30 kilometres of esplanade reserve along major watercourses in the city. The purpose of esplanade reserves is to protect conservation values and provide public access to the sea, rivers and lakes. It is intended eventually to achieve contiguous protection and access in terms of the Resource Management Act and the Manukau District Plan. It is recognised, however, that in certain situations there may be reasons why the development of an esplanade walkway is neither desirable nor achievable. Such reasons may include topography, or damage to ecological or archaeological values.

*Making Connections
A Strategy for Manukau's Parks into the Future
2002 - 2010*

Major Management Objective

To provide public access to coastal and riparian reserves and to protect their conservation and cultural heritage values.

*Coastal & Riparian Reserves Management Plan
2009*

How to Use This Management Plan

This management plan is set out in **four** sections.

- The **first** section contains background about Manukau's parks in general, coastal and riparian reserves specifically and the wider strategic (long term vision), statutory (required by law) and regulatory (use subject to restrictions) context of the plan
- The **second** section contains generic objectives and policies that will guide the acquisition, management and development of coastal and riparian reserves in Manukau City
- The **third** section contains schedules and maps of coastal and riparian reserves in the city
- The **fourth** section contains copies of supporting documents that are available on request.

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SECTION ONE

1.0 Background

1.1 Parks in Manukau City

Since its formation in 1966, Manukau City has acquired an extensive network of parks through a combination of local government amalgamation, purchase, vesting at subdivision and philanthropy.

Manukau City Council is now responsible for the management of over 400 individual parks totaling in excess of 2,000 hectares. In addition there are over 130 kilometres of esplanade reserves around the coast and along major streams and rivers.

For the purposes of strategic planning and management Manukau City Council has categorized the existing parks network in the following way:

- Premier Parks of city-wide significance
- Neighbourhood Parks
- Sports Parks
- Community Purpose Buildings Reserves (or parts of reserves)
- Coastal and Riparian Esplanade Reserves
- Heritage sites (including bush remnant reserves) not already included in any other category.

This grouping of parks is reflected in *Making Connections – A Strategy for Manukau’s Parks into the Future 2002-2010*.

Making Connections is the strategic plan for Manukau City Council’s parks for the next 10 years and beyond. The purpose of the plan is to provide a clear direction for the future provision and development of the parks network.

Making Connections takes a strategic position on each of these park categories, including coastal and riparian reserves which are the subject of this management plan.

Council’s intention to prepare this management plan was signalled when the draft strategy was prepared. Submissions received (particularly to Goal 5 Coastal & Riparian Access and Protection) have been considered in the drafting of the Coastal & Riparian Reserves Management Plan.

1.2 Coastal and Riparian Reserves in Manukau City

Making Connections identified the key strategic direction for coastal and riparian reserves in Manukau City through the following policy statement:

"A continuous reserve around the coast and along major streams - Council will accept all esplanade reserves made available by development to provide public access to, and protection of, the natural coastal and riparian environment".

Coastal and riparian reserves included in this management plan are defined as:

Unless included in another management plan, this plan includes all Manukau City Council owned or controlled esplanade reserves around the coast and along major streams, and any larger reserves that may be connected (contiguous) to an esplanade reserve, and any isolated reserves that have a predominant coastal or riparian location or share a boundary with coast or stream. Reserves included are therefore:

- *Standard esplanade reserves (normally a linear 20m wide although esplanade reserves can sometimes be wider and sometimes narrower and can take on an irregular shape)*
- *Beach reserves (for example Maraetai Reserve, Maraetai)*
- *Points or promontories (for example Kauri Point Reserve, Wattle Downs)*
- *Access reserves that connect adjacent roads to the coast or stream (for example a number of reserves along Fisher Parade give access to the Tamaki Estuary Walkway)*
- *Heads of creeks (for example Otara Creek Reserve)*
- *Streams with wide reserve corridors (for example Logan Carr Reserve)*

The reserves included in this management plan offer a contrast between those that are:

- in urban locations and those in rural locations
- connected and accessible and those that are isolated and inaccessible
- developed and maintained and those that are undeveloped and unmaintained.

Over time, however, all reserves included in this management plan will become part of a connected network.

The primary objectives of management for esplanade reserves come from Section 229 of the Resource Management Act 1991. These are to:

- maintain or enhance the natural functioning of adjacent water
- maintain or enhance aquatic habitats
- protect associated natural values
- mitigate natural hazards
- enable the public to access the sea, rivers, stream or lakes
- enable public recreational use where compatible with conservation values.

Moving clockwise from Musick Point, the coastal and riparian reserves are divided into the following sections:

Hauraki Gulf

Map Section 1: Musick Point to Sandspit

Incorporating: Musick Point Esplanade Reserve
Eastern Beach Reserves
Mellon's Bay Reserves
Mellon's Bay Stream Reserves
Howick Beach Reserves
Cockle Bay Reserves

Cockle Bay Stream Reserves

Replacing: Mellon's Bay Management Plan 1992
Howick Beach Management Plan 1994
Cockle Bay Management Plan 1994

Excluding: Macleans Park (Refer to Macleans Park Management Plan 1995)

Map Section 2: Sandspit to Pine Harbour

Incorporating: Turanga Creek Reserves
Whitford Reserves
Waikopua Creek Reserves

Excluding: Mangemangeroa Creek (Refer to: Mangemangeroa Valley Reserves Management Plan 2007)
Wade Island, Turanga Creek
Pine Harbour Marina (Reclaimed) Reserve

Map Section 3: Pine Harbour to Umupuia

Incorporating: Sunkist Bay Reserves
Shelly Bay Reserves
Te Puru Creek Reserves
Omana Beach Reserves
Maraetai Beach Reserves
Waiomanu Beach Reserves
Magazine Bay Reserves
Umupuia Beach Reserves

Replacing: Sunkist Bay & Motukaraka Management Plan 1995
Maraetai & Omana Reserves Management Plan 1992

Excluding: Te Puru Park (Refer to: Sports Parks Management Plan 2007)
Motukaraka (Karakaka Island) off Beachlands

Map Section 4: Umupuia to Wairoa Bay

Incorporating: Wairoa River Reserves

Map Section 5: Wairoa Bay to Orere Point

Incorporating: Kawakawa Bay Reserves
Te Iwihirahi Reserve
Te Karaka Reserves
Papanui Point (Esplanade) Reserves
Orere Beach Reserves
Orere River Reserves

Excluding: Papanui Point Bush Reserve

Clevedon Landing Reserve

Manukau Harbour

Map Section 6: Pahurehure Inlet to Wattle Farm Reserve

Incorporating: Papakura Stream Reserves
Wattle Downs Peninsula Reserves
Wattle Farm Reserve

Replacing: Wattle Downs Coastal Reserves Management Plan 1993
Wattle Farm Reserve Management Plan 1992

Map Section 7: Wattle Farm Reserve to Puhinui Creek

Incorporating: Waimahia Creek Reserves
Weymouth Peninsula Reserves
Puhinui Stream Reserves

Replacing: Weymouth Coastal Reserves Management Plan 1993

Excluding: Laurie Gibbons Memorial Park (Refer to: Sports Parks
Management Plan 2007)
Area of coastal vegetation Bill Phillip Place

Map Section 8: Puhinui Creek to Oruarangi Creek

Incorporating: Pukaki Creek Reserves
Otaimako Creek Reserves
Waokauri Creek Reserves
Tautauoa Creek Reserves
Waitomokia Creek Reserves
Oruarangi Creek Reserves

Excluding: Puhinui Reserve (Refer to: Puhinui Reserve
Management Plan 2002)
Pukaki Lagoon (Crater)
Otautaua Stonefields (Refer to: Otautaua Stonefields
Historic Reserve Management Plan 2003)
Oruarangi Creek Landing Reserves

Map Section 9: Oruarangi Creek to Ambury Park

Not included refer to: Project Manukau Coastal & Foreshore
Restoration Plan 2000

Map Section 10: Ambury Park to Mangere Bridge

Incorporating: Kiwi Esplanade Reserves

Replacing: Kiwi Esplanade Reserves Management Plan 1991

Map Section 11: Mangere Bridge to Otahuhu

Incorporating: Mangere Inlet Reserves
Taratata Creek Reserves
Harania Creek Reserves

Excluding: Norana Park (Refer to: Sports Parks Management Plan 2007)

Tamaki Estuary

Map Section 12a: Middlemore to Pakuranga Creek

Incorporating: Otara Creek Reserves (to Flat Bush limits)
Highbrook Esplanade Reserves*
Pakuranga Creek Reserves

Excluding: Pukekiwiriki (Refer to: Highbrook Park Trust)
Ngati Otara Park (Refer to: Sports Parks Management Plan 2007)
Linear (Green Fingers) Reserves in Flat Bush
Urupa Greenmount Drive

Map Section 12b: Pakuranga Creek to Musick Point

Incorporating: Cascades Reserves
Logan Carr Reserve
Wakaaranga Creek Reserves
Buckland's Beach Reserves

Replacing: Tamaki Estuary Reserves Management Plan 1999

Excluding: Riverhills Park (Refer to: Sports Parks Management Plan 2007)
Half Moon Bay (Car Parking) Reserve

** Note on Highbrook Park Trust.* Although the esplanade reserves around the Highbrook development are owned by Manukau City Council, management is vested in the Highbrook Park Trust under the terms of the Highbrook Reserves Agreement 2000. The trust has their own set of rules known as the 'Highbrook Park Conditions of Entry' which are largely compatible with the policies contained in this management plan and the Manukau City Consolidated Bylaws. However in the event of a discrepancy between this management plan and the conditions of entry, the conditions of entry take precedence.

1.2.1 Status of Unformed Legal Roads

There are a number of unformed legal roads that extend down to Mean High Water Springs and that adjoin reserves included in this management plan. In 1998 Manukau City Council undertook an exercise that identified which of these unformed legal roads (or parts thereof) are never likely to be formed and that could be better utilised as reserve. These roads were subsequently rezoned as Public Open Space in the District Plan.

Following re-zoning these legal roads should have been 'stopped' (closed) in accordance with the Local Government Act 1974 and vested as reserve (mostly *Local Purpose Esplanade Reserve*). At the time of writing, however, this road stopping has not been completed so their status remains as legal road.

In recognition of the re-zoning of these legal roads and in anticipation of the completion of the road stopping process, the re-zoned legal roads are included in this management plan and are covered by the same policies that apply to the adjoining reserves. The unformed rezoned legal roads included are listed under Section 3.3.

The three most significant areas of legal road now treated as reserve and subject to the policies of this management plan are: the coastal strip around Papanui Point between Waiti Bay and Tawhitokino beach and Regional Park; the seaward side of Marine Parade in Howick and the coastal strip between Waimahia Ave and Estuary Rd in Weymouth.

Conversely there are other unformed legal roads that extend down to MHWS that have not been re-zoned as public open space. Council has decided that these should remain as legal road. This management plan has no jurisdiction over such unformed legal roads which include many of the beaches in Manukau, for example, Bucklands Beach, Eastern Beach, Maraetai Beach, Umupuia and Kawakawa Bay.

1.2.2 Exclusions

In addition to those reserves subject to another management plan as listed in Section 1.2, the following areas are also excluded from this management plan:

- i) Although Council has a numbers of powers over the foreshore (the area between Mean High Water Springs and Mean Low Water Springs) relating to bylaw enforcement, this plan focuses on the management of the land based reserves above MHWS only. Other than where Council bylaws apply, matters beyond MHWS are under the jurisdiction of the Auckland Regional Plan: Coastal.

It is acknowledged, however, the management of mangroves and the potential for coastal reclamations are two issues of particular interest to the community. And that they are two issues on which Manukau City Council could become actively engaged on behalf of local communities.

- ii) The plan also has no jurisdiction over esplanade strips or access strips that may exist around Manukau's coastline. Esplanade strips are effectively easements that move as the position of Mean High Water Springs or the banks of a river or lake change and can provide for the same conservation, access and recreational outcomes as esplanade reserve while the land subject to the esplanade strips remains in private ownership. Access strips are easements similar to esplanade strips although they do not follow the coast or rivers and are designed to cross private land to provide access to esplanade reserves/strips.
- iii) Stormwater Management Areas are also excluded from this management plan. Although these areas may provide for public access, are often zoned as Public

Open Space (refer to Section 1.7) and are connected to the wider parks network they are not held subject to the Reserves Act.

- iv) As the Flat Bush area develops over the next 10 to 15 years Council will acquire land to be zoned as Public Open Space 6 - Environmental Corridor (also known as the 'green fingers'). This will be a multi-functional zone that is unique to Flat Bush and provides for some stormwater management activities (riparian planting, swales), pedestrian and cycle access routes, open spaces for recreation and leisure activities and to enhance overall urban amenity. Whilst Flat Bush is still under development and until the classification and management issues associated with these linear reserves become clear, they are not included in this management plan.
- v) Department of Conservation estate in coastal and riparian locations within Manukau is also not under the jurisdiction of this management plan except where control and management has been vested with Manukau City Council. This estate includes stewardship areas and marginal strips held subject to the Conservation Act 1987. This land is often contiguous with Manukau City Council reserves. As a matter of policy it may be desirable if the control and management of more of these areas and strips was vested in Manukau City Council. The DOC estate is listed in Section 3.4. Coastal and riparian areas within Auckland Regional Parks are also not under the jurisdiction of this management plan.
- vi) The coastal 'reserves' between Oruarangi Creek and Ambury Park are not included in this management plan. They are in ownership of Watercare and have been subject to restoration following the removal of the oxidation ponds. This was known as Project Manukau. As a matter of policy, however, it may be desirable if the control and management of this coastal strip was vested in Manukau City Council.
- vii) Reserves at Pine Harbour Marina in Beachlands and Half Moon Bay Marina in Pakuranga are also excluded from this management plan. Pine Harbour (230R Jack Lachland Drive) is re-claimed land leased in entirety to the marina company and Half Moon Bay (21R & 39R Ara Tai) is subject to re-development as a ferry terminal. On completion of the ferry terminal however, any residual land with public recreation values that remains (a major public boat ramp for example) will be included as part of this management plan.
- viii) Finally, a number of other individual coastal and riparian reserves are excluded for reasons of *Reserves Act Classification*. This is discussed in the next section.

1.3 *Reserves Act Classification*

The Reserves Act requires that reserves be classified according to their principal purpose.

There are seven classifications:

| Reserve Classification | Principle Purpose |
|-------------------------------|---------------------------------|
| Recreation Reserve | Provision of Outdoor Recreation |
| Scenic Reserve | Protection of Scenic Landscapes |

| | |
|----------------------------|--|
| Nature Reserve | Protection of Flora and Fauna |
| Historic Reserve | Protection of Historic Places |
| Scientific Reserve | Special Areas for Research |
| Government Purpose Reserve | Set Aside for Defence or Civil Works |
| Local Purpose Reserve | Any other specified purpose not included above |

The classification that applies to the majority of coastal and riparian reserves included in this management plan is *Local Purpose (Esplanade) Reserve*, defined as:

"A fixed linear area of riverbank, lakeshore or seashore of at least three metres or greater width (usually 20m) either in a natural or modified state available primarily for conservation and public access."

The classification that applies to the smaller access reserves that connect adjacent roads to the esplanade reserves is *Local Purpose (Access) Reserve*.

In accordance with the scope of this management plan (see 1.2 above), however, a number of the coastal and riparian reserves included in this management plan extend beyond the linear esplanade reserve and the associated access reserves, to include reserves that may be connected to an esplanade reserve, or that have a predominant coastal or riparian location or share a boundary with coast or stream.

These reserves often occur when the esplanade reserve 'opens-out' to include a larger reserve. In these instances the *Recreation Reserve* classification will apply, defined as:

"Open space and outdoor recreational values especially suitable for recreation and sporting activities and the physical welfare and enjoyment of the public".

In some instances coastal and riparian reserves contain the site of a community building, in which case that part of the park will be classified (and surveyed-off if necessary) as *Local Purpose (Community Buildings) Reserve*.

With the focus of this management plan on *Local Purpose (Esplanade) Reserves* and *Recreation Reserves* the following coastal and riparian reserves are excluded because it is more appropriate that they be classified as *Scenic Reserve*.

- Wade Island, Turanga Creek
- Motukaraka (Karaka Island), off Beachlands
- Papanui Point Bush Reserve, Kawakawa Bay/Orere
- Area of coastal vegetation at the end of Bill Phillip Place in Weymouth.

Similarly, the following landing reserves and urupa site are excluded pending further investigation that may result in a *Historic Reserve* classification:

- Oruarangi Creek Landing Reserves, Mangere
- Clevedon Landing Reserve, Clevedon
- Urupa at 83 Greenmount Drive, Botany.

Scenic Reserves and *Historic Reserves* will be included in other management plans that are consistent with the classification.

1.4 *Park Management Plans*

In addition to the classification of reserves as discussed above, the Reserves Act also requires Council to prepare a management plan for all reserves under its control with the exception of *Local Purpose Reserves*. Therefore, insofar as this management plan includes *Local Purpose Reserves* it is voluntary or discretionary management plan. Although there is no statutory requirement to prepare a management plan for *Local Purpose Reserves*, Council has traditionally done so for *Local Purpose (Esplanade) Reserves* as a matter of good practice and management completeness.

However, because such a management plan is voluntary it is not done under the auspices of the Reserves Act and should be considered as a Council management plan rather than a statutory management plan. It has, nevertheless, been prepared under the full Reserves Act process so that, as a result, Council is bound by policies in the management in the same way as if it were a statutory plan.

The *Local Purpose (Esplanade) Reserves* included in this plan are not individually scheduled in the plan. Their inclusion is taken as read.

Conversely, Council is required to prepare a management plan for *Recreation Reserves*. Therefore insofar as this management plan includes *Recreation Reserves* it is a statutory plan. The *Recreation Reserves* included in the statutory part of this plan are scheduled in Section 3.

Note that although the majority of reserves included in this management plan are classified there are a number where classification has not been legally finalised. The classification of all reserves will need to be completed before this plan can become fully compliant with the Reserves Act. In all cases, however, the appropriate classification is clearly set out in this plan.

The purpose of a management plan is to ensure that the use, enjoyment, maintenance, development and protection of the parks have been properly considered. A management plan is prepared through a public consultation process and provides communities with some certainty about the function and management of the parks.

These management intentions are commonly presented through a series of objectives and policies, together with indicating some development options.

Once adopted, management plans have legal status and they commit Council to the policy undertakings set out in the document.

1.5 *Combined Park Management Plans*

In November 2001 Manukau City Council reviewed its approach to park management planning and replaced the practice of producing an individual management plan for each park with the production of combined or multi-park management plans which group like-parks together. Three new city wide park groupings, as identified in the parks strategy, *Making Connections*, were adopted. They are:

- 240 Neighbourhood Parks (together with 68 other local reserves) grouped together in a single plan that focuses on the contribution made by local parks to a quality urban environment, recreation and play. Adopted in December 2005.

- 50 Sports Parks grouped together in a single plan that focuses on the management of high quality sports facilities across the city. Adopted in May 2007.
- Over 130 km's of Coastal and Riparian Esplanade Reserves (and other associated reserves) grouped together in a single plan to reflect the important management issues related to these linear reserves, such access and environmental protection.

This approach, which is now commonplace throughout New Zealand, was successfully tested in April 2000 with the Manurewa Neighbourhood Reserves Management Plan, which grouped together 63 local parks in a single plan, albeit at a very general level.

The advantages of combined management plans are:

- Allows a strategic view of parks provision and streamlines policy making
- Supports a consistent approach to the management of parks in the group
- Is a more economic use of resources (including the public's time in making submissions and Council time at Committee stage) and avoids duplication
- Results in all parks being covered by management plan policies much sooner than would otherwise be the case, therefore also making Council compliant with the Reserves Act.

Where a park in a new group currently has an individual plan, this will be absorbed into the combined plan when the former plan is reviewed or has lapsed. Equally, as Council acquires new parks in the group (for example when new esplanade reserves vest with Council on development) they will be included in the new plans.

1.6 Park Management Plan Process

When complete a draft park management plan is available for public comment, and interested persons or organisations are invited to make a submission on any aspect of the document.

The submissions are received over a two month period following the first date of public notification.

The Council then holds a Reserves Act Hearing to consider submissions received and makes changes to the plan accordingly.

The management plan is then adopted by Council and becomes the Council policy that guides the operation of parks throughout the city.

The effectiveness of the management plan is constantly monitored by Council staff through daily operational experience and through feedback from the public on park matters. Council staff also monitors any changes to national or regional planning matters that may affect the plan. Management plans are normally reviewed after 5 years.

During the life of a management plan circumstances may require that a formal change is made to the plan.

A management plan change may be initiated for the following reasons:

- To accommodate a proposed new use, activity, facility or development which is not provided for in the plan but which is consistent with the management philosophy and objectives of the plan
- Any statutory or legislative change which would render the plan inoperable or illegal.

The proposed plan change is publicly advertised and any person or organisation which may be significantly affected by the proposed change is advised. Submissions are invited and treated in the same way as the process for the management plan itself. Council considers the submissions and the proposed plan change is either adopted or rejected.

In the normal course of events, therefore, as development is undertaken on coastal and riparian reserves, a formal plan change will not be required if that development falls within the general scope and intent of this management plan.

1.7 *Manukau Operative District Plan Public Open Space Zoning*

The Resource Management Act 1991 (RMA) requires Council to have a district plan. The Manukau Operative District Plan 2002 applies 'zones' to public open space (mostly parks and reserves).

Although there is a strong relationship between the zones in the district plan and Reserves Act classifications, they do have a different purpose.

Whilst reserve classifications dictate management policy via park management plans like this one, zones are concerned with managing environmental effects via district plan rules.

The district plan recognises the role of management plans under the Reserves Act as the more appropriate way of providing effective park management, in tandem with the district plan rules. The district plan also anticipates the development of combined park management plans for that purpose.

There are six public open space zones:

| Public Open Space Zone | Protects |
|-------------------------------|--|
| 1 | Natural and Cultural Heritage |
| 2 | Passive Outdoor Informal Recreation |
| 3 | Active Outdoor Recreation and Sport |
| 4 | Community Purpose Buildings and Indoor Recreation |
| 5 | Esplanade Reserves, Drainage and Water Quality Areas |
| 6 | Environmental Corridor (Flat Bush only) |

The public open space zone that applies to the majority of coastal and riparian reserves included in this management plan is *Zone 5 Esplanade Reserves, Drainage and Water Quality Areas* described as:

"This zone protects public access to the coastal environment and lakes, rivers and streams and the natural and cultural resources contained within these areas. Land in

this zone always lies adjacent to the coast or lakes, rivers and streams and is therefore generally linear in shape.

The P.O.S 5 Zone includes land vested in the Council as esplanade reserve, land that is potentially affected by flooding and/or required for stormwater management purposes, and land that surrounds water quality/flood control ponds. The provisions of the zone include cross references to the provisions of the Stormwater Management Areas to ensure that activities within these areas do not affect the treatment or detention of stormwater runoff.

This zone recognises that the coastal environment is a sensitive area with the foreshore forming the interface between land and sea. By allowing only limited building and structures on land zoned P.O.S 5, natural and cultural heritage resources and visual amenity associated with the coastal environment and freshwater ecosystems will be protected".

In the majority of cases a POS 5 zone corresponds to a *Local Purpose (Esplanade) Reserve* classification. In some cases however, where the *Local Purpose (Esplanade) Reserve* is more extensive and wider, a notional 20m POS 5 zone is overlaid and the rest of the rest is given a different zone.

As a result, in addition to the predominant POS 5 zone, this management plan also includes reserves zoned POS 2 *Passive Outdoor Informal Recreation* and a lesser number of reserves zoned POS 3 *Active Outdoor Recreation and Sport*.

The POS 2 zone accommodates those reserve areas described earlier that 'open-out' beyond the standard esplanade reserve, whilst the POS 3 zone accommodates boating clubs and facilities that for the purposes of zoning are considered to be 'active recreation'.

In the majority of cases POS 2 and 3 zones correspond to a *Recreation Reserve* classification, although for the reason explained above, these zones may also overlay a *Local Purpose (Esplanade) Reserve*.

This management plan also includes a small number of reserves zoned POS 4 *Community Purpose Buildings and Indoor Recreation* that are occupied by community purpose buildings or set-aside for community buildings.

The POS 4 zone corresponds to a *Local Purpose (Community Buildings) Reserve* classification.

The four sites more suited to a *Scenic Reserve* classification as listed in 1.3 above, are POS 1 zone (Natural and Cultural Heritage) but are excluded from this management plan.

1.8 Integrated Planning and Management

The table below summarises the preceding discussion by showing:

- the different types of parks as defined in *Making Connections*, and
- their classification under the Reserves Act, and
- the Public Open Space zones that apply to the different types of park, and

- how each type will be treated in a management plan.

| Park: Type, Classification, Zone. | POS1 | POS2 | POS3 | POS4 | POS5 | Management Plan Treatment |
|---|-----------------|-------------|-------------|-------------|-------------|--|
| <i>Premier Parks</i> Classified Recreation, Scenic or Historic Reserve | ✓✓ | ✓ | ✓ | ✓ | ✓ | Predominately POS1 but can also contain other zones. Subject to individual plans that treat the park as a whole. |
| <i>Neighbourhood Parks</i> Recreation Reserve with some Local Purpose | | ✓✓ | | ✓ | | Predominately POS2 but in a small number of cases also includes a POS4 zone. Subject to a combined plan that treats each park as a whole. |
| <i>Sports Parks</i> Recreation Reserve with some Local Purpose | | ✓ | ✓✓ | ✓ | ✓ | Predominately POS3 but can also contain other zones. Subject to a combined plan that treats each park as a whole. |
| <i>Community Buildings Reserves</i> Local Purpose with some Recreation | | ✓ | | ✓✓ | | Predominately POS4 but in a small number of cases includes a POS2 area. Not subject to a management plan. |
| <i>Coastal & Riparian Reserves</i> Local Purpose Reserve with some Recreation | ✓ (excluded) | ✓ | ✓ | ✓ | ✓✓ | Predominately POS5 but can also include other zones. Subject to a combined plan that treats the reserves as a linear whole and acknowledges esplanades that are part of a premier or sports park. |
| <i>Heritage Sites</i> Including bush remnant reserves Recreation or Historic | ✓✓ | | | ✓ | | Predominately POS1 but often contains POS4. Assessment of heritage values on a site by site basis will determine if an individual or combined plan is appropriate. |

This management plan consolidates strategic, legislative and regulatory requirements into one document that provides a set of policies to ensure consistent treatment of all coastal and riparian reserves in Manukau City.

In doing so a number of existing plans and policies lapse or require rescinding.

With the introduction of this management plan, 10 other management plans that previously covered coastal and riparian reserves, and are overdue for review or still draft, will lapse (but remain available as an information source). They are:

- Cockle Bay Reserve Management Plan 1994
- Howick Beach Reserve Management Plan 1994
- Kiwi Esplanade Reserve Management Plan 1992
- Maraetai & Omana Reserve Management Plan 1992
- Mellon's Bay Reserve Management Plan 1992
- Motukaraka & Sunkist Bay Reserve Management Plan 1995
- Tamaki Estuary Reserve Management Plan 1999
- Wattle Downs Reserve Management Plan 1993
- Wattle Farm Reserve Management Plan 1992
- Weymouth Foreshore Management Plan 1993.

With the introduction of this management plan the following Council policies that previously applied to coastal and riparian reserves will be rescinded:

- Repairs to Sea Walls 1966
- Jetties Boat Ramps etc on Foreshores 1964
- Temporary Boat Shelters 1983
- Land Drainage – Maintenance of Open Water Courses 1977
- Riding and Exercising of Horses on Eastern Beach 1978
- Management and Maintenance of Local Purpose Esplanade Reserves 1992.

1.9 Asset Management Plans

Asset management plans also have a relationship with *park management plans*. Asset management plans are required under the Local Government Act 2002 and their primary purpose is to demonstrate responsible stewardship of park assets whilst justifying funding requirements. Assets are defined as the different physical components that together make up a park, for example: grass, trees and furniture. This contrasts with park management plans that are required under the Reserves Act 1977 and whose primary purpose is to consider all aspects of parks use.

The asset management plan is a tactical document that considers issues of:

- Levels of service required from parks
- Future demand for parks
- Lifecycle management of parks
- Financial requirements of parks
- Improvements in managing the parks assets.

Asset management plans respond to, and reflect, the strategic and policy directions set down in park management plans. The policies contained in park management plans however, are themselves informed by the levels of service required from parks as set out in the asset management plans. This is particularly true where those levels of service have been derived from knowledge of community expectations. In other words, it is important that policy development reflects known community wishes.

The Manukau Parks Asset Management Plan (which aligns to park strategy and policy by using the same park groupings of Premier Parks, Neighbourhood Parks, Sports Parks and Coastal & Riparian Reserves) highlights a number of things that people expect parks to:

- Be safe
- Protect the environment and retain natural areas
- Provide high quality facilities
- Be accessible
- Have good aesthetics
- Provide relevant information.

These important community expectations are considered in this management plan. Another important function of the asset management plan is to forecast the financial requirements needed to undertake the development of coastal and riparian reserves. For this reason this management plan does not include financial considerations. That task is left to the Manukau Parks Asset Management Plan, and the Parks Asset Development Works Programme.

1.10 Manukau City Consolidated Bylaw 2008

A bylaw is a rule or regulation made by a local authority that affects how people live, work and play. A bylaw is a local rule that carries penalties for not complying, these penalties range from fines, seizure of property and remedial action.

The bylaws for Manukau City are made by Manukau City Council mainly using powers contained in the Local Government Act 2002.

The bylaws are grouped by issue into chapters that together comprise the entire Manukau City Consolidated Bylaw 2008.

There are a number of bylaws that impact on the management of the reserves included in this management plan:

- Chapter 1 General Administration
- Chapter 2 Animals and Pest Administration
- Chapter 5 Construction, Development, Street Damage and Vehicle Crossings
- Chapter 6 Dog Control
- Chapter 7 Events and Trading in Parks and Public Places
- Chapter 9 General Nuisance, Safety and Behaviour in Parks and Public Places
- Chapter 11 Liquor Control
- Chapter 13 Parking and Traffic
- Chapter 15 Rural Fires
- Chapter 19 Temporary Signs
- Chapter 20 Waste Management

This management plan acknowledges these bylaws as Council policy and does not attempt to reproduce or repeat them in this document. The application of the bylaws as they may apply to coastal and riparian reserves is taken as read.

In addition to powers under the consolidated bylaw, park rangers are warranted under the Reserves Act giving them powers in respect of offences under the Act. Offences are set out in Section 94 of the Act and include: lighting of fires, unauthorised planting, wilful damage, illegal occupation and use, protection of wildlife and unauthorised buildings and structures.

1.11 *Hauraki Gulf Marine Park*

The Hauraki Gulf Marine Park was created in February 2000 through the Hauraki Gulf Marine Park Act 2000 and celebrates its 10th anniversary in early 2010. Whilst the Act allows public and private lands to be included into the Park, this has not occurred and the Park still only consists of the seawater, Crown-owned foreshore and seabed and conservation areas within the Gulf as when it was created.

The Hauraki Gulf Forum which was established as part of the Hauraki Gulf Marine Park Act is concerned that the Park remains largely unrealised and has a very low profile due to a lack of branding and promotion. In order to promote the Park the Forum considers that connection with the land is required. To achieve this, it has suggested that constituent parties consider the inclusion of other lands within the Park.

The Forum therefore requested constituent parties to consider the possibility for the Hauraki Gulf Marine Park to be extended to include inland coastal reserves and by way of a unifying identity across these reserves promote the Park.

In response to this request, in May 2009 Manukau City Council resolved to include all its reserves adjoining the coastline within the Hauraki Gulf Marine Park boundaries.

In considering the expansion of the Hauraki Gulf Marine Park to include inland parks, the management of these reserve lands remains under the Reserves Act (1977) and the Resource Management Act (1991) via district plan controls.

The recently released draft guidance document *Governing the Gulf – Giving Effect to the Hauraki Gulf Marine Park Act through Policies and Plans* does not directly address the management of reserves. The guide rather points out the matters that the Act requires to be addressed, such as coastal access, protection of historical and cultural heritage, and management of activities which may impact on natural character and landscapes, through District Plans and Resource Consents and are also addressed through the council's existing policies for acquisition and management of reserves.

SECTION TWO

2.0 Objectives and Policies

Objectives and policies have been drafted to be consistent with the management intentions of the reserves classification under the Reserves Act and their public open space zoning in Manukau Operative District Plan.

The objectives and policies have also been drafted to be consistent with the New Zealand Coastal Policy Statement 1994 and the Proposed New Zealand Coastal Policy Statement 2008 insofar as it impacts on the management of public coastal land. (A final version of the revised NZCPS is expected to be released in 2009).

Objectives and policies are grouped according to their contribution to the five main park values presented in *Making Connections: Recreation, Ecology, Landscape, Heritage and Community*.

2.1 Major Management Objective for Coastal and Riparian Reserves

To provide public access to coastal and riparian reserves and to protect their conservation and cultural heritage values.

2.2 Recreation: parks as places that offer easy access to a variety of enjoyable outdoor activities.

2.2.1 Reserve Acquisition

Discussion: The network of coastal and riparian reserves throughout Manukau City is incomplete. The acquisition of reserves (mainly esplanade reserves), either through vesting on development or through purchase (if necessary) is required to provide a contiguous reserve network in accordance with *Making Connections*.

Section 15.15.3 of the Manukau Operative District Plan sets out the general rules for acquiring esplanade reserves around the coast and along tidal and non-tidal rivers and streams.

In order to achieve integrated outcomes for coastal and riparian reserves across the city, it may also be desirable if the control and management of the Department of Conservation estate and the Watercare land as discussed in Section 1.2.2 Exclusions, was vested in Manukau City Council.

Objective: To acquire additional reserves along the coast and along major streams to protect conservation values and provide public access.

Policies:

1. Council will accept all esplanade reserves made available by development and may consider land purchase to enhance the reserves network further.

2. As new reserves are acquired they will be automatically subject to the policies of this management plan.
3. The unformed legal roads listed in Section 3.3 will be subject to the policies of this management plan pending formal road 'stopping' and vesting as reserve.
4. Negotiate with the Department of Conservation on a case by case basis as to appropriateness of vesting control and management of conservation land with Manukau City Council.
5. Negotiate with Watercare Services Limited as to the appropriateness of vesting control and management of Project Manukau coastal margins with Manukau City Council.

2.2.2 Public Access

Discussion: Coastal and riparian reserves are places to be enjoyed by the public and access is to be encouraged whenever possible. The popularity of the city's established walkways is evidence of their value as a recreational asset.

Whilst public access is not automatically considered to be in conflict with other values, it is recognised that in certain situations there may be reasons why the development of a walkway and/or cycleway and/or bridleway is not desirable or achievable. Such reasons may include topography, or damage to ecological or archaeological or cultural values. Such reasons need to be clearly established in order for public access to be restricted.

In many instances there may be a time-lag between the acquisition of reserves and the subsequent development and opening to the public. For example, some esplanade reserves taken at subdivision may remain isolated and inaccessible until further subdivision completes a connected network.

In the interim this can result in largely unmaintained reserves for a period of time, or encroachment onto the reserves by neighbouring private properties, and often some localised concern when the time comes to develop the reserve and open it for public use.

As a consequence community expectations with regard to coastal and riparian reserves need to be managed and legal property boundaries established where necessary.

- Objectives:*
1. To encourage safe public access to and along coastal and riparian reserves via a network of footpaths and tracks in accordance with the requirements of the Manukau Operative District Plan (the district plan controls certain matters relating to construction).
 2. To identify legal boundaries and discourage encroachment.

- Policies:*
1. The suitability of coastal and riparian reserves for walking, cycling and horse riding will be considered on a case-by-case basis in that order of priority.
 2. Only where public access presents safety issues, or where it may demonstrably damage natural or cultural values, will access not be encouraged. The potential impact that public access may have on any private benefits enjoyed by property owners as a result of living adjacent to a public reserve will not be considered sufficient reason to restrict public access.
 3. Unauthorised encroachment, and the 'private' occupation of public reserve, will not be an impediment to reserve development. Any unauthorised signs, fences, structures or planting that inhibit public access will be removed.
 4. Where the legal boundary between a reserve and an adjoining property is not clear, survey pegs will be located and the boundary clearly defined.
 5. In certain circumstances, especially in rural areas, where an esplanade reserve is not immediately required for development, it may be managed by the adjacent landowner as though it were part of that property until such time as it is developed for public access. This would normally be achieved through a licence agreement between Council and the adjacent landowner and would normally involve grazing by stock. In these circumstances fencing should be used to exclude stock from any riparian margins.
 6. Where an esplanade reserve is not required for immediate development and where no local management is undertaken, Council has no obligation to maintain the reserve other than for matters of public health and safety, and pest management control.
 7. A 'Share with Care' approach is taken on paths used by pedestrians and cyclists and where possible access by disabled people will be encouraged.
 8. Work in partnership with other regional and local authorities to extend public access across administrative boundaries (the joint development of walkways for example).

2.2.3 Vehicle Access, Car Parks and Recreation Boat Access

Discussion: A number of reserves are served by legal roads or internal parks roads that give access to car parks and other facilities in the coastal and riparian environment. Vehicle access and car parks are generally limited to the larger recreation reserves associated with public beaches or in strategic locations that provide access to a coastal or riparian walkway.

In general a conservative approach should be taken to the provision of vehicle access and parking along coastal and riparian reserves, in favour of protecting the natural values of the open space.

The reserves are also important for the provision of public boat ramps. The Public Boat Ramp Strategy 2004 identified 37 boat ramps across the city together with a number of informal beach access points used by recreational boats. The strategy categorised the ramps according to their capacity and development potential.

Whilst access to the Hauraki Gulf is served by all-tide boat ramps at Half Moon Bay and Kawakawa Bay, there is no all-tide access to the Manukau Harbour. This is a priority for development, with Mangere Bridge being the preferred location.

Although boat ramp access is a Council service provided free of charge, the popularity of the major boats ramps and the resulting congestion has triggered an investigation of different management options, included user charges.

- Objectives:*
1. To provide car parks where appropriate from which visitors can access the coastal and riparian reserves.
 2. To provide public boat ramps where appropriate that offer access to the waters of the Hauraki Gulf, the Manukau Harbour and the Tamaki Estuary.
- Policies:*
1. Motor vehicle access and car parking will be provided to the extent to which is it necessary for the proper use and enjoyment of the reserves. The purpose of vehicle access to parks is not to provide alternative traffic routes.
 2. Motor vehicle access other than to designated car parks or for authorised park management or other approved purposes is prohibited throughout the reserves.
 3. The use of public reserves to provide motor vehicle access to private property is not permitted.
 4. Public boat ramp provision and development will be in accordance with the *Public Boat Ramp Strategy 2004*.
 5. Investigate management options for the major boat ramps.

2.2.4 Public Activities and Community Events

Discussion: The reserves are provided for public benefit and visitors are encouraged to enjoy the natural qualities of the reserves in ways that they may wish to recreate. Activities are limited only where they adversely affect these natural qualities or others enjoyment thereof.

Some of the larger recreation reserves are suitable venues for organised community events.

Objective: To provide for a wide variety of outdoor recreational activities and events in keeping with the coastal and riparian environment.

- Policies:*
1. Recreational activities that are casual, non-commercial and that do not adversely affect other reserve users and are compliant with the bylaws, and that do not adversely affect the natural or cultural values are permitted as of right on the reserves.
 2. Bookings for the use of the reserves are not required except for organised community events or other gatherings that may impose access restrictions on other users. Events will be subject to booking conditions and other requirements or restrictions that may arise from bylaws or resource consents.

2.2.5 Commercial Activity

Discussion: The Reserves Act has a direct bearing on commercial use. The Act is prescriptive as to the powers of the Council to allow the various classes of reserve to be used for commercial activities. Whilst commercial activity on *Local Purpose (Esplanade) Reserves* is restricted, there are opportunities for commercial activity on *Recreation Reserves*.

A key principle embodied in Section 54 of the Reserves Act 1977 is that licences may be granted for the commercial use of Recreation Reserves to the extent that they give effect to the purposes of the reserve and provided that the commercial use "must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve."

The policy offers a number of criteria against which commercial activities can be assessed.

The Reserves Act 1977 requires commercial activities to complement the primary purposes of a reserve and to have a concession, usually in the form of a licence. A licence is a grant that gives a nonexclusive interest in land or a grant that makes provision for any activity on the land that the licensee is permitted to carry out.

There is one exception on the esplanade reserve below the Panmure bridge in Pakuranga where the historical occupation of part of the reserve by a commercial boat yard has resulted in the granting of a licence to occupy. This business activity should not restrict access over the reserve.

- Objectives:*
1. To encourage commercial activity that adds to the enjoyment of the reserves.
 2. To keep the reserves free from unrelated commercial activity.

- Policies:*
1. Council will consider applications for the commercial use of reserves in accordance with the requirements of the Reserves Act 1977 Section 54.

The following criteria apply:

- i) The activity should benefit or compliment public enjoyment of the reserves.
 - ii) The activity should be in the general public interest and good.
 - iii) The activity should be of a recreational nature.
 - iv) The activity should not restrict or exclude access to the park or any part of the park.
 - v) The activity should not be in conflict with existing commercial activities in the immediate area.
 - vi) The activity does not conflict with the enjoyment of the natural and/or cultural values of the reserves.
2. Notwithstanding Policy 1 i) to v) the reserves may be used for temporary commercial filming activities or temporary commercial events not exceeding six consecutive days, subject to booking conditions and any other requirements or restrictions that may arise from other legislation or bylaws.

2.3 *Ecology: parks as habitats for plants and animals.*

2.3.1 **Conservation and Ecological Restoration**

Discussion: Together with the provision of public access (see 2.2.2), conservation is the other key purpose of coastal and riparian reserves.

The *Natural Heritage Conservation Plan 2006* surveyed parks and reserves citywide to identify and categorise those with significant conservation values. Conservation plans that focused on plant and animal pest control were prepared for individual sites. A number of coastal and riparian sites were included in this project with Musick Point Esplanade Reserve and Orere Point Beach Reserves receiving the highest priority ranking. Reserve with conservation plans are listed in Section 3.5. The conservation plans complements Council's statutory requirements under the *Auckland Region Pest Management Strategy*.

Restoring Our Native Plants 2007 identifies eight ecosystem character areas in Manukau City and provides lists of appropriate plants for restorative planting, including on the coastal and riparian reserves. The vegetation on the reserves is significant in the context of the coastal and riparian area and it is important that the botanical integrity of this association remains intact through the use of locally sourced plant material.

The Puhinui Stream Restoration Concept Plan 2002 focuses on the ecological restoration of Manukau's major riparian corridor that runs between Totara Park and Puhinui Reserve. Its implementation over a number of years will be a model for other water courses in the city.

The western portion of Kiwi Esplanade Reserve is part of an important area in the upper Manukau Harbour for the South Island Pied Oyster-catcher during winter. It is one of the key bird habitats in the Manukau Harbour. The significance of Kiwi Esplanade to waders and marine birds has important ramifications with regard to the management of the reserve. For example the area must be kept open and flat, and free of plantings or other obstructions that may be potential cover for predators and cause the birds to desert.

Although outside the jurisdiction of this management plan, it is noted that mouth of the Puhinui Creek is a designated Wildlife Refuge subject to the Wildlife Act 1953.

Objective: To conserve and enhance biodiversity, promote sustainable ecosystems and keep reserves free from plant and animal pests.

- Policies:*
1. Plant and animal pests will be controlled in accordance with the *Auckland Regional Pest Management Strategy* and the Conservation Plan where one exists.
 2. Where a plant or animal pest control programme on a reserve is compromised by pests on a neighbouring property Council will make all efforts to ensure cooperation and compliance.
 3. Restorative planting and the eco sourcing of plant material will be in accordance with the guidelines set out in *Restoring Our Native Plants*.
 4. The restoration of the riparian reserves along the Puhinui Stream will be guided by the *Puhinui Stream Restoration Concept Plan*.
 5. The protection of views from private property will not be the paramount consideration when selecting the most appropriate trees to be planted in coastal and riparian situations.
 6. The protection of birdlife and indigenous wildlife, and their habitats, will be considered as a priority in the management of the reserves.

2.4 Landscape: parks as landforms offering visual appreciation and a sense of place.

2.4.1 Erosion and Slope Stability

Discussion: The loss of reserve land through erosion or as a result of slope or cliff stability issues is a natural occurrence around the coast and along major streams. In addition, climate change is widely expected to exacerbate the problem as a result of rising sea levels and increased storm frequency and intensity.

Attempting to defend or protect public reserves from erosion or slips in all situations is not a sustainable option, either financially or environmentally.

Intervention can only reasonably occur in order to protect key public assets that may be under threat. Such assets may include: walkways, boat ramps, beaches, car parks, roads, pump stations and storm water outlets.

No consideration can be given to the protection of private property at public expense (this policy position has been informed by Council's successful defence in the High Court in 2004 of a claim brought by owners of private property adjoining a reserve that was subject to slippage and erosion).

Having first established that intervention is necessary, soft engineering solutions, such as planting or sand replenishment, are preferred to hard protection structures such as seawalls (although a combination of hard and soft options can sometimes be the best practical approach).

In many cases however, doing nothing to arrest the erosion or slip may be the preferred option, together with the relocation, removal or abandonment of any public assets under threat.

It is recognised however, that the city's coastline does contain seawalls that are a legacy of the engineering dominant approach to coastal management of years gone by. In the short to medium term Council is committed to maintaining these structures.

Objective: To provide a sustainable response to the management of erosion and slips on coastal and riparian reserves.

- Policy:*
1. Intervention in an attempt to arrest or control erosion will be considered on a case-by-case basis after an assessment of:
 - i) Matters of public safety where access has been encouraged.
 - ii) The extent to which public assets are under threat.
 - iii) The extent to which amenity, recreation or cultural heritage values are under threat.
 - iv) The extent to which attempts to arrest or control erosion would have a detrimental effect on natural values.
 - v) The extent to which soft or hard engineering methods are likely to be successful in arresting or controlling the erosion or instability.
 2. The protection of private property will not be a consideration when assessing whether or not erosion protection works will be undertaken on public reserve land.

2.4.2 Development

Discussion: In keeping with their natural values, coastal and riparian reserves normally have low levels of development. Buildings are generally limited to those associated with boating and sailing clubs, or to public toilet facilities where justified by high levels of use (mostly associated with popular beaches or walkways). In addition there are a small number of other miscellaneous buildings on coastal reserves such as community facilities, a restaurant and temporarily rented residential property.

Coastal and riparian reserves are also popular locations for playgrounds, especially on the larger recreation reserves associated with beaches, points and promontories or wide stream corridors.

Other development will be limited to the construction of new paths, tracks and bridges, and associated park furniture and fencing and car parking facilities.

Included in the management plan are some larger reserves that because of their size offer greater development potential in the future. These reserves include Waterfront Reserve in Mangere Bridge, Waiomanu Reserve in Maraetai (currently under grazing licence), Kauri Point on the Wattle Downs peninsula and Blake Reserve on Harania Creek

In accordance with the policies set out under Section 2.2.2, the provision of public access is the development priority for coastal and riparian reserves.

Objective: To limit development on coastal and riparian reserves to that required for the proper use and enjoyment of the reserves.

- Policies:*
1. Any development or buildings on coastal and riparian reserves will be on a scale sympathetic to the landscape and positioned sensitively so not as to impact on the natural or cultural values of the reserves. For example, public toilets and car parks will be positioned away from beach fronts.
 2. Redundant or miscellaneous buildings on coastal and riparian reserves with an unrelated parks use, or without any prospect of a future parks use, will be removed.
 3. Playgrounds will be provided in accordance with the requirements of the *Manukau Operative District Plan* and the *Manukau City Playground Strategy*.
 4. The provision of public access and the protection and enhancement of ecological and cultural values are the development priorities for coastal and riparian reserves.

2.4.3 Signs and Furniture

Discussion: Whilst signs are important for visitor services, a proliferation of signs can detract from the natural values of the reserves. The placement of signs must therefore be balanced against park aesthetics.

Signs, whether permanent or temporary, must have some relationship with the reserve or the reserve network as a whole. Reserves are not places where unrelated signs (such as for commercial advertising purposes) can be placed as a matter of convenience.

In general signs are limited to the following purposes: reserve identification, information, education, interpretation and regulation.

Other items of park furniture such as seats and picnic tables will be positioned where they offer maximum enjoyment to park visitors.

Objective: To limit signs and furniture to that which is necessary to enable the public to obtain the benefit and enjoyment of the reserves.

- Policies:*
1. The provision of signs will be in accordance with Manukau Parks and Reserves Signage Plan as adopted by Council in 2007.
 2. Temporary signs will be in accordance with the Temporary Signs Bylaw 2008.
 3. The provision of park furniture will be in accordance with the Parks Furniture Designs as adopted by Council in 2004.

2.4.4 Coastal and Riparian Structures

Discussion: Built structures are common features along coastal and riparian reserves. Such structures include wharfs, jetties, boat sheds, boat ramps, pontoons, boardwalks, steps, bridges, viewing platforms, seawalls and revetments. Structures may also include stormwater outfalls.

Whilst many of these structures are public facilities provided and maintained by Council, many have been constructed by private citizens.

The private structures may have been built before the public esplanade reserve was created, although in some cases structures may have been illegally built on public reserve land.

In all cases, structures that have an interface with the coastal marine area require to be consented via a Coastal Permit. In addition, all structures on public reserve land, irrespective of their origin, automatically become the responsibility of Council.

The Coastal Structures Management Strategy was adopted by Council in 2004 after all coastal structures were inspected and assessed. The strategy provides the guidelines for the control and management of structures.

On one specific matter it should be noted that, in March 2004, after considering the weight of public submissions, a Reserves Act Hearing rejected a proposal to investigate the construction of a new wharf at Howick Beach a decision later confirmed by Council in 2009.

Objective: To ensure that structures in the coastal and riparian environment are in appropriate locations, are consented and maintained, and serve a public recreation function.

Policies: *(Note that the policy below was adopted by Council in August 2007 under Minute No. CL/AUG/1412/07)*

1. All coastal and riparian structures owned and maintained by Council for public use will be consented in accordance with the Auckland Regional Plan – Coastal.
2. Private coastal and riparian structures on public reserves will be permitted in the following circumstances:
 - i) The owner secures a licence agreement from Council
 - ii) The structure must serve a recreation function and be freely available for the general public to use, and/or
 - iii) The structure must have some ‘historical context’ that adds value in its location.
3. All other coastal and riparian structures will be removed from the reserves.
4. In accordance with earlier decisions, Council does not support any investigations to construct a wharf at Howick Beach.

2.4.5 Utilities

Discussion: Utilities refer to the provision of certain services to the public, such as transport, communication, power, water and sanitation.

Utility providers often regard parks and reserves as suitable locations for installations because of the amount of open space available and the apparent advantages offered by using public land rather than private land.

This tendency should be resisted because utilities on reserves can impact on the very values that reserves are trying to protect. This is especially true for utilities placed above the ground.

One exception to this general position is public stormwater and sewage infrastructure that is often required at the lowest drainage point, which

in practice means in coastal or riparian situations. This infrastructure could include stormwater ponds, outfalls and pump stations.

Discussion on stormwater policy is outside the scope of this management plan although it is acknowledged that stormwater can impact coastal and riparian reserves. One such issue was Council's recent decision not to combine the stormwater outfalls at Howick Beach.

Objective: To limit utilities on the reserves.

- Policies:*
1. Utilities will be limited to those that serve facilities within the reserves.
 2. Utilities must be unobtrusive and not limit public access to, or enjoyment of, the reserves.
 3. Only in exceptional circumstances, and when all other options have been exhausted will non-park related utilities (except as required under other powers) be considered in accordance with the Use of Council Owned Sites by Utilities Policy 1998.
 4. Policies 1, 2, and 3, above, will also be taken into account when considering applications to place utilities above the ground on road reserves that form a frontage of a coastal or riparian reserve.
 5. Stormwater and sewage utility infrastructure required on coastal and riparian reserves shall be designed and constructed in a way that is sympathetic to the surrounding environment.

2.5 *Heritage: parks as places that identify with the past and protect it for the future.*

2.5.1 Archaeological and Historic Sites

Discussion: The heritage chapter of the Manukau Operative District Plan schedules a number of objects, geological features and archaeological sites on coastal and riparian reserves to be protected. These are listed in Section 3.6.

It is acknowledged, however, that the schedule cannot be regarded as exhaustive because not all reserves have been subject to detailed archaeological survey and recording of sites. This task must be considered to be ongoing.

Objective: To identify, preserve and protect sites of archaeological or historic interest on coastal and riparian reserves.

- Policies:*
1. Where archaeological sites are reasonably expected to exist, a detailed survey will be carried out as resources permit in order to improve and extend archaeological knowledge of the reserves.

2. Where archaeological or historic sites are present they shall be managed in accordance with the requirements of the Historic Places Act 1980 and subject to Rule 6.9 in the Heritage chapter of the Manukau Operative District Plan.
3. The significance of archaeological or historic sites will be explained through appropriate signage.

2.5.2 Cultural Heritage

Discussion: Archaeological survey techniques (based on visual inspection and minor sub-surface testing) cannot necessarily identify all sub-surface archaeological features, or detect wahi tapu and other sites of traditional significance to Mana Whenua, especially where these have no physical remains. Such assessments of Maori values can only be made by the Mana Whenua.

The whole of the Manukau coastline has special significance for Mana Whenua and this would include a number of coastal and riparian reserves. Some of these reserves may also be sites (or close to sites) subject to customary rights and practices such as waka landing or launching places.

One area of known special significance is the Pukaki and Waokauri Creeks which were established as a Maori Reservation by the Maori Land Court in 1992. The Hapu of Te Akitai (Pukaki Marae) are Kaitiaki of these creeks.

There are also pa sites on Waiomanu Reserve (Maraetai Pa) and on an esplanade reserve in Wairoa Bay (781R North Rd).

Equally, certain reserves may hold special European historical significance that should be recognised.

Objective: To recognise Maori connectedness to the land and ensure that mana whenua are able to give effect to their kaitiaki role in the development and management of coastal and riparian reserves.

- Policies:*
1. Consult with Mana Whenua to identify reserves that are of special historical or spiritual importance or subject to customary rights and practices and establish co-management agreements where appropriate.
 2. Where a reserve has special European historical significance this will be acknowledged through appropriate community consultation, protection and signage.

2.6 *Community: parks as places of cultural and spiritual refreshment.*

2.6.1 Commemoration

Discussion: The coastal and riparian reserves offer opportunities for commemorative donations such as contributions for planting or parks furniture such as seats.

Objective: To provide opportunities for commemorative donations.

- Policies:*
1. The planting of commemorative trees will be considered in accordance with an approved planting plans but the use of plaques or signs to mark a commemorative tree planting is not permitted.
 2. The placing of commemorative seats will be considered in accordance with prevailing standards and plaques or signs will be permitted only if they are fixed to the seat.

2.6.2 Community Involvement

Discussion: Coastal and riparian reserves are known to be special places to many people. Manukau City Council encourages the fullest possible active involvement of the community in the management of the reserves.

Objective: To engage local communities and organisations in the management of the reserves.

- Policies:*
1. Manukau City Council will consult widely on issues relating to the reserves and management partnerships with special interest groups and organisations will be encouraged and acknowledged.
 2. Without prejudice to the achieving the management objectives for coastal and riparian reserves, Council will advise or consult with neighbouring landowners where it is considered that an activity on the reserve may impact on private property.

2.6.3 Naming of Parks and Reserves

Discussion: Although many of the coastal and riparian reserves included in this management plan have been formally named, many have not. Whilst it is not necessary that they are formally named the following policy outlines the naming process.

Objective: To provide a transparent process for the naming of parks.

- Policies:*
1. Council Committee approves the name of a park following consultation with local iwi and a recommendation from the appropriate Community Board.

2. The name of a park will generally be accordance with the following criteria in descending order of priority where applicable (in some cases joint names of equal status may apply):
 - i) Name of person or family gifting the land to the public
 - ii) Original Maori name
 - iii) Name of previous land owner of long-standing
 - iv) Name relating to natural or historic feature of the site
 - v) Name relating to an event, person or association related to the general area or neighbourhood
 - vi) Name of person, family or organisation in recognition of civic or community contribution
 - vii) Name of locality
3. Where a park is named after a person, family, organisation, event or feature, a plaque may be erected giving the details.
4. Where a park has not been formally named in accordance with the above policy, a name is taken from the road or street on which the park has a predominant frontage or some other feature by which it can be identified. These parks may offer the community a formal naming opportunity.

2.6.4 Reserve Leases and Licenses to Occupy

Discussion: There are a number of Reserves Act leases in place across the coastal and riparian reserves. The majority are related to boating and sailing club facilities or other water based activities (refer to Section 3.7).

By definition leases can exclude or restrict public access on reserves which is undesirable particularly along a linear network of reserves. Consequently a conservative approach is taken to the granting of any additional leases and in the first instance clubs and groups will be encouraged to explore options to share existing facilities.

A license to occupy can also be granted for non-exclusive use of reserves for purposes that are in accordance with the recreational use of coastal and riparian reserves, for example boat storage on a reserve or for a coastal structure as discussed in 2.4.4. Licences can also be used where coastal and riparian reserves are grazed by stock, although in accordance with Policy 2.2.2.5 above, fencing should be used to exclude stock from any riparian margins.

Objective: To limit leases and licences on the reserves to those required for the proper use, enjoyment and management of the reserves for outdoor recreational activities (except where the reserves network contains a POS 4 zone that permits other community purpose buildings).

Policies:

1. No further leases of the reserves will be granted unless it has been demonstrated that the need cannot be met by utilising existing leased facilities.

2. Existing leases will be honoured and reviewed in accordance with lease conditions.
3. Any non-exclusive occupation of a reserve must be authorised via a licence to occupy and must not unduly restrict public access.

2.6.5 Public Safety

Discussion: Like all public outdoor environments, coastal and riparian reserves contain inherent risks to the user. It is almost impossible to identify all public risks and even more difficult to eliminate them. In fact there are strong arguments that the creation of a risk free environment is not desirable because risk and challenge are part of enjoying the outdoors. Actions are therefore limited to minimising risks. Typical risks associated with coastal and riparian reserves include falls from cliff tops and/or falls into water.

Lighting is often seen as something that can increase levels of safety. Whilst this is true for areas where people have a genuine reason to be after dark, it is not accepted practice to light areas where people would not normally venture at night. Few coastal and riparian reserves offer genuine after-dark activities and lighting these areas often creates a false sense of security and may even encourage people into unsafe situations. Lighting can also detract from the naturalness of coastal and riparian areas.

Objective: To provide safe reserves.

- Policies:*
1. Reserve development will apply the CPTED (Crime Prevention Through Environmental Design) principles that consider issues of park surveillance, reduced opportunities for concealment and avoidance of entrapment situations.
 2. Lighting will only be provided on coastal and riparian reserves on areas intended for significant night use where people have a bona fide reason to be in the reserve after dark such (for example where a reserve also serves as a main pedestrian thoroughfare to shops or public transport).
 3. The planting of vegetation or the creation of an un-mown buffer zone is the preferred method of controlling public access to areas of risks. Other methods include the placement of warning signs, the safe alignment of footpaths and the use of fencing.

SECTION THREE

3.0 Maps and Reserve Schedules

3.1 Maps as attached

Coastal and Riparian Reserves Key Map
 Map Section 1 - Musick Point to Sandspit
 Map Section 2 – Sandspit to Pine Harbour
 Map Section 3 – Pine Harbour to Umupuia
 Map Section 4 – Umupuia to Wairoa Bay
 Map Section 5 – Wairoa Bay to Orere Point
 Map Section 6 – Pahurehure Inlet to Wattle Farm Reserve
 Map Section 7 – Wattle Farm Reserve to Puhinui Creek
 Map Section 8 – Puhinui Creek to Oruarangi Creek
 Map Section 9 – Oruarangi Creek to Ambury Park
 Map Section 10 – Ambury Park to Mangere Bridge
 Map Section 11 – Mangere Bridge to Otahuhu
 Map Section 12a – Middlemore to Pakuranga Creek
 Map Section 12b – Pakuranga Creek to Musick Point

3.2 Recreation Reserve Schedule

As discussed under 1.4, the *Local Purpose (Esplanade) Reserves* included in this management plan are not individually scheduled in the plan. Their inclusion is taken as read and they are shown in light green on the attached maps.

The *Recreation Reserves* included in the management plan are scheduled below and are shown in dark green on the attached maps.

In the event of a discrepancy between the schedule and the maps, the schedule takes precedence.

| Map | Name | Address | Legal |
|-----|---------------------------------------|---|--|
| 1 | Mellon's Bay Reserves | 20R BURFORD PL 181R MELLONS BAY RD | LOT 11 DP 208244 LOT 11 DP 29081 & LOT 17 SO 24863 SEC 9 TOWN OF HOWICK |
| 1 | Mellon's Bay Stream McLeay Reserve | 31R HASELER CRES | LOT 49 DP 87403 and LOT 49 DP 99193 |
| 1 | Howick Beach Reserves | 110R BEACH RD 107R UXBRIDGE RD 108 SELWYN RD 112R SELWYN RD 4R GRANGER RD | ALLOT 63 TOWN OF HOWICK LOT 3 DP 50302 and LOT 5 DP 50302 and ALLOT 62 SEC 2 TOWN OF HOWICK and DP 9592 LOT 1 DP 135198 PT LOT 60 SEC 2 TOWN OF HOWICK and PT LOT 61 SEC 2 TOWN OF HOWICK LOT 1 DP 26997 and LOT 2 DP 26997 and LOT 3 DP 26997 and LOT 5 SEC 6 TOWN OF HOWICK and LOT 6 SEC 6 TOWN OF HOWICK and LOT 7 SEC 6 TOWN OF |

| | | | |
|---|--|---|---|
| | | | HOWICK and ALLOT 68 PAKURANGA PSH and PT LOT 18 WHAU 51 |
| 1 | Stevenson's Reserve | 25R STEVENSON WAY | LOT 89 DP 86623 |
| 1 | Cockle Bay Reserves | 47R SHELLY BEACH PDE 12R SHELLY BEACH PDE 96R COCKLE BAY RD | ALLOT 404 SO 54661 PAKURANGA PSH and LOT 2 DP 16751 and LOT 3 DP 16751 and LOT 4 DP 16751 and LOT 5 DP 16751 and LOT 6 DP 16751 and LOT 144 DP 16751 and LOT 145 DP 16751 and LOT 146 DP 16751 ALLOT 341 SO 44822 PAKURANGA PSH and LOT 143 DP 16751 PT LOT 137 DP 16751 and PT LOT 138 DP 16751 and DP 17438 |
| 2 | Whitford Village Reserves Village Green Pohutukawa Park | 22R WHITFORD- MARAETAI RD | SO 47136 RECLAIMED LAND and PT OLD BED TURANGA CREEK |
| 3 | Sunkist Bay Reserve | 52 FIRST VIEW AVE 54 FIRST VIEW AVE 56 FIRST VIEW AVE 58 FIRST VIEW AVE 60 FIRST VIEW AVE 62 FIRST VIEW AVE 64 FIRST VIEW AVE | LOT 1130 DEEDS PLAN 619 LOT 41 DEEDS PLAN 619 LOT 42 DEEDS PLAN 619 LOT 43 DEEDS PLAN 619 and DP 195 71 LOT 44 DEEDS PLAN 619 and DP 195 71 LOT 45 DEEDS PLAN 619 LOT 46 DP 195 71 |
| 3 | Shelly Bay Reserves | 1R POHUTUKAWA RD 115R THIRD VIEW AVE | Lot 114 DP 19657 Lot 1131 DP 19657 Lot 109 DP 19657 Lot 110 DP 19657 Lot 113 DP 19657 SEC 1 SO 70326 and SEC A SO 67409 |
| 3 | Omana Beach Reserves | 50R OMANA ESP | LOT 5 DP 46309 LOT 5 DP 48253 and LOT 6 DP 48253 and LOT 7 DP 48253 and LOT 8 DP 48253 and LOT 9 DP 48253 and LOT 10 DP 48253 and LOT 11 DP 48253 and LOT 12 DP 48253 and LOT 13 DP 48253 and LOT 14 DP 48253 and LOT 15 DP 48253 and LOT 16 DP 48253 |
| 3 | Maraetai Beach Reserves | 186R MARAETAI DRV 188R MARAETAI DRV 194 MARAETAI DRV | LOT 535A DP 20292 PT LOT 81 DP 46586 and ALLOT 121 SO 49000 MARAETAI PSH PT LOT 1 DP 1915 and LOT 1 DP 17095 and LOT 2 DP 17095 and LOT 3 DP 17095 and LOT 7 DP 17095 and LOT 8 DP 17095 and LOT 9 DP 17095 and LOT 10 DP 17095 |
| 3 | Waiomaru Reserve | 15R MARAETAI COAST RD | LOT 1 DP 186245 |
| 3 | Umupuia Beach Reserves | 99SR NORTH RD 99SR NORTH RD 180R MARAETAI COAST RD 183R MARAETAI COAST RD | MARAETAI 8 BLK II WAIROA SD ML 14452 MARAETAI 3C2A BLK LOT 1 DP 319 74 LOT 4 DP 319 74 |
| 5 | Te Iwirahirahi Reserve | 1482R CLEVEDON KAWAKAWA RD | PT DP 129 71 and DP 120 59 |
| 5 | Kawakawa Bay Reserve | 9R RAUTAWA PL | LOT 1 DP 4 7455 |
| 5 | Waiiti Bay Reserve | 182 KAWAKAWA BAY COAST RD | LOT 5 DP 392 19 |
| 5 | Orere Point Reserve | 29R HOWARD RD | LOT 37 DP 44050 and LOT 38 DP 44050 |
| 6 | Papajima Stream Reserves | 26R HORLICKS PL 58R SHERIFF PL 29R FRANCIPANI AVE | LOT 45 DP 138911 LOT 48 DP 145859 LOT 8 DP 82080 |
| 6 | Wattle Downs Peninsula Reserve Kauri Point | 15R GAIRLOCH PL 46R CARNOUSTIE DRV 18R MOOR PARK 15R ST ANNES CRES | LOT 35 DP 182544 LOT 1 DP 76228 LOT 1 DP 774 76 LOT 1 DP 81888 and LOT 3 DP 81888 |
| 6 | Wattle Farm Reserve | 20R WATTLE FARM RD 40R TINGTON AVE | LOT 1 DP 1714 79 LOT 104 DP 172600 |

| | | | |
|-----|--|--|---|
| | | 39R WATTLEFARM RD | LOT 1 DP 46600 and LOT 2 DP 46600 and LOT 3 DP 46600 and LOT 4 DP 46600 and LOT 220 DP 73242 and LOT 220 DP 73243 and LOT 221 DP 74573 and LOT 1 DP 63760 and LOT 221 DP 74571 |
| 7 | Weymouth Peninsula Reserves <i>Keith Park</i> | 283R MAHIA RD 71R WADMAHIA AVE 18R ROYS RD 140R PALMERS RD 99R FINLAYSON AVE | LOT 201 DP 195793 LOT 114 DP 189293 and LOT 118 DP 189293 ALLOT 182 VILLAGE OF WEYMOUTH OTAHUHU SD and ALLOT 109 VILLAGE OF WEYMOUTH OTAHUHU SD and LOT 1 DP 40111 LOT 2 DP 202900 Part of LOT 213 DP 102376 |
| 8 | Pukaki Creek Reserve <i>Peninsula Park</i> | 28R CYCLAMEN RD | Check |
| 10 | Kiwi Esplanade Reserves <i>Allan Park</i> <i>Waterfront Reserve</i> | 86R KIWI ESP 84R KIWI ESP 70R KIWI ESP 68R KIWI ESP 32R KIWI ESP 1R KIWI ESP 15R WATERFRONT RD | LOT 1 DP 77585 LOT 2 DP 77585 LOT 3 DP 77585 LOT 21 DP 39673 and part LOT 38 DP 17468 ALLOT 206 SUBURBS OF MANGERE PT ALLOT 68 SO 25129 VILLAGE OF MANGERE and PT ALLOT 67 SO 25129 VILLAGE OF MANGERE and SO 42353 RECLAIMED LAND LOT 1 DP 333596 |
| 11 | Tararua Creek Reserves <i>Black Bridge Reserve</i> | 5R WALMSLEY RD 38R HARANIA AVE | ALLOT 218 SO 59109 SUBURBS OF MANGERE LOT 61 DP 61809 |
| 11 | Harania Creek Reserves <i>Blake Road Reserve</i> | 81R BLAKE RD | LOT 390 DP 47191 |
| 12a | Otara Creek Reserves <i>Mayfield Park</i> <i>Pearl Baker Reserve</i> | 158R EAST TAMAKI RD 168R EAST TAMAKI RD 74R HILLS RD 20R PEARL BAKER DRV | LOT 6 DP 50535 and LOT 12 DP 50535 and LOT 13 DP 50535 and LOT 24 DP 51348 LOT 50 DP 74580 and LOT 54 DP 74580 ALLOT 355 SO 45686 and ALLOT 356 SO 45686 LOT 159 DP 51623 |
| 12a | Pakuranga Creek Reserves | 39R BURSWOOD DRV 87R BURSWOOD DRV 189R BURSWOOD DRV 149R BURSWOOD DRV 1R BURSWOOD DRV 20R CORTA HELLA PL 38R GOLFLAND DRV 68R FRANK NOHILO DR 100R FRANK NOHILO DR | LOT 215 DP 145326 LOT 111 DP 175334 LOT 303 DP 151291 LOT 101 DP 162035 LOT 14 DP 169911 LOT 162 DP 182495 LOT 1 DP 144677 LOT 2 DP 155738 LOT 193 DP 140426 & 7 LOT 195 DP 140427 |
| 12a | Logan Carr Reserve | 585R CHAPEL RD 114R KILKENNY DRV | LOT 101 DP 176509 and LOT 703 DP 175220 and LOT 100 DP 178298 and LOT 101 DP 181936 LOT 100 DP 181942 and LOT 201 DP 183620 and LOT 200 DP 193159 and LOT 503 DP 185234 and LOT 502 DP 185233 |
| 12b | Cascades Reserve | 159R AVIEMORE DRV | LOT 1 DP 102141 and LOT 42 DP 138706 and LOT 71 DP 131172 and LOT 42 DP 144355 and LOT 43 DP 144355 and LOT 44 DP 144355 and LOT 35 DP 144356 and LOT 34 DP 145331 and LOT 34 DP 145333 |
| 12b | Pakuranga Creek Reserves | 14R PIXIE PL 33R PANDORA PL 20R PAKURANGA RD 17R MATTSON 120R TIRAUMEA DRV 7R DAYSPRING WAY 149R FISHER PDE | LOT 329 DP 70467 LOT 326 DP 49573 LOT 1 DP 60871 LOT 60 DP 97638 LOT 257 DP 54562 LOT 330 DP 49975 LOT 19 DP 97638 LOT 23 DP 73864 LOT 24 DP 73864 |

| | | 161R FISHER PDE | LOT 86 DP 71644 |
|-----|--|---|---|
| 12b | Wakaaranga Creek Reserves | 16R PALMYRA WAY 103R PRINCE REGENT DRV 15R CURACAO PLACE | LOT 888 DP 81246 and LOT 899 DP 81253 LOT 891 DP 76959 LOT 915 DP 86357 |
| 12b | Tamaki Estuary Reserves <i>Granger's Point</i> <i>Te Naupata</i> <i>Farm Cove Reserve</i> | 25R WILLIAM BRYAN DRV 33R FALSTAFF PL 56R THE PARADE 12R MUSICK POINT RD 33R BRAMLEY DR 94R BRAMLEY DR | ALLOT 344 SO 46240 PART OF LOT 2 DP 61845 LOT 917 DP 83754 LOT 800 DP 71836 ALLOT 285 SO 46939 PAKURANGA PSH and ALLOT 370 SO 46939 PAKURANGA PSH ALLOT 408 SO 51995 PARISH OF PAKURANGA LOT 79 DP 71646 LOT 163 DP 61005 |

3.3 *Unformed Legal Roads on Coastal & Riparian Reserves (Refer to 1.2.1)*

(Detailed location plans are available)

Map Section 1

End of Page Point rezoned as Public Open Space 2
Part of Granger Rd adjoining Howick Beach POS 2
Part of Shelly Beach Parade adjoining Cockle Bay POS 5
Seaward side of Marine Parade POS 5

Map Section 2

End of Clifton Rd POS 5
End of Turanga Rd POS 5
End of Porterfield Rd POS 5

Map Section 3

End of Wakelin Rd POS 5
End of Pohutukawa Rd POS 5
End of Omana Esplanade (Road) where it adjoins Omana Beach Reserve POS 2

Map Section 5

Coastal section of Clevedon Kawakawa Rd POS 5
End of Howard Rd POS 2 & 5
Kawakawa Coast Rd between Waiti Bay and Tawhitokino beach POS 5

Map Section 7

End of Browns Rd POS 5
End of Palmers Rd POS 5
End of Gibbons Rd POS 5
End of Waimai Ave POS 5
End of McLeod Rd POS 5
End of McInnes Rd POS 5
End of Roys Rd POS 5
Unnamed road in Keith Park POS 3
End of Beihlers Rd POS 5
End of Hazards Rd POS 5
End of Greens Rd POS 5
End of Estuary Rd POS 5
Unnamed coastal road between Waimahia Ave and Estuary Rd POS 5

End of Lucas Pl POS 5
Unnamed road at the end of Mahia Rd POSS

Map Section 11
End of Hastie Ave POS 5
End of Mona Ave POS 5
End of Beach Rd POS 5
End of Norana Ave POS 5

Map Section 12a
End of Grange Rd POS 5
End of Laxon Ave POS 5
End of Wymondley Rd POS 5
Part of Hills Rd adjoining Mayfield Park POS 2
End of Johnstones Rd POS 5

Map Section 12b
End of Kerswill Pl POS 5
End of Mattson Rd POS 5
End of Te Akau Cres POS 5

3.4 *DOC Estate in Coastal & Riparian Locations (Refer to 1.2.2. v)*

Marginal strips are areas reserved from the disposal of land by the Crown which areas adjoin the sea, lakes or rivers and have specified minimum size or width. They are held for conservation purposes and particularly for maintenance of the adjacent waters, water quality, aquatic life and for protection of the natural values of the strip and its natural values. They are also held to enable public access to the waters and public recreational use of the strips and adjacent waters.

Stewardship areas are managed to protect the natural and historic values of the sites.

Marginal strips at Bairds Rd, Clifton Rd and Papepape (Wairoa River Mouth), and the Weymouth Stewardship Area, are four of the more significant areas that would add to the connectivity of Manukau's coastal reserve network.

(Detailed location plans are available).

Map Section 1
Jolyn Place Marginal Strip

Map Section 2
Waikopua Creek Stewardship Area
Turanga Creek Stewardship Area
Clifton Marginal Strip

Map Section 3
Puriri Marginal Strip

Map Section 4
Wairoa River Stewardship Area
Papepape Marginal Strip

Map Section 7
Weymouth Stewardship Area

Map Section 10
Mangere Marginal Strip

Map Section 11
Favona Rd Stewardship Area
Mangere Stewardship Area
Taranata Creek Marginal Strip
Harania Creek Marginal Strip

Map Section 12a
Bairds Rd Marginal Strip
Pakuranga Creek Marginal Strip

Map Section 12b
Tamaki Estuary Marginal Strip

3.5 *Coastal & Riparian Reserves with Natural Heritage Conservation Plans (Refer to 2.3.1)*

(Individual plans are available)

Map Section 1
Musick Point Esplanade Reserve
Stevensons (Waikitiroa) Reserve
Marine Parade
Cockle Bay Reserve
McLeay Reserve
Clovelly Rd Esplanade Walkway
Mellons Bay Reserve

Map Section 3
Green Bay Reserve
Shelly Bay Reserve
Maraetai Park
Omana Reserve
Furiri Rd Reserve
Sunkist Bay Reserve
Te Pene Reserve

Map Section 5
Orere Point Reserve

Map Section 6
Wattle Farm Reserve

Map Section 7
Burundi Ave Esplanade
Hanford Place Esplanade
Pitt Ave Esplanade

Weymouth (McLeod/McInnes) Esplanade

Map Section 11
Blake Rd Reserve

Map Section 12a
Logan Carr Reserve
Otara Creek
Stonedon Dr Esplanade

Map Section 12b
Falstaff Reserve
Bus Stop Reserve
Curacao Place Reserve
Wakaaranga Creek Reserve
Dayspring Way Esplanade
Tukutai Ave Esplanade

3.6 *Scheduled Heritage Features on Coastal & Riparian Reserves (Refer to 2.5.1)*

Map Section 1
Gun Emplacements and Wharf Steps, Howick Beach
Gun Emplacements, Mellons Bay
Gun Emplacements, Cockle Bay
Owhanga House, Cockle Bay

Map Section 3
Pa, Waiomanu Reserve

Map Section 4
Pa, Esplanade Reserve, 781R North Rd Clevedon

Map Section 12a
Stone Jetty & Quarry, Burswood Esplanade Reserve

Map Section 12b
Swing Bridge Abutments, Esplanade Reserve, 1R Pakuranga Rd
Ignimbrite (Geological Feature) Tamaki Estuary Reserve

3.7 *Leased Areas on Coastal & Riparian Reserves*

Map Section 1
Howick Sailing Club, Howick Beach
Howick Volunteer Coastguard, Howick Beach
Cockle Bay Petanque Club

Map Section 2
Whitford Boating & Cruising Club, Strathfield Lane Reserve
Pine Harbour Marina (excluded from this plan)
Shelly Park Cruising Club, Sandspit (included in Mangemangeroa Reserves Management Plan)

Howick Sea Scouts, Sandspit (included in Mangemangeroa Reserves Management Plan)

Map Section 3

Beachlands Boating Club, Sunkist Bay
Maraetai Beach Boating Club, Maraetai Park
Pohutukawa Coast Sea Rescue

Map Section 5

Kawakawa Bay Boating Club, Kawakawa Bay

Map Section 6

Northern Maritime Model Society, Wattle Farm Reserve

Map Section 7

Weymouth Boating Club, Hazards Rd
Counties Manukau Rowing Club, Keith Park
Weymouth Sea Scouts, Keith Park

Map Section 10

Manukau Yacht & Motor Boat Club, Kiwi Esplanade
Mangere Boat Club, Kiwi Esplanade

Map Section 12b

Farm Cove Maritime Trust, Bramley Drive Reserve
Bucklands Beach Yacht Club, Half Moon Bay (excluded from this plan)
Bucklands Beach Yacht Club Youth Division (Grangers Point)



| | | |
|--|--|--|
| <p>CITY OF SAN FRANCISCO AMN KOL 2024</p> | <p>Coastal and Riparian Reserves Key Map</p> | <p style="text-align: right;">Scale: 1:10,000 0 100 200 Feet</p> |
| <p style="text-align: center;">Project: Coastal and Riparian Reserves Date: 12/15/2023 Author: [Name Redacted]</p> | <p style="text-align: center;">Project: Coastal and Riparian Reserves Date: 12/15/2023 Author: [Name Redacted]</p> | <p style="text-align: center;">Project: Coastal and Riparian Reserves Date: 12/15/2023 Author: [Name Redacted]</p> |



























**Draft ARCHAEOLOGICAL SITE ASSESSMENT
and MANAGEMENT ADVICE REPORT
to MANUKAU PARKS
MANUKAU CITY COUNCIL**

**WAIOMANU PA, S11/76
15R MARAETAI COAST ROAD
MARAETAI**

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JUNE, 2010**

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**ARCHAEOLOGICAL SITE ASSESSMENT
and MANAGEMENT ADVICE REPORT
to MANUKAU PARKS
MANUKAU CITY COUNCIL**

**15R WAIOMANU PA, S11/76
MARAETAI COAST ROAD
MARAETAI**

SUMMARY

Waiomanu Pa is an ancestral site of Ngai Tai. This report provides an historical background to the coastal area from Maraetai to Umupuia, illustrated with 19th century maps, in an attempt to determine a traditional name for the pa and when Maori may have resided in or near the pa site. No name was specifically identified for the pa although the closest name association is Waiomanu. The report provides documentation of the pa¹ and past and updated sketches of the internal features. The condition of the site is assessed and recommendations for protection and future management are provided. This report is a draft as all proposals are subject to agreement between Ngai Tai and Manukau City Council.

INTRODUCTION

An archaeological assessment was requested by Michael Ngatai, Parks Ranger Heritage on behalf of Manukau Parks, Manukau City Council (MCC), of the Waiomanu pa site at Maraetai, South Auckland [Figure 1]. This report was commissioned to search for documentation currently held regarding the site, to identify the archaeological features on the site, assess and report on the current condition of the pa and provide recommendations for future management of the site. The recommendations for ongoing management will form background information as Manukau Parks work towards a co-management agreement with Ngai Tai who have mana whenua of the pa as it is within their ancestral tribal area.

¹ Files: NZ Historic Places Trust, Department of Conservation, NZ Archaeological Association, Auckland Regional Council Cultural Heritage Inventory.



Figure 1. Locality map courtesy ARC heritage (Natasha Barrett). Indicates location of Waioamuru pa and other archaeological sites in the vicinity.

SITE INFORMATION

The pa is within the Waioamuru Block, Plan 1377, the legal description is LOT 1 DP 186245. Under the Manukau Operative District Plan 2002 it is listed for protection in Schedule 6G Archaeological Sites as

Maraetai Pa, Simple Headland Pa, 15A Maraetai Coast Road, Maraetai.²

In Council documents it is described as within Waioamuru Reserve.³ It is recorded as S11/76 in the New Zealand Archaeological site files.

The pa is on the inland side of Maraetai Coast Road positioned on the high Maraetai Point. It is covered in pasture grasses, some rank. Magnificent and broad views are to be had from the site across Tamaki Strait north to Waiheke Island and east to Ponui Island.

² <http://www.manukau.govt.nz/teo/district/maps/map64.pdf>

³ Coastal & Riparian Reserves Management Plan December 2009. A Manukau Combined Management Plan Adopted under Council Minute No. 1336/09.

Agenda for the meeting of Te Tiri o Waitangi Committee, Manukau City Council 9 April 2009

<http://www.manukau.govt.nz/StaticCollectionDocuments/Te%20Tiri%20o%20Waitangi%20Committee%20Agenda%2009%20April%202009.pdf>

ARCHITAGE Waioamuru Reserve & Pa Draft Archaeological Assessment & Management Rpt. June 2010

HISTORICAL BACKGROUND

Maori Background⁴

'Ngai Tai' iwi, also known as 'Ngati Tai' has its specific origins as a distinct tribal group in the arrival of the Tainui canoe in the area. The traditions of the tribe tell that the area was already settled when the Tainui arrived. The earliest known human inhabitants, of the district of which the Waikamau Block is part, were the 'Turehu' or literally those who 'arose from the earth'. The best known of these was a woman known as Hinerangi. She is associated with a number of Ngai Tai traditions and now stands at the eastern end of Maraetai Beach in the form of a rock known as 'Ohinerangi' [See Figure 9].⁵

When the Tainui canoe reached the Waitemata some of the crew settled in the district. Among them were Te Kaitanataua and his son Taihaua who settled at Taurene near the mouth of the Tamaki River. They also included Rakataura and Taikehu who settled for a time on the shores of the Manukau Harbour. In time the descendants of these illustrious Tainui ancestors came to occupy the coastline between Tawhitokino and Matakana, as well as the islands of the Hauraki Gulf. In time they built kainga, or villages, and pa on the shores of the Wairoa River, along the coastline of the Maraetai district and on the Whakakaiwhara Peninsula.⁶

Those of Ngati Tai who occupied the Maraetai – Wairoa area claimed their mana over the land through descent from Tamakiteao the eponymous ancestor of Te Uri o Te Ao. From Tamakiteao and his wife Te Kuranui descended Te Whatataua the rangatira who held sway over all of the Wairoa – Maraetai area in the seventeenth century. He occupied the important pa at Whakakaiwhara and Te Oue to the southeast. It was in his time that the tribal name 'Ngai Tai' emerged. In Ngai Tai tradition Whakakaiwhara Pa and nearby Te Oue Pa are identified as being the main homes of their leading rangatira, and as being the focal points of the Ngai Tai occupation of the wider district. This would appear to be supported by archaeological evidence. Other settlements were also maintained including one at Pohaturua between Maraetai and the

⁴ This section is largely taken from Graham Murdoch 1996. Appended is an extract from George Graham in *Journal of the Polynesian Society* 1923 > Volume 32, No. 125 > *Ngati-huarere. An account of the wars against them and of their emigration to the northern districts*, p 38-43. Also referred to is: *Nga iwi o Tainui: the traditional history of the Tainui people : nga koorero ...* By Pei Te Hurinui Jones; Bruce Biggs
http://books.google.co.nz/books?id=nZyVM54c9z0C&dq=manu+kai+hongi&source=gbs_navlinks_s

⁵ Murdoch, G. A History of the Human Occupation of the Whakakaiwhara Block 1996:1

⁶ *Ibid* 2

Waiomanu Pa.⁷ Today the tribe is centred around Umupuia and the marae of Whatapaka with numerous tribal members living throughout South Auckland.

European Contact

There is no evidence that Cook came into direct contact with Ngai Tai, however he observed the economic wealth of the Hauraki tribes and the vast timber resources that lay near to the coastline. This stimulated later European interest in the area. From the early 1790s whaling and sealing ships reprovisioned in the inner Hauraki Gulf and from 1801 ships had begun to cut spars in the area. The CMS missionary the Reverend Samuel Marsden walked along the western shores of the Hauraki Gulf in 1815 and once again drew attention to the area's timber resources. Captain Downie, who accompanied him on the HMS Coromandel in 1820-21, specifically charted the stands of 'cownie' growing around the Wairoa River.⁸

Ngapuhi and Te Parawhau Attacks

Thus by the early nineteenth century Ngai Tai had come under a number of the indirect influences that resulted from European contact. In the 1820s they were to face the devastation wrought by another European influence, the musket. The Ngai Tai people who occupied the Maraetai-Wairoa River area initially avoided attack from Ngapuhi who had destroyed the Ngati Paoa settlement of Mauinaina near present day Panmure in 1821. The reason was that they shared Arawa descent with Te Kapotai who were part of the attacking party.⁹ George Graham, chronicler of Maori traditional stories, wrote that Anaru Maxwell informed him that it was due to the influence of Patuone that Ngai Tai were spared (See Appendix 1). However this did not protect Ngai Tai indefinitely from Ngapuhi attack.

In the same period Te Tirarau from the Mangakahia area led a Te Parawhau party in an attack on the Wairoa River area while Tara Te Irirangi of Ngai Tai was at Whakatiwai trying to procure muskets. The Ngai Tai people armed only with traditional weapons were devastated, and a number of women and children were taken captive. Some of those of Ngai Tai who survived this attack took refuge with their Tainui relatives in the Waikato and were to remain there until the mid 1890s. A small number of the tribe did however remain behind to hold the mana of the land. It was as a result of this period that the first permanent European association with the tribe

⁷ Ibid 3,4

⁸ Ibid 10

⁹ Ibid 10

came about. Ngeungeu, one of the daughters of Tara Te Irirangi, had been taken to the Bay of Islands by Ngapuhi. Here in the mid 1820s she married Thomas Maxwell (Tame Kohe) a crew member of the whaling barque *Harriet* which was re-provisioning at Kororareka.¹⁰

European Background

First documented European visit in the district

It also was during this period of disruption that the first documented European visit to the Wairoa River was made. In 1832 the Hauraki tribes had asked the Church Missionary Society (CMS) to establish mission stations in the district to help secure peace. The CMS responded to the request by sending a mission party to the area to select suitable sites. In late 1833 Reverend Henry Williams and the lay catechist William Thomas Fairburn visited the area. Fairburn noted that there appeared to be no people in occupation of the Tamaki Isthmus and that the land between there and the Wairoa also appeared to be deserted. A CMS mission was established at Puriri near Thames and from 1835 the CMS missionaries James Preece and William Fairburn made regular visits from there to the Ngai Tai kainga in the Maraetai-Wairoa area.¹¹

By the late 1830s people were drifting back. Tonson, in quoting Judge Fenton, reported that 'the Maraetai Pa was in 1839 a permanent settlement of 200 people'¹². Whether this was at Omana (Fairburn's Maraetai), the village of Pohaturoa or at the Waiomanu Pa is unclear however it is likely to have been at Omana as Ngai Tai and members of other Hauraki tribes lived around the area of the Mission Station which included a small school for Maori from 1837 - 42.¹³

The Fairburn Purchase 1836 - 1839 (initiated – concluded)

It became obvious to Fairburn that ownership of the Tamaki Isthmus, and the land lying between it and the Wairoa River, was disputed among a number of iwi. He wrote to the CMS:

¹⁰ Murdoch 1996:10

¹¹ Ibid 10,11

¹² Tonson 1966:177

¹³ <http://www.doc.govt.nz/parks/our-parks/parks-in-the-region/omana/>

*"the natives of the Thames very urgently requested that the land might be purchased in order to put an end to the possibility of any future rupture between them and Waikato, as up to this time it had been a disputed point..."*¹⁴

This led to what became known as 'Fairburn's Purchase'. Tara Te Iriangi, Nuku and Te Whetuki were signatories, amongst others, while Rev. Henry Williams, Rev. Robert Maunsell, Rev. James Preece and George Clarke were witnesses. All but one of the agreements involved in this transaction were signed at the mission station that William Fairburn had established at Maraetai in July 1837. The transaction involved an estimated 45,000 acres of land. However in 1851 the land was estimated to be nearly 75,000 acres and a century later at 83,947 acres.¹⁵

Although they remained in occupation, Ngai Tai had effectively alienated all of their land north of the Wairoa River. Fairburn, having acquired this vast land acreage, now found himself in conflict with the CMS due to its extent. To rectify the situation, Fairburn signed an agreement on 12th July 1837 to return one-third of the purchase block back to its Maori owners once the boundaries had been formally surveyed.¹⁶

In the summer of 1838-1839 a major influenza epidemic struck the area. Ngai Tai had already suffered heavy losses at the hands of Ngapuhi and they were now further reduced in numbers. Some of the tribe remained living at Pohaturua and they maintained seasonal settlements throughout the Wairoa River Valley although at this time most of Ngai Tai were living together at Umupuia. Over time other Hauraki Iwi also moved to Maraetai to be near the mission, and a number of Ngai Tai took up residence in their old kainga of Pohaturua at the eastern end of Maraetai Beach.¹⁷

The Fairburn Claim. The Ngai Tai Reserve

In 1841-42 the Land Claims Commission investigated 'Fairburn's Claim' and he was awarded title to 5,500 acres at Maraetai, Otahuhu and beside the Tamaki River. This was approved by the Acting Governor Willoughby Shortland who agreed that Ngai Tai could remain in occupation of their lands around the Wairoa River.¹⁸

¹⁴ CMS Mission Book Vol. 11: 409 in Murdoch 1996:12

¹⁵ Stone 2001:168

¹⁶ Stone 2001 in Flowman 2009

¹⁷ Murdoch 1996:12

¹⁸ Ibid 12

Fairburn testified that it was understood during the negotiations with Maori that the purchase would in no way disturb any existing cultivations. These were principally located around, and to the east of, Maraetai but also included Ngati Terau [hapu of Ngai Tai] residing at 'Onepuia' [Umupuia]. Furthermore those in residence at Maraetai believed their right to reside there to be firmly derived from the 1837 deed which Fairburn had undertaken.¹⁹

The Ngai Tai 'Native Reserve' of 6063 acres was confirmed by Governor FitzRoy in c.1844 and it was surveyed several years later. It extended from Fairburn's Maraetai property in the west to the Wairoa River in the southeast and was papa tupu or jointly owned customary land²⁰ [Figure 2].

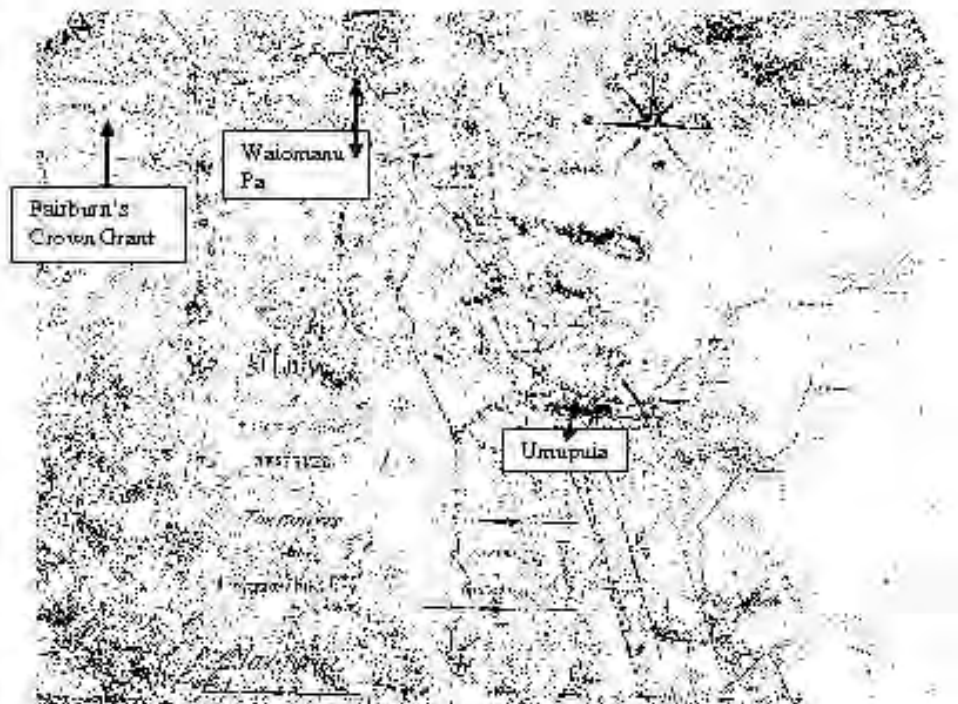


Figure 2. Plan of Piece of Land Reserved for The Natives by Governor Fitz-Roy at Maraetai, c.1844 and surveyed several years later.

The 'Plan of a Piece of Land Reserved for the Natives by Governor Fitz-Roy at Maraetai' [Figure 2] shows that the main Ngai Tai settlement was the pa located behind the beach in the vicinity of the present Umupuia Marae complex.

¹⁹ Moore, Rigby, Russell 1997:83, 94

²⁰ Murdoch 1996:13, 17

It is better indicated in the 'Seat of War' plan, dated 1862 [Figure 3] which also shows occupation sites to the south of Whakakaiwhara Peninsula. No occupation site is depicted at Pohaturua, east of Maraetai, a likely indication that the village was deserted at the time. The place name Maraetai is marked outside the reserve area to the west yet, when this Native Reserve was subdivided (from 1865 on) the block to be named Maraetai was to the south and incorporated Umupuia and Wairoa South [Figure 4], a considerable distance from Maraetai as marked on early maps and as known today.



Figure 3. 1862 'Seat of War' [Portion] illustrating the 1844 Ngaitai Native Reserve boundary. Note: north is at the bottom of the map.



Figure 4. Roll 14, 1 of 4 Sheets [Portion]. Date unknown, probably late 1860s.

The Native Land Act of 1865 had as its primary aim the extinguishment of Maori customary title and its replacement with a Certificate of Title to be awarded by the Native Land Court. Title was awarded to rangatira on behalf of the tribe as trustees so, in late 1865, Hori Te Whetuki applied to have the Ngai Tai Native Reserve surveyed into blocks, title of which was to be determined by the Native Land Court. The largest of the ten blocks surveyed was the 1376 acre Maraitai Block which was retained by the tribe [Figure 4].²¹ The Waiomaru Block of 564 acres, which lay to the northwest of the newly surveyed Native Reserve, was surveyed by W.B. Montgomery, in September 1868 [Figure 5].

²¹ Murdoch 1996:18

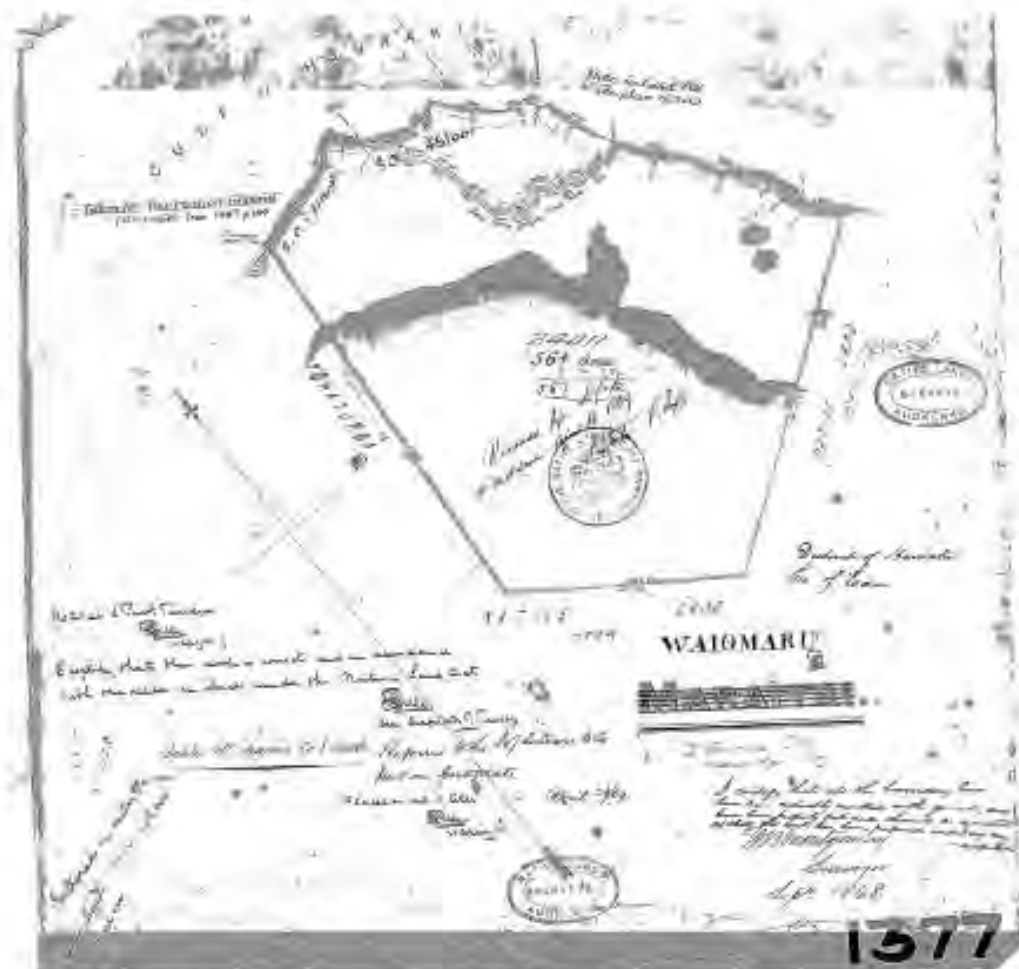


Figure 5. Waiomaru Block of 564 acres. ML 1377 Sept 1868. W.B. Montgomery, Surveyor.

In the decades following the sale of the Waiomaru Block, Ngai Tai were to remain in occupation of the 3500 acre Maraetai Block which they had retained. Their main settlement continued to be the village of Umupuia which was located near the present Umupuia Marae complex. Here Rapata Tamehana, a relative of Hori Te Whetuki's wife, constructed a meeting house for the tribe. It was erected 'for general election purposes, visitors and a Court House.'²²

No research of ownership of the Waiomaru Block has been undertaken but, according to Couldrey, early owners were 'Town, Parker, Robertson, Nobel Exp. Co'.²³

²² Murdoch 1996:18

²³ Couldrey in 'The Magic of Maraetai', Maraetai School Centennial Committee, 1980:29

ARCHAEOLOGICAL BACKGROUND

The pa was first archaeologically recorded and the features sketched by Garry Law in 1969. In 1977 the site was visited and described by Aileen Fox and this information was added to the Site Record Form (SRF) by Sue Bulmer in 1978. Ten years later Brenda Sewell visited the site and added a 'house site' and named the features on the sketch drawn by Law. The tihī was marked incorrectly and the compass point was changed, also incorrectly. Foster, Green & Sewell included the site and a description in the Department of Conservation report, 'An Initial assessment of some sites of Archaeological, Traditional and Historic Significance within Manukau City

METHODOLOGY

Files from the NZ Historic Places Trust, Department of Conservation, NZ Archaeological Association (NZAA) Archsite Database (Nicola Molloy) and the Auckland Regional Council Cultural Heritage Inventory (ARC CHI) were searched for any information held on the pa site. Copies of site record forms were obtained and Natasha Barrett from the ARC provided additional information. Greg Walter (HPT) provided a 1988 image of the site. Relevant published background literature pertaining to the recorded traditional Maori settlement of the area was reviewed and early survey plans and archaeological survey and excavation reports relating to the area were consulted. Considerable use was made of historical research by historian Graeme Murdoch. Early paintings and images were searched for, without success. Internet searches including Papers Past were undertaken.

On June 4, 2010 a pedestrian survey was carried out by Dianne Harlow to reidentify the recorded archaeological features of the pa. The site was visually inspected but typical archaeological survey techniques such as test pitting and probing were not undertaken. The locations of the tahi and ditch were defined with a Garmin GPS and photographs of the site and its location were taken.

The Maori history provided in this report is drawn from a number of sources but does not constitute a full historical account of occupation history. This is best provided by tangata whenua and Ngai Tai were asked if they wished to provide input. Consultation will be undertaken by Manukau City Council.

RESULTS

The historic research was aimed at finding particular information but it also brought up certain questions, including the following:

1. Why is the pa named both Waiohānu and Maraetai today, yet was not named on early plans?
2. Why is the name of the pa Waiohānu when the Block is Waiohānu?
3. Is there a local place name reference to Waiohānu?
4. Should the pa be correctly named Waiohānu to recall Marutūāhu, an ancestor of the Marutūāhu Confederation of tribes?

Historical Information

Not all the answers have been found to the above questions but those which have were largely found in the 19th century plans. Most of the relevant plans have been included in the History Section of this report but more detailed portions are included here, in chronological order, to show place names.

Maps and Plans²⁴

19th century maps and plans were searched and several found, one with no names, some with the names illegible. Place names and points of traditional importance were named although some of these are conflicting and it has not been possible to prepare a single map with placenames in consistent agreement. Ngāi Tai, along with members of other Hauraki tribes, lived in the area for many generations and this may explain some of the differing place names, dependent on whom navigators or surveyors at the time were speaking with. A number of the place names have fallen out of use today.

The earliest map found with place names is the 'FitzRoy Map' of c.1844 which was surveyed several years later.



²⁴ Closer scrutiny beyond checking the digitised versions was not possible for those maps held at the Auckland Public Library Special Collections as it is temporarily closed.

c. 1844



Figure 6. FitzRoy map [Portion] of c. 1844 showing placenames from Fairburn's Crown Grant to Umupuia.

The placenames from left (in the north), following on from W.T. Fairburn holding:

| | |
|-------------------------|--|
| Poha[t]uroa | tall rock (see Fig 9. "Stone called O Hemorangi" / O Hinera ngi) |
| Papawhitu | |
| Waiōjomanu | stream frequented by birds (Reed) |
| Te? | |
| Kakaramēa ²⁵ | karamēa – red ochre |
| Tepoho | |
| Tematan iho | |
| Wairahi | |
| Tokorau | |
| Takanga pukatea | |
| Umupuia | |

It is noted that the spellings were as the words would have sounded to recorders at the time. Also, words have evolved over time in meaning and spelling while many are also now in disuse.

²⁵ Te Tuhi o Manawatare (the mark of Manawatare) is a famous pohutukawa tree that once grew at Omara. Ngai Tai tradition states that their ancestor Manawatare arrived here not by canoe but by gliding upon the ripples of the waves. He marked the tree with a red ochre paint (karamēa) as a sign to those following that he had come this way. ARC website.

Surveyed 1849-1855



Figure 7. Admiralty map [Portion].

'Classification D995.134 aj 1857 NZ Map Number 851'. Entrances to Auckland Harbour surveyed by Captn. J. L. Stokes, Comr. B. Drury and the officers of H.M.S. Acheron and Pandora, 1849-55. London: Hydrographic Office of the Admiralty, 1857.

In this map, Figure 7, surveyed between 1849 and 1855, the most northerly point is named Maraitai. A name for that point today, between Omana and Te Pene beaches, has not been found on contemporary maps. The point to the southeast, the subject headland, is today named Maraetai Point. The area around the point, on the above map, is named Wai omanu. In the bay is a 'Native Village', the name of which is difficult to read. It is likely to be ?Pohaturua (possibly spelt here as ?Pouhaturua). As the village is specifically noted, it suggests that this area in the 1840s - 1850s was the centre of settlement, rather than Omapuhia (Umupuia). Today the beach at the eastern end of the bay is named Ohinerangi and sometimes Pa²⁶ Beach.

²⁶ Couldrey in 'The Magic of Maraetai', Maraetai School Centennial Committee, 1980:30

1862



Figure 8. 'Seat of War' map 1862 denoting the 1844 Ngai Tai Native Reserve boundary.

In Figure 8, occupation is illustrated at Umupuia and south of Whakaka-whara Peninsula but no occupation site is indicated at Pohaturua where there had been a village recorded in the 1840s. This suggests that by the 1860s Ngai Tai had made Umupuia their main settlement within the Reserve. Surprisingly, the place name Maratai is marked outside the reserve area. This is likely to indicate, and differentiate, the area of the CMS Mission Station.

1868



Figure 9. ML 1377 Sept 1868. Waiomaru Block of 564 acres [Portion] . W.B. Montgomery, Surveyor. Note: north is approximately to the left

After the Native Land Act of 1865 was passed Hori te Whetuki requested that the Native Reserve be surveyed. Waiomaru was one of four blocks created. It would appear that the Maori placenames were specifically given to the surveyor at that time. From the north (left) is Pohatuoroa and designated as a pa. This would have been a village on the flat area above the foreshore, not a defended site. Close by is a 'Stone called O Hemorangi' [see p.3]. This stone commemorates Hemorangi / Hinerangi who features in Ngai Tai traditions and belonged to an earlier people, the Turehu.

Wai o Manu is labelled as the waters to the east of the point, as in FitzRoy's map. Kakaramea, a point, and Te Poho are also both on FitzRoy's map. Finally is Whai Tahu, not found on any other map.



Figure 10. Maori place names, Te Wairoa. Murdoch 1996:7

Lastly, is a plan drawn up by Murdoch, which shows neither Marāetai nor Waiōmanu. The village area of Pōhāturoa is in the same location but the point is now labelled Ohinerangi and inland from there is Papawhītu. Figure 9 very clearly shows Ohinerangi being near the Pōhāturoa village above the foreshore.



Figure 11. 'Mara-etai, Wairoa South, A.H.Jany. 1882'.

Auckland City Library information:

Photographer: Richardson, James D. Date: 1882

Description: Sketch by A. Horne of Maraetai Beach, Wairoa South

Subjects: Maraetai Beach; Drawings; Horne, A; Wairoa South

Auckland City Library, Heritage Images Online. Class No: 995.32 W14.

The above photograph of a painting by A. Horne illustrates a typical village scene by the water. In this case it is named as at Maraetai, Wairoa South however La Roche identifies it as Umupuia.²⁷ The coastal settlements at either side of Waiohau pa would have looked similar. In fact it may be the bay to the east of Waiohau Pa.

It is of interest that the Australian artist G.F. Angas visited Umupuia in July 1844 during an eight day trip up the east coast of the North Island. While staying in the village he sketched the portraits of Tara Te Irirangi, his daughter Ngeungeu and his grandson James Maxwell.²⁸

²⁷ La Roche 1991:34

²⁸ Murdoch 1996:13

Archaeology

Waiomanu Pa

The site is on a high point, known as Maraetai Point, bounded by Maraetai Coast Road on the northern side. Steep sides to the west, north and east provided useful means of defence while a deep ditch protected the southern side.



Plate 1. Looking from the northwest. The ditch can be seen to the right of the pohutukawa and below this to the north is a long terrace. The tihi is visible at the top of the point on the horizon. An informal path can be seen heading towards the ditch.



Plate 2. Looking from the northeast. Erosion and some slumping visible.



Plate 3. View of site from the east



Plate 4. Looking northeast from the pa. A small watercourse is below.

The watercourse may have been used for the cultivation of taro (*Colocasia antiquorum*) and harvested for building and weaving materials such as raupo (*Typha orientalis*), kuta (*Scirpus lacustris*) and harakeke or flax (*Phormium tenax*). It may also have provided wildfowl such as ducks and pukeko. The nearby sandy and rocky shores would have offered a wide variety of shellfish while the waters of the Hauraki Gulf would have provided an abundance of fish species.

Site survey

The site was walked over and three further features were identified while one recorded pit, southwest of the tihi was not reidentified. The original compass direction was more accurate than the correction. The features are described below.

Figure 12. Waiomanu Pa, Maraetai. Aerial image courtesy: B. Baquie



Ditch

The ditch was described in 1978 as 5 metres wide and 'an internal scarp 2m long and 1m high'. In 1988 Sewell described the ditch as 1.5m deep and the inner scarp as 1.5m high. Again in 1988 the ditch was described by Foster, Green and Sewell as 'substantial'. At some point between then and now the ditch has been filled in. No bank is described in any of the records and this would normally provide the material used for filling, being pushed in to the ditch by the farmer/grazier. When and how the ditch was infilled is currently unknown.

Today the ditch is 1.5m wide but has no depth. It is 47 paced metres long. At the northeast end the ditch angles off and at the edge of the cliff it is cut through for a further 5m with a scarp of 3m lessening to 2m. At the western end the cut is still visible for 2m (see Plate 1).



Plate 5. Former ditch site viewed from west end.



Plate 6. Filled-in ditch viewed from east end.

Interior pa features

The interior features appear to be house sites and pits on terraces although one hesitates to label the features specifically. Several features on the original sketch indicate closed pit-like characteristics however they are open-ended and facing either the west or south. The sketch has been updated in red (Figure 13) with the addition of three unrecorded features and indications showing the features which are open-ended. The latter are on terraces with the back of the feature being the terrace scarp.

The tiki has been renamed as the highest point on the pa. It measures 6x6 metres and has a small made depression in the northeast corner.

Partially across the centre of the site is a low scarp, not clearly defined, but suggesting that it may have marked out a marae area. There are no obvious surface features within the central area of the pa and this open area may have been used for korero including the making of speeches, recitation of whakapapa and the welcoming of guests and those returning from warfare.²⁹

The boundaries of the pa within the defensive area have been measured by pacing and are noted on the revised sketch. Coordinates have been taken at each end of the ditch and on the tiki.

External to the defensive area

A terrace on the west side of the pa, below a 4 metre scarp, is largely destroyed. It once measured approximately 20m x 2-3m from the cliff edge to the ditch and would have been part of the defensive system. Today there is slumping above and below but there is a clear 3x2m depression at the north end. No midden was visible within the scarp as had been noted in 1988.

The large gently sloping area to the south of the defensive area is devoid of surface features, as are those parts of the reserve to the east and west.

²⁹ After Sutton in Bennett *n.d.* p.39

Terraces



Plate 7. Internal terraces looking towards tihi



Plate 8. Western external terrace



Plate 9. Western external terrace, north end



Plate 10. Looking south from the tahi across the inner pa site, beyond the ditch, to easy featureless land. One of three visitors to the pa (during the survey) approaching the summit.



Plate 11. Looking from the south across gently sloping ground outside the defended area towards the pa. The line of the former ditch can just be seen extending from west to east (left to right). The tahi is visible on the horizon (centre).

DISCUSSION

Site Condition

The condition of the site is described below and advice for remedial works and future management is provided.



Plate 12. A view of the scarp of the ditch showing stock damage and rank grass



Plate 13. A view from the tihi looking northeast across a three-sided feature facing east.

Grazing

The site is currently being grazed by a neighbour contrary to the wishes and instructions of the Council and the results are causing concern for the state of this heritage site. Onsite evidence indicates that the cattle being grazed are large. It can be concluded from the images above that the stock are causing damage and are not keeping the grasses down.

Grass cover has advantages and is the preferred cover for archaeological sites, however there are disadvantages currently:

- Stock too large for grazing on a heritage site
- Erosion is causing continuing damage to the archaeological features.
- Downslope soil creep on the scarp of the former ditch
- Rank grass

Grass cover advantages

- maintains visibility of the site and features
- provides a stable, low maintenance cover
- allows easy access for visitors
- provides the best protection for archaeological subsurface layers

Grazing advantages

Grazing is advisable and has a number of advantages:

- for general vegetation control
- lessening fire hazard
- preventing shrubland succession
- cost effective

Sheep grazing

Light set grazing by sheep is preferred. They will eat most grasses and thereby avoid the current situation of preferred grass grazing. This would minimize, if not eliminate, certain grasses being left to grow rank as is currently the case. The use of sheep avoids heavy weight on fragile soils and so reduces surface erosion. If it is not possible to use sheep, only young cattle should be used – up to the age of six months. They should be previously conditioned to the presence of people so they don't panic and tear about.

Water and shelter

Shelter and water may be considered requirements within the 'pa paddock' to accommodate an organised regime of grazing. If required they could be provided in that part of the reserve to the south of the defensive area (Plates 10, 11). A small grove of trees could be planted within a temporarily fenced section of the paddock and the fence removed when the trees are high enough that they will not be grazed by stock. Tree planting and water reticulation activities would require an authority from the NZHPT.

No grazing

If it is determined that no grazing is to be part of the future management policies, the site and features will need to be mowed to keep the grass level at a reasonable length. This is to avoid fire risk and to provide an amenity level suitable for visitors.

The site would need to be mown several times per year and not too closely. It would be better to plan for an extra mow than scalp the grass in order to lengthen the time before the next mow. The site's features would need to be line-trimmed, not machine mowed as this would damage the earthworks of the features. It would also be advised to keep a path mown to the summit where visitors like to take in the view. The route would be planned to avoid all the site features. A planned pathway also deters visitors from creating 'desire lines' which might pass across features. An advice plan to this effect should be prepared by an archaeologist if no grazing is to be the chosen policy.

Choice of grass seed across eroded areas

It is recognised that the grass sward needs to be improved. If the site is not to be grazed then it is advised to choose grass species which do not need frequent mowing and which suit the location and soils. For further information, see Jones 2007:41.

Grass cover

The grass cover is very thin caused by lack of fertilisation and over-grazing. It would be appropriate to

- remove the stock, then
- fertilise the ground
- oversow grass seed in the appropriate season

The purpose is not to promote a productive sward for grazing but to provide a healthy sward for amenity purposes and to mitigate erosion.

Site damage

There is obvious site damage in the lower southern section of the site.

- A hole remains from what appears to be a former site of a water trough.
- Tree throw and / or tree removal damage where the three macrocarpas once stood (see Plate 14).

Holes filled in

For safety and aesthetic points these should be filled in. An authority from the NZHPT will be required for these works.

- Infilling of the ditch

Fill removed

Ngai Tai may wish to have the ditch 'excavated' to its original depth and shape. This is for them to determine however any such works will require an authority from the NZHPT. If this is to be done, access onto the pa proper will need to be considered so that foot traffic does not cause ongoing damage to the ditch.

Erosion

Erosion has been considered above with regard to grazing practices but there is long term erosion on the steep cliffs of the landform and stock movement has created terraces across the slope faces. Continued stock use across the face of the slopes will cause ongoing soil creep. The following images (Plates 14A, B) indicate that over the last twenty years the land has not repaired by natural processes.

There are two options for restoration:

- restoring to sound condition.

On the large eroded areas on the steep hillsides there is no topsoil or subsoil. Hydroseeding may work but this should be done piecemeal and the results monitored for success before moving on to other eroded areas. However, returning stock to graze the steep slopes may well undo any vegetational repair. On the other hand, leaving the grasses to grow unchecked has the potential to cause a fire hazard.

- fencing off the pa and features and planting out the steep slopes.

Preferably, stock should be kept off the steep sides of the landform and a fence constructed below the summit. Planting should be carried out so that when fully grown, the vegetation does not hamper the view of the top of the land form from 'sea level'.

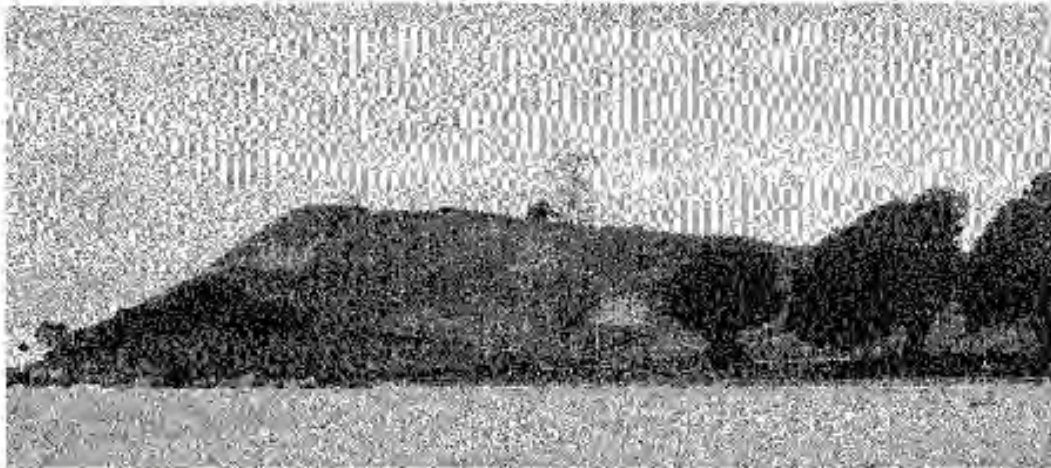


Plate 14 A. Waiomanu Pa. Image undated, possibly taken by B.Sewell in 1988.

Courtesy: Greg Walter NZHPT

Compare with: Plate 14B June 2010



Final Points

Path

It is recommended that a stile is built in the fence at the eastern end of the present car park and an informal path is constructed up the western slope of the headland to the southern section of the reserve outside of the defensive area. This could be achieved with minimal cutting into the hillside and grassed.

Signage

Signage could be erected by the stile naming the pa, indicating that it is a heritage site and with the addition of facts in relation to tribal mana, occupation.

Signage could also be placed on the pa site to point out and describe the features and their uses. These suggestions require approval from Ngai Tai.

CONCLUSION

Manukau City Council, in its Coastal & Riparian Reserves Management Plan December 2009, has identified an objective in relation to certain parks as heritage sites:

*'2.5 Heritage: parks as places that identify with the past and protect it for the future.
Objective: To identify, preserve and protect sites of archaeological or historic interest on coastal and riparian reserves.'*

Waiomanu Pa has been identified on Waiomanu Reserve

'2.5.2 Cultural Heritage

There are also pa sites on Waiomanu Reserve (Maraetai Pa) and on an esplanade reserve in Wairoa Bay (781B North Rd).³⁰

A further objective is

2.2.1 To recognise Maori connectedness to the land and ensure that mana whenua are able to give effect to their kaitiaki role in the development and management of coastal and riparian reserves.³¹

To that end, this draft report has been prepared for Manukau Parks for use in consultation with regard to any future agreed co-management of the reserve between Manukau Council and Ngai Tai. When it has been decided which methods of management are preferred, a further report can then be prepared, outlining the way forward and providing practical and more detailed methods for management and protection of the site.

Further to management recommendations, it is recommended that the pa is named Waiomanu and the alternative name 'Maraetai Pa' is removed from Manukau Council documentation (e.g. as above in 2.5.2).

All remedial activities where there is earthworking will require an authority from the NZ Historic Places Trust.

³⁰ Coastal & Riparian Reserves Management Plan December 2009

³¹ Manukau Combined Management Plan Adopted under Council Minute No. 1336/09

³¹ Manukau City Council, Agenda for the meeting of Te Titiro Waitangi Committee, Manukau City Council 9 April 2009.

APPENDIX 1. Maori Traditional Information

George Graham wrote [1823]: *The following narrative I took down from the dictation of Anaru Makihara (Maxwell).*

Mahanga was of Tainui, and he came to this district, Maraetai, from the west, that is to say from Pirohia. His party comprised many famous *toas* (warriors), among whom were Rahoparu, Tai-ekieki and Ngaro-ai-Te-Hotu.

They came to Pakihi Island (near the Sand Spit) [north of Kawakawa Bay], there Mahanga heard of a maid of high rank, famous for her beauty, by name Te Aka-tawhia, a lineal descendant of Maru-tuahu and Hotonui. Mahanga and Te Aka-tawhia were married and bore Te Ao-tutahanga and Manu-Kaihongi.

Mahanga was killed by Ngati-Huarere at Hauraki and many fierce battles ensued back and forth in retribution with various tribes supporting each other. Mahanga's son Manu attacked the Ngati-Huarere. He killed some, and the others fled, but he captured Puku (daughter of Pai-amana, the chief of that people). He returned home with his captured woman. His elder brothers seeing him coming along, understood Manu had captured her for a wife, and that he had again been in conflict with Ngati-Huarere. In fact Manu married the woman and made peace with Ngati Huarere.

In due course three canoes were completed and Pai-amana departed to the North, where they joined the Kapotai tribe. Kapotai and Huarere were both descendants of Tama-te-Kapua. But some of them returned to visit us, and some of our people went also to them; and so on by intermarriages we, the descendants of Te Aka-tawhai, maintained our relations with those people of Huarere and Te Kapotai. And so it was that Patu-one forbade his *hapu* to attack the Ngati-tai pa at Pakihi and Maraetai when Ngapuhii came hither.²²

With regard to Ngai tai not being attacked at this time, Angela Ballara considered:

'Patuone possibly had strong ties with Ngai Tai through his second wife. After the death of his first wife, Te Wheke, he married a young Ngati Paea woman, Takarangi, the sister of the chief Te Kupenga, of Whakatiwai, a very large pa near Maraetai in the Hauraki Gulf. For the rest of his life he was closely associated with Ngati Paea, spending most of his time in the Hauraki Gulf, trading in flax and spars, living in a number of places for short periods, and returning to Hokianga from time to time'.²³

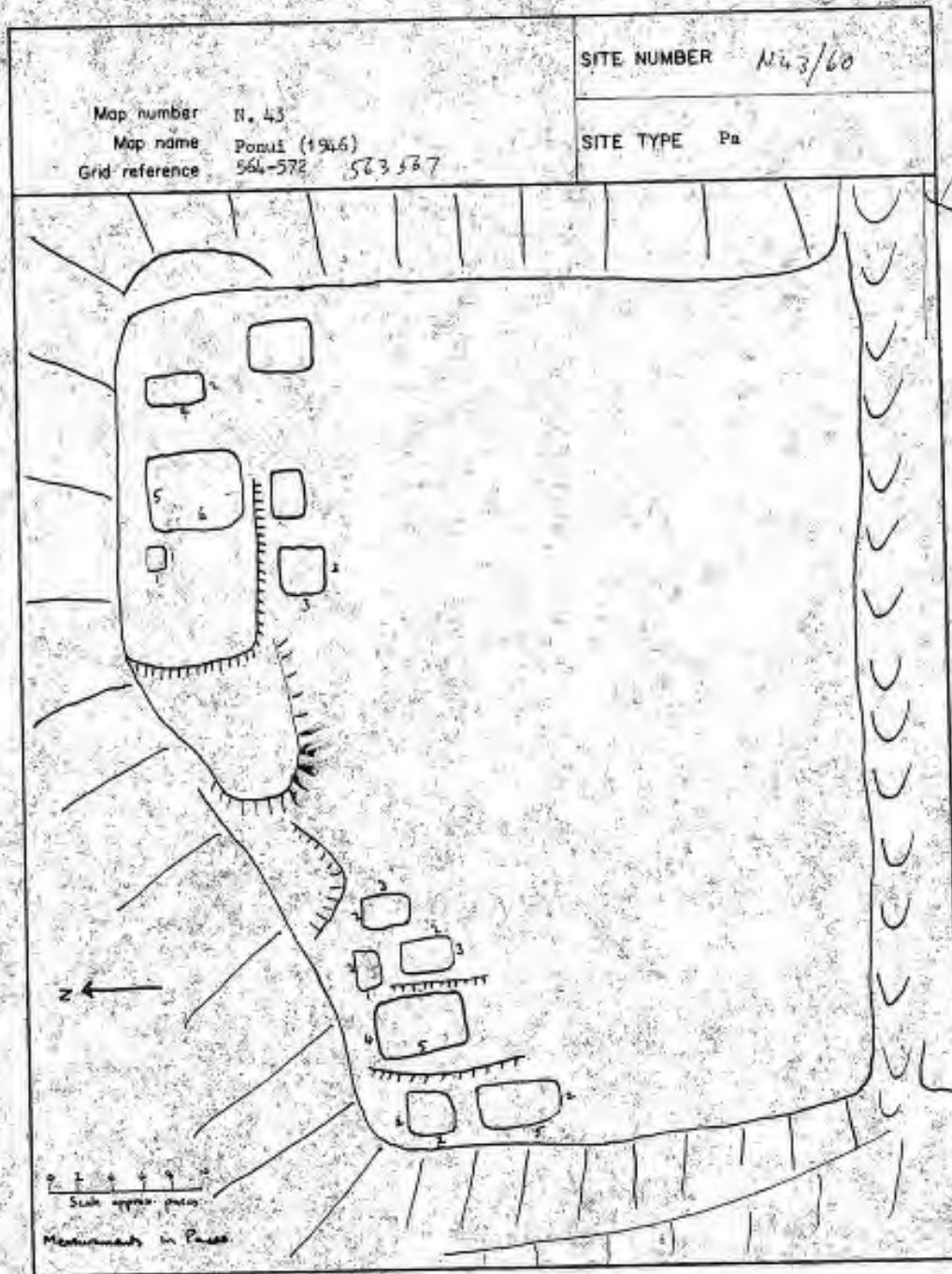
²² An extract from George Graham in *Journal of the Polynesian Society* 1923 > Volume 32, No. 125 > Ngati-huarere. *An account of the wars against them and of their exigration to the northern districts*, p.38-43. Also referred to is: *Nga Iwi o Tainui: the traditional history of the Tainui people : nga koorero...* By Pei Te Hurinui Jones, Bruce Biggs.

²³ Angela Ballara. *Patuone*. *Dictionary of New Zealand Biography*. http://www.dnzbgovt.nz/dnzbi/alf_essayBody.asp?essayID=1P12

APPENDIX 2. Site Record Forms S11/76

| SITE REFERENCE FORM | | SITE NUMBER |
|---|--|---------------------------------------|
| Map number N.43 Map name Ponui (1946) Grid reference 564-572 563577 | | N43/60 |
| 1. Aids to relocation of site On point at east end of Mraetai Beach | | SITE TYPE Pa E26600 N656700 |
| 2. State of site; possibility of damage or destruction Grassed, little chance of damage. | | |
| 3. Owner Address Altitude | Tenant Address Altitude | |
| 4. Name of site Source of name | | |
| 5. Date recorded 4/5/69 | Details of investigation; methods and equipment used Visited one person, no equipment; sketch map drawn | |
| 6. Aerial photograph numbers | | Site shows: clearly/bodyly/not at all |
| 7. Reported by R.G. Law Flit 3, 62 Collins Cres. Auckland 5 Date 9/5/69 | Filekeeper <i>John David</i> Date 15/8/69 | |

First recording of site by Garry Law in 1969.



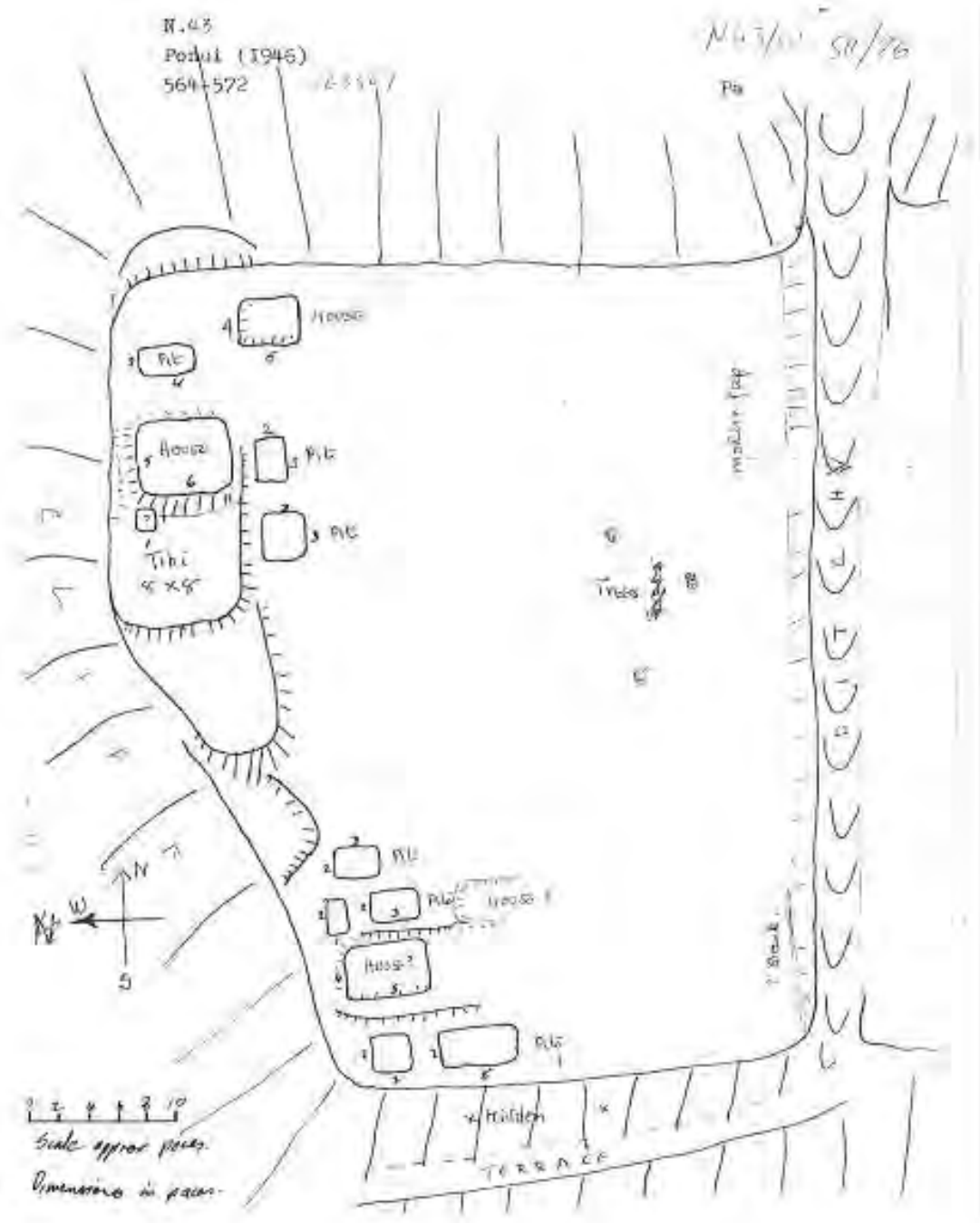
Sketch of pa site 811/76 (N43/60) by Garry Law in 1969

| | | |
|--|-----------------------|--|
| NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE DESCRIPTION FORM | | SITE NUMBER N43/60 |
| Map Number N43 | Map Name Papanui | SITE NAME MAORI Maratetai paa OTHER |
| Map Edition 1966 | Grid Reference 563567 | SITE TYPE Headland paa |
| <i>(This form may be used for recording any descriptive information or other supplementary information on the site, or for maps and drawings.)</i> | | |
| <p>Tonson 1966:177. Quotes Fenton as reporting Maratetai paa as having had 200 residents in 1839.</p> <p>S. Bulmer, 20 April 1978</p> <p>Aileen Fox, 15 June 1977. The pa is situated on a headland at the southeast end of Maratetai beach, with natural defence by 10 m high 'cliffs' of yellow clay soil on the north and west and on the south by the side of a short shallow valley to the beach. Traditionally the site is associated with the Nga Tai in the 18th century.</p> <p><u>Defences.</u> On the east a ditch, 5 m wide, with an internal scarp 2m long and 1m high: these measure 60p across the level surface of the headland, but the ditch continues for 10-12p down the slope on either side, i.e. 80 p in all. There are traces of a low bank on top of the scarp at the south end. On the south side defence was provided by a 10p long, 2m high scarp above a narrow terrace which starts from the end of the ditch and continues to the edge of the 'cliff'. Midden of small cockles, scallop and hangi stones is exposed in the scarp.</p> <p><u>The interior</u> measures 60 by 40p. It rises to a small summit platform 8 by 8p and 1m high on the edge of the cliff. There are remains of 4 or 5 low terraces below this facing south with indications of 6 or 7 pits and two possible house platforms. North of the <u>tibi</u> platform there are two more house sites 6 by 4p and two small pits. The remainder is flat with 3 large macrocarpa trees and probably levelled by the farmer.</p> | | |

Additional information in 1978 by Sue Bulmer

| NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION | | NZAA METRIC SITE NUMBER | |
|---|-------------------------|---|--|
| SITE RECORD FORM (NZMS260) | | S11/76 | |
| NZMS 260 map number | S11 | DATE VISITED | 11.7.88 |
| NZMS 260 map name | Waiheke | SITE TYPE | Pa |
| NZMS 260 map edition | 1st | SITE NAME - MAORI | Maraeatai |
| | OTHER | | |
| Grid References | | Easting <input type="text" value="933"/> <input type="text" value="780"/> | |
| 1. Aids to relocation of site (attach a sketch map) | | | |
| On headland at eastern end of Maraeatai Beach. | | | |
| Map 160 | | | |
| 2. State of site and possible future damage | | | |
| Good, in grass. | | | |
| 3. Description of site (Supply full details/history, local environment, references, sketches, etc. If extra sheets are attached, include a summary here) | | | |
| Original site plan used when inspecting the site to re-identify features. Ditch 1.5 m deep - inner scarp 1.5 m high. An additional pit to the north of the southern groups of pits was seen and a ditched terraced on the northern slopes. Two of the old pine trees have fallen - one still lying on the ground. Said to be an 18th century Ngai Tai pa. | | | |
| 4. Date: <input type="text" value="11.7.88"/> | | Tenants/Manager: | |
| Address: Plot 3 Polygon Street St. Heliers | | Address: | |
| 5. Nature of information (casual, brief or extended visit, etc.) | | | |
| Brief visit | | | |
| Photographs (reference numbers, and where they are held) | | | |
| Aerial photographs (reference numbers, and clarity of site) | | | |
| 6. Reported by: | | Fieldworker: | |
| Address: Brenda Sewell Regional Archaeology Unit Department of Conservation Auckland | | S. BULMER 11.7.88 | |
| 7. Key words: | | | |
| Pa | | | |
| 8. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code | | | |
| Latitude S | | Longitude E | |
| <input type="text"/> | Type of site | <input type="text"/> | Present condition and future danger of destruction |
| <input type="text"/> | Local environment today | <input type="text"/> | Security note |
| <input type="text"/> | Land classification | <input type="text"/> | Local body |

Revisited and inspected by Brenda Sewell (DoC) in 1988



Re-surveyed by Brenda Sewell (DoC) in 1988 with additional 'house site' added and names of features. Tahi marked incorrectly. The compass point has been changed, incorrectly.

| | | | |
|---|-------------------------------------|------------------------|---------------|
| CHI Places Number | 4453 | NZAA Site Number | 311_70 |
| NZMS 260 map number | S11 | Date of visit | 1088 |
| NZMS 260 map name | Waiheke | Type of site or area | PA (HEADLAND) |
| NZMS 260 map edition | Edition 1 1983 | Name | Maraetai Pa |
| Grid references | | | |
| NZMG Easting | 2393000 | NZMG Northing | 6470000 |
| GPS Easting | | GPS Northing | |
| NZIM Easting | 1782872 | NZIM Northing | 5916354 |
| Grid Reference Source | | NZMS 260 Map Sheet | |
| 1. Aids to relocation of site (attach a sketch map): | | | |
| In this section just enter the key location details, from closest to furthest from the site e.g. Home Bay; Matarapu Island; Hauraki Gulf; Auckland City. Enter the specific details about how to get to the site at the beginning of the DESCRIPTION field. | | | |
| Maraetai Point 15R Maraetai Coast Road Waiomanu Reserve Magazine Day Maraetai Maraetai Beach Manukau | | | |
| NZAA Record Status identify how comprehensive record is (e.g. Brief or Detailed) and whether any location maps or site sketch plans are attached. | | | |
| Detail Plans Photos | | | |
| 2. State of site and possible future damage: | | | |
| NZAA Condition: intact, little future danger | | | |
| 3. Description of site (<i>supply full details, history, local environment, references, sketches, etc. If extra sheets are attached include a summary here</i>) | | | |
| This site is reported by Janet Davidson and Garry Law who note its condition as being good, but site contents are not mentioned | | | |
| Additional Notes. | | | |
| Eulmer, S: Reported only (1079) quotes Tonson (1066:177) who quoted Fenton that Maraetai Pa had 200 residents in 1830. Additional information by Bulmer, S. also notes that Fox, A. (1077): describes the physical attributes of the Pa and points out that traditionally the Pa was associated with Ngai Tai in the 18th century. Additional information by Sewel, B. (11 Jul 1886) notes an additional pit to the north of the southern group as well as a ditched terrace on the northern slopes. Additional information Foster, Green and Sewell (Aug 1888) Site is included in the DOC publication entitled 'An Initial Assessment of Some Sites of Archaeological, Traditional and Historic Significance Within Manukau City (Foster, Green and Sewell Aug 1888, 18-19, SE 344). "This is a typical headland pa with natural defences by way of steep cliffs on three sides and a substantial ditch on its most vulnerable landward side (Fig. 2.7). It has an impressive visual impact from Maraetai Beach and Waiomanu Beach where the terracing and deep ditch are outlined against the sky. It is said to have traditional importance to the Ngai Tai people who occupied the pa in the 18th century. The layout of the settlement shows clearly in its surface features with house sites, terraces and pits on three sides of a large open space, possibly the marae. The ditch is on the fourth side." Maraetai Pa Simple Headland Pa (S1170) | | | |
| 4. Owner | Mr Ross | Tenant/Manager | |
| Owner Address | Flat 3 Polygon Street Saint Heliers | Tenant/Manager Address | |
| 5. Nature of information (hearsay, brief or extended visit, etc.) | | Scheme | |

ARC CHI file (Natacha Barrett)

Map Snapshot

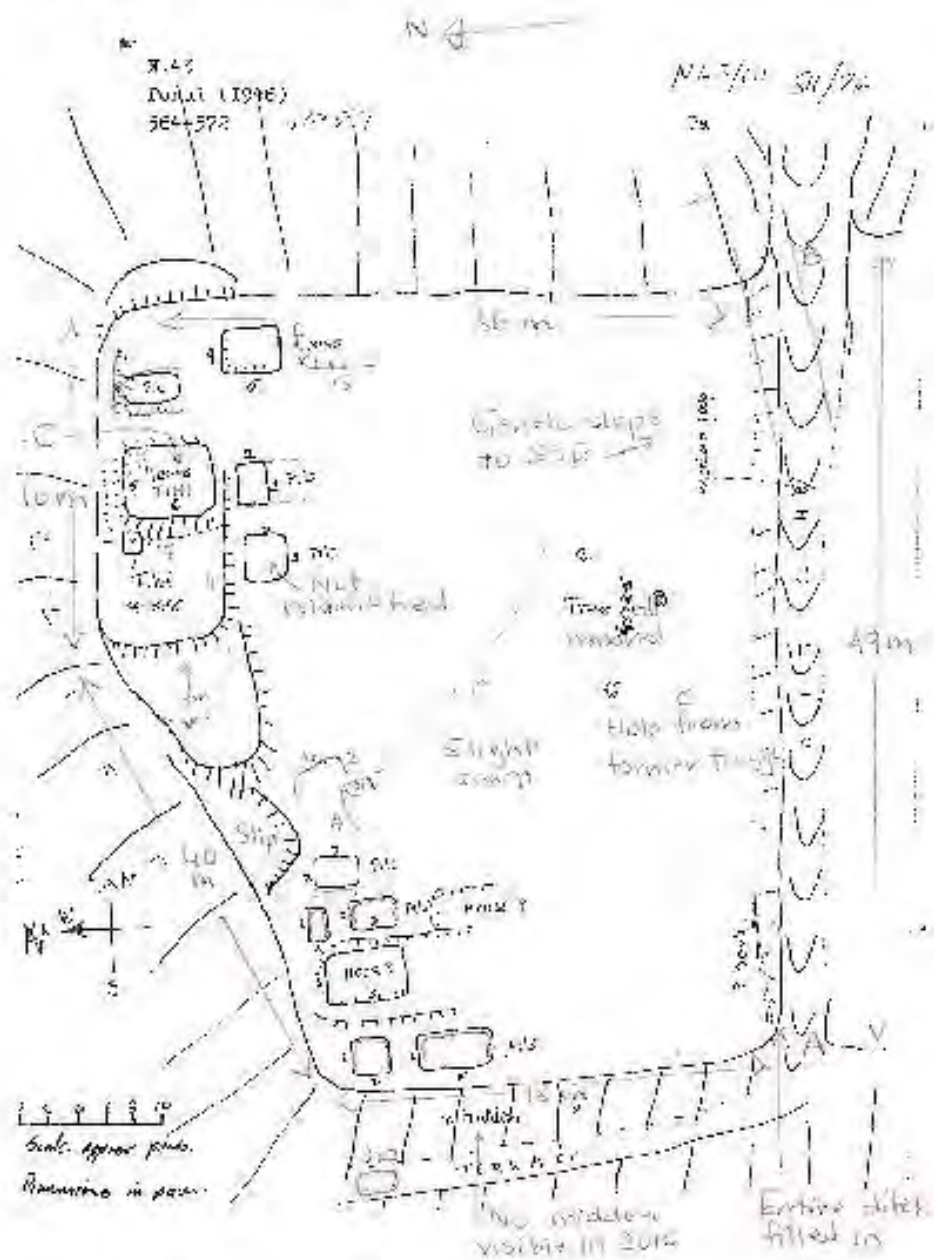


Map from Archsite(NZAA) indicating recorded sites in the vicinity. The pa site is positioned to the north of Maraetai Coast Road rather than to the south.

| | | |
|--|---|--|
|  <p>Site Record Form</p> | NZAA SITE NUMBER: S11776 NHM: 1194 Pa SITE NAME: DATE RECORDED: | |
| | SITE COORDINATES (NZTM) Easting: 1702072 Northing: 5916254 Source: CENZUS EMPLOYER SITE NUMBER: N11111 NHM-IND: 1194 NUMBER: 111711 | |
|  | | |

| | | | | |
|--|--|---------------------------------------|--|-------------------------|
| NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION | | NZAA METRIC SITE NUMBER: S11/78 | | UPDATE |
| SITE RECORD FORM (METRIC) | | DATE VISITED: 4 June 2010 | | |
| Metric map number: S11 | | SITE TYPE: Pa | | |
| Metric map name: Waiheke | | SITE NAME: Waiomanu Pa | | |
| Metric map edition: | | | | |
| Grid Reference Easting | <input type="text" value="2"/> <input type="text" value="6"/> <input type="text" value="9"/> <input type="text" value="3"/> <input type="text" value="2"/> <input type="text" value="9"/> <input type="text" value="1"/> | Northing | <input type="text" value="6"/> <input type="text" value="4"/> <input type="text" value="7"/> <input type="text" value="7"/> <input type="text" value="9"/> <input type="text" value="5"/> <input type="text" value="5"/> | Taken at t(h) Acc +/-5m |
| 1. Aids to relocation of site (attach a sketch map): On south side of Maraetai Coast Road at what is commonly called Maraetai Point, Manukau City | | | | |
| 2. State of site and possible future damage: Condition fair to good. See below. | | | | |
| <p>3. Description of site (Supply full details, history, local environment, references, sketches, etc. (If extra sheets are attached, include a summary here):</p> <p>In 1988 and prior, a deep ditch has been recorded. Today it is filled in. Three macrocarpas once stood on the site and possibly shrubs. These have all been removed and left holes and uneven ground within the south area of the defensive area of the pa. Stock have been used by a local farmer to graze the site. Manukau City Council (Parks) have stopped this and requested an assessment and management report. See D.Harlow June 2010, draft report to Council. The site is within the rohe of Ngai Tai. Research indicates that the pa should be named Waiomanu. All references to Maraetai Pa should be considered incorrect. Three additional features have been added to the original site sketch (having been previously been updated by B.Sewell).</p> <p>Former ditch. W end: E2693258, N6477912. E end: E2693309, N6477918 See updated sketch</p> | | | | |
| 4. Owner: Manukau City Council | | Tenant/Manager: | | |
| Address: | | Address: | | |
| 5. Nature of information (hearsay, brief or extended visit, etc.): Site survey, research, assessment report | | | | |
| Photographs (reference numbers): | | See report | | |
| Aerial photographs (reference numbers and clarity of site): | | 1 x HPT Auckland file, and in report: | | |
| 6. Reported by: Dianne Harlow | | Filekeeper: | | |
| Address: c/- Architage | | Date: | | |
| 548 Manukau Road | | | | |
| Auckland | | | | |
| 7. New Zealand Historic Places Trust (for office use) | | | | |
| <input type="text"/> | Type of site | <input type="text"/> | Present condition and future danger of destruction | |
| <input type="text"/> | Local environment today: | <input type="text"/> | Local Body: | |
| <input type="text"/> | Land classification | <input type="text"/> | | |

Waioamumu Pa, Marlborough
 1) Harbour June, 2010



Revised sketch 2010. Additions in red

MANUKAU CITY COUNCIL
DELEGATED FUNCTIONS AND POWERS OF
COMMITTEES

COUNCIL

- Membership:** Mayor and all Councillors (18 total)
- Quorum:** 9 members (set by Clause 23, Schedule 7, LGA 2002)
- Meetings:** Monthly on final Thursday of month with extraordinary meetings called as required (CL/NOV/1316/08).
- Meeting time:** 5:00 pm

Powers that cannot be delegated:

- (i) make a rate
- (ii) make a bylaw
- (iii) borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan
- (iv) adopt a long-term council community plan, annual plan or annual report
- (v) appoint a chief executive
- (vi) adopt policies required to be adopted and consulted on under the LGA 2002 in association with the long-term council community plan or developed for the purpose of the local governance statement.
- (vii) appoint and discharge the Deputy Mayor
- (viii) approve or amend the Council's Standing Orders
- (ix) approve or amend the Council's Code of Conduct for elected members
- (x) establish and determine the structure, areas of responsibility and delegated authorities of committees and appoint and discharge members of committees
- (xi) establish a joint committee with another local authority or other public body
- (xii) make any resolution where in a bylaw the Council has reserved any matter to be regulated, controlled, or prohibited by the Council by resolution either generally, for any specified case, or in a particular case
- (xiii) make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation (sections 32 & 42 LGOIMA 1987)
- (xiv) any other matters which from time to time may not legally be delegated by the Council

Powers that can be delegated but which the Council retains:

- (i) approve or alter Council strategy and policy, except as otherwise specifically delegated to a committee, subcommittee or officer
- (ii) approve Council's recommendation to the Remuneration Authority for the remuneration of elected members
- (iii) approve or amend the Triennial Agreement
- (iv) approve the Local Governance Statement produced following the triennial election of members
- (v) determine whether or how to fill any extraordinary Council vacancies
- (vi) review and make decisions on Council membership and the basis for elections
- (vii) adopt a Plan or Plan change under the RMA 1991
- (ix) promote legislation, or significant amendments to legislation, unless specifically delegated to a committee or officer or in line with adopted protocols on making submissions
- (x) consider, and as appropriate, admit, settle or defend any claim against the Council for compensation over \$1,000,000 unless specifically delegated
- (xi) approve the provision of any financial guarantee or indemnity over \$1,000,000 unless the guarantee or indemnity (or the matter to which it relates) is in the LTCCP or Annual Plan, has been separately approved by Council, or it arises in the normal management of employment relations or assets
- (xii) exercise any authority which it has delegated to a committee, subcommittee or officer.
- (xii) a committee dealing with any matter which, in the opinion of the committee, is likely to be controversial or likely to affect adversely the Council's relationship with any Government Department or any other Council, shall deal with such matter only in the form of a recommendation to Council (SO 1.10.7)

POLICY AND ACTIVITIES COMMITTEE

- Membership:** Mayor and all Councillors (18 total)
- Quorum:** 9 members
- Meetings:** First and Third Tuesdays of month from 1 May 2010 (CL/APR/412/10)
- Meeting Time:** 5.00 pm
- Chair:** Councillor appointed by Council
- Portfolio leaders:**
- (i) City Form & Environment
 - (ii) Safe City
 - (iii) Transport
 - (iv) Community Services
 - (v) Thriving Economy
 - (vi) Innovative Council
 - (vii) Regional Sustainable Development (Mayor and Deputy Mayor)

(role description is contained under a separate heading)

General purpose:

The Policy and Activities Committee will focus on policy but will also deal with any matters requiring political decision-making relating to Council's activities and business that are not delegated elsewhere.

Areas of responsibility:

Policies, strategies, external relations, governance, property

All policy and strategy matters (noting that final adoption of a formal policy or strategy is by recommendation to full Council). This includes, but is not limited to,

- (i) Community outcomes including Tomorrows Manukau
- (ii) LTCCP and Annual Plan (including the hearing of submissions)
- (iii) District Plan
- (iv) Regional Governance
- (v) Policy programme
- (vi) External relationships, including LGNZ, ARC, Government, appointment of representatives on other bodies
- (vii) Purchase and disposal of strategic property in accordance with the LTCCP
- (viii) Governance issues relating to the Council, Community Boards and CCOs

Council activities

- (i) Council's activities as set out in the LTCCP / Annual Plan within the following groups of activities:
 - City form and environment
 - Safe city
 - Leadership and governance
 - Transport
 - Leisure and recreation
 - Community services
 - Thriving economy
 - Innovative Council
- (ii) Appointments, including
 - Commissioners
 - CCO directors

- statutory appointments (including Electoral Officer, Privacy Officer, Principal Rural Fire Officer, Litter Control Officer)
- (iii) Organisational matters not elsewhere included.
- (iv) Any matter relating to any other Committee, Sub-committee or Panel which needs to be dealt with urgently and which cannot be deferred to the next meeting of that Committee, Sub-committee or Panel.

Powers:

All powers relating to the Committee's purpose and areas of responsibility which are not retained by Council, otherwise delegated, or required by statute to be exercised only by the Council.

Without limiting any of the above, the Committee may:

- (i) appoint sub-committees such as to conduct the hearing of submissions that arise from consultation on policy proposals;
- (ii) make submissions in line with Council's protocol on submissions

Contracts:

Full authority (financial and otherwise) to procure and award contracts for goods, works and services, for values exceeding \$5,000,000 plus GST per procurement arrangement (being arrangements such as contracts or agreements for goods works or services, software licences, and leases and licences of equipment) for capital expenditure and exceeding \$5,000,000 plus GST per procurement arrangement per annum for operational expenditure, subject to the following limitations:

- (i) The Committee shall consider the recommendations of the Tenders Panel; and
- (ii) That the expenditure is budgeted for in an approved LTCCP or Annual Plan or is approved by Council, except in cases of genuine emergency provided that the unbudgeted expenditure is subsequently reported to Council as soon as practicable after the emergency.

Theming of meetings:

The Policy and Activities Committee will have an holistic overview of Council policy and Council activities. For the purpose of provision of appropriate and relevant advice at meetings, the three weekly meetings per month will be themed as follows:

- 1st week: Community
- 2nd week: Economic and Corporate Governance
- 3rd week: Environment

This will not preclude any matter being reported to any meeting out of theme, where that matter cannot be deferred.

GRANTS AND EVENTS FUNDING SUB-COMMITTEE

| | |
|--------------|--|
| Membership: | 4 – 7 councillors |
| Chair: | Councillor appointed by Council |
| Quorum: | 4 |
| Meetings: | Monthly on the second Tuesday at 3.00 pm (CL/OCT/1191/08;) |
| Purpose: | Grants to community groups and regional organisations. |
| Delegations: | Decide grants under the following policies/funding allocations, unless delegated elsewhere: <ul style="list-style-type: none">(i) Community Funding Policy for Discretionary Grants, Donations and Sponsorships(ii) Community Facilities Partnership Scheme(iii) Events funding(iv) Regional funding of community facilities and groups |

ACCOUNTABILITY AND PERFORMANCE COMMITTEE

| | |
|----------------------|--|
| Membership: | Mayor and all councillors |
| Quorum: | 9 |
| Meetings: | Monthly (CL/OCT/1195/08) |
| Chair: | Councillor appointed by Council |
| Meeting time: | Fourth Tuesday at 5.00 pm with additional meetings to consider CCO matters (CL/NOV/1316/08). |

General purpose:

The Accountability and Performance Committee will have a monitoring and scrutiny focus. When it meets, the Committee will review the performance of the Council in relation to the LTCCP / Annual Plan and consider any other issues to do with accountability and performance.

Areas of responsibility:

- (i) Monitoring performance against the LTCCP / Annual Plan
- (ii) Performance issues involving the Ombudsmens Office or the Auditor-General
- (iii) Receiving and considering statements of Intent, and half yearly and annual reports from CCO's

Powers:

All powers relating to the Committee's purpose and areas of responsibility which are not retained by Council, otherwise delegated, or required by statute to be exercised only by the Council.

AUDIT & RISK SUB-COMMITTEE

| | |
|----------------------|------------------------------|
| Elected members: | 5 plus Chair (CL/AUG/988/08) |
| Non-elected members: | 1 |
| Quorum: | 3 |
| Meetings: | Quarterly |

- Chair:** Councillor appointed by Council
- General purpose:** The Audit and Risk Sub-Committee's purpose is to provide a specialist focus on Risk and Audit to promote on behalf of Council the culture and priority for a stronger focus on effective risk management and assurance.
- Areas of responsibility:** The Audit and Risk Sub Committee is to monitor and promote on behalf of Council, and provide it with specialist advice with respect to:
- a. The integrity of the organisation's financial reporting;
 - b. The effectiveness, independence and objectivity of external and internal audit practices; and
 - c. The effectiveness of risk management and internal control systems.
- Powers:** All powers relating to the Sub Committee's purpose and areas of responsibility which are not retained by Council, otherwise delegated, or required by statute to be exercised only by the Council.

ENVIRONMENTAL HEARINGS COMMITTEE

- Membership:** 10 members plus Chair (CL/AUG/988/08)
- Quorum:** 5 members
- Meetings:** Monthly and as required
- Meeting time:** 9:00 am
- Chair:** Councillor appointed by Council

General purpose:

The focus of the Committee will include those hearings and decisions that have a direct impact on the community and the natural and physical environment by way of their regulatory nature and for which a quasi-judicial approach is required or desirable.

Regulatory policy (such as a proposed Plan Change or Bylaw) will be developed by the Policy and Activities Committee in the first instance. However, the hearing of submissions on proposed regulatory policy will be conducted by the Environmental Hearings Committee unless the Council decides otherwise. This Committee will also hear and determine applications and matters that relate to activities under a range of legislation.

The focus of the Committee on environmental decision-making and processes does not preclude the Council from delegating the hearing of submissions on other matters from time to time to this Committee because of its expertise in conducting hearings.

The hearing requirements will differ depending on the statutory basis of the hearing. District Plan hearings are conducted under the Resource Management Act and Reserve Management Plan hearings under the Reserves Act. All others are under the special consultative procedure in the Local Government Act. All should be conducted in accordance with the principles of natural justice.

Areas of responsibility:

- (i) Hearing and determination of submissions on proposed environmental policy and strategy, unless decided otherwise by Council, in relation to:

- (a) District Plan, Plan Changes and Variations to the District Plan
 - (b) Alcohol Strategy /Policy
 - (c) Gambling Venue Policy
 - (d) Waste Management Plan
 - (e) Reserve Management Plans
 - (f) Dog Policy
 - (g) Bylaws
 - (h) any other policy of an environmental nature
- (ii) Hearing and determination of submissions and objections on applications, notices, classifications and disqualifications relating to:
- (a) Bylaws
 - (b) Resource Management Act 1991
 - (c) Dog Control Act 1996
 - (d) Building Act 2004
 - (e) Fencing of Swimming Pools Act 1987
 - (f) Sale of Liquor Act 1989
 - (g) Litter Act 1979
 - (h) Notices of Requirement
 - (i) Health Act 1956
 - (j) temporary road closures and walkway closures
 - (k) applications for remission of Development Contribution levies
 - (l) Reserves Act 1977
 - (m) any other statute, regulation or rule
- (iii) Enforcement action, including prosecutions.
- (iv) Appeals and other legal challenges arising out of the regulatory responsibilities of the Council, including consent orders and liability issues.

Powers:

- (i) All powers relating to the Committee's purpose and areas of responsibility which are not retained by Council, otherwise delegated, or required by statute to be exercised only by the Council; and
- (ii) Without limiting any of the above, the functions of the Committee include the following:
 - (a) Hear and determine applications for resource consents or any other application under statute or bylaw
 - (b) Revoked (CL/MAR/240/10)
 - (c) Hear and determine submissions in relation to the District Plan and Plan Changes, and to other matters within the Areas of Responsibility of the Committee (note that any Plan or Plan Change is finally adopted by the Council once all appeals have been resolved).
 - (d) Delegate the hearing and/or determination of submissions in relation to the District plan and Plan Changes to Environmental Hearings Commissioners.
 - (e) The functions and powers of a District Licensing Agency (refer sections 99, 100 & 101 of the Sale of Liquor Act 1989
 - (f) Delegate the hearing of objections to temporary road closures, road stoppings and reserve revocations on a case by case basis to Environmental Hearings Commissioners.
 - (g) Generally the hearing of Council initiated requirements to designate or apply for resource consent shall be delegated to an Environmental Hearings Commissioner or Commissioners. A Commissioner(s) finding in respect of a Council initiated requirement to designate pursuant to section 168A of the

resource management Act shall be in the form of a recommendation to which ever standing committee has initiated the requirement.

Sub-committees:

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| <p><u>Liquor Licensing Sub-Committee</u></p> <p>Comprising: Three councillors, being the Chairperson and Deputy Chairperson of the Environmental Hearings Committee together with a councillor from the ward in which the premises that are the subject of the application are situated. If there is a ward councillor who is a member of the Environmental Hearings Committee, then this councillor will be the third member of the Liquor Licensing Sub-Committee.</p> <p>Quorum: Two</p> | <p>(i) Consider and determine applications for temporary authority to carry on the sale and supply of liquor in accordance with section 24 or section 47 of the Act, for which objections have been received, or which are unopposed and do not comply with Council policy;</p> <p>(ii) Consider and determine applications for special licences, for which objections have been received, or which are unopposed and do not comply with Council policy.</p> <p><i>Refer Sale of Liquor Act 1989 [Section 100 © and (d)]</i></p> |
| <p><u>Environmental Hearing Commissioners</u></p> <p>Powers: The power to hear and determine applications under the Resource Management Act 1991. (CL/MAR/240/10)</p> | |
| <p><u>Special Liquor Licenses Subcommittee</u></p> <p>Comprising: The Director Environment, or nominee, and the Liquor Licensing Inspector or nominee</p> | <p>Consider and approve the issue of liquor licences to which no objections have been received, the granting of applications for renewal of manager's certificates to which no objections have been received, and the consideration and determination of temporary authorities. All matters approved under this delegated authority are to be reported to the Environmental Hearings Committee</p> |
| <p><u>Remission of Charges</u></p> <p>Comprising: The Chairperson or his or her nominee and the Director Environment or delegated nominee</p> | <p>Consider and determine requests for remissions of charges under Section 36(5) of the Resource Management Act 1991. The exercise of these functions shall be reported to the Environmental Hearings Committee</p> |
| <p><u>Review of Decision of Officers</u></p> <p>Comprising: The Chairperson or nominee and the Director Environment</p> | <p>Consider and determine requests for a review of decisions exercised by officers under delegated authority where there is no other right of appeal and to hear and resolve complaints on matters of process and procedure</p> |
| <p><u>Fixing of Road Levies and Works on Private Land</u></p> <p>Comprising: Three members of the Environmental Hearings Committee (at least one of whom should be a member from the ward in which the issue relates)</p> | <p>Hear, consider and determine objections under Section 330 (and the 13th Schedule) of the Local Government Act 1974 (Fixing Road Levels). and to hear and determine objections under Section 181 and Schedule 12 of the Local Government Act 2002 (Construction of Works on Private Land)</p> |

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| <p><u>Waiver of Dog Registration Fees</u></p> <p>Comprising: The Chairperson or nominee and the Director Environment, or nominee.</p> | <p>Consider and determine the waiver of Dog Registration Fees under Section 37 (2) (f) of the Dog Control Act 1996.</p> |
| <p><u>Appeals Against the Issue of Grading Certificates - Food Premises</u></p> <p>Comprising: The Chairperson or nominee, a member of the Environmental Hearings Committee and the Director Environment or nominee</p> | <p>Consider and determine appeals against the issue of grading certificates to food premises under the Food Hygiene Bylaw</p> |
| <p><u>Certificates of Registration - Health (Registration of Premises) Regulations</u></p> <p>Comprising: The Chairperson or nominee, a member of the Environmental Hearings Committee who is a member from the ward in which the issue relates, and the Director Environment, or nominee</p> | <p>Hear, consider and determine whether a certificate of registration issued to a person(s) should be revoked and whether an application by that person(s) for a fresh certificate be declined pursuant to the Health (Registration of Premises) Regulation 1966</p> |

TE TIRITI O WAITANGI COMMITTEE

Membership: 9 elected members
9 appointed members

Quorum: 9 members present comprising at least 4 elected members and at least 4 appointed members (CL/OCT/1191/08)

Meetings: 5:00 pm, second Thursday of month

Chair: Appointed by Council

General purpose:

Te Tiriti o Waitangi Committee will assist the Council in meeting its legal obligation to provide processes for the contribution of Maori to decision-making.

Areas of responsibility:

Tomorrow's Manukau Outcome areas:

- › All outcome areas

Significant activities in LTCCP:

- › All activities with significant implications for Tangata Whenua communities.

Specific Strategic Areas:

- (i) To provide a strategic forum for ensuring Maori contributions to Council decision making on matters affecting Maori communities in Manukau.
- (ii) To provide strategic advice to Council on matters affecting the social, economic, environmental, and cultural well being of Maori in Manukau City.
- (iii) Ensure Maori values are considered in Council's decision making processes and service delivery.
- (iv) To provide leadership and advice to Council on Treaty Relationships development and issues.

- (v) To lead in education of the Maori community on civic processes.

Powers:

In relation to its areas of responsibility, the power to:

- (a) Recommend to Council responses to Te Tiriti o Waitangi issues and a strategy and work programme for relationships development with Maori in Manukau.
- (b) Receive and comment on draft submissions to Government from other Committees on legislation having implications for Maori, with a view to ensuring that matters affecting the social, cultural, economic and environmental well being of Maori in Manukau are addressed and make recommendations to Council.
- (c) Identify and make recommendations to Council on policy development priorities for Maori communities in Manukau.
- (d) Monitor and make recommendations to Council on existing and proposed policies that affect or have the potential to affect Maori communities in Manukau.
- (e) Monitor progress in achieving Tomorrow's Manukau outcomes for Maori and receive annual updates from Strategic Development Unit on Tomorrow's Manukau Outcome Group's activities and make recommendations to Council.
- (f) Make recommendations to Council on LTCCP and Annual Plan priorities for Maori Communities.
- (g) Monitor progress in achieving LTCCP and Annual Plan priorities and outcomes for Maori communities in Manukau and make recommendations to Council.
- (h) Approve all Maori consultation action plans for significant proposals by Council or other Committees and monitor compliance.
- (i) Monitor Council's compliance with LGA 2002 requirements for consultation with Maori, and making provision for Maori participation in decision making processes.
- (j) Consider regional and national political issues affecting Maori communities in Manukau and make recommendations to Council as appropriate.
- (k) Receive presentations.
- (l) Receive deputations, petitions, and any other communications on matters affecting the Maori communities of Manukau and make recommendations to Council.
- (m) Make recommendations to Council on Te Tiriti o Waitangi Standing Committee representation on outside organisations/other bodies.
- (n) Make recommendations on matters referred to it by Council.
- (o) Make recommendations on matters referred to it by the Mana Whenua Forum.
- (p) Develop a strategic plan identifying priorities and aspirations for Maori Communities in Manukau.
- (q) Report on the activities of the Committee to Maori Communities through an annual hui-a-iwi.
- (r) Report on the activities of the Committee annually to the Mana Whenua Forum.

PORTFOLIO LEADERS

Purpose

A Portfolio Leader is the political leader and Council representative in terms of the relevant portfolio area.

Role

The role of each Portfolio Leader is, within their portfolio area:

As political leader:

- Acting as a point of contact and sounding board for officers in supporting the work programme in their area of activity
- Chairing and leading discussion and presentations at forums
- At Committee meetings provide guidance and leadership by moving reports and advocating for them
- Convening Working Parties as required, such as for preparing submissions

As political representative:

- Being a spokesperson
- Representing Council on external organisations
- Attend official functions and represent the Mayor when the Mayor and Deputy Mayor are unable to attend

ASSOCIATE PORTFOLIO LEADERS (CL/OCT/1191/08)

Purpose

An Associate Portfolio Leader works as a member of a team with the Portfolio Leader and other Associate Portfolio Leaders in the same portfolio area. There is a limit of three in any portfolio area.

Role

Within their portfolio area:

- Along with other Associate Portfolio Leaders, being a member of sounding boards and working parties convened by the Portfolio Leader
- Becoming knowledgeable about the portfolio area by attending briefings, seminars and conferences
- Deputising for the Portfolio Leader when requested
- Supporting the Portfolio Leader in providing guidance at committee meetings.

PORTFOLIO AREAS

The portfolio areas are generally aligned to Council's Groups of Activities as follows:

(i) City Form & Environment

Content

- Environmental Policy
- Managing growth
- Heritage
- Consents
- Stormwater
- Solid waste

Key Projects

- Climate change and environmental sustainability
- Growth strategy
- Town centre strategy
- Solid waste contracts (recycling, household)
- Heritage strategy
- Liquor licensing

(ii) Safe City

Content

- Health & safety
- Community safety
- Emergency management
- Better environment
- City beautification

Key Projects

- Community safety programme
- City beautification / graffiti control
- Emergency management

(iii) Transport

Content

- Passenger transport
- Roads

Key Projects

- Regional infrastructure and services
- AMETI
- CAPEX programme / projects
- Rail projects / electrification
- Public passenger transport
- Cycle / Walkways

(iv) Community Services (including Leisure & Recreation)

Content

- Community development
- Housing for the Elderly
- CABx
- Advocacy and programmes for health
- Halls
- Libraries
- Parks
- Swimming pools
- Recreation centres
- Arts

Key Projects

- Otara and Flat Bush pools
- Flat Bush Recreation Centre
- Mangere Arts Centre
- Sportsville concept
- Housing for the Elderly refurbishment
- Flat Bush and Central libraries

(v) Thriving Economy

Content

- Education and employment advocacy
- Town centre and business precincts
- Business industries
- Tourism

Key Projects

- Broadband
- Property and Asset Management Plan
- Economic strategy

(vi) Innovative Council (Corporate Business)

Content

- Allocated services

Key Projects

- Information management
- Democratic services
- Communication
- Finance and rating
- Customer relationships
- Best practice
- Human resources

with the additional portfolio area of:

- (vii) Regional Sustainable Development, which will be the responsibility of the Mayor and/or Deputy Mayor.

The Chair of the Policy and Activities Committee will perform the role of Portfolio Leader with regard to any matters that do not relate to the defined Portfolio Areas.

PANELS

Purpose:

Panels may consist of elected members and officials and are not committees or sub-committees. Panels address issues, which are not policy issues but are, nevertheless, issues where elected member involvement is appropriate.

Legal basis:

The Local Government Act 2002 provides for delegations to “*sub-ordinate decision-making bodies*” that are not committees, community boards, officers or members (cl 32 (1) sched 7). The ability to delegate to a “sub-ordinate decision-making body” does not necessarily apply to powers under other Acts. Panels are not subject to the meeting provisions of LGOIMA.

Tenders Panel

Membership: 3 councillors appointed by Council and 2 senior management officials (or their alternates in times of absence).

Quorum: 3 members, two of whom must be councillors and one an officer, except where the procurement value is greater than \$5 million (so that councillors are able to participate in decision-making at the Council meeting).

Chair: Councillor appointed by Council, except where the procurement value is greater than \$5 million.

Purpose: The panel is established to assist the CEO to undertake the management procedure of ensuring sound probity procedures are followed in relation to procurement of goods and services necessary to deliver on the work programme and operations outlined in Council’s adopted Annual plan. Within a framework where contracts are an operational matter delegated to the CEO based on the programme adopted within the Annual plan, this panel will consider all tenders outside individual Officers delegation and make a recommendation to the CEO on awarding contracts above a defined value. The panel will ensure that reasonable purchasing procedures have been followed in awarding contracts and will provide an efficient mechanism for documenting the approvals for those contracts.

Delegations: No decision-making. To recommend to the CEO for awarding contracts in accordance with Council’s Procurement and Contracting procedures.

To advise the CEO and Council on changes to the Procurement and Contracts probity procedures

CCO Review Panel

Membership: Mayor (or nominee), Chair Policy and Activities Committee, Chair Accountability and Performance Committee and 1 other councillor.

The panel will be convened by the CEO and he will be joined on the panel by the Director with primary responsibility for the overview of CCOs.

Purpose: The primary purpose of the CCO Review Panel is to provide a governance interface between Council and the boards of the CCOs in order to establish a constructive relationship and in particular assist the CEO review:

- (a) Statements of Intent
- (b) Reports of performance against the Statement of interest
- (c) Board/Director/Trustee performance.

Delegations: The CCO review panel is not a decision making forum. Rather its role is to make recommendations to the appropriate Standing Committee.

The CCO review panel will act as an appointments panel when it is necessary to appoint new directors or trustees and will make recommendations as to appointments through the Policy and Activities Committee or to the Mayor in cases where the Trust deed requires that the trustees be appointed by the Mayor.

Executive Review Panel

Membership: Mayor, Deputy Mayor, Chair Policy and Activities Committee, Chair Accountability and Performance Committee

Purpose and delegations:

In line with existing purpose and delegations.

ADVISORY COMMITTEES

Purpose:

An advisory committee provides the Council with advice from a group of people representing a community of interest or particular area of expertise.

Legal basis:

An advisory committee is not a committee of Council as appointed under clause 30 schedule 7 of the LGA.

Pacific Island Advisory Committee

Membership: 3 Cook Islands representatives
3 Samoan representatives
3 Niuean representatives
3 Tongan representatives
1 Tokelau representative
1 Fijian representative
1 small islands representative

Quorum: 5

Meetings: Monthly

Chair: Elected from among the members

Asian Advisory Committee

Proposed future advisory committee. Details to be reported and considered by Council.

FORUMS

Purpose:

Forums exist for the purpose of,

- informal briefings prior to formal discussion and decision
- obtaining political feedback during policy development processes
- presentations, including from external organisations
- conveying information
- developing knowledge of councillors on council and local government matters in general
- professional development of councillors

Legal basis:

Decisions are not made at Forums and so Forums are not subject to the advertising and public attendance requirements of LGOIMA. Nevertheless, where it is appropriate, a Forum may provide for the attendance of representatives of outside organisations, community boards and/or the public.

Procedure:

Forums will be called by the CEO, or the CEO's nominee, in consultation with the Deputy Mayor or nominee as to subject matter and the attendance of non-councillors. Forums will be chaired by the Deputy Mayor, or the Deputy Mayor's nominee, who will have sole discretion as to meeting procedure. Where appropriate, the Deputy Mayor will call on the relevant Portfolio Leader to introduce and lead a particular topic. (CL/OCT/1191/08)

Forums will be scheduled weekly and cancelled if not required. Each Forum will consist of two sessions, with the first session being open to the public if deemed appropriate.

WORKING PARTIES

Purpose:

Working Parties consist of a group of councillors and officers to undertake preparatory work (such as formulating a submission) prior to formal consideration and adoption.

Legal basis:

Working Parties are not Committees or Subcommittees that make decisions and are not subject to the advertising and public attendance requirements of LGOIMA.

Membership:

Working Parties are constituted as required, but will usually include the appropriate Portfolio Leader.

DELEGATED FUNCTIONS AND POWERS OF COMMUNITY BOARDS

1. INTRODUCTION

Pursuant to Section 49 of the Local Government Act 2002 (LGA) and Section 19S of the Local Electoral Act 2001, a Community Board has been established for each of the Botany, Clevedon, Howick, Mangere, Manurewa, Otara, Pakuranga and Papatoetoe Communities of Manukau City.

In principle, the Council sees the prime function of the Community Boards is to be pro-active in their Community and actively seek out the aspirations of their Community and convey these to Council.

The Community Boards are delegated authority by the Council providing all decisions:

- (a) are made in accordance with Council policies and take due account of Council strategies.
- (b) comply with Annual Plan provisions.
- (c) take account of budgetary constraints.
- (d) take due account of professional advice.
- (e) are made with due regard for the requirements of the LGA s.14 (c) and (d), namely:

“14 Principles relating to local authorities

(1) In performing its role, a local authority must act in accordance with the following principles:

- (c) when making a decision, a local authority should take account of
 - (i) the diversity of the community, and the community’s interests, within its district or region; and*
 - (ii) the interests of future as well as current communities; and*
 - (iii) the likely impact of any decision on each aspect of well-being referred to in section 10 (to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future);**
- (d) a local authority should provide opportunities for Maori to contribute to its decision-making processes.” (LGA 2002)*

and Part 6 *“Planning, decision-making and accountability”*

Council decides all City wide matters, including matters involving more than one Community and/or city-wide budgetary allocations.

The *Chief Executive Officer* is responsible for Council operations.

The Democratic Services Coordinators/Rural Programme Manager act on behalf of the *Chief Executive Officer* as a link between the Community Board and Council staff.

2. STATUTORY ROLE OF COMMUNITY BOARDS (Section 52, Local Government Act 2002)

The statutory role of a Community Board is to:

- (a) represent, and act as an advocate for the interests of its community; and
- (b) consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the Community Board; and
- (c) maintain an overview of services provided by the territorial authority within the community; and
- (d) prepare an annual submission to the territorial authority for expenditure within the community; and
- (e) communicate with community organisations and special interest groups within the community; and
- (f) undertake any other responsibilities that are delegated to it by the territorial authority.

The following Functions and Powers are delegated to Community Boards in accordance with Sections 10, 52, 53 and Schedule 7, Clause 32 of the Local Government Act (2002), under Manukau City Council Standing Order 1.10.3:

PREAMBLE

Council takes account of Section 10 of the Local Government Act to:

- (a) enable democratic local decision-making and action by, and on behalf of, communities;
- (b) promote the social, economic, environmental and cultural well-being of communities in the present and for the future;
- (c) recognise communities of interest; and
- (d) exercise the functions, duties and powers of local government in an effective and efficient manner while providing for the effective participation of local persons in local government.

Through Community Boards, Council seeks to identify and address issues of concern to its residents and ratepayers and to achieve decisions appropriate to local communities.

Council is mindful of the respective roles of Councillors, Management and Community Boards and defines these roles through delegation within legislative guidelines. Council's role is to set policy, comply with legislative requirements, determine levels and standards of service, contract with external providers and agree delegations to Community Boards. Management provides the professional advice and manages the operations of the Council and the delivery of Council's agreed outcomes. Community Boards operate within Council's delegations and as advocates for their communities to enhance local decision making ensuring local needs and aspirations are reported to Council and take an overview of services provided within their communities.

DELEGATED FUNCTIONS, DUTIES AND POWERS

The following functions, duties and powers relative to their respective communities are specifically delegated to Community Boards, pursuant to Schedule 7, clause 32, of the Local Government Act 2002:

Subject to Council policy

The exercise and performance by any Board of all or any of its functions, duties or powers shall be in accordance with and subject to the policy and corporate standards of the Council and, where appropriate, budgetary approval by the Council. This does not prevent Community Boards from making a recommendation to Council requesting that Council makes an exception to policy in a specific instance.

Handing back

It is noted that from time to time situations may arise where, by agreement between the Board Chair and the Mayor, a matter that would normally be decided under these delegations is handed back to Council. This will be the exception rather than rule.

Examples of when this may arise include: when there is a significant effect on other Board areas; when the funding required for a project in the Board's area is well outside the ability of the Board to fund but has merit nevertheless; when the Board is not able to make an objective decision because a majority of members have conflicts of interest through their community involvement in a project.

In any situation where a decision is handed back to Council the Board will have the opportunity to make a recommendation.

| | DELEGATED FOR BOARD DECISION/AUTHORITY | TO BE REFERRED FOR BOARD INFORMATION/INPUT |
|-----------------------|---|---|
| 1 GENERAL | | |
| Civic | <p>D1.1.1 Act as a catalyst for “Community Pride” programmes.</p> <p>D1.1.2 Receive and respond to deputations and petitions addressed to the Board concerning local matters.</p> <p>D1.1.3 Facilitate community forums, and/or act, when requested by Council, on matters which require consideration by the community.</p> <p>D1.1.4 Undertake additional delegations from time to time as delegated by Council or its Committees which are project-based and finite in nature.</p> | <p>I1.1.1 Official openings of facilities.</p> <p>I1.1.2 The process for Community consultation.</p> <p>I1.1.3 Petitions, (if requested to do so), by the respective Council Standing Committee Chairperson, or the Chief Executive Officer.</p> <p>I1.1.4 Local issues (including recognition of local differences within the City).</p> <p>I1.1.5 Meetings proposed to be held with residents within the Community.</p> <p>I1.1.6 Consultation and liaison to enable Boards to fulfil their role in providing an overview of services within their Communities.</p> |
| 1.2 External Agencies | <p>D1.2.1 Boards acting in their role as community advocates may represent the views of their community directly to external agencies.</p> | <p>I1.2.1 Foreshore control.</p> <p>I1.2.2 Weed control/pest management</p> <p>I1.2.3 Applications to the Liquor Licensing Authority. for liquor licences via an appointed Board member with whom the Liquor Licensing Agency Inspector can liaise.</p> |

| | DELEGATED FOR BOARD DECISION/AUTHORITY | TO BE REFERRED FOR BOARD INFORMATION/INPUT |
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| 2. FINANCE | | |
| 2.1 Democratic Processes | D2.1.1 Adopt and comply with Board Standing Orders. D2.1.2 Adopt and comply with a Code of Conduct if felt necessary to do so. | I2.1.1 Review of Representation Arrangements. I2.1.2 Allocation of the remuneration pool set by the Remuneration Authority. |
| 2.2 Annual Plan and LTCCP | D2.2.1 Submit to Council's Annual Plan process, a proposed multi-activity budget, the categories and allocations being subject to Annual Plan consultation and approval. | I2.2.1 Council's draft Annual Plan, LTCCP, and rating policies. |

| | DELEGATED FOR BOARD DECISION/AUTHORITY | TO BE REFERRED FOR BOARD INFORMATION/INPUT |
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| 3. COMMUNITY | | |
| 3.1 General | <p>D3.1.1 Allocate local Community Discretionary Funding grants in accordance with Council policy.</p> <p>D3.1.2 Make recommendations to the Council re Council's Community Facilities Partnership Scheme.</p> <p>D3.1.3 Make decisions as required by Council's Community Tenancies Policy.</p> | |
| 3.2 Education and Information | | <p><u>Libraries and Information Centres</u></p> <p>I3.2.1 Location and long term planning.</p> <p>I3.2.2 Input to design.</p> <p>I3.2.3 Operational policy and specification.</p> <p>I3.2.4 Evaluation of services.</p> <p>I3.2.5 Services including consultation and liaison with Board to enable them to fulfil their role of taking an overview of services within their Communities.</p> |
| 3.3 Community Health and Safety | | <p>I3.3.1 Community safety audits.</p> <p>I3.3.2 Community health issues.</p> <p>I3.3.3 Priority areas within the Ward for undertaking safety audits.</p> <p>I3.3.4 Priorities for implementation of safety audits.</p> |

| | DELEGATED FOR BOARD DECISION/AUTHORITY | TO BE REFERRED FOR BOARD INFORMATION/INPUT |
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| 3.4 Community Development Services. | | I3.4.1 Local CAB reports. I3.4.2 Local Youth programmes. I3.4.3 Community House reviews. I3.4.4 Community Wellbeing issues. |
| 3.5 Leisure | | <u>Leisure Facilities</u> I3.5.1 Location and long term planning. I3.5.2 Input to design. I3.5.3 Evaluation of services. I3.5.4 Operational policy and specification. |
| 3.6 Arts | D3.6.1 Appoint a Board representative to Creative New Zealand's Community funding committee. | <u>Arts Facilities – Council owned and operated Community Arts Centres</u> I3.6.1 Location and long term planning. I3.6.2 Input to design. I3.6.3 Evaluation of services. I3.6.4 Operational policy and specification. <u>Arts Facilities – contracted arts delivery</u> I3.6.5 Specifications for service delivery. I3.6.6 Reports on service delivery. |

| | DELEGATED FOR BOARD DECISION/AUTHORITY | TO BE REFERRED FOR BOARD INFORMATION/INPUT |
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| 3.7 Parks | <p>D3.7.1 Approve reserve concept plans and proposals for buildings and structures on local reserves where such concept plans or proposals have not already been the subject of community consultation such as by way of a Reserve Management Plan. The primary role of the Board is to ensure local issues and aspirations are given proper consideration in relation to proposals for reserves and approval by a Community Board will be without prejudice to any required building, resource or other consents. This delegation does not apply to premiere reserves or other reserves that have an area of interest (patronage) of more than two adjacent Community Board areas.</p> <p>D3.7.2. Approve signage (excluding temporary signs) on reserves in line with Council's policy.</p> <p>D3.7.3 Approve or recommend applications to establish facilities on reserves as required under the Council's Community Facilities Partnership Scheme..</p> <p>D3.7.4 Allocation of Parks Minor Capital Works from the Board's multi-activity budget provided through the Annual Plan.</p> <p>D3.7.5 Approve applications to hold non-sporting events (other than established annual or seasonal events)</p> <p>D3.7.6 Approve new plantings of street trees within an allocated budget - excluding new subdivisions and strategic city-wide planting (primary roads)</p> <p>D3.7.7 Approve use of Council land for animal based circuses/travelling zoos (Minute No 372/97)</p> <p>D3.7.8 Appoint representative to officiate at annual Arbor Day ceremonies</p> <p>D3.7.9 Approve applications for temporary commercial activities on reserves</p> | <p><u>Parks Facilities</u></p> <p>I3.7.1 Location and long term planning</p> <p>I3.7.2 Input to design</p> <p>I3.7.3 Evaluation of services</p> <p>I3.7.4 Operational policy and specification</p> <p>I3.7.5 Foreshore reserve development</p> <p>I3.7.6 Reserve Management Plans</p> <p>I3.7.7 Naming of significant reserves</p> <p>I3.7.8 Parks maintenance standards and programmes</p> <p>I3.7.9 Long term commercial activities on reserves (other than animal based circuses/travelling zoos)</p> <p>I3.7.10 Lighting</p> <p>I3.7.11 Litter bins and litter controls</p> <p>I3.7.12 Proposals for buildings and structures</p> <p>I3.7.13 Playground equipment, location and safety</p> <p>I3.7.14 Priorities for playgrounds and parks projects and initiatives in local communities</p> <p>I3.7.15 Auckland Regional Council parks proposals</p> |

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| 4. ECONOMIC | | |
| 4.1 Road Network Management | <p>D4.1.1 Parking restrictions, on road reserves, pursuant to Council's bylaws including:</p> <ul style="list-style-type: none"> • No stopping. • Disabled parking. • Loading zones. • Taxi stands. • Bus stops. • Limited time restrictions. • Reserve parking. <p>except temporary controls associated with events, controls required as a condition of resource consent and proposed controls which have been communicated to affected parties and are unopposed.</p> | <p>I4.1.1 General parking studies.</p> <p>I4.1.2 Walkway closures.</p> <p>I4.1.3 Road closure (special events).</p> <p>I4.1.4 Transit NZ issues relevant to the Community.</p> <p>I4.1.5 Safety issues.</p> <p>I4.1.6 Capital development programme.</p> <p>I4.1.7 Traffic islands.</p> <p>I4.1.8 Proposed six-monthly programme of road works which may disrupt or inconvenience the public.</p> <p>I4.1.9 Traffic management plans.</p> <p>I4.1.10 Transportation planning.</p> <p>I4.1.11 Temporary use of roads, footpaths and Council owned land for market days, street appeals, stalls, parades and other such events and functions via an appointed Board member with whom the Manager Roding and Waste Services can consult.</p> <p>I4.1.12 Bus shelter designs.</p> <p>I4.1.13 Traffic constraints which do not comply with Council's criteria.</p> <p>I4.1.14 Heavy vehicle street bans.</p> |
| | <p>D4.1.2 Parking Restrictions, in public car parks, pursuant to Council's bylaws including:</p> <ul style="list-style-type: none"> • No stopping, • Disabled parking • Loading zones, • Taxi stands. • Bus stops. • Limited time restrictions. • Reserve parking. <p>Except temporary controls associated with events, controls required as a condition of resource consents.</p> | |
| | <p>NOTE: In the "excepted" instances, the Road Network Manager will determine the matter in consultation with the Chairperson or nominated member.</p> | |

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| | <p>D4.1.3 Traffic constraints which comply with Council's criteria.</p> <p>D4.1.4 Heavy vehicle parking bans.</p> <p>D4.1.5 Traffic control signs.</p> <p>D4.1.6 Location and marking of pedestrian crossings, including the issuing of authority to schools to operate school patrols which comply with appropriate criteria.</p> <p>D4.1.7 Hear and determine objections to bus shelter siting when consents have not been obtained by officers as required by the Local Government Act 2002.</p> <p>D4.1.8 Allocations for Minor Capital Street works (e.g. seal extension, footpaths, kerb and channelling) and for additional street lighting from the Board's multi-activity budget provided through the Annual Plan.</p> | |
| 4.2 Business Infrastructure | D4.2.1 Appoint a member to represent the Board on local Business Improvement District Committees. | |
| 4.3 Tourism & Events | D4.3.1 Allocate grants in accordance with Council policy on grants and donations funding for local events. | I4.3.1 Tourism initiatives |
| 4.4 City and Local Area Development | <p>D4.4.1 Approve siting and operation of collection points for recycling in public places.</p> <p>D4.4.2 Allocate any funds given to the Board for graffiti eradication promotion.</p> | <p>I4.4.1 Town centre redevelopment.</p> <p>I4.4.2 Main Street and neighbourhood development programmes including beautification of streets.</p> <p>I4.4.3 Parking and lighting.</p> <p>I4.4.4 Cleanliness and graffiti on facilities.</p> <p>I4.4.5 General information signage not related to individual Council facilities.</p> <p>I4.4.6 Community based projects for the removal of graffiti.</p> |

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| <p>5. ENVIRONMENT</p> | <p>D5.1.1 Allocate the Board's multi-activity budget for street beautification, street signage and other minor physical improvements.</p> <p>D5.1.2 Hear and determine appeals relating to barking dogs. The Board may constitute a committee comprising not less than three members, one of whom shall be the Chairperson to hear such appeals and make recommendations to the Board.</p> <p>D5.1.3 Determine the trimming or cutting down of trees on Council land except where removal is required in the interest of public safety and/or to protect property.</p> | <p>I5.1.1 Esplanade reserve waivers.</p> <p>I5.1.2 Gardens on road reserves.</p> <p>I5.1.3 Notified applications under Resource Management Act through input into corporate comment in Officers' reports.</p> <p>I5.1.4 Airport issues.</p> <p>I5.1.5 Coastal management</p> <p>I5.1.6 Heritage issues.</p> <p>I5.1.7 District Plan variation/changes and consultation process.</p> <p>I5.1.8 Road naming: <ul style="list-style-type: none"> • input prior to advertising proposed name changes; • input to new road naming in accordance with Council policy; • suggest appropriate road names to mark significant local events or persons. </p> <p>I5.1.9 The Manager Environmental Policy, the Manager Resource Consents or their nominee to consult with the Community Board Chairperson (or other nominated Board member) in relation to significant resource consent matters. Such liaison to include an opportunity for input into any submission that Council may wish to make to Resource Consent applications to Regional Councils and neighbouring territorial local authorities.</p> <p>I5.1.10 Proposed six monthly programme of water and drainage works which may disrupt or inconvenience the public.</p> <p>I5.1.11 Litter control.</p> <p>I5.1.12 Litter control projects.</p> <p>I5.1.13 Waste management initiatives.</p> <p>I5.1.14 Pollution control.</p> <p>I5.1.15 Environmental monitoring outcomes.</p> <p>I5.1.16 Environmental education initiatives.</p> |

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| | <p>D5.2.1 Undertake notified, controlled, non-complying and discretionary activity hearings and decision-making under the Resource Management Act 1991 allocated by <u>the Director Environment, Group Manager Environmental Operations, Manager Resource Consents and Compliance, in consultation with the Chair, Environmental Hearings Committee, to the appropriate hearing panel ("Community Board Resource Consent Hearings Committee").</u> The hearing panel will be deemed to be a sub-committee of the Environmental Hearings Committee with a quorum of 2 and will comprise a commissioner as chairperson with a casting vote and one nominated elected community board member and one ward councillor who shall be a serving member of the Environmental Hearings Committee, if available.</p> <p>In the event that at a meeting the chairperson is present but there is not a quorum, the delegated hearing shall revert to the chairperson acting as a lone commissioner."</p> <p>Community Board Resource Consent Hearings Committee have the power to hear and determine applications under the Resource Management Act 1991. (CL/MAR/240/10)</p> <p>D5.2.4 Hear and determine appeals against decisions on waivers of General Bylaws. (CL/SEP/1083/08 "Clause D5.2.4 be deleted"</p> <p>D5.2.5 Hear and determine objections to litter control infringement notices.</p> | |

DELEGATED POWERS AND FUNCTIONS OF OFFICERS

LEGAL BASIS

Schedule 7, Clause 32 of the Local Government Act 2002:

Delegations

- (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*
 - (a) *the power to make a rate; or*
 - (b) *the power to make a bylaw; or*
 - (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan; or*
 - (d) *the power to adopt a long-term council community plan, annual plan, or annual report; or*
 - (e) *the power to appoint a chief executive; or*
 - (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term council community plan or developed for the purpose of the local governance statement;*
 - (g) *repealed.*
- (2) *Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in sub-clause (1).*
- (3) *A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the delegation.*
- (4) *A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.*
- (5) *A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.*
- (6) *A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.*
- (7) *To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.*
- (8) *The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.*

Decision-making

- (1) Every decision made by a local authority must be made in accordance with such of the provisions of sections 77, 78, 80, 81, and 82 as are applicable.*
- (2) Subsection (1) is subject, in relation to compliance with sections 77 and 78, to the judgments made by the local authority under section 79.*
- (3) A local authority—*
 - (a) must ensure that, subject to subsection (2), its decision-making processes promote compliance with subsection (1); and*
 - (b) in the case of a significant decision, must ensure, before the decision is made, that subsection (1) has been appropriately observed.*
- (4) For the avoidance of doubt, it is declared that, subject to subsection (2), subsection (1) applies to every decision made by or on behalf of a local authority, including a decision not to take any action.*
- (5) Where a local authority is authorised or required to make a decision in the exercise of any power, authority, or jurisdiction given to it by this Act or any other enactment or by any bylaws, the provisions of subsections (1) to (4) and the provisions applied by those subsections, unless inconsistent with specific requirements of the Act, enactment, or bylaws under which the decision is to be made, apply in relation to the making of the decision.*
- (6) This section and the sections applied by this section do not limit any duty or obligation imposed on a local authority by any other enactment.*

Section deleted.¹

COUNCIL DELEGATION

Pursuant to Schedule 7, clause 32 of the Local Government Act 2002 and in accordance with any other authority enabling it in any other Act, the Council delegates the following functions and powers to officers of the Council by their specified designation.

SUB-DELEGATION BY OFFICERS

Functions and powers delegated to officers under the Local Government Act 2002 may be sub-delegated by the specified officers to any officer under their respective control, except the power to sub-delegate.

Functions and powers exercisable under any other Act may be sub-delegated by those officers to any officer under their respective control, except the power to sub-delegate, provided that such sub-delegation is not inconsistent with the provisions of that Act.

Rationale

The ability to sub-delegate is desirable in situations such as the absence of the officer with the delegation. The sub-delegation must be to another officer who is accountable to the officer making the sub-delegation. In order to ensure the delegation remains at an appropriate level of responsibility, the officer who receives the sub-delegation is not able to further sub-delegate. If a sub-delegation needs to be made to an officer not under the control of the officer with the delegation, this can be implemented through the appropriate Director or Chief Executive Officer, who exercise all of the powers delegated by officers under their control, including the power to sub-delegate.

1 Chief Executive Officer

¹ "Interpretation" section deleted by Minute No. CL/OCT/1686/07

- 1.1 The Chief Executive Officer is the Chief Executive Officer of the Council. As such, he may exercise all or any of the powers delegated by the Council to any other officer and may without further authority exercise all reasonable powers incidental to the position of Chief Executive Officer.
- 1.2 Notwithstanding any other Council delegation of authority or any sub-delegation of authority, the Chief Executive Officer may temporarily withdraw any officer's authority to act in any matter.
- 1.3 Deleted.²
- 1.4³ Authority to approve the issue under the Seal of the Council written warrants for the following positions:
- (i) Environmental Health Officers
 - (ii) Environmental Technical Officers
 - (iii) Enforcement Officers
 - (iv) Dog Control Officers
 - (v) Dog Rangers
 - (vi) Pound keeper and Deputy Pound keeper
 - (vii) Enforcement Officers – Noise Control
 - (viii) Inspectors – Swimming Pools
 - (ix) Multi Skilled Building Officers
 - (x) Park Rangers
 - (xi) Parking Wardens
 - (xii) Liquor Licensing Inspectors
 - (xiii) Litter Control Officers
 - (xiv) Building Officials and Technical Officers (or equivalent positions however named) employed by Manukau Building Consultants Ltd, while it holds a contract to deliver building services for Manukau City Council.⁴
 - (xv) Building Officials and Technical Officers (or equivalent positions however named) employed by Professional Building Consultants Ltd, while it holds a contract to deliver building services for Manukau City Council.⁵
 - (xvi) Building Officials and Technical Officers (or equivalent positions however named) employed by Compass Building Consultants Ltd, while it holds a contract to deliver building services for Manukau City Council.⁶
 - (xiv) Manukau Water Technical Officers
 - (xv) Principal Rural Fire Officer and Rural Fire Officers

and for the purpose of:

Sections 164⁷, 171, 172, 173, 174, 177, 178⁸, 181 & 182 of the Local Government Act 2002 (appointment of officers and enforcement officers and authority to enter private land).

Section 38, 332 & 333 of the Resource Management Act 1991 (appointment of Enforcement Officers, power of entry for inspection and survey).

² Section 34A RMA requirement repealed as from 10 August 2005, by s 14 Resource Management Amendment Act 2005.

³ Authorised by Minute No. CL/JULY/1268/04

⁴ Added on 28 June 2007 by Minute CL/JUN/1030/07

⁵ Added on 28 June 2007 by Minute CL/JUN/1030/07

⁶ Added on 28 June 2007 by Minute CL/JUN/1030/07

⁷ Section 164 added by Minute No. CL/SEP/1083/08

⁸ Section 178 added by Minute No. CL/SEP/1083/08

Sections 28, 42, 45, 81, 83 and 128 of the Health Act 1956 (appointment of Environmental Health Officers, power of entry and inspection, power to require repairs and issue closing orders, determine closing orders, disinfect premises and destroy infected articles).

Sections 13, 14 and 15 of the Food Act 1981 (powers of local authority inspectors, further provisions relating to seizure and detention of articles, seizure and destruction of decayed or putrefied food).

⁹Sections 24, 76 and 77 of the Building Act 1991 (functions and duties of territorial authority, inspection by territorial authority and authorisation and responsibilities of enforcement officers) and sections 222, 229 and 372 of the Building Act 2004 (inspection by territorial authority, authorisation of enforcement officers and issue of infringement notices).

Section 5 of the Litter Act (appointment of Litter Control Officers).

Section 11 of the Fencing of Swimming Pools Act 1987 (power of entry and inspection).

Sections 11, 12, 13, 14 and 15 of the Dog Control Act 1996 (appointment of Dog Control Officers and Dog Rangers, power of entry onto land or premises).

Sections 8 and 9 of the Impounding Act 1955 (appointment of pound keeper and deputy pound keeper).

Section 103 of the Sale of Liquor Act 1973 (appointment of Liquor Licensing Inspector).

Section 8 of the Reserves Act 1977 (appointment of Park Rangers).

Sections 98, 103, 136 and 137 of the Hazardous Substances and New Organisms Act 1996 (appointment of enforcement officers, power of entry, power to declare an emergency and exercise emergency powers).

Sections 13, 36 and 58 of the Forest and Rural Fires Act 1977 (appointment of Rural Fire Officers and Principal Rural Fire Officer, power of entry and inspection, power to extinguish fires, close roads and shut off water electricity and gas).

Sections 7 and 68BA of the Transport Act 1962 (appointment of Parking Wardens and power to issue infringement notices for stationary vehicle offences).

An authorised officer, Environmental Health Officer, Engineer or Inspector for the purposes of the Council's bylaws¹⁰.

1.5¹¹ Full authority (financial and otherwise) to procure, enter into contracts and approve payment for goods, works and services, to a value not exceeding \$5,000,000 plus GST per procurement arrangement (being arrangements such as contracts or agreements for goods, works or services, software licences, and leases and licences of equipment) for capital expenditure and not exceeding \$5,000,000 plus GST per procurement arrangement per annum for operational expenditure, subject to the following limitations:

- (i) For procurement arrangements exceeding \$200,000 plus GST, the Chief Executive Officer shall consider the recommendations of a Tenders Panel;
- (ii) That contracts awarded with a value exceeding \$200,000 and less than \$5,000,000 be reported quarterly for information to the Accountability and Performance Standing Committee; and
- (iii) That the expenditure is budgeted for in an approved LTCCP or Annual Plan or is approved by Council, except in cases of genuine emergency provided that the unbudgeted expenditure is subsequently reported to Council as soon as practicable after the emergency.

1.6¹² Full authority (financial and otherwise) to enter into period of supply agreements, being agreements to supply Council with goods, works and services on an as required, order by order basis, subject to the following limitation:

⁹ Authorised by Minute No CL/MAR/484/05

¹⁰ Amended by Minute No. CL/SEP/1083/08.

¹¹ Paragraphs 1.5 to 1.8 inserted 30 October 2007 under Minute No. CL/OCT/1686/07

¹² Paragraphs 1.5 to 1.8 inserted 30 October 2007 under Minute No. CL/OCT/1686/07

- (i) For period of supply agreements where the estimated total expenditure is likely to exceed \$200,000 plus GST, the Chief Executive Officer shall consider the recommendations of a Tenders Panel.

1.7¹³ Full authority (financial and otherwise) to vary any procurement arrangement within the levels specified in paragraph 1.5 above, and in addition is authorised to vary any procurement arrangement (irrespective of value) for an additional amount not exceeding \$100,000, provided that the expenditure is budgeted for in an approved LTCCP or Annual Plan or is approved by Council.

1.8¹⁴ Take all necessary actions to carry out the programmes of work and to meet the levels of service specified in a LTCCP or Annual Plan.

Note:¹⁵ *For the avoidance of doubt, that it be noted that once a contract has been awarded (excluding period of supply agreements), any payment made as work progresses is an administrative process and does not require a financial delegation to the Chief Executive Officer.*

2 Delegations to all Directors ¹⁶

2.1 Exercise in conjunction with the Chief Executive Officer and in consultation with the relevant chairperson or their deputy any of the decision making powers of the relevant committee(s) where delay could jeopardise the health or safety or the community, the Council's interest in a financial or legal sense or could disempower Council from further involvement in a critical issue provided such involvement or interest has been approved in principle by Council or the relevant Standing Committee.

2.2 In addition to those functions, powers and duties which are incidental to their respective positions and those of the officers reporting to the Director, each Director may:

- a) Exercise within respective areas of responsibility the following specific powers listed under their respective title in accordance with Council policy and any term or condition imposed by the Council and subject to statutory requirements, approved budgetary provision and reporting procedures determined by the Chief Executive Officer.
- b) Assume all or any of the powers delegated by the Council to any other officer under the Director's control.
- c) Notwithstanding any delegation of authority by the Council or any sub-delegation of authority to any officer under the Director's control, temporarily withdraw that authority; and
- d) Exercise the powers and authorities (except those reserved unto the Council itself by statute or Council policy) contained in the Council's bylaws including those of an "authorised officer" as defined in the bylaws.
- e) Initiate conduct settle and conclude any District Court prosecution for breach of the Council's bylaws and institute injunction proceedings.¹⁷
- f) Deleted.¹⁸
- g) Approval to exceed budgeted expenditure on approved projects and approved contracts is as follows:
 - (i) Where the total project or contract expenditure does not exceed \$100,000 the responsible Director may approve excess expenditure;

¹³ Paragraphs 1.5 to 1.8 inserted 30 October 2007 under Minute No. CL/OCT/1686/07

¹⁴ Paragraphs 1.5 to 1.8 inserted 30 October 2007 under Minute No. CL/OCT/1686/07

¹⁵ Note contained in Minute No. CL/OCT/1686/07

¹⁶ All references to General Manager Manukau Water deleted by CL/JUN/1090/06

¹⁷ Amended by Minute No. CL/SEP/1083/08.

¹⁸ Clause deleted by Minute No. CL/OCT/1686/07

- (ii) Where the total project or contract expenditure is greater than \$100,000 but does not exceed \$200,000 then excess expenditure may be approved by:
- The appropriate Director¹⁹ subject to consultation with the Chairperson or Deputy Chairperson of the appropriate Standing Committee; and,
 - Director Finance²⁰;
- and must be reported to the appropriate Standing Committee for information.
- (iii) Where the total project or contract expenditure is greater than \$200,000 then excess expenditure up to \$100,000 may be approved by:
- The Chief Executive Officer; and,
 - The appropriate Director²¹ subject to consultation with the Chairperson or Deputy Chairperson of the appropriate Standing Committee; and,
 - Director Finance²²;
- and must be reported to the appropriate Standing Committee for information.
- h) Approve or decline applications for waiver of any charge made for a Council service within set guidelines.
- i) Provide assistance and services on a temporary basis to any organisation having objectives which are consistent with those of the Council and discontinue or decline such services.
- j) Specify those services to be provided to Council and approve the resulting contracts and service delivery agreements.
- k) Exercise authority delegated in accordance with Council Policy.

3 Director Community and Director Economic²³

- 3.1 Initiate and undertake projects consistent with Council's strategic framework for Community and Economic Development goals.

4 Director Environment²⁴

- 4.1 The continuation of all existing powers, duties, functions and discretions in relation to matters under the Local Government Act 1974 and other statutes as required under the transitional provisions of Part XV of the Resource Management Act 1991, the Building Act 1991, the Health Act 1956 and the Local Government Official Information and Meetings Act 1987.²⁵
- 4.2 Initiate and undertake projects consistent with Council's strategic framework for environmental management goals.

5 Director Strategy²⁶

¹⁹ All references to General Manager Manukau Water deleted by CL/JUN/1090/06

²⁰ Director titles changed by CL/JUN/1090/06

²¹ All references to General Manager Manukau Water deleted by CL/JUN/1090/06

²² Director titles changed by CL/JUN/1090/06

²³ Director titles changed by CL/JUN/1090/06

²⁴ Director titles changed by CL/JUN/1090/06

²⁵ This delegation refers to powers transferred from one Act to another, for example transfer of subdivisional consents from the LGA 1974 to RMA 1991.

²⁶ Director titles changed by CL/JUN/1090/06

- 5.1 Initiate and undertake investigation and negotiation on strategic development framework programme projects consistent with Council's goals.
- 5.2 Execute in the name of Council agreements for sale and purchase of real property and equities subject to final approval by Council.
- 5.3 Purchase any land or other real property identified in an approved Council programme and budget.
- 5.4 Subject to relevant statutory authority sell any land agreed by the Council to be surplus to requirements and which should be sold.
- 5.5 Approve short-term leases and licences for interim uses of land or buildings, and nominal leases to community groups.
- 5.6 Approve assignments of leases and agreements for sale and purchase.
- 5.7 Fix prices and rents.
- 5.8 Fix the desired return from property holdings.
- 5.9²⁷ Approve variations to Council's Plans that are less than \$50,000
- 6.1 Deleted.²⁸
- 6.2 Deleted.²⁹

Director Finance

See clause 7.7 of Schedule C.

²⁷ Amended on 31 March 2005 under Minute No. CL/MAR/484/05

²⁸ Water Supply bylaw expired 1 July 2008 as authorized by Minute No. CL/DEC/1868/07

²⁹ Delegations to General Manager, Manukau Water, discontinued by CL/JUN/1090/06 from 1 July 2007.

7 Delegations to Managers

Managers under this section will in general be third tier. However, a schedule of designations and names is to be maintained by the Director of Finance and the schedule may be amended from time to time with the Chief Executive Officer's approval.

- 7.1 Deleted.³⁰
- 7.1.1 Deleted.³¹
- 7.1.2 Deleted³²
- 7.1.3 Exceed budgeted expenditure on approved projects and approved contracts provided that the total project or contract expenditure does not exceed \$50,000.
- 7.1.4 In addition to those functions, powers and duties which are incidental to their respective positions the following specific powers listed under their respective titles are delegated to those Managers and may be exercised within their respective areas of responsibility in accordance with Council policy and any term or condition imposed by the Council, and subject to statutory requirements, approved budgetary provision and reporting procedures determined by the Chief Executive Officer.
- 7.1.5³³ (a) Exercise all of the powers and authorities contained in the Council's bylaws, including those of an "authorised officer" as defined in the bylaws, except those reserved unto the Council itself by statute or by Council policy or where the words "by resolution" are used in the Council's bylaws;
- (b) Initiate conduct settle and conclude any District Court prosecution for breach of the Council's bylaws and institute injunction proceedings;
- (c) Exercise the powers and responsibilities of the Council under Subpart 2 of Part 8 and sections 185, 186 and 187 of the Local Government Act 2002.

7.2 Group Manager Transportation³⁴

- 7.2.1 Exercise the powers under the Local Government Act 1974 (Part XX1), the Transport Act 1962 and regulations made thereunder to impose temporary restrictions on traffic or any particular class of vehicle using roads within the City.
- 7.2.2 Exercise the powers contained in Section 353 of the Local Government Act 1974 relating to general safety provisions as to roads.
- 7.2.3 Exercise the powers contained in Section 355 of the Local Government Act 1974 relating to the right of Council to require land owners to trim or remove trees or hedges overhanging roads.
- 7.2.4 Exercise the powers contained in Section 357 of the Local Government Act 1974 relating to the provisions for preventing encroachments onto roads or damage to roads.
- 7.2.5 Issue notices of intention to fix road levels pursuant to section 330 of and the Thirteenth Schedule to the Local Government Act 1974.
- 7.2.6 The introduction and modification of parking controls where these are required as a condition of a resource consent, temporary controls associated with events and proposed controls which have been communicated to affected parties and are unopposed.

³⁰ Clauses 7.1, 7.1.1, 7.1.2 were deleted by Minute No. CL/OCT/1686/07

³¹ Clauses 7.1, 7.1.1, 7.1.2 were deleted by Minute No. CL/OCT/1686/07

³² Clauses 7.1, 7.1.1, 7.1.2 were deleted by Minute No. CL/OCT/1686/07

³³ New clause inserted on 18 September 2008 by Minute CL/SEP/1083/08

³⁴ Amended on 26 February 2004 under Minute No. CL/FEB/191/04

- 7.2.7 Authority to act pursuant to Clause 14.2 (Prohibition of Vehicles of Certain Weight Classes) of Chapter 13 'Parking and Traffic' of Council's bylaws,³⁵ in consultation with the appropriate community board chairperson and the Police, in the following circumstances:
- a) Where there is either:
 - i) The deliberate placement of volatile fuel on the carriageway which may exacerbate the damage caused by the unsafe operation of a motor vehicle; or
 - ii) The deliberate operation of a motor vehicle in a malicious manner that causes damage to or may damage the road or berm.
- 7.2.8 Authorise actions to the extent permitted by law for the recovery of debts owed to the Council (within set guidelines) including the discontinuation of any services.
- 7.2.9 Specify the standards of "owners" maintenance for Council roading land.

7.3 Group Manager Environmental Sustainability & Infrastructure³⁶ and Group Manager Environmental Operations³⁷

- 7.3.1 Exercise the powers relating to approved stormwater drainage works on private land as contained in Section 181 of the Local Government Act 2002.
- 7.3.2 Exercise the powers relating to removal of obstructions in drainage channels or watercourses as contained in Section 511 of the Local Government Act 1974.
- 7.3.3 Authorise actions to the extent permitted by law for the recovery of debts owed to the Council (within set guidelines) including the discontinuation of any services.
- 7.3.4 Specify the standards of "owners" maintenance for Council drainage reserves and other land held for storm water purposes.
- 7.3.5 Approval prior to Committee consideration of administrative charges for the processing of the Health Act 1956 (other than the remission of any charge).
- 7.3.6 The powers, duties and discretions of the Council (other than the approval of a policy statement or plan) in respect of:
- a) The powers conferred by Part XXXI of the Local Government Act 1974 and any amendment thereto (other than the power to make bylaws).

7.4 Group Manager Regional and City Planning³⁸ and Manager District Plan Development & Monitoring³⁹

Note: deleted.⁴⁰

- 7.4.1 The exercise of Council's powers, duties, functions and discretions in respect of Designations and Heritage Orders under Part VIII and Part XV of the Resource Management Act 1991.
- 7.4.2 The hearing of submissions and the making of a recommendation on a requirement for a designation or a heritage order shall be undertaken by the Hearings Committee.
- 7.4.3 The powers, duties and discretions of the Council (other than the approval of a policy statement or plan or any change to a policy statement or plan) in respect of:

³⁵ Amended on 18 September 2008 by CL/SEP/1083/08

³⁶ Amended on 24 July 2008 by Minute No. CL/JUL/843/08. Previously amended on 26 February 2004 under Minute No. CL/FEB/191/04

³⁷ New position added on 24 July 2008 by Minute No. CL/JUL/843/08.

³⁸ Amended on 24 July 2008 by Minute No. CL/JUL/843/08.

³⁹ New position added on 24 July 2008 by Minute No. CL/JUL/843/08.

⁴⁰ Note deleted due to repeal of section 34A of Resource Management Act 1991 (authorized by Minute No. CL/JUL/843/08).

- a) Notification of transitional district plans, new district plans (reviews), changes and variations, and any summary of submissions or requests for changes to any new plan, review, change or variation;
 - b) Service of copies of proposed district plans, district rules, and policy statements, and approved district plans, district rules and policy statements;
 - c) Any other matters involved in the preparation and processing of district plans, district rules or policy statements.
- 7.4.4 Approval of expenditure for historical liability claims under the Building Act 1991, ⁴¹Building Act 2004 and the Resource Management Act 1991.
- 7.4.5 Approval prior to Committee consideration of administrative charges for the processing of applications under the Resource Management Act 1991, the Building Act 1991, ⁴²the Building Act 2004 and the Local Government Official Information and Meetings Act 1987 in relation to fees for Land Information Memoranda.
- 7.4.6 The powers, duties and discretions of the Council (other than the approval of a policy statement or plan) in respect of:
- (a) The duty to gather information, monitor and keep records pursuant to section 35 of the Resource Management Act 1991;

7.5 Group Manager Property⁴³

- 7.5.1 Purchase any real property identified in an approved Council programme and budget.
- 7.5.2 Subject to relevant statutory authority sell any real property agreed by the Council to be surplus to requirements and which should be sold.
- 7.5.3 Grant leases and licences of Council real property aligned to the purpose for which they are held.
- 7.5.4 Exercise the Council's powers and authorities under the leasing and licensing related provisions of Part 3 of the Reserves Act 1977.
- 7.5.5 Take up leases and licences over private property where it is in the interest of Council to do so.
- 7.5.6 Fix prices and rents.
- 7.5.7 Fix application and processing fees.
- 7.5.8 Execute Resource Management consent applications on behalf of Council.
- 7.5.9 Access to all confidential items that involve Council real property or the acquisition of real property by Council.
- 7.5.10 Temporarily prohibit the use of any property under their control.
- 7.5.11 Notwithstanding other delegations, to pay standard utility charges as levied.
- 7.5.12 Order the removal of any tree on Council property where in the Manager's opinion such removal is necessary in the interests of public safety and/or to protect property.

7.6 Group Manager Community Policy and Planning⁴⁴

⁴¹ Amended on 31 March 2005 under Minute No CL/MAR/484/05

⁴² Amended on 31 March 2005 under Minute No CL/MAR/484/05

⁴³ Amended by restructuring in 2007; previously amended by Minute No. CL/JUN/1090/06 and Minute No. CL/FEB/191/04.

⁴⁴ Reference to Manager Manukau Leisure Services removed by creation of Manukau Leisure Services Limited as a Council controlled organization on 1 July 2007.

- 7.6.1 The exercise of Council's powers and authorities under Part III and V of the Reserves Act 1977.
- 7.6.2 Specify charges or hours of opening for the operation of facilities or provision of services within the approved guidelines of Council.

7.7 Director Finance⁴⁵

- 7.7.1 Approve or decline applications for waiver of rates penalty in accordance with Council's remission and postponement policies.
- 7.7.2 Set guidelines for Council's Debt Management Policy under which arrangements may be made for extension of credit facilities, recovery of debt and the write-off of debts considered to be irrecoverable that may be written off except in instances where the debt exceeds \$5,000 in which case it may only be written off in consultation with the *Chairperson of the Accountability and Performance Committee*.
- 7.7.3 To remit or postpone rates in accordance with Council's remission and postponement policies (up to a sum not exceeding \$10,000) and in cases of extreme financial hardship, remit rates in accordance with Council's remission and postponement policies.
- 7.7.4 Set guidelines in accordance with Council's remission and postponement policies under which rates may be postponed or remitted (up to a sum not exceeding \$10,000) and under which in cases of hardship, rates may be postponed.
- 7.7.5 Determine an interest rate under section 68 of the Local Government Rating Act 2002 not greater than the highest bank overdraft rate charged the Council during the period from date of judgement to settlement of the claim.
- 7.7.6 Set guidelines under which actions may be commenced for the recovery of debts owed to the Council including the recovery of rates.
- 7.7.7 Borrow and invest Council funds on such terms and conditions as the Director Finance determines, within the limits and framework of the Liability management and Investment policies made under sections 104 and 105 of the Local Government Act 2002.
- 7.7.8 Approve all Auckland Regional Council, Auckland Museum levy and MOTAT levy payments that have been set under the respective Acts.
- 7.7.9 Approve all credit card expenditure within policy guidelines as approved by the Chief Executive Officer from time to time.
- 7.7.10 Deleted.⁴⁶

7.8 Civil Defence Officer

- 7.8.1 Exercise in conjunction with the Chief Executive Officer, Alternate Controllers and in consultation with the relevant Chairperson or their Deputy any of the decision making powers of the Policy & Activities Committee relating to Emergency Management and Civil Defence where delay could jeopardise the health or safety of the community, the Council's interest in a financial or legal sense or could disempower Council from further involvement in a critical issue provided that such involvement or interest has been approved in principle by Council.

7.9 Group Manager Democratic Processes

- 7.9.1 Provide or withhold information in terms of the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993.
- 7.9.2 Undertake the role of Privacy Officer under section 23 of the Privacy Act 1993.

⁴⁵ Position titles changed by CL/JUN/1090/06

⁴⁶ Deleted by Minute No. CL/OCT/1686/07

7.10 Deleted.⁴⁷

7.11 Deleted.⁴⁸

8 Heading deleted.⁴⁹

8.1 Deleted.⁵⁰

8.1.1 Deleted.⁵¹

8.1.2 Deleted.⁵²

8.2 Group Manager Community Services

8.2.1 Temporarily vary the operating hours of any facility or service under their control.

8.3 Group Manager Customer Relationships⁵³

Note: deleted.⁵⁴

8.3.1 Deleted.⁵⁵

8.3.2 Powers, duties and functions as required under Part XII of the Resource Management Act 1991 including but not limited to initiating legal action, abatement notices or enforcement orders.

Note: Also see "Resource Management Act powers" at clause 9.2 of Schedule C.⁵⁶

8.3.3 Deleted.⁵⁷

8.3.4 To determine the following matters where there is no, or insufficient provision, in the Council's bylaw:

a) complaints of animal nuisances (including dogs);

b) relating to the enforcement of the Food Hygiene Regulations 1974.

8.3.5 The exercise of powers and authorities (except those reserved unto the Council itself by statute or Council policy) contained in the Council's bylaws relating to the determination of all matters related to parking infringements and minor traffic offences in respect to stationary and moving⁵⁸ vehicles.

8.3.6 Undertake the Council's responsibilities in relation to health under the Health Act 1956, the Food Act 1981 and regulations and enactments attached thereto.

8.3.7 Undertake the Council's responsibilities under the Litter Act 1979.

⁴⁷ All references to General Manager Manukau Water deleted by CL/JUN/1090/06. Manukau Water was created as a Council controlled organisation from 3 July 2006.

⁴⁸ All references to General Manager Manukau Water deleted by CL/JUN/1090/06.

⁴⁹ The heading "Delegations to Portfolio Managers" and general clause were deleted on 18 September 2008 by CL/SEP/1083/08.

⁵⁰ Clauses 8.1, 8.1.1, 8.1.2 were deleted by Minute No. CL/OCT/1686/07

⁵¹ Clauses 8.1, 8.1.1, 8.1.2 were deleted by Minute No. CL/OCT/1686/07

⁵² Clauses 8.1, 8.1.1, 8.1.2 were deleted by Minute No. CL/OCT/1686/07

⁵³ Position titles changed by CL/JUN/1090/06.

⁵⁴ Note deleted due to repeal of section 34A of Resource Management Act 1991 (authorized by Minute No. CL/JUL/843/08).

⁵⁵ Deleted on 18 September 2008 by CL/SEP/1083/08.

⁵⁶ Positions and delegations under the Resource Management Act 1991 amended by Minute No. CL/JUL/843/08.

⁵⁷ Deleted on 18 September 2008 by CL/SEP/1083/08.

⁵⁸ Added on 18 September 2008 by CL/SEP/1083/08.

- 8.3.8 Undertake the application of section 183 of the Local Government Act 2002 with regard to fire hazards and the issue of fire permits and the Forest and Rural Fires Act 1977.
- 8.3.9 Undertake duties and responsibilities as defined under the Amusement Devices Regulations.
- 8.3.10 The exercise of the Council's powers and duties and responsibilities under the Dog Control Act 1996 and related bylaws thereto.
- 8.3.11 The exercise of the delegations as contained in the Environmental Health and Parking, Consent, Compliance and Quality System Manuals.
- 8.3.12 ⁵⁹The exercise of all powers and authorities (except those reserved unto the Council itself by statute or Council policy), contained in the Council's bylaws and the Building Act 2004 (BA) relating to:
- a) project Information Memoranda (BA ss 31(2), 33(2), 34, 36, 37, 39);
 - b) building consents (BA ss 46, 48(1), 48 (2), 50, 52, 54, 59(3), 62(2), 67, 68, 70(2), 71(2), 72, 73, 74(3), 77, 83);
 - c) carrying out and authorising inspections (BA s 90);
 - d) code compliance certificates, certificates of acceptance and compliance schedules (BA ss 91(2), 92, 93, 94(1), 96, 98, 102, 106, 107, 109 111, 112, 113, 115, 116);
 - e) dangerous, earthquake-prone or insanitary buildings (BA ss 124, 126, 130);
 - f) notices to fix (BA ss 164, 165, 167);
 - g) matters relating to the Chief Executive of the Department of Building and Housing (BA ss 177, 180, 190, 191, 202, 209, 215);
 - h) responsibilities of territorial authorities (BA ss 219, 220, 221, 222);
 - i) authorising issuing of infringement notices subject to warranting by the Chief Executive Officer (BA s 229);
 - j) laying information and applying for injunctions (BA ss 377, 381);
 - k) issuing a code compliance certificate under the Building Act 1991 (BA s 436);
 - l) determining that a building consent is not necessary (Schedule 1, para (k))."
- 8.3.12 Determine the following matters relating to buildings:
- a) Matters pertaining to new forms of construction and methods of design.
 - b) Instances of substandard or defective construction where public safety is involved.
- 8.3.13 The functions and powers of the Council, and the issue of any certificate or the grant of any application for a subdivision consent, or land use (concept subdivision) consent or land use (land modification) consent, pursuant to Parts VI or X of the Resource Management Act 1991, as delegated by the Chief Executive Officer in accordance with section 343A of that Act and to Part XXI of the Local Government Act 1974 and to Part XIV of Te Ture Whenua Maori Act 1993 (Maori Land Act 1993).
- Note:** Objections under Section 357 of the Resource Management Act 1991 shall be heard by the Hearings Committee.
- 8.3.14 For the purposes of the Resource Management Act 1991 and Section 252⁶⁰ of the Local Government Act 1974, the power of authentication.

⁵⁹ Amended at the 31 March 2005 Council meeting under Minute No CL/MAR/484/05

⁶⁰ Not repealed by LGA 2002

- 8.3.15 For the purposes of the Resource Management Act 1991 and the Units Titles Act 1972 is appointed, to perform the duties of the Chief Executive.
- 8.3.16 Where the common seal is to be affixed for any purpose under Parts VI and X of the Resource Management Act 1991, Part XXI of the Local Government Act 1974, or the Public Works Act 1981, or for the purpose of releasing or granting any priority or consent in respect of any instrument in favour of the Council providing security under the Resource Management Act 1991, or relating to Part XXI of the Local Government Act 1974, then the seal may be affixed in the presence of and signed by the above-named officer and any one of the following officers or any two of the following officers:
- Senior Subdivision Advisor
 - Senior Engineering Advisor
 - Subdivision Officer - Advice
- 8.3.17 Exercise the powers relating to approved water supply, stormwater and sanitary drainage works on private land as contained in section 181 of the Local Government Act 2002.
- 8.3.18 Approve or decline applications for waiver of rates penalty within set guidelines (refer 7.7.6).
- 8.3.19 To remit or postpone rates in accordance with Council's remission and postponement policies (up to a sum not exceeding \$10,000) and in cases of extreme financial hardship, remit rates in accordance with Council's remission and postponement policies.
- 8.3.20 Authorise actions to the extent permitted by law, for the recovery of debts owed to the Council including the recovery of rates within set guidelines (refer 7.7.6).
- 8.3.21 In consultation with the relevant Group, discontinue any service for non-payment and authorise resumption of service where appropriate.
- 8.3.22 Subject to set guidelines enter into any arrangement for payment of a debt owed to Council over a period except in instances where the debt exceeds \$5,000 in which case it may only be written off in consultation with the Chairperson of the Corporate Business Committee and Director of Finance⁶¹ (refer 7.7.2).

⁶¹ Position titles changed by CL/JUN/1090/06

8.4 Group Manager Environmental Operations, Group Manager Environmental Sustainability & Infrastructure, Manager Resource Consents & Compliance, Manager District Plan & Building Enforcement – all of 8.4;⁶²

Manager Building, Group Manager Transportation, Manager Environmental Health, General Counsel⁶³ - those parts of 8.4 “as are applicable in the circumstances”⁶⁴, and more specifically:-

Manager Building⁶⁵ – clauses 8.4.1, 8.4.2, 8.4.3, 8.4.4, 8.4.5, 8.4.6, 8.4.7, 8.4.8, 8.4.9, 8.4.10, 8.4.11, 8.4.12, 8.4.14, 8.4.15, 8.4.22, 8.4.24, 8.4.26, 8.4.27

Manager Environmental Health⁶⁶ – clauses 8.4.11, 8.4.12, 8.4.14, 8.4.15, 8.4.17, 8.4.18, 8.4.19, 8.4.20, 8.4.21⁶⁷, 8.4.22, 8.4.24, 8.4.25, 8.4.26

Note: Also see “Resource Management Act powers” at clause 9.2 of Schedule C.⁶⁸

8.4.1 The exercise of the Council’s powers, duties and discretions in relation to notified applications made under the Resource Management Act 1991, other than:

- a) The granting of a resource consent for a non-complying activity which has been notified;
- b) Those applications where submissions opposing the application have been received, except where a hearing is not required pursuant to Section 100 of the Resource Management Act 1991; and
- c) Those applications where the officer’s recommendation is to decline such consent.

Note: The determination of hearings of notified applications under this delegation shall be undertaken in consultation with the Chairperson (or the Deputy) of the Hearing Panel identified by the Hearings Committee to hear the application unless agreed otherwise.

8.4.2 Such powers, duties and discretions in relation to notified applications made under the Resource Management Act 1991 shall include but are not restricted to:

- a) the determination of the need to notify an application ⁶⁹(other than in regard to applications relating to community homes where the need to notify will be determined by the Hearings Committee.);
- b) the deferment of notification because of other consents required;
- c) requiring further information from an applicant;
- d) the notification and service of documents, including the extent of notification or affected parties;
- e) the requiring of notification of applications which would not normally require notification;
- f) the provision of a list of persons making submissions to the applicant;
- g) the calling of pre-hearing meetings and the participation thereat;
- h) the determination of the need to hold a hearing;

⁶² Position titles changed by CL/JUL/843/08 and previously by CL/JUN/1090/06.

⁶³ Position titles changed by CL/JUL/843/08 and previously by CL/JUN/1090/06.

⁶⁴ Delegations in clause 8.4 apply to these positions “as applicable in the circumstances” as determined by Minute CL/JUN/1090/06.

⁶⁵ Delegations to this position updated by CL/JUL/843/08.

⁶⁶ Delegations to this position updated by CL/JUL/843/08.

⁶⁷ Delegation added by Minute No. CL/SEP/1083/08.

⁶⁸ Positions and delegations under the Resource Management Act 1991 amended by Minute No. CL/JUL/843/08. Reference to section 34A of Resource Management Act 1991 deleted due to repeal of that section (authorized by Minute No. CL/JUL/843/08).

⁶⁹ Added to on 31 March 2005 under Minute No CL/MAR/484/05

- i) the fixing of the date, time, and place of hearings and the notification of all parties as required under the Act;
 - j) the decision to hold a joint hearing or combined hearing of applications for resource consent including all necessary actions required in connection with such hearings;
- Note:** The Resource Management Act encourages the use of such hearings.
- k) the authority to require bonds, caveats and all other documents prepared as required by any resource consent;
 - l) the notification and service of decisions on an application for resource consent;
 - m) the taking of all actions necessary in relation to appeals under the Act;
 - n) any other matters required in relation to applications for resource consent, including applications called in by the Minister, the change, cancellation, or review of a consent where that consent was determined under these delegated functions;
 - o) the setting of procedures for consideration of various resource consent applications under the Act.

8.4.3 The exercise of Council's powers, duties and discretions in relation to non-notified applications (including air discharge permits under contract from the Auckland Regional Council) made under the Resource Management Act 1991.

Note 1: The determination of non-notified restricted discretionary activities (formerly dispensations and waivers under Section 76 of the Town and Country Planning Act 1977) where the appropriate consents have been obtained, shall be undertaken in consultation with the appropriate Community Board Chairperson unless agreed otherwise.

Note 2: With respect to air discharge permits, the above delegation shall only be exercised in relation to the equivalent of Part B and C processes as described in the Second Schedule of the Clean Air Act 1991.

8.4.4 Such other powers, duties, functions as required under the Resource Management Act 1991, including, but not restricted to:

- a) the determination to process an application as non-notified ⁷⁰(other than in regard to applications relating to community homes where the need to notify will be determined by the Hearings Committee.);
- b) the power to waive and extend time limits under Section 37 of the Act;
- c) the granting of extension of time for existing uses under Section 10 of the Act;
- d) the determination of an objection under section 357 of the Act where the officers' recommendation is to uphold the applicant's objection.

Note: Objections under Section 357 of the Resource Management Act 1991 shall be heard by the Hearings Committee where the applicant's objection cannot be supported in full by a Council officer.

- e) the determination of an extension of time to put into effect a resource consent under Section 125 of the Act;
- f) the determination to change or cancel a condition of resource consent under Section 127 of the Act;
- g) the granting of a certificate of compliance under Section 139 of the Act;

⁷⁰ Added to on 31 March 2005 under Minute No CL/MAR/484/05

- h) the determination to request a change to an outline plan under Section 176A of the Act;
- i) to apply for a declaration under Section 311 of the Act.

8.4.5⁷¹ The exercise of all powers and authorities (except those reserved unto the Council itself by statute or Council policy), contained in the Council's bylaws and the Building Act 2004 (BA) relating to:

- a) project Information Memoranda (BA ss 31(2), 33(2), 34, 36, 37, 39);
- b) building consents (BA ss 46, 48(1), 48 (2), 50, 52, 54, 59(3), 62(2), 67, 68, 70(2), 71(2), 72, 73, 74(3), 77, 83);
- c) carrying out and authorising inspections (BA s 90);
- d) code compliance certificates, certificates of acceptance and compliance schedules (BA ss 91(2), 92, 93, 94(1), 96, 98, 102, 106, 107, 109 111, 112, 113, 115, 116);
- e) dangerous, earthquake-prone or insanitary buildings (BA ss 124, 126, 130);
- f) notices to fix (BA ss 164, 165, 167);
- g) matters relating to the Chief Executive of the Department of Building and Housing (BA ss 177, 180, 190, 191, 202, 209, 215);
- h) responsibilities of territorial authorities (BA ss 219, 220, 221, 222);
- i) authorising issuing of infringement notices subject to warranting by the Chief Executive Officer (BA s 229);
- j) laying information and applying for injunctions (BA ss 377, 381);
- k) issuing a code compliance certificate under the Building Act 1991 (BA s 436);
- l) determining that a building consent is not necessary (Schedule 1, para (k))."

8.4.6 Determine the following matters relating to buildings:

- a) Matters pertaining to new forms of construction and methods of design.
- b) Instances of substandard or defective construction where public safety is involved.

8.4.7 The functions and powers of the Council, and the issue of any certificate or the grant of any application for a subdivision consent, or land use (concept subdivision) consent or land use (land modification) consent, pursuant to Parts VI or X of the Resource Management Act 1991 and to Part XXI of the Local Government Act 1974 and to Part XIV of Te Ture Whenua Maori Act 1993 (Maori Land Act 1993) other than those matters set out in 8.4.1 (a) - (c).

8.4.8 For the purposes of the Resource Management Act 1991 and Section 252⁷² of the Local Government Act 1974, the power of authentication.

8.4.9 For the purposes of the Resource Management Act 1991 and the Units Titles Act 1972, is appointed to perform the duties of the Chief Executive.

8.4.10⁷³ Where the common seal is to be affixed for any purpose under Parts VI and X of the Resource Management Act 1991, Part XXI of the Local Government Act 1974, or the Public Works Act 1981, or for the purpose of releasing or granting any priority or consent in respect of any instrument in favour of the Council providing security under the Resource Management Act 1991, or relating to XXI of the Local Government Act 1974, then the seal may be affixed in the

⁷¹ Amended on 31 March 2005 under Minute No. CL/MAR/484/05

⁷² Not repealed by the 2002 Act

⁷³ Positions and delegations updated by Minute No. CL/JUL/843/08

presence of and signed by the above-named officer and any one or any two of the following officers as dictated by the circumstances:

- Group Manager Environmental Operations
- Group Manager Environmental Sustainability & Infrastructure

Resource Consents and Compliance team:

- Manager Resource Consents and Compliance
- Team Leader Resource Consents
- Team Leader Resource Compliance
- Appeals and Notified Consents Specialist
- Senior Advisors and Senior Resource Management Planners;

And appointed alternates/designates of all of the above

District Plan and Building Enforcement team:

- Manager District Plan and Building Enforcement

Building team:

- Manager Building
- Team Leader Building Authority
- Team Leader BWOFF and Pools Compliance
- Technical Officers

Environmental Sustainability and Infrastructure team:

- Group Manager Environmental Sustainability and Infrastructure

- 8.4.11 Exercise the powers relating to approved water supply, stormwater and sanitary drainage works on private land as contained in section 181 of the Local Government Act 2002.
- 8.4.12 Deleted.⁷⁴
- 8.4.13 Undertake Council's responsibilities in relation to Dangerous Goods under the Dangerous Goods Act and Regulations and deal with any emergency arising from the spillage of hazardous or toxic substances in a public place.
- 8.4.14 Initiating legal action including abatement notices or enforcement orders under Part XII of the Resource Management Act 1991.
- 8.4.15 Deleted.⁷⁵
- 8.4.16 The exercise of powers and authorities (except those reserved unto the Council itself by statute or Council policy) contained in the Council's bylaw relating to the determination of all matters related to parking infringements and minor traffic offences in respect to stationary and moving⁷⁶ vehicles.
- 8.4.17 Undertake the Council's responsibilities in relation to health under the Health Act 1956, the Food Act 1981 and regulations and enactments attached thereto.
- 8.4.18 Undertake the Council's responsibilities under the Litter Act 1979.
- 8.4.19 Undertake the management of the Manukau District Licensing Agency and Delegated functions as prescribed under the Sale of Liquor Act 1989.
- 8.4.20 Undertake the management of the Council's obligations and responsibilities in relation to discharges to air as defined under Contract from the Auckland Regional Council. Matters pertaining to the processing and issuing of consents and compliance thereto are contained in 8.4.3.

⁷⁴ Deleted on 18 September 2008 by CL/SEP/1083/08.

⁷⁵ Deleted on 18 September 2008 by CL/SEP/1083/08.

⁷⁶ Added on 18 September 2008 by CL/SEP/1083/08.

- 8.4.21 Undertake the application of section 183 and 184⁷⁷ of the Local Government Act 2002 with regard to fire hazards and the issue of fire permits and the Forest and Rural Fires Act 1977.
- 8.4.22 Undertake duties and responsibilities as defined under the Amusement Devices Regulations.
- 8.4.23 The exercise of the Council's powers and duties and responsibilities under the Dog Control Act 1996 and related bylaw thereto.
- 8.4.24 The exercise of the delegations as contained in the Environmental Health and Parking, Consent, Compliance and Quality System Manuals.
- 8.4.25 To determine the following matters where there is no, or insufficient provision, in the Council's bylaw:
- a) complaints of animal nuisances (including dogs);
 - b) relating to the enforcement of the Food Hygiene Regulations 1974.
- 8.4.26⁷⁸Exercise the following powers pursuant to the Local Government Act 2002:
- | | |
|-------------|---|
| Section 239 | Initiate, conduct, settle and conclude any action for breach of the Council bylaws. |
| Section 241 | Lay an information for a summary offence. |
- 8.4.27⁷⁹The exercise of powers and responsibilities (except those reserved to the Council itself by Council policy or by statute (powers and functions under section 6 and clause 11 of the Schedule may only be exercised by a committee of the territorial authority appointed under clause 30 of Schedule 7 of the Local Government Act 2002 that comprises only members of the territorial authority)) under the Fencing of Swimming Pools Act 1987.

8.5 Group Manager Manukau Parks⁸⁰

- 8.5.1 In accordance with the terms and conditions set out in the Service Level Agreements.
- (i) Execute Resource Management consent applications on behalf of Council.
 - (ii) Temporarily prohibit the use of any reserve or other property under their control.
 - (iii) The exercise of the Council's powers and authorities under Parts III and V of the Reserves Act 1977.
 - (iv) Order the removal of any tree on parks where in the Manager's opinion such removal is necessary in the interests of public safety and/or to protect property.

9 Delegations to Specified Officers

9.1 Internal Registers of Sub-Delegations

Where a Manager in paragraph 7 or 8 sub-delegates powers and authorities to officers of their unit a register is to be maintained by that Manager of the specified officers - designation and name - together with the relevant sections and/or bylaws, to which the delegation applies.

It is to be noted that some legislation, such as the Resource Management Act 1991, specifically prohibits sub-delegation by officers, in which case this clause will not apply.

A copy of this register is to be forwarded to the Manager Democratic Processes at least annually, by 30 June.

⁷⁷ Added on 18 September 2008 by CL/SEP/1083/08.

⁷⁸ Added on 24 July 2008 by Minute No. CL/JUL/843/08

⁷⁹ Added on 24 July 2008 by Minute No. CL/JUL/843/08

⁸⁰ Position titles changed by Minute No. CL/JUN/1090/06.

9.2 **Resource Management Act delegations to specified officers:**

Delegations under the Resource Management Act 1991 have also been made to the positions specified below under the following clauses of Schedule C:⁸¹

Clause 8.3.2

Group Manager Environmental Operations
Group Manager Environmental Sustainability & Infrastructure

Resource Consents and Compliance team:

Manager Resource Consents and Compliance
Team Leader Resource Consents
Team Leader Resource Compliance
Appeals and Notified Consents Specialist
Senior Advisors and Senior Resource Management Planners;
Resource Management Planners/Engineers; Traffic Engineers; Subdivision Officers;
And appointed alternates/designates of all of the above
Case Management Officers,
Senior Resource Compliance Engineer, Resource Compliance Engineer, Resource Compliance Officers

District Plan and Building Enforcement team:

Manager District Plan and Building Enforcement
Team Leader General Building Enforcement
Team Leader District Plan Enforcement
Senior Resource Management Planners, Resource Management Planners, Assistant Resource Management Planners, District Plan Enforcement
Multi Skilled Building Officers, Enforcement Officer – Graffiti, Senior Investigating Officers, Investigating Officers, Street Damage and Vehicle Crossing Technical Officer, Technical Officers

Environmental Health team:

Manager Environmental Health
Team Leader Health
Team Leader Liquor Licensing
Environmental Technical Officer
Environmental Health Officer

Building team:

Manager Building
Team Leader Building Authority
Team Leader BWOF and Pools Compliance

Environmental Sustainability and Infrastructure team:

Group Manager Environmental Sustainability and Infrastructure
Manager Environmental Sustainability
Manager Waste Management
Manager Stormwater Infrastructure
Contracts Manager – Animal Management and Noise Control
Senior Environmental Scientist
Environmental Scientist

Clauses 8.4.1, 8.4.2, 8.4.3, 8.4.7, 8.4.8, 8.4.9

Group Manager Environmental Operations
Group Manager Environmental Sustainability & Infrastructure

Resource Consents and Compliance team:

Manager Resource Consents and Compliance
Team Leader Resource Consents

⁸¹ Positions and delegations updated by Minute No. CL/JUL/843/08.

Team Leader Resource Compliance
Appeals and Notified Consents Specialist
Senior Advisors and Senior Resource Management Planners;
Resource Management Planners/Engineers; Traffic Engineers; Subdivision Officers;
And appointed alternates/designates of all of the above

District Plan and Building Enforcement team:
Manager District Plan and Building Enforcement

Building team:
Manager Building

Environmental Sustainability and Infrastructure team:
Group Manager Environmental Sustainability and Infrastructure

Clause 8.4.4

Group Manager Environmental Operations
Group Manager Environmental Sustainability & Infrastructure

Resource Consents and Compliance team:
Manager Resource Consents and Compliance
Team Leader Resource Consents
Team Leader Resource Compliance
Appeals and Notified Consents Specialist
Senior Advisors and Senior Resource Management Planners;
Resource Management Planners/Engineers; Traffic Engineers; Subdivision Officers;
And appointed alternates/designates of all of the above

District Plan and Building Enforcement team:
Manager District Plan and Building Enforcement

Building team:
Manager Building
Resource Management Planners

Environmental Sustainability and Infrastructure team:
Group Manager Environmental Sustainability and Infrastructure

Clause 8.4.8 only

Environmental Health team:
Manager Environmental Health

Clause 8.4.14

Group Manager Environmental Operations
Group Manager Environmental Sustainability & Infrastructure

Resource Consents and Compliance team:
Manager Resource Consents and Compliance
Team Leader Resource Consents
Team Leader Resource Compliance
Appeals and Notified Consents Specialist
Senior Advisors and Senior Resource Management Planners;
Resource Management Planners/Engineers; Traffic Engineers; Subdivision Officers;
And appointed alternates/designates of all of the above
Case Management Officers,
Senior Resource Compliance Engineer, Resource Compliance Engineer, Resource
Compliance Officers

District Plan and Building Enforcement team:

Manager District Plan and Building Enforcement

Team Leader General Building Enforcement

Team Leader District Plan Enforcement

Senior Resource Management Planners, Resource Management Planners, Assistant

Resource Management Planners, District Plan Enforcement

Multi Skilled Building Officers, Enforcement Officer – Graffiti, Senior Investigating Officers,

Investigating Officers, Street Damage and Vehicle Crossing Technical Officer, Technical Officers

Environmental Health team:

Manager Environmental Health

Team Leader Health

Team Leader Liquor Licensing

Environmental Technical Officer

Environmental Health Officer

Building team:

Manager Building

Team Leader Building Authority

Team Leader BWOF and Pools Compliance

Environmental Sustainability and Infrastructure team:

Group Manager Environmental Sustainability and Infrastructure

Manager Environmental Sustainability

Manager Waste Management

Manager Stormwater Infrastructure

Contracts Manager – Animal Management and Noise Control

Senior Environmental Scientist

Environmental Scientist

10 Deleted.⁸²

⁸² Paragraph deleted by Minute No. CL/OCT/1686/07