

Board Report

Date

Wednesday
28 August 2024

Time

10.00am

Venue

Eke Panuku Development Auckland
Te Wharau o Tāmaki - Auckland House
Level 28, 135 Albert Street
Auckland



Board Agenda

Where: L29 Boardroom, Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland

When: Wednesday 28 August 2024 | 10.00am – 2.00pm

Board members: Paul Majurey, Chair; David Kennedy, Deputy Chair; John Coop; Kenina Court; Steve Evans; Jennifer Kerr

		Time
	Public meeting open	10.00am
1.	Welcome / Acknowledgements 1.1 Apologies	
2.	Chief Executive’s report (open items)	
3.	Health and Safety report	
4.	Decision papers (open items) 4.1 Waterfront Swimming Facility Pilot 4.2 Board Delegated Authority – Policy review 4.3 Audit and Risk Committee - Terms of Reference update 4.4 Audit and Risk Committee – Appointment and Composition	
5.	Information papers (open items) 5.1 Eke Panuku Annual Māori Outcomes Report 5.2 Te Wero Wynyard Crossing Bridge - update	
6.	Governance matters (open items) 6.1 Out of cycle decisions 6.2 Director interests 6.3 Director meeting attendance 6.4 Minutes meeting held – 24 July 2024	
	Public meeting close and confidential meeting open	
7.	Mana whenua stories: Te Ākitai Waiohua	
8.	Board only session	
9.	Chief Executive’s report (confidential items)	
10.	Decision papers (confidential items) 10.1 Waterfront Swimming Facility Pilot 10.2 Westhaven Marina Ltd - Director appointment	
11.	Information papers (confidential items) 11.1 Te Wero Wynyard Crossing Bridge - update	
12.	Governance matters (confidential items) 12.1 Director interests’ projects 12.2 Board action list 12.3 Board work forward programme 2024 12.4 Audit and Risk Committee minutes meeting held – 26 February 2024	

	12.5 Minutes meeting held - 24 July 2024	
13.	General business (confidential items) 13.1 Upcoming meetings 2024	
	Meeting close	2.00pm

At the time of publishing, no apologies have been received

Chief Executive Report

Author(s): David Rankin

August 2024

Whakarāpopototanga matua | Executive summary

This is a public report which incorporates a range of material on current and emerging issues. Some information contained in this report should be treated as confidential. In terms of Section 7 of the Local Government Official Information and Meetings Act 1987, Eke Panuku is entitled to the withholding of information as necessary to:

- *protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of a third party (s7(2)(b)(ii));*
- *enable any local authority holding the information to carry on, without prejudice or disadvantage commercial negotiations (s7(2)(i));*
- *maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty (s7(2)(f)(i)); and*
- *maintain legal professional privilege (s7(2)(g)).*

Matapaki | Discussion

Downtown Car Park - Development agreement status

1. In June 2024, the final conditions were satisfied, and the DA with Precinct became unconditional. A deposit from Precinct was paid to Auckland Council shortly following the DA becoming unconditional. Settlement is set for April 2025, at which time title will be transferred and Precinct will take ownership of the site. The balance of the purchase price is then due for payment in December 2025.
2. As agreed under the DA, from April 2025 until the balance of the purchase price is paid, Auckland Transport will continue operating the car park as it does now. Auckland Council will lease the car park from Precinct at no cost and will continue collecting revenue from its operation.
3. Redevelopment is expected to start in early 2026.

Judicial review update

4. The judicial review proceedings brought by Save Queen Street Society Inc (SQSS) challenging Auckland Council's 23 November 2023 decisions in relation to the Downtown Car Park have been withdrawn.
5. The claim was resolved between SQSS and Precinct. Council consented to the filing of a notice of discontinuance with no order as to costs. The settlement did not involve the council group agreeing to, and nor was it asked, to make any form of apology, concession, or acknowledgment

of any error in its decision-making process. Additionally, no concessions regarding the design of the redevelopment were made.

6. The council agreed to the withdrawal of the claim to avoid the further legal costs of preparing submissions and the upcoming hearing in the High Court.

7. [Redacted]

Avondale Central

8. [Redacted]

9. [Redacted]

10. [Redacted]

11. [Redacted]

12. [Redacted]

Brookview Development block – Ormiston

13. [Redacted]

14. [Redacted]

15. [Redacted]

16. [Redacted]

- [Redacted]
- [Redacted]
17. [Redacted]
- [Redacted]
18. [Redacted]
- [Redacted]
- [Redacted]
19. [Redacted]
- [Redacted]
20. [Redacted]
- [Redacted]
- [Redacted]

CCO Reform

21. On 8 August the mayor made a public announcement regarding his intended initiative to promote a reform of current arrangements with respect to the Council Controlled Organisations. Relevant communications material was forwarded to board members on the day.
22. As of the time of writing this report, no further details were to hand as to the process to be followed. In terms of timeline, any material changes proposed to the CCOs will need to be incorporated in the Annual Plan process for next year. Major decisions by the Governing Body as to the content of the draft Annual Plan, which goes out for public consultation in the first quarter of 2025, generally take place before the end of this calendar year.
23. I will update the board further at our meeting to the extent possible.

2023-2024 Chief Executive Objectives - Outcomes

24. [Redacted]
- [Redacted]
25. [Redacted]
26. [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

2024-2025 Draft Chief Executive Objectives

27.

[Redacted content]

Office Accommodation update

28. The ELT approved the design layout and changes to floor 21 and 22 of Auckland House, with the reduced specifications changing no walls or room structures on level 21. This change, along with our contractor's flexibility in amending the scope of works, has meant that refurbishment works have already started on floor 21. We should be complete with a move into floor 21 in September.
29. The changes in scope for floor 21 have allowed us to adapt and optimise our use of floor 22 including reducing the concentration of staff on that floor. The changes will see Eke Panuku occupy both floors, with three directorates populating floor 21, People and Culture, Development, and Strategy and Planning. The Community and Stakeholder Relations and Corporate Services Directorate will operate from floor 22, and the remaining directorates will split their teams across both floors, with the focus on the collaborative work being based on floor 21 and the individual focused work on floor 22. We anticipate the final costs for floor 21 works will be circa \$0.75m against the previously approved budget of \$1m.

Quarter 2 Media Report

30. While volume of coverage rose this quarter, Eke Panuku's overall media impact score (MIS) dropped to 0.9 due to coverage of consistent, understandable frustration with the temporarily closed Wynyard Crossing Bridge, comments from two developers that we are difficult to work with, and the Own Your Own Home sales process.
31. Our responsiveness to provide factual answers, along with an interview on RNZ Checkpoint, helped to provide some balance while under fairly intense criticism for the bridge closure. Our relationship with the Herald ensured balanced coverage and the ability to rebut commentary around our development agreement outcomes and the reason for them.
32. The sale of the Dominion/Valley Road site to Precinct Properties proved to be a highlight as we neared the end of this quarter, and underlined the generally positive relationship we have with our development partners.
33. Coverage of award wins for Hayman Park Playground was also positive and reached a combined audience of almost 250k. Our neighbourhood coverage continues to benefit from our strong relationship with the Stuff community papers.

Ngā tāpirihanga | Attachments

There are attachments for this report.

[Redacted]	[Redacted]

Health and Safety report July 2024

Author(s): Bernardo Vidal, Head of Health, Safety and Wellbeing

August 2024

Whakarāpopototanga matua | Executive summary

1. In July, thirteen events were logged in the Eke Panuku Noggin health and safety reporting system. Of these, two were categorised as medium risk, while the remaining eleven were deemed low risk. Six events involved members of the public and seven employee-related incidents were reported. Detailed information on the most notable events can be found in paragraphs 4 to 7, while a summary of all events is provided in paragraph 19.
2. Security contractors and Māori Wardens raised 28 security observations in July, involving members of the public outside Eke Panuku influence or control.
3. Five HS contractor reports were submitted, with no incidents reported.

Matapaki | Discussion

Notable events

4. Incident 1

Date: 02 July 2024

Location: Waitematā Plaza

Event: Wheelchair Accident - Public

Description: A person in a motorised wheelchair did not see or differentiate levels of steps and fell over onto tiled steps in Waitematā Plaza.

Incident category: Health & Safety

Actual Severity: Medium

Potential Severity: High

Immediate action taken: The injured person promptly received attention from emergency services at the location and was subsequently transported to the hospital for medical care. After reviewing the CCTV footage and assessing the site conditions, it was conclusively determined that the accident could not have been caused by any unsafe conditions at the location. As a precautionary measure, reflective strips were installed on the steps.

Investigation needed: No.

5. Incident 2

Date: 19 July 2024

Event: Electrical hazard – Contractor

Location: Hamer Street 26-36, Auckland Central

Description: Lighting poles considered to be within the exclusion zone of high voltage overhead lines.

Incident category: Health & Safety

Actual Severity: Low

Potential Severity: Critical

Immediate action taken: Information has been sent with instructions, not to decorate or service the poles or lights until further notice. Awaiting information from Vector as to possible solutions. As part of the investigation, relevant data about this project is being gathered to ascertain why these poles were installed within the exclusion zone of high voltage lines and explore potential solutions.

Investigation needed? Yes.

6. Incident 3

Date: 15 July 2024

Event: Campfire detected – Public

Location: 21 Princes Street, Auckland CBD

Description: A campfire was detected inside a lot at 21 Princes Street.

Incident category: Health & Safety

Actual Severity: Low

Potential Severity: Medium

Immediate action taken: The fire was promptly controlled by the security team. Day and evening security patrols have been increased.

Investigation needed? No.

7. Incident 4

Date: 11 July 2024

Event: Westhaven customer suffered an ankle injury.

Location: Westhaven Drive

Description: A customer at the fuel dock lost his balance on a carpeted fender, fell from the boat onto the dock and fractured his ankle.

Incident category: Health & Safety

Actual Severity: Medium

Potential Severity: High

Immediate action taken: The customer was treated by emergency services and transported to the medical centre where he was diagnosed with a confirmed ankle injury. Upon inspection of the area, it was determined that the incident was caused by an unsafe action and there are no conditions present that could have caused the incident.

Investigation needed? No.

Health, Safety and Wellbeing focus for the next three to six months

8. Improve HSW reporting including lead KPIs that test the performance of critical risks, such as:
 - a. Property inspections undertaken. Details in paragraph 9.
 - b. Capital Works inspections reporting. Details in paragraph 10.

9. Property risk assessment reporting

The procedure for conducting the property inspections is currently under review.

The three properties selected by the Facilities and Property Management team for the trial have been confirmed and scheduled. As of the date of this report, all the inspections have been completed, and we are now awaiting the final reports for two with one having been received and being reviewed.

10. Capital Works Inspections (CWI) reporting

The procedure for conducting the project inspections is currently under review. The first bi-monthly report is currently being prepared and will be discussed at the initial CWI meeting in August 2024.

11. Psychosocial risk assessment plan

We have renamed our internal psychosocial risk management plan to a Wellbeing Risk Assessment Plan. The action plan is progressing well, with an initial briefing for team leaders delivered in the first week of August. The outreach campaign began in the second week of August with support from the internal communications team. The wellbeing survey is set to start in the third week of August.

12. Transition to the DoneSafe incident management platform

The planning stage for the transition from Noggin to Donesafe has begun, with active collaboration with the ICT team to identify the requirements for implementing the core modules.

13. Get Home Safe application trial

Initial testing to assess the feasibility of this mobile phone application was conducted with the current group of volunteer participants. Results indicated that the application does not align with the potential risks faced by this team. A new group of volunteers from other areas will be invited to participate.

14. Health and safety key performance indicators

Health and safety key performance indicators (KPIs), featuring both lead and lag measures, are represented in table (Figure 1) and chart (Figure 2) format.

Measure	Performance July	Critical or high risks	Previous month (June)
Safety concerns	4	0	0
Near misses	5	0	3
Near Misses from Contractor reports	0	N/A	0
Lost time injuries	0	0	0
Medical treatment injuries	0	0	0
Other incidents	4	0	3
Total recordable injury frequency rate	0	N/A	0.5
Total incidents	9	0	3
Total events	13	0	6

Figure 1 – Health and Safety Key Performance Indicator Table

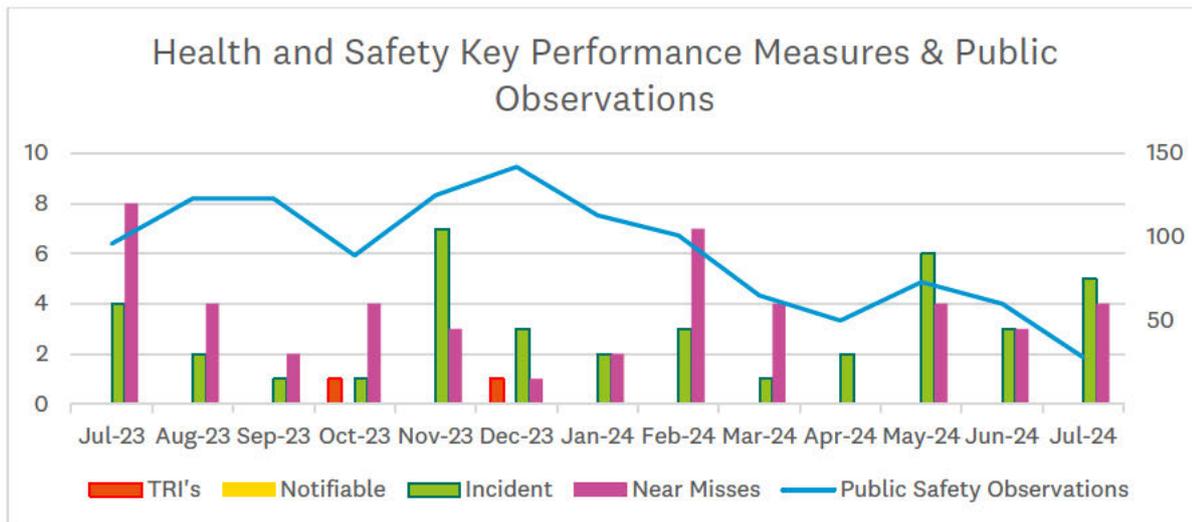


Figure 2 – 12 Month rolling H&S performance measures
 TRI – Total Recordable Injuries includes lost time injuries and medical treatment injuries for employees only.
 Notifiable refers to incidents and injuries reportable to the health and safety regulator.

Workplace incident themes and trends

15. The trend in incident and near miss reporting remains stable, with only a slight increase in reports compared to the previous month. Although our team did not experience any accidents this month, several members of the public unfortunately suffered minor accidents that could have resulted in serious injury. We continue to emphasise reporting unsafe conditions and behaviours to mitigate potential near misses and serious accidents.

Public health, safety and wellbeing events

		Performance July	Previous Month (June)
Public Realm	Security and Māori Warden observations	28	60
	Public injuries	0	0
	Public incidents or observations	0	0

Figure 3 - Public realm incident and observation table
 Data provided for information purposes and are not key performance indicators as Eke Panuku has very little influence or control over the outcome of these events.

- 16. There were 28 observations raised by security guards and Māori Wardens this month. All the observations occurred in the public realm and were outside the direct influence or control of Eke Panuku. All issues were also reported through to other agents, responsible for dealing with the identified issues, such as New Zealand Police and emergency services, Auckland Transport and parking enforcement.
- 17. The security guards patrol the waterfront seven days a week. The Māori Wardens patrol the waterfront on Friday and Saturday nights.

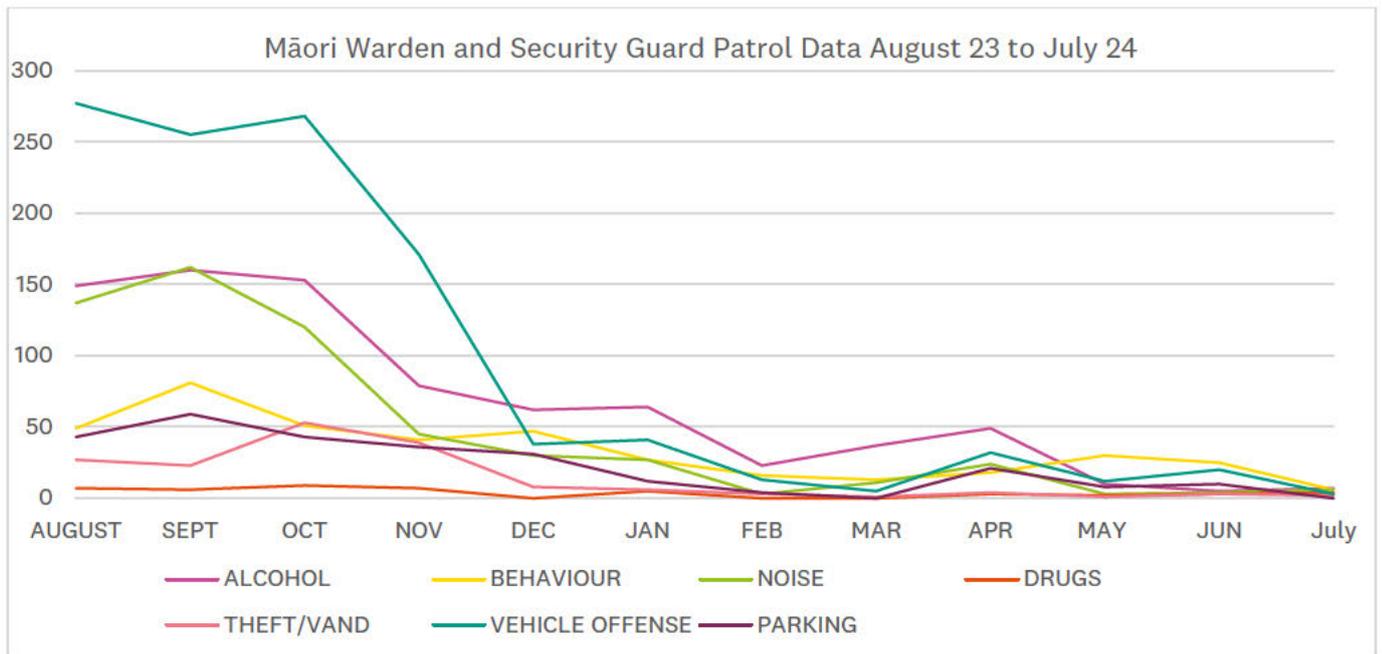


Figure 4 - Combined public observation data by category

18. The top three most common observations are highlighted below in Figure 5.

Rank	Issue	No. of observations
1	Alcohol Ban	7
2	Disorderly Behaviour	6
3	Noise	6

Figure 5 - Top three issues raised through Waterfront Patrols in July 2024

19. All Noggin Events

- a. Six events involved members of the public.
 - i. An elderly person in a motorised wheelchair had an accident falling down some stairs in Waitematā Plaza.
 - ii. A customer at the fuel dock lost his balance and fell on a carpeted fender.
 - iii. Damaged wooden walkways creating a trip hazard were reported in St Marys Bay.
 - iv. A vessel owner experienced a health event near AB pier.
 - v. A customer crew member fell overboard while a boat was being docked.
 - vi. A campfire was detected inside a lot at 21 Princes Street.
- b. Seven employee-related incidents were reported.
 - vii. An electrical hazard has been reported on Hamer Street.
 - viii. A mild skin reaction was reported following the use of the hand soap provided in the bathrooms.
 - ix. Three cases of pain and discomfort were reported at the offices on 135 Albert Street.
 - x. Ceiling panels were not installed at the Maritime Museum office after the contractor completed their work.
 - xi. Emergency evacuation signage has been requested at 135 Westhaven Drive.

Ngā tāpirihanga | Attachments

No attachments.

Ngā kaihaina | Signatories

Carl Gosbee, Chief Financial Officer

David Rankin, Chief Executive

Waterfront Swimming Facility Pilot

Author(s): Fiona Knox, Priority Location Director – City Centre Major Projects

August 2024

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- maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty (s7(2)(f)(i))

Ngā tūtohunga | Recommendations

That the Eke Panuku Board:

- a. Approves the recommended operating model which is an agreement between Eke Panuku and Auckland Council such that:
 - i. Eke Panuku has accountability for physical maintenance and repairs
 - ii. Auckland Council Pools and Leisure has accountability for operational management including the provision of lifeguards during the peak season.
- b. notes the legal advice about the nature and extent of Eke Panuku's health and safety obligations as the operator of swimming facilities
- c. notes the risks and mitigations outlined in the risk register.

Whakarāpopototanga matua | Executive summary

2. In May 2024 the Board approved the proposed safety improvements and the expansion of swimming facilities at the Karanga Plaza Tidal Steps and the associated budget. These facilities included:
 - a jump platform and associated health and safety improvements planned through the Water Edge Health and Safety project
 - an expanded area incorporating lanes to pilot lap swimming.
3. The Board requested the Executive to report back on the proposed operating model and health and safety considerations. This paper summarises the work undertaken to inform the recommendations.
4. For this specific location and the swimming facilities provided, Eke Panuku will have a duty of care for the health and safety of workers and non-workers such as members of the public. We have structured the operation of the facility to best address health and safety obligations, and the potential liability, by splitting the asset maintenance and operating responsibilities between Eke Panuku and Auckland Council Pools and Leisure. The council is well placed to operate these types of aquatic facilities.
5. The recommended operating model is:
 - a. Eke Panuku to be accountable for the maintenance and repairs to the assets and infrastructure provided. This is the same approach as taken currently for all of our waterside marina assets.

- b. Auckland Council Pools and Leisure department, specifically under the management of the Tepid Baths team, to be accountable for operational management, including the provision of lifeguards during the peak season.
6. The Executive has undertaken a thorough Safety in Design review process, the results of which are attached. Ongoing Health & Safety risk reviews will continue as the project progresses and over the life of the pilot. In addition, the Auckland Council Pools and Leisure team is carrying out their own operational risk review.
 7. There has also been some follow up engagement with key stakeholders, including Fu Wah and the Park Hyatt and the manager of VHHL's marina. We have held a workshop with user groups including Auckland Masters Swimming, Triathlon New Zealand, Surf Lifesaving NZ, Drowning Prevention Auckland. This has informed our collective thinking for design and operations.
 8. Construction of the facility has commenced on site and work is progressing to programme. It is expected that the infrastructure inclusive of the jump platform, additional balustrades, pontoons and new swim lanes will be in place by December 2024. In addition, the project will provide changing facilities, lockers and a shower based on user feedback.
 9. With the announcement of the swim facility pilot, there has been some feedback around the extent to which Eke Panuku is providing for universal access. This is being managed through the council's Disability Advisory Panel.

Horopaki | Context

Previous Eke Panuku Board engagement and decisions		
Date and meeting	Document	Decision / Outcome
March 2022	Karanga Plaza Tidal Steps - Swimming and Jumping Activity	<p>That the Board</p> <ol style="list-style-type: none"> a. Note that work will continue over the coming months on the best location to provide for the safest possible swimming and jumping activity at the waterfront, appropriate design solutions and rules that will apply. b. Agree, based on current information and balancing the risks, that swimming at the Karanga Plaza tidal steps will continue until the summer ends with the following conditions: <ol style="list-style-type: none"> i. That swimming occurs within the allocated and netted off area ii. Swimming after dusk is not permitted through signage and security patrols iii. In conjunction with councils Safe Swim team, swimming

		<p>will be temporarily banned at times of known poor water quality.</p> <ul style="list-style-type: none"> c. Agree, that based on current information and balancing the risks and issues, that jumping will be managed in the following ways in the Karanga Plaza area: <ul style="list-style-type: none"> i. Jumping can occur off the Karanga Plaza tidal steps ii. No jumping can occur from the Karanga Plaza seawall or balustrade iii. Jumping continues to be prohibited off Wynyard Crossing bridge. d. Note that this area is patrolled by a security firm engaged by Eke Panuku. e. Note that upgraded signage to communicate the above will be put in place and clear written instructions provided to our security firm. f. Note that any of the above does not preclude the security firm exiting people from the Karanga Plaza area due to bad or antisocial behaviour.
October 2022	Karanga Plaza Tidal Steps - Swimming and Jumping Activity	<p>That the Board:</p> <ul style="list-style-type: none"> a. Note the work that has been completed to respond to the Board's request to provide the safest possible swimming and jumping activity at Karanga Plaza. b. Agree, based on current information and balancing the risks, that we will continue to allow swimming and jumping this summer at the Karanga steps and that the existing swimming and jumping controls and management measures that were agreed with the Board in March 2022 will remain in place. c. Approve, based on current information and balancing the risks, to further improve the safe swimming and

		<p>jumping experience at the Karanga steps, through the implementation of the following additional mitigations over the next 12 months:</p> <ul style="list-style-type: none"> i. An upgrade to the existing signage with clear written instructions on swimming and jumping rules. ii. An upgrade to the balustrade on the tidal steps so that jumping can be safely managed. iii. An upgrade to the existing balustrade on the seawall to reduce the ability for people to climb and jump from the seawall. iv. Investigate a barrier to prevent people from swimming underneath the tidal steps. v. Investigate a grab rail on the adjacent pontoon to provide flotation support. vi. Continue to sample the water at six sites, including Karanga steps, to determine the extent of the current water quality risk for swimming and jumping with the council’s Safeswim programme. vii. Provide real-time awareness of water quality risk through the Safeswim website and onsite signage in conjunction with council’s Safeswim team. viii. Continue to raise awareness of the health of our taonga (Te Waitematā) and the wider responsibilities of council and community to effectively address issues to improve water quality.
March 2024	Information paper: Waterfront Activity Pilot	The Board received the information report.

May 2024	Decision paper: Waterfront Swimming Facility – Karanga Plaza Tidal Steps	<p>The Board resolved to:</p> <ul style="list-style-type: none"> a. approve the proposed improvements to the swimming facilities at Karanga Plaza Tidal Steps. b. approve additional budget to deliver the increase on original scope: c. request the Executive to report back with the proposed operating plan, including having another part of the Council group operating the swimming facility, and including a health and safety plan.
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10. Following Board approval in May, the Executive has progressed the project, with work undertaken to:

- a. obtain legal advice on Eke Panuku’s health and safety obligations and considerations
- b. collaborate with Auckland Council Pools and Leisure to establish a recommended operating model
- c. explore and identify risks and mitigations
- d. plan and implement procurement and delivery
- e. liaise with partners, stakeholders and the Mayor’s Office.

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

Health and safety obligations, and operating model

11. We have sought legal advice about the nature and extent of Eke Panuku’s health and safety obligations as the operator of the swimming facilities. This advice is attached as **Attachment A**.

12. In summary:

- a. For the purposes of the Health and Safety at Work Act 2015 (HSWA), Eke Panuku will be considered as the ‘person conducting a business or undertaking’ (PCBU) of the facility. As such, Eke Panuku is required to comply with its health and safety duties ‘so far as is reasonably practicable’ to:
 - i. maintain a facility that is ‘safe and without risks’
 - ii. provide and maintain plant, structures and systems of work at the facility that are safe and don’t pose health risks
 - iii. provide information, instruction, training and supervision needed by workers.
- b. Eke Panuku will have a duty of care under the HSWA that it cannot contract out or delegate, for the health and safety of workers and non-workers such as members of the public.

- c. However, Eke Panuku can structure the operation of the facility to reduce the extent of its health and safety obligations and the potential liability. Specifically, Eke Panuku could engage an independent contractor to operate some or all aspects of the facility and vest influence and control to them.
 - d. Two potential operational models for the facility have been considered:
 - i. Engaging an independent contractor with full responsibility for all aspects of the operation and maintenance, or
 - ii. Engaging an independent contractor/s to conduct some operational functions.
 - e. Both options would likely reduce the level of influence and control Eke Panuku has over the operation of the facility and change the nature and extent of activities required of Eke Panuku in order to meet the 'so far as reasonably practicable' standard required of it.
13. The Executive has considered this advice. Some aspects of the operations, such as pontoon maintenance, cleaning, oyster removal, and opening and closing of the facilities, are well within Eke Panuku's current experience and expertise. Hence, it is not recommended to outsource these to a third-party operator.
14. Operations and oversight of the completed lap swimming facility is however outside of Eke Panuku's existing capabilities. The Executive recommend collaborating with Auckland Council on the maintenance and operations of the swimming facility.
15. To ensure clear distinction of roles and responsibilities we have engaged with Auckland Council's Pools and Leisure team. The aim was to ensure that the party best placed to manage the risks and with the right expertise to carry out the activities was accountable and responsible for each activity.
16. As a result of these discussions, the following breakdown of activities, responsibilities and accountabilities is recommended:
- a. The maintenance of the facility is proposed to be the responsibility of Eke Panuku, comprising:
 - i. Undertake maintenance and repairs of the facility as per all waterside marina assets. This includes continuing to water blast the Tidal Steps but will also include oyster removal underwater on the pontoons, cleaning swim lane markers, cleaning changing rooms, and repairs to assets.
 - ii. The locking/unlocking of the jump platform and the "Pool Closed" sign.
 - iii. Extra security will be provided initially and then reviewed to see if required on an ongoing basis.
 - b. Operational management is proposed to be the responsibility of the Auckland Council Pools and Leisure team, specifically under the management of the Tepid Baths team.
 - i. This includes the provision and management of lifeguards. For the pilot, lifeguards are recommended during the peak swimming season.
 - ii. By including the swimming facility within the management of the Tepid Baths team there will be flexibility to adjust the level of cover depending on need, illness and any other changes of situation.
 - iii. Considerations will include when maximum patronage is likely to occur and what provisions to provide when no lifeguards are on duty.
 - iv. The Tepid Baths team will develop the operational plans and conduct its own risk review to inform when and how many lifeguards are required to manage the health and safety of customers using the facility.

- v. Eke Panuku will remain as a key stakeholder/funder, especially around health and safety provisions and residual risks.
- c. As the operator of the facility, the Auckland Council Pools and Leisure team will coordinate the day-to-day activities occurring within the swimming facility. Decision making about how and who will use the facility will remain with Eke Panuku. Auckland Council will be consulted with when Eke Panuku is to undertake the regular cleaning/maintenance/repairs.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

- 17. Eke Panuku has an existing capital budget of \$1.7m to deliver the jump platform and associated health and safety improvements. Additional capital budget of approximately \$500k was approved by the Board in May, to extend the pontoons, add ladders, lane markers and simple changing room facilities to incorporate the expanded scope for swim lanes.
- 18. Eke Panuku had an operational budget of \$150k to maintain and operate the jump platform, including security monitoring, specialist cleaning, damage repair and electric certifications of power supplies. An additional \$150k is required to operate the lap swimming facility.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

- 19. We have undertaken a thorough health, safety and risk review. This has included two safety in design workshops with the Eke Panuku project team, staff from Auckland Council Pools and Leisure, and key stakeholders such as VHHL. Ongoing Health & Safety risk reviews will continue as the project progresses and over the life of the pilot.
- 20. In addition, the Auckland Council Pools and Leisure team is carrying out an operational risk review to help in their planning and decision making around pool supervision, operational management and swimmer safety. The Pools and Leisure team’s aquatic operating procedures, while effective in managing the risks associated with operating a swimming facility, cannot remove all risk.
- 21. Given we do not know the customer uptake/popularity of the swimming facility it is proposed that the operating model for the pilot includes lifeguards during the peak swimming season. The additional benefit of utilising the Auckland Council Tepid Baths team to manage this facility is that it will be more able to ramp up/down the provision of lifeguards, depending upon popularity.
- 22. The detailed Risk Register is attached as **Attachment B**. In summary the following risks and mitigations are being considered by the project team:

Risk	Mitigation
Drowning Risk from inappropriate use of Jumping Platform Risks 1.18 and 1.19	Various design features and administrative controls (rules) included to minimise risk. Provision of lifeguards during busy times.
Drowning risk of lap training / poor swimmer Risk 2.06	Lifeguards on duty during busy times with first aid training and access to a defibrillator
Water quality Risk 2.2	The site is on the Safeswim website. Ongoing water quality monitoring will be required in this location.

Key stakeholders and adjoining tenants	<p>A pilot swimming facility is in line with the long-term vision for the Auckland waterfront (particularly through Te Ara Tukutuku project in Wynyard Quarter). However, there will need to be communication and engagement on this pilot proposal specifically.</p> <p>There is a risk of stakeholder feedback around funding priorities given current issues with the Wynyard Crossing Bridge.</p>
<p>Jumping still occurs from the Lifting Bridge</p> <p>Risk 1.04</p>	<p>Safe egress points will be provided for swimmers who jump from the bridge to ensure they don't get stranded in the navigational channel.</p> <p>Monitoring to see if jumping from the bridge still occurs after the jumping platform is installed. Options to retrofit the bridge have been investigated to more strongly deter jumping from the lifting bridge.</p>
Reputational risk associated with lack of universal access	Work with the Disability Advisory Panel to consider mitigations and next steps.
Anti-social behaviour such as users taking advantage of other locations such as the Park Hyatt to get changed, etc	Provision of changing facilities and showers. Security staff on site. Ongoing discussions with adjoining tenants to anticipate and navigate risks.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

23. A communications and engagement strategy has been developed, to ensure sufficient engagement with stakeholders and the continuation of our waterfront as a key message. We have identified that further communications around water quality and the Safeswim testing programme would be helpful, and will progress this over the coming months.
24. A summary of the project has been added to the [Eke Panuku website](#) and we have updated neighbouring businesses, tenants and stakeholders including the Waitemātā Local Board.
25. Key stakeholders such as VHHL and the Park Hyatt have been invited to participate in the safety in design workshops. In those sessions we had feedback around user behaviour and also the appropriate facilities to support swimming – including change facilities, showers and lockers.
26. We have held a detailed design workshop with the harbour swim community including Auckland Masters Swimming, Triathlon New Zealand, Surf Lifesaving NZ, Drowning Prevention Auckland, VHHL as marina operator, Ocean Swim and Auckland Council Pools and Leisure. This has informed our design thinking specifically related to the swimming lane facility and land side improvements such as changing rooms, lockers and showers. The user group was engaged and positive about the project and the location.
27. We have had feedback from the disability community about the need for universal accessibility of the pilot facility. This will be discussed further with Auckland Council's Disability Advisory Panel.

28. Further communications are planned to be released closer to the opening of the facility. A campaign will be developed to incorporate a range of place-based activity around Wynyard Quarter over summer.

Tauākī whakaaweawe Māori | Māori outcomes impact

29. A verbal update has been provided to the Eke Panuku Mana Whenua Forum in April, in line with our no surprises approach. We will continue to engage and update Mana Whenua at key milestones.

Tauākī whakaaweawe āhuarangi | Climate change impact

30. Sustainability and climate change adaption objectives and requirements will be embedded into design and construction agreements where possible.

Ngā koringa ā-muri | Next steps

31. Construction has now commenced on site and work is currently on track to have the expanded facilities delivered by December.

32. Contractual arrangements between Eke Panuku and Auckland Council's Pools and Leisure team will be documented.

- a. The service level agreement will cover the roles and responsibilities of the Eke Panuku Team and the Auckland Council Pools and Leisure Team. Specifically:
 - i. Change/variation and financial management
 - ii. Customer experience and performance management
 - iii. Reporting and governance
 - iv. Risk and health & safety
 - v. Termination and review.

33. Communications in anticipation of the opening of the facility will be included as part of a range of destination-based activity for Wynyard Quarter over summer. We expect that as part of monitoring this activity, we will undertake user surveys and encourage feedback through our Eke Panuku established channels.

Ngā tāpirihanga | Attachments

[Attachment A](#) – [REDACTED]

[Attachment B](#) – [REDACTED]

Ngā kaihaina | Signatories

Ian Wheeler, Chief Operating Officer

Marian Webb, GM Assets & Delivery

David Rankin, Chief Executive

Board Delegated Authority Policy

Author(s): Alice Newcomb

August 2024

Ngā tūtohunga | Recommendations

That the Eke Panuku board:

- a. Approves the revised Board Delegated Authority Policy.

Whakarāpopototanga matua | Executive summary

1. The Board Delegated Authority Policy (policy) is due for its biennial review. The Audit and Risk Committee endorsed the revised policy for board approval on 21 August 2024.
2. The policy was substantially rewritten in March 2020. The proposed changes to **Attachment A** are marked up. Changes made at this review are relatively minor and are recommended to conform with current practice, items of note are:
 - Increasing CE delegation for approving debt write offs to \$150,000, from \$100,000
 - Addition of wording for clarification purposes on the acquisition of land and property on behalf of Auckland Council, that is not for the purpose of urban renewal e.g. land for parks, libraries and flood recovery. This falls under a standing delegation from Council to the CE and is outside the board's purview.
3. The policy being reviewed covers delegations from the Board to the Chief Executive and indicates whether sub-delegation is possible from the Chief Executive to the business. The policy is backed up by a separate operational standard which sets out requirements for the business and sub-delegated limits.

Horopaki | Context

Previous Board / Council engagement and decisions		
Date and meeting	Document	Decision / Outcome
May 2022 Board Meeting	Delegated Authority Policy	Following the conclusion of discussions, the Panuku Board approved the revised Board Delegated Authority Policy.
March 2021 Board Meeting	Delegated Authority Policy	Following the conclusion of discussions, the Panuku Board approved the revised Board Delegated Authority Policy.

Previous Board / Council engagement and decisions

Date and meeting	Document	Decision / Outcome
18 March 2020 Board Meeting	Board Delegations to Chief Executive	Following the conclusion of the discussions and subject to the adding compliance with shareholder procurement policies, the Panuku Board: a) Approved the Delegated Authority Policy and Delegated Authority Standard. b) Noted the previous Board Delegated Authority Policy has been superseded by the Delegated Authority Policy and Delegated Authority Standard. Noted the Chief Executive will make sub-delegations within the authority provided by the Delegated Authority Standard

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

4. Not applicable.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

5. There are no financial and resourcing impacts pertaining to the revised policy.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

6. There are no risks associated with implementing the revised policy.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

7. The revised policy, on approval by the Board, will be provided to Eke Panuku staff via the Info Hub intranet along with the separate standard setting out delegations from the Chief Executive to the business.

Tauākī whakaaweawe Māori | Māori outcomes impact

8. There are no Māori outcomes or impacts pertaining to the revised policy.

Tauākī whakaaweawe āhuarangi | Climate change impact

9. There are no climate change impacts pertaining to the revised policy.

Ngā koringa ā-muri | Next steps

10. The revised policy will be communicated to Eke Panuku staff.
11. The policy will be reviewed again in August 2026.

Ngā tāpirihanga | Attachments

Attachment A – Board Delegated Authority Policy

Ngā kaihaina | Signatories

Carl Gosbee, Chief Financial Officer

David Rankin, Chief Executive

Delegated Authority Policy

1. Policy purpose

- 1.1. The purpose of this policy is to outline the delegations from ~~the Board of Directors (the Board) of Eke Panuku Development Auckland~~ ~~the Board of Directors of Panuku Development Auckland Limited~~ (Eke Panuku) to the Chief Executive ~~of Eke Panuku (Chief Executive).~~ ~~of Panuku.~~
- 1.2. For this policy, delegated authority (DA) is both financial and non-financial delegations from the Board ~~of Directors of~~ Eke Panuku to the Chief Executive of Eke Panuku.
- 1.3. Delegations are a key element in effective governance and management of Eke Panuku and provides formal authority to the Chief Executive ~~of Panuku~~ to act on behalf of Eke Panuku.
- 1.4. Ultimate authority for the conduct of the business rests with the ~~Board of Directors~~ Board of Eke Panuku. The Board delegates authority, within prescribed parameters, to the Chief Executive to enable effective and efficient management of Eke Panuku.

2. Application of this policy

- 2.1. The Board delegations to the Chief Executive apply to the Chief Executive of Eke Panuku, and any person that has been delegated to act as the “Acting Chief Executive” by the Chief Executive or the Board.
- 2.2. This policy applies to all staff employed/engaged by Eke Panuku. This includes fulltime or part-time permanent and fixed-term employees, casual employees, contractors and temporary contingent workers.
- 2.3. Delegation instruments exist whereby the Auckland Council Chief Executive delegates his powers and duties under the Public Works Act (PWA) and Local Government Act (LGA) to Eke Panuku Officers, in order to acquire and dispose of property on behalf of Auckland Council and/or Auckland Transport, or while acting within its urban renewal mandate. These ~~delegations (and delegations, and~~ the conditions therein,) underpin and empower the parts of this policy relating to acquisition and disposal activity.

3. Objectives

- 3.1. The objectives of this policy are to ensure that:
 - The delegations to the Chief Executive are appropriate to enable the Chief Executive to run the business in an efficient and effective manner
 - Governance approvals and decisions are made at the appropriate level
 - Decisions are approved by the appropriate person, considering all risks
 - The Chief Executive has the flexibility to grant appropriate DA to staff as needed
 - There is effective control, transparency and accountability

- Individuals have clarity about their responsibility for complying with the terms of their DA.

4. Policy

- 4.1. The delegations and notification requirements from the Board ~~of Directors of Panuku~~ are set out in ~~Attachment A the Delegated Authority Standard Schedule~~ (~~“standardschedule”~~), ~~attached to this policy.~~
- 4.2. The Chief Executive can delegate authority ~~as where~~ indicated in the ~~attachment standard~~ to the Executive Leadership Team (ELT) and can approve sub-delegation to those who need to make decisions and commitments, as required, according to the business rules.
- 4.3. DA must be tied to positions.
- 4.4. Delegation decisions should be within delegators’ span of accountability, and in accordance with all other applicable policies of Eke Panuku and Auckland Council.
- 4.5. No employee has authority to make commitments or decisions on behalf of Eke Panuku unless authority is explicitly delegated.
- 4.6. Delegates are responsible for understanding and are accountable for adhering to their DA limits.
- 4.7. Breaches of this policy will be reported to the ~~Panuku~~ Board. Any infringement or non-compliance with this policy, or other Eke Panuku and Auckland Council, ~~policy, y~~ may be regarded as serious misconduct and may result in disciplinary action.

5. Policy review and approvals

- 5.1. This policy will be reviewed ~~at least annually~~ biennially and approved by the Board ~~of Directors of Panuku.~~

6. Attachments

- 6.1. Attachment A - Delegated Authorities Standard.

Business Owner	Executive Officer / Company Secretary <u>Governance Manager</u>	
Original policy date	1 September 2015	
Last review	25 May 2022 <u>24 March 2021</u>	
Frequency of review	Biennially	
Date of this review and approved by	Board of Directors of Panuku <u>Eke Panuku Board</u>	Date: 25 May 2022 <u>xx August 2024</u>

Attachment A1 – ~~Chief Executive~~ – Delegated Authorities ~~Delegated Authority Schedule~~ Standard

Area	Detail	Authorities and Approvals reserved by the Eke Panuku Board of Directors <u>(the Board)</u>	Authorities and Approvals delegated to the <u>Eke Panuku Chief Executive (CE)</u> (CE)	Is Chief Executive further delegation possible? <u>Available</u>	Notes
Strategy, planning and governance	Strategy, planning, including long term plan, business plan and Statement of Intent (SOI)	<ul style="list-style-type: none"> Long term plan and annual plan budget submissions to Auckland Council Statement of Intent (SOI) Panuku Business Strategy <u>Corporate Annual Business Plan</u> Annual Report 	<ul style="list-style-type: none"> Directorate business plans Quarterly reporting to council 	Yes	<ul style="list-style-type: none"> Forecasting changes to be notified to board quarterly The quarterly report to council must be provided to the board
Capital (capex) expenditure		Approval for any item above delegation to CE	Budgeted: \$15,000,000 for total transaction value/contract life	Yes	<ul style="list-style-type: none"> Does not include acquisitions or disposals Refer to Land and Property
Operating (opex) expenditure		Approval for any item above delegation to CE	Budgeted: \$5,000,000 for total transaction value/contract life	Yes	
Grants and donations	Grants and donations	Approval of plan for the year	Allocation of grants and donations for priority locations in board approved plan is limited to \$5,000 per item for 'cash' donations; and \$5,000 per item value for grants 'in-kind'	No	<ul style="list-style-type: none"> Refer <u>Grants and Donations policy</u> Details to be reported quarterly <u>half yearly</u> to the Board Approving of Koha is covered under "Our Charter"
Sensitive expenditure	Domestic travel, meals, accommodation entertainment and other expenses claim approval	<ul style="list-style-type: none"> Directors and CE by Chair Chair by Deputy Chair All within approved board budget 	Direct reports to the CE, within a board approved budget	Yes	
	International travel and related expenses	Authority for director or staff to undertake international travel before travel commences: <ul style="list-style-type: none"> <u>Directors and CE by Chair</u> <u>Chair by Deputy Chair</u> <u>All within approved board budget</u> 	Approval of cost of staff travel, within board approved budget	No	All international travel is to be reported to Auckland Council CE
	Credit Cards (including P-Cards)	Issuance of credit card to CE or direct reports to CE	Power to authorise or cancel any credit cards issued to staff	No <u>Yes</u>	CFO to not credit card limits <u>Chief Executive may delegate to the Chief Financial Officer only</u>
<u>Gifts & Hospitality</u>	Gifts given by <u>Eke Panuku</u>	Approval for any item above delegation to CE	Power to authorise the giving of gifts to outside organisations or individuals up to \$1,000	No	Register of Gifts & <u>Hospitality</u> given and received to be maintained and reported annually to <u>the board</u>
Legal	Litigation and settlement of legal disputes	Litigation costing more than \$500,000 and settlements not in the approved budget and business plan	<ul style="list-style-type: none"> Litigation costing up to \$500,000 Settlements or disputes in the annual budget and business plan 	No	<ul style="list-style-type: none"> Litigation must be reported to the board All new legal instruction must be via Auckland Council legal services

Area	Detail	Authorities and Approvals reserved by the Eke Panuku Board of Directors (the Board)	Authoritlies and Approvals delegated to the Eke Panuku Chief Executive (CE)-(CE)	Is Chief Executive further delegation possible? <u>available</u>	Notes
Land and property	Acquisition of land or property for the purposes of urban renewal	<ul style="list-style-type: none"> Approve the acquisition, and approve the strategic objectives, and the funds associated with the purchase for a purchase of a single property for a value greater than \$15,000,000 	<ul style="list-style-type: none"> Approval of a purchase of a single property for a value up to and including \$15,000,000, where the property is in a Priority Location <u>or part of an urban renewal project mandated by Council and has an and in a board approved programme approved business case / business case or transaction strategy</u> Approval of a purchase of a single property, not included in the <u>Corporate Business Plan</u> Board approved transaction strategy, on the open market for a value up to and including \$10,000,000, where the property is in a Priority Location Approval to make a conditional offer, subject to Board approval, on a single property, not included in the <u>Corporate Business Plan</u> Board approved transaction strategy, on the open market for a value above \$10,000,000 and up to \$15,000,000, where the property is in a Priority Location 	Yes	<ul style="list-style-type: none"> In all cases, the person exercising their delegated authority under this section must ensure that sufficient funding is available in a board approved budget All acquisitions must be reported to the board All acquisitions must comply with the Project Management Framework All acquisitions must be supported with a PSG approved business case Any SDF acquisition greater than \$20,000,000 or those that will not be on sold within 6 years must be approved by Auckland Council
	Disposal of land or property for the purposes of urban renewal	Approval of transactional terms, or proposed transactional terms (go-to-market strategy), where the proposal is a site sale with development outcomes	None	No	<ul style="list-style-type: none"> The Board can delegate approval to the CE to finalise specific transactions in accordance with the proposed transactional terms agreed by the board. All land or property where development outcomes are being sought, must comply with the Project Management Framework, and must be supported with a PSG approved business case
	Disposal of land or property on behalf of Auckland Council including AT assets, Corporate Property and Optimisation	<ul style="list-style-type: none"> Approval of the site sales plan for the year, as part of the <u>Corporate Annual Business Plan</u> Approval of transactional terms, or proposed transactional terms (go-to-market strategy), where the proposal is a site sale with development outcomes Approval of the sale of a single property where no development outcomes are sought, for a value greater than \$5,000,000 	Approval of the sale of a single property where no development outcomes are sought, for a value up to and including \$5,000,000, assuming the transaction meets the parameters of the signed rationalisation report	Yes	<ul style="list-style-type: none"> All sales must be approved for sale by a council resolution and an AC signed Rationalisation Report/Land Status Report. All sales must be reported to the board Properties in this category, where no development outcomes are sought, are sold primarily to offset council debt <u>generate income</u>. And any additional development outcomes which may result in a sale under

Area	Detail	Authorities and Approvals reserved by the Eke Panuku Board of Directors <u>(the Board)</u>	Authoritles and Approvals delegated to the <u>Eke Panuku Chief Executive (CE)-(CE)</u>	Is Chief Executive further delegation possible? <u>available</u>	Notes
					<p>market value will require additional approval from Auckland Council</p> <ul style="list-style-type: none"> Properties where Eke Panuku identifies a development opportunity, which require additional time and resource to sell, will be treated as a project and governed by the Project Management Framework requirements
	<u>Acquisition of land or property on behalf of Auckland Council to be used for a Council purpose with an approved Council resolution.</u>	<u>None – acquisitions fall under a standing delegation from the Council to the CE, which has its own set of parameters and is outside the board's purview.</u>			
Revenue	Property portfolio	Approval for any item above delegation to CE	New, varied or renewed leases, deeds or licences, up to and including \$1,000,000 per annum	Yes	Refer Property Rent Setting Policy
	Marina operations	Approval for any item above delegation to CE	New, varied or renewed leases, deeds or licences, up to and including \$1,000,000 per annum	Yes	Refer to Marina and Wharf Rent Setting policy
	Other revenue	Revenue streams not in the annual budget and business plan	Approval of any revenue streams within the annual budget and business plan	Yes	
Debt write offs	Debt write-offs	Approval for any item above delegation to CE	Debts write offs up to \$150 \$100,000 (GST exclusive per debtor)	Yes No	<ul style="list-style-type: none"> <u>Debt write offs include any reductions in rent already charged to a tenant</u> Debt write-offs greater than \$50,000 (GST exclusive per debtor) must be reported to the board.
Programme and Project approvals	HLPPs and Programme Business Cases	All HLPPs and Programme Business Cases	None	No	<ul style="list-style-type: none"> Once a Programme Business Case is approved, CE has delegated authority to approve, or to delegate approval, of individual project cases, subject to financial thresholds for opex, capex and acquisitions & disposals Programme business cases to be pre-approved by ELT before referral to the board Changes to approved programmes may require board approval, subject to the Panuku change framework
	Project business cases	Project based decisions where referred by the CE	<ul style="list-style-type: none"> Approval of transactions, or proposed transactions, where board approval is not required and within financial limits 	Yes	<ul style="list-style-type: none"> Business case decisions (recommending transactional terms, or proposed transactional terms (go-to-market strategy), and approach)

Area	Detail	Authorities and Approvals reserved by the Eke Panuku Board of Directors <u>(the Board)</u>	Authoritles and Approvals delegated to the <u>Eke Panuku Chief Executive (CE)-(CE)</u>	Is Chief Executive further delegation possible? <u>available</u>	Notes
			<ul style="list-style-type: none"> Determining issues of significance or sensitivity 		<p>to be pre-approved by Programme Steering Group (PSG) before referral to the CE / board</p> <ul style="list-style-type: none"> Circumstances which might cause the CE to refer a project business case to the board could include transactional terms, or proposed transactional terms (go-to-market strategy), where: <ul style="list-style-type: none"> A value exchange is proposed a payment will be more than 10% over current market valuation a disposal will be more than 10% under current market valuation a commitment will not make the required ROI on commercial capital the proposal is to enter into an exclusive agreement with a development partner the proposal represents a significant risk to Eke Panuku, including reputational risk The proposal is a site sale in a Priority Location Will involve the use of the Public Works Act (PWA) for urban renewal
Legal Interests in land	Legal interests in land as part of leasing arrangements and/or development programmes	Significant agreements above CE delegation	<ul style="list-style-type: none"> Determining issues of significance 	Yes	
RMA planning matters	Plan changes, designations and resource consent applications, planning submissions and appeals to third party applications	Submissions in opposition to Auckland Council or other CCOs	<ul style="list-style-type: none"> Prepare, lodge and progress plan changes, designations and resource consent applications Prepare and lodge appeals to third party plan changes or resource consents 	Yes	
Business Interests, Investments, Divestments, Limited Partnerships, Joint Ventures	Third party business interest agreements	Approval of third-party agreements valued above \$1,000,000	<ul style="list-style-type: none"> Approval of third-party agreements up to and including \$1,000,000 Variation of a board approved amount by 5% 	Yes	
	Third party business interest agreements where Panuku is taking a developer role	All investments or divestments in a business combination such as subsidiary, JV or associate	None	No	

Area	Detail	Authorities and Approvals reserved by the Eke Panuku Board of Directors <u>(the Board)</u>	Authoritles and Approvals delegated to the <u>Eke Panuku Chief Executive (CE)-(CE)</u>	Is Chief Executive further delegation possible? <u>Is available</u>	Notes
	Payments to external parties for purchases or restructure of assets of businesses	All investments or divestments in a business combination such as subsidiary, JV or associate	None	No	
Capital (capex) divestment <u>Disposal of physical assets, non land and property</u>	Capex divestment (sale of fixed asset) <u>Disposal of physical assets, non land and property</u>	Disposal of a fixed asset <u>Disposal of physical assets with a purchase value greater than \$100,000</u>	Disposal of a fixed asset <u>Disposal of a physical asset with a purchase value up to \$100,000</u>	Yes	
Insurance	Insurance policy execution of any group-wide insurance policies	Cancellation of a group wide insurance policy	None	No	
	Settlement of claims	All settlement payments by Panuku over \$100,000	• Settlement payments by Panuku up to and including \$100,000	No	
Legal agreements, contractual commitments	Any legal agreement or contractual commitments not covered elsewhere	Significant contracts between other CCOs, council or government	<ul style="list-style-type: none"> Any contractual or legal agreements not covered elsewhere Determining issues of significance 	No	Note that opex/capex limits apply to contractual commitments
People and Culture	Appointments, terminations, employee remuneration, learning and development	<ul style="list-style-type: none"> Approval of new positions of direct reports to the CE Approvals for dismissals and medical resignations of direct reports to the CE Salary changes for the CE and direct reports to the CE 	<ul style="list-style-type: none"> Approval of new positions, except direct reports Appointment of direct reports to the CE Approval of salaries outside of salary bands Annual salary changes, allowances and out of cycle salary reviews Major organisational changes, including disestablishment & redundancy Approval of any final warnings, disciplinary dismissals, medical resignations 	Yes	<ul style="list-style-type: none"> Appointment of direct reports to the CE must be in consultation with the board Major organisational changes must be in consultation with the board
Media and Communication	Mayoral and issues management protocols	First right of refusal for alerting the Mayor to issues of significance or sensitivity	<ul style="list-style-type: none"> Determining issues of significance or sensitivity Appointing media spokesperson(s) Delivery of appropriate communications management activities in the best interests of the organisation 	Yes	<ul style="list-style-type: none"> The board must be notified where there are reputational risks for the organisation All media coverage, including media releases, is provided to the board The Chair has a spokesperson role on certain issues including those relating to the CE and executive, also any business of the board or committees
Policies and standards	Policies, standards, guidelines and management systems	<ul style="list-style-type: none"> Major policies determining <u>Eke Panuku</u> direction and strategy, including strategic policies relating to Priority Location programmes Adoption of Auckland Council group policies 	<ul style="list-style-type: none"> Changes to council group policies Operational policies, integrated business frameworks and Panuku procedures and management systems 	Yes	

Audit and Risk Committee – Terms of Reference update

Author(s): Alice Newcomb, Governance Manager

August 2024

Ngā tūtohunga | Recommendations

That the Eke Panuku Board:

- a. approves the revised Audit and Risk Committee Terms of Reference.

Whakarāpopototanga matua | Executive summary

1. The Audit and Risk Committee reviewed and endorsed the revised Terms of Reference (ToR) for board approval on 22 July 2024.
2. The purpose of this out-of-cycle review is to update the ToR to reflect evolving climate related risk reporting, legislation and oversight best practice.
3. The New Zealand government has introduced legislation mandating climate-related disclosures. The Financial Sector (Climate-related Disclosures and Other Matters) Amendment Bill, passed in 2021, requires large financial institutions, listed companies, and some Crown entities to disclose their climate-related risks and opportunities. This aligns with the recommendations of the Task Force on Climate-related Financial Disclosures (TCFD).
4. Under the legislation, Auckland Council (Council) is required to disclose their climate-related risks and opportunities; Eke Panuku will be working with Council to provide input for the assets managed on behalf Council.
5. Under the legislation Eke Panuku is not required to but will chose to include some expanded climate related disclosures in its 2024 annual report.
6. The ToR define the purpose, structure and scope of the Committee to enable the Committee to give good advice and recommendations to the board members of Eke Panuku Development Auckland on audit, financial and risk management matters.
7. The ToR were initiated in September 2015 when Eke Panuku was formed. The ToR were last reviewed in September 2023 as part of the standard biennial review.

Horopaki | Context

Previous Board / Council engagement and decisions		
Date and meeting	Document	Decision / Outcome
22 July 2024 Committee meeting	Terms of Reference review	The Committee approved recommendation to the Eke Panuku Board.
25 August 2021 Board meeting	Terms of Reference review	Approved by the Eke Panuku Board.

18 September 2023 Committee meeting	Terms of Reference review	The Committee approved recommendation to the Eke Panuku Board.
27 September 2023 Board meeting	Terms of Reference review	Approved by the Eke Panuku Board.

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

8. Not applicable.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

9. There are no financial and resourcing impacts pertaining to these ToR.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

10. There are no risks associated with implementing these ToR.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

11. There are no stakeholder impacts pertaining to these ToR.

Tauākī whakaaweawe Māori | Māori outcomes impact

12. There are no Māori outcomes or impacts pertaining to these ToR.

Tauākī whakaaweawe āhuarangi | Climate change impact

13. Eke Panuku management are working to integrate climate related risk management and reporting into all aspects of the business. Understanding and reporting on climate-related risks will enable Eke Panuku to better manage these risks by mitigating potential financial impacts, adapting to changing environmental conditions, and enhancing the resilience of the business.

Ngā koringa ā-muri | Next steps

14. These ToR are scheduled for review again in August 2026.

Ngā tāpirihanga | Attachments

Attachment A – Audit and Risk Committee – Terms of Reference

Ngā kaihaina | Signatories

Carl Gosbee, Chief Financial Officer

David Rankin, Chief Executive

Audit and Risk Committee - Terms of Reference

1. Policy purpose and objectives

- 1.1. The Audit and Risk Committee (the Committee) has been established by the Board of Directors (the Board) of Eke Panuku Development Auckland Limited to assist the Board in fulfilling its oversight responsibilities relating to financial reporting, internal controls, risk management, and compliance with applicable laws and regulations.
- 1.2. The objectives of the Committee are:
 - Integrity of financial reporting and accounting policies and compliance with best practice;
 - The risk management and assurance framework and monitoring compliance with the framework;
 - Internal and external audit.; and
 - Compliance with applicable laws, regulations, and standards.
- 1.3. The Committee will have responsibility for other matters not listed above as delegated from the Board from time to time.
- 1.4. The Committee acts in this capacity by monitoring, reviewing, endorsing, and advising on the above matters as set out in these Terms of Reference.
- 1.5. The Committee has the ability to make recommendations on the above matters to the Board for subsequent approval.

2. Authority

- 2.1. The Committee has delegated authority from the Board in respect of the functions and powers set out in these Terms of Reference.
- 2.2. The Committee has the authority to:
 - Investigate any matter relevant to its purpose;
 - Seek any information it requires from the Chief Executive (CE), executive and senior management, any other Eke Panuku staff, or external parties; and
 - Obtain, at Eke Panuku's expense, external legal or other professional advice, as considered necessary to fulfil its responsibilities.

3. Membership and Terms of Appointment

- 3.1. The Board shall only appoint Board directors to the Committee.
- 3.2. The Committee will have at least four members, one of whom may be the Board Chair, unless the number of Board members is less than four, in which case the Committee will consist of all Board members.
- 3.3. The Board Chair will be an ex-officio member of the committee and may not be the Committee Chair.
- 3.4. The Board will appoint and remove the Chair of the Committee.

- 3.5. The composition of the Committee will be reviewed at such a time as, and when the composition of the Board changes. The Board may appoint and remove members of the Committee at any time.
- 3.6. If the Committee Chair is unable to attend a meeting, the members present will elect one of themselves to chair the meeting.

4. Meetings

- 4.1. It is intended that the Committee will meet at least three times a year, with authority to convene additional meetings as circumstances require.
- 4.2. At least half of the total number of Committee members shall form a quorum.
- 4.3. Directors who are not members of this Committee are entitled to receive copies of the papers and minutes of this Committee and attend any meeting without further invitations (unless they are precluded due to conflicts of interest).
- 4.4. The Eke Panuku Chief Financial Officer, Manager Corporate Risk and Reporting and Finance Manager (or their nominees) are expected to attend all meetings.
- 4.5. The Governance Manager or their nominee will act as Secretary to the Committee and will attend all meetings.
- 4.6. The Secretary will record the proceedings and decisions of the Committee meetings and the minutes will be circulated to all members and attendees, as appropriate, considering any conflicts of interest that may exist.

5. Responsibilities

The Committee will carry out the following responsibilities:

5.1. Financial Reporting

- Review the Annual Report, including the Statement of Service Performance and Financial Statements, and consider whether it is complete, consistent with information known to Committee members, reflects appropriate accounting treatments and adequately discloses Eke Panuku's financial performance and position;
- Recommend the adoption of the Annual Report to the Board;
- Review, and approve on behalf of the Board, the half and full year financial information, prior to submission to Auckland Council for its consolidation purposes, along with any letter of representation required by Auckland Council; in the case of the half year financial information and representation letter, the Committee may sub delegate approval of these to the Chief Executive and Chief Financial Officer; and
- Understand strategies, assumptions, and estimates that management has made in preparing financial statements.

5.2. Risk Management

- Monitor Eke Panuku's risk management framework, ~~including the controls for prevention and detection of fraud~~ and the internal controls instituted to reduce risk;

- Monitor Eke Panuku's risk profile – its on-going and potential exposure to risks of various types;
- Receive reports on management's implementation and maintenance of the risk management framework to ensure that appropriate policies and practices are in place to manage the risks considered to be the most material for Eke Panuku, and that regular risk reviews are undertaken by management;
- Review at least annually all insurance cover and ~~make recommendations to the Board having regard to the business needs; and review of~~ supporting documentation for insurance renewals; and
- Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

5.3. Internal Controls including Fraud Prevention

- Review the adequacy and effectiveness of key policies, systems, and controls for providing a sound internal control environment;
- Review of the delegated authority policies of the company;
- Oversight of the company's legislative compliance framework;
- Review Eke Panuku's fraud prevention policies and controls, and awareness programmes; and
- Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event.

5.4. Sustainability

- Oversight of the reporting of climate-related risks in line with regulatory obligations;
- Review climate-related risk management processes and controls;
- Ensure the climate-related risk management processes and controls reflect material changes in Eke Panuku's business strategy, external environment, and knowledge about climate-related risks; and
- Oversight of independent assurance of Eke Panuku's climate related reporting including climate disclosure statements.

5.4.5.5. Internal Audit

- Approve the internal audit programme;
- Review reports on internal audit reviews and monitor management's actions to implement recommendations for improvement;
- Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Eke Panuku and has no unjustified limitations on its work;
- Review of the independence of the internal auditors including by meeting with the internal auditors without management present at least annually; and
- Review the appointment and performance of the internal auditor.

5.5.5.6. External Audit

- Review the proposal and engagement letters of the external auditor and their fees;
- Review the annual audit and reports over the Annual Report, assessing the findings and recommendations, and seeking confirmation that management has responded appropriately to the findings and recommendations;
- Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information; and
- Ensure that significant findings and recommendations made by the external auditor, and management’s responses to them, are appropriate and are acted upon in a timely manner.

6. Conflicts of Interest

6.1. The Chair shall ascertain, at the beginning of each meeting, any potential, perceived or actual Conflicts of Interest and the Secretary shall minute them accordingly.

7. Report to the Board

- 7.1. Minutes of each Committee meeting recording recommendations and proposals approved will be provided to the following Board meeting.
- 7.2. Annually, the Committee shall conduct a self-assessment of its performance and effectiveness. The Committee will prepare a report to the Board indicating how the Committee has discharged its responsibilities as set out in these Terms of Reference for the previous year; and include a description of significant issues dealt with by the Committee and any recommendations for areas of improvement.

8. Review of Terms of Reference

8.1. The Committee will review and assess the adequacy of the Terms of Reference ~~every two years~~ biennially and recommend revisions and improvements to the Board.

Business Owner	Chief Financial Officer	
Document date	27 September 2023 <u>20 August 2024</u>	
Date for review	September 2025	
Version	Date	Approver
1.0	25 August 2021	Eke Panuku Board
2.0	27 September 2023	Eke Panuku Board
<u>3.0</u>		<u>Eke Panuku Board</u>

Audit and Risk Committee – Appointment and Composition

Author(s): Alice Newcomb, Governance Manager

August 2024

Ngā tūtohunga | Recommendations

That the Eke Panuku Board:

- a. notes that the terms of Paul Majurey and Jennifer Kerr will conclude on 31 August 2024.
- b. approves the appointment of Steve Evans to the Audit and Risk Committee, effective 01 September 2024.
- c. approves the appointment of John Coop to the Audit and Risk Committee, effective 01 September 2024.
- d. notes David Kennedy becomes an ex-officio member of the Audit and Risk Committee, effective 01 September 2024.
- e. notes the composition of the Audit and Risk Committee will be reassessed when new board members are appointed by Auckland Councils Appointments & Remuneration Committee.

Whakarāpopototanga matua | Executive summary

1. Current Audit and Risk Committee (Committee) members are Kenina Court, Chair; David Kennedy; Jennifer Kerr and Paul Majurey; Board Chair, ex-Officio.
2. Paul Majurey's and Jennifer Kerr's board terms conclude on 31 August 2024, leaving the Eke Panuku board with four members as of 1 September 2024.
3. According to the Committee Terms of Reference, the Committee must have at least four members, with two members forming a quorum. One of these members may be the Board Chair, unless the total number of Board members falls below four, in which case the Committee will consist of all Board members. The Committee Terms of Reference are attached as **Attachment A**.
4. Auckland Council's Appointments & Remuneration Committee is responsible for appointing directors to Eke Panuku and is currently in the process of recruiting board members. Once the Council appoints two further board members, as planned, the board can revisit the Committee's composition.
5. David Kennedy has been appointed as the new board Chair, effective 01 September 2024. As board chair, David Kennedy becomes an ex-officio member of the Committee on appointment.
6. The Chief Executive has discussed the Committee composition with the designate Board Chair and is satisfied the Committee has the appropriate mix of skills, experience, and expertise to fulfil its functions as required by the Terms of Reference.

Horopaki | Context

Previous Board / Council engagement and decisions		
Date and meeting	Document	Decision / Outcome
September 2023	Decision Paper: Audit and Risk Committee recommendations	The Eke Panuku Board: approved the revised terms of reference for the Audit and Risk Committee.

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

7. Not applicable.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

8. There are no financial implications relating to the current composition of the Committee. Committee members do not receive compensation, over and above, their directors' fees.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

9. There is minimal risk associated to the appointment of John Coop and Steve Evans.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

10. There are no stakeholder impacts associated with the current composition of the Committee.

Tauākī whakaaweawe Māori | Māori outcomes impact

11. There are no Māori impacts relating to the current composition of the Committee.

Tauākī whakaaweawe āhuarangi | Climate change impact

12. There are no environmental or climate change related impacts to the current composition of the Committee.

Ngā koringa ā-muri | Next steps

13. It is intended that following board approval, the composition of the Committee remains as four members.

Ngā tāpirihanga | Attachments

Attachment A – Audit and Risk Committee Terms of Reference

Ngā kaihaina | Signatories

Carl Gosbee, Chief Financial Officer

David Rankin, Chief Executive

Audit and Risk Committee - Terms of Reference

1. Policy purpose and objectives

- 1.1. The Audit and Risk Committee (the Committee) has been established by the Board of Directors (the Board) of Eke Panuku Development Auckland Limited to assist the Board in fulfilling its oversight responsibilities relating to financial reporting, internal controls, risk management, and compliance with applicable laws and regulations.
- 1.2. The objectives of the Committee are:
 - Integrity of financial reporting and accounting policies and compliance with best practice;
 - The risk management and assurance framework and monitoring compliance with the framework;
 - Internal and external audit.; and
 - Compliance with applicable laws, regulations, and standards.
- 1.3. The Committee will have responsibility for other matters not listed above as delegated from the Board from time to time.
- 1.4. The Committee acts in this capacity by monitoring, reviewing, endorsing, and advising on the above matters as set out in these Terms of Reference.
- 1.5. The Committee has the ability to make recommendations on the above matters to the Board for subsequent approval.

2. Authority

- 2.1. The Committee has delegated authority from the Board in respect of the functions and powers set out in these Terms of Reference.
- 2.2. The Committee has the authority to:
 - Investigate any matter relevant to its purpose;
 - Seek any information it requires from the Chief Executive (CE), executive and senior management, any other Eke Panuku staff, or external parties; and
 - Obtain, at Eke Panuku's expense, external legal or other professional advice, as considered necessary to fulfil its responsibilities.

3. Membership and Terms of Appointment

- 3.1. The Board shall only appoint Board directors to the Committee.
- 3.2. The Committee will have at least four members, one of whom may be the Board Chair, unless the number of Board members is less than four, in which case the Committee will consist of all Board members.
- 3.3. The Board Chair will be an ex-officio member of the committee and may not be the Committee Chair.
- 3.4. The Board will appoint and remove the Chair of the Committee.

- 3.5. The composition of the Committee will be reviewed at such a time as, and when the composition of the Board changes. The Board may appoint and remove members of the Committee at any time.
- 3.6. If the Committee Chair is unable to attend a meeting, the members present will elect one of themselves to chair the meeting.

4. Meetings

- 4.1. It is intended that the Committee will meet at least three times a year, with authority to convene additional meetings as circumstances require.
- 4.2. At least half of the total number of Committee members shall form a quorum.
- 4.3. Directors who are not members of this Committee are entitled to receive copies of the papers and minutes of this Committee and attend any meeting without further invitations (unless they are precluded due to conflicts of interest).
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- Oversight of the reporting of climate-related risks in line with regulatory obligations;
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Westhaven Marina Limited – Director appointment / Composition

This paper has been redacted as releasing it would prejudice the commercial position of Eke Panuku or Auckland Council. In terms of Section 7 of the Local Government Official Information and Meetings Act 1987, Eke Panuku is entitled to withhold information where making available the information where:

- maintains the effective conduct of public affairs through free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty (s7(s)(f)(i)); and
- would be likely to prejudice or disadvantage the commercial position of Council (s7(2)(h)).

Eke Panuku Rīpoata Huanga Māori ā Tau – Eke Panuku Annual Māori Outcomes Report

Author(s): Angelika Cutler, General Manager Community and Stakeholder Relationships; Jordan Taiaroa, Head of Māori Outcomes

August 2024

Whakarāpopototanga matua | Executive summary

1. The purpose of this information paper is to update the Eke Panuku board on our work with Mana Whenua. The report focuses on four key areas:
 - a. the Statement of Intent targets for the year
 - b. annual engagement with Mana Whenua
 - c. progress on the Achieving Mana Whenua Outcomes plan
 - d. update on the Iwi Development Grant.
2. Eke Panuku exceeded one of its Statement of Intent requirements to deliver 40 initiatives that provided Māori Outcomes, delivering 59 overall initiatives.
3. Eke Panuku improved its satisfaction rating this year by 4%, ending with a 60% overall satisfaction rating. Although, the second Statement of Intent objective did not meet the 5% target increase, Eke Panuku continues to gradually increase Mana Whenua satisfaction annually in our engagement approach with iwi. The Engagement Survey held annually is not reported in full in this report and will be reported next month.
4. Eke Panuku still enjoys close relationships with our Mana Whenua partners and maintains a regular and positive engagement schedule. Eke Panuku has hosted 108 meetings with Mana Whenua in FY 23/24.
5. Eke Panuku completed six out of 11 year one actions in the Achieving Mana Whenua Outcomes Plan. Two actions narrowly missed the success measures and three actions progressed but were unfinished and will be carried over to year two to be completed.
6. The Iwi Investment Grant under the current model is not delivering on the objectives of the fund. With a low uptake of one joint application for the year, the Māori Outcomes team has engaged with Mana Whenua to discuss opportunities to rescope the grant. The Executive will report further on this topic, with a recommendation, in due course.

Matapaki | Discussion

Statement of Intent commitments

7. Eke Panuku's Statement of Intent (SOI) for financial year 23/24 required us to achieve two outcomes:
 - a. Deliver 40 initiatives that support Māori outcomes
 - b. Improve Mana Whenua satisfaction by 5% from the previous year.

8. Eke Panuku delivered 59 initiatives this year that provide outcomes for Māori.
9. The engagement survey results indicated an overall satisfaction rating of 60%. The Māori Outcomes team will provide a full report of the final survey results in September's Board meeting.

Deliver 40 initiatives that support Māori Outcomes

10. In the last financial year, Eke Panuku achieved 59/40 initiatives that support Māori outcomes. This is an increase of eight initiatives compared to last financial year.
11. The initiatives on the list are derived from actions that we have delivered in our regeneration programme and through our work implementing the AMWO Plan.
12. 30 culture and identity initiatives were delivered in the last year. Eke Panuku placemakers met with the Mana Whenua on six occasions to seek guidance in placemaking initiatives. We also delivered six initiatives aligned to integrated Māori art within projects and artist procurement.
13. Eight economic initiatives were delivered in the last year. Eke Panuku provided four commercial development opportunities for iwi in Northcote, Pukekohe, Hobsonville and the Waterfront. This promoted conversations between iwi and developers and resulted in joint tenders between Māori and developers on the Hobsonville and waterfront sites. The Selecting Development Partners policy ensures all commercial developments are taken to the open market with a 15% weighting for Māori Outcomes.
14. 12 governance initiatives were delivered in the last year. This includes monitoring and reviewing AMWO progress and delivering quarterly Eke Panuku Executive to Rangatira meetings.

Recent engagement with Mana Whenua

15. Eke Panuku continues to maintain regular and positive engagement with Mana Whenua representatives at both the governance and kaitiaki level. Eke Panuku has hosted 10 collective meetings with Mana Whenua in our weekly forum and 10 one to one meetings with three individual iwi.
16. Our strong engagement approach with Mana Whenua supports the delivery of the Māori Outcomes initiatives within its SOI objectives.
17. Through the iwi engagement survey and feedback, we understand the need to engage with iwi in a nuanced way to support individual iwi mana motuhake (sovereignty). The Māori Outcomes Team now holds direct hui with three iwi.
18. Our conversations are focused on three programmes:
 - a. Placemaking, with 12 meetings
 - b. Transform Wynyard, with 16 meetings
 - c. Eke Panuku-wide work, with 22 meetings.
19. Placemaking was a significant area of engagement between Eke Panuku and Mana Whenua. Two key areas of focus were reshaping the He Pia He Tauira, rangatahi programme, to achieve the objectives being sought. Supporting Mana Whenua Mataariki initiatives was a further focus area for Placemaking.
20. The He Pia He Tauira programme, is our Rangatahi Placemaking experience programme that was developed in partnership with Mana Whenua in 2018. The purpose of this programme is to grow the capability of both Panuku and Rangatahi to work collaboratively in the uplifting and creation of

meaningful places; to develop leadership skills, and to explore opportunities by connecting and learning through tikanga, reo and kawa.

21. With an insufficient internal budget dedicated to this programme, Eke Panuku and Mana Whenua applied to the Auckland Council Māori Outcomes Fund seeking funding to deliver the programme. The application to the Māori Outcomes Fund was successful. Following Mana Whenua feedback, the fund allocated funding to contract a project co-ordinator to manage the delivery of the programme.
22. Te Ara Tukutuku continues to be implemented by the Toi Waihangā consortium in the Wynyard Quarter. The consortium engages with Mana Whenua through a weekly working group to achieve strong cultural and environmental outcomes for Te Ara Tukutuku.
23. Eke Panuku's enterprise objectives, including actions from the AMWO were key focus points in our engagement with iwi. We collaborated with Mana Whenua on all our objectives to ensure our work was aligned with Mana Whenua aspirations and as partners, felt included in our processes.
24. A full summary of our work with Mana Whenua between July 2023-July 2024 is available at **Attachment A**.

Achieving Mana Whenua Outcomes Framework

25. 11 year one actions were scheduled to be delivered. Eke Panuku:
 - a. completed 6 out of 11 actions
 - b. two actions did not meet the success measures.
 - c. three actions started but were unfinished and will be carried over to year two to be completed.
26. 21 ongoing actions were also scheduled to be delivered. Eke Panuku ended year one with:
 - a. 19 actions on track
 - b. 2 actions that are delayed.
27. Throughout the implementation of the AMWO, the Māori Outcomes team met with the Mana Whenua Forum to provide six- and 12-month progress updates. This provides Mana Whenua the opportunity to review our delivery of the actions to ensure the AMWO continues to align with iwi values and aspirations.
28. Year two of the AMWO will focus on delivering eight one-off actions and 24 ongoing actions. A full report of the AMWO is included in **Attachment B**.

Iwi Development Grant

29. In 2016, Eke Panuku established the non-contestable fund to enable Mana Whenua to compete in Eke Panuku procurement and commercial opportunities. The fund is split into 19 parts to allow each iwi access to an equal portion of the fund, totalling \$5300 per year.
30. Eke Panuku, to date, has released \$21.6k to iwi through the grant. Low uptake of the grant continues to be an issue with two iwi successfully applying to the Grant this financial year. Under the current grant model, the objectives of the grant are not being achieved.
31. The Māori Outcomes team met with ELT to discuss extending provision of the grant as the grant is due to end FY 26/27. Feedback from ELT centred on clarifying the purpose and outcomes of the grant and once clarified, whether an extension to the grant is an appropriate course of action.
32. Eke Panuku will workshop with iwi to rescope the current processes and criteria to present back to the Board, seeking its guidance on next steps.

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

33. No options to consider.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

34. Minimal resource impacts to consider in this report.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

35. No risks to consider.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

36. No significant stakeholder impacts.

Tauākī whakaaweawe Māori | Māori outcomes impact

37. The report outlines the work Eke Panuku continues to deliver that aligns to aspirations and outcomes for Mana Whenua and Māori.

Tauākī whakaaweawe āhuarangi | Climate change impact

38. The Achieving Mana Whenua Outcomes Plan report attached to this paper speaks to the Natural Environment outcomes that Eke Panuku delivers through the AMWO plan.

Ngā tāpirihanga | Attachments

Attachment A - Recent engagement with Mana Whenua August 2024

Attachment B - Year one results of the Achieving Mana Whenua Outcomes Plan – August 2024

Attachment A: Recent engagement with Mana Whenua August 2024

The purpose of this report is to describe the number of engagement activities with mana whenua between 1 July 23 and 1 July 24. This report does not record meetings with mana whenua that exclude the Māori Outcomes Team such as direct engagements between the project teams and iwi.

Programme	Number of hui	Status of the project
Henderson	1	
Wai Horotiu Connection	1	Eke Panuku met with mana whenua to seek feedback on the proposed Wai Horotiu Connection project
City Centre	4	
Te Kōmititanga Place Pilot	1	Eke Panuku seeks input from mana whenua into the design of the Te Komititanga Placemaking activation Pilot
Symphony Centre	2	Eke Panuku and developer MRCB met with Mana whenua to discuss current progress on the Symphony Centre project
Downtown Carpark Development	1	Eke Panuku and Precinct Properties met with the Eke Panuku mana whenua forum to provide an update on the project and outline opportunities open for mana whenua to be a part of.
Direct Engagement	11	
Ngāti Whātua Ōrākei	5	Eke Panuku meets directly with Ngāti Whātua Ōrākei to discuss priority kaupapa
Ngāti Paoa Iwi Trust	3	Eke Panuku meets directly with Ngāti Paoa Iwi Trust to discuss priority kaupapa
Te Ahiwaru	1	The Board met directly with Te Ahiwaru to discuss priority kaupapa
Te Kawerau ā Maki	2	Eke Panuku meets directly with Te Kawerau ā Maki to discuss priority kaupapa
Eke Panuku	22	
Verian Annual Mana Whenua Engagement Survey 2024	1	Eke Panuku engaged Verian (Formerly known as Kantar) to carry out an engagement survey with iwi representatives to measure the level of satisfaction with our engagement process
Mana Whenua Engagement Survey and Action Plan 2023	2	Eke Panuku engaged Verian (formerly known as Kantar) to carry out an engagement survey with Mana Whenua
Head of Māori Outcomes Recruitment	1	Mana Whenua were asked to be a part of the selection panel for the Head of Māori Outcomes
Board Intern Opportunity	1	Eke Panuku seeks input from mana whenua into the Eke Panuku board development programme
Promoting and Re-scoping the Iwi Development Grant	3	Eke Panuku met with mana whenua to discuss applying to the iwi investment grant. Further engagements relate to re-scoping the grant.
Developing a Terms of Reference/ Principles to Engagement	2	Eke Panuku have presented the current draft terms of reference to iwi to discuss the refresh of the TOR and any areas that need to be developed. Feedback was gathered and will be taken back to the forum.

Programme	Number of hui	Status of the project
Selecting Development Partners Policy Review	1	Eke Panuku reviewed the impact of the Selecting Development Partners Policy and presented the findings to iwi. Iwi were happy with how the policy was supporting them to be a part of development opportunities
Presenting Internal Capability Survey Results and Plan	1	Eke Panuku seeks input from mana whenua into the Eke Panuku capability development programme
Mana Whenua Outcomes Framework Final Review	1	Eke Panuku shared the completed deliverables from the MWOF with mana whenua, who shared positive feedback about the completed actions.
Engaging Mana Whenua Mandated Artists Guidelines	1	Eke Panuku and Mana Whenua worked together to develop a set of guidelines to procure an artist
Achieving Mana Whenua Outcomes Framework Biannual Review	1	Eke Panuku met with Mana Whenua to discuss the AMWO delivery plan and present on the key deliverables for year one of the plan
Presenting the Internal Capability Survey Results and Action Plan	1	Eke Panuku met with Mana Whenua to share the Eke Panuku internal survey results.
Take Mauri Take Hono Intellectual Property	1	Eke Panuku and Mana Whenua met with McCaw Lewis to discuss the intellectual property arrangements.
Reviewing the Action Register	4	Eke Panuku provides status updates on actions that come from hui
Revised Homestar Requirements	1	Eke Panuku met with Mana Whenua to discuss a proposed increase in the minimum Homestar requirement for apartments to 7 star and outline proposed mandatory credits
Mana Whenua to Leadership Forum	12	
Executive to Rangatira	4	The Eke Panuku CE met with mana whenua to provide enterprise-wide updates and discuss their thoughts and concerns.
Board to Board	1	The Eke Panuku Board met with mana whenua to build positive relationships and discuss issues in the sector.
Property opportunities	2	The Property team met with mana whenua to discuss the current properties within our Property Portfolio.
Regional Programme Update 23/24	1	Eke Panuku provided a regional programme update to iwi leaders
North & Isthmus Programme Update 23/24	1	Eke Panuku provided the forward working programme for North and Isthmus programmes
South & West Programme Update 23/24	1	Eke Panuku provided the forward working programme to Mana Whenua leaders for South and West programmes
City Centre Programme Update 23/24	1	Eke Panuku provided the forward working programme to Mana Whenua leaders for the City Centre programme

Programme	Number of hui	Status of the project
Waterfront and Special Projects Programme Update 23/24	1	Eke Panuku provided the forward working programme to Mana Whenua leaders on Waterfront programmes
Manukau	2	
Manukau Public Art strategy	1	Eke Panuku have workshopped with both the mana whenua forum and the Te Waiohū iwi roopu to further the Manukau Public Art strategy.
Te Puhinui Update	1	Eke Panuku met with Mana Whenua to provide an update on Te Whakaoranga o Te Puhinui Regeneration Programme and associated capital projects
Northcote	8	
Northcote Deconstruction and Blessing Strategy	2	Eke Panuku met with Mana Whenua to discuss the deconstruction and blessing approach for the Northcote programme.
Northcote Community Hub and Cadness Reserve Upgrade	4	Eke Panuku and Architectus met with mana whenua to discuss the upgrade of both the community hub and Cadness reserve.
Te Ara Awataha	1	Eke Panuku met with Mana Whenua to discuss the progress on Te Ara Awataha, the regeneration programme and, Take Mauri Take Hono.
Para Kore Waste Review	1	Eke Panuku, Community Waste (AC), Kaipātiki Project, and an Auckland University student met to provide an update to Mana Whenua around the Para Kore Zero Waste Northcote programme including upcoming deconstruction and opportunities to feed into evaluation approach
Onehunga	7	
Waiapu Precinct	1	Eke Panuku and its' design team met with mana whenua to provide detailed designs of the proposed public realm fronting the Onehunga Countdown. Artist Graham Tipene attended to discuss his artwork in relation to the narrative.
Onehunga Wharf Public Realm	5	Eke Panuku have met Mana Whenua to discuss progress of the design, Mana Whenua participation, and the establishment of a project working group
Interim Walk and Cycle Track	1	Eke Panuku presented to mana whenua their intent to develop an interim cycle path near the Onehunga wharf.
Panmure	10	
Station Precinct	2	Eke Panuku presented their intent to deliver a transit-oriented development in the Panmure town centre.
3 Kings Road Development Panmure	1	Eke Panuku, JasMax and Capital group met with Mana Whenua to discuss the intended development for 3 Kings Road development
Maungarei Connection	2	Eke Panuku presented their intent to deliver a roadway that connects the entrance of Maungarei to Pōtaka Lane.
Artist Selection for Panmure Projects	2	Eke Panuku met with Mana Whenua to discuss the EOI and introduce the artist
Stormwater Study	1	Eke Panuku met with Mana Whenua to discuss the intention of Eke Panuku to undertake a Stormwater study in Panmure
Hikoi for Panmure Public Realm Projects	1	Eke Panuku, Mana Whenua and the artist attended a site visit to Maungarei and Panmure Lagoon Edge Reserve
Lagoon Edge Reserve	1	Eke Panuku met with Mana Whenua to identify opportunities to explore cultural expression in Lagoon Edge Reserve

Programme	Number of hui	Status of the project
Papatoetoe	4	
Stadium Reserve Playground Workshop	2	Eke Panuku met with Mana Whenua to continue to workshop the Papatoetoe Stadium Reserve playground with mana whenua to help guide this development and seek opportunities for expression of cultural narrative
Stadium Reserve Precinct	2	Eke Panuku has met with mana whenua to seek input on the Stadium Reserve that covers the Allan Brewster Centre down to the bowling club.
Placemaking	14	
Matariki	2	Eke Panuku met with mana whenua to discuss the development of a Matariki strategy that enables Eke Panuku to support iwi in delivering their Matariki aspirations
Placemaking Annual Plan	3	Eke Panuku presented the final Taurikura framework to mana whenua. This framework provides a Māori lens to placemaking.
Placemaking update	5	Eke Panuku's Placemaking team provide monthly updates on placemaking activity across Eke Panuku programmes
He Pia He Taurira	4	Eke Panuku met with mana whenua to provide an update on the He Pia He Taurira programme and to discuss the process of recruiting rangatahi.
Regional	1	
Ti Rākau Drive	1	Eke Panuku met with Mana Whenua to discuss how iwi would like to be part of the regenerative opportunity for the residual Eastern Busway land
Takapuna	2	
Takapuna Central Apartments	1	Eke Panuku met with Mana Whenua To provide an update and agree on the cultural narrative for the Takapuna Central Apartments project
Waiwharariki Community Event	1	Eke Panuku offered the opportunity for MW to support the Waiwharariki opening event
Waterfront	16	
Transitional Uses Update	1	Eke Panuku and Fresh Concept met with mana whenua to discuss the intent to provide placemaking activations at Hobson Wharf and the bases.
Madden Daldy Public Art Update	1	Eke Panuku met with iwi to provide a design update for the waka art installations on Madden Daldy Street
Coastal Permit Applications	3	Eke Panuku met with Mana Whenua to present/update an additional area 'Inner Viaduct' required for an occupation permit application.
Wynyard Crossing Bridge	1	Eke Panuku met with Mana Whenua to Provide further information on the work being done on the Wynyard Crossing Bridge
Sail GP	2	Eke Panuku met with Mana Whenua to discuss the Sail GP event being led by Tātaki Auckland Unlimited. Eke Panuku is planning to be involved by providing Te Ara Tukutuku space to support the event.
Te Ara Tukutuku	8	Eke Panuku has engaged extensively with mana whenua on the development of Te Ara Tukutuku. Toi Waihanga and Mana Whenua meet weekly in design workshops to further enhance the headland.
Marina	4	

Programme	Number of hui	Status of the project
Westhaven Seawall Update and Blessing	2	Eke Panuku engaged with Mana Whenua for a groundbreaking blessing for the Westhaven Seawall Project
Westhaven Maintenance Yard Relocation	1	Eke Panuku met with Mana Whenua to Inform and seek endorsement on proposed work within the harbour bridge park land.
Westhaven Marina Berth Renewal	1	Eke Panuku met with Mana Whenua to discuss its plans on the Westhaven Marina birth licensing
Grand Total	118	

Attachment B – Year one results of the Achieving Mana Whenua Outcomes Plan – August 2024

Author(s): Angelika Cutler, General Manager Community & Stakeholder Relations

August 2024

Whakarāpopototanga matua | Executive summary

1. 11 year one actions were scheduled to be delivered. Eke Panuku:
 - a. completed six out of 11 actions
 - b. two actions did not meet the success measures
 - c. three actions started but were unfinished and will be carried over to year two to be completed.
2. 21 ongoing actions were also scheduled to be delivered. Eke Panuku ended year one with:
 - a. 19 actions on track
 - b. two actions that are delayed
3. Year two of the AMWO will focus on delivering eight one-off actions and 24 ongoing actions

Matapaki | Discussion

Background and strategic alignment

4. In 2021, Auckland Council adopted a Māori Outcomes performance measurement framework called Kia Ora Tāmaki Makaurau. To support this framework, Auckland Council, through the mayors letter of expectation, requires Council-Controlled Organisations (CCOs) to adopt Achieving Māori Outcomes plans.
5. In 2023, the Eke Panuku Board, approved and adopted the Eke Panuku Achieving Mana Whenua Outcomes Plan (AMWO) to continue building on Eke Panuku's delivery of Māori outcomes through the previous Mana Whenua Outcomes Framework 2020 – 2023. Outlined in the plan are 38 actions to be delivered organisationally, over a three-year period.
6. The AMWO highlights Eke Panuku's intent to be a capable treaty partner by allocating actions across the business rather than centralizing the delivery from the Māori outcomes team.

7. Throughout the implementation of the AMWO, the Māori Outcomes team met with the Mana Whenua Forum to provide six- and 12-month progress updates. This provides mana whenua the opportunity to review our delivery of the actions to ensure the AMWO continues to align with iwi values and aspirations.
8. The review was received with little criticism directed at our work. There were however inquiries into changing some one-off actions to be delivered across the three-year timeframe of the plan.
9. Eke Panuku will continue to respond to iwi aspirations by delivering the AMWO through to FY 26/27.

A Summary of the Year One Actions in the Achieving Mana Whenua Outcomes Plan

10. Eke Panuku agreed to complete 11 year one actions in financial year 23/24

Pou	Unsuccessful	Complete	Carry Over
Kia ora te Ahurea – Culture and Identity			
Kia ora te Taiao – Kaitiakitanga over the whenua		1	
Kia ora te Umanga – Māori Business, Tourism and Employment	2		1
Kia Hāngai te Kaunihera – An Empowered Organisation		4	2
Kia ora te Hononga – Effective Mana Whenua Participation		1	
Total	2	6	3

Table 1. Progress against the year one actions in the AMWO

A Review Of The Year One Actions In The Achieving Mana Whenua Outcomes Plan

11. A RAG review has been adopted to highlight the stage of delivery of each action.

R	Unsuccessful, or failed to start			
A	Incomplete, or delayed			
G	Completed, or on track			
Pou	Actions	Measure	RAG	Comments
Kia Hāngai te Kaunihera	2. All information and decision reports going to the Eke Panuku board and executive consider Māori outcomes.	2.1 The decision and information board reports consider Māori outcomes 2.2 The decision and information ELT reports consider Māori outcomes.	G	Both ELT and Board papers now must outline how Māori Outcomes are considered.

Kia Hāngai te Kaunihera	11. Support targeted mentorship and career coaching opportunities for Māori employees.	11.1 Eke Panuku will provide Māori staff with the opportunity to access career coaching opportunities.	G	<p>The People & Culture team reached out to the Māori staff network in October to gauge interest in career coaching. There was little response. P&C will look to re-engage with them again on a 6 monthly basis.</p> <p>The internal Māori staff network is informed of key Māori updates relating to this action.</p>
Kia ora te Taiao - Kaitiakitanga	28. Eke Panuku collaborate with mana whenua to ensure that public realm projects achieve high-quality stormwater, rainwater, and design outcomes.	28.1 Eke Panuku will implement the Public Realm Standards in partnership with mana whenua	G	We engage with iwi on all public realm upgrades and development in our fora to ensure we achieve quality stormwater, rainwater and design outcomes.
Kia Hāngai te Kaunihera	4. Eke Panuku support mana whenua-led aspirations to appoint Māori into Auckland Council Group governance roles	4.1 Eke Panuku provide mana whenua information about when the Auckland Council Performance and Appointments Committee intend to appoint new board members and interns.	G	This financial year we have updated iwi on board internship opportunities. Next step will be to update iwi on upcoming board director vacancies
Kia ora te Hononga	23. Eke Panuku will appoint an independent survey company to discuss with mana whenua governors and operational staff the quality of our relationship.	<p>23.1 Mana whenua are invited to speak with an independent person about their relationship with Eke Panuku.</p> <p>23.2 Eke Panuku presents the feedback back to mana whenua and commits to actions to enhance the relationship.</p> <p>23.3 Over the last 12-months, mana whenua believe their relationship with Eke Panuku has improved</p>	G	Verian has completed all interviews and has provided Eke Panuku with draft preliminary results
Kia Hāngai te Kaunihera	8. Eke Panuku will implement the Auckland Council Group MAHI Strategy and Implementation Plan FY 2023/2024.	<p>8.1 Eke Panuku will work with the Auckland Council Group to deliver the actions into the MAHI strategy.</p>	G	<p>Eke Panuku delivers internal initiatives to ensure: We grow a capable workforce, provide a culturally safe environment and provide development opportunities to Māori.</p> <p>The Te ara ki Tua Action plan supports the uplift of Te Ao Māori Capability.</p> <p>Eke Panuku continues to deliver its Diversity and Inclusion strategy.</p>

				Action 11 will be an ongoing action that will continue to seek staff interest in career coaching opportunities.
Kia Hāngai te Kaunihera	12. Eke Panuku develop the capability of report writers so they can confidently consider how their work can uphold te Tiriti o Waitangi.	12.1 Eke Panuku will offer training to employees that regularly report to the board to ensure they have the capability to consider how their work can uphold te Tiriti o Waitangi.	A	Further work needs to be done to outline a programme to deliver on this action.
Kia ora te Umanga	36. If there is mana whenua interest, Eke Panuku will make an application to the Māori Outcomes Fund to pilot a mana whenua consortium to bid on development projects.	36.1 If there is mana whenua interest, Eke Panuku will make an application to the Māori Outcomes Fund to provide strategic advice to mana whenua to build their capability to access commercial property opportunities.	A	Initial email of interest was sent in Nov 23, four iwi responded. Followed up with a memo in May which had three responses. EP have met with one of the iwi so far and have a scheduled meeting with another.
Kia Hāngai te Kaunihera	9. Eke Panuku will, subject to budget and corporate office arrangements, refresh the office space frequently used by our mana whenua partners to reflect Māori culture and identity.	9.1 Eke Panuku will engage with Māori employees and mana whenua to consider updating the office space to reflect Māori identity. For example, installing kōwhaiwhai or other signs of Māori identity	A	Budgeting constraints has meant minimal scope of design to the floor. We are unable to have our hui on level 21 in its current layout. Eke Panuku met with Mana Whenua in August to discuss naming the rooms on the floor
Kia ora te Umanga	34. Eke Panuku to work internally with project managers to identify future opportunities to engage with mana whenua businesses	34.1 Eke Panuku increase the percentage of total expenditure on Māori businesses.	R	FY22/23 spend was 4.04m but went down to 3.45m this year Percentage of spend is 5.04% for FY 23/24 against 5.69% for FY22/23
Kia ora te Umanga	35. Engage with iwi to further develop our list of Maori businesses and explore their aspirations for working with Eke Panuku	35.1 Eke Panuku increase the range and number of Maori businesses involved in delivery of products and services.	R	Last year we had 56 Māori businesses we worked with and this year we had 51. There is an increase in the diversity of suppliers within, Arts, Events and Culture, Asset Management and Maintenance and Building and constructions

Table 2. A commentary against each of the year one actions in the Achieving Mana Whenua Outcomes Plan.

12. Of the 11 year one actions, iwi have noted that actions: 11, 34 and 35 need to be rescoped to be an ongoing action delivered each year. This would ensure procurement and

development opportunities for mana whenua and Māori continue to be prioritised by Eke Panuku.

13. The Māori Outcomes Team can confirm that no extra resource is needed to deliver the actions ongoing and can be delivered in business-as-usual processes.

A Summary of Year One Ongoing Actions in the Achieving Mana Whenua Outcomes Plan

Pou	Failed to Start	Incomplete	On-Track
Kia ora te Ahurea – Culture and Identity			3
Kia ora te Taiao – Kaitiakitanga over the whenua			7
Kia ora te Umanga – Māori Business, Tourism and Employment			2
Kia Hāngai te Kaunihera – An Empowered Organisation			1
Kia ora te Hononga – Effective Mana Whenua Participation		2	6
Total		2	19

Table 3. Progress against the year one ongoing actions in the AMWO

14. 21 ongoing actions are currently in progress and will continue to be delivered until the plan ends.

A review of the year one ongoing actions in the Achieving Mana Whenua Outcomes Plan

Pou	Actions	Measure	RAG	Comments
Kia Hāngai te Kaunihera	10. Support the Māori staff network, Te Whetū Rehua, to access the benefits within the Auckland Council Group.	10.1 Eke Panuku will support Māori staff to attend events that build connections with other Māori staff across the Auckland Council Group	G	Eke Panuku has activated its internal Māori Staff network and now connects monthly. We update our people through a shared Teams chat.
Kia ora te Ahurea	13. Eke Panuku will collaborate with mana whenua to protect and enhance wāhi tapu when designing new public spaces.	13.1 Eke Panuku will collaborate with mana whenua through the design process when working on public realm sites. For example, Harbour Bridge Park.	G	Eke Panuku continue to collaborate with mana whenua on all public realm projects across the work programme Examples include Panmure Lagoon Edge Reserve and Onehunga Wharf Public Realm

Kia ora te Ahurea	14. Eke Panuku invite mana whenua to express values and identity in identified projects	14.1 Eke Panuku will collaborate with mana whenua through the design process when working on relevant public realm sites.	G	Eke Panuku continue to work with mana whenua to ensure their values and identity are included in projects. Examples include Te Aratukutuku, Te Puhinui, Catherine Plaza
Kia ora te Ahurea	15. Eke Panuku will implement the Te Reo Action Plan 2020-2023 to normalise te reo Māori.	15.1. All relevant new permanent public-facing signage is bilingual 15.2. Public-facing digital assets that represent Eke Panuku are bilingual. 15.3. Significant documents have dual headings 15.4. Eke Panuku will celebrate te Wiki o te Reo Māori.	G	Eke Panuku continues to foster the Te Reo Māori language so it is seen, heard, spoken and written. Our website provides public facing Māori and English comms. primarily headings. Significant documents that we develop also weave the Māori language through – <i>Give examples</i> Hoardings and Public Physical signage has Te Reo Māori Translations – <i>provide examples</i>
Kia ora te Hononga	16. Eke Panuku invite mana whenua to input into relevant enterprise-wide policies. All relevant policies will also consider Māori outcomes.	16.1. Eke Panuku invites mana whenua to input into relevant enterprise-wide policies. For example, the Thriving Town Centre Guidelines - Consider other policies as thriving Town Centre is guideline.	G	Eke Panuku met with the Eke Panuku mana whenua forum to seek input into its' homestar policy. Two policies upcoming for review. Not all Eke Panuku policies apply to iwi however there are a few that impact how Eke Panuku delivers Outcomes for Māori.
Kia ora te Hononga	17. Acknowledging that Eke Panuku has a primary relationship with mana whenua, where appropriate, it will target its engagement communications to a wider Māori population.	17.1. Eke Panuku will adopt a tailored communication approach with Māori channels and media to ensure Māori residents can participate in our campaigns.	A	Developing a mataawaka engagement strategy will be a focus for the Māori Outcomes team in FY 24/25

Kia ora te Hononga	18. Eke Panuku will engage with mana whenua when developing programmes in our priority locations, masterplanning, plan changes and precinct plans	18.1. Each year, Eke Panuku will invite mana whenua to input into the programmes within our neighbourhoods 18.2. Eke Panuku will engage with mana whenua if we're considering any significant changes to our programmes 18.3. Eke Panuku will engage with mana whenua when developing masterplans and precinct plans within our neighbourhoods. For example, Onehunga Municipal Precinct (to shift under Ian). 18.4. Eke Panuku will engage with mana whenua on any work that will require a plan change. For example, Wynyard headland (to shift under Brenna).	G	Priority Location Directors met with Mana Whenua in Governance forums in Q2. The regional programme was presented in Q3. September/October will have the next planned Updates
Kia ora te Hononga	19. Where appropriate, Eke Panuku engage directly with mana whenua who are interested in partnering with our projects. Instead of inviting all mana whenua groups to our projects.	19.1. Eke Panuku will continue to engage with mana whenua collectively and individually 19.2. Eke Panuku will adopt a more bespoke and direct engagement approach with our mana whenua partners to ensure they are only getting relevant information.	G	1 to 1 engagements have increased with 3 iwi engaging with the Eke Panuku at a 1 to 1 level. We continue to run the forum weekly. This is an opportunity to engage in a collective manner.
Kia ora te Hononga	20. The Eke Panuku Placemaking team engage with Matariki and He Pia He Tauira specialists to ensure their work responds to the aspirations of mana whenua	20.1. Eke Panuku has engaged mana whenua nominated Matariki and He Pia He Tauira specialists	G	Mana whenua were engaged directly regarding Matariki and the opportunity for Eke Panuku to support their initiatives. The He Pia He Tauira programme has procured a co-ordinator for the programme.

Kia ora te Hononga	21. The Eke Panuku Placemaking team partner with mana whenua to ensure each of our neighbourhoods respond to their tikanga	21.1. Eke Panuku offers to meet with mana whenua in their rohe to ensure that our Placemaking activities respond to the aspirations of mana whenua	G	The Eke Panuku placemaking team continue to prioritise iwi engagement in its' programme delivery. Highlight - Matariki Pukekohe
Kia ora te Hononga	24. Eke Panuku will review our project and commercial work with mana whenua every six months.	24.1. . Every six months, Eke Panuku will: (a) reflect on our project work together and identify good practice (b) provide mana whenua an update on how many iwi have purchased properties (c) provide mana whenua an update on how many procurement opportunities are awarded to iwi.	G	In June we met with iwi to provide detail of this action.
Kia ora te Hononga	25. Eke Panuku will promote our work with mana whenua by promoting individual names of mana whenua	25.1. When Eke Panuku promotes stories about our mana whenua partners we'll acknowledge individual iwi. 25.2. When mana whenua exercise their right to name spaces we'll acknowledge the iwi who has gifted the name	G	In communications, we continue to acknowledge iwi by name to uphold their mana. Highlight - We also continue to acknowledge iwi by name in our Te Ara Tukutuku communications plans. This includes in hoardings and external communications.
Kia ora te Hononga	22. Eke Panuku will host annual hui between the board and mana whenua Rangatira	22.1. Eke Panuku hosts one meeting a year with mana whenua Rangatira and the board 22.2. The mana whenua representatives in attendance can make comments with the most significant leaders of Eke Panuku.	G	Hui held in September 23.

Kia ora te Taiao	32. Eke Panuku, before we apply for a resource consent, will engage with mana whenua to ensure their views are incorporated into the project.	32.1. Mana whenua are engaged before resource consents are lodged. If required, Eke Panuku will engaged external consultants to provide mana whenua technical advice.	G	We continue to inform and engage with iwi about any resource consents we will be lodging in our projects. We look to go above our obligation and inform and engage even on non notified RC.
Kia ora te Taiao	33. When applying for resources consents that are governed by the Marine and Coastal Area (Takutai Moana) Act 2011, Eke Panuku will engage with groups that have registered a customary interest in the coastal marine area.	33.1. Claimants who are waiting to have their customary interest in the coastal marine area have the opportunity to input into Eke Panuku resource consents. 33.2. Eke Panuku engages with MACAA applicants in good faith and responds to their requests for information.	G	We continue to engage with all MACAA claimants who have interest in the coastal marine area relating to consents that impact the moana. Highlight - continued engagement relating to our coastal permit applications on the waterfront and Onehunga wharf.
Kia ora te Taiao	26. Eke Panuku continue to support the Te Waiohua iwi to lead the implementation of Te Whakaoranga i te Puhinui	26.1. Te Waiohua provide Eke Panuku feedback they are satisfied with the support they receive from Eke Panuku by the independent satisfaction survey.	G	Ongoing collaboration with Te Waiohua iwi through fortnightly working group meetings. Te Ākitai unfortunately is unable to attend these meetings
Kia ora te Taiao	27. Eke Panuku will adopt a minimum of Homestar 6 and Greenstar 5 standards on our commercial and residential developments	27.1. All future development sites deliver at least Homestar 6 or Greenstar 5. 27.2. Where appropriate, Eke Panuku achieve higher build standards.	G	Throughout Eke Panuku essential design outcomes, we seek at least Greenstar 5 in all developments. The board has approved the proposal to revise the Homestar requirements to seek better outcomes
Kia ora te Taiao	29. Eke Panuku engage with mana whenua on appropriate Eke Panuku-led projects to enhance the cultural values of mana whenua.	29.1. At the request of mana whenua, Eke Panuku will commission Cultural Values Assessments (CVAs) from mana whenua. 29.2. Eke Panuku will collaborate with mana whenua throughout the design and delivery of our projects to ensure we're responding to mana whenua aspirations.	G	We have commissioned one CVA this FY. The annual engagement survey that we hold with iwi provides Eke Panuku the opportunity to understand iwi opinions

		29.3. Mana whenua believe our projects are appropriately responding to, and enhancing, their cultural values.		
Kia ora te Taiao	30. Eke Panuku support mana whenua to use Take Mauri Take Hono throughout the planning, design, and delivery of our projects	30.1. Mana whenua can apply Take Mauri Take Hono on agreed Eke Panuku projects.	G	Take Mauri Take Hono, is currently being applied to: Te Ara Tukutuku, Onehunga Wharf and Northcote Community Centre We acknowledge that not all iwi subscribe to this and note that we will consider further input from those iwi to inform projects.
Kia ora te Taiao	31. Eke Panuku engage mana whenua technical experts to provide them advice on projects that have the ability to be affected by the undesirable effects of climate change.	31.1. When appropriate, Eke Panuku will appoint mana whenua-nominated technical experts onto our projects to provide mana whenua with the advice needed to make high-quality decision. For example, when discussing the impact on the coastal marine area. 31.2. Mana whenua believe they are getting the support they need to form fully informed decisions. 31.3. Mana whenua-nominated technical experts understand their rights and responsibilities as technical experts.	G	We currently have Tātaki, a Marine consultant and Uru Whakaaro working across a broad range of kaupapa Example - Significant number of mandated tech experts working across the Te Ara Tukutuku project.
Kia ora te Umanga	37. When requested, Eke Panuku introduce private development partners to mana whenua	37.1. Eke Panuku will invite mana whenua to events within the development sector. For example, commercial development forums. 37.2. Eke Panuku will introduce mana whenua to development	G	Eke Panuku usual practice is to introduce iwi to development managers in our commercial property opportunities

		partners within our networks when requested.		
Kia ora te Umanga	38. Eke Panuku provide mana whenua with information about our commercial property portfolio with the goal to identify potential properties for mana whenua to develop	38.1. Eke Panuku will share our upcoming commercial development pipeline to mana whenua every six-months	G	In the Eke Panuku Executive to Rangatira hui, the property pipeline is delivered every 6 months

Table 4. A commentary against each of the year one ongoing actions in the Achieving Mana Whenua Outcomes Plan.

15. 19 ongoing actions are currently on track and two actions are delayed.

Delivering Year Two of the Achieving Mana Whenua Outcomes

16. Eke Panuku is scheduled to deliver eight actions next financial year, inclusive of actions nine, 12 and 36 carried over from FY23/24.

17. Eke Panuku will continue to deliver 24 ongoing initiatives, including the actions 11, 34 and 35 from FY 23/24.

Next steps

18. The Māori Outcomes Team will update the plan to reflect feedback from iwi.

19. Eke Panuku will continue to engage with mana whenua on the delivery of Achieving Mana Whenua Outcomes Plan

Te Wero Wynyard Crossing Bridge Project

Author(s): Marian Webb

August 2024

Some information in this report should be treated as confidential, as releasing it would prejudice the commercial position of Eke Panuku or Auckland Council. In terms of Section 7 of the Local Government Official Information and Meetings Act 1987, Eke Panuku is entitled to withhold information where making available the information:

- *would affect the commercial interest of a third party (s7(2)(b)(ii));*
- *would be likely to prejudice or disadvantage the commercial position of Council (s7(2)(h)); and*
- *maintain the effective conduct of public affairs through (i) the free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty.*

Whakarāpopototanga matua | Executive summary

1. Repair work on the Te Wero Wynyard bridge continues. The programme indicates a return to service by December 2024.
2. Significant progress has been made by the head contractor with a number of key milestones met last month including the removal and relocation of both of the Lifting spans, the two back spans and one of the engine rooms.
3. The executive continues to engage directly with a variety of partners and stakeholders on the project, including elected members, relevant parts of the council group, berth holders, parties with overlapping PCBU duties and the general public.
4. The Small Red Boat Ferry Service operates seven days a week, providing an alternative option for people to transit between Viaduct East and Wynyard Quarter. The usage varies daily. However, user feedback continues to be positive. Promotional activity has been in place since 1 August to raise awareness of the free ferry service and its extended hours, encourage usage and drive foot traffic to Wynyard Quarter.

Matapaki | Discussion

5. The structural works on the bridge continue in line with the programme provided to the Board in June. The mechanical and electrical work which has been underway since March continues. Mechanical aspects of the programme are currently occurring off site at the moment. HEB construction as the Head contractor will manage the reinstatement of mechanical and electrical items under its contract. [REDACTED]

[REDACTED] It has taken a bit longer than anticipated to integrate the two programs because it involved integrating the structural with the mechanical and electrical works which were already underway when the Head contractor took over. [REDACTED]

[REDACTED] We expect a further programme refinement for return to service and any necessary confirmation on price. This will be influenced by the level of corrosion detected as the spans are

blasted as outlined in paragraph 10 below and the time required to remediate. Opportunities for programme refinement include fabrication of new engine rooms rather than refurbishment.

6. Both the resource and building consent have been processed and approved by Auckland Council

Te Wero Wynyard Crossing Bridge

7. The ongoing repair works on the Te Wero Wynyard Crossing Bridge are advancing as planned, with significant progress made over the past few weeks. The project, which aims to extend the bridge's lifespan and ensure its safety, has now reached several critical milestones.
8. This month, contractors successfully removed both approach spans, following the removal of both the east and west lifting spans. One of the engine rooms has also been removed with other to follow in the last week of August.

Wynyard Wharf

9. On Wynyard Wharf, work is progressing well. The west span has undergone high-pressure water blasting, removing paint and corrosion. This has enabled engineers to identify any additional areas in need of repair. This work has identified more welding and steel repair work are required than initially anticipated. Heavy corrosion has been identified in the counterweight frame, a number of penetrations through the box section for electrical services are heavily corroded and channel sections which support the decking are also heavily corroded. The welding and repairs work are crucial for ensuring the long-term durability of the bridge.
10. The next phase of work on the wharf involves repairing these areas, followed by abrasive blasting and the application of protective coatings. The remaining bridge elements will undergo similar treatment once they are landed and sheltered.
11. Reassembly of the bridge is set to begin in mid-September, starting with the engine rooms and approach spans, following the same sequence as the removal but in reverse.

Small Red Boat Ferry Service

12. The Small Red Boat Ferry Service now operates seven days a week on extended hours, providing an alternative option for people to transit between Viaduct East and Wynyard Quarter.
13. With respect to usage data for the ferries, which is highly variable from day to day, it is important from our perspective to be clear that at no stage has this been represented as having the same functionality as the usual Te Wero Wynyard Crossing bridge. Given that the bridge is out of action until December to deal with steel corrosion, mechanical and electrical issues, the challenge has been to determine how best to support Wynyard Quarter during the period of closure.
14. New temporary shelters have been put in place at each entry point. Additional way finding signage has been installed.
15. Promotional activity has been in place since 1 August to raise awareness of the free ferry service and its extended hours, encourage usage and drive foot traffic to Wynyard Quarter.
16. A social media campaign using Meta (Facebook and Instagram) launched on August 1, and as of 22 August had been seen 281,082 times, at a total cost of \$400. The campaign has focused primarily on the extended hours and departure points using a mix of imagery and information. Analytics show that the audience is mostly male (65%), with most people who have viewed the advertising between 24 – 54 years old.

17. A supporting print and online campaign is beginning in the last week of August, again focused on the extended hours and departure points. This includes a mix of localised print media such as the Devonport Flagstaff, Waiheke Gulf News and Central Leader as well as Canvas (Weekend Herald) and online platform The Urban List, both popular publications utilised by the public when planning to attend outings and events. \$25K has been allocated for the print and online campaign over a period of three months.
18. Both campaigns will continue to run through to December.
19. An update on the service and the extended hours has also been supplied to media outlets, and further details have been published on the Eke Panuku website and OurAuckland website.

Nga whiringa me te taatai | Options and analysis

Kua whakaarohia nga whiringa | Options considered

20. Not applicable.

Ngā ritenga ā-pūtea | Financial and resourcing impacts

21. The programme is currently tracking to budget.

Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations

Health and Safety

22. Two Health and Safety incidents have occurred over the last month, these involve:
 - a. Site fencing gate separating the work site from members of public swung open, likely from the wind, whilst the team was not on site. Members of public were spotted entering the site. HEB was notified and immediately went to site to lock the gate. No one was in site when HEB arrived to lock the gate. An investigation has been completed by the contractor and It appears likely that the gate was left unlocked. The contractor actioned a new action to ensure that this situation does not arise again.
 - b. During the works to remove the western lifting span from the bridge and place it on the deck of the barge that channel was closed to all marine traffic. This was communicated in advance to stakeholders and bridge operators which control the marine traffic through the bridge. Even with the bridge out of operation, vessels must radio the bridge operator before they enter and pass the bridge. The bridge operator misinterpreted the instruction and understood, incorrectly, that the channel would be closed temporarily for some time between the hours provided, not the entire period. This resulted in a vessel entering the channel exposing a possible risk as the bridge span could have been overhanging. An investigation has been completed and the contractor will confirm with the bridge operators prior to starting works which require a closure.
23. These incidents have been reports in the Eke Panuku Health and Safety reporting platform Noggin.

Residual risk:

24. There is a continued risk that the renewal works on the Te Wero Wynyard Crossing bridge will not be completed within the expected timeframe due to factors outside of our control such as adverse weather conditions or the delivery of necessary parts.

Reputational risk:

25. If there is an overrun with respect to getting the bridge back into service, this will have an impact on local businesses, stakeholders and organised events such as Sail GP which is expected to draw a large number of people to the area for the event.
26. The mitigations to address these risks include the expansion of the small red ferry boat service, where possible temperature-controlled environment for all works impacted by weather, programme time buffer when considering machinery that is sensitive to weather conditions such as JUB's, cranes and early procurement of elements required and good comms with local stakeholders. Management of construction team with regular programme updates on progress
27. The risk register is continually updated as we progress through the project.

Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts

28. The executive is engaging directly with a variety of partners and stakeholders on the project, including elected members, relevant parts of the council group, berth holders, parties with overlapping PCBU obligations and the general public. We are engaging through a variety of methods, including face to face meetings, existing forums for example the Wynyard Quarter Transport Management Association, over email, and digital channels like our website, social media, signage and a monthly project newsletter.
29. Since the last Board meeting, the Executive has engaged with VHHL to discuss issues arising with timing of the barge movements. With numerous parties involved in the relocation process some issues have arisen with the timing of vessel movement and the barge. A more refined process and improved communication will be put in place going forward.
30. The Executive has also engaged directly with Fu Wah and other key stakeholders to discuss the Board decision on the temporary pontoon structure. Communication between the two parties continues by email. A copy of the correspondence is attached as Attachment B as requested by Fu Wah.
31. The bridge's closure continues to have an impact on the Wynyard Quarter community, most notably local businesses, both large and small, as well as professional and recreational visitors to the area.
32. The impact has been mitigated to a degree through the Red Boat Ferry Service as well as our ongoing attentive and considered stakeholder communications and engagement mentioned above, proactive media management, precinct marketing and initiatives like the promotion of local businesses and events.

Tauākī whakaaweawe Māori | Māori outcomes impact

33. A verbal update will be provided to the Eke Panuku Mana Whenua Forum, in line with our no surprises approach.

Tauākī whakaaweawe āhuarangi | Climate change impact

34. Sustainability and climate change adaption objectives and requirements will be embedded into renewal of the permanent Te Wero Wynyard Crossing bridge where possible.

Ngā tāpirihanga | Attachments

Attachment A – [REDACTED]

From: [Marian Webb](#)
To: [Richard Aitken](#)
Cc: [REDACTED]
Bcc: [REDACTED]
Subject: RE: Interim Wynyard Crossing Proposal
Date: Friday, 23 August 2024 5:19:00 pm

Good evening,

Thank you for your follow up questions Richard. Please find answers to these, along with your additional question on Ferry passenger numbers below.

1. How long has this programme been in existence?

A programme for the structural works existed before the structural works started. The programme integrating the mechanical and engineering (M&E) works has taken a bit longer as it involved integrating works which were already underway when the current project team took over.

2. It is still lacking in detail – contrast this with the programme that was made up to debunk the pontoon option (also attached).

There is an underlying programme from which the programme summary was created which includes more than 250 individual tasks. Given there are several risk items which can affect programme timing, providing this would convey a level of accuracy that doesn't exist currently. For this reason, a summary overview was provided to explain the phases of the project.

3. Why weren't the M&E works included in the first programme that was sent through previously?

Based on planned timing for their delivery, these are clearly the works that will put the programme at risk. We weren't in a position to include an integrated M&E programme as the project team was still busy trying to understand the scope of the M&E works which had been initiated by incumbent maintenance contractors. It was communicated at the time that M&E works still need to be integrated.

4. There is still no completion date nor a commitment to one.

Based on what we currently know, forecast completion date is December. It would be rare for a project of this complexity to commit to a specific date; however, the project team remains committed to seeing a December return to service. As we get further through the programme and gain more certainty around remaining tasks, we will be able to more accurately specify a target date.

5. The programme, as presented, has Electrical works carrying on after the "final works and commissioning" are completed. Aren't electrical works needed to be completed before they and the rest of the bridge are commissioned? Perhaps some more detail could shine light on this?

We have two engine rooms that can be independently commissioned, therefore there is an overlap of electrical works on one engine room while commissioning can continue with the other where electrical works have been completed.

6. There is no detail about the "procurement" work and processes required for M&E. Where is this process at? Have the parts / goods been ordered? Where are they being ordered from? When will they arrive?

We have not retrospectively programmed things already complete, procurement durations are from a nominal date and show the remaining lead time. All major parts with significant lead times have been ordered and have been for some time, there are no items which we have any concerns around lead time. We can provide a full list of parts and where they are coming from, but I see no reason that this is of any use to anyone outside the immediate project team.

7. There appears to be no float in the programme. What are the contingencies (apart from being confident) for late delivery? Given a lack of willingness to commit to a date, we would hope that there is a back up plan for the likes of SailGP. What is this please?

There is some slack in some activities but there is a critical path for which there is none which we are constantly focussed on to ensure timely delivery. At this stage key milestones have been met according to the programme which should provide some assurance of our ability to meet the summary programme provided previously. We are always looking at ways to expedite delivery wherever possible, this includes but is not limited to, additional resourcing, working hours and alternative methodologies to reduce task durations as much as practically possible. Should you wish, we can provide a detailed programme of tasks completed to date which shows we are on track.

With regards to the Sail GP, there will continue to be a range of options available for visitors to access Wynyard Quarter should there be delays in returning the Wynyard Crossing Bridge to full operation. As well as existing public transport links, this will include an extension of the Red Boats ferry service between the Maritime Museum and the Viaduct Events Centre.

Thanks for the information on the ferry numbers. The average numbers we have from the WQTMA on bridge users were, prior to the breakdown, approximately 6,500 per day during the week and 9,000 during weekends.

With respect to usage data for the red boat ferries, which is highly variable from day to day, it is important from our perspective to be clear that at no stage has this been represented as having the same functionality as the usual Wynyard Crossing bridge. Given that the bridge is out of action until December to deal with steel corrosion, mechanical and electrical issues, the challenge has been to determine how best to support the Wynyard Quarter during the period of closure.

It is inherently difficult to assess the effectiveness of whatever is done given the broader context in which Wynyard Quarter is operating. Specifically, the winter months are usually quieter for the quarter, with a drop off in visitors, tourists and patronage at food and beverage businesses in the North Wharf area. To this, we must add the unusually difficult state of the New Zealand economy this winter with a wide range of businesses throughout Auckland reporting trading conditions as being as difficult as at the worst point of the GFC and with evidence that food and beverage and retail have been particularly hard hit. As you are aware, for the first few months our major effort to help sustain activity in the Quarter was through promotion of the Quarter generally and particular businesses in it. We accompanied this with a lot of messaging for people to go to the Quarter via a different route, and/or including use of the City Link bus. In addition, we commenced running the weekend Red Boats ferry services, the usage of which we have monitored closely.

In May we received your proposal for a temporary pontoon structure said to be at a cost of less than \$200,000 and which was conceptual in nature. Because we recognised that there was a need for more to be done to help the Quarter during the balance of the winter months, given the deteriorating economic conditions, we did a lot of work on the proposal with Total Marine Services to put it into a workable and consentable form. This required considerable change to the original concept. We also completed sufficient work to assess its true cost along with the functionality it would offer. We also assessed the Red Boats service being expanded together with assessing its cost and functionality.

In reality, we are satisfied that neither option could replicate anywhere near fully the usual functionality of Wynyard Crossing. It was also our informed view that the quality of customer experience between the regular red boat service and a temporary pontoon structure, required to open and shut on average twenty times per day, was minimal – at most. However, the cost difference was material, as was the risk profile of the two options. An additional consideration was that the Red Boats service could be implemented within a few days compared to the temporary pontoon having a twelve-week lead time. It will follow from the above that given the objective of helping the Quarter as much as possible, we are trying to provide a reasonable level of service for those individuals for whom rerouting their trip is inconvenient or who turn up as casualties unaware that the usual bridge service is not operating. It is clear that the Red Boats service is more than adequately addressing demand. That demand, understandably, is variable. While it is still an expensive service to provide, in the context of helping the Quarter out, it is a cost we have been prepared to meet. We are not aware of any evidence that funding a far more expensive pontoon structure, with regular 15 minute plus opening and shutting times, would result in extra usage – certainly not the extra usage that would justify a cost around three times as much as the Red Boats service.

Red Boats Ferry Service passenger numbers as requested.

Weekend trial service begins.		
Hours: 10am – 5pm.		
<i>Supported by social media, Your Waterfront edm, website articles, signage, ambassadors and a media advisory to key community publications.</i>		
<i>Sailings primarily at weekends around boat availability.</i>		
Day	Date	Daily Passengers
Saturday	May 11	52
Sunday	May 12	670
Saturday	May 18	1117
<i>No sailings in June due to unavailability of boats</i>		
Saturday	July 13	1705
Sunday	July 14	1313
Tuesday	July 16	418
Saturday	July 20	405
Sunday	July 21	520
Seven day service begins.		
Hours: 7am – 9pm, Sunday – Wednesday; 7am – 10pm Thursday – Saturday.		
<i>Supported by social media, Your Waterfront edm, website articles, signage, ambassadors and a media advisory to key community publications.</i>		
<i>A print and radio campaign is planned for the coming months to support the service.</i>		
Day	Date	Daily Passengers
Thursday	August 1	172
Friday	August 2	342
Saturday	August 3	1036
Sunday	August 4	2039
Monday	August 5	359
Tuesday	August 6	409
Wednesday	August 7	443
Thursday	August 8	200
Friday	August 9	435
Saturday	August 10	2275
Sunday	August 11	1354
Monday	August 12	495
Tuesday	August 13	532
Wednesday	August 14	650
Thursday	August 15	568
Friday	August 16	640
Saturday	August 17	279
Sunday	August 18	681

Regards

Marian

From: Richard Aitken <[redacted]>

Sent: Friday, August 16, 2024 7:01 PM

To: Marian Webb <Marian.Webb@ekepanuku.co.nz>

Cc: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] Ian Wheeler <Ian.Wheeler@ekepanuku.co.nz>; [redacted] David Rankin

<David.Rankin@ekepanuku.co.nz>

Subject: Re: Interim Wynyard Crossing Proposal

Hi Marian,

Thank you for your email and the updated PPT. We will take a look.

Six months after it's avoidable failure, Eke Panuku's ongoing lack of commitment to a date to fix the Wynyard crossing continues to be an unsurprising disappointment.

Thank you also for confirming the date of your next Board meeting. Can you please make sure that all correspondence between this stakeholder group and Eke Panuku executive are forwarded to your Board.

Also, could you please share the passenger numbers for the ferry that has now been operating for two weeks.

Kind regards,

Richard Aitken <[redacted]>

Regards

Marian

From: Richard Aitken <[REDACTED]>

Sent: Tuesday, August 13, 2024 6:09 PM

To: Marian Webb <Marian.Webb@ekepanuku.co.nz>

Cc: Ma [REDACTED]

Wheeler <Ian.Wheeler@ekepanuku.co.nz>; [REDACTED] David Rankin <David.Rankin@ekepanuku.co.nz>

Subject: Re: Interim Wynyard Crossing Proposal

Hi Marian and David,

Can we please have a response to the questions raised in relation to the programme that you supplied? Particularly in relation to the M&E works and the completion date.

Separately, you will have seen the article in the Herald this morning regarding works to repair the bridge going on "until at least December". What is actually going on please?

Regards,

Richard Aitken [REDACTED]

On 9 Aug 2024, at 13:21, Richard Aitken <[REDACTED]> wrote:

Hi Marian and David,

Apologies for the slight delay in responding to your last email. I was in the process of putting together a detailed reply but then thought better of it.

It is now four months since we had our first meeting about the idea of a pontoon bridge. The idea of a pontoon bridge was yours (not ours) and was initially put forward in 2019 by Eke Panuku as part of the Resource Consent application and stakeholder engagement associated with your proposal to replace the now broken Wynyard Crossing. My role was merely to remind you of it as an option. It was clearly considered a viable option at that time or you would not have put it forward ahead of ferry, busses etc. that you are now supporting.

Since that time, you have rejected that proposal, received an alternative proposal from this group, accepted that proposal and then rejected it again.

The premise of the rejection, as communicated to us, is that an updated cost benefit analysis does not justify the spend. However, the root cause of this outcome is Eke Panuku running up the budget (we still don't have a detailed breakdown as there are \$861k of "Contractor Direct Costs" unexplained in your email) and running down the clock over the last four months. A less expensive (whilst still safe) design and a faster process would have changed everything. However, this is not the path that has been chosen by you.

We have been assured by you that the broken Wynyard Crossing will be repaired by December and to back this up you have submitted your program for these works. Unfortunately, the supply of this programme has had the opposite effect. It raises more questions and concerns than it allays.

It is now six months since the bridge failed in February with no back up plan being in place. It is around eleven months since the issues started manifesting themselves in November last year. For the first time we have seen a programme for the repair works.

The repair programme lacks detail and looks as it has been thrown together in response to our recent requests for information. In contrast, the programme to justify the rejection of the pontoon option is detailed and comprehensive. Why is this? We also note that two months of the programme for the pontoon solution is taken up by getting consents. Consents that will be granted by your shareholder, Auckland Council.

Turning to the repair programme, it still does not have a completion date for the bridge operations to resume. How can this be credible when you are providing assurances to all that it will be ready in December?

The programme says that it "doesn't included M&E works". What are the M&E works please? Why aren't they included? What is their status? What are the risks around them not being completed on time along with the other works summarised in the programme you have presented?

To make matters worse, the programme Notes state that "Completion of all works is INTENDED (note confirmed or targeted) to be December 2024". What does this mean? Why after six months since the bridge broke, and all the following all of the input from your experts, can you not give a date? What is being communicated to your Board about this please

3. Pile install (drill and driving)
4. Supply and fitting of PE sleeves to piles with hats (optional, but priced in)
5. 5 x side mount guides
6. 3 x special steel frames
7. 1 x transition flap
8. 2 x ramps
9. 1 x 100hp outboard with controls etc.
10. And the removal of it all after the use is no longer needed
11. All plant, labour and TMS compliance.

In addition, a separate cost was indicated for Crowd control barrier down each side of these pontoons only, of around \$600.00 per week including set up and removal.

Following further investigation by TMS the summary of actual costs to implement the project, based on a more developed design which highlighted additional requirements, including but not limited to procuring and fabricating additional components, pontoon hire, consents, health & safety and staffing requirements, are as below:

Total Capital Costs				
	Revised Cost July Eke Panuku Board Paper	Indicative Cost June Eke Panuku Board Board Paper	Delta	% Increase
Contractor Direct Costs	\$ 861,336.66	\$ 411,727.50	\$ 449,609.16	52%
Contractor Indirect Costs	\$ 76,775.15		\$ 76,775.15	
Consultants - Design, peer review and CM	\$ 63,761.00	\$ 60,000.00	\$ 3,761.00	6%
Planning and Consenting	\$ 50,000.00	\$ 50,000.00	\$	0%
PM	\$ 64,000.00	\$ 64,000.00	\$	0%
Contingency	\$ 167,380.92	\$ 146,431.88		
Total	\$ 1,283,253.73	\$ 732,159.38	\$ 551,094.35	43%
Operational Costs	\$ 251,834.24	\$ 60,000.00	\$ 91,834.24	36%
TOTAL INCLUDING OPERATION	\$ 1,535,087.97	\$ 892,159.38		
Loss of Revenue - Marina Relocation	\$ 130,000.00	\$ 130,000.00		

4. Can we please have more detail about ferry trip timings? There was talk about one ferry operating and a three minute crossing but the overall time was fifteen minutes. We need to get a clear understanding about how this form of crossing will be more efficient than the pontoon solution. For instance, will the ferry leave every 15 minutes whether full or not? If there is only one ferry leaving every fifteen minutes how is this an improvement? Will it then stay on the other side for fifteen minutes before returning and then will this make it in reality every 30 minutes from each side? If this is so, will you need two ferrys to make sure that there is a fifteen minute service going each way? What has been factored into your cost benefit analysis?

The Red Boats temporary ferry service will operate extended hours, seven days a week, from August 1. It will initially use one Ferry and run between 7am – 9pm Sunday through Wednesday, 7am – 10pm Thursday, Friday and Saturday. From embarking to disembarking, the total time for each crossing is around 15 minutes (approximately 6 minutes either side for embarking and disembarking, three minutes for the crossing itself). It is anticipated that this time will reduce when two vessels are in use due to demand.

The ferry will run continuously back and forth during its operating hours regardless of passenger numbers for each crossing. We will be closely monitoring usage and demand and will make the call to bring in a second ferry as needed depending on demand and at busy times.

5. What are the actual costs of the ferry's that have been put into the cost benefit analysis? Who can and who can't use the ferrys? Operating at peak capacity, how many people can the ferry's transport on a daily basis and how is this calculated?

Again, it's important to note that the decision was made to go with an extended Red Boats ferry service was based on a cost/benefit basis. The investment of \$1.3m plus \$250k operating expenses for around eight weeks was not a viable or prudent option, compared to an extended ferry service at around a third of the cost for a four-month service.

	Red boats	Pontoon Crossing	Walkaround
Time to implement	Immediate	12 weeks	-
\$	\$550k (August – December)	\$1.3m (mid-Sept – December)	-
Average journey time (west end to maritime museum) includes waiting time for ferry/bridge operation	15 minutes (one boat), 10 minutes (two boats)	12.5min (assuming only 3 movements per hour and only 15 minutes to open and close)	18 minutes
Pedestrians Moved	Between 6,500 – 7,500 per day with one boat	>7000	-
Cost per pedestrian	\$0.51	\$3.31 (for 8 weeks operation)	-

Risks	Limited risk	Risk that number of boat movements exceed 3 per hour or pontoon takes longer to open/close than anticipated.	
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The Red Boat ferry service is free and while it cannot accommodate bikes or e-scooters, pushchairs and wheelchairs are very welcome. Staff are on hand to assist if needed. It is expected that those with bikes and e-scooters can easily get around the Viaduct Harbour.

We have been advised by Red Boats that based on data from the trials to date, they are confident they can move up to 7500 people per day with a single boat

6. What are the costs to date and going forward marketing etc. promoting Wynyard Quarter because of the bridge failure and the proposed ferry service? Have these been reflected in the cost benefit analysis? Could the money be better spent on the pontoons?

It's important to note that the decision was made to go with an extended Red Boats ferry service was based on a cost/benefit basis. The investment of \$1.3m plus \$250k operating expenses for around eight weeks was not a viable or prudent option, compared to an extended ferry service at around a third of the cost for a four-month service.

Eke Panuku has prepared a public information campaign designed to inform Aucklanders and visitors about Wynyard Quarter and how to get there throughout the months the bridge is closed and in doing so has worked with a number of businesses. It has been shared with key Wynyard Quarter partners and stakeholders.

Eke Panuku has communicated with the public through social media posts, signage and localised digital advertising to encourage continued patronage to Wynyard Quarter, inform people of alternative transport routes around the waterfront, and provide progress updates.

Please find below further information about the promotional campaign and the web/social media links to the video and post content created to support Wynyard Quarter businesses, including costs.

Promotional Costs

Videos & website	
WQ videos	\$50,000 (for 10 videos)
WQ Website update	\$ 5,000
Eat, Play, Stay campaign – June – July	
Radio and Digital	\$19,876
Social media ad boosts	
Facebook and Instagram	\$ 1,643.40
Total	\$76,519.40

Website - Campaign platform redeveloped to promote WQ - <https://www.wynyard-quarter.co.nz/>

Eat, Play, Stay in Wynyard Quarter campaign - Radio campaign - Call outs on ZB during drive time promoting all of the Wynyard Quarter businesses in June and July 2024.

Eat, Play, Stay in Wynyard Quarter campaign - Media - digital ads directing people to the WQ website where we promote all the Wynyard Quarter businesses in June and July 2024.

<image001.png>

<image002.png>

<image003.png>

Videos shared across all our channels, Youtube, Facebook, Instagram and Tik Tok

- Welcome to Wynyard Quarter https://www.youtube.com/watch?v=xDD8_VyzWZg
- Eat, Play, Stay <https://www.youtube.com/watch?v=QJlUfwhx0Ko>
- Onemata Park Hyatt, Wynyard Quarter, a stunning waterfront dining experience <https://www.youtube.com/watch?v=qLdqUXWekkg>
- North Wharf Dining, Wynyard Quarter https://www.youtube.com/watch?v=nHNynl_ZoJWQ
- Baduzzi - Italian inspired eatery in Wynyard Quarter <https://www.youtube.com/watch?v=BGqPVNPjhho>
- Rushworth - Great coffee, food and service in Wynyard Quarter [Great coffee, food & service in Wynyard Quarter \(youtube.com\)](https://www.youtube.com/watch?v=BGqPVNPjhho)

Social Media video links of content we created, shared and in some cases ad boosted

The Conservatory

https://www.instagram.com/reel/C9Lt-XaSFD3/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==

Rushworth's

https://www.instagram.com/reel/C8-pAJeNslW/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
<https://www.facebook.com/share/r/Nh6rqP9wwRqQaIpa/>

Wynyard Pavilion

https://www.instagram.com/p/C7VmdBqPldX/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C6NEpEXrL_Ai/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C72juCJh8XM/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
<https://www.facebook.com/share/p/UVU5xmgjPaPoFKbL/>
<https://www.facebook.com/share/p/o28eHbfHy5JnM4qA/>
<https://www.facebook.com/share/p/iHVPeVUjYnVRCpYE/>

Park Hyatt Auckland

https://www.instagram.com/p/C8JDkepBYuX/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/reel/C75gB0kPe_g/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/reel/C7Vn7Q_vT9V/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C6fUPE3hxkq/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C6Iy-aVrSzi/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
<https://www.facebook.com/share/p/3e3NY2T4Q4U5sQam/>
<https://www.facebook.com/share/r/itXFjgDCUEQ69sL/>
https://l.facebook.com/l.php?u=https%3A%2F%2Fvimeo.com%2F949728230%2F090144eb02&h=AT1bWl5ugeTuo980CN479NijCP8KiOmcNehL9P4pbDuo_z_jSg3WBuAr3Onxk2HfxCfGgNV-97ZZAats-kl-sbHYEdfHGzdcg8dGZdxbnGYMY2p8MNlesPYeRT0_pZL1WV8Go&s=1
<https://www.facebook.com/share/r/p8u5D3aarRZfk3gN/>
<https://www.facebook.com/share/p/B2qfHwFBLV2sLoc/>
<https://www.facebook.com/yourwaterfront/posts/pfbid024Tu1RoqbqS3N2k5xXbngn4qmvXEg9b8CPkwaVHyF7DWCsea6ZJ6uLTt6FDVrk5aUl>

Ferry Communications

https://www.instagram.com/p/C9BzwMjJ3E2/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C8tHAYLpR91/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
https://www.instagram.com/p/C8dNAC4ye4X/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==
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Bridge Communications

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Baduzzi

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ASB Theatre

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Kings Birthday - The Cloud

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Gentlemen Ride

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7. What scenario analysis has been undertaken in relation to an earlier delivery of the pontoon against a late delivery of the main bridge repair in the cost benefit analysis? For instance if the pontoon was delivered in August and the bridge repair in January what difference would this make?

The due diligence undertaken by TMS did not indicate the possibility of early delivery of a pontoon crossing. The Te Wero Wynyard Crossing Bridge is due back in service by December.

Even in the highly unlikely scenario that there was significant delay to the main bridge works, economically the Red Boats ferry service would still be cheaper than the pontoon structure, even if it is in place for 6 months and running two boats.

8. We didn't get a chance to talk about the Mayor's swimming pool today. What is the cost of this project please? Is it possible to divert the funds?

As we have said, the decision was made to go with an extended Red Boats ferry service was based on a cost/benefit basis. The investment of \$1.3m plus \$250k operating expenses for around eight weeks was not a viable or prudent option, compared to an extended ferry service at around a third of the cost for a four-month service. Accordingly, no consideration has been given to reallocating other project budgets.

To deliver a lap swimming facility and additional swimming space, we estimate the capital cost to extend the pontoons, add ladders, lane markers and simple changing facilities is around \$500k. We estimate the additional operational cost, depending on the operating model, will be around \$150k pa. The lap pool will be in place for the summer months from the end of 2024 and is intended to remain until a permanent solution is developed.

9. What are the back up plans for Sail GP if the main bridge isn't fixed on time? The ferry's clearly won't cope with the demand. Are Sail GP management aware of the bridge issues? Have the potential effects of the main bridge not being ready been built into your cost benefit analysis when analysing the pontoon bridge? Could this not be part of your risk management strategy?

Our contractor is confident the Te Wero Wynyard Crossing Bridge will be operation by December. Should there be any delay the Red Boat ferry service will continue to operate, and we will continue to promote the alternative transport options.

The performance of a solution can be measured using a couple of metrics – capacity and average journey times.

Taking into consideration risks associated with the temporary pontoon solution (number of boat movements, and time to open/close) it is likely that the red boat solution will perform to a substantively similar level as the pontoon system in terms of average journey times.

Both solutions have adequate capacity to meet demand.

It should be noted that the red boat service is less affected by marine traffic whereas the pontoon structure performance will suffer significantly if boat movements increase. The temporary pontoon structure would need to open for all vessels, not just large vessels. The performance of a temporary connection is dependent on opening times and frequency of openings for marine traffic. In ideal circumstances journey times (including wait time) for users using the temporary bridge would average in excess of 12 minutes, this would increase if more boats or durations to open/close.

For an event like Sail GP this would not be an appropriate solution for this reason, notwithstanding current plans will see the bridge operational in December.

By comparison the red boat service will have average journey (including waiting) times of between 10 and 15 minutes for two or a single boat operating respectively. It was concluded that for significant additional cost, the pontoon crossing didn't provide sufficient benefit (if any) compared to the red boat service.

Additional Questions:

1. If the existing marine infrastructure can be used to service the ferry with 6,500 – 7,500 people per day (and more), why can't it be used to service the pontoon solution? Your current modified design for the pontoon option requires significant changes to existing infrastructure particularly ramps which should be the same under either option. Why would that not be the case for the ferry service?

The pontoon solution proposed using the existing gangways, one of which was only 1200mm wide. This necessitated changing out to a wider gangway to facilitate the movement of pedestrians in both directions simultaneously.

A Building Consent would have been triggered regardless for a pontoon crossing as the use of the gangways would have constituted a change in use from a Marina to a publicly accessible route. To meet requirements for Building Consent Gangway gradients needed to be minimised as much as possible.

By comparison, the gangways used for the Red Boat ferry service are not a change in use, are already of a sufficient width

for embarking and disembarking and also don't require the movement of pedestrians in two directions simultaneously.

2. If there is a different standard (and we would be interested to hear why), to what extent has this different standard contributed to the additional costs in budget increase from \$160,000 to \$1,300,000 for the pontoon option and thus affected / skewed the cost benefit analysis?

The original proposal didn't consider changes that might have been required to the gangways to cope with both the flow of pedestrians and minimum requirements for building consent. There is a different standard as gangways for the temporary pontoon crossing would have required in a change in use from marina to public walkway necessitating a Building Consent.

As outlined in the answer to your previous question, there are marked differences in the type of gangways required. Those for a floating pontoon crossing are required to be wider and longer to allow members of the public to move in two different directions simultaneously and meet consent requirements in a tidal environment.

In order to meet these specific requirements, gangways would have needed to be relocated from other parts of the marina and adapted to suit what is effectively unrestricted public access at all times the pontoon was open to foot traffic.

The gangways utilised by the Red Boats ferry service are suitable for single direction passenger access to the ferries. Strictly managed by the ferry crew, they are locked with no public access except under the control of the crew when passengers are embarking or disembarking.

The increased costs to meet the gangway requirements alone was \$170k. It's important to note that this cost is only a portion of the wider cost increases due to items unaccounted for in the original pricing.

3. Similarly, to what extent has this different standard contributed to additional consenting requirements and timings to get the pontoon system in place and again in doing so affected the cost benefit analysis?

As mentioned above, the original proposal didn't consider consent requirements. A Building Consent would have been triggered regardless for a pontoon crossing as the use of the gangways would have constituted a change in use from a Marina to a publicly accessible route. To meet requirements for Building Consent Gangway gradients needed to be minimised as much as possible.

By comparison, the gangways used for the Red Boat ferry service are not a change in use, are already of a sufficient width for embarking and disembarking and also don't require the movement of pedestrians in two directions simultaneously.

1. In relation to the opening / closing times of the pontoon, how has this time been calculated and would it be shortened if a larger and more powerful out board motor were used?

It is difficult to accurately assess the time to open and close the pontoon structure, so as a result some assumptions have had to be made by TMS. However no overly conservative assumptions have been made, but risks associated with these assumptions have been clearly identified.

The time to open and close the pontoon structure consists of a number of activities which includes the following tasks – clearing the bridge of pedestrians, opening and closing gates, removal and reinstatement of transition ramps (to close gaps between pontoon structures), securing/releasing the pontoon structure and time that the outboard motor is on and moving the structure, as well as the time for boats to pass.

Outboard and prop selection had been considered to ensure appropriate selections are made. Practically outboard size needs to be limited to minimise the forces acting on the pontoon structure and minimise potential impact forces on piles.

In summary, the time to open and close is dependent a number of activities, not just the power/speed of the outboard motor. Any perceived benefits of a larger outboard motor are outweighed by the issues a larger motor would create. The time for the bridge to open, let boats pass and close again could be anywhere between 10-15 minutes.

2. Putting aside, the opening and closing times of the pontoon, which for us in the Wynyard Quarter is business as usual, surely a system that is available at any time, rather than having to work for a ferry timetable, is more efficient and safer as it smooths out pedestrian flow? Has there been any analysis around this? If the ferries are effectively only moving people three minutes out of every fifteen minutes (20% of the time available) how can this be more efficient?

It's important to remember that the operation of a temporary pontoon would have also had strict operating hours, rather than be available at any time. The decision to proceed with the Red Boat ferry service as made on a cost benefit basis as we have already stated. The Red Boat ferry operator is confident they will be able to carry up to 7,500 passengers each day based on data collected during the trials.

As mentioned in response to one of your earlier questions, the performance of a solution can be measured using a couple of metrics – capacity and average journey times.

Taking into consideration risks associated with the temporary pontoon solution (number of boat movements, and time to open/close) it is likely that the red boat solution will perform comparatively to the pontoon system in terms of average journey times.

Both solutions have adequate capacity to meet demand.

It should be noted that the red boat service is less affected by marine traffic whereas the pontoon structure performance will suffer significantly if boat movements increase. The temporary pontoon structure would need to open for all vessels, not just large vessels. The performance of a temporary connection is dependent on opening times and frequency of openings for marine traffic. In ideal circumstances journey times (including wait time) for users using the temporary bridge would average in excess of 12 minutes, this would increase if more boats or durations to open/close.

For an event like Sail GP this would not be an appropriate solution for this reason, notwithstanding current plans will see the bridge operational in December.

By comparison, the red boat service will have average journey (including waiting) times of between 10 and 15 minutes for two or a single boat operating respectively. It was concluded that for significant additional cost, the pontoon crossing didn't provide sufficient benefit (if any) compared to the red boat service.

Regards,

Marian

Marian Webb
General Manager Assets and Delivery
Marian.webb@ekepanuku.co.nz

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PO Box 90343, Victoria Street West, Auckland 1142, New Zealand
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Executive Assistant: **Jess Edwards**

<image004.png>

From: Richard Aitken [REDACTED] >
Sent: Wednesday, July 31, 2024 11:27 AM
To: Marian Webb <Marian.Webb@ekepanuku.co.nz>
Cc: [REDACTED]
[REDACTED] Ian Wheeler <Ian.Wheeler@ekepanuku.co.nz>; [REDACTED]
[REDACTED] David Rankin <David.Rankin@ekepanuku.co.nz>

Subject: RE: Interim Wynyard Crossing Proposal

Marian and David,

Another week has passed since our meeting last week.

Can we please have an response to requests for information and answers to the questions below? Given that most of this would have been available to you as part of your recommendation to your Board, and the Ferry Service starts tomorrow, we would like to understand what the holdup is please.

Regards,

Richard Aitken 瑞智 爱肯
Area General Manager – South Pacific Region 南太平洋区域区域总经理
Fu Wah New Zealand Limited 富华新西兰有限公司
Email: [REDACTED]
M: + [REDACTED]
Podium Level, Mastercard House, 136 Customs Street West, Auckland 1010

From: Richard Aitken
Sent: Thursday, July 25, 2024 9:14 AM
To: Marian Webb <Marian.Webb@ekepanuku.co.nz>
Cc: [REDACTED]
[REDACTED] Ian Wheeler <Ian.Wheeler@ekepanuku.co.nz>; Alain McKinney [REDACTED] David Rankin <David.Rankin@ekepanuku.co.nz>

[Redacted]

<Ian.Wheeler@ekepanuku.co.nz>; David Rankin
<David.Rankin@ekepanuku.co.nz>

Subject: RE: Interim Wynyard Crossing Proposal

Hi Marian,

Today marks three weeks since we submitted our proposal.
Can we please have an update and a response to the questions raised on Friday?

Regards,

Richard Aitken 瑞智 爱肯
Area General Manager – South Pacific Region 南太平洋区域
总经理
Fu Wah New Zealand Limited 富华新西兰有限公司
Email [Redacted]
Podium Level, Mastercard House, 136 Customs Street West
, Auckland 1010

From: Richard Aitken
Sent: Friday, June 14, 2024 4:55 PM
To: Marian Webb <Marian.Webb@ekepanuku.co.nz>
Cc: [Redacted]

[Redacted]

Ian Wheeler
<Ian.Wheeler@ekepanuku.co.nz>; David Rankin
<David.Rankin@ekepanuku.co.nz>

Subject: Re: Interim Wynyard Crossing Proposal

Hi Marian,

Thanks for the update. Can you please confirm / provide:

- 1) The identity of the experts you have engaged including the

areas of 'expertise' they are advising you on.

2) Their brief and terms of reference.

3) Copies of their initial advice that had lead you to change the design.

4) Your latest program and progress in relation to the existing bridge repair and when you expect this to be open again. Preferably a date rather than a season.

5) A firm date as to when you will have finished your analysis and a solution for an alternative crossing.

Once again, we repeat our offer to work together with you, and your team, to find a solution that works for everyone and speeds up the current process.

Kind regards,

Richard Aitken

On 14 Jun 2024, at 16:24, Marian Webb
<Marian.Webb@ekepanuku.co.nz> wrote:

Hi Richard

I want to provide another update on our work investigating the proposed pontoon connection. Our engagement with technical specialists is well underway, and relates to work on consenting and regulatory requirements, resourcing and procurement (materials and staff), delivery and operation. We're working with technical experts from the industry that have significant experience in this environment, and this specific location, and our internal expertise including our marina team to ensure we have high-quality advice available to us. We have also engaged with Auckland Council's regulatory team and will be working with VHHL given our shared roles in the water space.

We are putting significant effort into ensuring we have robust information and advice and are able to address specific questions relating to the relevant consenting and regulatory requirements. This does take a little more time, but by doing this work now, it minimises the risk of delays further down the line, and if the proposal is approved, we are in a position to implement it as fast as possible.

I want to note specifically that no decisions have been made yet.

On the design of the proposed pontoon connection: after careful consideration of the initial design, expert advice is that it wasn't feasible as proposed, due to a combination of factors, including unacceptable health and safety risks. In addition, under the Building Act 2004, there are gradient and accessibility requirements to consider, and as the slope of the public access ramps will vary with tidal changes, the initial design was not feasible at low tide.

To address the identified risks and issues, we have amended the design, specifically relating to the public access ramps and the height difference between the pontoons. We are now testing the amended design further. Additionally, under the Health and Safety at Work Act 2015, a comprehensive risk assessment is required, which we are working on. The assessment would also be required for building and resource consent. Assuming we resolve the design, we will also be evaluating the overall feasibility and impact of the connection.

As mentioned in my previous email, the fact that this would not only be a publicly accessible connection, but one where the public would be actively encouraged to use in large numbers, elevates the risk threshold substantially.

We will provide another update as soon as the amended design has been further tested.

Regards,
Marian

From: Richard Aitken

Sent: Monday, June 10, 2024 5:26 PM

To: Marian Webb

<Marian.Webb@ekepanuku.co.nz>

[Redacted]

Wheeler <Ian.Wheeler@ekepanuku.co.nz>; David Rankin <David.Rankin@ekepanuku.co.nz>

Subject: Re: Interim Wynyard Crossing Proposal

Hi Marion,

Thank for your detailed reply. We remain willing to collaborate with you to make this happen.

Kind regards,

Richard Aitken

From: Marian Webb <Marian.Webb@ekepanuku.co.nz>
Sent: Friday, June 7, 2024 7:59:53 PM
To: Richard Aitken

[Redacted]

[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]; lan

Wheeler <lan.Wheeler@ekepanuku.co.nz>; David

Rankin <David.Rankin@ekepanuku.co.nz>

Subject: RE: Interim Wynyard Crossing Proposal

Hi Richard

Our work to thoroughly consider the proposal for a temporary pontoon bridge is ongoing. We expect to have more detailed information available in the next week or so, but I wanted to give you an update in the interim.

As I'm sure you will appreciate, understanding the full scope and feasibility of a solution like this in an active marina environment, where safe public access is of vital importance, is complex. We are working as fast as we can to progress the evaluation while not sacrificing the quality of advice.

Crucially, there are significant issues to be worked through when it comes to implementing new infrastructure that will not only be open for public access, but that the public will specifically be encouraged to use in large volumes, with potentially thousands of people a day expected to use the connection.

Given where legal liability ultimately sits, it is our responsibility as the person conducting a business or undertaking (PCBU), on behalf of the Eke Panuku Board and also Auckland Council, to ensure that we carefully and fully understand and evaluate the variety of risks for a proposal like this before committing to a specific course of action.

We have, and continue to, engage with technical specialists to get a better understanding of the different parts of the proposal that would be required for implementation.

To that end, we are working through the following:

- **Technical and design considerations:** this includes looking at different designs and configurations of the constituent parts of the proposal, like the pontoon connection itself and how best one could make the gangways suitable for public use on either side;
- **Consenting:** this includes having a full understanding and overview of the required information and documentation to enable consenting as fast as we can;
- **Operational health and safety issues:** this includes the legislative responsibilities we hold given we are PCBU for both the marina and the public space on either side of the bridge. It also includes workplace safety responsibilities as there will be workers involved, like the skipper and support staff required to operate the pontoon with the outboard motor;
- **Resourcing:** this includes determining how the pontoon connection would be staffed and operated; and
- **Cost and programme:** this includes having a fuller understanding of how the project could realistically be implemented, the timeframe required, procurement and so on.

Sent: Wednesday, May 29, 2024 2:39 PM
To: Richard Aitken [redacted];
Marian Webb <Marian.Webb@ekepanuku.co.nz>

[redacted]

<Ian.Wheeler@ekepanuku.co.nz>
Subject: Re: Interim Wynyard Crossing Proposal

Thanks for this Richard, as discussed we will have a look at the idea and come back to you

Regards

David

Get [Outlook for iOS](#)

From: Richard Aitken [redacted]
Sent: Wednesday, May 29, 2024 1:48:09 PM
To: David Rankin <David.Rankin@ekepanuku.co.nz>;
Marian Webb <Marian.Webb@ekepanuku.co.nz>

[redacted]

Subject: Interim Wynyard Crossing Proposal

Dear David and Marion,

Introduction

I refer to our previous meetings and discussions on proposals for a temporary pedestrian crossing to connect Te Wero Island to Karanga Plaza and in doing so re-establishing the greatly needed connection between the Wynyard Quarter and the rest of the waterfront and the CBD.

When we last met I presented a proposal that was first put forward by Eke Panuku as part of its own Resource Consent Application to build a new bridge that would replace the one that has now failed. This was, in essence, being promoted by Eke Panuku as part of the then stakeholder consultation. You kindly undertook to take that proposal away and review it to see if it was a viable option and that exercise resulted in the RCP report which was shared on the Eke Panuku website.

The Executive Summary of that report reached the following conclusion:

<image001.png>

Response to the RCP Report

Since the receipt of that report, I have been working with NZ Marine, Total Marine and the Marina Team and Executive of Tramco / VHHL to come up with an alternative solution that addresses the two heads of concern raised in the RCP Report. We have also been consulting with the list of Stakeholders summarised below (all copied into this email) and they have confirmed their support.

Stakeholders in Support

1. VHHL / Tramco including Explore and other large vessel operators.
2. Kiwi Property and tenants including ASB Bank and Food and Beverage operators.
3. Auckland Theatre Company.
4. Sanford / Auckland Fish Market.
5. Tataki Auckland Unlimited.
6. Heart of the City.
7. Precinct Properties.
8. GirdAKL.
9. 30 Madden Street Apartments Body Corporate and commercial tenants.
10. Wynyard Central Apartments Body Corporate and commercial tenants.
11. Eke Panuku North Wharf tenants.
12. NZ Marine.
13. Wynyard Quarter Residents Association.
14. Lighter Quay North Apartments Body Corporate.
15. Lighter Quay Stratus Apartments Body Corporate.
16. PAG (owners of Mason Brothers and 155 Fanshawe Street).
17. Orams Marine.
18. Infratil (NZ Bus site).
19. Mansons TCLM.
20. St Mary's Bay Residents Association.
21. (For the record) Fu Wah New Zealand and Hyatt International.

Revised Proposal

Please find attached the revised proposal drawn up by Total Marine. In summary, it uses existing infrastructure to get down to the water from both Te Wero Island and the public berth off Karanga Plaza. There will be two pontoons that are currently stored elsewhere and therefore don't need to be procured. The western pontoon will be moved by way of an outboard motor and will pivot to allow marine traffic to pass through. This will take the same amount of time (potentially quicker) as the current Wynyard Crossing. The navigable channel will be circa 26 metres and the interim accessway will operate under the existing rules, with marine traffic having right of way.

The Programme Issues

The RCP report included a programme of around six months to design, consent, procure and construct this type of pontoon bridge. Based on this assumption, it was concluded that there was no benefit in doing so as the existing bridge would be repaired by then.

We respectfully do not agree with this assumption for the following reasons:

1. At the moment Panuku has been unable to commit to a date as to when the existing bridge will be repaired. We are told that this will likely be ready for summer but have no idea as to what is meant by summer which could be at best December or at worst February or March. To reach such conclusion against an uncertain date for delivery seems inappropriate. Even if the existing bridge were to be repaired by December, this would still leave several months with no effective connection between Wynyard Quarter and the CBD. Under any scenario this is not sustainable.
2. We believe that the programme overstates the times required to implement this alternative for the following reasons:
 1. Based on our advice the design can be worked up and completed taking into the points to be raised below in a matter of one-two weeks, given commitment by all the relevant parties.
 2. The pontoons required already exist and therefore do not need to be procured. They are available to be moved into position now.
 3. All relevant stakeholders have been consulted including large vessel owners and are supportive of this proposal. With the support of Eke Panuku and Auckland Council any required consents can be granted quickly.
 4. Total marine, who will carry out the work, have considerable experience in undertaking similar projects as evidenced by the boat show each year where large amounts of similar marine infrastructure are installed and removed in a number of days. Their assessment is that this project can be undertaken and completed in four to six weeks (not months) and potentially quicker depending on final design and fabrication of required steel elements.

Health and Safety and Operational Issues

I would now like to address the Health and Safety and Operational issues raised by the RCP report and other stakeholders. To be clear there is no interest from anyone in promoting a solution that is unsafe to the public and marine users of the area. Rather, we are only seeking a sensible and pragmatic solution that achieves the best outcome available, noting that there will never be a perfect solution.

RCP Report Matters

1. **Pontoon Condition** – agree that the pontoons will need to be inspected to ensure they are safe to operate.
2. **Pontoon Public Use** – agree that handrails will be required and installed. These can be worked through in the next round of design. We note that there is similar work being undertaken in relation to the Mayor's visionary swimming pool that will also include pontoons on the water that the public can access. To save further costs the proposed pontoons could potentially be repurposed for the swimming pool when this temporary access is no longer required.
3. **Procurement of access gangways** – this proposal uses the existing gangways. We note that these may require additional management but this can be worked through. Larger gangways can also be procured should Panuku think this necessary however this should not hold up this proposal.
4. **Pontoon stability** – we are advised that the proposed pontoons at 3.3 metres and 4.4 metres will be stable and safe for public access. Again, this can be confirmed at the next round of design.
5. **Speed of opening** – the design proposal uses a 100hp outboard motor that we are advised will be more than sufficient to move the pontoons at a speed that matches the existing bridge opening times. Further it will be designed so that the engine can be rotated 180 degrees to maintain 100% forward (rather than reverse) thrust in either direction of travel.
6. **Public Access** – we note that at certain tidal levels the 1:12 slope level may not be achieved however the times that it can be achieved will be an improvement on the current status quo where people have to walk around the whole of the viaduct.
7. **Poor lighting** – lighting to meet the Harbour Master's and other marine operators requirements can be designed at the next stage.
8. **Operation** – all matters relating to operation will be worked through with the key stakeholders and Harbour Master. There are already existing bridge operators, security staff and marina staff that can be trained relatively quickly for such a simple operation. Also, the WQ Precinct Society already pays considerable sums for security annually and these resources can be drawn upon if necessary along with the Māori Wardens and other security providers in the Wynyard Quarter, Viaduct and CBD.
9. **Lack of Signage** – agreed and this can be worked up with the relevant communications teams within the stakeholder group.
10. **Security** – please comments above under Operation.
11. **Lease** – agreed and can be easily negotiated.

12. **Consents** – Agreed and see comments above.
Could potentially be included in existing
Consents for marina and piling operations held
by parties within the stakeholder group.

Other Matters Raised by Stakeholders

1. **Harbour Master Consent** – will be required
however given a detailed management regime
and design this should be forthcoming. We note
that the harbour Master has given consent to the
swimming pool concept.
2. **Janice of Wyoming** – will require to be re-located
however there are a number of options available.
3. **Operating Hours** – these will need to be worked
through and agreed. Also procedures for after
hours call outs and breakdown responses.

A further benefit of this proposal is that once agreed
and implemented it future proofs the Wynyard Quarter
against any ongoing maintenance or breakdown issues
that the bridge may suffer from. Given that the repaired
bridge will most likely be in operation for at least five to
ten years, a back up plan that can be easily rolled out
to avoid the current situation being repeated should, in
our opinion, form a key part of Eke Panuku's asset
management plans and strategy going forward.

Way Forward

David and Marion as you can see from the list of
stakeholders above there are a lot of people and
businesses that have serious concerns and are being
adversely affected by the closure and uncertainty
around re-opening of the Wynyard Crossing. The
purpose of this email is not to add to the complaints
that you have received to date, but rather to present a
solution for your consideration and hopefully action.

To assist you, and to achieve a positive outcome for all,
I would like to propose the establishment of a small
working group to move this forward including myself,
Total Marine, a representative from VHHL / Tramco and
one - two people from Eke Panuku with the relevant
qualifications. We can work together in a constructive
manner and with urgency.

As always, I am available to meet with you both at any
time.

Kind regards,

Richard Aitken 瑞智 爱肯

Area General Manager – South Pacific Region 南
太平洋区域总经理

Fu Wah New Zealand Limited 富华新西兰有限公司

Email [REDACTED]

**Podium Level, Mastercard House, 136 Customs S
treet West, Auckland 1010**



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<2024-08-16 - Wynyard Bridge - Programme Summary.pptx>
<2024-08-16 - Wynyard Bridge - Programme Summary.pptx>
<2024-08 - Wynyard Bridge - Programme Summary.pptx>
<Wynyard Temporary Crossing - Programme V1.2 -LS.pdf>

Out of Cycle Decisions – At the time of publication, no out-of-cycle decisions were made between the July and August meetings.

Director interests at 05 August 2024

Member	Interest	Company / Entity	Conflicts pre-identified?
Paul Majurey	Chair	Eke Panuku Development Auckland Limited	
	Member	Auckland Light Rail Mana Whenua Sponsors Group	
	Director	Hāpai Commercial General Partner Limited	
	Chair	Hāpai Housing General Partner Limited	
	Chair	Hauraki Collective (12 iwi collective)	
	Tangata Whenua Representative	Hauraki Gulf Forum	
	Director	Holm Majurey Limited	
	Director	Homai General Partner Limited	
	Chair	Impact Enterprise Partnership GP Limited	
	Director	Manawa GP Limited	
	Chair	Marutūāhu Collective (5 iwi collective)	Possible
	Chair	Marutūāhu Rōpū General Partner Limited	
	Director	MO5 Properties Limited	
	Director	MRLP Group Limited	
	Chair	Ngāti Maru Limited	Possible
	Director	Pare Hauraki Asset Holdings Limited	
	Chair	Puhinui Park GP Limited	
	Chair	Te Pūia Tāpapa GP Limited	
	Chair	Tūpuna Taonga o Tāmaki Makaurau Trust Limited (Tūpuna Maunga Authority)	
	Director	Westhaven Marina Limited	
Director	Whenua Haumi Roroa o Tamaki Makaurau General Partner Limited		
Chair	Whenuapai Housing GP Limited		

Member	Interest	Company / Entity	Conflicts pre-identified?
David Kennedy	Director, Deputy Chair	Eke Panuku Development Auckland Limited	
	Chair	Beachlands South GP Ltd (JV between NZ Super Fund and Russell Property Group)	
	Member	Business Reference Group Te Arotake Future for Local Government	
	Director	Cathedral Property Limited	
	Board Advisor	Civix Limited	
	Director	Grantley Holdings Limited	
	Chair	Kaha Ake GP Ltd (JV between NZ Super Fund and Classic Developments)	
	Director	Naylor Love	
	Trustee	New Zealand Housing Foundation	Possible
	Chief Executive	Te Kaha Project Delivery Limited	
	Director	Westhaven Marina Limited	
	John Coop	Director	Eke Panuku Development Auckland Limited
Trustee		JE and CS Coop Family Trust	
Managing Director and Principal		Warren and Mahoney	Yes
Kenina Court	Director	Eke Panuku Development Auckland Limited	
	Shareholder	Arrakis Limited	
	Director	Banking Ombudsman Scheme Limited	
	Director	BDE Bonus Limited	
	Director	Business in the Community (2013) Limited	
	Director	Business Mentors New Zealand Limited	
	Director	Eight Peaks Holdings Limited	
	Director	Everege Orbis Holdings Limited	
	Director	Fale Developments Limited	
	Director	Fortitudine Trustees Limited	
	Director	Greer Family Trustees Limited	
	Director	Huma Holdings Limited	
	Director	IBS	
	Director	It's Happened Trustees Limited	

Member	Interest	Company / Entity	Conflicts pre-identified?
Kenina Court continued	Director	KW Westgate Limited	
	Director	Lovelock Trustees Limited	
	Director	Lujato Trustees Limited	
	Director	M&G Trustees Limited	
	Director	Nathan Whanau Trustees Limited	
	Director	New Gipsy Limited	
	Director	NTA Holdings Limited	
	Director	Oceania Career Academy Limited	
	Director	Pathfinder Management Partner Limited	
	Director	Pathfinder Trustees Limited	
	Director	Pathsol Limited	
	Director	PGFT Trustees Limited	
	Director	Platinum Securities Limited	
	Director	PSL Freedom Limited	
	Director	Rice Family Trustees Limited	
	Director	Silvereye Investments Limited	
	Director	Slice Limited	
	Director	Stak Trustees Limited	
	Director	Twinlion Trustees Limited	
	Director	Up Skill Teams Limited	
Steven Evans	Director	Eke Panuku Development Auckland Limited	
	Member	Construction Industry Accord Residential Sector Reference Group	
	Director	Kaipatiki FRL Limited Partnership	
	Chief Executive	Fletcher Building Limited	Yes
	Director	Homai General Partner Limited	
	Director	Okahukura GP Limited	
	Member	Steering Group Construction Industry Accord	
	Director	Tauoma FRL Limited Partnership	
	Director	Te Tau Waka Limited Partnership	
	Deputy Chair	Urban Development Institute of New Zealand	Yes

Member	Interest	Company / Entity	Conflicts pre-identified?
Jennifer Kerr	Director	Eke Panuku Development Auckland Limited	
	Committee member	Audit and Risk – Police	
	Chair	Callaghan Innovation	
	Trustee	J.R. Kerr Portfolio of Shares and Bonds managed by Craig Investment Ltd	
	Trustee	J.R. Kerr Portfolio of Shares and Bonds managed by Forsyth Barr	
	Settlor, Trustee, Beneficiary	J.R. Kerr Trust	
	Chair	NZTE	
	Member	Port Nicholson Trust	
	Trustee	Te Manawaroa Trust	
	Member, Advisory Board	University of Waikato Management School	
	Director	Waipa Networks Limited	
	Director	Waipa Networks Growth Limited	
	Chair	WorkSafe New Zealand	

Director interests: Changes since July 2024 Board meeting:

Additions:

Director	Conflict/interest added	Date notified
	N/A	

Amendments:

Director	Conflict/interest amended	Date notified
	N/A	

Deletions:

Director	Conflict/interest amended	Date notified
	N/A	

Meeting Attendance Register – 2024

	2024										
	28 Feb	27 Mar	24 Apr	22 May	26 Jun	24 Jul	28 Aug	25 Sep	23 Oct	27 Nov	11 Dec
P. Majurey	✓	✓	✓	✓	✓	x					
D. Kennedy	✓	✓	✓	✓	✓	✓					
J. Coop	x	✓	✓	✓	x	✓					
K. Court	✓	✓	x	✓	✓	✓					
S. Evans	✓	✓	✓	✓	✓	x					
J. Kerr	✓	✓	✓	✓	✓	✓					

Minutes of the meeting of the Audit and Risk Committee of Eke Panuku Development Auckland Limited, held in person at Te Wharau o Tāmaki Auckland House, 135 Albert Street, Auckland and online via Teams, on Monday 26 February 2024

Attending	<p>Committee Members: Kenina Court (Chair), David Kennedy, Jennifer Kerr Executive: Carl Gosbee, Chief Financial Officer; Michele Harpham, Finance Manager; Kingsha Changwai, Manager Corporate Risk and Reporting; Alice Newcomb, Governance Manager; Rosemary Geard, Governance Advisor (minutes) Attendee: David Walker, Audit New Zealand</p>
1. Welcome / Acknowledgements	<p>The meeting opened at 10.08am. The chair welcomed all to the meeting.</p>
1.1 Apologies	<p>Apologies were received from Paul Majurey (ex officio).</p>
2. Directors' interests and conflicts	<p>One new and one updated interest were reported:</p> <ul style="list-style-type: none"> • Kenina Court will provide Alice Newcomb, Governance Manager, details of a new directorship. • Jennifer Kerr is now chair of Callaghan Innovation. <p>The committee received the report.</p>
3. Minutes of previous meeting held on 27 November 2023	<p>The minutes of the meeting held 27 November 2023 were approved.</p>
4. Matters arising Action list	<p>Three items are in progress. The committee received the report.</p>
Decision papers	
5.1 Audit Engagement letter	<p>Michele Harpham introduced David Walker, Audit New Zealand, who the Auditor-General has appointed to take over the audit of Eke Panuku for the remaining term of this appointment round, and spoke to the new engagement letter issued by Audit New Zealand.</p> <p>Following the conclusion of discussions, the committee:</p> <ol style="list-style-type: none"> a. recommended approval of the audit engagement letter for the years ending 30 June 2024 and 2025 to the Eke Panuku Board.
Information papers	
6.1 Internal audit report – Marina waterside assets	<p>Marian Webb, GM Assets & Delivery; Kevin Lidgard, Head of Marinas; Jo Ogg, EY; and Donovan Wensor, EY, joined for this item.</p> <p>Michele Harpham, Finance Manager introduced the report.</p> <p>The committee noted management's comment that all recommendations will be implemented by November 2024.</p> <p>ACTION: Submit the marina management internal audit recommendations implementation work programme to the July meeting.</p> <p>ACTION: Add an internal audit recommendation tracking report as a standing agenda item.</p>

	Following the conclusion of discussions, the committee received the report.
6.2. Risk & Business Continuity Plan updates	<p>Kingsha Changwai, Manager Corporate Reporting and Risk, introduced the report.</p> <p>ACTION: [REDACTED]</p> <p>ACTION: Upload the Crisis Management Team Plan and Corporate Business Continuity Plan, and directors contact details to the Board of Directors' Resource Centre in Diligent Boards.</p> <p>Following the conclusion of discussions, the committee received the report.</p>
6.3 Climate disclosure update	<p>Kristen Webster, Head of Corporate Responsibility, joined for this item.</p> <p>ACTION: Alice Newcomb, Governance Manager, to collate a skills matrix of board members.</p> <p>Once agreed with council, the Eke Panuku climate disclosure will be presented to the board.</p> <p>Following the conclusion of discussions, the committee received the report.</p>
7. Forward Work Programme (FWP)	<p>The next meeting is scheduled for 10am-noon on Monday 22 July 2024.</p> <p>The committee received the report.</p>
8. General business	There were no items of general business.
Meeting close	The meeting closed at 11.11 am.

Confirmed as a true and accurate record:


 _____ Chair

22/7/24 Date

Minutes of the meeting of directors of Eke Panuku Development Auckland Limited, held in partly confidential session, in person at 135 Albert Street, Auckland and online via Microsoft Teams, on Wednesday 24 July 2024

Attending	<p>Board: David Kennedy (Deputy Chair & Acting Chair), John Coop, Kenina Court, Jennifer Kerr</p> <p>Executive: David Rankin, Chief Executive; Ian Wheeler, Chief Operating Officer; Gyles Bendall, GM Design & Place; Alaina Cutfield, Head of People & Culture; Carl Gosbee, Chief Financial Officer; Brenna Waghorn, GM Strategy & Planning; Marian Webb, GM Assets & Delivery</p> <p>In Attendance: Rachel Wilson, Principal Advisor, Auckland Council; Lisa Franklin, Media Manager; Alice Newcomb, Governance Manager; Rosemary Geard, Governance Advisor (minutes)</p>
1.0 Meeting opening	<p>The meeting opened at 10.00am with a karakia.</p> <p>The acting chair welcomed everyone to the meeting.</p>
1.1 Apologies	<p>Apologies were received from Paul Majurey (Chair), Steve Evans, and Councillor Angela Dalton.</p> <p>Apologies for lateness were received from Kenina Court who arrived at 10.05am.</p>
2.0 Statement of Intent 2024-2027	<p>Kingsha Changwai, Manager Corporate Risk and Reporting, joined the meeting for this item.</p> <p>Brenna Waghorn, GM Strategy & Planning, introduced the item.</p> <p>Following the conclusion of discussions, the Eke Panuku Board resolved to:</p> <ol style="list-style-type: none"> a. approve the final Eke Panuku Development Auckland Statement of Intent 2024-27 (SOI) subject to any changes recommended by the Board being made. b. provide delegation to the Chair and CE to approve final changes to the SOI before it is submitted to the council.
Procedural motion to exclude the public	<p>Pursuant to clause 12.3 of the Eke Panuku Development Auckland Ltd Constitution, the public be excluded from confidential papers or parts thereof, so that commercially sensitive issues can be discussed.</p>
3.0 Chief Executive's Report	<p>David Rankin, Chief Executive, spoke to the report.</p> <ul style="list-style-type: none"> • Avondale Central - Master Plan <p>[Redacted content]</p>

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The Eke Panuku Board received the report. Rachel Wilson left the meeting.</p>
<p>4.0 Health & Safety Report</p>	<p>Bernardo Vidal, Head of Health, Safety and Wellbeing, joined the meeting for this item.</p> <p>The Eke Panuku Board discussed and received the Health and Safety report June 2024.</p>
<p>5.0 Decision papers</p>	
<p>5.1 Eke Panuku Corporate Business Plan 2024-2025</p>	<p>Brenna Waghorn, GM Strategy & Planning, introduced the item.</p> <p>Following the conclusion of discussions, the Eke Panuku Board resolved to:</p> <p>a. approve the FY 2024-2025 Corporate Business Plan and associated budgets and activities.</p>
<p>5.2 Waterfront Commercial Opportunity</p>	<p>Marian Webb, GM Assets & Delivery, introduced the item.</p> <p>Following the conclusion of discussions, the Eke Panuku Board resolved to:</p> <p>a. [REDACTED]</p> <p>b. [REDACTED]</p> <p>c. [REDACTED]</p> <p>d. [REDACTED]</p>
<p>5.3 84-100 Morrin Road, St Johns - Development outcomes</p>	<p>Gavin Peebles, Head of Development joined the meeting.</p> <p>Allan Young, GM Development, introduced the item.</p> <p>Following the conclusion of discussions, the Eke Panuku Board resolved to:</p> <p>a. [REDACTED]</p> <p>b. [REDACTED]</p>

	<p>[REDACTED]</p> <p>[REDACTED]</p>
<p>5.4 Te Wero Wynyard Crossing Bridge update</p>	<p>Angelika Cutler left the meeting for this item due to a disclosed conflict of interest.</p> <p>Gareth Wilson, Head of Marinas, joined the meeting for this item.</p> <p>Marian Webb, GM Assets & Delivery, introduced the item.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Following the conclusion of discussion, the Eke Panuku Board resolved to:</p> <ol style="list-style-type: none"> a. note the current status of the works underway to complete the renewal on the mechanical and structure elements of the Te Wero Wynyard Crossing Bridge, and that it is tracking to program and budget of \$7.7m plus opex of \$320k. b. note the work undertaken to progress the temporary pontoon connection. c. note the material change to the cost of the project, in particular, the identified cost increase to implement the temporary pontoon connection option which is currently forecast to exceed the overall cost of approximately \$892,500 by over \$600,000 to \$1.5m with an additional potential loss of income of \$130,000 as previously advised. d. note that analysis undertaken by our Finance team indicates that the bulk of the cost will be opex and not capex which will lead to additional strain on Eke Panuku budgets given that there is less flexibility with the Eke Panuku constrained opex budget. e. note the second small red boat ferry service trial underway and an expanded service, as an alternative option for the temporary pontoon crossing has been explored and is reported below. f. agree that, given the significant cost escalation in the temporary pontoon option identified by further detailed work over the past few weeks, and the clear risk of more escalation, and given the limited two-month period it could operate from late September, the temporary pontoon option is no longer viable on a cost/benefit basis and should no longer be pursued. g. approve the Executive implementing the expanded small red boat ferry service as an alternative option for the temporary pontoon crossing which will provide significant benefit for materially less cost and which can be implemented forthwith.

	<p>h. note that various sections of the report are confidential at this stage due to ongoing negotiations with third parties with respect to the temporary pontoon crossing and small red boat ferry service. Additionally, the Executive would like to communicate directly with key stakeholders prior to the release of information to the public to appropriately respect the Fu Wah led project to Eke Panuku in May.</p>
6.0 Information papers	
6.1 Te Ara Tukutuku	<p>Fiona Knox, Priority Location Director - Major Projects and Julie Crabb, Senior Project Manager - Project Delivery, joined the meeting for this item.</p> <p>The board noted this is the largest public space to be developed in Auckland in the last 100 years.</p> <p>The Eke Panuku Board received the Te Ara Tukutuku report.</p>
6.2 Quarterly risk report	<p>Kingsha Changwai, Manager Corporate Risk and Reporting, joined the meeting for this item.</p> <p>Carl Gosbee, Chief Financial Officer, introduced the item.</p> <p>The Eke Panuku Board received the Quarterly risk report.</p>
7.0 Governance matters	
7.1 Audit & Risk Committee meeting 22 July 2024 - verbal update	<p>Kenina Court, Chair of the Audit and Risk Committee provided a verbal update on the meeting held on 22 July 2024.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
7.2 Out-of-cycle decisions	<p>There were no out of cycle decisions between the June and July meetings.</p>
7.3 Director's interests and Director's project interest reports	<p>The Eke Panuku Board reviewed and received the Register of Director's Interests reports.</p>
7.4 Director meeting attendance	<p>The Eke Panuku Board noted the Directors' meeting attendance.</p>
7.5 Minutes of previous meeting held 26 June 2024	<p>The Eke Panuku Board reviewed and confirmed the minutes of the Board Meeting 26 June 2024, with confidential information included, as a true and accurate record of the meeting.</p>
7.6 Board action list	<p>The Eke Panuku Board received the board action list.</p> <p>The Executive confirmed the seismic assessment report for 21 Princes Street states the "building does not have any critical structural weaknesses" and noted the Earthquake-Prone Buildings Management and Occupation Guideline - Policy would be reviewed at the August meeting.</p>

7.7 Board forward work programme	The Eke Panuku Board received the board forward work programme.
8.0 General Business	There were no items of general business.
Avondale Central	
Meeting close	The meeting closed with a karakia at 11.30am.

Confirmed as a true and accurate record:

----- **Deputy Chair** ----- **Date**

DRAFT