



14 September 2016

LGOIMA No. 814000351
(Please quote this in any correspondence)

Graham Carter

By email: fyi-request-4449-6cfae7de@requests.fyi.org.nz

Dear Mr. Carter

Local Government Official Information And Meetings Act 1987
Hauraki Gulf Forum Governance Review and Unitary Plan decisions

I refer to your email which we received on 16 August 2016, concerning Hauraki Gulf Forum (HGF) Governance Review. Your email to us was a mixture of commentary and questions. Our response addresses what we believe to be requests for information in that email. Please note we have re-ordered your questions in order to provide a response that is easier to follow.

- 1. This proposal appears to go against the ‘guiding principles’ that were adopted to ‘inform the review’. Why has this been allowed to happen? These recommendations are preposterous and we would like all relevant information on how this recommendation was forthcoming? Who orchestrated this recommendation?**

In June 2015, an independent external review was completed by Dr Nigel Bradly including interviews with Forum members and associates. The report was intended as navigational advice and contained recommendations on how to approach governance moving forward. The review recommended strengthening the governance capacity to enable the Forum to more effectively promote the management objectives of the Hauraki Gulf Marine Park Act. The Bradly review recommendations included:

"Recommendation 1. Governance should be reformed and the current structure replaced with a smaller, more agile Forum membership that provides a peer group of politically aware and strong leaders committed to promoting the objectives of the Act, and that reflects the national significance and expectations of government in creating the Marine Park and the Forum. The Forum needs to work with statutory organisations but not necessarily be formed by them (as it currently largely is), and needs greater representation of tangata whenua to reflect the nature of the Crown – iwi partnership. See Recommendation 4 for more detail.

Recommendation 4. This Review has not examined an alternative governance model in sufficient detail to recommend a specific structure, size or make-up of a future Forum. We recommend a small group of experts external to the Forum be tasked with examining this issue in depth and report back to the September 2015 Forum meeting with clear options for future governance. These individuals should have experience and expertise in natural resource management and the unique context that the Forum operates in, Treaty matters including co-governance and co-management, and best practice governance models."

On 15 June 2015, the Forum considered the recommendations on the [HGF meeting](#) and resolved that the HGF (Resolution number HGF/2015/14):

- a) initiate a small working group to further consider the findings and recommendations of the review and their implications and to report back with options for accommodating them at the next Forum meeting in September 2015.
- b) delegate authority to the Chair and Deputy Chair to determine the make up a working group with input, via email, from forum members.

In August 2015, a working group of Paul Beverley (lawyer and currently Independent Chair of the Tai Timu Tai Pari Sea Change Stakeholder Working Group), Vaughan Payne (Chief Executive, Waikato Regional Council) and Mark Maloney (Head of Audit, Auckland Council) was commissioned to prepare advice. This group was instructed to seek input from deputy chair Liane Ngamane and Mook Hohneck to understand tangata whenua perspectives.

On 20 June 2016, the working group presented its report and recommendations to the HGF meeting. The forum received and noted the recommendations and sought responses to them from constituent parties at its next meeting, after consultation with their respective bodies. Please refer to the [Open Minutes of the HGF meeting](#) for more details. Also refer to the [Governance Review Update](#) on the agenda for the 12 September 2016 HGF meeting.

2. We question whether non mana whenua members, and government/local government appointees have been intimidated into accepting these recommendations?

There is no information to suggest any non mana whenua members, and government/local government appointees have been intimidated into accepting these recommendations.

It should be noted that the Forum has not accepted the recommendations.

3. Is the influence of David Taipari and Paul Majurey in these proposals?

Mr Paul Majurey is one of 21 members of the Forum, appointed by the Minister of Conservation to represent the tangata whenua of the Hauraki Gulf and its islands. The Forum operates as a special joint committee of Auckland Council with associated standing orders and protocols. All forum members are afforded equal opportunity to consider, discuss and make decisions on recommendations to the forum.

Mr David Taipari is not a member of the Forum.

4. We know that David Taipari and Paul Majurey are accomplished 'long-game' players; we request information on if they were involved and how they did this.

Please refer to our response to question number 1 and 3.

5. How did this (Unitary Plan Cultural Impact Assessment) get through the Committee to the Governing Body with the support of the unelected Maori Statutory Board that has a vote on the former but not on the later?

Auckland Council agreed to the Unitary Plan Independent Hearings Panel's (IHP) recommendation to delete information for cultural impact assessments as a requirement for a resource consent.

Please refer to the following reports available on the Auckland Council website, which provide details on staff advice to accept the IHP recommendations:

- [Minutes of the Governing Body meeting on 10 August 2016](#)

- Part B, paragraph 5.1C of the Committee Report submitted to the [Auckland Development Committee and Governing Body meetings on 10 August 2016](#)

6. Did Chair of the Board David Taipari 'drop the ball' on this?

We assume this question refers to Mr Taipari's involvement in referring the decision on the Unitary Plan to the Governing Body.

On 10 August 2016 the Auckland Development Committee (ADC) met and unanimously voted to refer the recommendations of the UPIHP to council's Governing Body for decision. David Taipari was present at the ADC meeting and took part in making the decision to refer the matter on to the Governing Body.

The Minutes of that meeting are publicly available at the following link:

http://infocouncil.aucklandcouncil.govt.nz/Open/2016/08/AUC_20160810_MIN_6585_WEB.HTM

7. Deputy Mayor French has some very pointed questions to answer on how this got to this stage with him as our representative on the Forum. We request she answer to this.

Auckland Council is unable to answer this question. Please refer your request to the Thames-Coromandel District Council at <http://www.tcdc.govt.nz/Your-Council/Contact-Us/Official-Information-Request/>

8. Why has the 200,000 Recreational fishing representation been locked out of the Hauraki Gulf Forum? Why have Customary got the smallest part yet they have the biggest representation.

The membership of the Hauraki Gulf Forum is defined by the [Hauraki Gulf Marine Park Act 2000](#).

9. Rate payers are paying for this and it's none of the Council's business – why are they spending rate payers' money on this as it's not an essential service that ratepayers should be paying for?

The purposes, functions and powers of the Hauraki Gulf Forum are defined by Hauraki Gulf Marine Park Act 2000. A joint funding formula is defined in its governance statement and an annual work plan agreed by its members, and this is disclosed in an annual report prepared for the Minister of Conservation. The review and governance advice were commissioned by the Forum.

If you have any further queries please contact me on 09 301 0101, quoting LGOIMA No. 8140000351.

Yours sincerely



Jenny Hua
Privacy & LGOIMA Business Partner
Democracy Services