

# Hauraki Gulf Forum - Governance review

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<b>TO</b>	Thames-Coromandel District Council
<b>FROM</b>	Angela Jane - Governance and Strategy Group Manager
<b>DATE</b>	11 January 2017
<b>SUBJECT</b>	<b>Hauraki Gulf Forum - Governance review</b>

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## **1 Purpose of report**

The purpose of the report is to provide an opportunity for councillors to give their input to the Mayor on the governance review of the Hauraki Gulf Forum for responding at the February Hauraki Gulf Forum meeting.

## **2 Background**

In June 2016 the Hauraki Gulf Forum received a report on a governance review of the Forum (the Beverley, Payne, Maloney Report) which followed a report commissioned to look at the efficiency and effectiveness of the Forum (the Bradly Report). The governance review report recommends changes in the membership of the Forum to a co-governance approach and for the Forum to have more statutory authority and a stronger and more direct role over the Hauraki Gulf (this would require legislative amendments to the Hauraki Gulf Marine Park Act 2000).

The Forum has only held an initial discussion on the report's recommendations and is seeking more input at the next Forum meeting scheduled for 20 February 2017. A brief outline of the current membership is below. The recommended membership is included in the discussion section of this report and for more detail please refer to the report included in the 17 August 2016 Council agenda (available on the Council's website) and the web version of the Hauraki Gulf Forum June 2016 agenda at ([http://infocouncil.aucklandcouncil.govt.nz/Open/2016/06/HGF\\_20160620\\_AGN\\_6390\\_AT.htm#PDF3\\_Attachment\\_48174\\_1](http://infocouncil.aucklandcouncil.govt.nz/Open/2016/06/HGF_20160620_AGN_6390_AT.htm#PDF3_Attachment_48174_1))

### **Current situation**

The Hauraki Gulf Forum (the Forum) is a statutory Forum established by the Hauraki Gulf Marine Park Act 2000 (HGMP Act). The Forum is deemed to be a Joint Committee of the constituent local authorities in accordance with the Local Government Act 2002.

The purpose of the Forum is:

- a) *To integrate the management and, where appropriate, to promote the conversation and management in a sustainable manner, of the natural, historic and physical resources of the Hauraki Gulf, its islands and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand*
- b) *To facilitate communication, co-operation and co-ordination on matters relating to the statutory functions of the constituent parties in relation to the Hauraki Gulf, its islands and catchments and the Forum*
- c) *To recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands and where appropriate, its catchments.*

Membership is determined in accordance with Section 15 of the HGMP Act and is constituted by:

- 1 representative appointed each by the Minister of Conservation, the Minister of Fisheries and the Minister of Maori Affairs
- 7 representatives appointed by the Auckland Council
- 1 representative appointed by each of the following local authorities - Hauraki District Council, Matamata-Piako District Council, Thames-Coromandel District Council, Waikato District Council, Waikato Regional Council
- 6 representatives of the tangata whenua of the Hauraki Gulf and its islands appointed by the Minister, after consultation with the tangata whenua and the Minister of Maori Affairs.

### 3 Issue

The Mayor, as the Council's delegated representative on the Hauraki Gulf Forum, is expected to convey Council's view of the Hauraki Gulf Forum's governance review's recommendations at the Forum's next meeting on 20 February 2017.

### 4 Discussion

The Hauraki Gulf Forum resolution is below and for each of the 10 sub-clauses the Mayor has indicated which parts require Council's input.

*Resolution number HGF/2016/11*

*Moved by Chairperson John Tregidga, seconded by Deputy Chairperson Liane Ngamane:*

*That the Hauraki Gulf Forum:*

- a) *receive the Hauraki Gulf Forum – Governance review and recommendations' report.*
- b) *note the recommendations from the 'Hauraki Gulf Forum – Governance review and recommendations' report:*

#### **Mayor's suggestion - no decision required**

- i *that particular attention is paid to Treaty settlement processes and the Sea Change Tai Timu Tai Pari process alongside this governance review process;*

#### **Mayor's question - agree/disagree**

- ii *that the governance model for the Forum is changed to a co-governance approach; comprising equal numbers of mana whenua and other members;*

#### **Mayor's suggestion - no decision required**

- iii *that mana whenua appoint their members directly through a process designed and approved by mana whenua;*

#### **Mayor's question - agree/disagree**

- iv *that the size of the Forum is reduced to 16 members;*

#### **Mayor's question - agree/disagree, other options?**

- v *that the Forum membership is made up as follows;*  
*8 members appointed by mana whenua*  
*5 members appointed by the Minister of Conservation (for example political, business, or NGO leaders rather than Crown representatives); and*  
*3 members appointed by local authorities (1 from each of the Auckland Council, Waikato Regional Council and the territorial authorities collectively) – these may or may not be elected members;*

**Mayor's suggestion - no decision required**

- Vi *that the term of appointments be 3 years with the ability to reappoint up to a maximum number of terms to be agreed, with a staggering of terms to ensure that there is some continuity of knowledge across terms;*

**Mayor's suggestion - no decision required**

- Vii *that in addition to the other changes recommended in this report, the Forum undertakes a process to promote a clear understanding of and focus on the governance task of the Forum, including the relevant purpose, objective and function provisions of the Hauraki Gulf Marine Park Act 2000;*

**Mayor's question - agree/disagree**

- Viii *that any reform of the governance arrangements for the Forum should include provision for the Forum to have more statutory authority and a stronger and more direct role in terms of statutory decision-making over the Hauraki Gulf.*

**Mayor's question - agree/disagree**

- ix *that, as an interim step, the Forum creates a smaller 'core group' of 12 members to drive more focused and strategic governance for the Forum, and at the same time advance a case for legislative amendment to the Hauraki Marine Park Act 2000; and*

**Mayor's question - agree/disagree**

- x *that the Chief Executives of the local authorities and relevant ministries/departments work together to implement these recommendations immediately following the 2016 triennial local authority elections.*

- c) *constituent parties respond to the recommendations from the 'Hauraki Gulf Forum – Governance review and recommendations' report at the next meeting of the Hauraki Gulf Forum, following consultation with their respective bodies.*

**5 Suggested resolution(s)**

That the Thames-Coromandel District Council:

1. Receives the 'Hauraki Gulf Report - Governance review' report, dated 11 January 2016.
2. Instructs the Mayor to relay the collective feedback governance review report's recommendations on the future of the Hauraki Gulf Forum in order to protect the interests of the Thames-Coromandel District Council and its constituent communities.