



**Hauraki Gulf Forum**

Tikapa Moana

Te Moananui-ā-Toi

I hereby give notice that an ordinary meeting of the Hauraki Gulf Forum will be held on:

**Date:** Monday, 3 March 2025  
**Time:** 1.00pm  
**Meeting Room:** Waikato Regional Council Chambers  
**Venue:** 160 Ward Street  
Hamilton Central

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## Hauraki Gulf Forum

### OPEN AGENDA

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#### MEMBERSHIP

**Co-chairperson**  
**Tangata Whenua**  
**Members**

Ms Nicola Rata-MacDonald	Tangata Whenua
Mayor Toby Adams	Hauraki District Council
Ms Charmaine Bailie	Tangata Whenua
Mr Joe Davis	Tangata Whenua
Cr Christine Fletcher	Auckland Council
Mr Terrence Hohneck	Tangata Whenua
Mr Jacob Hore	Ministry for Primary Industries
Mr Tom Irvine	Tangata Whenua
Cr Mike Lee	Auckland Council
Cr Kerrin Leoni	Auckland Council
Cr Warren Maher	Waikato Regional Council
Mr Martin Mariassouce	Te Puni Kōkiri
Cr Paaniora Matatahi-Poutapu	Waikato District Council
Mr Dean Ogilvie	Tangata Whenua
Mr Chris Ollivier	Aotea / Great Barrier Local Board (Auckland Council)
Ms Bianca Ranson	Waiheke Local Board (Auckland Council)
Mr Alex Rogers	Department of Conservation
Cr James Sainsbury	Matamata-Piako District Council
Mayor Len Salt	Thames-Coromandel District Council
Cr Wayne Walker	Auckland Council
Cr John Watson	Auckland Council

(Quorum 11 members)

**Mike Giddey**  
**Kaitohutohu Mana Whakahaere / Governance**  
**Advisor**

**24 February 2025**

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.



## Selected extracts from the Hauraki Gulf Marine Park Act 2000

### 3 Purpose

The purpose of this Act is to—

- (a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (b) establish the Hauraki Gulf Marine Park:
- (c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:
- (d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:
- (e) establish the Hauraki Gulf Forum.

### Part 1 Management of Hauraki Gulf

#### 7 Recognition of national significance of Hauraki Gulf

- (1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
- (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity—
  - (a) to provide for—
    - (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
    - (ii) the social, economic, recreational, and cultural well-being of people and communities:
  - (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
  - (c) to maintain the soil, air, water, and ecosystems of the Gulf.

#### 8 Management of Hauraki Gulf

To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—

- (a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:
- (b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:
- (d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:
- (e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:

- (f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

## **Part 2 Hauraki Gulf Forum**

### **15 Purposes of Forum**

The Forum has the following purposes:

- (a) to integrate the management and, where appropriate, to promote the conservation 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.

### **16 Establishment of Forum**

- (1) A body called the Hauraki Gulf Forum is established.
- (2) The Forum consists of the following representatives:
  - (a) 1 representative appointed by the Minister:
  - (b) 1 representative appointed by the Minister of Fisheries:
  - (c) 1 representative appointed by the Minister of Maori Affairs:
  - (ca) 7 representatives appointed by the Auckland Council:
  - (d) 1 representative appointed by each of the following local authorities:
    - ...(iv) Hauraki District Council:
    - ...(vi) Matamata-Piako District Council:
    - ...(ix) Thames-Coromandel District Council:
    - ...(x) Waikato District Council:
    - ...(xi) Waikato Regional Council:
  - (e) 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.
- (2A) The representatives appointed in accordance with subsection (2)(ca) must—
  - (a) be members of—
    - (i) the Auckland Council; or
    - (ii) a local board of the Auckland Council elected in accordance with the Local Electoral Act 2001; and
  - (b) include 1 member of each of the Great Barrier Island and Waiheke Island local boards.
- (3) The representatives appointed in accordance with subsection (2)(d) or (5) must be members of the local authority elected in accordance with the Local Electoral Act 2001.

## **17 Functions of Forum**

- (1) To promote sections 7 and 8, the Forum has the following functions in relation to the Hauraki Gulf, its islands, and catchments:
  - (a) to prepare a list of strategic issues, determine a priority for action on each issue, and regularly review that list:
  - (b) to facilitate and encourage co-ordinated financial planning, where possible, by the constituent parties:
  - (c) to obtain, share, and monitor information on the state of the natural and physical resources:
  - (d) to receive reports on the completion and implementation of deeds of recognition:
  - (e) to require and receive reports from constituent parties on the development and implementation of policies and strategies to address the issues identified under paragraph (a):
  - (f) to receive reports from the tangata whenua of the Hauraki Gulf on the development and implementation of iwi management or development plans:
  - (g) to prepare and publish, once every 3 years, a report on the state of the environment in the Hauraki Gulf, including information on progress towards integrated management and responses to the issues identified in accordance with paragraph (a):
  - (h) to promote and advocate the integrated management and, where appropriate, the sustainable management of the Hauraki Gulf, its islands, and catchments:
    - (i) to encourage, share, co-ordinate where appropriate, and disseminate educational and promotional material:
    - (j) to liaise with, and receive reports from, persons and groups having an interest in the Hauraki Gulf and business and community interests to promote an interest in the purposes of the Forum:
  - (k) to commission research into matters relating to the functions of the Forum.
- (2) When carrying out its functions under subsection (1), the Forum must have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments.

## **18 Powers of Forum**

- (1) The Forum has the powers that are reasonably necessary to carry out its functions.
- (2) The Forum's powers include the powers—
  - (a) to consider issues related to its purpose; and
  - (b) to receive reports from constituent parties; and
  - (c) to make recommendations to constituent parties; and
  - (d) to advise any person who requests the Forum's advice; and
  - (e) to commission or undertake those activities that are necessary to achieve its purpose.
- (3) The Forum must not—
  - (a) appear before a court or tribunal other than as a witness if called by a party to proceedings; or
  - (b) take part in a decision-making process under any enactment other than to advise when requested to do so.



## Governance Statement – updated May 2021

### **Whakatauki**

*“He waka kōtuia kāhore e tukutukua ngā mimira.”*

A canoe that is interlaced will not become separated at the bow. In unity there is strength.” In the highly developed craft of building ocean going waka the bow section was laced to the centre hull. The waka provides a metaphor for tangata whenua, in that a people interlaced will not be separated and through that unity we find strength.

***This Governance Statement replaces all prior versions. It covers how the Forum works, and key roles and responsibilities. The Forum’s purposes, membership, functions and powers are set out in detail in Part 2 of the Hauraki Gulf Marine Park Act 2000 (HGMPA) and are not repeated here.***

### **How the Forum works**

Te whakahonore i o maatau hononga Tiriti hei painga mo Te Moananui-ō-Toi; Tīkapa Moana; Hauraki Gulf. The Forum will operate in partnership under the Treaty of Waitangi in accordance with the Hauraki Gulf Marine Park Act, including the principles of the Treaty of Waitangi under Section 6.

It will integrate and respect both Te Ao Māori and other world views.

The Forum’s conduct, and all those that interact with it, will adhere to the intent of the following principles:

- Aroha: being considerate – having respect for relationships and being of service.
- Openness and impartiality: having an open mind when making decisions and listening to other points of view.
- Tautoko: supporting others by respecting and upholding others mana, dignity, identity and unique perspective.
- Manaaki: caring for others by responsibly valuing others and ensuring they feel valued.
- Stewardship: using powers and resources prudently.
- Awhi: helping others by entering into effective engagements in the spirit of co-operation and good faith.
- Leadership: inspiring action toward achieving common goals.
- Tika: being responsible – doing the right thing with integrity and accountability.
- Pono: being effective – building credibility.
- Ethics: maintaining the highest standard of ethical conduct.

The Forum will endeavour to meet quarterly, with meetings split between the Auckland and Waikato regions. It will hold additional workshops and meetings as required.

### **Our Roles and Responsibilities**

- Co-Chairs
    - One Co-Chair is from and elected by the membership at large
    - One Co-Chair is from and decided by the Tangata Whenua members
    - Co-Chairs lead the Forum and are its spokespeople
    - Co-Chairs work in partnership with each other
    - Co-Chairs exemplify the principles by which we work
    - Co-Chairs chair Forum meetings, set strategic direction, support and work with all Members, and front public engagement
- (A separate Co-Chairing arrangement records the practical aspects of Co-Chairing)

- Members
  - Members support and work with the Co-Chairs and each other to take effective decisions and progress the agenda of the Forum
  - Members bring their expertise and mana to ensure quality decision making in the interests of the Marine Park
  - Members represent their Constituent Party, as defined under the HGMPA
  - Members may send alternates to meetings they are unable to attend so long as this is notified in advance and in accordance with any applicable practice
  
- Executive Officer
  - The Executive Officer functions as the Chief Executive of the Forum and is responsible for taking forward resolutions of the Forum, ensuring adherence to the HGMPA, supporting the Co-Chairs and all Members, preparing meeting papers, coordination with external partners, and the Forum's management, contracts, finance and administration.
  - The Executive Officer chairs meetings of Technical Officers and works closely with the Governance Advisor.
  
- Governance Advisor
  - The Governance Advisor is responsible for collating and publishing meeting agendas, writing minutes and providing advice on process.
  
- Technical Officers
  - Members are encouraged to have technical officers to provide them and the Forum with expert support and advice.
  - Technical Officers will work with their Members, the Executive Officer and each other to progress the Forum's resolutions, as appropriate.
  
- Administering Authority
  - Auckland Council is the Administering Authority (for responsibilities see s28, HGMPA)

### **Review**

This Governance Statement will be reviewed every 3 years.



Karakia

Mihi Whakatau

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Karakia



## 1 Apologies

## 2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

## 3 Confirmation of Minutes

That the Hauraki Gulf Forum:

- a) confirm the ordinary minutes of its meeting, held on [Monday, 26 August 2024](#), including the confidential section, as a true and correct record.

## 4 Public Forum

### 4.1 Public Forum - Recent High Court Judgements with relevance to the constituent parties of the Hauraki Gulf Forum

#### Te take mō te pūrongo

#### Purpose of the report

1. Dr Matthew Hall, Environment Law Initiative will present two significant recent High Court judgements including CRA1 (NZ Rock Lobster Fishery extending from the Kaipara Harbour on the west coast of the North Island around North Cape and then south to Te Arai Point).

#### Ngā tūtohunga

#### Recommendation/s

That the Hauraki Gulf Forum:

- a) thank Dr Matthew Hall, Environment Law Initiative for his presentation on two significant recent High Court judgements including CRA1.

## 5 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

## Co-chairperson Tangata Whenua Report

File No.: CP2024/17787

### Te take mō te pūrongo Purpose of the report

1. To provide an update from the Co-chairperson Tangata Whenua to the Hauraki Gulf Forum.

### Whakarāpopototanga matua Executive summary

2. It has been a long time since we last met in August 2024, and I hope that 2025 has started well for you all.
3. Mayor Toby Adams resigned as Co-chairperson on 3 December 2024. I would like to take this opportunity to formally acknowledge the significant contribution that Toby made to the Hauraki Gulf Forum during his time as Co-chairperson. We are fortunate that he stays on as a member to assist in our efforts to protect the Gulf.
4. Local elections this year will significantly add to the workload for many of the members and it is vital that we have a good process in place to support the incoming Co-chairperson. I am very happy to meet informally with any members to discuss the role of Co-chairperson including the workload and time commitment involved.
5. 2025 is a milestone year. The Hauraki Gulf Marine Park – and therefore the Forum – turned 25 in February. We are turning our minds to the best way to celebrate our anniversary and will return to this later in the agenda.
6. 2025 also marks 50 years since the establishment of New Zealand's first Marine Reserve at Cape Rodney-Okakari Point (Goat Island). This is an auspicious milestone for marine protection in Aotearoa New Zealand.
7. Many important initiatives have been instigated through the Hauraki Gulf Forum, and we have built up a strong foundation of evidence for the state of the Gulf, and a strong reputation as a trusted advocate.
8. However, we still have a long way to go. The Gulf continues to suffer ecological decline as a result of cumulative impacts from the sea, from the land and from climate change, threatening the precious ecosystems. Our role as defenders and enhancers and our goals remain critically important:
  - A healthy catchment
  - At least 30% marine protection
  - A restored seafloor.
9. After the unanimous endorsement by the Environment Select Committee of the Hauraki Gulf Tīkapa Moana Marine Protection Bill we were dismayed at the Government's announcement that while it supports the Bill, it proposes to allow commercial fishing in two of the Highly Protected Areas. This is inconsistent with the fundamental purpose of the Marine Protection Bill, and compromises progress towards the 30% protection that is our goal. We have voiced our opposition to this change and will continue to monitor the progress of the Bill.

10. Despite the work that has been done through the National Advisory Group, we remain concerned that insufficient progress is being made in response to the exotic caulerpa infestation. The Forum maintains its advocacy for a three-pronged approach:
  - Sustained management, ongoing funding and a coordinated strategy involving all stakeholders
  - Diverse responses suited to different environments
  - Community education and awareness to enable rapid responses.
11. Given the concerns we all have at the ongoing spread of exotic caulerpa and the extensive efforts under way to control it, I was shocked to learn that a superyacht with a dirty hull was permitted to visit our waters, despite failing to meet biosecurity standards. Our Gulf deserves better.
12. Collaboration is critical if we are to make progress in the face of ongoing threats to the Hauraki Gulf. We all have a part to play to protect and enhance the Gulf. I look forward to working with you all this year.

## Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) note the report from the Co-chairperson Tangata Whenua.

## Ngā tāpirihanga Attachments

There are no attachments for this report.

## Ngā kaihaina Signatories

Author	Nicola Rata-MacDonald
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## Process to discuss responsibilities of the Co-chairpersons and governance functions

File No.: CP2025/02030

Item 7

### Te take mō te pūrongo

#### Purpose of the report

1. To discuss the joint responsibilities of the Hauraki Gulf Forum for governance including the responsibilities of the Co-chairpersons.
2. To confirm the timing of the election of the new Co-chairperson.

### Whakarāpopototanga matua

#### Executive summary

3. The resignation of Mayor Toby Adams as Co-chairperson requires the appointment of his successor.
4. The Co-chairperson Tangata Whenua Nicola Rata-MacDonald has emphasised the importance of a good process to support the new Co-chairperson, particularly given forthcoming local body elections.
5. The joint responsibilities of the Forum are established by the Hauraki Gulf Marine Park Act 2000 and augmented in the Governance Statement, which is due for its 3-yearly review which will take place later this year following the appointment of the new Co-chairperson.
6. Guidance found in the foundational documents of the HGF with respect to chairing and management of the agenda are found in **Attachment A**. These include:
  - a) The Hauraki Gulf Marine Park Act (HGMPA 2000) established the Hauraki Gulf Forum. The HGMPA specified the functions and purpose of the Forum and specified that the procedures of the HGF follow Local Government Standing Orders.
  - b) Other documents introduced since the establishment of the Forum including the Governance Statement, Terms of Reference, Co-Chairing Agreement, Executive Officer Position Description and the 2018 Service Level Agreement between HGF and Auckland Council.
7. To summarise the position in relation to the election of the Co-chairperson:
  - a) HGMPA 2000: the Forum may appoint a chairperson from time to time.
  - b) Standing Orders:
    - i) Following a general election the chief executive must call a meeting as soon as possible.
  - c) Governance Statement:
    - i) One Co-chairperson is from and elected by the membership at large.
    - ii) The Executive Officer operates as the Chief Executive of the Forum, preparing meeting papers.
    - iii) The Governance Advisor is responsible for collating and publishing meeting agendas, writing minutes and providing advice on process.

Item 7

## Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) confirm the joint responsibilities of the Hauraki Gulf Forum and its Co-chairpersons
- b) confirm the timing of the election of the new Co-chairperson.

## Ngā tāpirihanga Attachments

No.	Title	Page
A <sup>1</sup>	Summary of HGF foundational documents pertaining to the appointment of the Co-Chairperson	17

## Ngā kaihaina Signatories

Author	Lucy Baragwanath - Executive Officer Hauraki Gulf Forum
Authoriser	Sam Hill - General Manager Environmental Services



## Summary of Hauraki Gulf Forum Foundational Documents

18 February 2025

### Summary

- The resignation of the Co-Chairperson in December 2024 has triggered discussion of the processes relating to governance including the appointment of a new Co-Chair.
- This paper summarises the guidance found in the foundational documents of the HGF with respect to chairing and management of the agenda.
- The Hauraki Gulf Marine Park Act (HGMPA 2000) established the Hauraki Gulf Forum. The HGMPA specified the functions and purpose of the Forum and specified that the procedures of the HGF follow Local Government Standing Orders.
- Several other documents have been introduced since the establishment of the Forum. These include the Governance Statement, Terms of Reference, Co-Chairing Agreement and Executive Officer Position Description, some of which are somewhat contradictory.
- With respect to the process relating to the election of the chair:
  - HGMPA: the Forum may appoint a chair from time to time.
  - Standing Orders:
    - Following a general election the chief executive must call a meeting as soon as possible.
    - The Chief Executive has the responsibility for preparing the agenda.
    - Major items not on the agenda may be dealt with at the meeting by resolution.
  - The Governance Statement says:
    - One Co-Chair is from and elected by the membership at large.
    - EO functions as the Chief Executive of the Forum, preparing meeting papers et alia.
    - Governance Advisor is responsible for collating and publishing meeting agendas, writing minutes and providing advice on process.
- Several of the key Forum documents have contradictory elements, and/or go beyond the original scope of the HG Marine Park Act 2000.

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### Background documents

This section provides a summary of relevant excerpts from the relevant documents which are attached.

#### 1. HG Marine Park Act 2000 summary

- a. The Hauraki Gulf Marine Park was established in 2000 by the Hauraki Gulf Marine Park Act. “The Gulf must be managed in a manner that crosses territorial jurisdictions, crosses land and water boundaries, and crosses cultures and that respects both conservation and development needs” (preamble, HGMPA).
- b. To enable the integrated management required to protect and enhance the Hauraki Gulf, the Act established the Hauraki Gulf Forum, which comprises representatives of local, regional and central government and tangata whenua, appointed by the Minister of Conservation.
- c. The purpose of the Forum is:
  - a. To integrate the management and promote conservation and sustainable management of the natural, historic and physical resources of the Gulf, its

- island and catchments, for the benefit and enjoyment of the people and communities of the Gulf and NZ
- b. To facilitate communication, coordination and cooperation on the functions of the constituent parties in relation to the Gulf
  - c. To recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Gulf, its islands and catchments.
  - d. Its role is to consider issues affecting the Gulf, receive reports from constituent parties and make recommendations to them, and to commission or undertake activities to achieve its purpose.
  - e. **Section 25 Appointment of chairperson**
  - f. The Forum may from time to time appoint one of the representatives to act as chairperson and that chairperson holds office for the period agreed by the Forum at the time of that chairperson's appointment.

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**2. Standing Orders summary**

- a. The Hauraki Gulf Marine Park Act 2000 determines that the HGF will follow the model standing orders that apply to LG committees (NZS 9202:2003).
- b. This specifies the constitutional and legal matters and meeting procedures including the appointment of a chairperson.

**Standing Orders 2.3.1 Chairperson**

**2.2 FIRST MEETING OF THE LOCAL AUTHORITY FOLLOWING ELECTION**

Meeting called by  
chief executive

**2.2.1**

"The first meeting of a local authority following a triennial general election of members must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give the persons elected to the local authority not less than 7 days' notice of the meeting. [However] if an emergency exists, the chief executive may give notice of the meeting as soon as practicable. The chief executive (or, in the absence of the chief executive, a nominee of that officer) must chair the meeting until the mayor or chairperson has made and attested the declaration required under clause 14 [of Schedule 7 of the Local Government Act]."

**2.2.2**

"The business that must be conducted at the meeting must include –

- (a) the making and attesting of the declarations required of the mayor (if any) and members under clause 14 [of Schedule 7 of the Local Government Act]; and

- (b) the election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under clause 14 [of Schedule 7 of the Local Government Act]; and
- (c) a general explanation, given or arranged by the chief executive, of –
  - (i) the Local Government Official Information and Meetings Act 1987; and
  - (ii) other laws affecting members, including - the appropriate provisions of the Local Authorities (Members' Interests) Act 1968; and sections 99, 105 and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Securities Act 1978; and
- (d) the fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) the election of the deputy mayor or deputy chairperson in accordance with clause 17 [of Schedule 7 of the Local Government Act]."

### 2.3 CHAIRPERSON OF MEETINGS

Mayor or chairperson of local authority to preside	2.3.1 "The mayor or chairperson of the local authority must preside at each meeting of the local authority at which he or she is present unless the mayor or chairperson vacates the chair for a particular meeting... If the mayor or chairperson of a local authority...is absent from a meeting, the deputy mayor or deputy chairperson (if any) of the local authority must preside... If a deputy mayor or deputy chairperson has not been appointed, or if the deputy mayor or deputy chairperson is also absent, the members of the local authority ... that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor or chairperson."
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#### Standing Orders 3.7.2 Agenda

The chief executive is to prepare for each meeting an agenda listing and attaching information on the items of business to be brought before the meeting so far as is known.

#### Standing Orders 3.7.5 Major items not on the agenda may be dealt with

Major items not on the agenda may be dealt with	3.7.5 "An item that is not on the agenda for a meeting may be dealt with at the meeting if – <ul style="list-style-type: none"><li>(a) the local authority by resolution so decides; and</li><li>(b) the presiding member explains at the meeting at a time when it is open to the public, –<ul style="list-style-type: none"><li>(i) the reason why the item is not on the agenda; and</li><li>(ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting."</li></ul></li></ul>
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**3. HGF Governance Statement summary**

- Co-Chairs work in partnership with each other
- Co-Chairs lead the Forum and are its spokespeople
- Co-Chairs chair Forum meetings, set strategic direction, support and work with all Members, and front public engagement
- EO functions as the Chief Executive of the Forum and is responsible for taking forward resolutions of the Forum, ensuring adherence to the HGMPA, supporting the Co-Chairs and all members, preparing meeting papers, coordination with external partners, and the Forum's management, contracts, finance and administration.

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**4. Terms of Reference for HGF summary**

- Agreed at Extraordinary Meeting of the AC Governing Body on 12 November 2019 item 7.2
- The Forum meets quarterly or as determined by the Forum.

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**5. Co-Chairing Arrangement summary**

- In 2020 the Forum adopted a co-chairing arrangement
- With media, stakeholders, or at events:
  - o To the extent possible, Co-Chairs will check in with each other and the Executive Officer prior to making public comment as a Co-Chair of the Forum.
- Disagreement
  - o Co-Chairs themselves will first attempt to resolve any disagreement.
  - o Where that is unsuccessful the Executive Officer will provide support.

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**6. Executive Officer Position Description**

- Lead and manage all aspects of the HGF's strategy and operations including policy, comms, engagement and finance
- Work alongside the Co-Chairs to develop, lead and implement the Forum's work programme
- Lead, coordinate and project manage the successful delivery of agreed Forum projects
- Front media
- Lead delivery of statutory reporting
- Lead engagement with Ministers and MPs and with the public
- Provide technical expertise, advice and governance support to the Forum, members, constituent party representatives, stakeholders, general public
- Be the first point of contact for matters relating to the HGF
- Outcomes:
  - o Demonstrable and quantifiable progress towards the Forum's goals and vision for the restoration and protection of the HG
  - o Forum Co-chairs and Members are satisfied with the overall management and delivery of the HGF work programme.

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**7. 2024-26 Workplan**

- Adopted at the 10 June 2024 HGF Meeting for implementation, prior to incumbent EO's arrival in July 2024
- Recognising the Workplan is not a workplan but a list of priority issues, the EO sought clarification from Members on the five top priorities at the 26 August 2024 Forum and received the mandate to proceed on the following issues:
  - o Hauraki Gulf Marine Protection Bill
  - o Stopping destructive fishing
  - o Monitoring exotic caulerpa
  - o Investigating the RMS Niagara
  - o Reducing land-based inputs to the Hauraki Gulf
- Progress has been constrained as described in the Executive Officer report.

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**8. Service Level Agreement between Auckland Council and HGF adopted 2018**

- Was to be reviewed every 3 years but has not been.

Item 7

Attachment A

Reprint  
as at 5 July 2018



## Hauraki Gulf Marine Park Act 2000

Public Act 2000 No 1  
Date of assent 27 February 2000  
Commencement see section 2

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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Department of Conservation.**

Hauraki Gulf Marine Park Act 2000

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### **Preamble**

- (1) The Hauraki Gulf has a quality and diversity of biology and landscape that makes it outstanding within New Zealand. The islands of the Gulf are valued as the habitats of plants and animals, once common, now rare, and are often the only places in the world where these species exist naturally:
- (2) On some islands natural ecosystems remain intact while other islands have ecosystems that are evolving rapidly or are islands that provide opportunities for habitat restoration. A diverse marine environment extends from the deep ocean to bays, inlets, and harbours off the coastline and the shallow sea and broad intertidal flats of the Firth of Thames:
- (3) The Gulf has a rich history of human settlement and use. The Gulf is one of the earliest places of human settlement in New Zealand and for generations supported and was home to tangata whenua. While tangata whenua have no single name for the Gulf, the names Tikapa Moana and Te Moananui a Toi are recognised as referring to the Gulf. Auckland, the first seat of government, is also on its shore. Along the shores of the Gulf the changing culture and technologies can be traced through places like the pa, kainga, and garden sites of antiquity on every island, driving dams, copper and gold mines, whaling stations, timber mills, industrial sites, and grand and ordinary homes:
- (4) The Treaty of Waitangi was signed by tangata whenua of the Hauraki Gulf both at Waitangi and on the shores of the Gulf. The Treaty provides guarantees to both the Crown and tangata whenua and forms a basis for the protection, use,

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and management of the Gulf, its islands, and catchments. The Treaty continues to underpin the relationship between the Crown and tangata whenua. The assembled tribes of the Hauraki Gulf reaffirmed its importance to them in a statement from a hui at Motutapu Island, 14–15 November 1992 (**The Motutapu Accord**):

- (5) The hinterland of the Gulf is intensively developed and settled. Its shores contain New Zealand’s largest metropolitan area and extensive tracts of productive farm land. The coastal waters are of great importance to commerce in New Zealand. The Gulf contains the Port of Auckland, many smaller ports, and marinas. The Gulf is lived in and worked in, and is used for marine commerce, commercial fishing, and harbour and gulf transport. The Gulf is economically important:
- (6) People use the Gulf for recreation and for the sustenance of human health, well-being, and spirit. The natural amenity of the Gulf provides a sense of belonging for many New Zealanders and for them it is an essential touchstone with nature, the natural world, and the marine environment of an island nation:
- (7) The Gulf, its islands, and catchments have complex interrelationships that need to be well understood and managed. Many improvements have been made in the administration of statutory jurisdictions in the Gulf, the exercise of individual and collective responsibility, and stewardship of the Gulf. But the need for co-operation, and the need for integrated management, recognised in the establishment by local authorities of the Hauraki Gulf Forum, by Auckland City of “Vision Hauraki”, by tangata whenua in the Motutapu Accord, and by the Government in establishing in 1967 the Hauraki Gulf Maritime Park, still remains. The Gulf must be managed in a manner that crosses territorial jurisdictions, crosses land and water boundaries, and crosses cultures and that respects both conservation and development needs.

**1 Title**

This Act is the Hauraki Gulf Marine Park Act 2000.

**2 Commencement**

This Act comes into force on the date on which this Act receives the Royal assent.

**3 Purpose**

The purpose of this Act is to—

- (a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (b) establish the Hauraki Gulf Marine Park:
- (c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:

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- (d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:
- (e) establish the Hauraki Gulf Forum.

#### 4 Interpretation

In this Act, unless the context otherwise requires,—

**administering body** has the same meaning as in section 2 of the Reserves Act 1977

**catchment** means any area of land where the surface water drains into the Hauraki Gulf

**coastal area** means those areas of land (other than islands) that contribute to the distinctive character of the coast, including, but not limited to,—

- (a) land providing access to coastal water; or
- (b) land containing an uninterrupted ecological sequence of habitats and vegetation; or
- (c) land with historic features related to the coast

**coastal marine area** means the foreshore, seabed, and coastal water, and the air space above the water,—

- (a) of which the seaward boundary is the outer limit of the territorial sea;
- (b) of which the landward boundary is the line of mean high water springs, except that, where that line crosses a river, the landward boundary at that point is the lesser of—
  - (i) 1 kilometre upstream from the mouth of the river; or
  - (ii) the point upstream that is calculated by multiplying the width of the river mouth by 5

**coastal water** means the water within the coastal marine area

**conservation area** means any land or foreshore that is—

- (a) land or foreshore for the time being held under the Conservation Act 1987 for conservation purposes; or
- (b) land in respect of which an interest is held under the Conservation Act 1987 for conservation purposes

**Conservation Board** means a Conservation Board established under section 6L of the Conservation Act 1987

**constituent party** means any Minister or local authority who has the power under section 16(2) to appoint 1 or more representatives to the Forum; and includes any tangata whenua representatives appointed under section 16(2)(e)

**Deed of Recognition** means a deed entered into in accordance with section 44

**economic activity** includes marine commerce

**environment** includes—

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters

**foreshore** means such parts of the bed, shore, or banks of the sea or a river as are covered and uncovered by the flow and ebb of the tide at mean spring tides

**Hauraki Gulf** or **Gulf** (which is generally referred to by Maori by the names Tikapa Moana and Te Moananui a Toi)—

- (a) means the coastal marine area on the east coast of—
  - (i) the Auckland Region, as constituted by the Local Government (Auckland Region) Reorganisation Order 1989, *Gazette* 1989, Vol III, p 2247; and
  - (ii) the Waikato Region, as constituted by the Local Government (Waikato Region) Reorganisation Order 1989, *Gazette* 1989, Vol III, p 2460; and
- (b) includes estuaries and the tidal parts of rivers and creeks on the east coast of the Auckland Region and the east coast of the Waikato Region

**Hauraki Gulf Forum** or **Forum** means the body established under section 16

**Hauraki Gulf Marine Park** or **Park** means the Park established under section 33

**local authority** means a local authority within the meaning of the Local Government Act 2002

**Maori land** and **Maori customary land** have the same meaning as in Te Ture Whenua Maori Act 1993

**marine mammal sanctuary** has the same meaning as in the Marine Mammals Protection Act 1978

**marine reserve** has the same meaning as in the Marine Reserves Act 1971

**mataitai reserve** means a mataitai reserve declared by notice in the *Gazette* in accordance with the Fisheries Act 1996 and regulations made under that Act

**Minister** means the Minister of Conservation

**regional council** means a regional council within the meaning of the Local Government Act 2002

**regional park** means a regional park created under the Local Government Act 1974

**reserve** has the same meaning as in the Reserves Act 1977 or in any corresponding former Act; and includes any reserve established by any other Act

**taiapure-local fishery** means a taiapure-local fishery established under Part 9 of the Fisheries Act 1996

**territorial authority** means a territorial authority within the meaning of the Local Government Act 2002

**wildlife refuge** has the same meaning as in the Wildlife Act 1953

**wildlife sanctuary** has the same meaning as in the Wildlife Act 1953.

Section 4 **local authority**: substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 4 **regional council**: substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 4 **territorial authority**: substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

## 5 Act to bind the Crown

This Act binds the Crown.

## 6 Treaty of Waitangi (Te Tiriti o Waitangi)

- (1) Subject to subsections (2) and (4), the provisions of Part 3 relating to the Park must be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- (2) Subsection (1) does not apply in respect of any area of the Park that is foreshore, seabed, private land, taiapure-local fishery, or mataitai.
- (3) When carrying out its functions under Part 2, the Forum must have regard to the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- (4) Nothing in Part 1 or Part 3 or Part 4 limits, affects, or extends the obligations any person has in respect of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under any of the Acts listed in Schedule 1, and those obligations must be fulfilled in accordance with those Acts.

## Part 1

### Management of Hauraki Gulf

## 7 Recognition of national significance of Hauraki Gulf

- (1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
- (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity—
  - (a) to provide for—

- (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
- (ii) the social, economic, recreational, and cultural well-being of people and communities:
- (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
- (c) to maintain the soil, air, water, and ecosystems of the Gulf.

#### 8 Management of Hauraki Gulf

To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—

- (a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:
- (b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:
- (d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:
- (e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:
- (f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

#### 9 Relationship of Act with Resource Management Act 1991

- (1) For the purposes of this section and section 10, the terms **district plan**, **plan**, **proposed plan**, **regional plan**, **regional policy statement**, **resource consent**, and **New Zealand coastal policy statement** have the same meaning as in the Resource Management Act 1991, and **regional council** and **territorial authority** have the same meaning as in the Local Government Act 2002.

- (2) A regional council must ensure that any part of a regional policy statement or a regional plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8.
- (3) A territorial authority must ensure that any part of a district plan that applies to the Hauraki Gulf, its islands, and catchments, does not conflict with sections 7 and 8.
- (4) A consent authority must, when considering an application for a resource consent for the Hauraki Gulf, its islands, and catchments, have regard to sections 7 and 8 in addition to the matters contained in the Resource Management Act 1991.
- (5) The provisions of section 55 of the Resource Management Act 1991 apply as though sections 7 and 8 of this Act were a national policy statement and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act.

Section 9(1): amended, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

#### **10 Creation of New Zealand coastal policy statement by this Act**

- (1) For the coastal environment of the Hauraki Gulf, sections 7 and 8 must be treated as a New Zealand coastal policy statement issued under the Resource Management Act 1991.
- (2) For the coastal environment of the Hauraki Gulf, if there is a conflict between sections 7 and 8 and the provisions of any New Zealand coastal policy statement issued under the Resource Management Act 1991, the New Zealand coastal policy statement prevails.
- (3) The provisions of section 55 of the Resource Management Act 1991 apply to the New Zealand coastal policy statement created by this section and a regional council or a territorial authority must take action in accordance with that section and notify a change to a regional policy statement, plan, or proposed plan within 5 years of the date of commencement of this Act.

#### **11 Statements of general policy under Conservation Act 1987 and Acts in Schedule 1 of that Act**

- (1) For the purposes of each of the following Acts for the Hauraki Gulf, sections 7 and 8 have the same effect as a statement of general policy approved under the following specified sections:
  - (a) Wildlife Act 1953, section 14C:
  - (b) Marine Reserves Act 1971, section 6:
  - (c) Reserves Act 1977, section 15A:
  - (d) Wild Animal Control Act 1977, section 5:
  - (e) Marine Mammals Protection Act 1978, section 3B:

- (f) National Parks Act 1980, section 44:
  - (g) Conservation Act 1987, section 17B.
  - (h) *[Repealed]*
- (2) Where a statement of general policy is created by this section and the Act to which that statement of general policy applies contains a provision stating that the general policy must not derogate from the provisions of that Act, the requirement in subsection (1) may be implemented for the Hauraki Gulf only to the extent that implementation does not derogate from the provisions of that Act.
- (3) Where a conservation management strategy or a conservation management plan made under an Act listed in this section derogates from a statement of general policy created by this section, the requirement that the strategy or plan must not derogate from a statement of general policy does not take effect for any statement of general policy made under this section until the date that the strategy or plan is next amended or reviewed.
- Section 11(1)(h): repealed, on 30 September 2008, by section 82 of the Walking Access Act 2008 (2008 No 101).

**12 Amendment to Fisheries Act 1996**

*Amendment(s) incorporated in the Act(s).*

**13 Obligation to have particular regard to sections 7 and 8**

Except as provided in sections 9 to 12, in order to achieve the purpose of this Act, all persons exercising powers or carrying out functions for the Hauraki Gulf under any Act specified in Schedule 1 must, in addition to any other requirement specified in those Acts for the exercise of that power or the carrying out of that function, have particular regard to the provisions of sections 7 and 8.

**14 Preservation of existing rights**

- (1) Nothing in this Act limits or affects any title or right to ownership of the foreshore, seabed, or other land or natural resources of the Hauraki Gulf, its islands, and catchments, whether that title or right to ownership is conferred by Act, common law, or in any other manner.
- (2) Nothing in this Act limits or affects the ability of any person to bring a claim or to continue any existing claim in any court or tribunal relating to the foreshore, seabed, or other land or natural resources of the Hauraki Gulf, its islands, and catchments arising out of the application of the Treaty of Waitangi, or any Act, or at common law, or in any other manner.
- (3) Nothing in this section limits or affects any remedy associated with any claim referred to in subsection (2).



## Part 2 Hauraki Gulf Forum

### 15 Purposes of Forum

The Forum has the following purposes:

- (a) to integrate the management and, where appropriate, to promote the conservation 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.

### 16 Establishment of Forum

- (1) A body called the Hauraki Gulf Forum is established.
- (2) The Forum consists of the following representatives:
  - (a) 1 representative appointed by the Minister:
  - (b) 1 representative appointed by the Minister of Fisheries:
  - (c) 1 representative appointed by the Minister of Maori Affairs:
  - (ca) 7 representatives appointed by the Auckland Council:
  - (d) 1 representative appointed by each of the following local authorities:
    - (i) *[Repealed]*
    - (ii) *[Repealed]*
    - (iii) *[Repealed]*
    - (iv) Hauraki District Council:
    - (v) *[Repealed]*
    - (vi) Matamata-Piako District Council:
    - (vii) *[Repealed]*
    - (viii) *[Repealed]*
    - (ix) Thames-Coromandel District Council:
    - (x) Waikato District Council:
    - (xi) Waikato Regional Council:
    - (xii) *[Repealed]*

- (e) 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.
- (f) *[Repealed]*
- (2A) The representatives appointed in accordance with subsection (2)(ca) must—
  - (a) be members of—
    - (i) the Auckland Council; or
    - (ii) a local board of the Auckland Council elected in accordance with the Local Electoral Act 2001; and
  - (b) include 1 member of each of the Great Barrier Island and Waiheke Island local boards.
- (3) The representatives appointed in accordance with subsection (2)(d) or (5) must be members of the local authority elected in accordance with the Local Electoral Act 2001.
- (4) *[Repealed]*
- (5) If two-thirds or more of the constituent parties agree, a local authority whose powers and functions may have an effect on the Hauraki Gulf, its islands, and catchments, and whose inclusion in the Forum will further the interests of the Forum and of the Hauraki Gulf may join the Forum as a constituent party and appoint a representative to the Forum.

Section 16(2)(ca): inserted, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(i): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(ii): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(iii): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(v): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(vii): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(viii): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(d)(xii): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2)(f): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(2A): inserted, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(3): amended, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Section 16(3): amended, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 16(4): repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

## 17 Functions of Forum

- (1) To promote sections 7 and 8, the Forum has the following functions in relation to the Hauraki Gulf, its islands, and catchments:
  - (a) to prepare a list of strategic issues, determine a priority for action on each issue, and regularly review that list:
  - (b) to facilitate and encourage co-ordinated financial planning, where possible, by the constituent parties:
  - (c) to obtain, share, and monitor information on the state of the natural and physical resources:
  - (d) to receive reports on the completion and implementation of deeds of recognition:
  - (e) to require and receive reports from constituent parties on the development and implementation of policies and strategies to address the issues identified under paragraph (a):
  - (f) to receive reports from the tangata whenua of the Hauraki Gulf on the development and implementation of iwi management or development plans:
  - (g) to prepare and publish, once every 3 years, a report on the state of the environment in the Hauraki Gulf, including information on progress towards integrated management and responses to the issues identified in accordance with paragraph (a):
  - (h) to promote and advocate the integrated management and, where appropriate, the sustainable management of the Hauraki Gulf, its islands, and catchments:
  - (i) to encourage, share, co-ordinate where appropriate, and disseminate educational and promotional material:
  - (j) to liaise with, and receive reports from, persons and groups having an interest in the Hauraki Gulf and business and community interests to promote an interest in the purposes of the Forum:
  - (k) to commission research into matters relating to the functions of the Forum.
- (2) When carrying out its functions under subsection (1), the Forum must have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments.

**18 Powers of Forum**

- (1) The Forum has the powers that are reasonably necessary to carry out its functions.
- (2) The Forum's powers include the powers—
  - (a) to consider issues related to its purpose; and
  - (b) to receive reports from constituent parties; and
  - (c) to make recommendations to constituent parties; and
  - (d) to advise any person who requests the Forum's advice; and
  - (e) to commission or undertake those activities that are necessary to achieve its purpose.
- (3) The Forum must not—
  - (a) appear before a court or tribunal other than as a witness if called by a party to proceedings; or
  - (b) take part in a decision-making process under any enactment other than to advise when requested to do so.

**19 Costs of administrative and servicing functions of Forum**

- (1) The administrative and servicing functions of the Forum and the costs of those functions must be agreed from time to time by the Forum.
- (2) Unless the constituent parties agree otherwise, the costs agreed under subsection (1) must be divided equally among the constituent parties and each constituent party must pay 1 share of the costs.
- (3) Administrative and servicing costs are not payable by constituent parties who are tangata whenua representatives.

**20 Costs of other activities**

- (1) The Forum may undertake an activity under section 18(2)(e) if—
  - (a) a majority of the representatives agrees to undertake the activity; and
  - (b) 1 or more of the constituent parties (other than tangata whenua representatives) agree in advance to pay the costs of the activity.
- (2) If the costs of an activity are not agreed in advance, the Forum must not proceed with the activity.
- (3) Section 18(3) does not affect the powers of a constituent party to take proceedings and, in particular, does not affect the powers of a constituent party to enforce an agreement made in accordance with subsection (1).
- (4) This section does not apply to the administrative and servicing functions in section 19.

**21 Presentation of report**

The Forum must present a copy of each report prepared by it under section 17(1)(g) to the Minister.

**22 Forum to be joint committee**

- (1) Subject to section 28, the Forum is to be treated as a joint committee of the constituent local authorities appointed under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.
- (2) Clauses 20, 22, 23, 24, 26, 28, 29, 30(2), and 30(4) to (10) of Schedule 7 of the Local Government Act 2002 apply with any necessary modifications to the Forum.
- (3) The Forum may appoint such subcommittees as it considers appropriate.

Section 22: substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

**23 Forum to follow model standing orders**

- (1) Unless three-quarters of the representatives present at a meeting of the Forum agree otherwise, at its meetings the Forum must follow the New Zealand Standard for standing orders (NZS: 9202:1992).
- (2) If the Forum agrees in accordance with subsection (1) to adopt other standing orders, those standing orders must not contravene the provisions of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Section 23(2): amended, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

**24 Term of representatives**

- (1) Each representative appointed by a constituent party (other than tangata whenua representatives) may serve on the Forum for the period of time determined by the constituent party that appointed the representative.
- (2) A tangata whenua representative may serve on the Forum for the period of time determined by the Minister at the time of the appointment.

**25 Appointment of chairperson**

The Forum may from time to time appoint one of the representatives to act as chairperson and that chairperson holds office for the period agreed by the Forum at the time of that chairperson's appointment.

**26 Powers and obligations of constituent parties**

Each constituent party (other than tangata whenua representatives)—

- (a) may acquire, hold, and dispose of real or personal property for the use of the Forum; and

- (b) may remunerate its representative or representatives for the cost of that person's participation in the Forum; and
- (c) must provide to the Forum such information or reports as may be required by the Forum; and
- (d) must pay administration and servicing costs in accordance with section 19 if required to do so; and
- (e) must pay the costs of any activity that the constituent party has agreed to pay; and
- (f) may carry out any other functions or duties specified in this Act.

**27 Powers and obligations of Auckland Council**

The Auckland Council must store the Forum's records and make them available when the Forum requires.

Section 27: substituted, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

**28 Appointment and functions of administering authority**

- (1) The constituent parties may, from time to time by agreement with the appointee, appoint one of their number to be the administering authority for the purposes of this Part for a period of no less than 3 years.
- (2) If, at the first meeting of the Forum or at the first meeting of the Forum after the term of an appointment of an administering authority has expired, the constituent parties fail to make an appointment, the Minister must appoint one of the constituent parties to be the administering authority.
- (3) A constituent party appointed as the administering authority may be reappointed.
- (4) The administering authority must—
  - (a) administer and service the Forum; and
  - (b) ensure as far as practicable that the functions, powers, and duties set out in this Part are carried out.
- (5) For administrative purposes, the Forum is to be treated as a committee of the administering authority.

**29 Payment of tangata whenua**

- (1) The Minister must pay to tangata whenua representatives on the Forum, from any appropriation by Parliament for this purpose,—
  - (a) remuneration by way of allowances, travelling allowances, and travelling expenses in accordance with the Fees and Travelling Allowances Act 1951; and
  - (b) after agreement between the Minister and tangata whenua representatives, made before any costs are incurred, actual and reasonable commu-

nication costs and consultation costs incurred in the course of their work as tangata whenua representatives on the Forum.

- (2) If there is no agreement between the Minister and tangata whenua representatives under subsection (1)(b), the Minister may make such payment to tangata whenua representatives as the Minister considers appropriate in the circumstances.
- (3) The provisions of the Fees and Travelling Allowances Act 1951 apply to any payment made under subsection (1)(a).

### **30 Liability of representatives**

No representative on the Forum is personally liable for any liability of the Forum, or for any act done or omitted by the Forum, or by a representative in good faith in the exercise of the functions, duties, or powers of the Forum.

### **31 Annual report**

- (1) The Forum must, on or before 31 August each year, report to the Minister on the exercise of its powers and the carrying out of its functions during the preceding year ending on 30 June.
- (2) The report must identify the progress made by the Forum towards achieving the purposes of the Forum set out in section 15.
- (3) A copy of the annual report must be presented to the House of Representatives by the Minister.

## **Part 3 Hauraki Gulf Marine Park**

### **32 Purposes of Hauraki Gulf Marine Park**

The purposes of the Hauraki Gulf Marine Park are—

- (a) to recognise and protect in perpetuity the international and national significance of the land and the natural and historic resources within the Park:
- (b) to protect in perpetuity and for the benefit, use, and enjoyment of the people and communities of the Gulf and New Zealand, the natural and historic resources of the Park including scenery, ecological systems, or natural features that are so beautiful, unique, or scientifically important to be of national significance, for their intrinsic worth:
- (c) to recognise and have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands and coastal areas, and the natural and historic resources of the Park:
- (d) to sustain the life-supporting capacity of the soil, air, water, and ecosystems of the Gulf in the Park.

**33 Establishment of Hauraki Gulf Marine Park**

- (1) The Hauraki Gulf Marine Park is established.
- (2) The Hauraki Gulf Marine Park consists of—
  - (a) all conservation areas, wildlife refuges, wildlife sanctuaries, reserves, marine mammal sanctuaries, and marine reserves held, managed, or administered by the Crown from time to time in accordance with the Conservation Act 1987 or any Act in Schedule 1 of that Act within the Hauraki Gulf, its islands, and coastal area:
  - (b) any reserve controlled and managed from time to time by an administering body (whether or not that administering body is a local authority) under an appointment to control and manage made in accordance with the Reserves Act 1977 or any corresponding former Act, within the Hauraki Gulf, its islands, and coastal area:
  - (c) all the common marine and coastal area within the Hauraki Gulf other than foreshore or seabed held for defence purposes:
  - (d) all seawater within the Hauraki Gulf:
  - (e) all land of the Crown in the Hauraki Gulf, within a wetland approved by the Minister of Foreign Affairs and notified to the Bureau of the Convention on Wetlands of International Importance done at Ramsar on 2 February 1971:
  - (f) all land included in the Park in accordance with section 34 or section 35:
  - (g) all mataitai reserves and taiapure-local fisheries included in the Park in accordance with section 36:
  - (h) all land—
    - (i) included in the Park to give effect to legislation settling historical claims of iwi and hapū under the Treaty of Waitangi (being claims relating to acts or omissions of the Crown before 21 September 1992); and
    - (ii) described in Schedule 5.
- (3) The inclusion of seawater in the Hauraki Gulf Marine Park is to give effect to the purposes of the Park and does not—
  - (a) give the Crown or any other person ownership of seawater; or
  - (b) affect the responsibilities of a regional council in the coastal marine area.
- (4) Land to which subsection (2)(a) applies and which is used for the purposes of education, defence, police, or prisons is not a part of the Park unless the Minister responsible for that use of the land requests the Minister to include the land in the Park; and the Minister may do so by notice in the *Gazette*.
- (5) Despite subsection (4), the land described in Part 1 of Schedule 4 that, at the commencement of this section, is held as a reserve and is used for defence purposes—



- (a) must be held, and treated as classified, as an historic reserve under section 18 of the Reserves Act 1977; and
  - (b) must be treated as included in the Park under subsection (2)(a).
- (6) If the land or any part of the land described in Part 2 of Schedule 4 that, at the commencement of this section, is held as a reserve and is used for defence purposes, is no longer required for defence purposes, the land—
- (a) must be held, and treated as classified as a recreation reserve under section 17 of the Reserves Act 1977; and
  - (b) must be treated as included in the Park under subsection (2)(a).
- (7) Despite any provision of the Defence Act 1990 and subsection (6), the Minister of Defence may administer and manage the land or any part of the land in Part 2 of Schedule 4 jointly with the Commissioner or an administering body for the purposes of the Park as if it were a recreation reserve under section 17 of the Reserves Act 1977.
- (8) For the purposes of subsection (7), **Commissioner** has the same meaning as in section 2 of the Reserves Act 1977.

Section 33(2)(c): amended, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

Section 33(2)(h): inserted, on 1 August 2014, by section 164(2) of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 (2014 No 52).

#### **34 Inclusion of other public land in Park**

- (1) If the person specified in subsection (2) consents to the inclusion of land located in the Hauraki Gulf, its islands, or coastal area and described in subsection (2) in the Park, the Minister may, by notice in the *Gazette*, include the land if, in the opinion of the Minister, the inclusion of that land is in accordance with the purpose of the Park.
- (2) The following land may be included in the Park in accordance with this section:
- (a) with the consent of the owner (including the Crown) and the administering body, any reserve within the Hauraki Gulf, its islands, or coastal area, that is owned by or vested in an administering body (whether or not that administering body is a local authority);
  - (b) with the consent of a local authority, any reserve within the Hauraki Gulf, its islands, or coastal area that is owned by that local authority;
  - (c) with the consent of the local authority, any regional park or other open space or building owned by a local authority and managed to protect its natural or historic values, within the Hauraki Gulf, its islands, or coastal area.

**35 Inclusion of land in private ownership in Park**

- (1) If the owner of land located in the Hauraki Gulf, its islands, or coastal area and described in subsection (2) consents to the inclusion of that land in the Park, the Minister may, by notice in the *Gazette*, and after consulting the Forum and the Conservation Board for the area where the land is located, include the land if, in the opinion of the Minister, the inclusion of that land is in accordance with the purpose of the Park.
- (2) The following land may be included in the Park in accordance with this section:
  - (a) land subject to a conservation covenant entered into under section 77 of the Reserves Act 1977 or section 27 of the Conservation Act 1987:
  - (b) land subject to a Nga Whenua Rahui kawenata entered into under section 77A of the Reserves Act 1977 or section 27A of the Conservation Act 1987:
  - (c) land subject to a heritage covenant entered into under section 39 of the Heritage New Zealand Pouhere Taonga Act 2014:
  - (d) land subject to an open space covenant entered into under section 22 of the Queen Elizabeth the Second National Trust Act 1977:
  - (e) land subject to a declaration under section 76 of the Reserves Act 1977 that it is protected private land:
  - (f) land controlled and managed by a Minister or an administering body for the purposes of the Reserves Act 1977 where the owner has agreed to the use of land for that purpose in accordance with section 38 of that Act:
  - (g) any land in the Hauraki Gulf, other than land owned by the Crown, whether or not it is subject to a covenant referred to in paragraphs (a) to (d), within a wetland approved by the Minister of Foreign Affairs and notified to the Bureau of the Convention on Wetlands of International Importance done at Ramsar on 2 February 1971.

Section 35(2)(c): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

**36 Inclusion of certain fisheries in Park**

If, in the opinion of the Minister, the inclusion of a taiapure-local fishery or mataitai reserve in the Hauraki Gulf Marine Park is in accordance with the purpose of the Park, that taiapure-local fishery or mataitai reserve may, with the consent of the Minister of Fisheries and the committee of management or the tangata whenua, as the case may be, be included in the Park.

### 37 Effect of Park

- (1) Any person holding, controlling, or administering land, foreshore, seabed, marine reserve, a taiapure-local fishery, or a mataitai reserve in the Hauraki Gulf Marine Park must recognise and give effect to the purpose of the Park.
- (2) Nothing in this Part—
  - (a) affects any land in the Hauraki Gulf, its islands, or coastal area, that is not expressly included in the Park in accordance with this Part:
  - (b) limits the ability of the Minister or an administering body to acquire conservation areas, reserves, wildlife refuges, wildlife sanctuaries, or marine reserves within the Gulf or the Park:
  - (c) changes the ownership or management of areas of land, foreshore, seabed, or the waters of the Gulf:
  - (d) limits the powers and functions of a regional council in the coastal marine area.
- (3) Despite subsection (1), land included in the Park in accordance with section 33(2)(a), (b), (c), or (e) continues to be held, managed, or administered in accordance with the Conservation Act 1987, or any Act in Schedule 1 of that Act, if any of those Acts applies to that land.

*Removal of land, foreshore, seabed, waters, or fisheries from Park*

### 38 Removal of land from Park by Order in Council

- (1) The Governor-General may, by Order in Council, and acting on the recommendation of the Minister, remove any land in section 33(2)(a), (b), (c), and (e) from the Park.
- (2) The Minister, before making a recommendation to the Governor-General under subsection (1), must be satisfied that the land no longer serves the purpose of the Park and have regard to the following matters:
  - (a) the existing use of the land:
  - (b) the purposes of the Act under which the land is held:
  - (c) the status or classification of the land.

Section 38 heading: amended, on 1 April 2011, by section 128 of the Marine and Coastal Area (Taketai Moana) Act 2011 (2011 No 3).

### 39 Removal of land with protected status from Park by change of status of land

- (1) Land, marine mammal sanctuaries, and marine reserves in section 33(2)(a), (b), and (c) may be removed from the Park by any of the following actions:
  - (a) exchanging a conservation area under section 16A of the Conservation Act 1987:

- (b) disposing of a conservation area under section 26 of the Conservation Act 1987:
  - (c) exchanging a reserve under section 15 of the Reserves Act 1977:
  - (d) revoking a reserve under section 24 of the Reserves Act 1977:
  - (e) revoking or disposing of a wildlife refuge or a wildlife sanctuary:
  - (f) varying, redefining, or abolishing a marine mammal sanctuary under section 22 of the Marine Mammals Protection Act 1978:
  - (g) revoking a marine reserve.
- (2) Before taking an action under subsection (1), the Minister must, in addition to any requirements of a relevant Act, consider the purpose of the Park and be satisfied that the land or marine reserve no longer serves the purpose of the Park.
- (3) A local authority or the administering body of a reserve must, before requesting the revocation of a reserve under section 24 of the Reserves Act 1977, consider the purpose of the Park.
- (4) The notice, Order in Council, or other instrument that carries out the action in subsection (1), must state that the land, marine mammal sanctuary, or marine reserve has been removed from the Park.

Section 39 heading: amended, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takitai Moana) Act 2011 (2011 No 3).

#### 40 Removal of other areas from Park

The Minister may, by notice in the *Gazette*, and after considering the purpose of the Park,—

- (a) remove any foreshore or seabed or reclamation from the Park; or
- (b) remove any land of the Crown within a wetland from the Park; or
- (c) with the consent of the local authority, remove any open space or building owned by a local authority and managed to protect its natural or historic values from the Park.

#### 41 Removal of land in private ownership and certain fisheries from Park

- (1) The Minister may, by notice in the *Gazette*, remove from the Park—
- (a) any land in private ownership specified in section 35; or
  - (b) any taiapure-local fishery or mataitai reserve.
- (2) The Minister may remove the land, taiapure-local fishery, or mataitai reserve from the Park if the Minister considers that the inclusion of that land, taiapure-local fishery, or mataitai reserve in the Park is no longer serving the purpose of the Park.
- (3) The Minister must remove the land, a taiapure-local fishery, or a mataitai reserve from the Park within 20 working days (as defined in the Conservation

Act 1987) of receipt of a notice requiring the removal of that land, taiapure-local fishery, or mataitai reserve from the Park, from the person whose consent was necessary for inclusion of that land, taiapure-local fishery, or mataitai reserve in the Park.

**41A Removal of land described in Schedule 5 from Park**

- (1) The Governor-General may, by Order in Council, on the recommendation of the Minister of Conservation,—
  - (a) remove from the Park any land included in the Park by Schedule 5; and
  - (b) amend Schedule 5 accordingly.
- (2) The Minister, before making a recommendation to the Governor-General under subsection (1), must—
  - (a) be satisfied that the land no longer serves the purpose of the Park; and
  - (b) have regard to—
    - (i) the existing use of the land; and
    - (ii) the status or classification (if any) of the land.

Section 41A: inserted, on 5 July 2018, by section 71 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 (2018 No 18).

**42 Entries in register**

The Registrar-General of Land is authorised and directed to make such entry in the register and to do such other things as may be necessary to show the inclusion of land within the Park or the removal of land from the Park.

**43 Notation on survey office plans**

The Chief Surveyor is authorised and directed to do such things as may be necessary to show on the survey office plans the inclusion of land within the Park or the removal of land from the Park.

*Deed of Recognition*

**44 Recognition of tangata whenua statement of relationship**

- (1) The Crown or a local authority may acknowledge any statement of particular historic, traditional, cultural, and spiritual relationship of tangata whenua of the Hauraki Gulf with any land, foreshore, or seabed in the Hauraki Gulf Marine Park by entering into a Deed of Recognition with tangata whenua in respect of that land, foreshore, or seabed.
- (2) A Deed of Recognition—
  - (a) may not relate to any water:
  - (b) may not relate to any land included in the Park in accordance with section 35.
- (3) A Deed of Recognition—

- (a) may record the Crown's or local authority's acknowledgement referred to in subsection (1); and
  - (b) must identify the area to which the Deed of Recognition relates; and
  - (c) may acknowledge, where appropriate, any statement of relationship by any others who claim tangata whenua status with the area; and
  - (d) without limiting section 46, must identify specific opportunities for contribution by tangata whenua to the management of the area by the Crown or a local authority.
- (4) A Deed of Recognition may be amended or revoked by agreement between the parties.

**45 Purpose of Deed of Recognition**

Without limiting section 46, the only purpose of a Deed of Recognition is to identify opportunities for contribution by tangata whenua to the management of an area by the Crown or a local authority.

**46 Effect of Deed of Recognition**

Except as provided in section 44(3)(d) and section 45, a Deed of Recognition—

- (a) does not affect the exercise of any power or the carrying out of any function or duty by any person under any Act, regulation, or bylaw; and
- (b) must not be taken into account by any person in the exercise of any power or the carrying out of any function or duty under any Act, regulation, or bylaw by that person; and
- (c) does not permit any person, when considering any matter or making any decision or recommendation under any Act, regulation, or bylaw, to give any greater or lesser weight to a statement of relationship of tangata whenua with any area, as recorded in a Deed of Recognition, than that person would give under that Act, regulation, or bylaw if no Deed of Recognition existed recording that statement; and
- (d) does not affect the lawful rights or interests of any person; and
- (e) does not have the effect of granting, creating, or providing evidence of any estate or interest in or any rights of any kind whatever relating to any area referred to in a Deed of Recognition.

**47 Other Deeds of Recognition**

Where the Crown or local authority has entered into a Deed of Recognition for an area with tangata whenua, that Deed of Recognition does not prevent the Crown or local authority from entering into further Deeds of Recognition for that area with other tangata whenua who may have an historic, traditional, cultural, and spiritual relationship with that area.

**48 Notice of Deed of Recognition**

When the Crown or local authority enters into a Deed of Recognition, or is a party to a Deed of Recognition that is amended or revoked, the Crown or local authority, as the case may be, must, by notice in the *Gazette*, give notice of that Deed of Recognition or the amendment to, or revocation of, a Deed of Recognition.

**Part 4  
Miscellaneous**

**49 Consequential amendments**

The enactments specified in Schedule 2 are amended in the manner indicated in that schedule.

**49A Transitional provisions**

- (1) This section applies to an application for a resource consent for the Hauraki Gulf, its islands, and catchments—
  - (a) made before the commencement of this Act; but
  - (b) not finally determined before the commencement of the Hauraki Gulf Marine Park Amendment Act 2001.
- (2) The continuation and completion of an application (including rights of appeal) must be in accordance with the Resource Management Act 1991 as if this Act had not been enacted.
- (3) Subsection (4) applies to an application that, under section 119(4) of the Resource Management Act 1991, has been referred back to the hearing committee or Environment Court for a recommendation or report on the matters contained in sections 7 and 8 of this Act.
- (4) The Minister must consider the application as if the referral back had not been made.
- (5) For the purposes of subsection (4), the time period under section 119(1) of the Resource Management Act 1991 begins again from the date of the commencement of the Hauraki Gulf Marine Park Amendment Act 2001.

Section 49A: inserted, on 16 June 2001, by section 3 of the Hauraki Gulf Marine Park Amendment Act 2001 (2001 No 36).

**49B Applications finally determined**

- (1) This section applies to an application for a resource consent for the Hauraki Gulf, its islands, and catchments—
  - (a) made before the commencement of this Act; and
  - (b) finally determined—

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Hauraki Gulf Marine Park Act 2000

Reprinted as at  
5 July 2018

- (i) before the commencement of the Hauraki Gulf Marine Park Amendment Act 2001; and
  - (ii) without complying with section 9(4) of this Act.
- (2) A decision (including a decision on an appeal) relating to an application has effect, on and from the date it is made, as if this Act had not been enacted.

Section 49B: inserted, on 16 June 2001, by section 3 of the Hauraki Gulf Marine Park Amendment Act 2001 (2001 No 36).

**50 Map to indicate boundaries**

The catchment area and coastal marine area of the Hauraki Gulf are indicated in general terms only on the map in Schedule 3, and do not affect the definitions of the terms coastal marine area, catchment, or Hauraki Gulf in section 4, or any other provision of this Act.



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Hauraki Gulf Marine Park Act 2000

Schedule 1

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## Schedule 1 Acts to which Part 1 applies

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Biosecurity Act 1993 (Part 5)  
Conservation Act 1987  
Fisheries Act 1983  
Fisheries Act 1996  
Harbour Boards Dry Land Endowment Revesting Act 1991  
Heritage New Zealand Pouhere Taonga Act 2014  
Local Government Act 1974  
Local Government Act 2002  
Marine and Coastal Area (Takutai Moana) Act 2011  
Marine Farming Act 1971  
Marine Mammals Protection Act 1978  
Marine Reserves Act 1971  
National Parks Act 1980  
Native Plants Protection Act 1934  
Queen Elizabeth the Second National Trust Act 1977  
Reserves Act 1977  
Resource Management Act 1991  
Soil Conservation and Rivers Control Act 1941  
Trade in Endangered Species Act 1989  
Walking Access Act 2008  
Wild Animal Control Act 1977  
Wildlife Act 1953

Schedule 1: amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Schedule 1: amended, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

Schedule 1: amended, on 30 September 2008, by section 82 of the Walking Access Act 2008 (2008 No 101).

Schedule 1: amended, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Attachment A

27















































## Constituent Party Reports

File No.: CP2025/01903

Item 8

### Te take mō te pūrongo Purpose of the report

1. To update the Hauraki Gulf Forum (HGF) on key developments among its Constituent Parties.

### Whakarāpopototanga matua Executive summary

2. The HGF has received a joint written briefing from the Department of Conservation and Fisheries New Zealand (Attachment A). Also attached is the Mokohinau Caulerpa Post Survey Summary (Attachment B).
3. The HGF received a joint written briefing from the Department of Conservation and Fisheries New Zealand for the 2 December 2024 meeting that was cancelled (Attachment C). This refers to two recent technical reports: the benthic community analysis to support the development of the Coastal and Marine Ecological Classification Standard for Deep Reefs in the Hauraki Gulf (Bell et al); and the Methods Report for the stereo baited remote underwater survey of the Hauraki Gulf. As these are substantial reports they have not been attached. Please contact Lucy Baragwanath if you would like copies.
4. The HGF received a report from Auckland Council (Attachment D).
5. The HGF has received a report from Waikato Regional Council (Attachment E).
6. The HGF received a biosecurity update from Waikato Regional Council (Attachment F).
7. Waikato Regional Council will present on the Ohinemuri River Mine Discharge Event.
8. With permission from Fisheries NZ, the HGF has received an update from NIWA on findings from the recent scallop survey in Northland and Coromandel. Please note that the draft executive summary will be shared separately as it is subject to peer review and is not to be shared more widely at present.
9. The HGF has received a biosecurity update from Biosecurity New Zealand in relation to exotic caulerpa (Attachment G).
10. The HGF will receive a verbal update from Mike Inglis, Biosecurity New Zealand, on the circumstances of the *Sea Eagle* superyacht which was permitted to visit the Hauraki Gulf despite non-compliance with biosecurity requirements.

### Ngā tūhunga Recommendation/s

That the Hauraki Gulf Forum:

- a) thank the Department of Conservation and Fisheries NZ for their written reports.
- b) thank Auckland Council for its written report.
- c) thank the Waikato Regional Council for their written reports and presentation.
- d) thank NIWA and Fisheries NZ for their update.
- e) thank Biosecurity New Zealand for its updates and presentation.

## Ngā tāpirihanga Attachments

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No.	Title	Page
<a href="#">A</a>	DOC and FNZ constituent party report 3 March 2025	73
<a href="#">B</a>	Mokohinau Caulerpa Post Survey Summary	77
<a href="#">C</a>	DOC and FNZ Report 2 December 2024	85
<a href="#">D</a>	Auckland Council constituent party report	89
<a href="#">E</a>	Waikato Regional Council constituent party report	101
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## Ngā kaihaina Signatories

Author	Lucy Baragwanath - Executive Officer Hauraki Gulf Forum
Authoriser	Sam Hill - General Manager Environmental Services









































































































## Hauraki Gulf Tīkapa Moana Marine Protection Bill Discussion

File No.: CP2024/17805

### Te take mō te pūrongo Purpose of the report

1. To update the Hauraki Gulf Forum (HGF) on the Hauraki Gulf Tīkapa Moana Marine Protection Bill and to agree a collective position for the Forum.
2. To invite the HGF to consider our collective approach to forthcoming legislative changes and proposed legislation with respect to the Hauraki Gulf.

### Whakarāpopototanga matua Executive summary

3. The Hauraki Gulf Forum (HGF) has the goal of 30% marine protection by 2030.
4. The HGF has strongly advocated for the Tīkapa Moana Marine Protection Bill (the Bill), which was introduced into Parliament in August 2023.
5. The Bill built on the aspirations of *SeaChange Tai Timu Tai Pari*, the product of over a decade of intense work by mana whenua, community, industry, councils and other stakeholders.
6. The Bill proposed a significant increase in the protection of the Hauraki Gulf from 0.3% to 6% in terms of full protection through the extension of the two existing marine reserves, and from 6 to 18% conferred a degree of protection. This includes:
  - 2 marine reserves; extending from the existing reserves Te Whanganui-o-Hei/Cathedral Cove Marine Reserve and Cape Rodney – Okakari Point (Goat Island)
  - 12 high protection areas (HPAs) – these areas protect and restore marine habitats and ecosystems. They also provide for the customary practices of tangata whenua
  - 5 seafloor protection areas (SPAs) – these areas protect seafloor habitats. But they still allow for activities that do not damage them, such as non-bottom contact fishing.
7. The Environment Select Committee unanimously supported the passage of the Bill in July 2024.
8. On 12 October, Minister of Conservation Tama Potaka announced that the Bill would proceed to its second reading. He also announced a departure from the Select Committee draft, with an amendment that would permit commercial fishing in two of the new HPAs.
9. The amendment is restricted to ring-net fishing targeting mullet, trevally and kahawai in two of the new HPAs, one in Kāwau Bay and one off Motutapu Island. It is restricted to up to five existing operators, at night, across the winter months.
10. The HGF Co-Chairs led a media response strongly objecting to the proposed amendment, on the basis that the proposal to allow commercial fishing in protected areas defeats the purpose of marine protection, undermining the integrity of the Bill and the principles of marine protection.

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11. Other responses varied widely. For the Environmental Defence Society (EDS), the Bill is a critically important step forward even in its amended form, as it represents a major increase in protection, but that the detail of any exemption must be carefully specified<sup>1</sup>. Professors Thrush and Pilditch pointed out that this Bill is about marine *protection*, not fishing, which is managed under the Fisheries Act, and that New Zealand has signed up for 30% marine protection by 2030<sup>2</sup>. Councillor Mike Lee drew attention to the limited definition of 'protection'<sup>3</sup>, while Forest and Bird observed the risk that allowing commercial fishing in a highly protected area risks creating a precedent<sup>4</sup>.
12. While far short of ideal, the 18% total protected area proposed in the Bill is a crucial step toward the HGF goal of a minimum 30% of the Gulf as Marine Protected Areas, and in line with New Zealand's international commitments.
13. It is also notable that the 12 October 2024 announcement of the amendments occurred 4 months after the Select Committee Report unanimously supported the passing of the Bill.
14. The Bill passed its second reading on 18 December 2024.
15. The date for the final reading at the Committee for the Whole has yet to be confirmed, and it is only then that the changes will be made public.
16. In the interim, it is important to clarify the collective position of the HGF as the foundation for ongoing advocacy.
17. **Proposed advocacy position:** consistent with its commitment to protecting 30% of the Hauraki Gulf, the HGF calls for the Government to discard the proposed amendments to allow commercial fishing in Highly Protected Areas, and to pass the Hauraki Gulf Tīkapa Moana Bill in the form recommended by the Select Committee.
18. Other proposed legislation changes may have implications for the Hauraki Gulf Marine Park Act and the Hauraki Gulf Marine Protection Bill. These include the Treaty Principles Bill and Treaty clauses review, the review of the Conservation Act, and the review of the Biosecurity Act, among others. The HGF could consider evaluating the potential impact of legislative change, in addition to the submissions being prepared by each agency individually.

## Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum (HGF):

- a) consider the implications of the Marine Protection Bill and next steps
- b) endorse the position that the Forum calls for the Government to discard the proposed amendments and pass the Hauraki Gulf Tīkapa Moana Bill in the form recommended by the Select Committee
- c) consider the Forum's collective approach to responding to legislative change with implications for the Hauraki Gulf.

<sup>1</sup> <https://newsroom.co.nz/2024/10/17/hauraki-gulf-protections-perfect-can-be-enemy-of-the-good/>

<sup>2</sup> <https://www.auckland.ac.nz/en/news/2024/10/19/Beware-the-snags-in-hauraki-gulf-protections.html>

<sup>3</sup> <https://www.mikelee.co.nz/its-time-we-were-honest-about-what-we-really-mean-by-marine-protection/>

<sup>4</sup> <https://thespinoff.co.nz/politics/16-10-2024/why-last-minute-changes-to-the-hauraki-gulf-protection-bill-are-stirring-up-a-stink>



## Ngā tāpirihanga Attachments

There are no attachments for this report.

## Ngā kaihaina Signatories

Author	Lucy Baragwanath - Executive Officer Hauraki Gulf Forum
Authoriser	Sam Hill - General Manager Environmental Services



## Executive Officer Report 3 March 2025

File No.: CP2025/00578

Item 10

### Te take mō te pūrongo Purpose of the report

1. To provide an update from the Forum's Executive Officer.

### Whakarāpopototanga matua Executive summary

2. Welcome to 2025: the 25<sup>th</sup> anniversary of the HGMP Act and the Hauraki Gulf Forum as well as the 50<sup>th</sup> anniversary of New Zealand's first marine reserve at Cape Rodney-Okakari Point (and the 40<sup>th</sup> anniversary of the sinking of the Rainbow Warrior).
3. Since starting in the role in July 2024, I have focused on building relationships with interested members of the Hauraki Gulf Forum (HGF) and key external stakeholders to understand opportunities, challenges and priorities for the Gulf and to identify where the HGF can influence and collaborate.
4. I have reflected on the pressures facing the Gulf, current legislative changes, upcoming milestones for the HGF, progress and achievements to date and opportunities to advance our priorities. I have identified opportunities to further advance the operational effectiveness of the HGF.
5. Items that are yet to be addressed from the Draft Agenda from the cancelled meeting on 2 December 2024 are included in this agenda.

### Workplan Progress Update

6. Hauraki Gulf/Tikapa Moana Marine Protection Bill
  - a) The Bill passed its second reading on 18 December 2024, including the amendments introduced after the Select Committee Report to include commercial fishing in two of the Highly Protected Areas. There is no indication when further progress might be expected.
  - b) Co-Chair Tangata Whenua Nicola Rata-MacDonald fronted the initial media response on behalf of the HGF, contracted Awhi to manage related media engagement and has written to the Prime Minister endorsing the open letter from the WWF and Greenpeace requesting for the amendment to be removed (Attachment A).
  - c) While the proposed increase in marine protection is in line with HGF priorities, even if it does not attain the 30% by 2030 expressed in the Workplan, the inclusion of commercial fishing in highly protected areas can be seen as inconsistent with the concept of marine protection.
  - d) Next steps: Confirm that the HGF opposes the amendments to the Bill and calls for the Bill to be passed in the form recommended by the Select Committee and supports ongoing advocacy to this end.
7. Stopping destructive fishing
  - a) I attended the HG Fisheries Plan advisory group hui and noted that HGF's position of zero commercial trawling in the Hauraki Gulf is not one of the options that was consulted on by Fisheries NZ in the HG Fisheries Plan.
  - b) For perspective, the NZIER 2023 report notes that commercial fishing nets \$30 million per annum in the Hauraki Gulf. This return is a small fraction of the economic value of the Gulf overall, particularly given the risk of further diminishing the ecological systems of the Gulf.

- c) Status: In progress.
  - d) Next steps: Confirm that HGF will continue to advocate for destructive fishing to be stopped in the Hauraki Gulf.
8. Exotic caulerpa
- a) Two initiatives were established in 2024 to progress the response to exotic caulerpa:
    - a. A National Advisory Group was established to advise MPI on the response and expenditure of the \$14 million from government. Next steps are not yet known.
    - b. A 'Better Business Case' commissioned from Martin Jenkins by a Ngāti Paoa-led consortium supported by local and regional government was presented to government in late 2024. This is confidential pending the government response.
  - b) The HGF is not directly involved in these initiatives, although clearly some of the constituent parties have been working hard over the summer in their own capacities.
  - c) New incursions of exotic caulerpa have been detected, and it is likely that with the changing climate and particularly marine heat waves that there will be further marine biosecurity incursions.
  - d) The HGF is an important forum for discussing marine biosecurity threats and responses.
  - e) Consistent with its purpose to promote integrated management, the HGF could actively support the integrated marine biosecurity plan being developed by the regional councils including the Clean Vessel Plan, to limit the transmission of exotic marine pests (see Auckland Council Constituent Party Report).
  - f) Status: In progress.
  - g) Next steps: Confirm HGF appetite to support the integrated marine biosecurity management approach being developed by Regional Councils including Auckland, Northland and Waikato.
9. RMS Niagara investigation
- a) Following our joint letter to the Minister of Transport from the Mayor of Auckland, Chair of Northland Regional Council and HGF Co-Chairs last year, we received a response from Associate Minister Matt Doocey to say that the Maritime NZ estimate of the cost of an investigation was \$13.9 million. Minister Doocey declined the opportunity to speak with us and confirmed that an investigation is not a priority for Government.
  - b) To progress this initiative, I connected with two major philanthropists with an interest in investigating the RMS Niagara to clarify the risk that it poses. One expressed interest in undertaking an investigation, subject to confidentiality.
  - c) In September, Co-Chair Tangata Whenua Nicola Rata-MacDonald and Ngāti Manuhiri Chair Mook Hohneck met the entity involved.
  - d) Status: Paused
  - e) Next steps: Confirm whether investigation of the RMS Niagara remains a priority for the HGF and whether further action is needed to address the risk it poses.
10. Reducing land-based inputs to the Hauraki Gulf
- a) The 2024-26 Workplan includes a priority action to establish a taskforce to reduce land-based impacts including sediment and nutrient runoff, sewage, nutrients, plastics and other forms of pollution.

- b) Tackling sediment and pollution is a prime opportunity for integrated management to protect and enhance the Gulf. In my view, the HGF could make a significant contribution by developing an integrated action plan to define the problem, identify initiatives currently under way, share best practice and identify potential initiatives for remediation and restoration (e.g. Auckland Council strategic approach to sediment and strategic approach to planting, Matamata-Piako riparian planting, Waikato Region farm plans, lessons from Kaipara Moana).
  - c) Status: not yet started.
  - d) Next steps: Confirm the priority of this initiative for the HGF and support for the proposed integrated action planning approach focusing on land-based inputs.
11. High Pathogenicity Avian Influenza (Avian Flu)
- a) H5N1 has not yet been detected in New Zealand.
  - b) Current guidance from MPI is that if you find an unusual number of dead or sick birds (three or more), please call the Biosecurity NZ hotline on 0800 80 99 66. Do not touch/handle the birds.
  - c) More information is available on MPI's website ([mpi.govt.nz/hpai](http://mpi.govt.nz/hpai)).
  - d) As EO, I am connected into Auckland Council's early preparedness activities through the host relationship.
  - e) Status: Maintaining watch
  - f) Next steps: I will keep the HGF updated on any developments.

### Opportunities to further advance the HGF's priorities

12. Opportunities identified to advance HGF priorities through raising awareness:
- a) 25 years of the Hauraki Gulf Marine Park:
    - i. I would like to confirm the appetite of the HGF to acknowledge in some way the 25<sup>th</sup> anniversary of the HGMP Act, and if so, what form this might take.
    - ii. We were offered the use of the Viaduct Events Centre on 20 February 2025 during the Moana Festival for a symposium, and whilst this seemed like a timely opportunity, I was unable to secure support for the Forum's attendance in the timeframe.
    - iii. Next steps: Confirm if acknowledgement of the 25<sup>th</sup> anniversary of the marine park is a priority for the HGF, and if so, what form it might take.
  - b) Widening the support base of the Hauraki Gulf by amplifying the economic story:
    - i. The 2023 and 2024 NZIER reports are a platform for a narrative that emphasises the economic value of the Hauraki Gulf, providing further heft to the importance of preserving and enhancing it.
    - ii. The NZIER assessment states that the Hauraki Gulf has a value of \$5.14 billion and that this value is at risk from ongoing deterioration of the environment. The future economic value derived from the Gulf could be seriously compromised either through the loss of export markets; or through the opportunity cost of the potential returns of the blue economy which rests on a healthy ecosystem and clean water; or both.

- iii. The quality of the environment is at the heart of New Zealand's competitive advantage directly and through reputation. A [Chapman Tripp/Aotearoa Circle report](#) in 2024 revealed pressure on New Zealand exporters to keep up with international expectations on sustainability with more than 80% of NZ's exports by value going to countries with mandatory/proposed environmental, social and governance disclosures.
  - iv. A vital part of the story is creating the conditions for NZ to maximise its potential through a sustainable blue economy to revitalise oceans and create health and wealth through blue carbon, aquaculture, tourism, and recreation. This includes the value to international consumers of sustainably caught fish, restoring the seafloor and kelp forests, in conjunction with marine protection areas, enabling seafloor and fish stocks to recover.
  - v. For example, Westpac recently released a research paper on the existing and potential contribution of the blue economy to NZ (Attachment F) noting that marine activity contributes at least \$10bn in value-add to the New Zealand economy and estimating that this will rise to \$14bn by 2035, potentially making a meaningful contribution to the government's goal of doubling exports.
  - vi. To this end I have met business and innovation leaders from entities including Beca, Westpac, Auckland Business Chamber, and NZ Story to increase awareness of the economic importance of a restored and protected Hauraki Gulf.
  - vii. Status: In progress
  - viii. Next steps: EO to continue to progress engagement and advocacy in relation to the economic value of the Hauraki Gulf.
- c) Focusing on future generations by supporting engagement with young people
- i. Through its requirement to promote integrated management to protect and enhance the Gulf, the HGF has an oblique responsibility to serve as 'good ancestors'. There is a real opportunity to build on past HGF education initiatives to support public awareness of the importance of the Gulf.
  - ii. There is an opportunity to support efforts to educate through community engagement focusing on children and young people by aligning efforts with constituent parties and external stakeholders engaged in community outreach and external stakeholders relevant to the Gulf, to identify where the HGF can add value.
  - iii. Status: concept
  - iv. Next steps: EO to explore connections and opportunities.
- d) Increasing community funding to boost partnerships that serve HGF goals
- i. The \$25,000 that we disburse to community partners is well-received and delivers tangible outcomes aligned to the priorities of the HGF. Given the cessation of the government's Jobs for Nature funding, the constrained grant opportunities in the wider environmental system, the return on investment from supporting community-led initiatives and the healthy balance of the HGF accounts, I suggest that we double this to \$50,000 p.a.
  - ii. Status: Under consideration
  - iii. Next steps: Seeking HGF endorsement to double the HGF's community funding to \$50,000 p.a.

13. Increasing the impact of the Forum: a proposed approach to enhance operational effectiveness
  - a) My full proposal is outlined in the separate agenda item which follows (Item 11). It suggests:
    - i. Enhanced participation from constituent parties as two-way conduits between the collective HGF and their individual entities.
    - ii. A Workplan-focused action approach to advance the integrated management of the top priority issues identified by the HGF.
    - iii. Clarification of roles and responsibilities, approval flows and delegations.
    - iv. Status: in development
    - v. Next steps: endorsement of approach by HGF.
  - b) There is no formal financial delegation for the Executive Officer, constraining the ability to advance HGF priorities. I recommend \$50,000 to expedite operational work.

### Reports

14. The financial report for the quarter to December 2024 is attached, showing a robust financial position (Attachment B). Some of the accrued finances are for the 2026 State of the Gulf report, and early discussions are under way with potential contributors. There has been limited expenditure until current and new priorities are agreed and confirmed.
15. The Technical Officers' Group convened on 10 February 2025 to share updates on each constituent party's work in relation to the Forum priorities. The meeting note is attached (Attachment C).
16. Attached is the Q4 ship speed report from Port of Auckland (Attachment D). It is encouraging to see that the monthly averages of below 10 knots continue.
17. The HGF made a submission to Fisheries NZ on CRA2 (the rock lobster fishery that includes the Hauraki Gulf and Bay of Plenty), supporting the retention of current catch levels and the closure of the inner Hauraki Gulf including Hauturu to rock lobster fishing (Attachment E).

### Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) receive the report.
- b) receive the Open Letter to Prime Minister (Attachment A), Financial Statement (Attachment B), Technical Officers Meeting Note (Attachment C), Quarterly Ship Speed Report (Attachment D), Submission to Fisheries NZ on CRA2 (Attachment E) and the Westpac Blue Economy bulletin (Attachment F).
- c) confirm that the HGF opposes the amendments to the Hauraki Gulf/Tikapa Moana Marine Protection Bill and calls for the Bill to be passed in the form recommended by the Select Committee and supports ongoing advocacy to this end.
- d) confirm support for continuing to advocate for the ending of destructive fishing practices in the Hauraki Gulf.
- e) confirm the appetite to support the integrated approach to marine biosecurity management being led by Regional Councils.
- f) confirm if the RMS Niagara investigation is a priority for the HGF and whether further action is needed.
- g) confirm that promoting integrated action to reduce land-based inputs into the Hauraki Gulf is a priority for the HGF, and support for integrated action planning to advance this outcome.

- h) confirm whether the HGF would like to mark the 25<sup>th</sup> anniversary of the HGMP Act, and if so in what form.
- i) endorse doubling the HGF's support for community initiatives from \$25,000 to \$50,000.
- j) endorse granting delegated authority of \$50,000 to the Executive Officer to expedite HGF priorities.

## Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A</a>	Open Letter to PM on Marine Protection Bill	129
<a href="#">B</a>	Financial Report 6 months to 31 December 2024	131
<a href="#">C</a>	Technical Officers' Group Meeting Note	133
<a href="#">D</a>	Quarterly ship speed report	137
<a href="#">E</a>	Fisheries NZ Submission on CRA2	139
<a href="#">F</a>	Westpac Blue Economy bulletin	141

## Ngā kaihaina Signatories

Author	Lucy Baragwanath - Executive Officer Hauraki Gulf Forum
Authoriser	Sam Hill - General Manager Environmental Services











































































# Proposal to enhance the contribution of the Hauraki Gulf Forum through integrated action planning

File No.: CP2025/00207

Item 11

## Te take mō te pūrongo Purpose of the report

1. To share with the Hauraki Gulf Forum (HGF) a proposal to enhance its contribution through integrated action planning.

## Whakarāpopototanga matua Executive summary

2. During my first six months as EO (with responsibility to manage all aspects of the HGF's strategy and operations including policy, comms, engagement and finance), I have observed the HGF has consolidated its reputation as a trusted advocate for the Gulf. Building on this reputation, in my view the HGF's contribution could be further advanced by adopting an integrated action planning approach that would promote the integrated management to protect and enhance the Gulf required under the Hauraki Gulf Marine Park Act 2000.
3. The HGF was established in recognition of the complexity of interrelationships that need to be managed 'in a manner that crosses territorial jurisdictions, crosses land and water boundaries, and crosses cultures and that respects both conservation and development needs' (Hauraki Gulf Marine Park Act 2000 Preamble (7)).
4. The constituent parties of the HGF collectively hold most of the legislative authority, responsibility, and tools to address the Hauraki Gulf's challenges, most of which have multiple inputs and transcend the power of individual parties to tackle them alone. Consequently, the Act emphasised the need to promote integrated management for issues that transcend the mandate and capacity of the individual parties.
5. The Forum provides the platform for collaboration to align efforts: to exchange ideas, identify shared challenges, and enable integrated management and alignment. The notion of a forum implies a two-way flow of information, views and ideas from the constituent parties inward to the HGF, and outward from the HGF to the constituent parties.

### Evolving practices

6. The HGF has used its profile and influence to successfully advocate for specific issues through direct connection and submissions. This has established the HGF's profile as a trusted advocate for the Gulf.
7. The Act specifies that the Forum must prepare a list of strategic issues, determine a priority for those, and receive reports from constituent parties on the development and implementation of policies and plans to address those issues, and to facilitate and encourage integrated financial planning.
8. Consequently, the Forum's strategic priorities are clearly articulated in the 2024-6 Workplan, and the 26 August 2024 meeting confirmed the five priority issues for immediate focus (see EO report).
9. Likewise, regular constituent party reports are received from the Department of Conservation and Fisheries New Zealand on the progress towards Revitalising the Gulf as the Crown's contribution towards the integrated management to protect and enhance the Gulf.
10. Other constituent parties provide reports from time to time, and significant collaboration occurs in the background between many of the parties, which is not formally reported.

11. In my view, there is more we could do to advance the statutory requirement to integrate the development and implementation of policies and plans to address the priority issues faced by the Gulf.
12. Building on the existing collaboration between constituent parties, the Act enables the HGF to share problems and solutions, identify points of commonality, and develop practical action plans that enable them to be tackled, integrating management to protect and enhance the Gulf.
13. The formal committee-style governance structure in effect can restrict the opportunity for deep collaboration, as the style of interaction and the limited number of times that the Forum meets constrains opportunities for discussion, problem identification, and initiatives under way. This in turn limits the integration of management to protect and enhance the Gulf.

#### Workplan-driven integrated action planning

14. The HGF's contribution could be further advanced by introducing an integrated action planning approach driven by the Workplan.
15. I propose the following approach for discussion and consideration:
  - a. Recognise the HGF as a gathering of 'good ancestors' with the authority, tools and shared commitment to enhance and protect the Gulf through aligning efforts to integrate its management.
  - b. Encourage every constituent party to contribute to the quarterly agendas to ensure issues are well understood and canvassed from every perspective.
  - c. Encourage members of the HGF to see their role as two-way conduits between their entities and the collective, providing the foundation for effective alignment through clear communication.
  - d. Use the adopted 2024-2026 Workplan as the framework to drive integrated action planning. For each priority area:
    - i. Convene a working group comprising representatives of the relevant entities, their authority, tools, and points of influence, and expert external stakeholders as appropriate.
    - ii. Define the problem.
    - iii. Identify champions within each entity who commit to advocating for support within each of their entities.
    - iv. Co-develop action plans to integrate action and align of initiatives that protect and enhance the Gulf, including identifying gaps where research and advocacy are required.
    - v. Bring these back for endorsement by the HGF.
    - vi. From this point, individual constituent parties would take responsibility for the formal decision-making for implementation, as appropriate.
    - vii. Formally track progress through integrated monitoring and reporting, which could sit alongside the State of the Gulf reporting, thereby linking problems, proposed solutions, and actions.
    - viii. This model was successfully prototyped for the Greater Christchurch Partnership in 2023, providing some useful insights (Attachment A).

16. In 2026 the next State of the Gulf report is due. Early discussions are under way about how this might be approached. In addition to reporting against baseline indicators, the addition of reporting on integrated action plans could create a cohesive, systemic narrative linking problems, outcomes, actions, and areas for improvement. It is critical that this approach aligns with existing monitoring undertaken by constituent parties, and the monitoring framework being developed by DOC, with reference to improvements to environmental reporting being undertaken by the Ministry for the Environment<sup>5</sup>.
17. Prerequisites for success:
  - i. Building trust and openness to foster honest exchanges and identify common ground.
  - ii. Deep collaboration through active listening and problem-solving across diverse perspectives to identify opportunities for alignment.
  - iii. Commitment to collective action that integrates and aligns efforts on strategic challenges facing the Gulf that require multi-party collaboration.
18. In my view, building on the HGF's advocacy and reputation through this integrated action planning approach would enable further significant, meaningful progress towards the protection and enhancement of the Gulf.
19. Status: for consideration by the HGF.

## Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) consider and discuss adopting the proposed workplan-driven action planning approach to enhance the operational effectiveness of the Forum
- b) endorse the proposal to amend the State of the Gulf reporting to include both progress against indicators and progress against active initiatives.

## Ngā tāpirihanga Attachments

No.	Title	Page
A <sup>1</sup>	Greater Christchurch Partnership Joint Housing Action Plan - insights for integrated action planning	165

## Ngā kaihaina Signatories

Author	Lucy Baragwanath - Executive Officer Hauraki Gulf Forum
Authoriser	Sam Hill - General Manager Environmental Services

<sup>5</sup> <https://environment.govt.nz/facts-and-science/environmental-reporting/improving-environmental-reporting-data/>







## Schedule of Meetings 2025

File No.: CP2024/17796

Item 12

### Te take mō te pūrongo Purpose of the report

1. To confirm the Forum's schedule of meetings for 2025.

### Whakarāpopototanga matua Executive summary

2. Local Government elections will take place in Q4 2025. With over half of Forum members coming from Local Government, by tradition there will be no fourth quarter meeting in 2025.
3. Given that, the following three dates are recommended:
  - Q1 - Monday 3 March 2025, hosted by Waikato Regional Council
  - Q2 - Monday 19 May 2025 – **request for host**
  - Q3 - Monday 25 August 2025 – **request for host**
4. It is recommended that the Forum:
  - Consider and discuss the start time – 11am or midday with a working lunch, instead of 1pm
  - Option for a workshop in the morning prior to the meeting
  - In-person meetings as a first preference, with fallback to MS Teams if COVID or other impacts intervene
  - A split between meetings in the Waikato and Auckland regions.

### Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) confirm the schedule of meetings
- b) request volunteers to host the May and August meetings.

### Ngā tāpirihanga Attachments

There are no attachments for this report.

### Ngā kaihaina Signatories

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Authoriser	Sam Hill - General Manager Environmental Services