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# AUCKLAND CONSERVATION BOARD

## *Te Runanga Papa Atawhai o Tāmaki Makaurau*

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DOC-6136144

11 December 2019

John Luke  
fyi-request-11646-f3220d90@requests.fyi.org.nz

Dear John

Thank you for your Official Information Act request to the Auckland Conservation Board (“the Board”), dated 14 November 2019. You requested the following (with wording amended for clarity):

- 1. A description of the discussion and response of the Conservation Board when your request (as set out in my letter to you dated 10 October 2019) was discussed at the Conservation Board’s meeting on 13 November 2019.*
- 2. The money spent by Lyn Mayes, Chair of the Conservation Board, on Conservation Board business since she was appointed to the Conservation Board.*
- 3. What is Nathan Kennedy’s current position about not participating in Conservation board business?*
- 4. Has there been any communication between the Conservation Board and Nathan Kennedy?*
- 5. If Nathan Kennedy is not actively participating in Conservation Board business, has there been any discussion about removing him as Deputy Chair given there is an “expectations of conservation board members and code of conduct” that requires Board members to actively participate in Board business?*
- 6. What is the Conservation Board’s position on reducing their carbon footprint and any steps that have been taken when considering dates and venues for future Board meetings?*
- 7. What is the reason for items in the “Auckland CMS Implementation Monitoring Report – November 2019” being unlikely to achieve in time, and has the Conservation Board taken any steps to advocate that?*

SERVICED BY  
DEPARTMENT OF CONSERVATION  
TĀMAKI MAKĀURAU AUCKLAND  
Private Bag 68908, Wellesley Street, Auckland 1141  
Telephone (09) 307 9279

On 19 November 2019 you clarified (or refined) Part 2 of your request to:

*Seek the Chair's expenditure rather than all Board member's eg. travel costs, meeting fees, event attendance fees etc.*

As context for my response it is unfortunate that you were unable to attend the meeting of the Board on 13 November to discuss with members the matters you raised in your two previous requests to the Board for official information. If you had been able to attend, I feel that would have been more productive than providing information through requests under the Official Information Act. I am sure that members would have found such a discussion useful, as you raised issues that are important to the Board.

Your questions and my responses are listed below:

1. *A description of the discussion and response of the Conservation Board when your request (as set out in my letter to you dated 10 October 2019) was discussed at the Conservation Board's meeting on 13 November 2019.*

At the Board meeting on 13 November 2019 the Board, during the "Public Forum" section of the meeting to which you were invited, members did note your two requests for official information. Members briefly discussed the importance of some of the matters you had raised and noted that they had discussed these at previous Board meetings.

As part of my Chair's report to the Board at the meeting, I noted that at a workshop convened by the New Zealand Conservation Authority for all Conservation Board Chair's on 19 August 2019, the question of how to raise the public profile of conservation board's was raised. As an example of how this might occur, taking up opportunities to speak at public events was identified by Conservation Board Chair's as an action.

As it happens, I was shortly thereafter invited to speak at the Auckland Mayoral Conservation Awards event on 19 September, which provided an excellent platform to promote the work of the Board.

2. *The money spent by Lyn Mayes, Chair of the Conservation Board, on Conservation Board business since she was appointed to the Conservation Board. Seek the Chair's expenditure rather than all Board member's eg. travel costs, meeting fees, event attendance fees etc.*

The Department of Conservation has generated a report showing my fees and expenses payments since I was elected Chair of the Board on 17 May 2016. A copy is attached. Please note that this report includes taxes (i.e. GST and Withholding Tax), and the final amount paid to my is listed under the Nett Pay section on page 3 of the report.

Also note that the Department's financial system records me as an "employee", however I am not employed by the Department. All Conservation Board members are included in the Department's personnel payments system so that payments can be made through the one system.

I also note that I routinely spend over four hours each week working *pro bono* on Board related business such as time drafting correspondence, preparing submissions and strategy documents, writing the Annual report and a weekly teleconference meeting with

the Department. While I could claim for such time, I have chosen only to claim for time and expenses associated with attending Board business which has required me to travel from my home office in order to attend Board meetings, the annual Board Chair's workshop, Board workshops, field visits and other Board business.

The nett payment to the Chair for the period from 4 May 2016 when I was elected chair to 18 September 2019, when the most recent payment was processed, is \$9,018.48 inclusive of travel costs.

The following document falls within the scope of your request and is attached:

<b>Item</b>	<b>Date</b>	<b>Document description</b>	<b>Decision</b>
1	Generated 4 December 2019	Report from Jade Star personnel system	Released in full

3. *What is Nathan Kennedy's current position about not participating in Conservation Board business?*

Nathan Kennedy has declined to participate in Board business since July 2019. He is one of three members appointed to the Board to fill positions on the Board reserved for the thirteen iwi that were party to a collective Treaty settlement that was passed into law in 2014 (refer to section 163 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014).

Mr Kennedy's decision to not participate is a mark of his strongly held concern that progress has not been made on another aspect of the same Treaty settlement. Under subpart 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act a conservation management plan was intended to be prepared for four islands (motu) in the inner Hauraki Gulf. This was an important element of the cultural redress provided for under the Treaty settlement. Substantive work on the management plan has however not yet commenced.

4. *Has there been any communication between the Conservation Board and Nathan Kennedy?*

Mr Kennedy requested that he not receive any communications related to Board business as part of his decision to not participate in Board business. As a consequence, there has not been any formal communication between Mr Kennedy and the Board since mid-2019.

5. *If Nathan Kennedy is not actively participating in Conservation Board business, has there been any discussion about removing him as Deputy Chair given there is an "expectations of conservation board members and code of conduct" that requires Board members to actively participate in Board business?*

There has been no discussion about Mr Kennedy's position as a Deputy Chair of the Board and he still holds that role.

Mr Kennedy will be aware of his responsibilities as a member of the Board, however his decision to not participate in Board business also needs to be respected and acknowledged. The fact that a key component of an important Treaty settlement has not been given effect to is a matter of great concern to him, and the concern is shared by the other members of the Conservation Board.

6. *What is the Conservation Board's position on reducing their carbon footprint and any steps that have been taken when considering dates and venues for future Board meetings?*

The Board is mindful of the need to ensure that any travel is reasonably required in order to fulfil our statutory role. As I noted in my responses to your two previous official information requests to the Board, the Board has been considering how it might better engage with iwi, community groups and other members of the public across the Auckland Region. To do that effectively requires some travel so that face to face engagement can happen and the Board can make itself available to local communities.

I note that at its meeting on 13 November 2019 the Board agreed to develop a position statement on climate change. How the Board undertakes its own business and travel may form part of that statement. I also note that my weekly meetings with the Department are by telephone to reduce travel and make effective use of time.

7. *What is the reason for items in the "Auckland CMS Implementation Monitoring Report – November 2019" being unlikely to achieve in time, and has the Conservation Board taken any steps to advocate that?*

The Department of Conservation submits an updated "Auckland CMS Implementation Monitoring Report" to each formal meeting of the Board. "CMS" refers to the Auckland Conservation Management Strategy 2014-2024, which can be viewed at this link on the Department's website: <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/auckland/>

The Department's report presents progress against milestones that are set out in the Conservation Management Strategy. The Board's interest stems from its statutory functions related to the preparation of conservation management strategies, and advising both the New Zealand Conservation Authority and the Director-General on their implementation (refer to section 6M(1) of the Conservation Act 1987).

The Department of Conservation is responsible for implementing the Auckland Conservation Management Strategy. For any further information about why certain milestones will be unlikely to be achieved in time you will need to contact the Department.

The Board considers the "Auckland CMS Implementation Monitoring Report" at each of its formal meetings and regularly raises with the Department its concerns about delayed progress with a number of the pieces of work identified as milestones. The delay with commencement of substantive work on the conservation management plan for the inner islands of the Hauraki Gulf, referred to in my response to Question 3 above, is an example of one such piece of work.

Furthermore, in 2018 the Board prepared a review of progress towards implementation of the Auckland Conservation Management Strategy and has submitted that report to both the New Zealand Conservation Authority, the Minister of Conservation and the Department.

If you wish to discuss anything in this response with the Board, please contact me through the Board's Support Officer by emailing [jahyoung@doc.govt.nz](mailto:jahyoung@doc.govt.nz).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Mayes', is centered below the text 'Yours sincerely,'.

Lyn Mayes  
Chair  
Auckland Conservation Board

----- INDIVIDUAL DEDUCTION LIST -----

Company Code DC1 Department of Conservation DC1 From Period Ending 01/05/16 to 27/11/19

Employee Number Name	Period Date	P S	Variable One	Variable Two	Variable Three	Trans Value	YTD Value Reference	Term Date	Reducing Balance
*Transaction 0030 BOARD MEMBER PAYMENT									
400325 Mayes C	04/05/16	1	270.00			270.00	270.00		0.00
400325 Mayes C	15/06/16	1	180.00			180.00	450.00		0.00
400325 Mayes C	13/07/16	1	285.00			285.00	735.00		0.00
400325 Mayes C	07/09/16	1	240.00			240.00	975.00		0.00
400325 Mayes C	14/12/16	1	240.00			240.00	1215.00		0.00
400325 Mayes C	08/03/17	1	240.00			240.00	1455.00		0.00
400325 Mayes C	12/07/17	1	480.00			480.00	480.00		0.00
400325 Mayes C	26/07/17	1	90.00			90.00	570.00		0.00
400325 Mayes C	20/09/17	1	600.00			600.00	1170.00		0.00
400325 Mayes C	13/12/17	1	360.00			360.00	1530.00		0.00
400325 Mayes C	21/02/18	1	120.00			120.00	1650.00		0.00
400325 Mayes C	04/04/18	1	240.00			240.00	240.00		0.00
400325 Mayes C	27/06/18	1	240.00			240.00	480.00		0.00
400325 Mayes C	22/08/18	1	240.00			240.00	720.00		0.00
400325 Mayes C	03/10/18	1	480.00			480.00	1200.00		0.00
400325 Mayes C	12/12/18	1	240.00			240.00	1440.00		0.00
400325 Mayes C	26/12/18	1	240.00			240.00	1680.00		0.00
400325 Mayes C	20/02/19	1	240.00			240.00	1920.00		0.00
400325 Mayes C	06/03/19	1	240.00			240.00	2160.00		0.00
400325 Mayes C	15/05/19	1	360.00			360.00	360.00		0.00
400325 Mayes C	24/07/19	1	360.00			360.00	720.00		0.00
400325 Mayes C	21/08/19	1	330.00			330.00	1050.00		0.00
400325 Mayes C	18/09/19	1	990.00			990.00	2040.00		0.00
Transaction 0030 Total:			7305.00			7305.00			0.00
*Transaction 0650 Board Members Travel Allowance									
400325 Mayes C	04/05/16	1	121.80			121.80	121.80		0.00
400325 Mayes C	15/06/16	1				0.00	121.80		0.00
400325 Mayes C	13/07/16	1	4.60			4.60	126.40		0.00
400325 Mayes C	12/07/17	1	55.30			55.30	55.30		0.00
400325 Mayes C	26/07/17	1	63.13			63.13	118.43		0.00
400325 Mayes C	20/09/17	1	348.96			348.96	467.39		0.00
400325 Mayes C	21/02/18	1	108.09			108.09	575.48		0.00
400325 Mayes C	03/10/18	1	384.56			384.56	384.56		0.00
400325 Mayes C	20/02/19	1				0.00	384.56		0.00
400325 Mayes C	06/03/19	1	51.30			51.30	435.86		0.00
400325 Mayes C	15/05/19	1	20.87			20.87	20.87		0.00
400325 Mayes C	24/07/19	1	27.60			27.60	48.47		0.00
400325 Mayes C	21/08/19	1	205.22			205.22	253.69		0.00
400325 Mayes C	18/09/19	1	285.39			285.39	539.08		0.00
Transaction 0650 Total:			1676.82			1676.82			0.00
*Transaction 0655 Brd Memb Travel Alce - Non GST									
400325 Mayes C	04/05/16	1				0.00	0.00		0.00
400325 Mayes C	15/06/16	1	42.00			42.00	42.00		0.00

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Company Code DC1 Department of Conservation DC1 From Period Ending 01/05/16 to 27/11/19

Employee Number Name	Period Date	P S	Variable One	Variable Two	Variable Three	Trans Value	YTD Value Reference	Term Date	Reducing Balance
400325 Mayes C	13/07/16	1	128.10			128.10	170.10		0.00
400325 Mayes C	07/09/16	1	30.10			30.10	200.20		0.00
400325 Mayes C	14/12/16	1	151.20			151.20	351.40		0.00
400325 Mayes C	08/03/17	1	38.88			38.88	390.28		0.00
400325 Mayes C	12/07/17	1	130.20			130.20	130.20		0.00
400325 Mayes C	26/07/17	1	70.00			70.00	200.20		0.00
400325 Mayes C	20/09/17	1	70.00			70.00	270.20		0.00
400325 Mayes C	13/12/17	1	112.42			112.42	382.62		0.00
400325 Mayes C	21/02/18	1	36.50			36.50	419.12		0.00
400325 Mayes C	04/04/18	1	67.16			67.16	67.16		0.00
400325 Mayes C	27/06/18	1	61.32			61.32	128.48		0.00
400325 Mayes C	22/08/18	1	75.92			75.92	204.40		0.00
400325 Mayes C	03/10/18	1	94.90			94.90	299.30		0.00
400325 Mayes C	12/12/18	1	151.21			151.21	450.51		0.00
400325 Mayes C	26/12/18	1	175.20			175.20	625.71		0.00
400325 Mayes C	20/02/19	1	62.78			62.78	688.49		0.00
400325 Mayes C	06/03/19	1	175.20			175.20	863.69		0.00
400325 Mayes C	15/05/19	1	146.00			146.00	146.00		0.00
400325 Mayes C	24/07/19	1	192.72			192.72	338.72		0.00
400325 Mayes C	21/08/19	1	52.56			52.56	391.28		0.00
400325 Mayes C	18/09/19	1	150.38			150.38	541.66		0.00

Transaction 0655 Total: 2214.75 2214.75 0.00

\*Transaction 0699 GST

400325 Mayes C	12/07/17	1				8.30	8.30 Cost Centre 905010		0.00
400325 Mayes C	26/07/17	1				9.47	17.77 Cost Centre 905010		0.00
400325 Mayes C	20/09/17	1				52.34	70.11 Cost Centre 905010		0.00
400325 Mayes C	21/02/18	1				16.21	86.32 Cost Centre 905010		0.00
400325 Mayes C	03/10/18	1				57.68	57.68 Cost Centre 905010		0.00
400325 Mayes C	20/02/19	1				0.00	57.68 Cost Centre 905010		0.00
400325 Mayes C	06/03/19	1				7.70	65.38 Cost Centre 905010		0.00
400325 Mayes C	15/05/19	1				3.13	3.13 Cost Centre 905010		0.00
400325 Mayes C	24/07/19	1				4.14	7.27 Cost Centre 905010		0.00
400325 Mayes C	21/08/19	1				30.78	38.05 Cost Centre 905010		0.00
400325 Mayes C	18/09/19	1				42.81	80.86 Cost Centre 905010		0.00

Transaction 0699 Total: 232.56 232.56 0.00

\*Transaction 9995 Withholding Tax (No ACC/Stu)

400325 Mayes C	04/05/16	1				89.10	89.10		0.00
400325 Mayes C	15/06/16	1				59.40	148.50		0.00
400325 Mayes C	13/07/16	1				94.05	242.55		0.00
400325 Mayes C	07/09/16	1				79.20	321.75		0.00
400325 Mayes C	14/12/16	1				79.20	400.95		0.00
400325 Mayes C	08/03/17	1				79.20	480.15		0.00
400325 Mayes C	12/07/17	1				158.40	158.40		0.00
400325 Mayes C	26/07/17	1				29.70	188.10		0.00

----- INDIVIDUAL DEDUCTION LIST -----

Company Code DC1 Department of Conservation DC1 From Period Ending 01/05/16 to 27/11/19

Employee Number Name	Period Date	P S	Variable One	Variable Two	Variable Three	Trans Value	YTD Value Reference	Term Date	Reducing Balance
400325 Mayes C	20/09/17	1				198.00	386.10		0.00
400325 Mayes C	13/12/17	1				118.80	504.90		0.00
400325 Mayes C	21/02/18	1				39.60	544.50		0.00
400325 Mayes C	04/04/18	1				79.20	79.20		0.00
400325 Mayes C	27/06/18	1				79.20	158.40		0.00
400325 Mayes C	22/08/18	1				79.20	237.60		0.00
400325 Mayes C	03/10/18	1				158.40	396.00		0.00
400325 Mayes C	12/12/18	1				79.20	475.20		0.00
400325 Mayes C	26/12/18	1				79.20	554.40		0.00
400325 Mayes C	20/02/19	1				79.20	633.60		0.00
400325 Mayes C	06/03/19	1				79.20	712.80		0.00
400325 Mayes C	15/05/19	1				118.80	118.80		0.00
400325 Mayes C	24/07/19	1				118.80	237.60		0.00
400325 Mayes C	21/08/19	1				108.90	346.50		0.00
400325 Mayes C	18/09/19	1				326.70	673.20		0.00

Transaction 9995 Total: 2410.65 0.00

\*Transaction 9999 NETT PAY

400325 Mayes C	04/05/16	1				302.70	302.70		0.00
400325 Mayes C	15/06/16	1				162.60	465.30		0.00
400325 Mayes C	13/07/16	1				323.65	788.95		0.00
400325 Mayes C	07/09/16	1				190.90	979.85		0.00
400325 Mayes C	14/12/16	1				312.00	1291.85		0.00
400325 Mayes C	08/03/17	1				199.68	1491.53		0.00
400325 Mayes C	12/07/17	1				515.40	515.40		0.00
400325 Mayes C	26/07/17	1				202.90	718.30		0.00
400325 Mayes C	20/09/17	1				873.30	1591.60		0.00
400325 Mayes C	13/12/17	1				353.62	1945.22		0.00
400325 Mayes C	21/02/18	1				241.20	2186.42		0.00
400325 Mayes C	04/04/18	1				227.96	227.96		0.00
400325 Mayes C	27/06/18	1				222.12	450.08		0.00
400325 Mayes C	22/08/18	1				236.72	686.80		0.00
400325 Mayes C	03/10/18	1				858.74	1545.54		0.00
400325 Mayes C	12/12/18	1				312.01	1857.55		0.00
400325 Mayes C	26/12/18	1				336.00	2193.55		0.00
400325 Mayes C	20/02/19	1				223.58	2417.13		0.00
400325 Mayes C	06/03/19	1				395.00	2812.13		0.00
400325 Mayes C	15/05/19	1				411.20	411.20		0.00
400325 Mayes C	24/07/19	1				465.66	876.86		0.00
400325 Mayes C	21/08/19	1				509.66	1386.52		0.00
400325 Mayes C	18/09/19	1				1141.88	2528.40		0.00

Transaction 9999 Total: 9018.48 0.00

Company Code DC1 Total: 22858.26ee