

# AGENDA



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Josh Wharehinga (Deputy Chair), Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop

## SUSTAINABLE TAIRAWHITI Committee

DATE: Thursday 28 April 2022

TIME: 9:00AM

AT: Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne

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# Sustainable Tairāwhiti / Toitū Tairāwhiti

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<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Stoltz
<b>Deputy Chairperson:</b>	Cr Wharehinga
<b>Membership:</b>	Mayor and Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Six weekly (or as required).

## Purpose

To develop, approve, review and recommend to Council (where applicable) statutory and non-statutory policy, plans, bylaws, strategies and decisions to:

- Develop a vision and a pathway for the future of the district.
- Sustainably manage resources in the region.
- Identify and promote community aspirations.
- Define and deliver on Council's roles.
- Integrate an all-of-wellbeing approach to strategy, plan and policy development.
- Have effective statutory plans and bylaws to protect community and environmental needs.

## Terms of Reference

- To develop and review Resource Management Act 1991 and Local Government Act 2002 strategies, plans and policies across the Council relating to community, environment, and infrastructure.
- Make recommendations to Council to ensure the effective implementation of plans, processes, research, monitoring and enforcement to satisfy the requirements of the Resource Management Act 1991, National Policy Statements, National Environmental Standards and associated legislation.
- To lead the development of Council's draft Long Term Plan and Annual Plan and all other policies required to be included in the Long Term Plan as specified in the Local Government Act 2002 (including but not limited to the Infrastructure Strategy and Financial Strategy). This includes the ability to approve draft versions for consultation, and make recommendation to Council following consultation.

- Hear submissions to Council's Long Term Plan or amendments.
- Oversee the development and review of Council's Resource Management Act 1991 plans.
- Oversee any development of unitary/spatial plan, integrated plans or major catchment plans.
- Consider and recommend to Council strategies, policies, rules and other methods for inclusion into the Tairāwhiti Resource Management Plan and other associated plans.
- Monitor and report on environmental performance trends and the effectiveness of and compliance with Council's resource management responsibilities and activities associated with policy implementation.
- Review State of the Environment reports to assist in future activity planning and policy development.
- Develop, review and recommend bylaws to Council. This includes approval of a draft bylaw for consultation and making recommendations to Council regarding the adoption of the bylaw following consultation.
- Receive reporting from state of the environment monitoring.
- Establish, implement and review the operational policy and planning framework for decision-making that will assist in achieving the strategic priorities and outcomes
- Monitor, review and develop Council responses, strategies, plans and policy in relation to Iwi and Maori commitments.
- Prepare submissions on any matter that is within its rationale and terms of reference for Council.
- Approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
- Make decisions that are required to be made by resolution, except those that are not legally able to be delegated.

## **Power to Act**

To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

To establish subcommittees, working parties and forums as required.

To appoint non-voting Tangata Whenua representatives and/or advisory members to assist the Committee.

## **Power to Recommend**

To Council and/or any standing committee as it deems appropriate.

### 3.1. Confirmation of non-confidential Minutes 10 March 2022

# MINUTES

## Draft & Unconfirmed



P O Box 747, Gisborne, Ph 867 2049 Fax 867 8076  
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## MINUTES of the SUSTAINABLE TAIRĀWHITI Committee

Held via Audio Visual Link on Thursday 10 March 2022 at 9:00AM.

### PRESENT:

Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

### IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines David Wilson, Director Internal Partnerships James Baty, Acting Director Liveable Communities De-Arne Sutherland, Director Environmental Services & Protection Helen Montgomery, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Governance Advisor Tania Clarke and Committee Secretary Jill Simpson.

The meeting commenced with a prayer.

**Secretarial Note:** Cr Burdett attended the meeting in the Council Chambers.

### 1. Apologies

There were no apologies.

### 2. Declarations of Interest

Cr Worsnop declared an interest in Report 22-42 Climate Change Update as a member of "The Regional Impacts of Permanent Carbon Farming Group".

### 3. Confirmation of non-confidential Minutes

#### 3.1 Confirmation of non-confidential Minutes 27 January 2022

MOVED by Cr Faulkner, seconded by Cr Foster

That the Minutes of 27 January 2022 be accepted.

**CARRIED**

### **3.2 Action Sheet**

#### **4. Leave of Absence**

There were no leaves of absence.

#### **5. Acknowledgements and Tributes**

There were no acknowledgements or tributes.

#### **6. Public Input and Petitions**

There were no public input or petitions

#### **7. Extraordinary Business**

There was no extraordinary business.

#### **8. Notices of Motion**

There were no notices of motion.

#### **9. Adjourned Business**

There was no adjourned business.

### **10. Reports of the Chief Executive and Staff for DECISION**

#### **10.1 22-30 Additional Information for Emissions Reduction Targets**

Discussion included:

- The recommended targets are a balance between being ambitious and being realistic. Setting a 2030 net zero target will require more urgent action and will have cost implications. Setting a 2040 net zero target will give a buffer zone to gather more evidence and achieve the target.
- Information will need to be brought back to Council in terms of the cost implications and the impact on ratepayers if setting a 2030 net zero target.
- Trial runs and visibility assessment will need to be carried out prior to landfill gas capture for Paokahu Landfill. Further options are also being investigated regarding gas capture.
- Emissions from Tauwhareparae Farms have not been captured.
- There are projects that can be achieved in shorter timeframes eg Paokahu, waste disposal improvements and vehicle emissions.
- Changes that are within our control are needed that deliver actual outcomes. Looking within our organisation there is a limited amount that can be achieved with the bulk of it sitting with Paokahu Landfill.
- In respect to emissions from Paokahu Landfill the Maori landowners have been identified as the key stakeholders.
- Currently the Organisational Emissions Reduction Plan is the focus. Regarding the Regional Emissions Reduction Plan the net of stakeholders will be expanded along with working with Trust Tairāwhiti in developing an action plan.

- Offsetting will only create a burden for future Councils to deal with. This is about planning for our future and our Council's future. Council needs to be encouraging good behaviour which comes down to our actions. Central Government will be looking at ticking their achievements off via local government which could be in the form of shovel ready projects.
- By making a decision we are not tying ourselves down but merely having concrete actions and doing as much as is possible.
- Targets need to be realistic - do not overburden our ratepayers.
- Moving to new initiatives does not come quickly nor does it come cheaply.

Chief of Strategy & Science Jo Noble advised the Committee that the Government has set the net zero targets, and, in all likelihood, this will be imposed on Council and a plan will need to be in place. If we totally exclude insetting and offsetting, then Council is hamstrung in the options that are available to reach the net zero targets. The discussion today was around principals that drive our Emission Reduction Plan. There is a strong focus and a clear bias towards reducing emissions rather than insetting and offsetting. Having these principals in place will help develop an Emissions Reduction Plan that will meet wider aspirations and is not just about a number.

- See it as a global challenge and not just a local challenge.
- Going with a soft target will need to have disciplines and in this region it is about offsetting.

MOVED by Cr Wharehinga, seconded by Cr Robinson

That the Sustainable Tairāwhiti Committee:

1. Adopts the following option for emissions reduction targets to guide our organisational Emissions Reduction Plan:
  - a) A 2040 net-zero target (this being the preferred option).

**LOST**

Cr Worsnop abstained from voting.

MOVED by Cr Wharehinga, seconded by Cr Robinson

That the Sustainable Tairāwhiti Committee:

1. Adopts the following options for emissions reduction targets to guide our organisational Emissions Reduction Plan:
  - a) A 2030 net-zero target.

## Vote by Division

### For

Cr Sheldrake  
Cr Faulkner  
Cr Stoltz  
Cr Wharehinga  
Cr Robinson  
Cr Dowsing  
Cr Akuhata-Brown  
Cr Cranston  
Cr Foster

### Against

Cr Burdett  
Cr Gregory  
Cr Hughes  
Cr Seymour

**CARRIED**

Cr Worsnop abstained from voting.

**Secretarial Note:** The meeting adjourned at 10.15am and reconvened at 10.22am.

## 11. Reports of the Chief Executive and Staff for INFORMATION

### 11.1 22-38 Expected Government Submissions 2022

Strategic Planning Manager Charlotte Knight attended and advised that consultation on the joint Discussion Paper on Managing Exotic Afforestation Incentives runs from 14 March to 22 April 2022 and staff are working with the Tairāwhiti Whenua Collective on a potential submission.

Questions of clarification included:

- Acknowledge staff for the mahi and also the community for being supportive of our efforts, as a Council, to engage in the processes.
- Decisions regarding the 3-Waters Reform are at the tail end. Council is still in a position of losing its local voice and being forced into larger entities and this will be relayed to the Government. Concern is that the community will be fatigued with all the information regarding the proposed changes including the Resource Management Act and the Future for Local Government.
- Council is bound by Central Government so must work in the way they are running their engagement and consultation. Council feedbacks to Central Government often on the processes around encouraging more alignment and collation.
- Highlighting the way ETS treats permanent forestry. The region has different ideas on how this should be treated across different land ownership types. The implications for our region will make it at least medium and possibly high on the table.

MOVED by Cr Akuhata-Brown, seconded by Cr Wharehinga

That the Sustainable Tairāwhiti Committee:

1. Notes the contents of this report.

**CARRIED**



## 11.2 22-42 Climate Change Update

Chief of Strategy & Science Jo Noble attended and updated the Committee on the Permanent Carbon Collective and the Draft Regional Position Statement which was presented and discussed at the RTRO meeting. The advice given was that the group needed to do a little more work and engagement on the Regional Position Statement.

Questions of clarification included:

- Weightings and changing emphasis on particular outcomes can be considered. For example, there is very little done for biodiversity that won't have beneficial outcomes for the climate. With our strategic partners also taking a similar approach and then tying it in collectively will be beneficial as opposed to pockets that are isolated.
- Collaboration across regional boundaries - walking alongside our counterparts in other regions. Council does work with other Councils eg in scoping the climate change risk assessment for the region, contact has been made with all the regions who have similar work underway to learn from their processes. In terms of regional spatial planning there is a conversation underway with Hawkes Bay and Bay of Plenty. Questions around planting will come into it along with other infrastructure related conversations.

MOVED by Cr Worsnop, seconded by Cr Hughes

That the Sustainable Tairāwhiti Committee:

1. Notes the contents of this report.

**CARRIED**

## 12. Close of Meeting

There being no further business, the meeting concluded at 10.42am.

Rehette Stoltz

**MAYOR**

### 3.2. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
27/01/22	10.1	22-23 Gambling Venue Approval to Consult Report	Completed	Staff to seek clarification from Council's in-house Legal Team of Section 101 of the Gambling Act.	Chris Gilmore	<p><b>11/04/2022 Chris Gilmore</b></p> <p>The Chief Executive provided clarification during the 27 January meeting that Council cannot use its Gambling Venue Policy to affect the number of machines currently operating in licensed venues. Council's in-house legal advisors agreed with this position.</p>	05/04/22
10/03/22	10.1	22-30 Additional Information for Emissions Reduction Targets	Not yet started	Provide Councillors with cost implications to ratepayers when setting a 2030 net zero target.	Magnus Abraham-Dukuma	<p><b>11/04/2022 Magnus Abraham-Dukuma</b></p> <p>May 2022 will be premature. The plan is to present the cost information in November alongside the full report after we complete the work underway.</p>	25/10/22

## 10. Reports of the Chief Executive and Staff for DECISION



22-27

**Title:** 22-27 Traffic and Parking Bylaw 2021: First Resolution Register Update and Option to Establish a Transport Sub-Committee

**Section:** Strategy

**Prepared by:** Chris Gilmore - Senior Policy Advisor

**Meeting Date:** Thursday 28 April 2022

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Legal: Yes

Financial: No

Significance: **Low**

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### Report to SUSTAINABLE TAIRAWHITI for decision

#### PURPOSE

The purpose of this report is to:

- Prohibit parking in two new areas on Ruru Avenue and Joanne Street
- Adopt the Terms of Reference for the Traffic and Parking sub-committee; and
- Appoint members to the sub-committee in accordance with the approved Terms of Reference.

#### SUMMARY

At its 13 December 2021 meeting, Council made the Traffic and Parking Bylaw 2021 (the Bylaw) on recommendation from the Regulatory Hearings Committee (**Report 21-247**), as well as making the resolutions (**Report 21-284**) which apply the rules in the bylaw to specific locations on the network.

New prohibitions on parking in certain areas of Ruru Avenue and Joanne Street (marked with yellow no parking lines) are proposed to address the issue of peak time parking narrowing the carriage way and reducing safety. Consultation with residents and affected parties demonstrated majority support for the proposal. The decision was taken to install the controls in December 2021 and Committee resolutions are needed to give legal effect to operational approval from the Director of Lifelines.

The establishment of a Traffic and Parking sub-committee is proposed to enable timely decision making and remove minor traffic, parking, and speed limit matters from the Sustainable Tairāwhiti committee agenda.

Options and analysis are presented concerning:

- a. The size and composition of the sub-committee membership.
- b. The significance of decisions appropriate for the sub-committee to consider.
- c. The delegation of authority to make resolutions or the lesser authority to make recommendations to Sustainable Tairāwhiti.

Should the Committee approve and adopt the draft terms of reference it will be asked to appoint elected members and appoint a chairperson person in accordance with the approved terms of reference. The sub-committees first meeting will be scheduled as required, subject to member availability and statutory timelines for agenda publication.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

## RECOMMENDATIONS

**That the Sustainable Tairawhiti:**

- 1. Resolves that pursuant to clause 7(1)(a) of the Gisborne District Council Traffic and Parking Bylaw 2021, the stopping, standing, or parking of any vehicle is prohibited at all times in the part(s) of Joanne Street as indicated on the network by broken yellow 'no stopping lines' and as indicated in figure 1 of this report forming part of the resolution.**
- 2. Resolves that pursuant to clause 7(1)(a) of the Gisborne District Council Traffic and Parking Bylaw 2021, the stopping, standing, or parking of any vehicle is prohibited at all times in the part(s) of Ruru Avenue as indicated on the network by broken yellow 'no stopping lines' and as indicated in figure 2 of this report forming part of the resolution.**
- 3. Appoints a Traffic and Parking Subcommittee.**
- 4. Approves and adopts the draft Terms of Reference for the Traffic and Parking Subcommittee (Attachment 2).**
- 5. Appoints sub-committee members in accordance with the adopted Terms of Reference.**

*Authorised by:*

**Joanna Noble - Chief of Strategy & Science**

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**Keywords:** Traffic and Parking Bylaw 2021, Joanne Street, Ruru Avenue, Traffic and Parking Sub-committee Terms of Reference.

## BACKGROUND

1. As part of the Traffic and Parking Bylaw review, Joanne Street and Ruru Avenue were identified as needing improvements for safety and congestion issues. A letter drop was undertaken on 9 November 2021 proposing the installation of yellow no parking lines to address the identified issues, the consultation period ran for three weeks.

### Joanne Street

2. Parking congestion at peak business times narrows the carriage way, causing traffic congestions and creating safety issues. Staff proposed formed parking, centreline realignment and yellow no parking lines, as shown in figure 1, to address the problem.

Figure 1: Joanne Street – Line marking as proposed

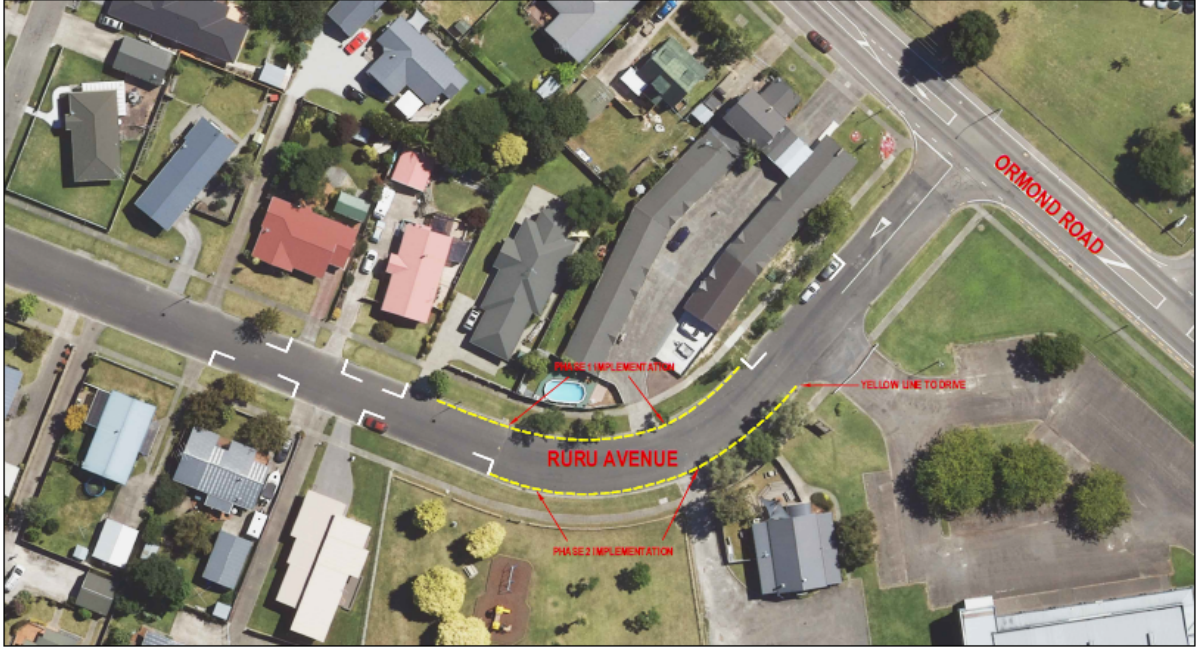


3. Two reported accidents have occurred in the last 18 months. Comments were made by respondents during consultation about close calls and vehicles having to take evasive action to avoid an accident. Emergency services, public transport and rubbish truck operators have expressed concern regarding the ability to manoeuvre between the parked cars.
4. Strong support was received from many respondents who acknowledged that they currently had a 'one-lane street'. Some submitters asked where the Ryman staff would now park and whether the problem was just going to be shifted somewhere else in the area.
5. The proposed parking changes create displacement by design as addressing the safety issues requires reducing the volume of on-street parking to widen the carriage way. Increased parking on side streets has not led to the same safety issues through narrowing of the carriage way.

**Ruru Avenue**

- 6. Residents were concerned about the road width and the extra traffic stemming from development in the wider area, and the growing popularity of The Tav bar and restaurant.

Figure 2: Ruru Avenue Line marking as proposed



- 7. The Tav's proprietor has upgraded the venues off street parking and is investigating the possibility of extra car parking space on the section behind the Tav, and the House of Breakthrough car park. Journeys have opted to phase the Ruru Avenue installation as yellow lines on the motel side alone may sufficiently resolve the issue while retaining more on-street parking. The situation is being monitored and if the single side proves inadequate, then the yellow lines on the Tav side can be installed promptly. The resolution before Committee includes both controls so no further resolutions are necessary.
- 8. Consultation found majority support for both proposals and no compelling reasons not to proceed given the safety concerns involved. The decision was taken to install the controls in December 2021 and Committee resolutions are needed to give legal effect to operational approval from the Director of Lifelines.

**Proposed Traffic and Parking Sub-Committee**

- 9. In March 2021, Council made the resolutions necessary to enable a portion of Eden Lane to become one-way and relocate a bus stop (**Report 21- 61**). These resolutions were needed to give legal effect to operational approval from the Director of Lifelines in relation to the Countdown Supermarket Redevelopment.

10. At its 30 September meeting (**Report 21-210**), Council amended the delegated authority held by Sustainable Tairāwhiti to confirm that the Committee has authority to decide any matter requiring a resolution that is commonly regarded as being within the general scope of its role or appoint a subcommittee to determine matters of a more operational nature that require a resolution.
11. In December 2021, Council made a package of resolutions necessary to apply the controls in the new Traffic and Parking Bylaw 2021 (**Report 21-284**) to the network, thereby making the controls enforceable. As with the previous reports, staff raised the possibility of establishing a Traffic and Parking sub-committee to streamline the process and reduce unnecessary reporting to the committee and the Council signalled its intention to proceed.
12. Staff propose the subcommittee comprise three members, with a quorum of two, meeting as required, with the authority to make resolutions concerning traffic and parking matters, including speed limits, deemed to be of low or medium significance in accordance with Councils significance and engagement policy.
13. The terms of reference for the proposed sub-committee are included as **Attachment 1**.

## DISCUSSION and OPTIONS

### Joanne Street and Ruru Avenue

14. To address safety concerns the traffic controls at these locations were installed promptly after consultation and approval by the Director of Lifelines. The resolutions sought in this report are necessary to make these controls legally enforceable.

**Table 1: Joanne Street and Ruru Avenue Options and Analysis**

<b>Option</b>	<b>Analysis</b>
<i>Option One: Committee makes the resolutions (preferred option)</i>	Option One completes this process and enables enforcement of the controls as installed on the network, addressing the safety concerns of residents and other users.
<i>Option Two: Committee declines to make the resolutions</i>	Option Two leaves this process incomplete and the controls unenforceable.

15. The specific resolution wording is included in the recommendations, if made the resolutions will be added to the Traffic and Parking Bylaw 2021 Resolution Register.

## Traffic and Parking Sub-committee

16. Staff propose the sub-committee structure as follows:

**Table 2: Sub-committee structure**

<b>Reports to: Sustainable Tairāwhiti</b>	
<b>Membership:</b>	Three members <ul style="list-style-type: none"><li>• Two elected members</li><li>• the Chief Executive or Director of Lifelines</li></ul>
<b>Quorum:</b>	Two members
<b>Meeting frequency:</b>	As required
<b>Terms of Reference:</b>	Make decisions under the Land Transport Act 1998, and associated bylaws such as the Traffic and Parking Bylaw, and Speed Limits Bylaw, where the subcommittee is satisfied the matter is of low or medium significance in accordance with by Councils Significance and Engagement Policy. This includes decisions that may only be made by resolution.
<b>Power to Act:</b>	To make all decisions necessary to fulfil the role and scope of the subcommittee.
<b>Power to Recommend:</b>	To Council and/or any standing committee as it deems appropriate.

17. If the Committee agrees to establish the sub-committee there are three matters for consideration.
- a. The size and composition of the sub-committee membership.
  - b. The significance of decisions appropriate for the sub-committee to consider.
  - c. Whether the sub-committee delegation will include the authority to make resolutions, or the lesser authority to make recommendations to Sustainable Tairāwhiti.
18. The purpose of the sub-committee is to enable timely decisions and keep operational level matters off the busy Sustainable Tairāwhiti agenda. To achieve this the subcommittee needs to be small, flexible, and empowered.



**Table 3: Subcommittee membership Options and Analysis**

<b>Option</b>	<b>Analysis</b>
<p><b>Option One: Two members</b></p> <ul style="list-style-type: none"> <li>• One elected member</li> <li>• The Chief Executive or Director of Lifelines</li> </ul> <p>(quorum of two)</p>	<p>A key driver for the sub-committee is timely decisions to ensure controls can be enforced at the time of, or soon after installation. Staff propose the statutory minimum of two is appropriate for this committee. The Director of Lifelines is preferred as the role requires technical knowledge beneficial to the sub-committee, the elected member, appointed by the Committee could be drawn from the Regional Transport Committee as the subject matter aligns however this is not considered vital and therefore not a recommended requirement in the terms of reference. The Chief Executive would serve as an alternate for the Director of Lifelines if the Director is unavailable.</p>
<p><b>Option Two: Three members</b></p> <ul style="list-style-type: none"> <li>• Two elected members</li> <li>• The Chief Executive or Director of Lifelines</li> </ul> <p>(quorum of two)</p>	<p>A possible short coming of option one is should either member be unavailable on the meeting day then rescheduling is required. A three member structure retaining a quorum of two can absorb absences without compromising the sub-committees agility.</p>
<p><b>Option Three: Three elected members</b></p> <p>(quorum of two)</p>	<p>The Committee could choose to keep decision making within the elected members. The Chief Executive or Director of Lifelines will approve the advice and make operational level decisions as currently. There are no identified advantages to this option over the preferred.</p>

19. There are a range of statutory considerations when deciding which matters can be considered by a committee or sub-committee. A consistent means for assessing this is Councils Significance and Engagement Policy.
20. Staff propose the sub-committee be delegated authority to decide matters of low and medium significance. Matters assessed as High significance would not be appropriate for a sub-committee and in some cases could be outside the Committee's or Council's statutory authority to delegate.

**Table 4: Significance level for sub-committee - Options and Analysis**

<b>Option</b>	<b>Analysis</b>
<p><i>Option One: The sub-committee may decide matters of low significance.</i></p>	<p>Most decisions in this area are expected to be low significance. Minor amendments to traffic or parking controls such as the no parking lines discussed in this report, adjustments to a street's parking mix or minor intersection realignments. Decisions under the proposed Speed Limits Bylaw would also only be of low significance. These are largely operational level decisions as they are often of a technical or safety nature and only requiring resolution to enable enforcement.</p>
<p><i>Option Two: The sub-committee may decide matters of low and medium significance.</i> <i>(Preferred Option)</i></p>	<p>The preferred option is for matters of low and medium significance to be handled at the sub-committee level. Titirangi and Eden Lane becoming one way are recent examples of medium significance matters.</p>
<p><i>Option Three: The sub-committee may decide matters of low and medium significance and make recommendations on matters of high significance.</i></p>	<p>This option further insulates the Committee's agenda from traffic related reporting by moving these decisions to the Committee recommendations section, ensuring decision making is done by the appropriate statutory body. However as matters of high significance are rare, and often complex or contentious, staff recommend high significance reports remain at Committee/Council level.</p>
<p><i>Option 4: The sub-committee may make recommendations on matters of low and medium significance.</i></p>	<p>Should the Committee feel it requires greater oversight, the subcommittee delegation could be limited making recommendations to Committee. Staff do not recommend this as it undermines the sub-committee's purpose of timely decisions and protecting the Committees agenda.</p>

**Table 5: Sub-committee authority to recommend or resolve- Options and Analysis**

Options	Analysis
<p>Option 1: The subcommittee may make resolutions concerning matters of low and medium significance.</p> <p>(Preferred Option)</p>	<p>Delegating the authority to make resolutions will maximise the sub-committee's value. Enabling timely responses to safety issues or efficiency options as they present, removing or reducing the current processes lag between operational decisions and resolutions.</p> <p>Removing this lag is particularly important where speed limits are concerned, as the posted limit must always reflect the enforceable limit.</p>
<p>Option 2: The sub-committee may make recommendations to Committee on matters of low and medium significance.</p>	<p>Should the Committee feel it requires greater oversight, the subcommittee delegation could be limited to making recommendations to Committee. Staff do not recommend this as it undermines the sub-committee's purpose of timely decisions and protecting the Committee's agenda.</p> <p>The Committee could revisit this after considering some recommendations from the sub-committee.</p>

21. Should the decision be made to establish the Traffic and Parking Sub-committee then the Committee is asked to appoint the sub-committee members as per the approved Terms of Reference.

### ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

**Overall Process:** Low Significance

**This Report:** Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

**Overall Process:** Low Significance

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on all or a large part of the Gisborne district

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on individuals or specific communities

**Overall Process:** Low Significance

**This Report:** Low Significance

The level or history of public interest in the matter or issue

**Overall Process:** **Medium** Significance

**This Report:** **Low** Significance

22. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

## **TANGATA WHENUA/MĀORI ENGAGEMENT**

23. There has been no targeted engagement with Tangata Whenua on matters discussed in this report.

## **COMMUNITY ENGAGEMENT**

24. A letter drop was undertaken on 9 November 2021, outlining the proposed changes to line marking on Joanne Street and Ruru Avenue and asking for feedback from its residents. The consultation period ran for three weeks.
25. For Joanne Street approximately 23% of residents made submissions via phone call or email. Consultation with Emergency Services, Waste Management, and Beetham Lifestyle Village favoured the improvements. Ryman declined to take a position stating it was against corporate policy.
26. For Ruru Avenue approximately 30% of residents made submissions via phone call or email and several including The Tav, and The Tudor Park Motel had face to face meetings regarding the proposal. Emergency Services and Waste Management favoured the improvements also.
27. No community engagement is necessary or appropriate in the consideration of a Traffic and Parking sub-committee. Delegations are an internal operational matter.

## **CLIMATE CHANGE – Impacts / Implications**

28. There are no climate change impacts or implications arising from the matters discussed in this report.
29. While not an objective of the process, it is possible that realignment of parking on Joanne Street may encourage more use of active transport by staff at the Beetham and Ryman facilities.

## **CONSIDERATIONS**

### **Financial/Budget**

30. There are no immediate financial or budgetary considerations arising from the matters discussed in this report. The installation (already completed) of yellow no parking lines on Joanne Street and Ruru Avenue was met within existing budgets.
31. Historically some damage has been done to the vegetation and structure of the traffic island at the Pohutukawa Grove entrance, reportedly caused by heavy vehicles turning around to access the hotel. With no parking lines outside the hotel Council should be able to avoid further remediation costs for similar incidents.

## Legal

32. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the local authority, under clause 30(2), Schedule 7 of the Local Government Act 2002 ("LGA"). The Terms of Reference for Sustainable Tairāwhiti expressly authorise the committee to establish subcommittees.
33. In terms of membership of the subcommittee, according to clause 31 of Schedule 7 of the LGA:
- A committee is authorised to appoint or discharge any member of a subcommittee
  - The members of a subcommittee may, but need not be, elected members of the local authority
  - A committee may appoint to a subcommittee a person who is not a member of the committee if, it considers that the person has the skills, attributes, or knowledge that will assist the work of the subcommittee.
  - An employee of a local authority may be a member of subcommittee.
34. A committee may delegate its responsibilities, duties or powers to a subcommittee in accordance with clause 32(3), Schedule 7 of the LGA.

## POLICY and PLANNING IMPLICATIONS

35. There are no policy and planning implications arising from the establishment of a Traffic and Parking sub-committee.

## RISKS

36. There are no identified risks arising from the establishment of a Traffic and Parking sub-committee.

## NEXT STEPS

Date	Action/Milestone	Comments
TBC	Traffic and parking Sub-committee to meet as required.	

## ATTACHMENTS

1. Attachment 1 - 2022 04 07 Terms of Reference Sustainable Tairawhiti Subcommittee for Traffic [22-27.1 - 1 page]



**GISBORNE**  
DISTRICT COUNCIL

**Governance Structure**  
Delegations to Committees

# Sustainable Tairāwhiti

## Traffic and Parking Subcommittee

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<b>Reports to:</b>	Sustainable Tairāwhiti
<b>Chairperson:</b>	[insert]
<b>Membership:</b>	Three members, comprising [insert eg two elected members, and the Chief Executive or Director of Lifelines]
<b>Quorum:</b>	Two members
<b>Meeting frequency:</b>	As required

### Purpose

To further the purposes of the Sustainable Tairāwhiti Committee, by enabling an efficient process for the making of decisions relating to traffic and parking.

### Terms of Reference

Make decisions under the Land Transport Act 1998, and associated bylaws such as the Traffic and Parking Bylaw, and Speed Limits Bylaw, where the subcommittee is satisfied the matter is of low or medium significance in accordance with Council's Significance and Engagement Policy. This includes decisions that may only be made by resolution.

### Power to Act

To make all decisions necessary to fulfil the role and scope of the subcommittee.

### Power to Recommend

To Council and/or any standing committee as it deems appropriate.

## 11. Reports of the Chief Executive and Staff for INFORMATION



22-54

**Title:** 22-54 TRMP Review Programme - Quarterly Update  
**Section:** Strategy  
**Prepared by:** Dr Graeme Card PMP - Senior Programme Manager Strategy & Science  
**Meeting Date:** Thursday 28 April 2022

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Legal: No

Financial: No

Significance: **Low**

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### Report to SUSTAINABLE TAIRAWHITI Committee for information

#### PURPOSE

The purpose of this report is to update elected members on progress made on the Tairāwhiti Resource Management Plan (TRMP) review and to provide a quarterly progress update.

#### SUMMARY

The programme is well into its planning stage with the three main workstreams tracking satisfactory against budget, scope and timelines. The national outbreak of the Omicron variant of COVID-19, as well as the recent State of Emergency because of the flooding events in Tairāwhiti, impacted the availability of staff/contractors. It also affected the momentum of planned engagements and halted advertising streams for TRMP-related events. However, the programme continues to move forward.

Focus in 2022 is on the full review of relevant plan provisions. Freshwater catchment planning for the Mōtū, Waiapū and Waimatā is on track. Specific to the Regional Policy Statement is confirming research and technical inputs required as well as further analysis of issues and options. In the Urban Growth and Development workstream the focus remains on progressing the Future Development Strategy.

Not being able to engage face-to-face with tangata whenua, key stakeholders and the community, as planned, is one of the biggest challenges the team faces. For this reason, the Communication and Engagement Plans for each workstream are being reviewed to ensure we continue to have meaningful engagement as widely and openly as possible with targeted stakeholders. We're also working with iwi leadership to develop a trial that could see existing iwi environmental staff work alongside Council staff that will support individual iwi contributions, smooth communications between organisations and clarify expectations of what is occurring when.

A significant procurement milestone was reached in December 2021 with the establishment of the Panel of Suppliers. Technical expertise requirements for each workstream have been prioritised and commissioned. To date, 15 packages of technical works have been successfully commissioned. Monitoring and management of these contracts and relationships are ongoing to ensure maximum efficiencies.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

## **RECOMMENDATIONS**

**That the Sustainable Tairāwhiti Committee:**

- 1. Notes the contents of this report.**

*Authorised by:*

**Joanna Noble - Chief of Strategy & Science**

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**Keywords:** TRMP, Tairāwhiti Resource Management Plan, Freshwater, Urban growth and development, Regional Policy Statement, engagement, governance, mana whenua, stakeholder, catchment planning, partnerships



## BACKGROUND

1. Gisborne District Council (Council) is undertaking a full review of the Tairāwhiti Resource Management Plan (TRMP). The 2021–2031 Long Term Plan (LTP) included a significant investment of \$25.8m (including \$7m for freshwater) to support a review of the TRMP and deliver Council's freshwater planning programme [[Report 21-120](#)].
2. The development of our region's [Spatial Plan](#), Tairāwhiti 2050, provides the vision for Tairāwhiti for the next 30 years. This plan was developed throughout 2019 and has benefitted from extensive consultation and engagement ([Report 20-17](#)), approved by Sustainable Tairāwhiti, on 30 January 2020). Staff are using the aspirations in Tairāwhiti 2050 and the feedback we received during its development to inform the TRMP review.
3. The TRMP review is being undertaken in two phases over the next eight years. The programme is ten months into the first phase and tracking satisfactorily against key milestones (refer to **Attachment 1** for a high-level overview of key milestones during Phase 1).

## DISCUSSION and OPTIONS

4. **Workstream 1: Regional Policy Statement / Te Kaupapa Tauāki ā-Rohe**
  - a) Staff have completed problem definitions for the draft issue statements that were socialised with Council on 28 October 2021. These seek to better define the challenges which the RPS (and more broadly the TRMP) will address and identify any remaining information gaps.
  - b) Contracts for high-priority technical inputs for the RPS have been awarded to several suppliers to support early analysis of issues and options in the first half of 2022. Further details for these procurements are outlined in Table 1 below.
  - c) A contract for a new interim RPS team lead has been awarded to Incite, a policy planning consultancy within the Supplier Panel. The interim lead will provide technical leadership and advice to the team and help progress the RPS workstream. They will also contribute to building in-house capability to support the transition to an internal lead later in 2022.
  - d) Additional policy planning expertise to support the RPS workstream will be drawn from the wider Panel of Suppliers, as required.
  - e) Staff are now focused on enabling meaningful mana whenua engagement and collaboration within the RPS workstream while partnership discussions continue. Further updates on this kaupapa are provided in Table 1 below.
  - f) Staff are preparing collateral for wider engagement on the RPS with tangata whenua, key stakeholders and the community. This engagement will help raise awareness of the kaupapa and support preliminary analysis of issues and options.
  - g) Pre-engagement will be run in May 2022, focusing on the main challenges facing our community. This will be conducted via an online survey.
  - h) Councillor workshops on options to address issues under the RPS are scheduled for 27 July, 3 August and 4 August 2022.
  - i) Progress against milestones for 2022 are summarised in Table 1:

**Table 1 – Regional Policy Statement progress against milestones**

<p><b>Identification of significant resource management issues for iwi authorities.</b></p>	<p>Council staff are working with iwi CEOs to determine how iwi might input into the TRMP, and the RPS review and development at an operational level.</p> <p>This includes the potential to trial iwi technical leads working within / alongside Council staff on matters of importance to iwi and procuring technical reports directly from iwi to inform the RPS in addition to tangata whenua engagement.</p> <p>This will include progressing the identification of regionally significant issues for each iwi together, with Council resourcing their time and expertise to undertake this mahi.</p>
<p><b>Engagement with tangata whenua, stakeholders and the community.</b></p>	<p>Initial engagement is scheduled for mid to late 2022, focussing on raising awareness for the RPS, gathering feedback on the region's challenges and identifying high-level options to address them.</p> <p>The RPS Communications and Engagement Plan includes detailed timelines for website updates, targeted engagements and workshops/wānanga (both internal and external) this year.</p> <p>Engagement with tangata whenua, stakeholders and the community will be ongoing throughout the development of the RPS.</p>
<p><b>Procurement of technical reports and inputs.</b></p>	<p><b>Externally commissioned technical reports:</b></p> <ol style="list-style-type: none"> <li>1) Natural hazards research review</li> <li>2) Region-wide natural features and landscapes review</li> <li>3) Coastal environment mapping review</li> <li>4) RPS interim lead</li> <li>5) Natural hazards issues and options</li> <li>6) Biodiversity urban action plan</li> <li>7) Air quality monitoring strategy and review</li> </ol> <p><b>Internally commissioned:</b></p> <ol style="list-style-type: none"> <li>1) Biodiversity information review and forward planning.</li> </ol> <p>Additional technical work will be commissioned as necessary to support the development of the RPS.</p>
<p><b>Research and options analysis – including issues and options papers to inform the development of the RPS.</b></p>	<p>Preliminary issues and options analysis is under way, with staff undertaking initial research on the main issue themes.</p> <p>Detailed issues and options reports will be completed in the second half of 2022, supported by technical inputs and engagement.</p>
<p><b>Begin drafting provisions for the RPS.</b></p>	<p>Expected to commence in late 2022 / early 2023.</p>

## 5. Workstream 2: Freshwater Planning / Te Whakamahere Wai Māori

- a) Mōtū Catchment Plan: a first draft of the Mōtū Catchment Plan has been prepared. COVID-19 restrictions have prevented the Catchment Advisory Group from meeting in person to discuss and refine the plan. Staff aim to reconvene the next meeting in April or May 2022. Once the draft plan is refined, it will be made available for stakeholder feedback before being publicly notified towards the end of 2022.
- b) Waiapū Catchment Plan: Council staff and Ngāti Porou representatives are now meeting regularly to work through different parts of the catchment planning process. The catchment plan will be developed through 11 hui and supported through engagement with hapū, landowners and the wider Waiapū community.
- c) Waimatā – Pakarae Catchment Plan: Consultancy 4Sight were engaged in December 2021 to support the development of this catchment plan. Preliminary planning, research and our engagement approach were developed during February and March of this year. Engagement is likely to start in May if no further disruptions from COVID-19 occur.
- d) Wetland mapping: Consultancy Morphum have been engaged to undertake a desktop analysis of potential wetlands across the region. Work has started and is likely to progress up to July of this year.
- e) Review of freshwater monitoring framework: Crown Research Institute NIWA have been engaged to review Council's freshwater monitoring framework. This work will evaluate how well our monitoring framework lines up with requirements under the National Policy Statement for Freshwater Management 2020. The work will also highlight where we can make improvements to enable Council to meet its statutory requirements for environmental monitoring.
- f) Restoration plan for the lower Waimatā River: Landscape consultancy Isthmus have been engaged to develop a restoration plan for the lower Waimatā River. The plan will include directions for weed management, where and what to plant, and how to maintain planting for the next ten years. The plan will also consider opportunities to enhance the community's access and use of the awa through design initiatives.
- g) Progress against milestones for 2022 are summarised in Table 2:

<b>Prepare the Mōtū Catchment Plan for public notification.</b>	Wrap up Catchment Advisory Group hui April-May 2022. Council approval to publicly notify August 2022, followed by public notification in September 2022.
<b>Waimatā – Pakarae Catchment Plan.</b>	First iwi and community engagement planned for early May 2022. Plan development and engagement to occur throughout 2022. Public notification planned for mid-late 2023.
<b>Complete regional wetland mapping (desktop exercise).</b>	GIS geodatabase (mapping) to be completed by 30 June 2022.
<b>Complete review of freshwater monitoring framework.</b>	Monitoring review and report to be completed by 30 June 2022.
<b>Procurement of technical reports and inputs.</b>	<b>Externally commissioned technical reports:</b> 1) Waimatā-Pakarae catchment plan 2) Review of regional freshwater monitoring framework 3) Lower Waimatā river restoration plan 4) Freshwater planning support.
<b>Restoration plan for the lower Waimatā River.</b>	Delivery of restoration plan by December 2022.

## 6. Workstream: Urban Growth and Development / Te Whakawhanake me te Whakarahi Taone

- a) The Housing and Business Capacity Assessment (HBA) final report was received in February 2022. This report identified the projected demand for housing, industry and commerce and whether there is sufficient plan-enabled and infrastructure-ready land to provide for the demand in the short, medium and long term. Council staff reviewed the assumptions and outcomes of this report, main findings are:
- i. A predicted demand for 2,200 new dwellings by 2030, increasing to 5,000 new dwellings by 2050.
  - ii. Given that 45% of Tairāwhiti households have an annual income of less than \$50k, housing affordability is, and is projected to remain, a key issue.
  - iii. Over the two years (2019-2020) Gisborne's rapid price growth, at 39%, increase in nominal terms, outpaced national growth (9%) by some way.
  - iv. Detached dwellings are projected to continue to dominate, however, a shift toward attached dwellings is anticipated.
  - v. With the existing zoned and infrastructure-ready land, there is likely to be a shortfall of around 300, 800, and 2,400–2,800 dwellings in Gisborne's main urban area in the short-term, medium-term, and long-term, respectively.

- b) Work on the development of a Tairāwhiti Future Development Strategy (FDS) is fully under way. This includes:
- i. An introductory FDS workshop with councillors as well as workshops with targeted stakeholders in March 2022.
  - ii. Webinars have also taken place, in which the general public have been given the opportunity to hear what the FDS is, and how it fits into the Urban Growth and Development workstream of the TRMP review.
  - iii. Work is ongoing on the development of constraints and opportunities mapping.
  - iv. The second councillor workshop is to occur following the Sustainable Tairāwhiti Committee meeting that receives this update. The purpose of the second FDS Councillors workshop is to present the work completed to date, and to appraise councillors of the implications for the FDS timeline, resulting from not yet achieving full iwi and hapū engagement.
- c) Establishing effective Māori engagement with the FDS is ongoing, with opportunities to use the mahi that has already occurred in both the housing and business space being explored. Advancement of this work is critical as effective iwi and hapū engagement is key to establishing the FDS outcomes. The implications of ensuring appropriate iwi and hapū engagement, for the FDS timeline, is proposed to be discussed at the second Councillor FDS Workshop, which follows this meeting.
- d) Briefs of work have been prepared to commission the technical reports that will form the evidence upon which decisions will be made during the time the FDS is being prepared. Examples are a suburb specific infrastructure capacity assessment, a residential intensification strategy, and an assessment of what will constitute “highly productive land” under the soon to be released National Policy Statement for Highly Productive Land.
- e) The introductory councillor workshop in March 2022 and the subsequent stakeholder workshops provided valuable opportunities to both introduce the rationale behind the development of an FDS, where it fits into the Urban Growth and Development Workstream of the TRMP review, and additional information upon which to develop the opportunities and constraints mapping, and the key themes or outcomes upon which the strategy is built.
- f) Progress against milestones for 2022 are summarised in Table 3:

<b>Table 3 – Urban Growth and Development progress against milestones</b>	
<b>Finalised the Housing and Business Capacity Assessment.</b>	Completed the assessment - 28 February 2022
<b>Complete the Issues and Options papers.</b>	June/July 2022
<b>Finalise the Zoning Strategy and start to draft the Urban Chapters.</b>	October 2022 - March 2023
<b>Procurement of technical reports and inputs.</b>	<b>Externally commissioned reports:</b> 1) Future Development Strategy Professional Services 2) Tairāwhiti Housing and Business Development Assessment
<b>Adopt the Tairāwhiti Future Development Strategy.</b>	March 2023

## 7. General TRMP Review programme update

- a) The wider TRMP team is supported with ongoing programme support and process improvements with the following front of mind: resource planning, creation of templates for standardisation, monthly review of Risk Register, reviewing timelines to ensure alignment across the three workstreams and facilitation of TRMP meetings, budget reforecasting.
- b) Of particular importance at this stage of phase 1 is the procurement of technical inputs into the three main workstreams. The three workstream leads are being supported with programme support to ensure efficient procurement contract management. TRMP procurement guidelines have also been developed to ensure the promotion of best practice in this area.

## ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

**Overall Process:** Low Significance

**This Report:** Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

**Overall Process:** Low Significance

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on all or a large part of the Gisborne district

**Overall Process:** Medium Significance

**This Report:** Low Significance

The effects on individuals or specific communities

**Overall Process:** Medium Significance

**This Report:** Low Significance

The level or history of public interest in the matter or issue

**Overall Process:** High Significance

**This Report:** Low Significance

8. The decisions or matters in this report are of **Low** significance in accordance with Council's Significance and Engagement Policy.

## **TANGATA WHENUA/MĀORI ENGAGEMENT**

9. Tangata whenua have had initial briefings on the FDS and there are a number of hui arranged. Iwi/hapū engagement continues to be a key part of the overall TRMP review process. The TRMP Review programme team is using the principles of Te Tiriti o Waitangi to inform its approach to engaging tangata whenua, and other Māori living in the region.
10. Planning for iwi and hapū engagement at an operational level is progressing – including workshops with iwi CEOs to identify practical options for technical input into plan-making and wider matters of interest to iwi in the second half of 2022. Parallel to these discussions are the ongoing higher-level Tiriti partnership korero taking place between Council and iwi leadership.
11. Discussions also include potential to trial iwi technical leads working within/alongside Council staff on matters of importance to iwi and procuring technical reports directly from iwi in addition to tangata whenua engagement.

## **COMMUNITY ENGAGEMENT**

12. Ongoing community engagement is fundamental to all three workstreams: development of the next generation RPS, catchment and regional freshwater plans, and how we grow and develop our urban areas and townships.
13. Community groups and industry representatives have a keen interest in the development of the TRMP. Our engagement approach will reflect that interest and their various roles within the region.
14. Our rural and urban communities also have a key role to play in helping us develop a resource management framework that is fit-for-purpose.
15. Communications and Engagement Plans have been developed, and in the process of being reviewed, for all three workstreams with specifics in the pre-engagement sections. These will outline more comprehensive thinking about how our tangata whenua and communities will be engaged for the three workstreams and TRMP components.
16. Freshwater has numerous engagements through the catchment planning process, starting in April in the Waimatā Catchment Plan.
17. Stakeholder workshops and general public webinars for the development of the FDS have occurred, through March and continue in April. Some progress has also been made on establishing effective Iwi/hapū engagement on the development of the FDS.
18. Consultations are also planned in 2022 on the Draft Urban Chapters, and the Freshwater Plan changes. The full consultation on a Draft RPS is planned for August 2023.

## **CLIMATE CHANGE – Impacts / Implications**

19. There are no climate change impacts or implications arising from the matters in this report.
20. However, climate change is a priority issue within the RPS and is integrated within the TRMP work programme. Councillors also identified climate change as a regionally significant issue during the councillor workshop held in August 2021 [documented in [Report 21-216](#) to Sustainable Tairāwhiti meeting held on 28 October 2021].
21. Climate change will affect the availability and reliability of freshwater resources. The combination of existing over-allocated water resources, an expected increased future demand and impacts of climate change mean that managing water quantity within limits is a significant issue for freshwater management in the region and will only become more important in the future.
22. Climate change will be a central consideration in all parts of the Growth and Development workstream. Planning for an urban form, that is compact and well connected, will likely reduce greenhouse gas emissions by reducing the reliance on private motor vehicles. Growth and development planning will also incorporate climate change adaptation by ensuring that existing urban areas, subject to hazards affected by climate change, are subject to appropriate risk assessment requirements, and other areas are avoided entirely.

## **CONSIDERATIONS**

### **Financial/Budget**

23. There are no financial implications from the progress updates in this report.
24. As outlined at the start of this report, a budget of \$25.6m (including \$7m for freshwater) was approved to support the TRMP review. Research and technical inputs from external consultants will be required to develop the three main workstreams. Commissioning of technical research work continues to further support the TRMP procurement process across all three workstreams.

### **Legal**

25. There are no legal implications because of the progress updates in this report.
26. Keeping the TRMP current is a legislative requirement. Under the Resource Management Act 1991 (RMA), councils must commence a review of any RPS, regional plan, and district plan provision if they have not done so for 10 years.
27. Under the RMA, Council must state the significant resource management issues for the region and the resource management issues of significance to iwi authorities in its RPS.
28. Council has legal requirements regarding Freshwater Planning. This includes direction for consultation and engagement, planning standards, and what plans must be included under the RMA, the NPS-FW, and the National Environmental Standard for Freshwater (NEWS-FW) and 2019/20 amendments to the NPS-FW.



29. The TRMP will need to give effect to other national direction, which covers topics such as:
- National planning standards (how plans are formatted).
  - Coastal environment.
  - Urban development.
  - Renewable electricity generation.
  - National standards for air quality, soil contaminants (human health), plantation forestry, drinking water sources, outdoor tyre storage, marine aquaculture, and telecommunication facilities.
30. The national direction intended to be finalised in 2022 will need to be included in the RPS. These include the proposed NPS for Indigenous Biodiversity and NPS for Highly Productive Land. We are also aligning the TRMP review with the RM Reform programme to the extent this is possible.
31. Under Section 81 of the Local Government Act 2002, Council is required to establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of Council and to consider ways in which Council may foster the development of Māori capacity to contribute to the decision-making processes of Council. This is articulated in Council's 'Tairāwhiti Piritahi – Fostering Māori Participation in Council Decision-making' Policy. This policy provides a framework for Council to ensure effective Māori participation in the Council's planning and decision-making processes.

## **POLICY and PLANNING IMPLICATIONS**

32. Although the entire Resource Management Framework in New Zealand is about to be reformed, direction from Central Government is for local authorities to push ahead with their current policy work programmes under the RMA. This is because the new Resource Management system is not yet finalised, and the transition will take some time to occur. The TRMP work programme has been developed in such a way that it aligns well with the future legislation.

## **RISKS**

33. There are no new risks associated with the content of this report.
34. There are, however, significant risks associated with non-delivery of the three main workstreams. These risks have been identified in the TRMP Programme Register and are being reported through the internal Major Project Steering Group monthly reporting process. The risks classified as extreme or high risks in this register, are summarised in Table 4.

**Table 4: Significant risks associated with the TRMP Programme**

Risk Description	Mitigation
<p><b>Central government-driven reforms</b> Changes to the resource management legislation and/or national direction partway through the programme, which means that previous work needs updating, or significant changes.</p>	<p>Mitigated by keeping a close watch on policy development; remaining active in policy SIG and as a participant in the Regional Sector RM Reform Co-ordination Group; providing feedback/submissions to key national direction; and maintaining a close relationship with Ministry for Environment.</p>
<p><b>Recruitment resourcing</b>, shortage of skilled practitioners, staff capacity and staff turnover continue to be a challenge, not only for Council, but also for iwi groups interested in participating in a meaningful and collaborative way. We further expect implementation of the proposed national direction will increase the need for more resourcing, especially in the freshwater space. The Government has signalled support to implement the freshwater reforms but has yet to signal where and how that support will be delivered. We are also considering resourcing and how Council will implement these requirements as part of our activity management planning process for the LTP.</p>	<p>Mitigated by actively recruiting for staff and engaging suitable consultants to assist. The established Panel of Suppliers to work with the programme team, will further mitigate the risk. The Chief of Strategy and Science acted as lead for the RPS, which has been replaced with Incite.</p>
<p><b>Staff turnover</b> leading to loss of continuity and work tasks delayed.</p>	<p>Mitigated by ensuring a team culture is given priority by establishing agreed behavioural and operating values and practises and celebrate milestones at regular intervals; establishing templates for all common documents and ensuring all work is saved in Objective in the agreed file structure; and planning "down time" throughout the phases, particularly after periods of intense workloads.</p>
<p><b>Workstream parallel planning</b> Undertaking detailed planning for growth in parallel with the development of the RPS and NPS-FM has the potential to result in poor planning outcomes due to lack of time for decisions to be made on the RPS before detailed planning occurs.</p>	<p>Mitigated by ensuring that the new RPS development relating to growth management is advanced early in the RPS development to allow the detailed planning for that workstream to occur while the remainder of the RPS is developed. This will also apply to Freshwater Management workstream.</p>
<p><b>Local Body Elections September - November 2022</b> There is a risk that changes in elected members prior to notification of the first phase of the Plan Review may result in changes that delays notifying the TRMP.</p>	<p>Mitigated by ensuring that engagement and decision-making processes with the community and elected members throughout the TRMP development are robust so that contentious issues can be addressed. Focused engagement with councillors post-election to bring new members up to speed and identify involvement opportunities.</p>

Risk Description	Mitigation
<p><b>E-planning functionality</b></p> <p>When and how we intend to transition to full planning functionality (of the TRMP) is dependent on incorporating e-planning functionality. The risk lies in the supplier not supporting e-planning and that another system/tool be procured. Also, if we delay e-planning then there may be duplication of work associated with migrating policy provisions into a new platform.</p>	<p>Mitigated by Incorporating e-planning functionality in the tendering and replacement of the current enterprise solutions project. E-planning software requirements to be defined once we know which tender was successful for the replacement of our enterprise system to ensure all gaps are met (possibly by some other system/tool).</p>
<p><b>Consultation fatigue</b></p> <p>Limited community engagement and under-representation in topics that matter.</p>	<p>Communication and Engagement Plans for each workstream exists, where all consultations are mapped and reviewed regularly.</p>
<p><b>Waipaoa Catchment Plan</b></p> <p>Will be complex as it involves multiple and competing interests across the Poverty Bay Flats where water availability, storage options (such as MAR) and allocation is already a vexed issue. Impact: on length of time to develop the CP.</p>	<p>Early meaningful and comprehensive engagement here could be the key. We intend to bring forward the catchment planning process to ensure there is ample time to work through and resolve the issues.</p>
<p><b>FDS identification of new sites late in the process</b></p> <p>'New' sites only come about through SCP process and are not assessed or considered during FDS drafting stage. Potential to require re-consultation. Program and cost implications. Impact: potential for judicial review - if project is pushed through and SCP process not followed correctly.</p>	<p>Early communications to let people know the project is happening (i.e. road show as discussed in project initiation meeting) so that potential sites are identified early in the process. Use call for sites or similar process to draw these out. Review infrastructure acceleration fund proposals and ensure these sites are included. Comms with planning and other Council teams to gather intel on potential new sites. Document process. Follow SCP requirements. Follow NPS-UD requirements. Develop a FDS website.</p>
<p><b>Iwi and hapū participation in FDS development</b></p> <p>Iwi and hapū representatives are over extended and under-resourced. Risk if not all hapū are reached and don't all have the same understanding of FDS process.</p>	<p>Working with iwi CEOs to put in place in place governance and operational interventions. Includes potential to trial iwi technical leads working within/alongside Council staff on matters of importance to iwi and procuring technical reports directly from iwi in addition to tangata whenua engagement.</p>

## **NEXT STEPS**

37. Refer to **Attachment A** for key milestones for all three workstreams.
38. Of particular importance during the first half of 2022 is:
  - Continue with governance and operational discussions with iwi.
  - Continue commissioning technical reports.
  - Progress catchment planning for the Waiapu, Mōtū and Waimatā- Pakarae.
  - Complete regional wetland mapping.
  - Review Council's freshwater and coastal monitoring framework.
  - Progress the Future Development Strategy.
  - Further develop the Regional Policy Statement.

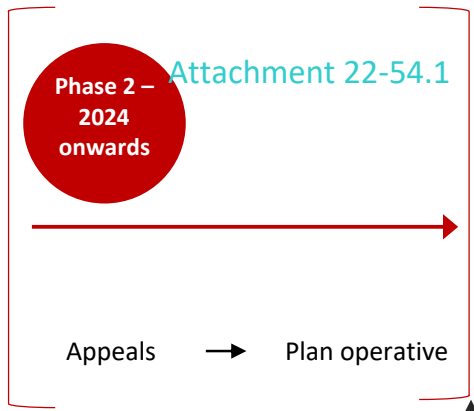
## **ATTACHMENTS**

1. Attachment 1 - TRMP Timelines Combined [**22-54.1** - 1 page]

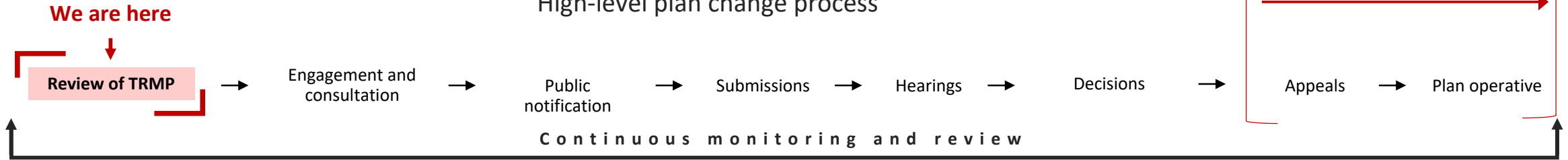


# Review of Tairāwhiti Plan /

## Te Arotakenga o te Mahere Whakahaere Rauemi o Te Tairāwhiti



High-level plan change process



### Progress in 2021

Initiated TRMP review programme  
 Background research and planning  
 Established a Procurement Panel of Suppliers  
 Commissioned specific technical reports  
 Co-governance structure (ongoing)

- Specific to Freshwater Planning**
  - Background research and planning
- Specific to RPS**
  - Identified regionally significant resource management issues
- Specific to Urban Growth and Development**
  - Prepared Housing and Business Capacity Assessment
  - Removed minimum car parking provisions

### 2022

Full review of relevant plan provisions  
 Wider research and technical input  
 Issues and options analysis  
 Engagement with tangata whenua, stakeholders and the community – RPS and urban growth and development

- Specific to Freshwater Planning**
  - Freshwater catchment planning for Mōtū, Waiapu, Waimata
- Specific to RPS**
  - Confirm technical inputs
  - Research, issues and options analysis
- Specific to Urban Growth and Development**
  - Prepare a Future Development Strategy
  - Prepare Zoning Strategy
  - Prepare issues and options papers
  - Begin drafting Urban Chapters

### 2023

Develop draft plan provisions  
 Formal consultation/refinement of draft plan changes with tangata whenua, stakeholders and the community

- Specific to Freshwater Planning**
  - Develop regional Freshwater provisions
  - Freshwater catchment planning for Uawa, Waipaoa, Wharekahika/Waikura, Hangaroa/Ruakituri
- Specific to RPS**
  - Develop draft RPS provisions
  - Testing and review of draft RPS
- Specific to Urban Growth and Development**
  - Develop all the Urban Chapters for the TRMP
  - Testing and review

### 2024

Council approves the following plans for public notification:

- Proposed RPS
- Proposed Freshwater Plan
- Proposed Urban Chapters in the TRMP

- Notification of RPS, Freshwater and Urban Chapters
- Public submissions, and further submissions (RPS)
- Hearings
- Decisions

**Title:** 22-84 Tairawhiti Sports Facilities Business Case  
**Section:** Community Projects  
**Prepared by:** Abbe Banks - Community Facilities Partnerships Advisor  
**Meeting Date:** Thursday 28 April 2022

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Legal: No

Financial: No

Significance: **Low**

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## Report to SUSTAINABLE TAIRAWHITI Committee for information

### PURPOSE

The purpose of this report is to provide an update to Councillors on the progress of the [Tairawhiti Sports Facilities Business Case](#) prepared in partnership between Trust Tairāwhiti, Sport Gisborne-Tairāwhiti and Gisborne District Council.

### SUMMARY

Over the last two years, Gisborne District Council in partnership with Trust Tairāwhiti and Sport Gisborne-Tairāwhiti have engaged with Sport NZ to develop a plan to replace and revitalise the ageing and substandard sporting and active recreation facilities in Tairāwhiti.

Replacing the ageing infrastructure is beyond the capability of regional organisations alone, so a mixed funding model between the region and the Crown has been proposed.

The business case for the investment has been presented to the Minister of Sport and Finance.

The Tairāwhiti Sports Facilities Business Case is a comprehensive document showing how the investment will lift wellbeing in Tairāwhiti, in a cost-effective and achievable way. It uses the Living Standards Framework, and the Better Business Case methodology to make a robust case for national assistance, underpinned by thorough economic analysis.

This work has identified where early investment can make a significant difference to participation – so Trust Tairāwhiti has committed around \$15 million to address the most urgent issues. However, the region cannot get there on its own, so we are seeking assistance to take the next steps, with a planned investment programme of \$85-\$110 million over the coming decade being sought from the Crown.

The business case and investment proposal have been submitted to Government for consideration.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

## RECOMMENDATIONS

**That the Sustainable Tairawhiti Committee:**

- 1. Notes the contents of this report.**

*Authorised by:*

De-Arne Sutherland - Director Liveable Communities

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**Keywords:** Tairawhiti Sports Facilities Business Case, partnership, Trust Tairawhiti, Sport Gisborne-Tairawhiti

## BACKGROUND

1. In 2018 the Community Facilities Strategy was adopted by Council (Report 18-015). The strategy outlines the priorities and principles to develop a network of fit-for-purpose community facilities in Tairāwhiti over the next 20+ years.
2. Over the last two years Council, Trust Tairāwhiti and Sport Gisborne-Tairāwhiti have developed a plan to replace and revitalise the substandard sport and recreation facilities in Tairāwhiti.
3. The Government has already provided some important funding for facilities in our region through the Crown Infrastructure Partners COVID recovery initiatives. This is being used to complete the redevelopment of Kiwa Pools, and key facilities at Midway Surf Club and at Rugby Park.
4. Trust Tairāwhiti has begun the process, committing around \$15 million for regional facilities. This will help address the most acute needs, dubbed the 'early win' projects.
5. A range of planning and development is already underway for the 'early win' projects.

## DISCUSSION and OPTIONS

6. The Tairāwhiti Sports Facilities Business Case has been submitted to Government, and more specifically to the Minister of Sport, Hon. Grant Robertson.
7. The business case is a comprehensive document showing how the proposed investment will lift wellbeing in Tairāwhiti, in a cost-effective and achievable way. It uses the Living Standards Framework and the Better Business Case methodology to make a robust case for national assistance, underpinned by thorough economic analysis.

## ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

**This Report:** Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**This Report:** Low Significance

The effects on all or a large part of the Gisborne district

**This Report:** Low Significance

The effects on individuals or specific communities

**This Report:** Low Significance

The level or history of public interest in the matter or issue

**This Report:** Low Significance

8. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.



## TANGATA WHENUA/MĀORI ENGAGEMENT

9. The Rau Tipu Rau Ora Recovery Plan endorses the progression of the region's Community Facilities Strategy, at a high level. The iwi groups involved in the plan's governance group include Ngati Porou, Rongowhakaata, Te Aitanga a Māhaki and Ngāi Tāmanuhiri.

## COMMUNITY ENGAGEMENT

10. The Tairāwhiti Sports Collective has been brought together to help define the requirements for sporting facilities in the region. The collective is made up of representatives from Tairāwhiti sport and recreation codes.
11. The Collective and a wide range of codes and organisations have been involved in looking at the possible locations for the full range of sporting facilities. The process has involved workshops, meetings and discussions over many months.

## CLIMATE CHANGE – Impacts / Implications

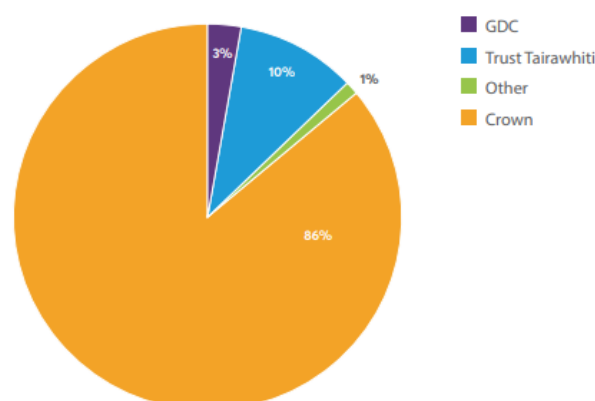
12. There are no significant impacts on climate change that arise from the recommendations in this report.
13. Longer term considerations will need to be made as the implementation project progresses to the design stages of delivery. The major projects being considered could have significant impacts on the environment if the respective design briefs fail to consider environmental sustainability. This will be mitigated through continued focus on overall sustainability and futureproofing of facilities as critical factors in the implementation work.

## CONSIDERATIONS

### Financial/Budget

14. The overall investment programme comes to a total of \$118 million (2021 dollars).
15. The budgeted component of this investment is circa \$18 million, made up of \$15 million committed by Trust Tairāwhiti and \$3.4 million from Gisborne District Council tagged in the current LTP.
16. We are asking the Crown to invest the balance of \$85-110 million over 10-15 years (in 2021 dollars) to enable the major facilities to proceed.

Share of funding



## Legal

17. There are no legal matters arising from this report.

## POLICY and PLANNING IMPLICATIONS

18. The business case has been developed following Council's adoption of the GDC Community Facilities Strategy in 2018. The Strategy continues to define the objectives for the sport and recreation facilities.
19. The recommendations are consistent with the intent of the Community Facilities Strategy and the associated Sports Facilities Plan but not at a detailed delivery level.
20. The business case recommendations align with regional and some national strategic direction including, but not limited to:
  - a. Gisborne District Council Spatial Plan
  - b. Gisborne District Council Community Facilities Strategy - investment principles
  - c. Trust Tairāwhiti Wellbeing Framework
  - d. Tairāwhiti Rau Tipu Rau Ora Strategy
  - e. NZ Treasury's Living Standards Framework
  - f. Sport NZ Community Sports Strategy
  - g. Sport NZ Strategic Plan

## RISKS

21. Timeframes
  - Due to disruptions to global supply chains resulting from the impact of Covid-19, if funding is secured there may be delays in commencing projects due to lack of access to materials and labour.
22. Financial/security of funding
  - Some projects will not be able to confirm complete scope or timeframes until there is funding certainty.
  - There is a chance that no further funding will be secured and there may be an expectation for council to fund the facilities upgrades and developments.

## NEXT STEPS

Date	Action/Milestone	Comments
Underway	Continued development of 'Early Wins' projects.	Enabled through Trust Tairāwhiti's \$15 million funding enveloped towards early wins.
Next 1 month	Updates to regional forums.	Tairāwhiti Economic Action Plan Forum, Manaaki Tairāwhiti, Commitment Action and Reciprocity leading to Employment Forum/Regional Skills Leadership Group, Rau Tipu Rau Ora governance group.
Next 1 – 2 months	Socialisation with regional public service leads agency forum name of a group? Should be in capitals?	leads/directors from government departments in our region and Hawkes Bay.
Next 6 months +	Guidance from the Minister of Sport and Finance on which Officials to provide briefings to.	
Next 6 months +	Decision or feedback from Government Officials on the appetite to fund the proposed projects.	

## ATTACHMENTS

Nil

**Title:** 22-85 Representation Review Determination 2022  
**Section:** Democracy & Support Services  
**Prepared by:** Heather Kohn - Democracy & Support Services Manager  
**Meeting Date:** Thursday 28 April 2022

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Legal: Yes

Financial: No

Significance: **Medium**

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## Report to SUSTAINABLE TAIRAWHITI Committee for information

### PURPOSE

The purpose of this report is to provide the final determination of the Local Government Commission on Gisborne District Council's representation arrangements for the 2022 local authority elections.

### SUMMARY

On 7 April 2022 the Local Government Commission (the Commission) announced its decision on the Gisborne District Council's membership and representation arrangements for the 2022 and 2025 local authority elections.

The Commission has determined under Section 19R of the Local Electoral Act 2001 that for the election of the Gisborne District Council to be held on 8 October 2022 the following representation arrangements will apply:

- a. Gisborne District, as delineated on Plan LG-028-2022-W-1 deposited with the Local Government Commission, will be divided into two wards.
- b. Those two wards will be:
  - (i) the Tairāwhiti General Ward, comprising the area delineated on Plan LG028-2022-W-2 deposited with the Local Government Commission
  - (ii) the Tairāwhiti Māori Ward, comprising the area delineated on Plan LG028-2022-W-3 deposited with the Local Government Commission
- c. The Council will comprise the Mayor and 13 Councillors elected as follows:
  - (i) 8 councillors elected by the electors of the Tairāwhiti General Ward
  - (ii) 5 councillors elected by the electors of the Tairāwhiti Māori Ward

As required by Section 19T(b) of the Local Electoral Act 2001, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

The Commission's determination is **attached**.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

## **RECOMMENDATIONS**

**That the Sustainable Tairāwhiti Committee:**

**1. Notes the contents of this report.**

*Authorised by:*

**James Baty - Director Internal Partnerships**

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**Keywords:** Representation Review, Local Government Commission, determination, district wide, Maori, General, wards

## BACKGROUND

1. The Representation Review looks at the structure of Council and how the Mayor and Councillors are elected. The Local Electoral Act 2001 (LEA) requires all councils to review their representation arrangements every six years, to ensure fair and effective representation for individuals and communities. This affects:
  - a. The total number of elected members.
  - b. Whether they come from a ward or 'at large' across the wider district, or a mixture of wards/at large.
  - c. Wards, the boundaries, the names and number of councillors elected from each.
  - d. Whether Community Boards are established and, if so, the number, names, boundaries and number of members elected and appointed.

### Council's Representation Review Final Proposal

2. Council, at its meeting 4 November 2021 made the following resolution:

**Council resolves, pursuant to section 19N and clauses 1 and 2 of Schedule 1 A of the Local Electoral Act 2001 to adopt, as its Final Proposal for the review of representation arrangements for at least the 2022 triennial elections the following:**

- a. **Gisborne District Council comprise, in addition to the Mayor (elected at-large), 13 councillors being five Maori ward councillors and eight general ward councillors.**
- b. **The Gisborne District be divided into three wards consisting of the following:**
  - **Tairāwhiti Maori Ward (represented by five councillors) comprising the whole area of the district as delineated on Plan LG-028-2016-W-1 deposited with the Local Government Commission as shown in Attachment 2.**
  - **Turanganui City General Ward (represented by six councillors) comprising the area of the district shown in the tabled Attachment (Gisborne City).**
  - **Tairāwhiti Rural General Ward (represented by two councillors) comprising the area of the district shown in the tabled Attachment (balance of the district).**
- c. **No community boards be established.**
- d. **The number of Maori ward councillors complies with Schedule 1 A of the Local Electoral Act 2001.**
- e. **Notes the reason the total number of councillors is proposed to remain at 13 is to give effect to the workload of a unitary authority and to provide effective representation of Gisborne District communities of interest (ensuring accessibility to a large and diverse area made up of populated towns and villages and sparsely populated areas).**

3. As Council's Final Proposal was changed from its Initial Proposal submitters to the Initial Proposal had the right of appeal and the general public had the right of objection to the Local Government Commission. Eight appeals and 122 objections were forwarded to the Commission.
4. The Commission held its Hearing via an audio visual link Thursday 17 March 2022.
5. The **attached** Determination contains further background material regarding the Commissions process for the determination.
6. Determinations of the Commission may be:
  - Appealed on a point in law, in accordance with Schedule 5 of the Local Government Act 2002.
  - Subject to judicial review under the Judicial Review Procedure Act 2016.

## **ASSESSMENT of SIGNIFICANCE**

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

**Overall Process:** **Low** Significance

**This Report:** **Low** Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** **Low** Significance

**This Report:** **Low** Significance

The effects on all or a large part of the Gisborne district

**Overall Process:** **Medium** Significance

**This Report:** **Low** Significance

The effects on individuals or specific communities

**Overall Process:** **Medium** Significance

**This Report:** **Medium** Significance

The level or history of public interest in the matter or issue

**Overall Process:** **Medium** Significance

**This Report:** **Medium** Significance

7. The decisions or matters in this report are considered to be of **Medium** significance in accordance with Council's Significance and Engagement Policy.

## **TANGATA WHENUA/MĀORI ENGAGEMENT**

8. There has been significant engagement with Tangata Whenua/Māori on all aspects of the Representation Review with Māori Wards, pre-engagement survey, consultation on the initial proposal and the right for appeals and objections.

## **COMMUNITY ENGAGEMENT**

9. There has been significant engagement with the community on all aspects of the Representation Review with Māori Wards, pre-engagement survey, consultation on the Initial Proposal and the right for appeals and objections.
10. The Commission has made its Determination publicly available from 8 April 2022 and has distributed a media release.
11. Council has also distributed a media release.

## **CLIMATE CHANGE – Impacts / Implications**

12. There are no obvious climate change impacts or implications arising from the Commission's determination.

## **CONSIDERATIONS**

### **Financial/Budget**

13. There are no financial implications arising from the Commission's Determination as map boundaries for the district remain the same.
14. There are financial implications however for the election process particularly with community engagement and education.

### **Legal**

15. The Determination for Council's representation arrangements has been made under Section 19R of the LEA.

## **POLICY and PLANNING IMPLICATIONS**

16. There are no policy and planning implications from the Commission's determination.

## **RISKS**

17. There are no major risks associated with the matters in this report.

## **ATTACHMENTS**

1. Attachment 1 - Gisborne District - Determination of Representation Arrangements 2022 [**22-85.1** - 11 pages]





**Local Government Commission**  
**Mana Kāwanatanga ā Rohe**

## Determination

of representation arrangements to apply for the election of the  
Gisborne District Council to be held on 8 October 2022

### Background

1. All territorial authorities are required under sections 19H and 19J of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years. Representation reviews are to determine the number of councillors to be elected, the basis of election for councillors and, if this includes wards, the boundaries and names of those wards. Reviews also include whether there are to be community boards and, if so, arrangements for those boards. Representation arrangements are to be determined so as to provide fair and effective representation for individuals and communities.
2. The Gisborne District (the Council) last reviewed its representation arrangements prior to the 2019 local authority elections. In November 2020 it resolved to establish Māori wards. Accordingly, it was required to undertake a review prior to the next elections in October 2022.
3. The Commission last made a determination in relation to Gisborne District Council's representation in 2019. The Council was established in 1989 with a mayor and 16 councillors elected from 11 wards. The district has been divided into wards based on a distinction between rural and urban communities since that time.
4. The council's current representation arrangements comprise a mayor and 13 councillors elected as follows:

Ward	2020 electoral population estimate	Number of councillors	Population per councillor	Deviation from district average population per councillor	% deviation from district average population per councillor
Matakaoa-Waiapu	2,800	1	2,800	-1,103	-28.26%
Waipaoa	3,660	1	3,660	-243	-6.23%
Tawhiti-Uawa	2,940	1	2,940	-963	-24.67%
Taruheru-Patutahi	4,040	1	4,040	+137	+3.51%
Gisborne	37,300	9	4,144	+241	+6.18%
<b>Total District</b>	<b>50,740</b>	<b>13</b>	<b>3,903</b>		

\*Based on Tatauranga Aotearoa Stats NZ 2020 population estimates

## Current review: Council process and proposal

### *Preliminary consultation*

6. For this review, the Council undertook preliminary engagement including a community engagement survey which generated 771 responses, and 25 community meetings and hui-a-iwi. It also held a series of Council workshops to identify communities of interest and provide direction for the initial proposal. The Council officers' report on the initial proposal summarised the general themes of the responses as follows:
- Most people want councillors to be elected district-wide.
  - Most people viewed the whole of the Gisborne District as their community of interest.
  - Most people thought that their community's representation was best guaranteed by councillors elected district-wide.
  - Most people felt that being able to vote for all councillors would increase their likelihood of voting.
  - Most people wanted to reduce the current number of councillors (13 councillors plus the mayor).
  - Most people preferred not to establish community boards.

### *The Council's initial proposal*

7. On 12 August 2021 the council resolved as its initial representation proposal a council comprising 13 members elected from two wards, plus the mayor. The Council also resolved not to establish community boards.
8. The initial proposed ward arrangements were as follows:

Ward	Electoral population estimate*	Number of councillors per ward	Population per councillor	Deviation from district average population per councillor	% deviation from district average population per councillor
Tairāwhiti General	31,810	8	3,976	N/A	N/A
Tairāwhiti Maori	18,930	5	3,786	N/A	N/A
<b>Total District</b>	50,740				

\*Based on Tatauranga Aotearoa Stats NZ 2020 electoral population estimates

9. The Council notified its proposal on 16 August 2021 and received 1,149 submissions by the deadline of 24 September 2021. Twenty-one submitters were heard by the Council on 6 October 2021.
10. Key themes in the submissions were:

- a. 83.57% of general roll submitters, 37.30% of Maori roll submitters, and 94.0% unidentified roll submitters indicated they did not support all aspects of the proposal.
- b. Majority support for a total of 13 councillors.
- c. A narrow majority do not support the proposed single district-wide general ward; 44% support, 49% do not support (Māori roll submitters 70% support, general roll submitters 25% support).
- d. A narrow majority do not support the proposed single district-wide Maori ward; 42% support, 47% do not support (Māori roll submitters 69% support, general roll submitters 22% support).
- e. Majority support for the proposal that no community boards be established.
- f. Overall 22% support and 47% do not support the proposed ward names (Māori electoral roll submitters 72% support, general roll submitters 20% support).
- g. Strong emphasis on the need to retain specifically rural representation.

### *The Council's final proposal*

11. At a meeting on 4 November 2021, the Council amended its initial proposal to the following final proposal for the 2022 local elections:

Ward	2020 electoral population estimate*	Number of councillors	Population per councillor	Deviation from district average population per councillor	% deviation from district average population per councillor
Tūranganui City General	24,300	6	4,050	+74	+1.85
Tairāwhiti Rural General	7,510	2	3,755	-221	-5.56
<b>Total general wards</b>	31,810	8	3,976		
Tairāwhiti Māori	18,930	5	3,786		
<b>Total</b>	<b>50,740</b>	<b>13</b>	<b>3,903</b>		

\*Based on Tatauranga Aotearoa Stats NZ 2020 population estimates

12. The Council publicly notified its final proposal on 10 December 2021. Eight appeals and 122 objections were received in respect of the final proposal.

### **Appeals/objections against the council's final proposal**

13. The Council referred the appeals and objections to the Commission, in accordance with section 19Q of the Act. Two objectors subsequently withdrew their objections.
14. Seven appeals and 119 objections received on the Council's final proposal were considered valid or partially valid. They all opposed to the Council's proposal to split the general electoral population into two wards, one rural and one urban, asking for a single district-wide general ward instead. They argued that:

- a. The proposed rural ward is too large at 8,300 square kilometres for two councillors to represent effectively.
- b. Māori on the general electoral roll will struggle to secure representation in a two-member rural ward.
- c. Under the STV electoral system a single district-wide general ward allows more choice and/or greater equivalency of votes for all voters.
- d. Diverse rural and urban general electors get the most fair and effective representation by being able to elect all eight general ward councillors.
- e. STV voting in one- or two-member wards does not provide proportional representation of the diversity of the ward.
- f. The urban and rural division is “artificial”.

## Hearing

15. The Commission met with the Council and the two appellants and objectors who wished to be heard at a hearing held online on Thursday 17 March 2022. The Council was represented at the hearing by Mayor Rehette Stoltz.
16. The following iwi partners of Council also spoke at the hearing alongside the Council:
  - a. Rongowhakaata Iwi Trust, represented by Staci Hare, Chair
  - b. Te Aitanga ā Māhaki Trust, represented by Pehmana (Pene) Haapu Brown, Chair
  - c. Te Rūnanganui o Ngāti Porou, represented by Selwyn Parata, Chair
  - d. Ngāi Tāmanuhiri, represented by Doug Jones, CEO
17. The following appellants appeared at the hearing:
  - a. Te Aitanga ā Māhaki Trust, represented by Pehmana (Pene) Haapu Brown, Chair
  - b. Manu Caddie

## *Matters raised at the hearing*

18. Mayor Stoltz explained the process the Council had followed in carrying out its representation review and reaching its final proposal. She emphasised the following points:
  - a. A key change for this review has been the switch to the Single Transferable Vote (STV) electoral system.
  - b. The district’s rural community has expressed concern about the loss of a rural voice under a district-wide arrangement.
  - c. The community had not supported community boards as they were perceived as an additional layer of bureaucracy at a time of significant electoral change.
  - d. The rural community preferred the certainty of a rural voice on the Council.

- e. The relatively high Māori electoral population in the district's most isolated Matakaoa-Waiapu Ward suggested at least one Māori ward councillor would be based in that area.
  - f. As a unitary authority, the Council expected urban councillors to also be involved in issues affecting rural areas.
19. The Council's iwi partners emphasised the following points:
- a. The establishment of Māori wards is supported but must not be considered a replacement for engagement with mana whenua, iwi and hapū.
  - b. District-wide Māori and general wards offer the strongest representation for the Māori voice under the current legislative provisions.
  - c. The Council does not need councillors designated to rural areas to ensure access between councillors and rural residents.
  - d. Māori in the Gisborne district, whether on the Māori or the general electoral roll, have interests spanning rural and urban communities.
20. The appellants appearing at the hearing emphasised the following points in opposition to the Council's proposal:
- a. The Hauora Tairāwhiti District Health Board is elected district-wide by STV and the rural community has not been disadvantaged by the lack of wards.
  - b. A district-wide general ward allows candidates to build support across a wider group of people.
  - c. There is confidence in the Council's ability to reach the farthest parts of the motu to meet the community's needs.
  - d. Rural and urban residents on the general roll will achieve the most effective representation by being able to elect all eight general ward councillors from a single ward.
  - e. Concern about the ability of two ward councillors to provide effective representation across the rural ward.
  - f. A rural ward electing only two councillors disenfranchises Māori on the general electoral roll.

### **Matters for determination by the Commission**

21. Section 19R of the Act makes it clear that the Commission, in addition to consideration of the appeals and objections against a council's final representation proposal, is required to determine, in the case of a territorial authority, all the matters set out in sections 19H and 19J which relate to the representation arrangements for territorial authorities. This interpretation was reinforced by a 2004 High Court decision which found that the Commission's role is not merely supervisory of a local authority's representation arrangements decision. The Commission is required to form its own view on all the matters which are in scope of the review.
22. The matters in the scope of the review are:
- whether the council is to be elected from wards, the district as a whole, or a mixture of the two

- the number of councillors
  - if there are to be wards, the area and boundaries of wards and the number of members to be elected from each ward
  - whether there are to be community boards
  - if there are to be community boards, the area and boundaries of their communities, and the membership arrangements for each board.
23. The primary matter raised by appellants to the Council's final proposal is opposition to the splitting of the district's general electoral population into two wards.

### Key considerations

24. Based on the legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* (the Guidelines) identify the following three key factors when considering representation proposals:
- communities of interest
  - effective representation of communities of interest
  - fair representation for electors.

### Communities of interest

25. The Guidelines identify three dimensions for recognising communities of interest:
- *perceptual*: a sense of identity and belonging to a defined area or locality as a result of factors such as distinctive geographical features, local history, demographics, economic and social activities
  - *functional*: ability of the area to meet the needs of communities for services such as local schools, shopping areas, community and recreational facilities, employment, transport and communication links
  - *political*: ability to represent the interests of local communities which includes non-council structures such as for local iwi and hapū, residents and ratepayer associations and the range of special interest groups.
26. We note that in many cases councils, communities and individuals tend to focus on the 'perceptual' dimension of communities of interest. That is, they focus on what intuitively they 'feel' are existing communities of interest. While this is a legitimate view, more evidence may be required to back this up. It needs to be appreciated that the other dimensions, particularly the 'functional' one, are important and that they can also reinforce the 'sense' of identity with an area. In other words, all three dimensions are important but should not be seen as independent of each other.
27. In addition to demonstrating existing communities of interest, evidence also needs to be provided of *differences* between neighbouring communities, i.e. that they may have "few commonalities". This could include the demographic characteristics of an area (e.g. age, ethnicity, deprivation profiles) and how these differ between areas, and evidence of how different communities rely on different services and facilities.

28. The Council similarly proposed an at large system in its last review but, in response to appeals and objections, the Commission determined that the existing five wards best provided effective representation of communities of interest. The 2019 determination noted that the Council itself recognised the importance of sub-district representation for communities of interest in its proposal for three community boards; East Coast, Western Rural, and Gisborne City.
29. For the current review, the Council officers' report on the initial proposal describes communities of interest in the district as firstly, the district as a whole, then the three areas identified in its previous review. For each area, the Council officer's report outlines the statistical profile, historical representation arrangements, availability of services and distinct environmental features such as land use and river catchments. In summary, these are:
- a. East Coast rural – geographically defined by the Raukūmara Range to the west, coastline to the east, and a number of river catchments, largely corresponding to the area over which Ngāti Porou is considered to have an interest. The population is rural and dispersed with significant isolation particularly in the north. Over 90% of the population in the northern portion and 64-82% in the remainder identify as Māori. There are limited council and other services and deprivation rankings of nine or ten. Communities have a shared reliance on State Highway 35 for access.
  - b. Western rural - geographically defined by the Waipaoa River catchment and the Poverty Bay flats, with pastureland, farming, forestry, lifestyle, horticulture and viticulture land uses. There is a relatively higher Māori population in the northern and central parts of the area at 50-60%, and multiple iwi and hapū interests. The area has limited council and other services, and relatively higher deprivation rankings of eight and nine.
  - c. Gisborne urban area – corresponds to the existing Gisborne Ward and comprises 75% of the district's population with varied demographic and socio-economic characteristics and multiple iwi and hapū interests. The area has a wide range of council and non-council services, and deprivation rankings ranging from one to ten.

### Effective representation of communities of interest

30. Section 19T of the Act requires the Commission to ensure that:
- the election of members of the council, in one of the ways specified in section 19H (i.e. at large, wards, or a combination of both) will provide effective representation of communities of interest within the district
  - ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes
  - so far as is practicable, ward boundaries coincide with community boundaries (where they exist).
31. 'Effective representation' is not defined in the Act, but the Commission sees this as requiring consideration of factors including an appropriate number of elected

- members and an appropriate basis of election of members for the district concerned (at large, wards, or a mix of both).
32. The Commission's Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered:
    - avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
    - not splitting recognised communities of interest between electoral subdivisions
    - not grouping together two or more communities of interest that share few commonalities of interest
    - accessibility, size and configuration of an area including access to elected members and vice versa.
  33. Within the scope of a representation review, councils can achieve effective representation of communities of interest by having members elected by wards, at large, a mixture of wards and at large. As the Gisborne District Council has resolved to establish Māori wards, it must also establish at least one general ward.
  34. While not a prescribed statutory requirement, the Guidelines suggest that local authorities consider the total number of members, or a range in the number of members, necessary to provide effective representation for the district as a whole. In other words, the total number of members should not be arrived at solely as the product of the number of members per ward, if there are to be wards.
  35. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 members, excluding the mayor. Gisborne District Council comprised a mayor and 16 councillors on its constitution in 1989 and currently comprises a mayor and 13 councillors. The district has been divided into wards on a rural and urban basis since 1989.
  36. In its 2019 review, the Council proposed a council of nine members elected at large. The Commission's 2019 determination noted that under this proposal the potential loss of rural representation was a key concern and determined instead a five-ward arrangement electing 13 councillors. In doing so, the Commission noted that "quite clearly there are communities of interest based on differences between rural and urban, and on the location and characteristics of individual communities." It remains clear in the current review that these communities of interest still exist in the district.
  37. We acknowledge the concerns of submitters to the initial proposal about the potential loss of a rural voice on the Council in a district-wide general ward. We agree that the effective representation of rural communities must be a key consideration in representation arrangements for the Gisborne District. However, we are not convinced that the Council's final proposal provides the best arrangement for achieving this.
  38. The 2019 Determination resulted in four councillors representing the district's rural communities. For this review the rural general population size (23.61% of the district's total GEP) only supports two rural ward councillors. However, the proposed rural ward area covers the same area as the four rural wards confirmed in 2019. We



- share appellants' and objectors' concerns that it will be difficult for two councillors to provide effective representation for a ward of this size and shape.
39. Travelling on state highways it takes approximately 3.5 hours to drive the length of the rural ward north to south, longer to access isolated communities. In our view, it is unlikely that two councillors can reasonably access, and be accessible to, electors and communities across such an area. It is also unlikely that two councillors can fully engage with all the diverse communities of interest and their concerns.
  40. Two significant changes in the district's electoral system have informed our consideration of this review; the introduction of an STV electoral system and the division of the electoral population into MEP and GEP. As a result of these changes, a rural general ward guarantees but also limits rural representation for the GEP to two councillors.
  41. Conversely, a district-wide general ward in an STV electoral system provides a greater opportunity for effective representation for the rural population. In a district-wide general ward electing eight councillors, rural general voters (at 23.61% of the district's total GEP) are statistically likely to influence the election of two councillors. Importantly, in a district-wide ward, rural voters also have the opportunity to influence the election of urban-based candidates with a strong affiliation to rural communities of interest and an understanding of rural issues.
  42. From the elected members' point of view, a district-wide general ward means eight general ward councillors are available to represent the needs of the diverse rural communities of interest. The STV system provides an additional strong electoral incentive to do so given that the rural population makes up 24% of the district's GEP.
  43. As a result, we consider that eight councillors elected from one district-wide general ward provides more effective representation for rural electors than the Council's proposal for a rural ward electing two councillors.
  44. In conjunction with this decision, to ensure the benefits of STV can be maximised and well understood by potential candidates, the Commission recommends that the Council considers providing STV education in the lead up to the Council elections.
  45. In this regard, see the Electoral Reform Society's "Single Transferrable Vote" page at <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/single-transferable-vote/> and the publication "Campaigning Under the Single Transferrable Vote" at <https://www.electoral-reform.org.uk/wp-content/uploads/2017/06/Campaigning-under-the-single-transferable-vote.pdf>

### **Fair representation for electors**

46. For the purpose of achieving fair representation for the electors of a district, section 19V(1) of the Act requires that the population of each ward divided by the number of members to be elected by that ward must produce a figure no more than 10 per cent greater or smaller than the population of the district divided by the total number of members (the '+/-10% rule').
47. As our decision means the MEP and the GEP are each represented by a single district-wide ward, the requirements of section 19V(1) do not apply.

## Communities and community boards

48. Section 19J of the Act requires every territorial authority, as part of its review of representation arrangements, to determine whether there should be community boards in the district and, if so, the nature of those communities and the structure of the community boards. The territorial authority must make this determination in light of the principle in section 4 of the Act relating to fair and effective representation for individuals and communities.
49. In the current review, the council has proposed not to establish community boards on the basis that there was not sufficient community demand. We do not consider it necessary to establish community boards in the district at this stage.
50. However, we note the view expressed by appellant Manu Caddie that well-empowered rural community boards can help address any loss of rural representation. We agree and recommend that as part of its next review, the Council gives careful consideration to whether community boards are needed to improve representation for specific communities within the district.

## Commission's determination

51. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the Gisborne District Council to be held on 8 October 2022, the following representation arrangements will apply:
  - a. Gisborne District, as delineated on Plan LG-028-2022-W-1 deposited with the Local Government Commission, will be divided into two wards.
  - b. Those two wards will be:
    - (i) the Tairāwhiti General Ward, comprising the area delineated on Plan LG-028-2022-W-2 deposited with the Local Government Commission
    - (ii) the Tairāwhiti Māori Ward, comprising the area delineated on Plan LG-028-2022-W-3 deposited with the Local Government Commission
  - c. The Council will comprise the mayor and 13 councillors elected as follows:
    - (i) 8 councillors elected by the electors of the Tairāwhiti General Ward
    - (ii) 5 councillors elected by the electors of the Tairāwhiti Māori Ward
52. As required by section 19T(b) of the Local Electoral Act 2001, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

**Local Government Commission**



Commissioner Brendan Duffy (Chair)



Commissioner Bonita Bigham



Commissioner Sue Piper

6 April 2022

## 12. Public Excluded Business

### RESOLUTION TO EXCLUDE THE PUBLIC

#### Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

That:

1. The public be excluded from the following part of the proceedings of this meeting, namely:

#### **PUBLIC EXCLUDED BUSINESS**

Item 12.1 22-37 Waingake Transformation Programme 29% Reforestation Report

2. This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole of the relevant part of the proceedings of the meeting in public are as follows:

Item 12.1 7(2)(j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).