

AGENDA



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MEMBERSHIP: 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.

COUNCIL

DATE: Thursday 31 March 2022

TIME: 9:00AM

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

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Council

Chairperson:	Mayor Stoltz
Deputy Chairperson:	Cr Wharehinga
Membership:	Mayor and all Councillors
Quorum:	Half of the members when the number is even and a majority when the number is uneven
Meeting Frequency:	Six weekly (or as required)

Terms of Reference:

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body which includes:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
4. The power to adopt a Long Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.
7. The power to adopt a remuneration and employment policy.
8. Committee Terms of Reference and Delegations for the 2019–2022 Triennium.
9. The power to approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
10. The power to approve or amend the Council's Standing Orders.
11. The power to approve or amend the Code of Conduct for elected members.
12. The power to appoint and discharge members of Committees.
13. The power to establish a joint committee with another local authority or other public body.

14. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.
15. Make those decisions which are required by legislation to be made by resolution of the local authority that are not listed in 1-14 above.
16. Consider any matters referred to it from any of the Committees.
17. Authorise all expenditure not delegated to staff or other Committees.

Note: for 1-7 see clause 32(1) Schedule 7 Local Government Act 2002 and for 8-13 see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and section 34A of Resource Management Act 1991

3.1. Confirmation of non-confidential Minutes 24 February 2022

MINUTES

Draft & Unconfirmed



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MEMBERSHIP: 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.

MINUTES of the GISBORNE DISTRICT COUNCIL

Held via Audio Visual Link on Thursday 24 February 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 and Terry Sheldrake.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines David Wilson, Director Internal Partnerships James Baty, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Democracy & Support Services Manager Heather Kohn and Committee Secretary Jill Simpson.

The meeting commenced with a prayer.

Secretarial Note: Crs Burdett and Seymour attended the meeting in the Council Chambers.

1. Apologies

MOVED by Cr Wharehinga, seconded by Cr Hughes

That the apology from Cr Worsnop be sustained.

CARRIED

2. Declarations of Interest

There were no interests declared.

3. Confirmation of non-confidential Minutes

3.1 Confirmation of non-confidential Minutes 27 January 2022

MOVED by Cr Akuhata-Brown, seconded by Cr Faulkner

That the Minutes of 27 January 2022 be accepted.

CARRIED

3.2 Action Sheet

Item 11.3 Budgets for Stage 1 and Stage 2 of Wastewater Treatment Plant: This will be provided at the Wastewater Management Committee on 26 May 2022.

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 22-14 Resource Management Reform - Feedback on Engagement Material

Jo Noble attended and answered questions of clarification:

- Concern that the new system could create more complexity for Council. The solutions found to the issues that other regions are facing could impose a greater burden on Council.
- Ongoing engagement with iwi and hapu has occurred through the Tairāwhiti Resource Management Plan programme and the Freshwater Planning Programme. Ministry for the Environment are also engaging with iwi and Maori at a number of different layers, so they have input into the process and the ability to feedback through their own mechanisms. Also need to ensure the tone reflects that we are not speaking for Maori but that we are speaking to our experience of working with iwi and hapu in our region on planning and policy processes.
- The regional boundary for Tairāwhiti will remain as is in the Resource Management Reform.
- Concern that the aim of making things easier seems to be getting lost.
- It is difficult to identify what the reforms will mean to our region as they are so generic.
- In relation to the establishment of the Joint Committees, te Tiriti could be used however there could also be other requirements from the Act that go beyond that.

- The Objectives of the Reform were considered by the Select Committee. The direction the Reform seems to be taking is that the natural planning framework will help to resolve the possible conflicts. This framework is still in the development stage.
- In terms of getting the legislation ready, Ministry for the Environment are putting in a lot of effort and resources into this and timelines should be met. A long transition period for the implementation will be required and could be up to 10 years.

MOVED by Cr Dowsing, seconded by Cr Hughes

That the Council:

1. Approves the submission to the Ministry for the Environment, subject to amendment and further contributions from Council.

CARRIED

10.2 22-20 Statement of Intent - Pursuing the Return of Tokomaru Bay Foreshore

Senior Advisor Maori Focus Te Rina Whaanga attended and answered questions of clarification:

- Paragraph 25 of the report requires slight amendment.
- Council is an interested party in the proceedings so will be advised as to the outcome. The Statement of Intent gives the commitment of Council, the High Court will determine customary rights and interests.
- Kaupapa was initiated by Nga Hapu o Tokomaru Akau (NHoTO), however they are unlikely to be the body that receives the land. This is due to the process under the PWA particularly the obligations on Council to return to former owners or their successors. The former owners could be the whanau within NHoTA or Ruataupare hapu who are represented by NHoTO. The Court will not determine who receives the land or the new titles to the land once these are established, they are concerned with the marine and coastal area. This is about the land abutting the marine and coastal area.
- Budget could fall into the 2022-23 financial year. Part of Council's to do list will be to look at the anticipated cost relative to the number of titles involved.

MOVED by Cr Wharehinga, seconded by Cr Dowsing

That the Council:

1. Approves the statement of intent for public release.

CARRIED

10.3 22-26 Supplementary to 21-256 Confirmation of the 2022 Council and Committee Meeting Schedule

MOVED by Cr Dowsing, seconded by Cr Wharehinga

That the Council:

1. Adopts the amended Council and Committee meeting schedule for 2022 (Attachment2).

CARRIED

11. Public Excluded Business

Secretarial Note: These Minutes include a public excluded section. They have been separated for receipt in Section 11 Public Excluded Business of Council.

12. READMITTANCE OF THE PUBLIC

MOVED by Cr Dowsing, seconded by Cr Akuhata-Brown

That the Council:

1. re-admits the public.

CARRIED

13. Close of Meeting

There being no further business, the meeting concluded at 10.45am.

Rehette Stoltz
MAYOR

3.2. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
30/09/21	11.1	21-194 2020/21 Annual Report and Summary	Completed	Provide an update to the Operations Committee regarding the Tokomaru Bay Playground.	De-Arne Sutherland	14/02/2022 De-Arne Sutherland Gifting and installation of play equipment at Hatea a Rangī school providing for community use is nearly complete. Will provide verbal update at Council meeting on 24 February 2022.	15/03/22
13/12/21	17.1	Additional Action Items	In progress	Council to be provided with information and timeframes around the number of buildings that still require earthquake strengthening.	Helen Montgomery, Ian Petty	15/03/2022 Denise Williamson Ian Petty will send an email on this to councillors. Any questions to be emailed back through Democracy Services team.	01/02/22
13/12/21	17.4	Additional Action Item	In progress	Chief Executive's Activity Report: Provide an update report on play options for E-Tu Elgin following meetings with Sport Gisborne Tairāwhiti.	Tyler Kirk	14/02/2022 Tyler Kirk A report will be presented to 9 June 2022 Operations Committee on play options for E-Tu Elgin.	17/05/22

10. Reports of the Chief Executive and Staff for DECISION



22-52

Title: 22-52 Appointment of Trustees to Gisborne and Districts War Memorial Trust

Section: Democracy & Support Services

Prepared by: Donna Shaw - Executive Advisor to the Mayor

Meeting Date: Thursday 31 March 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to alert Council to the existence of and the need to appoint trustees to the Gisborne and District War Memorial Trust.

SUMMARY

For some time, there has been a lack of clarity as to the ownership and management of the Gisborne Returned Services Association (Incorporated) (RSA) land and buildings in Bright Street.

Investigation by the RSA's lawyers (Grey Street Legal) and Council staff in 2021 found that in 1945 when the RSA building was built, a trust was set up to manage it – the “Gisborne and District War Memorial Trust” (the Trust).

Purpose of the Trust

The Trust Deed dated 30 October 1945 (**Attachment 1**) provides for the following (this is not the exact wording from the deed):

The premises (land and buildings) were vested in the Trust. Once built, the day-to-day control and management of the premises sits with the RSA, however all decisions regarding the land, building and its use are to be made by the Trust.

Clause 11 of the Deed provides:

- the premises are to be held for the purpose of providing, establishing and maintaining a service or community centre (in the nature of a hall, club rooms and amenities), to be for the benefit of ex-servicemen and ex-servicewomen who meet the criteria of membership eligibility of the RSA.
- a successor to the RSA can take over the premises or the RSA can merge with another association as long as the Trustees are satisfied that they are capable of managing, controlling and financing the same, and economically has need and use for the same for the benefit of a reasonable number of ex-servicemen and ex-servicewomen.
- if and when the Trustees, with the consent and approval of the RSA, decide that there is no longer any or insufficient need for such a centre to warrant its continuance for its original purpose, or that it is unable to pay its way, or has ceased to fill a useful need in the community (such decision to be in writing and signed by not less than three Trustees) then it will be held in trust for the Citizens of the District by Council having regard for the benefit and interest of the residents in the District.

Our recent investigations also found that most of the documentation relating to the Trust has been lost or destroyed. The only remaining documentation is:

- a scanned copy of an Application for Incorporation from 1994, which includes the original Trust Deed;
- a deed from 1994 confirming Opotiki District Council relinquished all rights to the land and buildings – required due to the change in Local Government boundaries;
- and a form from the Companies Office in 2005 asking if the Trust was still operating.

The Companies Office form was completed by the then Secretary of the RSA and returned indicating that the Trust was no longer operating and should be removed from the register. This person did not have the authority to make that decision as per the Trust Deed, which requires trustees to make such decisions, and the Companies Office did not act upon receipt of the form, so it is still registered.

Need to appoint new trustees

Grey Street Legal has advised that all trustees named on the most recent documentation – the Application for Incorporation dated 24 August 1994 – are deceased, so the Trust Deed and its provisions remain in place but the Trust itself is not operational at this time.

The RSA has requested that Council engages with them as required in the Trust Deed, to appoint the required trustees so that appropriate decisions on the use and management of the premises can be made now, and into the future.

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 Council:

- 1. Agrees to follow the appointment process as outlined in the Gisborne District Council Board Appointments and Remuneration Policy, to appoint the required trustees to the Gisborne and District War Memorial Trust, noting that the appointment of 1 trustee must be made jointly with the Gisborne Returned Services Association.**
- 2. Agrees that Council will pay for advertising of the positions and provide administrative support for the process.**
- 3. Instructs the Chief Executive to use best endeavours to carry out the appointment process to enable appointments to be made at the 23 June 2022 Council meeting.**

Authorised by:

Rehette Stoltz Mayor

Keywords: The Gisborne and District War Memorial Trust, appointment, trustees,

BACKGROUND

1. The requirements for appointing trustees in the Trust Deed are:
 - **Clause 4:** The parties hereto agree that the premises shall be under the control of and vested in a Board of Trustees known as "The Gisborne and District War Memorial Trustees".
 - It is to consist of five members (all of whom shall be ex-servicemen or ex-servicewomen eligible for membership of the New Zealand Returned Services Association or its successor).
 - **Clause 5:** The Board of Trustees constituting the five persons named in the Trust Deed, shall hold office without further election or appointment for life, unless and until the happening of any one or more noted events, in which case a vacancy will occur. The applicable event that has occurred in this instance is the death of all trustees who last held office.
 - **Clause 6:** A vacancy shall be filled by the party that appointed the trustee whose office has been vacated.
2. The 5 trustees were originally nominated as follows:
 - 1 trustee by the Borough of Gisborne
 - 1 trustee by the five Counties (Cook, Waiapu, Waikohu, Uawa and Matakaoa)
 - 1 trustee by the Waiapu Returned Soldiers Trust Estate (the Waiapu Trust)
 - 2 trustees by the Gisborne RSA.
3. The borough and the five counties are now Gisborne District Council (Council).
4. The Trust Deed states that if the Waiapu Trust no longer exists then its trustee should be appointed by the five counties (GDC), the Borough (GDC) and the RSA jointly and unanimously. The lawyers for the RSA (Grey Street Legal) have been unable to locate the Waiapu Trust Deed and advise it is likely that it does not exist any longer. Accordingly, the five new trustees should be appointed as follows:
 - 2 by GDC
 - 2 by the RSA
 - 1 by the RSA and GDC (jointly and unanimously).
5. **Clause 7:** There is no remuneration paid to trustees. The trustees shall meet at least annually.
6. The Council's "Board Appointments and Remuneration Policy" (the Policy) (**Attachment 2**) applies in this instance, as the Trust meets the definition in the Policy of an 'Organisation' (...Council has a voting interest or **the right to appoint a director, trustee or manager...**).
7. As the Trust Deed sets out the criteria on who is eligible to be considered for the positions, their length of appointment, removal as trustees, and remuneration, it takes precedence over the Policy in terms of those provisions. The core requirement is that the candidates must be ex-servicemen or ex-servicewomen eligible for membership of the New Zealand Returned Services' Association or its successor.
8. In all other respects the appointments will follow the provisions of the Policy.

DISCUSSION and OPTIONS

9. As Council is the beneficiary of the Trust (should it ever happen that there is no – or insufficient – need for the 'centre' to continue), it is incumbent on Council to ensure the Trust is active and managing the decisions relating to the land and buildings.
10. The Trust is also required to be active to agree to the transfer of the land and assets, were that situation ever to arise.
11. To ensure consistency of process for all appointments to the Trust, we have proposed to the RSA, and they have agreed, that the appointment process for all trustees will follow that set out in the Policy in section 7: "Appointment Process".
12. Representatives from the RSA Executive will join Councillors in the short-listing and interview processes.
13. The decision on the five trustees can then either be made jointly or, if there is disagreement, can revert to the Trust Deed provisions where the RSA and Council can appoint two each without the need for agreement, and the fifth can be agreed jointly.
14. If Council is not able to appoint the required trustees to run the Trust and therefore needs to amend the Trust Deed provisions or initiate the transfer of the land and buildings, an application would need to be made to the Court.

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: 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: Low Significance

This Report: Low Significance

15. 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

16. There is no requirement for engagement on this matter, as it is just formalising an agreement already in place.

COMMUNITY ENGAGEMENT

17. There is no requirement for engagement on this matter, as it is just formalising an agreement already in place.

CLIMATE CHANGE – Impacts / Implications

18. There are no impacts or implications on Climate Change from this process.

CONSIDERATIONS

Financial/Budget

19. Advertising for trustees is the only direct cost to Council from this process, and it is likely to be under \$500.

Legal

20. Council is required by the Trust Deed to appoint trustees to the Trust.

POLICY and PLANNING IMPLICATIONS

21. There are no policy or planning implications from this process if the Board Appointments and Remuneration Policy is followed as recommended.

RISKS

22. There are no major risks associated with the decisions or matters.

NEXT STEPS

Date	Action/Milestone	Comments
April 2022	Advertise vacancies on the Trust	
May 2022	Shortlist and interview applicants	
23 June 2022	Make appointments of up to 5 trustees	

ATTACHMENTS

1. Attachment 1 - Application for Incorporation 1994 and Original Trust Deed 1945 Gisborne and Districts War Memorial [**22-52.1** - 15 pages]
2. Attachment 2 - Board Appointments and Remuneration Policy-2021 [**22-52.2** - 17 pages]

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Attachment 22-52.1

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IN THE
Trusts



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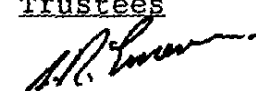
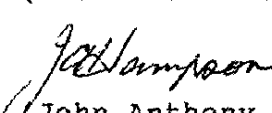
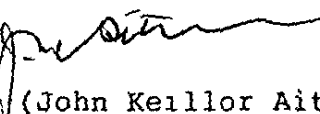
APPLICATION FOR INCORPORATION

ARD

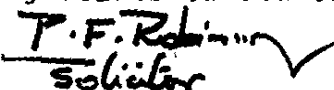
1. We, being a majority of the five trustees for THE GISBORNE AND DISTRICT WAR MEMORIAL TRUSTEES HEREBY APPLY for the trustees to be incorporated as a Board under the provisions of the Charitable Trusts Act 1957.
2. We desire the name of the Board to be "THE GISBORNE AND DISTRICT WAR MEMORIAL TRUSTEES".
3. The registered office of the Board is to be at the offices of the Gisborne Returned Services Association Incorporated, Childers Road, Gisborne - Postal Address P.O. Box 149, Gisborne.
4. We do not act on behalf of any Society incorporated or unincorporated.
5. The following document is attached to this application:-

A true copy of the Trust Deed dated 30 October 1945 creating the aforesaid trust.

DATED this 24th day of August, 1994

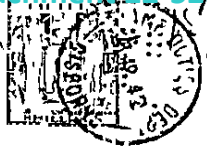
<u>Signatures of</u> <u>Subscribing</u> <u>Trustees</u>	<u>Their respective</u> <u>descriptions</u>	<u>Their respective</u> <u>addresses</u>
1.  (Brian Rex Emerson)	Credit Controller	18 Salisbury Road, Gisborne
2.  (John Anthony Hampson)	Retired	34 Andrew Street, Gisborne
3.  (John Keillor Aitken)	Company Director	124 Stout Street Gisborne

WITNESS to the signatures of all of the above-named applicants:


P.F. Robinson
Solicitor
Gisborne.

MSW

LAND & ...
24 AUG 1974



THIS DEED is made this 30th day of October One thousand nine hundred and forty five BETWEEN THE GISBORNE RETURNED SERVICES' ASSOCIATION (INCORPORATED) a Society duly incorporated under "The Incorporated Societies Act 1908" (hereinafter together with its successors called "the Association") of the first part, THE MAYOR COUNCILLORS AND BURGESSES OF THE BOROUGH OF GISBORNE (hereinafter called "the Borough") of the second part, THE CHAIRMAN COUNCILLORS AND INHABITANTS of the COUNTY OF COOK, of the COUNTY OF WAIKOHU, of the COUNTY OF UAWA and of the COUNTY OF LATAKOA (all hereinafter collectively referred to as "the five Counties") of the third part and REGINALD FRANK GIBRILL of Gisborne, Solicitor, JAMES LEGGAT of Gisborne, Rector of the Gisborne High School, IRVING JAMES WIGLEY of Gisborne, Company Manager, SIDLEY THOMAS GRAY of Waiohika, sheepfarmer and JULIET MARY ILLIUS of Turihaua, Gisborne, Spinster (all hereinafter collectively and together with their successors in office called "the Trustees") of the fourth part WHEREAS the Association being desirous of providing for the use of its members a "Services' Centre" in the Borough of Gisborne comprising a social hall, Offices and Club room premises has by its own efforts raised and collected a sum of money in excess of ten Thousand pounds and was about to proceed with the erection of such premises in materials of light construction sufficient in the estimation of the Association to provide for the reasonable needs of the Association for the next fifty years AND WHEREAS the conclusion of Hostilities in Europe having been reached and the campaign against Japan being expected to reach its conclusion within a reasonable time the Association considering that the question of a fitting memorial to the Fallen in the war against Germany and Japan should now receive attention did decide in general meeting on Anzac Day 1945 to combine with its services' centre proposals such a memorial and accordingly has submitted to the Borough and to the five Counties and in addition to The East Coast Provincial Patriotic Council its proposals with tentative sketch plans (both ground plan and perspective) for approval as a memorial to the Fallen of the District embracing the area of the East Coast of New Zealand now comprising the said five counties with all town districts within the same and the Borough of Gisborne (hereinafter referred to as "the said District") AND WHEREAS all of such last mentioned bodies have given their unqualified approval of the proposals both that the proposed buildings should be duly dedicated as a fitting Memorial to the Fallen and that the design should follow the sketch plans submitted and the purpose thereof should be as hereinafter set forth AND WHEREAS the Association now desires that the premises should be of a more permanent type of construction and be available if and when the need for a

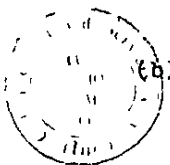
This is the true copy Trust Deed dated 30 October 1945 referred to in our attached application for the incorporation of the trustees as a Board under the Charitable Trusts Act 1957

John Thompson
John Thompson

Returned Services' Association no longer exists for use by the Borough and the five Counties as a civic centre or other public amenity as the said the Borough and the five Counties shall from time to time decide upon AND WHEREAS the change in type of construction and the incorporation of the Memorial has greatly increased the estimated cost of the premises which now stands at not less than twenty Thousand Pounds exclusive of the cost of the site thereof and in order to raise the necessary additional funds for the erection of the premises the Association with the concurrence of all parties to these presents intends immediately to appeal to the public for donations and otherwise to get about the raising of the necessary funds to the intent if possible that the premises when dedicated as the Memorial aforesaid shall be free of debt and whereas the bulk of the moneys now in the hands of the Association have been contributed by members of the Association or raised by their efforts (save and except that a contribution of Four thousand Pounds has been made by THE WAIAPU RETURNED SOLDIERS' TRUST ESTATE being a private trust established in 1917 by Thomas Sydney Williams, Heathcote Beetham Williams, Kenneth Stuart Williams and Arnold Beetham Williams all of whom were then resident and were sheepfarming in the said District for the benefit of Returned Servicemen and women from the war of 1914 - 1918 very many of whom will benefit as a result of the provision of the said Services' Centre (which estate is hereinafter referred to as "the Waipuu Trust") AND WHEREAS as it is anticipated that a large portion of the moneys yet required will be donated by the public generally as distinct from members of the Association and as the premises when formally dedicated as and for a Memorial to the Fallen should become the property of the citizens and inhabitants of the said District as public property and that the use management and control thereof should be duly regulated the Association has agreed with the Borough and the said five Counties to cause to be vested the lands recently paid for by the Association (but to which the Association has not yet taken title) in the Trustees for the public purpose of a War Memorial and such additional public purpose or purposes that may hereafter be referred to or provided for in these presents and has further agreed to donate and make available for the purpose of the erection of the said Memorial all moneys (being a sum in excess of ten Thousand pounds as aforesaid) which the Association now holds in its building fund account in consideration of the rights and privileges hereinafter reserved to the Association in relation to the premises AND WHEREAS it was a consideration for the grant of Four thousand Pounds as aforesaid towards the Association's building fund by the Waipuu Trust that the said the Waipuu Trust should be represented on the Board of Trustees or other governing body set up by the Association to govern and control its then projected premises by one trustee or member at all times AND WHEREAS it is

desirable that the first Trustees should be appointed by these presents and that they should hereby declare the trusts whereon they hold and will hold the premises AND FURTHER that the Borough and the Five Counties do agree with the Association upon the terms upon and subject to which the Association now donates for public purposes as aforesaid to such bodies the lands being the site of the proposed buildings and hereinafter more particularly described and the said sum of money being a sum in excess of Ten thousand pounds which the Association now has NOW THEREFORE THIS DEED WITNESSETH and it is hereby agreed and declared by and between the parties hereto as follows that is to say:

1. Contemporaneously with the execution of these presents or prior thereto the Association will cause to be vested in the Trustees for an estate in fee simple free from encumbrances the site for the proposed Memorial being ALL THAT piece or parcel of land situate in the Borough of Gisborne having a frontage to Childers Road as well as to Bright Street containing ONE ROOD TEN AND NINE TENTHS PERCHES (0 acres 1 rood 10.9 perches) be the same a little more or less being part of SECTIONS NUMBERED EIGHTY FOUR (84) and EIGHTY FIVE (85) on the Public map of the Town of Gisborne and being the whole of the land comprised and described in Certificates of title Volume 38 Folio 104 and Volume 38 Folio 82 Gisborne registry.
2. The Association will forthwith proceed to make a public appeal for funds and otherwise set about raising the funds required to erect the said Memorial and the Borough and the Five Counties will support the Association in the making of such appeal and the raising of such funds.
3. As soon as the Association shall have in hand (together with the moneys now remaining in its Building fund as aforesaid) the sum of Fifteen thousand pounds (£15,000) the Association will proceed to call public tenders for the erection of the buildings as aforesaid to constitute such Memorial and thereafter to proceed with the erection thereof such premises to be substantially of the type and design of the sketch plans already submitted by the Association and shall prosecute such work to its completion and if necessary may borrow moneys upon the security of the premises for such purpose.
4. The parties hereto agree that the premises shall be under the control of and vested in a Board of Trustees to be known as "The Gisborne and District War Memorial Trustees" to consist of five members (all of whom shall be ex-servicemen or ex-servicewomen eligible for membership of the New Zealand Returned Services' Association or its successor while such Association shall exist and function through a local branch established in Gisborne) and such Board of Trustees is hereby duly constituted and set up in manner following that is to say:-
 - (a) The Borough hereby appoints the said Irvine James Wigley to be its Trustee.
 - (b) The five Counties jointly hereby appoint the said Sidney Thomas Gray to be their Trustee.



- (c) The Waipapu Trust having nominated the said Janet Mary Williams to be its Trustee the parties hereto do hereby jointly accept the said Janet Mary Williams to be the trustee representing the Waipapu Returned Soldiers' Trust Estate.
- (d) The Gisborne Returned Services' Association hereby appoints the said Reginald Frank Gambrell and James Leggat to be its Trustees.

5. The Board of Trustees constituting the five persons hereinbefore appointed in Paragraph 4 hereof shall hold office without further election or appointment for life unless and until the happening of any one or more of the following events in which case the person (being a Trustee) so effected shall cease to hold office and a vacancy in the said Board shall occur that is to say:

- (a) Upon a trustee resigning his or her office in writing addressed to the Board of Trustees and upon the acceptance thereof by the said Board.
- (b) Upon the death of a trustee.
- (c) Upon attaining the age of 72 years.
- (d) If the Trustee becomes bankrupt.
- (e) If the Trustee becomes of unsound mind or becomes a protected person under the Aged and Infirm Persons Act 1912.
- (f) Ceases permanently to reside in the said District.
- (g) Is absent from three consecutive meetings of the Board of Trustees without leave of absence duly obtained.
- (h) Leaves New Zealand for any extended period not being less than six months without leave of absence.
- (i) Upon the final handing over by the Trustees to the Borough and the five Counties of the Trust Property.

6. Upon the happening of any vacancy in the Board of Trustees such vacancy shall be filled by the party hereto which appointed the trustee whose office has been vacated giving rise to the vacancy in question. In the case of the Waipapu Trust the Trustees thereof for the time being shall appoint the successor to the said Janet Mary Williams and other the successors from time to time of such successor PROVIDED HOWEVER that should the said the Waipapu Trust have been wound up and no longer subsist when a vacancy occurs which vacancy it would otherwise fill then the Borough the five Counties and the Association shall jointly appoint a Trustee to fill that vacancy and succeeding vacancies in the same line such appointment to be a unanimous one all three bodies being in agreement thereon.

7. The Board of Trustees shall elect its own chairman. No business shall be transacted at any meeting unless a quorum is present. Three members personally present shall constitute a quorum. Where necessary to obtain decision the Chairman shall have a casting vote. No remuneration shall be paid to any trustee for his or her services. All meetings of the Trustees shall be held in Gisborne. The Trustees

will meet at least once annually in general meeting and as often in addition in each year as

- (a) The Chairman shall call them together of his own volition, or
- (b) On request made in writing to the Chairman by any two trustees requisitioning a meeting for a specific purpose to be named in the request, or
- (c) On request made in writing to the Chairman by any one of the bodies for the time being entitled in expectancy to make an appointment of trustees or a trustee.

The Secretary for the time being of the Returned Services' Association or failing him some person to be appointed by the Trustees to act in an Honorary capacity shall act as Secretary to the Board of Trustees. The Board of Trustees may from time to time prescribe such further regulations governing the conduct of their business as in its discretion it may think fit and proper.

8. The duties of the Board of Trustees shall be as follows:-

- (a) Within the powers conferred upon by these presents to perform and exercise all acts and duties and fulfil all the obligations of ownership of the said lands and all buildings and property vested in them.
- (b) To regulate and oversee the conduct and management of the premises and each and every part thereof.
- (c) While the premises shall be and remain in the occupation of the Association or its successor in terms of paragraph 10 hereof to consider and if thought fit to approve or to amend the by-laws or rules from time to time to be submitted to them for such approval governing the use and occupation by the Association its members or licensees of the premises and each and every part thereof.
- (d) To ensure that the conduct and management of the premises by the Association or any other licensee lessee or tenant and any claiming through or under the Association licensee lessee or tenant as aforesaid is of a proper standard having regard to the nature of the premises, the fact that it is a Memorial, the purposes for which the buildings may be used and the dictates of good order morality and decorum and the care protection and preservation of the premises generally, and for the purposes of enabling them to perform these duties the Trustees as a Board and each of them as an individual shall be at liberty at all times to enter into and upon the premises and each and every part thereof whether or not any function is in progress and to inspect the same and all or any appointments therein.
- (e) To hold the said premises upon the trusts hereinafter declared by them and if and when the same shall become necessary to transfer and deliver the premises to the Borough and the Five Counties on the termination of their trusts.

The power of the Trustees shall be and they are accordingly hereby



empowered to do all or any of the following acts deeds matters and things that is to say:-

- (a) To do all things requisite or necessary or by them considered requisite or necessary for the care preservation repair and safeguarding of the premises and each and every part thereof.
- (b) To delegate the powers conferred upon them by paragraph (a) hereof to the Association or its successor should the trustees in their discretion deem this necessary or advisable or desirable and particularly in terms of paragraph 10 hereof.
- (c) To let on lease or otherwise the premises or any part or parts thereof on such terms at such rental and for such period or periods as the trustees shall determine PROVIDED HOWEVER that before letting the premises or any part thereof for any period the consent of the Association shall first be obtained (if the Association shall then be in existence and functioning in Gisborne) and before letting the premises or any part thereof for any period longer than two weeks that the consent of the Borough and the five Counties shall also be obtained.
- (d) To borrow moneys upon the security of the premises or any assets vested in them as such trustees but only for the purposes of maintaining preserving reinstating enlarging altering rebuilding or improving the same or some part or parts thereof or for acquiring lands adjoining the trust lands and then only with the consent of the Association, the Borough and the five Counties first had and obtained provided that no person or body corporate or otherwise lending money upon the security of the premises once the consents aforesaid have been obtained shall be bound or concerned to see to the application of the moneys as borrowed.
- (e) To insure and keep insured the said premises against loss or damage by fire, earthquake, fire following earthquake or any other risk against which insurance may be had and which in the opinion of the trustees the premises should be insured against and in their discretion to dispense with all or any of such insurance.
- (f) To exercise all or any of the powers for the time being exercisable by trustees or vested in trustees in accordance with or by "the trustees Act 1908" or any statutory modification amendment or re-enactment thereof for the time being in force and if and whenever necessary to apply to the Supreme Court of New Zealand for any such powers or any further powers which such Court may be empowered to grant or consent to.
- (g) SUBJECT ALIENS to the approval of the Supreme Court of New Zealand and with the unanimous consent of the Association, the Borough, the five Counties and the representative for the time being of the Waipapu Trust (or such of them as may for the time being be in existence at the time thereof) all first had and obtained and on

in witness
The 30/75

the unanimous resolution of all Trustees to sell all or any part or parts of the real property for the time being forming the trust property or part thereof PROVIDED ALWAYS that the proceeds of any such sale or sales shall be held by the trustees upon the same trusts (mutatis mutandis) as those upon which the property so sold was held immediately prior to the sale thereof and PROVIDED FURTHER that in the case of personal property the Trustees shall have the ordinary and usual powers of sale which for the time being may be requisite or necessary in the opinion of the trustees for the benefit of the trust and its property generally.

10. Following the completion by the Association of the Memorial in accordance with the provisions of paragraph 3 hereof:

- (a) The Trustees will hand over to the Association the control and management of the premises and each and every part thereof (subject always to the rights of entry and inspection hereinbefore reserved to the Trustees) and the Association shall thereupon become personally liable to the trustees for the performance of all duties and obligations on the part of the trustees as to the care management and preservation maintenance and upkeep of the premises and be liable for all outgoings in relation thereto of what nature or kind soever as if the Association were the absolute owner thereof and the Trustees shall be under no liability or obligation in relation to the trust premises other than to see to the proper conduct and management thereof in an orderly and decorous manner exercise its powers of supervision veto or approval of the by-laws for the time being proposed or in force relating to the use and occupation by the Association of the premises but the trustees may nevertheless exercise all or any of such powers rights duties or obligations if they think fit and the Association will at all times make available to the trustees all information which the trustees may reasonably require to enable them fully and ably to supervise the trust property and premises to see to the preservation and maintenance and the conduct and management thereof.
- (b) The Association will thereafter manage and conduct the premises at its own cost and expense in all things as and for an ex-servicemen's and Ex-servicewomen's and/or Servicemen's and Servicewomen's Centre providing the facilities envisaged in the plans and specifications thereof finally adopted for the benefit of all persons who for the time being would be entitled to membership of the Returned Services' Association according to the rules thereof with or without change as the Association may (with the consent of the Trustees impose or dispense with) and for such other or others members of the public as the Association may from time to time in its discretion desire to admit thereto but always subject to the consent of the trustees first had and obtained which consent except in the case of ex-servicemen or

- ex-servicewomen as aforesaid the trustees may revoke at pleasure.
- (c) The Association will not make allow permit or suffer to be made any structural alterations to the premises or any part or parts thereof without the consent of the trustees in writing first had and obtained which consent may be arbitrarily refused or granted subject to conditions as the trustees deem fit.
- (d) The Association will at all times comply with the reasonable requirements of the trustees relating to its occupation and use of the premises and will as and when the same become reasonably necessary paint decorate or otherwise tidy clean renovate and treat both the interior and exterior of the premises in a proper and workmanlike manner and with the approved materials and in colour and design to be approved by the trustees.
- (e) The Association while it shall remain in occupation and control of the premises repair and keep in repair the whole of the premises both interior and exterior and so that its liability shall be that as of an owner and not as a tenant and to the satisfaction of the trustees and when called upon by the trustees so to do will forthwith carry out do perform and execute all such repairs and renovations as may be reasonably necessary or required to be done for the preservation of the premises all at the sole cost and expense of the association.
- (f) The Association will trim keep and care for all garden plots and other improvements surrounding the buildings upon the premises and keep the exterior grounds and buildings at all times in such condition that they shall at all times be in keeping as a memorial to the Fallen.
- (g) The Association will pay all rates taxes and other charges which may legally be levied rated charged or imposed in respect of the premises and of the ownership thereof as well as of a tenancy thereof duly and punctually and as and when the same shall become due and be payable
- (h) The Association shall be at liberty to sublet for periods not exceeding one week in duration at any one time and so that at no time shall the premises or any part thereof be let in successive weeks to the same tenant for more than two weeks in any one calendar month without the consent of the trustees first had and obtained the whole or any part or parts of the premises at such rental and subject to such conditions as the association may impose and may retain the rentals for its own purposes PROVIDED HOWEVER that the Association shall have no greater power than the Trustees shall have and that in no circumstances shall the premises be let or otherwise made available for any disgraceful disreputable, immoral, blasphemous or subversive purpose.

11. The Trustees do hereby jointly and severally declare that they hold and hereafter will hold the said lands and the buildings and erections thereon (when erected) and all personal property therein purchased or acquired by the Trustees or for the time and any other lands that may hereafter be acquired by the Trustees or vested in them for the purpose of the trust hereby evidenced and all moneys arising therefrom or from the sale thereof and any other property real or personal for the time being forming part of the Trust premises and which may come into the hands of the Trustees (all hereinafter referred to as "the Trust Property") UPON TRUST for the purpose of providing establishing and maintaining a service or community centre (in the nature of a Hall, Club Rooms and amenities) for the benefit of Ex-servicemen and Ex-servicewomen of the Empire and its allies in any war resident for the time being in New Zealand who would be entitled in accordance with the rules for the time being in force of the Gisborne Returned Services' Association (Incorporated) or its successor should that Association be replaced or merged with any other association to membership of that association whether members or not under rules to be made from time to time by the Trustees for as long as the Trustees are satisfied that the Gisborne Returned Services' Association (Incorporated) or its successor as aforesaid is in existence and is capable of managing, controlling and financing the same and economically has need and use for the same for the benefit of a reasonable number of ex-servicemen and ex-servicewomen and desires that the same shall be maintained and used as and for such services or community centre and if and when the Trustees with the consent and approval of The Association (if it be then in existence) and of the Borough and the five Counties decide that there is no longer any need for or insufficient need for such a centre to warrant its continuance as such for its original purpose or that as such it is unable to pay its way or has ceased to fill a useful need as such in the community (such decision to be in writing and signed by the Trustees or not less than three of the Trustees) then UPON TRUST for the citizens of the Borough of Gisborne and the inhabitants of the said five Counties and the town districts within those Counties for such public purpose as the Borough and the five Counties or other the local governing body or bodies for the time being administering the civic affairs of the area comprising the Borough of Gisborne and the aforesaid five Counties shall thereupon decide and agree upon or thereafter from time to time may agree upon having regard to the benefit and interest of the community resident in such Borough and Counties and on request there after by the said Borough and five Counties to transfer assign and deliver to the Borough and the five Counties all the trust property to be held by them in trust for such purpose or purposes.

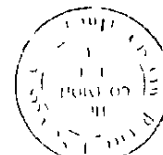
12. It is hereby agreed and declared by and between the parties hereto that should any dispute doubt or difference arise between any one or more

of the parties hereto touching the interpretation of these presents or the administration of the trusts hereby declared or the rights of any party to these presents in relation to the trust property or between the Trustees and the Association relative to the rules and conditions under which the Association shall be entitled to use occupy and enjoy the property or any part or parts thereof (and whether as to interpretation thereof or reasonableness thereof or otherwise) the same shall be submitted to and decided by arbitration to be conducted under the provisions of "the Arbitration Act 1908" or any act for the time being amending or in substitution for that act and these presents shall be deemed to be a submission to arbitration accordingly and at every such arbitration each party to the dispute shall be entitled to appoint one arbitrator and the arbitrators before entering upon their arbitration shall appoint their umpire and in the event of disagreement between the arbitrators then the decision of the umpire shall be final PROVIDED HOWEVER that nothing herein contained shall apply to the decision of the trustees referred to in paragraph 10 hereof and should any of the parties hereto consider that the Association has insufficient use and need for the trust premises or is in fact not making reasonable use thereof or is conducting the same in a disorderly or disgraceful manner or is unable financially to continue to maintain the premises or should the trustees decide that the time has arrived when they should make their decision to the effect that thereafter the trust property should revert to the Borough and the five Counties and one or other of the bodies required to consent thereto refuse such consent then such party shall be entitled to apply to the Supreme Court of New Zealand for such relief in the premises as the said Court may be able and willing to grant and it shall be competent for the said Court in addition to any other powers it may have in that behalf to order that the trustees make their decision or to dispense with the need for the consent of any party hereto to such decision.

13. The Trustees shall at all times be entitled to indemnification out of and to resort to the trust property in respect of any personal liability which they or any of them may incur by virtue of his or her office as a trustee hereunder PROVIDED THAT the liability does not arise out of any wilful act neglect or default for which he or she could be held personally liable as against the trust and each trustee and his estate shall be and at all times be indemnified against all such liability.

IN WITNESS WHEREOF these presents have been executed the day and year firstly hereinbefore written.

THE COMMON SEAL of the Gisborne
Returned Services' Association
(Incorporated) was hereunto affixed)
pursuant to a resolution of the)
Executive Committee of the said)



Association by *Gomer Bradley-Smith* and *Alfred Hampton Barwick*)
two of the members of the said)
Executive Committee in the presence)
of .-



S. Bradley-Smith)
A. Barwick) Members

A. Hamney secretary to the said Association.

THE COMMON SEAL of the Mayor,)
Councillors and Burgesses of the)
Borough of Gisborne was hereunto)
affixed pursuant to a resolution of)
the Gisborne Borough Council by)
Noel Henry Bull)
and *Herbert Norman Do Costa*)
two of the members of the said)
Council in the presence of :

Noel Henry Bull)
Herbert Norman Do Costa) Members

W. J. Jenkins Town Clerk.

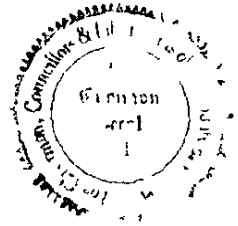
THE COMMON SEAL of the Chairman,)
Councillors and inhabitants of the)
County of Cook was hereunto affixed)
pursuant to a resolution of the Cook)
County Council by *Edward Harold Butler*)
and *William Frederick*)
Richard Graham)
two members of the said Council in)
presence of



E. H. Butler)
W. F.) Members

F. J. Robinson County Clerk.

THE COMMON SEAL of the Chairman,)
Councillors and inhabitants of the)
County of Waikato was hereunto)
affixed pursuant to a resolution of)
the Waikato County Council by *George*)
William Wanklyn Williams)
and *Thomas George Robert Richard*)
two members of the said Council in)
the presence of



George W. Williams)
S. R.) Members

A. County Clerk.

THE COMMON SEAL of the Chairman,)
Councillors and inhabitants of the)
County of Waikato was hereunto)
affixed pursuant to a resolution of)
the Waikato County Council by)
George W. Williams)
and *Thomas George Robert Richard*)
two members of the said Council in)
the presence of



George W. Williams)
Thomas George Robert Richard) Members

George W. Williams County Clerk.

THE COMMON SEAL of the Chairman, Councillors and Inhabitants of the County of Uawa was hereunto affixed pursuant to a resolution of the Uawa County Council by Edward J. Irving and Charles Bruce Brooks and two members of the said Council in the presence of :



Edward P. Irving)
C. E. Smith) Members.

..... County Clerk.

EXECUTED for and on behalf of the Chairman Councillors and Inhabitants of the County of Tairāpapa by the Commissioner duly appointed pursuant to the provisions of Section 10 of the Local Legislation Act 1932-1933 in the presence of .

..... Commissioner.
..... County Clerk.

SIGNED by the said Reginald Frank Gambrell in the presence of .

J. Burchmally
Accountant Gisborne

R. F. Gambrell

SIGNED by the said James Leggat in the presence of .

M. R. Maunde
Solicitor
Gisborne

J. Leggat

SIGNED by the said Irvine James Quigley in the presence of :

I. B. Quigley
Solicitor
Gisborne.

I. J. Quigley

SIGNED by the said Sidney Thomas Gray in the presence of

S. T. Gray
Solicitor
Gisborne

S. T. Gray

SIGNED by the said Janet Mary Williams in the presence of .

R. E. Gambrell
Solicitor
Gisborne

J. M. Williams



COPY DEPOSITED in the
Land Registry Office, Gadsden,
1 day of July 1955,
10 SA check No 2063

W. J. ...
HR

DATED 26 October 1955

1955

THE GADSDEN BARRICKS AND
ASSOCIATION (INCORPORATED)

1st Part.

THE GADSDEN BARRICKS AND
ASSOCIATION (INCORPORATED)

2nd Part.

THE COOK, LAURENCE, ALICE,
AND A. D. ALVAZCO, SONS
SUCCESSIONS.

3rd Part.

P. L. BARBELL & COMPANY

4th Part.

89
4377

TRUST DEED

relative to District of
Memorial and Premises.

7/21/55
WJL

Olson & Skeety,
Solicitors,
Gadsden.

IN THE MATTER of the Charitable
Trusts Act 1957.

AND

IN THE MATTER of an application by a
majority of the trustees of
THE GISBORNE AND DISTRICT WAR
MEMORIAL TRUSTEES for
incorporation of the trustees
as a Board pursuant to the
above Act.

24 AUG 1994

I, BRIAN REX EMERSON of Gisborne, Credit Controller do
solemnly and sincerely declare:

1. That I am one of the subscribers to the
above-mentioned application for incorporation of the
trustees of The Gisborne and District War Memorial
Trustees under Part II of the Charitable Trusts Act 1957.

2. That all of the property held by the applicants and
their co-trustees as trustees of the trust established by
the Deed of Trust of which a true copy is attached to the
application is held on the trusts set out in that Deed and
there is no other document amplifying restricting or
varying such trusts.

AND I MAKE this solemn declaration conscientiously
believing the same to be true and by virtue of the Oaths
and Declarations Act 1957.

DECLARED at Gisborne this 24th)
day of August, 1994,)
before me:)

P.F. Robinson

A Solicitor of the High Court of New Zealand



Board Appointments and Remuneration Policy

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1. Purpose

The purpose of this policy is to set out, in accordance with Section 57(1) of the Local Government Act 2002 (LGA) an objective and transparent process for the:

- a) Identification and consideration of the skills, knowledge and experience required of directors of an Organisation.
- b) Appointment of directors to an Organisation.
- c) Remuneration of directors of an Organisation.

This policy applies to the appointment of directors to Gisborne Holdings Limited and trustees to Trust Tairāwhiti., This policy applies in principle to the appointment of trustees to Eastwoodhill Trust, Tairāwhiti Museum Trust Board, Barrington Miller Trust, and the Walter McLean Trust as the Policy is secondary to their Trust Deed/Act. In the event where other Organisations (see interpretation below) are established, – the policy also applies and should be revised to reflect the new entity as soon as practicable.

2. Interpretation

This policy uses the definitions for Council Organisation, Council Controlled Trading Organisation (CCTO) and Council Controlled Organisation (CCO) described in section 6 of the LGA and summarised here as:

An **Organisation** is the broadest category. For the purpose of this policy - is as an entity in which Council has a voting interest or the right to appoint a director, trustee or manager (however described). This is a wide-ranging definition, covering a large number of bodies, including private trusts where the founding document requires a Council appointment to the governance board. This is aligned with LGA definition of a Council Organisation.

A **Council Controlled Organisation** (CCO) is an entity in which one or more local authorities control 50% or more of the voting rights or appoint 50% or more of the members of the governing body.

A CCO can be a company, trust, partnership, incorporated society, joint venture, or other similar profit-sharing arrangement.

A CCO that operates a trading undertaking for the purpose of making a profit is referred to as a **Council Controlled Trading Organisation** (CCTO). Not-for-profit entities are CCOs.

This policy uses 'Organisation' to refer to all three categories, unless the point is specific to a CCTO, in which case CCTO is used.

3. Policy Objectives

The objectives of this policy are to ensure that:

- a) The process of appointing board members is undertaken in an objective and transparent manner, while protecting individual privacy.
- b) Diversity and inclusion in the boards of Organisations is increased so there is a larger - more diverse - pool of experienced board members serving on boards across the whole Tairāwhiti-Gisborne district.
- c) There is continuity through the smooth succession of board members and board chairs.

And that board appointments:

- Are made on the basis of an assessment of skills knowledge and experience, having regard to the nature of scope of the organisation's objectives and activities.
- Consider the contribution that directors can make to the board as a whole and to the achievement of the organisation's objectives and activities.
- Take into account the context in which Council, as a publicly accountable body, operates.
- Build a diverse pool of experienced board members for Tairāwhiti-Gisborne organisations and companies.

This policy takes precedence when the foundation documents are silent. In the event of a conflict, the respective constitutions or trust deeds of Organisations take precedence over this policy.

Organisations that are companies are also subject to the Companies Act 1993.

There may be circumstances where it's not appropriate to adhere to this policy. Should Council decide not to comply with any provision, the decision should be recorded by way of resolution (which should also include the reason for deviation from the policy).

This policy is subject to annual review and may be modified by Council at any time.

Board diversity and inclusion

Council values and supports the benefits that diversity of gender, thought, experience and skills bring to our Organisation boards. We recognise that increasing diversity and fostering inclusive board culture is an essential element in supporting high performing boards, driving long-term success and delivering better outcomes for the communities of Tairāwhiti -Gisborne.

The people appointed to the boards of Organisations need to be capable of representing the interests of the community as a whole. This includes, but is not limited to Māori – who make up 49 percent of our District's population (the highest proportion in New Zealand) and women – who make up 52 percent.

Through our policy *Tairāwhiti Piritahi: Fostering Māori participation in Council decision-making* we recognise that Tangata whenua have a long historical settlement connection to Tairāwhiti and an equally long-term role in the future planning and decision making for the region.

A diverse board will include and make good use of differences in the skills, experience, perspectives, backgrounds, demographics and other qualities of directors. These differences will be considered in determining the optimum composition of the board and when possible should be balanced appropriately.

All board appointments will be made on the basis of the skills, knowledge and experience which the board as a whole requires to be effective with due regard to the benefits of diversity on the board.

Council is committed to supporting and providing initiatives that:

- lead to an inclusive recruitment and selection process for board appointments
- support a diverse range of aspiring directors to develop skills, knowledge, boardroom experience and to establish relationships and networks
- foster Māori participation in Council decision-making
- build a diverse pool of experienced directors for Tairāwhiti-Gisborne Organisations and companies.

4 Appointments to Organisations

Background

Council has an interest in numerous entities (Appendix One). This may have been sought by Council, or requested by the entity. In some cases, Council's involvement may be a statutory requirement or provided for in the Organisation's founding document (such as a trust deed, rules, or constitution).

This policy applies the principles of good governance to guide the way that Council sets up, operates and monitors Organisations in the Gisborne district, in accordance with the requirements of the LGA.

Gisborne Holdings Limited - CCTO

Council is the 100% shareholder of Gisborne Holdings Limited (GHL). GHL was established as a CCTO for the purpose of operating profitably and providing a non-rates income stream to Council.

GHL is Council's only CCTO as at September 2018.

GHL's constitution contains a number of provisions relating to the appointment of directors. These include the need for there to be at least three and no more than nine directors at any time, and a limit of one director who can be a member or employee of any Local Authority. GHL's constitution prohibits a director from taking up a job at Council as an employee or as Councillor. All other provisions relating to the appointment of directors are included in this policy.

Trust Tairāwhiti - CO

Trust Tairāwhiti (TT) is the custodian of a public wealth trust held for the general benefit of Tairāwhiti residents and ratepayers. It was established on 7 May 1993 through a Trust Deed. The purpose of TT includes *"supporting business, community and other initiatives which - in the opinion of the Trustees - are likely to encourage or sustain economic growth within the district..."*

Council, as the capital beneficiary of TT, has the power to appoint Trustees and the period of time that person is to hold office. TT is Council's only major Organisation.

The Trust Deed is the ultimate document of reference for all activities conducted by TT trustees in pursuing Trust business. It contains a number of provisions relating to the appointment of Trustees. These include the role of Council in fixing the number of Trustees and the requirement that there be at least five and no more than seven Trust members, at any time.

The Trust Deed specifies that the Mayor of Gisborne or an elected member of Council who is appointed by the Mayor is one of the trustees of the Trust. That person (the Mayor, or their Nominee) is the only trustee who is also a currently elected member of Council. They are to remain a trustee until the Mayor leaves office or the nominee resigns.

4.1 Appointment of elected members

Appointment of elected members (Councillors or the Mayor) to an Organisation, while permitted, should be the exception rather than norm. This is because elected members may be unable to participate in Council decision-making on matters about the Organisation because of their interest as a director. The founding document may provide guidance about the circumstances when the appointment of elected members may be appropriate.

If Council wishes to appoint elected members then the appointment must be open and transparent, and subject to the same selection criteria as for independent directors.

Where the Mayor or Councillor is being appointed to a board because it is a specific requirement that the appointee be the Mayor, or a Councillor nominated or appointed by the Mayor (for example the Trust Tairāwhiti Trust Deed), there is an understanding that the appointment will cease:

- In the case of the Mayor- when the Mayor ceases to hold office.
- In the case of the Councillor who is the nominee of the Mayor - when either the Councillor or the Mayor who nominated or appointed the Councillor ceases to hold office.

For the purposes of this policy, a Mayor or Councillor who is not re-elected shall have ceased to hold office on polling day.

A Mayor or Councillor who accepts an appointment to a board is expected to comply with this policy.

4.2 Appointment of Council staff, including Managers and the Chief Executive

Gisborne District Council employees are not normally eligible to apply to be on the board of an Organisation unless there is a compelling reason to do so. Any Council employee applying for a director role on a board should resign from Council immediately following an offer of appointment.

Board members should be independent from management and should not hold executive positions in the Organisation unless this is a requirement of the trust deed or equivalent founding document to do so.

4.3 Other Exclusions

Immediate family members, of elected members, of the Chief Executive, and of second tier managers of the Gisborne District Council are also prohibited from serving as Organisation board members. Board members should not serve on the board of more than one Organisation but may be eligible for appointment to another Organisation board following retirement.

Persons who are disqualified from being appointed or holding office as a director of a company under section 151(2) of the Companies Act 1993 (for example- a person who is an undischarged bankrupt) may not be appointed as a board member to an Organisation.

5. Board Competencies, Skills and Knowledge

Organisation board members are expected to meet a number of core competencies as well as relevant industry, technical, or specialist skills required for that board.

5.1 Core Competencies

The core competencies expected on Organisation boards are:

- sound judgement and decision-making
- commercial acumen
- public service ethos and awareness of a public media profile
- an understanding and commitment to Council's obligation to Te Tiriti o Waitangi
- a high standard of personal integrity
- clear communication and an ability to debate in a reasoned manner
- effective teamwork and collaboration
- the ability to think strategically
- risk assessment and contingency management
- commitment to the principles of good corporate citizenship
- understanding of the wider interests of Council as a publicly accountable shareholder
- experience in governance, preferably corporate governance.

The mix of skills and experience on the board will be taken into account through a skills matrix, and consideration given to complementing and reinforcing existing skills and reducing skill gaps where necessary.

Appointees to Organisation boards should undergo, or have undergone formal governance training, or have the requisite experience.

Council may waive the corporate governance requirement in order to attract a wider range of board members and to further its diversity policy if these skills and experience are already well represented on the board. Organisation boards are expected to provide director training for directors with limited corporate governance experience.

5.2 Board Chair Competencies

In addition to demonstrating the core competencies listed in section 5.1 the following skills and competencies are required for the Chair and will be sought in the succession planning process (described at 10 in the policy):

- Board experience
- strong leadership skills
- political acumen
- strong interpersonal and relationship building skills
- sophisticated, analytically based, decision-making skills
- effective communication skills
- integrity and credibility within relevant sectors.

5.3 Role of the Board Chair and Deputy Chair

The role of the Board Chair is to provide effective leadership and:

- harness the collective skills of the board and executive team to achieve business objectives and maintain the confidence of the shareholders
- maximise the contribution of board members in board meetings
- maintain the trust of the Council
- maintain a close, but independent, working relationship with the Organisation Chief Executive
- lead the board review process
- lead the director induction process
- ensure that there is a succession plan in place for the board
- be the spokesperson for the Organisation
- work productively and openly with colleagues to achieve results and resolve problems
- to retain the confidence of the region and build relationships within the region's networks.

The role of the Deputy Chair which includes the ability to take on the Chair's role, as and when required, is to:

- provide effective leadership
- work productively and openly with colleagues to achieve results and resolve problems
- retain the confidence of the region and build relationships within the region's networks.

6. Terms of Appointment

Board members are to serve a maximum of three three-year terms, with the option of further reappointment possible where appropriate. In the event of a conflict, the respective constitutions or trust deeds of Organisations take precedence over this policy. To reflect current national and international best practice, Council's policy regarding board tenure is as follows:

Tenure of three years: Board members shall hold office for a term of up to three years from the date of appointment.

Expiry of tenure: upon expiry of that three-year term, the board member retires from the board and, subject to the board members' performance and skills continuing to be relevant to the board may be eligible for reappointment.

Board members should not be given any expectation that they will be offered a subsequent term of office.

Any board member reappointed for a third term retires upon expiry of the additional three-year term.

Tenure exceeding nine consecutive years: for circumstances where there are good reasons for extension, a board member retiring from a third tenure of three years may be reappointed for a further term but the board member's total tenure on the board must not exceed twelve years. Each case will be considered on its own merits and is at the sole discretion of the Council. The types of circumstances that could require this include, the:

- Board member has a particular skill that would be hard to replace
- Board has undergone substantial change and stability is needed
- Board member has institutional knowledge not held by other directors
- Board member is a likely successor as a chair.

Council's policy is to stagger appointments so that approximately one-third of each board is rotated each year. Staggering appointments to the boards ensures there is an appropriate level of institutional knowledge retained on each board, which in turn provides for continuity in the management of the Organisation.

Board members hold office at the discretion of the Council and may be removed at any time by Council resolution.

7. Appointment Process

7.1 Strategic review and needs assessment

Once a vacancy has been established, Council will identify the skills, knowledge and experience required for the position, including whether knowledge of Tikanga Māori may be of relevance to the governance of that Organisation (as required by section 60(3) of the LGA 2002), with the assistance of Council's Internal Partnerships hub. This should involve discussions with the chair, consideration of the current composition and skill profile of the board and a strategic review of future skill requirements – including succession planning.

7.2 Candidate search

Candidates may be sought through a combination of the following search methods: advertising of the position, executive recruitment search, a review of Companies Office register of directors, nominations from the Mayor, governing body and local board members and crown agencies such as the Ministry of Women's Affairs and Te Puni Kokiri, on the advice of the board chairperson, and by invitation.

A complete list of candidates will be compiled with the assistance of Council's executive recruitment consultant if used.

7.3 Screening and short-listing

The selection panel will be appointed by Council and will be serviced by the Chief Executive. The panel will prepare a recommended short list of candidates to be interviewed by Council. They will ensure due diligence has been carried out in preparation of a short-list, including candidate's declaration of interests.

The Selection Panel will screen the list to ensure that the candidates have the required core competencies (see 5.1 of the policy) as well as the specific skills and expertise required for the position. Any applicants from the Companies Office register of directors will automatically be included on the long list. The names of all candidates from the long list will be included in a Public Excluded report to Council.

The panel will comprise of the Mayor, two elected members, the Chief Executive (ex officio) and, if appropriate, relevant external people including the board chair and an independent recruitment consultant.

The short list will normally include three to four candidates per position. A summary of skills or CVs will be included in the report to Council with the public excluded.

7.4 Interviewing and assessment of candidates.

Council will interview and assess candidates against the required skills, knowledge and experience and may take into account other factors such as:

- Council's board diversity and inclusion policy (see policy objectives)
- candidates with knowledge of Te Ao Māori and established Māori networks
- alignment with the council's objectives for that entity
- board dynamics and stakeholder relationships
- the capacity of candidates to attend regular board meetings and fulfil the other requirements of the directorship
- Chair and deputy Chair succession planning.

7.5 Council decision

Council will interview candidates from the recommended short-list with the public excluded to protect the interests and privacy of the candidates. This process will include a discussion of whether any actual or perceived conflicts of interest have been identified.

A decision on the appointment of board members will be a decision for the whole Council. Under Standing Orders, this vote is required to be taken by division.

Council will undertake this process in private and in accordance with the provisions of the Local Government Official Information and Meetings Act 1987.

The successful candidate(s) can be decided at a Council meeting (tenure effective immediately). All appointments will specify a term.

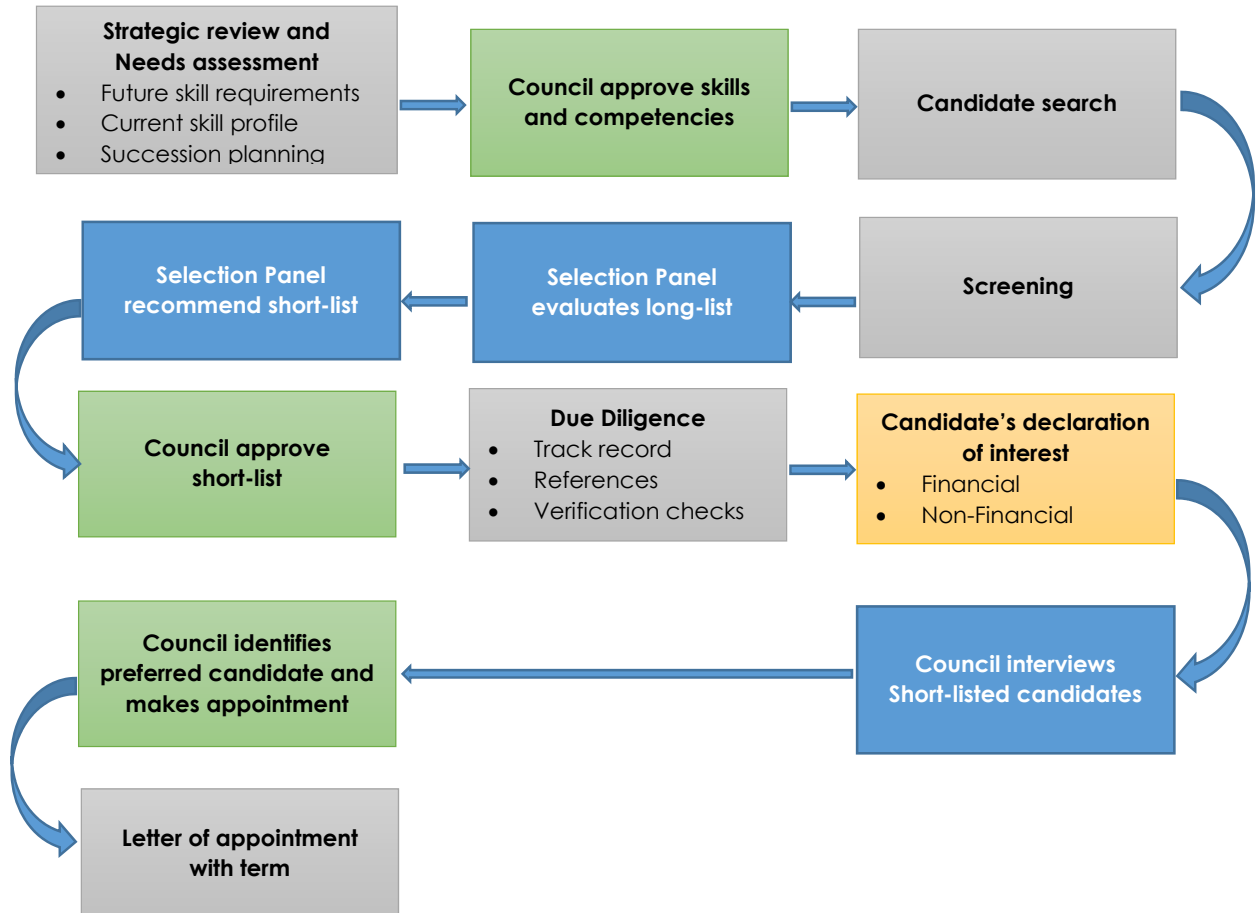
Public announcement of the appointment will be made as soon as practicable after the meeting where Council has made its decision.

Unsuccessful candidates will be notified.

Council may wish to signal to its Chief Executive other candidates who on interview, have presented with appropriate skills that match or are of benefit to Organisations for future vacancies within the next twelve-month period.

7.6 Appointment Process Flowchart

The diagram below provides an overview for the process for appointments.



8. Review of Board Member Performance

The review of board member performance will be conducted by Council within a sufficient timeframe in relation to board appointment rounds.

The review will be conducted by Council with the cooperation of the Organisation Chairperson. The process for that review will be:

- An interview with the Chairperson - with the objective of assessing individual director performance and contribution or in the case of reviewing the Chairperson an interview with the deputy Chair.
- Peer review summaries (this may include written questionnaires) – conducted six weeks before board appointment rounds.
- An assessment of the board's performance against stated objectives, quality of strategic initiatives, the implementation of those initiatives, and overall communication with the shareholder.

The review criteria for individual board members will include:

- preparedness for and attendance at meetings
- strategic perspective
- the ability to identify emerging trends and take action on a proactive basis
- understanding and performing governance functions
- constructive input to discussion.

Chairperson review (additional criteria):

- leadership of the board 'team'
- consistency and even-handedness
- judgement and decision making
- communication and mentoring.

9. Consent and Conflicts Of Interest

Board members are required to declare any real or potential conflicts of interest that may arise during the course of carrying out their duties for Organisations. Likewise, all candidates will be required to complete a consent form and to declare any relevant interests, prior to being interviewed for a position on a board, so that the potential for a conflict of interest can be assessed.

In making appointments to boards, Council will take into consideration a candidate's existing directorships, and any other potential conflicts of interest.

In the event of a real or potential conflict of interest (where the person involved has an "interest in a proposed transaction" for example may derive a personal financial benefit) the director must exclude themselves from participation in any debate with respect to the transaction and any resulting dealings with the third parties or approval of transactions. In the rare event where exclusion is not deemed to be practicable, directors must obtain formal written permission to proceed from the chair of the board.

In considering any appointment or reappointment where a potential conflict of interest has been identified, Council needs to be confident that:

- The board member or candidate will be able to make an effective contribution, even if their interest means they cannot participate in an activity of the Organisation that relates to a particular matter.
- The board member, or their parent, spouse or child will not derive a personal financial benefit from the transaction.
- Measures can be put in place to manage the conflict.

Further guidance on conflicts of interest can be found in sections 139 to 149 of the Companies Act 1993.

The Office of the Auditor-General also provides guidance on the management of interests and conflicts: www.oag.govt.nz/managingconflictsofinterest:guidanceforpublicentities

10. Chair Succession Planning

These provisions are specifically for the position of chairperson of the GHL and Trust Tairāwhiti boards.

The purpose of succession planning is to provide for smooth transition of leadership in the event of a planned or unexpected retirement of an incumbent chair.

A person appointed as chair in their second term may be appointed for a further three-year term as chair, however their tenure as chair must not exceed six years. Council will generally consider the need for a potential successor as they make each board member appointment.

The selection panel will be responsible for managing the succession planning process, which may (but not necessarily) be initiated by the board. The process will include discussions with the chairperson, assessing the skills, knowledge and expertise required for the role, and identifying any board members who may be possible candidates. This must commence at least six months before the settling-in period referred to below, and one year before the proposed retirement of the current chairperson.

If the proposed candidate is new to the board there must be time for a settling-in period of at least one year before that person can be nominated for the role of chairperson.

The qualities expected of the chairperson include (but not exclusively) the ability to develop and maintain a:

- Sound relationship with Council based on mutual trust and confidence.
- Close but independent working relationship with the Organisation's Chief Executive.
- And, use the collective skills of the board and executive team for the purpose of achieving the Council's objectives (described in the 2018-2028 Long Term Plan).

It's expected that the board chair will identify potential successors or signal to Council if there are no candidates for future chair.

11. Removal of Board Members

Board members hold office at the pleasure of Council and may be removed at any time by Council resolution.

Without limiting the right of Council, the following are likely reasons for Council to remove a board member, where that board member:

- is regularly absent from board meetings without good justification
- no longer has the confidence of the board or Council
- has breached ethical standards and this reflects badly on the board or Council
- does not act in the best interests of the Organisation
- breaches the confidence of the board in any way, including speaking publicly on board issues without the authority of the board or
- does not act in accordance with the principles of collective responsibility
- is now disqualified from being appointed or holding office as a director of a company under section 151(2) of the Companies Act 1993.

Where the board has concerns regarding the behaviour of one of its members it should be considered by the board in the first instance and, where necessary, the board may recommend the removal of the board member to Council.

No payment will be made - by way of compensation - to board members who have been removed from boards.

12. Board Members Standing for Political Office

Board members who have been selected to stand as a candidate in a local body or general election should advise the chair of their board immediately. Chairs need to advise Council, through the Chief Executive as soon as any members of their boards have been identified as candidates.

Any board member who is formally selected to stand as a candidate for election at a local body or general election, or placed on any political party's list, must stand down from their board position from nomination day until the election results are notified or such earlier day as may be determined. This measure aims to ensure that governance of the Organisation is not distracted by the board member's election activity, and to prevent the possibility of any conflicts of interest, real or perceived.

In the event that the board member is successful in their bid for political office, they must formally retire from their board position. They may be eligible for appointment to another Organisation board following retirement.

13. Remuneration

Board members' fees will compensate board members fully for their normal contribution to the board, including attending board and Committee meetings, meeting preparation, stakeholder management and any other agreed tasks.

Board members' fees will reflect the element of public service in serving on the board of an Organisation and will accordingly be set at or below the average for comparable private sector entities.

To ensure transparency, fees will be set by Council for the board members and chairs, rather than allocating a pool to be distributed by the board. Fees are to be met from the Organisation's own resources.

Where Council is the sole shareholder (for example GHL) Council will set the remuneration by resolution at the Annual General Meeting of the Organisation or by resolution of Council. Such resolution shall state whether the remuneration is to be allocated by the Board or is to be specified for Directors and Chairperson.

In the instance of Trust Tairāwhiti trustees, the Trust Deed requires prior approval of Council before any changes are made to trustee remuneration.

There is no provision for the payment of retiring or other gratuities to board members.

13.1 Fee Setting

Board members' remuneration will be reviewed once per triennium following local body elections. A full review will be conducted and will include benchmarking against comparative entities. The review will consider market movement and the final decision on board members' remuneration will be made by a resolution of Council. Fees will be set taking into consideration the following:

- The size and scale of the Organisation (for example turnover, value of assets, number of employees).
- Complexity and scope of operations (for example complexity of issues, level of guidance for decision-making, relationship management responsibilities).
- Accountability (for example scale of market risk, public interest and profile, potential risk to board member reputation, and other key risks).
- Skills - the type of expertise and specialisation needed.

Special considerations may also be included in setting fees, such as a temporary increase in workload for the board, or difficulties in recruiting particular skills.

13.2 Ordinary Fees

Ordinary fees are calculated based on:

- The designated base fee per board member.
- Board Chairs will be remunerated at twice the designated base fee.
- 1.25 times the designated board member base fee for the Deputy Chair, to reflect either an actual appointment, or to provide the capacity for the council committee to later make such an appointment.
- 1.15 times the designated board member base fee for those members with duties as Chair.

There are no additional fees for board committee meetings.

Council supports the payment by Organisations of their board members liability insurance and indemnity.

13.3 Remuneration for Consultancy Services

Council expects that no board member will undertake consulting work for the Organisation. In the event that an exception to this rule appears appropriate, the Chair should seek Council approval in advance.



Authorised by Nedine Thatcher Swann – Chief Executive

Date of approval: 18 March 2021

14. Glossary

Definitions

Organisation

An entity in which Council has a voting interest or the right to appoint a director, trustee or manager (however described). This is a wide-ranging definition, covering a large number of bodies, including private trusts where the founding document requires a Council appointment to the governance board. This is aligned with the definition in section 6 of the LGA of a Council Organisation.

Council-controlled organisation

A council-controlled organisation (CCO) is defined in section 6 of the LGA as an organisation in which the council controls, directly or indirectly, 50% or more of the votes or has the right, directly or indirectly, to appoint 50% or more of the directors, trustees or managers.

Council-controlled trading organisation

A council-controlled trading organisation (CCTO) is defined in Section 6 of the LGA as a CCO that operates a trading undertaking for the purpose of making a profit.

Director

An appointed member of the board of directors of an Organisation who, with other directors, has the responsibility for determining and implementing the Organisation's policy. Directors also assist the Organisation to meet its objectives and the requirements in its Statement of Intent. The Director's role is defined in S58 (1) of the LGA 2002.

Directors have responsibilities to their company and shareholders, and under the Companies Act 1993 must be registered with the New Zealand Companies Office.

Trustee

A trustee is a person that holds and administers property or assets for the benefit of a third party.

Directors and Trustee remuneration - Payments made to directors and trustees in accordance with this policy.

Board and board member

Refers to a Company Board, Trust Board and any other governing body however it may be referred to. The term board member includes directors, trustees, managers or office holders (however described by that entity) and is applied in this policy to mean role of director – as described in the LGA.

Candidate

Is a person who has been nominated, submitted a written application, or identified through search activities.

Appendix One

Organisations to which this Policy Applies

As at March 2020

1. Council-controlled Trading Organisation (CCTO) in which Gisborne District Council are the 100% shareholder:
 - Gisborne Holdings Limited
2. Organisations in which Gisborne District Council appoints board members by virtue of an Act of Parliament or Trust Deed:
 - Trust Tairāwhiti
3. Organisations in which Gisborne District Council appoints board members by virtue of an Act of Parliament or Trust Deed but are non-substantive:
 - Eastwoodhill Trust
 - Tairāwhiti Museum Trust Board
 - Barrington Miller Trust
 - Walter McLean Trust

Title: 22-68 Draft Changes to Speed Limit Bylaw 2013
Section: Journeys Infrastructure
Prepared by: Tina Middlemiss - Asset Planning Manager
Meeting Date: Thursday 31 March 2022

Legal: Yes

Financial: Yes

Significance: **High**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to adopt the Statement of Proposal for the Draft Amended Speed Limit Bylaw 2013 for consultation.

SUMMARY

Council's Speed Limit Bylaw is the legal instrument for regulating speed limits in Tairāwhiti.

The Ministry of Transport is in its final stages of passing a new Land Transport Rule: Setting of Speed Limits 2022. The new Rule sets to replace the requirement for bylaws as the legal instrument for setting speed limits with a National Speed Limit Register.

The intention was to proceed to public consultation after the new Rule had come into force. However, delays at national level with the implementation of the new Rule have pushed timelines out by over six months and into the local government elections period. Therefore, to avoid further delays, consultation is now to proceed as a bylaw change under the current 2017 Rule. The Sustainable Tairāwhiti Committee approved that the Draft Speed Management Plan proceed to consultation and approved the proposed Speed Limit Implementation Plan in August 2021 ([Report 21-134](#)).

The speed limit changes proposed for the amended bylaw are the same as those signalled for the draft speed management. When the new Rule is made the speed limits in this bylaw (if adopted by Council) will be transferred to the National Speed Limits Register and form Council's Speed Management Plan. Further guidance from Waka Kotahi on this process is pending.

The Statement of Proposal (**Attachment 1**) outlines the proposed speed limit changes which would apply to approximately 12% of the network. The changes are:

- Reduce speeds in rural areas from 100km/h to 80km/h, 60km/h or 50km/h, where there is new growth, recent crash history or to support walking and cycling and support shown from residents.
- Reduce speeds in some rural and urban areas from 70km/h to 50km/h or 30km/h and from 50km to 40km or 30km/h to support walking and cycling, with support shown from residents.

- Set a new speed limit of 20km/h to Beaches – Makorori, Kaiti.
- Set new variable speeds to schools of 30km/h or 40km/h.

Formal consultation will run from 6 April to 9 May 2022 with Hearings scheduled end of June and a report seeking Council amend the Speed Limits Bylaw 2013 expected at Council's 11 August 2022 meeting.

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

RECOMMENDATIONS

That the Council:

- 1. Adopts the Draft Statement of Proposal including the Draft Changes to the Speed Limit Bylaw 2013 for consultation using the special consultative procedure.**

Authorised by:

David Wilson - Director Lifelines

Keywords: speed, bylaw

BACKGROUND

Current Bylaw

1. Council's current Speed Limits Bylaw was made in 2013. Since the making of this bylaw no new additions or changes to local road speed limits have been approved, however, there are several deviations between the posted limit on the network and the bylaw speed limits. This amendment will correct those and ensure alignment with the future speed management plan (**Attachment 3**).
2. The current bylaw for speed limits is due for review after ten years (December 2023), however, review began early due to a number of reasons: a strategic response to requests from the community, Road to Zero (R2Z) and separate state highway speed reductions that were being proposed at the time. This review process then became the development of the first draft Speed Management Plan (the Plan), completed in June 2020.

Navigating both the current and the new process for setting speed limits

3. Undertaking the bylaw review now requires Council to comply with both the bylaw process established under the Setting of Speed Limits 2017 Rule alongside adhering as close as possible to the incoming 2022 rule to ensure smooth transition when that rule takes effect.
4. To achieve this staff have been working closely with Waka Kotahi to ensure our new speed limits are compliant with the new rule. Additionally, the 2017 rule requires that Council pre-clears some changes prior to consultation and seeks final approval from the Director of Land Transport post resolution making the bylaw.

Setting of Speed Limits Rule 2020-22

5. Early reports on the draft Plan went to the Regional Transport Committee in September 2020 (**Report 20-244**) and December 2020 (**Report 20-360**) to review and explain the new direction of Speed Management Plans under the national Road to Zero (R2Z) strategy action plan which was launched in December 2019. A decision was made to align the new Plan delivery with the Long Term Plan (LTP) and Regional Land Transport Plan (RLTP) 2021 funding cycle in order to be early adopters of the safety benefits of R2Z under the new Rule which we understood would be signed off in early 2021.
6. Feedback from local government and industry bodies and some redeployment due to COVID-19 led to substantial delays in the development of the Ministry's new Rule and Waka Kotahi's guidance.
7. In May 2021 (**Report 21-112**) the Operations Committee approved a Council submission on the new 2021 Rule consultation.

Community Engagement

8. Engagement with the community was carried out in late March 2021 following consultation of the 2021 LTP and RLTP.
9. Report to full Council in early March 2021 ([Report 21-54](#)) informed of the Plan's development and engagement.
10. Feedback from engagement informed an updated Plan for consultation.
11. The Sustainable Tairāwhiti Committee approved the updated Plan to proceed to consultation and approved the proposed Speed Limit Implementation Plan in August 2021 ([Report 21-134](#)).

Phased Implementation

12. As with other recent bylaws, the (amended) Speed Limits Bylaw 2013 will require a phased implementation. Staff will seek additional resolutions made under the bylaw to effect the new speeds as practical. To ensure speed limit signage reflects the legal speed at times, careful coordination of Council resolutions and signage installation will be necessary, with full implementation spread over 24 months.

DISCUSSION and OPTIONS

13. The Statement of Proposal (SOP) sets about making changes to the 2013 Speed Limit Bylaw by introducing new speed limits for 30, 40 and 60km/h and making targeted speed limit changes to 12% of the current local road network as well as designating some beaches to a 20km/h speed limit.
14. The speed limit changes proposed were derived after community engagement in May 2021 which rejected broad-brush changes to all speed settings to align with the Safe And Appropriate Speeds (SAAS) advised by Waka Kotahi. In response to the engagement staff have proposed more targeted changes that had support in the submissions.
15. The major changes proposed are:

Change to Speed Limit	Area	Reasons
100km/h to 60km/h	Taruheru Subdivision – parts of Cameron and Hansen Roads and neighbouring parts of Nelson and back Ormond Roads; New Industrial Parks – Aerodrome Road, Te Maanga Road and Commerce Place; Centennial Marine Drive (unsealed); Wharekahika; East Cape Road; Tikitiki; Ruatoria; Waipiro Bay; Whatatutu Road; Stainton Road.	In rural areas where there is new growth, recent crash history and/or support shown from residents.
100km/h to 80km/h	Matawhero – Riverpoint, Nursery and Tambrae Roads; Centennial Marine Drive (Sealed); Tikitiki; Ruatoria; Ormond.	In rural areas to support walking and cycling and support is shown from residents.
100km/h to 50km/h	Wheatstone Road; Ruatoria; Tolaga Bay.	In rural areas where there are already signs, high growth and/or support from residents.
100km/h to 30km/h	Waipiro Bay; Muriwai; Manutuke; Ormond (around School); Tikitiki; Rangitukia (around school); Tiniroto (around School).	In rural areas to support walking and cycling and support is shown from residents.

Change to Speed Limit	Area	Reasons
80km/h to 60km/h	Including: Taruheru Subdivision – parts of Cameron and Nelson Roads;	In rural areas to support walking and cycling and support is shown from residents.
70km/h to 30km/h	Te Araroa; Te Puia Springs; Ormond; Tokomaru.	In rural areas to support walking and cycling and support is shown from residents.
70km/h to 40km/h	Te Araroa; Ormond.	In rural areas to support walking and cycling and support is shown from residents.
70km/h to 60km/h	Wharekahika – part of Wharf Road.	In rural areas to support walking and cycling and support is shown from residents.
50km/h to 30km/h	Titirangi and Queens Drive; Inner Harbour; CBD – on Gladstone and Palmerston Roads from Derby to SH35 including side streets up to Childers and the Taruheru River; Kaiti Beach Road – from QE2 to end of road; Makorori Beach Settlement Road; Tikitiki, Ruatoria; Tokomaru Bay; Muriwai; Manutuke; Te Karaka; Tolaga (around school).	In recently improved urban areas where there is already signage and traffic calming in place to support walking and cycling and support is shown from residents.
50km/h to 40km/h	Wainui/Okitu – all local roads, Stout Street – between Wi Pere and Fitzherbert Streets including side streets between the Taruheru River and Ormond Road; Ruatoria; Tolaga Bay; Te Karaka.	In areas to support walking and cycling and support is shown from residents.
New 20km/h to Special Designated Areas	Makorori Beach and Kaiti Beach.	Support is shown from residents.
New Variable Speeds to Schools of 30km/h, 40km/h or 60km/h	<p>30/40km/h variable:</p> <ul style="list-style-type: none"> • Wainui <p>30/50km/h variable:</p> <ul style="list-style-type: none"> • Ilminster • Waikirikiri • Sunrise Christian • Lytton High / Riverdale / Nga Uri A Maui • Gisborne Intermediate <p>40/50km/h variable:</p> <ul style="list-style-type: none"> • Girls' High/Boys' High • Te Hapara • Champion / St Marys <p>60/100km/h variable:</p> <ul style="list-style-type: none"> • Waerenga o Kuri 	In areas to support walking and cycling and support is shown from residents. Schools are prioritised under previous reports.

16. The Statement of Proposal (**Attachment 1**) outlines the new changes covered by the amended Speed Limit Bylaw (**Attachment 3**).

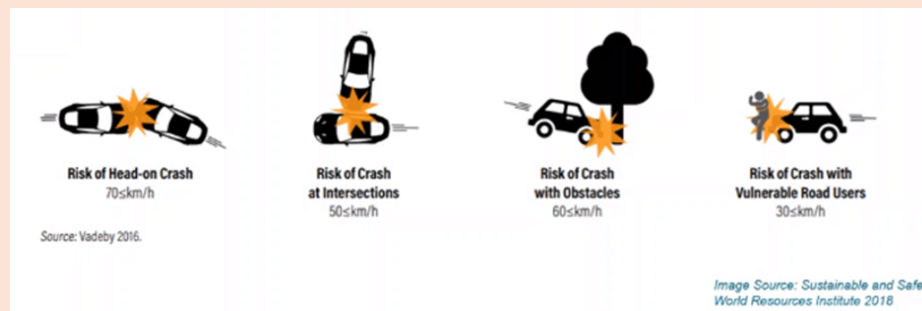
Changes to the bylaw

Proposal (1) Speed limit changes to approximately 12% of the local road network

Reasoning

The speed limits proposed have gone through several rigorous processes. In 2020, a tool was released by Waka Kotahi called Megamaps which calculates Safe And Appropriate Speed (SAAS) as defined in the 2016 Speed Management Guide. Megamaps shows mapping of SAAS speeds across the nation's roads. SAAS are calculated speeds based on the data collected about the roads taking into account road classification, traffic volumes, land use and data collected from crashes and satellite navigation. The SAAS speed limits then required sense checking and community engagement to arrive at these proposed speeds.

SAAS speeds align with Safe System principles which take into account crash forces that exceed the injury tolerance of the human body.



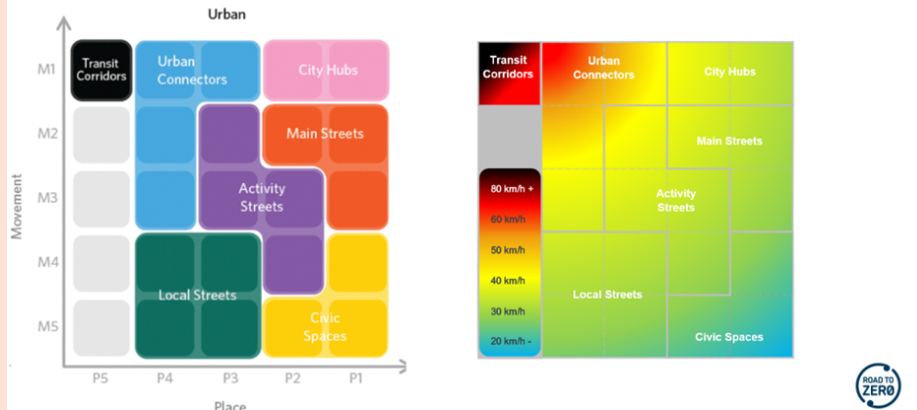
In addition to this the National Road to Zero strategy has set targets for Councils that 40% of schools are to have SAAS speeds in place by 2024.

The speed limit changes proposed have been sense checked and engaged on with the communities involved. The main reasons for change include new growth areas, emerging safety issues and more emphasis placed on walking and cycling with roads seen as shared spaces for people and not just for vehicles.

The speeds proposed have been checked for alignment with the new One Network Framework (ONF) which will be replacing the One Network Roding Classification (ONRC) system under the new Rule. **Attachment 2** is a table to show how each speed has been calculated and checked.

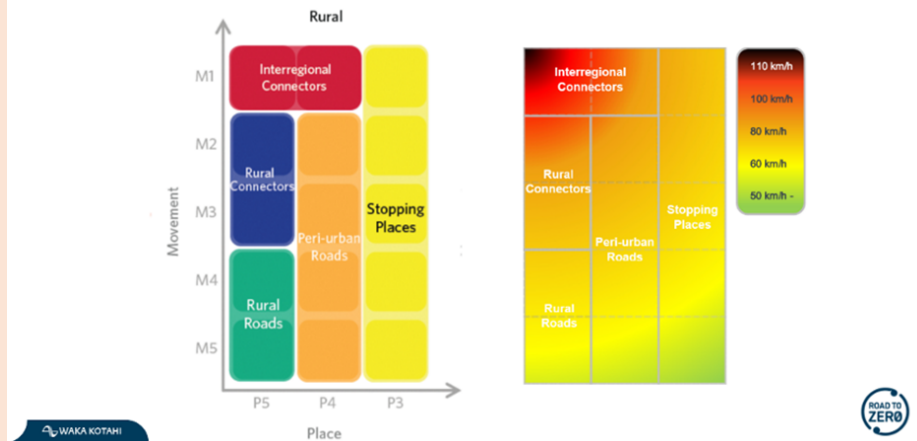
Urban Areas

The relationship between safe and appropriate speeds with movement and place – ONF categories



Rural Roads

Safe and Appropriate Speeds relationship with Movement and Place – ONF Categories



ONRC was a one-dimensional classification based on movement while ONF is two-dimensional based on movement and place.

Options Considered

Option 1 – No changes to 2013 bylaw

Wait until the new Rule comes into force before consulting on the proposed Plan.

There is further guidance on how to consult and engage with the community under the new Rule coming on 7 April 2022. This option would allow more time for the development of guidelines to inform how we consult. Currently our only guidelines are to consult as if it were a bylaw. Further delays to the new Rule are still a risk. Consulting later in the year is a risk due to local government elections. Engagement was carried out in April 2021 and there has already been significant delay to the many requests from the community for speed limit improvements.

Option 2 – Step change towards SAAS

Engagement with the community in May 2021 focused on a step change for speed limits with a broad-brush approach across the region affecting most roads except some arterial roads.

Road environment	Current speed limit	Waka Kotahi safe and appropriate speed	Our proposed speed limit
Gisborne CBD	50km/h	30km/h	30km/h
Residential roads	50km/h	40km/h	40km/h
Rural roads - sealed	100km/h	80km/h	80km/h
Rural roads - unsealed and sealed roads that are arduous to drive	100km/h	60km/h	80km/h
Arterial roads - such as Ormond, Lytton, Stanley, Rutene and parts of Gladstone Rd	50km/h	50km/h	50km/h

Feedback rejected the broad-brush approach opting for changes in specific locations such as the CBD, townships, schools, areas of growth/change for safety and wellbeing benefits from walking and cycling and areas where there were safety concerns.

In particular, it was controversial for Council to propose 80km/h as a step change to unsealed rural roads and sealed roads that are arduous to drive which did not align with SAAS 60km/h. Although less than the current posted speeds of 100km/h, 80km/h was seen by Police and Waka Kotahi to be promoting an unsafe speed. The community typically felt the proposed speeds were too slow and would lead to more unsafe roads with driver frustration.

Option 3 – Amendments to the schedules to effect speed limit changes to approximately 12% of the local road network as detailed in attachments 1, 2 & 3.

In accordance with the reasoning above.

Preferred Option **Option 3** – Speed limit changes to approximately 12% of the local road network as detailed in the amended speed limit bylaw **attachments 1, 2 & 3**.

In accordance with the reasoning above.

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: High Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: High 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

17. The decisions or matters in this report are considered to be of **High** significance in accordance with Council's Significance and Engagement Policy.
18. Speed Limits affects all members of the community and from past experience (e.g. engagement) invokes high levels of public interest.

TANGATA WHENUA/MĀORI ENGAGEMENT

19. No targeted engagement with tangata whenua concerning the Speed Limits Bylaw review has been undertaken to date. There have been requests from iwi and hapu groups to reduce speeds in townships and areas around marae (Wharekopae Road).

COMMUNITY ENGAGEMENT

20. Previously Council has engaged with the community in May 2021 (refer [Report 21-134](#) Speed Management Plan Engagement Feedback and Recommendations)

CLIMATE CHANGE – Impacts / Implications

21. CO2 Emission reductions have been linked to reduced speeds and have been calculated as part of the development of the new guidance under the Road to Zero strategy.
22. Implementing changes to align with Safe and Appropriate Speeds has proven benefits for encouraging mode shift. By slowing down vehicles in strategic locations such as schools etc evidence shows more people are encouraged to walk, scoot and cycle due to the safer environment created.

CONSIDERATIONS

Financial/Budget

23. Speed Management Planning is a line item in the 2021 Long Term Plan and Regional Land Transport Plan and has received 68–66% funding from Waka Kotahi through the Low Cost Low Risk Road to Zero programme.

Legal

24. To set speed limits at this time the Council must comply with both the requirements of the Setting of Speed Limits Rule 2017, and the process for amending a bylaw under the Local Government Act 2002 (LGA).
25. The Setting of Speed Limits Rule 2017 requires the Council to consider whether the speed limit is safe and appropriate in accordance with the rule, and requires specified persons to be consulted.
26. The LGA requires the special consultative procedure to be used where there will be a significant impact on the public due to the changes in the bylaw, and for a statement of proposal and draft bylaw to be released for consultation.

POLICY and PLANNING IMPLICATIONS

27. Speed Management Planning is a line item in the 2021 Long Term Plan and Regional Land Transport Plan and is supported by Waka Kotahi through the Road to Zero Strategy.
28. Connected communities, safety and access are key outcomes.

RISKS

29. There is a risk consulting so close to a rule change. The risk being the need to repeat consultation if the bylaw is not brought into effect while this is still a legal option for setting speed limits, or the new rule requires it. This needs to be balanced against the risk of delaying the setting of speed limits. For example, Makorori Beach reductions will not come into force until the summer of 2023/24 if this is not approved.
30. If the new rule takes effect before the amended bylaw is made, Council will need to ensure that Waka Kotahi does not enter the speed limits for Gisborne into the Land Transport Register until after our amended bylaw is made. The consultation draft of the Setting of Speed Limits Rule provides if the Register takes effect before the amended bylaw is made, then the Council will not be able to change the speed limits through making a bylaw (because the transitional period under the rule would have ended). Staff will continue to engage with Waka Kotahi to mitigate the risk that this will happen.

NEXT STEPS

Date	Action/Milestone	Comments
April – June 2022	Consultation and hearings	
Q2 2022	New Rule in force / NSLR go-live	
11 August 2022	Council to approve Speed Limit Bylaw change	
August 2022	Waka Kotahi approves	
August 2022 onwards	Implementation of new speed limits	
July 2024	Mandatory speed management plans and 40% of schools at 30/40km/h	

ATTACHMENTS

1. Attachment 1 - Statement of Proposal Draft Changes to Speed Limit Bylaw 2013 [**22-68.1** - 6 pages]
2. Attachment 2 - Local Roads Proposed Speed Reasoning [**22-68.2** - 6 pages]
3. Attachment 3 - Draft Amended Speed Limits Bylaw [**22-68.3** - 70 pages]

Statement of Proposal

Amendment to Speed Limit Bylaw 2013

The Gisborne District Council (Council) proposes to change its Speed Limit Bylaw 2013. This bylaw was made pursuant to section 22AB of the Land Transport Act 1998, which allows for Council as the road controlling authority to set requirements for setting speed limits on roads under the care, control, or management of Council (Local Roads).

This document constitutes the Statement of Proposal for the purposes of Section 83(1)(a) and Section 86(2) of the Local Government Act 2002. This document contains:

- A summary of relevant information
- Legislative requirements
- A description of the problem and the options to address these problems
- A draft of the proposed bylaw
- How to have your say
- Timeline

Summary of information

Council is proposing some changes to its Speed Limit Bylaw 2013 and wants to hear what ratepayers and stakeholders think about them.

- The Changes proposed amend the schedules to effect speed limit changes to approximately 12% of the local road network.

For more information on the specific changes, please see the available mapping on our website.

Have your say: Before making any final decisions, we'd like to have your input. You can make a submission:

- Online: www.gdc.govt.nz
- By Post: P.O Box 747, Gisborne 4040
- In person: At Gisborne District Council – 15 Fitzherbert Street, Gisborne

If you would like to speak to your submission, please indicate this and provide your contact details. We will be in touch to let you know the date and time for verbal submissions.

Timeline:

Consultation period begins: **Wednesday 6th April 2022**

Closing date for submissions: **5pm Monday 9th May 2022**

Public hearing to hear oral submissions: **23rd June 2022**

Decision of Council: **Thursday 11 August 2022**

Proposal

That Council amends the Speed Limits Bylaw 2013 to align with the national direction on speed management and speed limit setting from Waka Kotahi including introducing 20km/h, 30km/h, 40km/h and 60km/h speed limits

The amendments to the bylaw schedules will affect speed limit changes to approximately 12% of the local road network.

Reasoning

The speed limits proposed have gone through several rigorous processes. In 2020, a tool was released by Waka Kotahi called Megamaps which calculates 'Safe and Appropriate Speed' (SAAS) as defined in the 2016 Speed Management Guide. Megamaps shows mapping of SAAS speeds across the nations roads. SAAS are calculated speeds based on the data collected about the roads taking into account road classification, traffic volumes, land use and data collected from crashes and satellite navigation. The SAAS speed limits then required sense checking and community engagement to arrive at these proposed speeds.

SAAS speeds align with Safe System principles which take into account crash forces that exceed the injury tolerance of the human body.



Image Source: Sustainable and Safe, World Resources Institute 2018

In addition to this the National Road to Zero strategy has set targets for Councils that 40% of schools are to have SAAS speeds in place by 2024.

The speed limit changes proposed have been sense checked and engaged on with the communities involved. The main reasons for change include new growth areas, safety issues and more emphasis placed on walking and cycling with roads seen as shared for people and not just for vehicles. Those changes are:

Change to Speed Limit	Area	Reasons
100km/hr to 60km/h	Taruheru Subdivision – parts of Cameron and Hansen Roads and neighbouring parts of Nelson and back Ormond Roads; New Industrial Parks – Aerodrome Road, Te Maanga Road and Commerce Place; Centennial Marine Drive (unsealed); Wharekahika; East Cape Road; Tikitiki; Ruatoria; Waipiro Bay; Whatatutu Road; Stainton Road.	in rural areas where there is new growth, recent crash history and/or support shown from residents

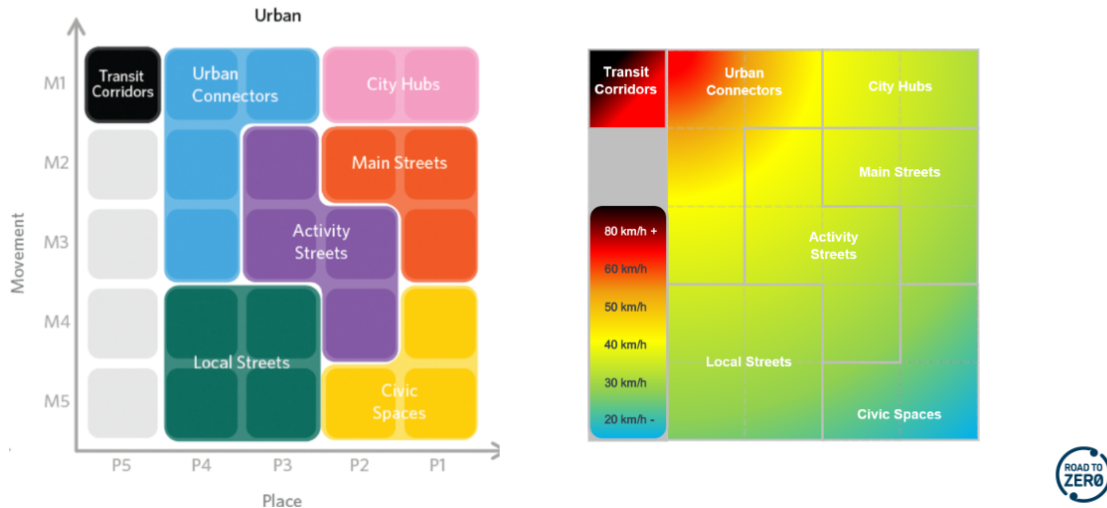
100km/hr to 80km/h	Matawhero – <i>Riverpoint, Nursary and Tarnbrae Roads</i> ; Centennial Marine Drive (Sealed); Tikitiki; Ruatoria; Ormond.	in rural areas to support walking and cycling and support is shown from residents
100km/hr to 50km/h	Wheatstone Road; Ruatoria; Tolaga Bay.	in rural areas where there are already signs, high growth and/or support from residents
100km/h to 30km/h	Waipiro Bay; Muriwai; Manutuke; Ormond (around School); Tikitiki; Rangitukia (around school); Tiniroto (around School).	in rural areas to support walking and cycling and support is shown from residents
80km/h to 60km/h	including: Taruheru Subdivision – <i>parts of Cameron and Nelson Roads</i> ;	in rural areas to support walking and cycling and support is shown from residents
70km/h to 30km/h	Te Araroa; Te Puia Springs; Ormond; Tokomaru.	in rural areas to support walking and cycling and support is shown from residents
70km/h to 40km/h	Te Araroa; Ormond.	in rural areas to support walking and cycling and support is shown from residents
70km/h to 60km/h	Wharekahika – <i>part of Wharf Road</i> .	in rural areas to support walking and cycling and support is shown from residents
50km/h to 30km/h	Titirangi and Queens Drive; Inner Harbour; CBD – <i>on Gladstone and Palmerstone Roads from Derby to SH35 including side streets up to Childers and the Taruheru River</i> ; Kaiti Beach Road – <i>from QE2 to end of road</i> ; Makarori Beach Settlement road; Tikitiki, Ruatoria; Tokomaru Bay; Muriwai; Manutuke; Te Karaka; Tolaga (around school).	in recently improved urban areas where there is already signage and traffic calming in place to support walking and cycling and support is shown from residents
50km/h to 40km/h	Wainui/Okitu – <i>all local roads, Stout Street – between Wi Pere and Fitzherbert Streets including side streets between the Taruheru River and Ormond Road</i> ; Ruatoria; Tolaga Bay; Te Karaka.	in areas to support walking and cycling and support is shown from residents
New 20km/h to Special Designated Areas	Makorori Beach and Kaiti Beach.	support is shown from residents

<p>New Variable Speeds to Schools of 30km/h, 40km/h or 60km/h</p>	<p>30/40km/h variable:</p> <ul style="list-style-type: none"> • Wainui <p>30/50km/h variable:</p> <ul style="list-style-type: none"> • Ilminster, • Waikirikiri, • Sonrise Christian, • Lytton High/Riverdale/Nga Uri A A Maui, • Gisborne Intermediate <p>40/50km/h variable:</p> <ul style="list-style-type: none"> • Girls High/Boys High • Te Hapara • Campion / St Marys <p>60/100km/h Variable:</p> <ul style="list-style-type: none"> • Waerenga o Kuri 	<p>in areas to support walking and cycling and support is shown from residents. Schools are prioritised under previous reports.</p>
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The speeds proposed have been checked for alignment with the new ONF framework which will be replacing the ONRC road classification system under the new Rule. **Attachment 2** is a table to show how each speed has been calculated and checked.

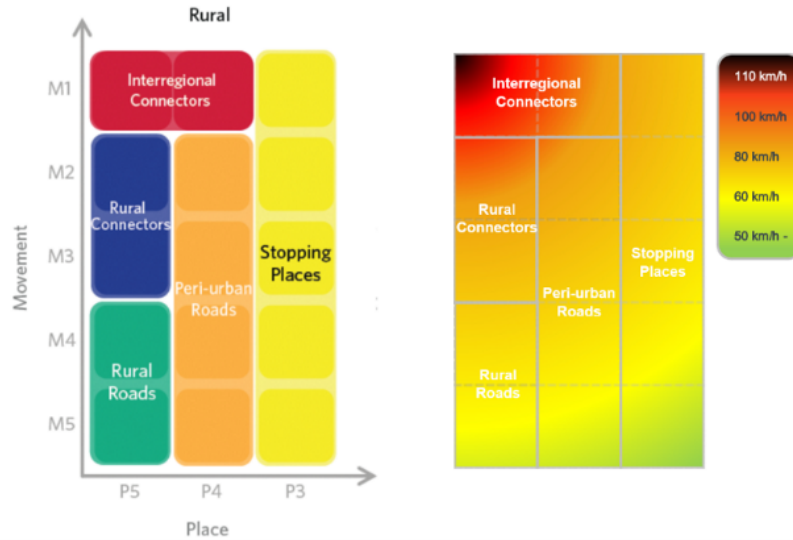
Urban Areas

The relationship between safe and appropriate speeds with movement and place – ONF categories



Rural Roads

Safe and Appropriate Speeds relationship with Movement and Place – ONF Categories



ONRC (One Network Roding Classification) was a one dimensional classification based on movement while ONF (One Network Framework) is two dimensional based on movement and place.

Options Considered

Option 1 – No changes to 2013 bylaw

Wait until the new Rule comes into force before consulting on the proposed Plan.

There is further guidance on how to consult and engage with the community under the new Rule coming on the 7th April. This option would allow more time for the development of guidelines to inform how we consult. Currently our only guidelines are to consult as if it were a bylaw. Further delays to the new Rule are still a risk. Consulting later in the year is a risk due to Local government elections then. Engagement was carried out in May 2021 and there has already been significant delay to the many requests from the community for speed limit improvements.

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Engagement with the community in May 2021 focused on a step change for speed limits with a broad-brush approach across the region affecting most roads accept some arterial roads.

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Feedback rejected the broad-brush approach opting for changes in specific locations such as the CBD, townships, schools, areas of growth/change for safety and wellbeing benefits from walking and cycling and areas where there were safety concerns.

In particular, it was controversial for the Council to propose 80km/h as a step change to unsealed rural roads and sealed roads that are arduous to drive which did not align with SAAS 60km/h. Although less than the current posted speeds of 100km/h, 80km/h was seen by Police and Waka Kotahi to be promoting an unsafe speed. The Community typically felt the proposed speeds were too slow and would lead to more unsafe roads with driver frustration.

Option 3 – speed limit changes to approximately 12% of the local road network as detailed in the amended speed limit bylaw.

In accordance with the reasoning provided.

Preferred Option

Option 3 – Amendments to the schedules to effect speed limit changes to approximately 12% of the local road network as detailed in attachments 1, 2 & 3

Legislative Framework

Setting of Speed Limits Rule 2017

This rule sets requirements for setting new speed limits. The Council must consider whether the new speed limits will be safe and appropriate in accordance with the Rule. Rule 4.2(2) sets a list of matters that the Council must have regard to in reviewing the speed limits

The rule also prescribes person whom the Council must consult with, and information that must be included when consulting on variable speed limits.

Local Government Act 2002

Council must consult in accordance with the requirements of Section 86 of the Local Government Act 2002 (LGA) including by releasing a draft bylaw and State of Proposal.

Land Transport Act 1998

Section 22AD of the Land Transport Act (LTA) in reference to Consultation states that Section 156 of the LGA applies to a bylaw under section 22AB made by a road controlling authority that is a local authority as if that bylaw had been made under that act.

Statutory determinations

Section 156 of the LGA states consultation requirements (1) when making or amending, or revoking bylaws made under this Act, a local authority must a) use the special consultative procedure (as modified by section 86) if – (ii) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of the bylaw.

Section 86 of the LGA states (1) this section applies if, in accordance with section 156(1)(a), the special consultative procedure is required to be used in relation to the making or amending of a bylaw (2) the statement of proposal referred to in section 83(1)(a) must include – (i) a draft of the bylaw as proposed to be made or amended and (b) the reasons for the proposal.

Note that the requirement under section 86(1)(c) for a report on any relevant determinations by the local authority under section 155 (i.e., Bill of Rights analysis). Section 155 does not apply to bylaws made under the LTA such as this one under section 22AB of the LTA.

Attachment 3

Draft amended Speed limits Bylaw 2013

road_id	current_operating_speed_kmh	proposed_operating_speed_kmh	SAAS_NZTA	Suburb	start_m	end_m	movement_ranking	place_ranking	street_family	original_street_category	ONF - current_street_category	ONF - current_onrc	land_use	sub_land_use	traffic_estimate	LengthM	Match SAAS Y/reason if no		
ADVENTURE STREET	50	Urban	40	40	Tolaga Bay	0	230	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	225.71		
AERODROME ROAD	100	Rural	60	80	Airport	0	142	M5	P5	Urban	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120	57.26	ONF - Rural road - Industrial Hub - engagement submission	
AERODROME ROAD	100	Rural	60	80	Airport	142	1380	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120	259.16	ONF - Rural road - Industrial Hub - engagement submission	
AERODROME ROAD	100	Rural	60	80	Matawhero	0	142	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120	89.61	ONF - Rural road - Industrial Hub - engagement submission	
AERODROME ROAD	100	Rural	60	80	Matawhero	142	1380	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120	992.38	ONF - Rural road - Industrial Hub - engagement submission	
AMIRIA AVENUE	50	Ruatoria	40	40	Ruatoria	0	236	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	236.41	Y	
AREWHENA STREET	70	Urban	30	40	Te Araroa	0	65	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	30.05	missing ONF	
AREWHENA STREET	70	Urban	30	40	Te Araroa	0	65	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	67.55	ONF - Urban activity streets	
ARTHUR STREET	50	Urban	30	40	Tokomaru Bay	0	503	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	503.37	ONF - Urban local streets	
ARTHUR STREET	50	Urban	30	40	Tokomaru Bay	503	726	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	222.84	ONF - Urban local streets	
AWANUI ROAD NORTH	50	Urban	30	40	Tikiti	0	69	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	165	68.76	ONF - Rural Peri-urban	
AWANUI ROAD NORTH	50	Urban	30	40	Tikiti	463	517	M4	P5	Rural	Rural Roads	Rural Roads	Secondary Collector	Rural Residential	Rural Residential	165	54.41	ONF - Rural road	
AWANUI ROAD NORTH	50	Urban	30	40	Tikiti	69	463	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	165	393.21	ONF - Rural Peri-urban	
AWANUI ROAD SOUTH	100	Rural	60	60	Tikiti	0	314	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	165	307.85	Y	
AWANUI ROAD SOUTH	100	Rural	60	60	Tikiti	1936	3028	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	879.63	Y	
AWANUI ROAD SOUTH	100	Rural	60	60	Tikiti	314	629	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	1574.76	Y	
AWANUI ROAD SOUTH	100	Rural	60	80	Tikiti	0	314	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	165	327.49	ONF - Rural road	
BACK ORMOND ROAD	100	Rural	60	60	Hexton	817	2430	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Primary Collector	Rural Residential	Rural Residential	1530	46.13	Y	
BACK ORMOND ROAD	100	Rural	60	60	Lyfton West	0	525	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	4100	23.52	Y	
BACK ORMOND ROAD	100	Rural	60	60	Lyfton West	525	817	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	4100	50.84	Y	
BACK ORMOND ROAD	100	Rural	60	60	Makauri	817	2430	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Primary Collector	Rural Residential	Rural Residential	1530	0.37	Y	
BACK ORMOND ROAD	100	Rural	60	60	Makauri	817	2430	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Primary Collector	Rural Residential	Rural Residential	1530	125.13	Y	
BACK ORMOND ROAD	100	Rural	60	60	Matokitoki	525	817	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	4100	54.95	Y	
BACK ORMOND ROAD	50	Urban	30	40	Lyfton West	0	525	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	4100	321.88	Y	
BACK ORMOND ROAD	70	Urban	50	50	Matokitoki	0	525	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	4100	108.43	Y	
BALFOUR ROAD	50	Urban	40	40	Te Karaka	0	248	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	247.31	Y	
BALFOUR ROAD	50	Urban	40	40	Te Karaka	248	342	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	95.04	Y	
BALFOUR ROAD	50	Urban	40	40	Te Karaka	342	445	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	107.25	Y	
BALLANCE STREET	50	Urban	40	40	Whataupoko	0	60	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	1300	126.51	Y	
BANKS STREET	50	Urban	40	40	Tolaga Bay	0	256	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	253.43	Y	
BANKS STREET	50	Urban	40	40	Tolaga Bay	256	517	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	395.21	Y	
BANKS STREET	50	Urban	40	40	Tolaga Bay	517	781	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	126.50	Y	
BANKS STREET	50	Urban	40	40	Tolaga Bay	781	1466	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	665.07	Y	
BARRY AVENUE (RUATORIA)	50	Urban	30/40	40	Ruatoria	0	159	M4	P3	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Neighbourhood Centre	1100	158.06	Y	
BARRY AVENUE (RUATORIA)	50	Urban	40	40	Ruatoria	159	360	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	200.72	Y	
BARRY STREET	50	Urban	40	40	Te Karaka	0	327	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	328.36	Y	
BEACH COVE	100	Rural	60	60	Tikiti	0	684	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	28	167.63	Y	
BEACH COVE	50	Urban	30	40	Tokomaru Bay	0	2672	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	28	1.13	missing ONF	
BEACH COVE	50	Urban	30	40	Tokomaru Bay	739	2672	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	28	1864.74	ONF - Urban activity streets	
BEACH COVE	50	Urban	30	40	Tokomaru Bay	0	225	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	450	224.28	ONF - Urban activity streets	
BEACH COVE	50	Urban	30	40	Tokomaru Bay	225	514	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	450	291.34	ONF - Urban activity streets	
BEACH COVE	50	Urban	30	40	Tokomaru Bay	514	738	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	450	296.80	ONF - Urban activity streets	
BEACH COVE	50	Urban	40	40	Wainui	0	110	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	110.65	Y	
BEACH COVE	50	Urban	40	40	Wainui	0	160	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	159.94	Y	
BEACH COVE	50	Urban	40	40	Wainui	160	291	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	130.05	Y	
BEACH COVE	70/100	Rural	60	60	Waerengaokuri	0	96	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	44	58.40	Y	
BELLERBY ROAD	70	Urban	30	40	Hicks Bay	0	71	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	106.67	ONF - Urban Local Streets	
BRIDGE ROAD	100	Rural	60	60	Te Karaka	27	338	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	28	348.06	Y	
BRIDGE ROAD	100	Rural	60	60	Te Karaka	338	520	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	28	172.74	Y	
BRIGHT STREET	50	Urban	30	30	Gisborne City	0	104	M4	P3	Urban	Local Streets	Local Streets	Secondary Collector	Commercial Strip SI	Neighbourhood Centre	1650	104.23	Y	
BRIGHT STREET	50	Urban	30	30	Gisborne City	104	211	M4	P3	Urban	Local Streets	Local Streets	Secondary Collector	Commercial Strip SI	Neighbourhood Centre	1650	198.40	Y	
BRIGHT STREET	50	Urban	30	30	Gisborne City	211	280	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip SI	Local Centre	1650	67.60	Y	
BRIGHT STREET	50	Urban	30	30	Gisborne City	280	436	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip SI	Local Centre	1650	155.11	Y	
BURDETT PLACE	50	Urban	40	40	Ruatoria	0	91	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	90.68	Y	
CAMERON ROAD	100	Rural	60	80	Makauri	0	1211	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	380	956.80	ONF - Rural Peri-urban	
CAMERON ROAD	80	Rural	60	80	Lyfton West	0	1211	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	380	8.31	ONF - Rural Peri-urban	
CAMERON ROAD	80	Rural	60	80	Makauri	0	1211	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	380	245.39	ONF - Rural Peri-urban	
CARROLL STREET	70	Urban	30	60	Te Pua Springs	0	843	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	872.50	ONF - Rural Peri-urban	
CEMETERY ROAD	50	Urban	30	60	Te Pua Springs	0	230	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	44	230.44	ONF - Rural Peri-urban	
CENTENNIAL MARINE DRIVE	100	Rural	60	60	Matawhero	6318	6845	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	58	575.96	Y	
CENTENNIAL MARINE DRIVE	100	Rural	60	60	Matawhero	6845	7755	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	58	843.24	Y	
CENTENNIAL MARINE DRIVE	100	Rural	60	80	Matawhero	5439	6318	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	58	855.22	ONF - Rural stopping place	
CENTENNIAL MARINE DRIVE	100	Rural	80	80	Awapuni	1707	5439	M3	P3	Rural	Rural Connectors	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	574	8.08	Y	
CENTENNIAL MARINE DRIVE	100	Rural	80	80	Matawhero	1707	5439	M3	P3	Rural	Rural Connectors	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	574	3753.58	Y	
CHILDERS ROAD	40/50V	Urban	30/40	50	Gisborne City	1416	1725	M2	P3	Urban	Urban Connectors	Activity Streets	Arterial	Commercial Big Box	Urban Residential	10000	252.40	School variable	
CHILDERS ROAD	40/50V	Urban	30/40	50	Te Hapara	0	125	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	109	115.55	School variable	
CLEARY ROAD	50	Urban	30	40	Te Karaka	0	91	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	109	124.86	Y	
CLIFF ROAD	50	Urban	30	40	Te Karaka	0	509	637	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	34.34	missing ONF
CLIFF ROAD	50	Urban	30	40	Te Karaka	509	637	M3	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	120.47	ONF - Urban activity streets	
CLIFF ROAD	50	Urban	40	40	Te Karaka	0	242	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	254.35	Y	
CLIFF ROAD	50	Urban	40	40	Te Karaka	242	509	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	257.72	Y	
CLIFF ROAD	50	Urban	40	40	Te Karaka	509	637	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	1.78	Y	
CLIFF ROAD	50	Urban	40	40	Te Karaka	637	911	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Rural Town	Neighbourhood Centre	330	395.07	School variable	
COLLEGE ROAD NORTH	50	Urban	30/40	50	Ruatoria	0	380	M3	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	24.40	Y	
COLLEGE ROAD SOUTH	50	Urban	30/40	40	Ruatoria	127	370	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	217.47	Y	
COLLEGE ROAD SOUTH	50	Urban	30/40	40	Ruatoria	370	434	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	66.82	Y	
COLLEGE ROAD SOUTH	50	Urban	40	40	Ruatoria	0	91	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	127.82	Y	
COMMERCIAL PLACE	100	Urban	60	40	Awapuni	0	265	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	50	266.32	ONF - Rural road - Industrial Hub SAAS 40 TBC	
COOPER STREET	50	Urban	40	40	Wainui	0	120	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	109	119.62	Y	
CRAWFORD AVENUE	50	Urban	30	40	Kaiti	0	101	M3	P3	Urban	Local Streets	Activity Streets	Access	Commercial Big Box	Industrial/Big Box	420	91.69	ONF - Urban Activity Streets	
CROSS ROAD	100	Rural	60	60	Ruatoria	0	439	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	330	10.35	Y	
CROSS ROAD	100	Rural	60	60	Ruatoria	0	439	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	330	994.26	Y	
CROSS ROAD	100	Rural	60	60	Ruatoria	0	439	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	330	217.63	ONF - Urban local streets	
CURRIE STREET	50	Urban	30	40	Te Karaka	0	210	M5	P4	Urban									

DOMAIN ROAD	70	Urban	40	40	Ormond	488	600	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	109.44 Y
DOUGLAS STREET	50	Urban	40	40	Okitu	0	363	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220	472.74 Y
DOUGLAS STREET	50	Urban	40	40	Okitu	363	630	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220	98.48 Y
DOUGLAS STREET	40	Urban	40	40	Okitu	0	363	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220	230.18 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	0	0	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	105	6.40 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	17293	18605	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	105	73.21 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	18605	19881	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	105	1302.57 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	209	630	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	130	434.91 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	4372	7880	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	130	3764.87 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	630	2353	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	130	3218.95 Y
EAST CAPE ROAD	100	Rural	60	60	Te Araroa	8136	9524	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	110	9048.40 Y
EAST CAPE ROAD	100	Rural	60	80	Te Araroa	0	209	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	122.49 ONF - Urban local streets
EAST CAPE ROAD	100	Rural	60	80	Te Araroa	209	630	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	130	300.55 ONF - Rural road
EAST CAPE ROAD	100	Rural	60	80	Te Araroa	8136	9524	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	110	1882.14 ONF - Rural road
EAST CAPE ROAD	70	Urban	30	40	Te Araroa	0	209	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	205.82 ONF - Urban local streets
ENDEAVOUR STREET	50	Urban	40	40	Tolaga Bay	0	228	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	227.27 Y
ENDEAVOUR STREET	50	Urban	40	40	Tolaga Bay	228	460	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	230.46 Y
ESPLANADE PORT SIDE	50	Urban	30	50	Kaiti	0	272	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Commercial Big Box	Industrial/Big Box	1310	271.98 ONF - Urban Activity Streets
ESPLANADE PORT SIDE	50	Urban	30	50	Kaiti	272	378	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Commercial Big Box	Industrial/Big Box	1310	105.11 ONF - Urban Activity Streets
FERNEAUX STREET	50	Urban	40	40	Tolaga Bay	0	531	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	220	373.79 Y
FERNEAUX STREET	50	Urban	40	40	Tolaga Bay	531	982	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	220	447.86 Y
FORSTER STREET	50	Urban	30	40	Tolaga Bay	0	0	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	32.82 missing ONF
FORSTER STREET	50	Urban	40	40	Tolaga Bay	0	0	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	96.43 Y
FORSTER STREET	40/50V	Urban	40	40	Tolaga Bay	0	848	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	838.05 Y
FORTIS PLACE	50	Urban	40	40	Lytton West	0	124	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	2100	33.18 Y
FOX STREET	50	Urban	40	40	Whataupoko	0	124	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	2100	125.77 Y
FRASERS STREET	50	Urban	40	40	Okitu	0	124	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	275	122.06 Y
FRASER STREET	70	Urban	40	40	Ormond	0	90	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	80.84 Y
GLADSTONE ROAD	50	Urban	30	30	Gisborne City	165	292	M2	P2	Urban	Main Streets	Main Streets	Primary Collector	Commercial Strip SI	Local Centre	13000	0.10 Y
GLADSTONE ROAD	50	Urban	30	30	Gisborne City	292	418	M2	P2	Urban	Main Streets	Main Streets	Primary Collector	Commercial Strip SI	Local Centre	13000	125.93 Y
GLADSTONE ROAD	50	Urban	30	30	Gisborne City	38	165	M2	P2	Urban	Main Streets	Main Streets	Primary Collector	Commercial Strip SI	Local Centre	13000	125.93 Y
GLADSTONE ROAD	50	Urban	30	30	Gisborne City	418	544	M2	P2	Urban	Main Streets	Main Streets	Primary Collector	Commercial Strip SI	Local Centre	13000	126.66 Y
GLADSTONE ROAD	50	Urban	30	30	Gisborne City	544	670	M2	P2	Urban	Main Streets	Main Streets	Primary Collector	Commercial Strip SI	Local Centre	13000	125.93 Y
GORE STREET	50	Urban	40	40	Tolaga Bay	0	231	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	230.56 Y
GRACE ROAD	100	Rural	60	60	Ruatoria	0	80	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	128	79.85 Y
GREY STREET	50	Urban	30	30	Gisborne City	0	215	M3	P3	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip SI	Neighbourhood Centre	5500	210.47 Y
GREY STREET	50	Urban	30	30	Gisborne City	215	324	M3	P3	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip SI	Neighbourhood Centre	5500	108.07 Y
GREY STREET	50	Urban	30	30	Gisborne City	324	391	M3	P2	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip SI	Local Centre	5500	67.26 Y
GREY STREET	50	Urban	30	30	Gisborne City	391	548	M3	P2	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip SI	Local Centre	5500	156.20 Y
HALL STREET	50	Urban	40	40	Tolaga Bay	0	78	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	70.75 Y
HALL STREET	50	Urban	40	40	Whataupoko	0	125	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220	126.32 Y
HALL STREET	70	Urban	30	60	Te Pua Springs	0	86	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	100	4.93 missing ONF
HALL STREET	70	Urban	30	60	Te Pua Springs	0	160	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	100	80.67 ONF - Rural Peri-urban
HALL STREET	70	Urban	30	60	Te Pua Springs	0	160	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	100	155.09 ONF - Rural Peri-urban
HANSEN ROAD	100	Rural	60	80	Lytton West	0	477	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	450	3.40 ONF - Rural Peri-urban
HANSEN ROAD	100	Rural	60	80	Makauri	0	477	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	450	480.92 ONF - Rural Peri-urban
HANSEN ROAD	100	Rural	60	80	Makauri	477	1715	M5	P4	Rural	Rural Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	109	1234.13 ONF - Rural Peri-urban
HARDY LANE	50	Urban	30	30	Gisborne City	0	127	M5	P3	Urban	Local Streets	Local Streets	Access	Commercial Strip SI	Industrial/Big Box	55	126.54 Y
HARRISON ROAD	100	Rural	50	50	Ruatoria	0	686	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	330	695.26 Y
HARRISON ROAD	100	Rural	50	50	Ruatoria	0	161	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	330	154.18 Y
HAUINI STREET	50	Urban	30	40	Tokomaru Bay	0	0	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	79.63 missing ONF
HAUINI STREET	50	Urban	40	50	Tolaga Bay	0	395	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	330	19.83 missing ONF
HAUINI ROAD	50	Urban	40	50	Tolaga Bay	0	395	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	330	394.80 ONF - Urban local streets
HEKIERA ROAD	50	Urban	30/40	40	Ruatoria	0	83	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	84.29 Y
HEKIERA ROAD	50	Urban	30/40	40	Ruatoria	83	240	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	160.12 Y
HELVER STREET	70	Urban	40	40	Ormond	0	181	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	181.04 Y
HETATA STREET	50	Urban	40	40	Whataututu	0	222	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	220.59 Y
HETATA STREET	50	Urban	40	40	Whataututu	222	397	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	160.63 Y
HIKIRANGI STREET	50	Urban	30	40	Tokomaru Bay	0	144	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450	130.24 ONF - Urban local streets
HIKIRANGI STREET	50	Urban	30	40	Tokomaru Bay	144	172	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450	41.59 ONF - Urban local streets
HILL ROAD	70	Urban	40	40	Ormond	0	177	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	180.23 Y
HILL ROAD	70	Urban	40	40	Ormond	177	549	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	353.62 Y
HINEKURA ROAD	50	Urban	40	40	Tolaga Bay	0	209	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	206.19 Y
HOLLAND PLACE	50	Urban	30/40	40	Ruatoria	0	98	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	100.81 Y
HUXLEY ROAD	40/50V	Urban	30/40	40	Outer Kaiti	0	150	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	650	37.33 Y
IOAPA ROAD	50	Urban	40	40	Te Karaka	0	423	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	426.35 Y
KAHUKURA STREET	70	Urban	30	40	Te Araroa	0	277	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	283.33 ONF - Urban activity streets
KAHUKURA STREET	70	Urban	30	40	Te Araroa	0	277	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	663.35 Y
KAIITI BEACH ROAD	50	Urban	30	40	Tokomaru Bay	0	557	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	44	96.50 ONF - Urban Activity Streets
KAIITI BEACH ROAD	50	Urban	30	40	Kaiti	0	1243	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Industrial/Big Box	55	72.97 ONF - Urban Activity Streets
KAKARIKI ROAD	100	Rural	60	60	Ruatoria	0	2250	M5	P5	Urban	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	33	2336.53 Y
KANAKANANIA ROAD	50	Urban	30	50	Te Karaka	0	316	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Urban Town	Urban Residential	250	316.05 ONF - Urban activity streets
KARA STREET	40/50V	Urban	30/40	40	Outer Kaiti	0	120	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	275	47.84 Y
KARARAINA AVENUE	50	Urban	30/40	40	Ruatoria	0	104	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	6.26 Y
KARARAINA AVENUE	50	Urban	30/40	40	Ruatoria	0	104	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	105.85 Y
KARARAINA AVENUE	50	Urban	30/40	40	Ruatoria	104	194	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	82.21 Y
KIE KIE ROAD	100	Rural	60	60	Waipiro	0	382	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	55	46.03 Y
KIE KIE ROAD	100	Rural	60	60	Waipiro	0	382	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	55	731.30 Y
KIE KIE ROAD	100	Rural	60	60	Waipiro	1207	1296	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	55	44.22 Y
KIE KIE ROAD	100	Rural	60	60	Waipiro	526	880	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	55	484.56 Y
KIPLING ROAD	50	Urban	40	40	Te Karaka	0	380	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	47.57 Y
KIPLING ROAD	50	Urban	40	40	Te Karaka	0	380	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	332.03 Y
KIPLING ROAD	50	Urban	40	40	Te Karaka	380	643	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	262.79 Y
KOAO STREET	70	Urban	30	40	Te Araroa	0	102	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	94.95 ONF - Urban local streets
KOIA ROAD	100	Rural	60	60	Tikiti	0	347	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	22	1112.97 Y
KOIA ROAD	100	Rural	60	60	Tikiti	347	1116	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	22	7.16 Y
KOJUARO ROAD	100	Rural	60	60	Waipiro	4309	7418	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	88	185.50 ONF - Rural road
KOJUARO ROAD	100	Rural	60	60	Waipiro	0	303	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	88	2126.99 Y
KOJUARO ROAD	100	Rural	60	60	Waipiro	2446	2550	M5	P5	Rural	Rural Roads	Rural Roads	Access				

LOYD GEORGE ROAD	50	Urban	40	40	Wainui	0	89	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	55	102.18 Y
LOYD GEORGE ROAD	50	Urban	40	40	Wainui	89	701	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	165	474.80 Y
LOWE STREET	50	Urban	30	30	Gisborne City	0	111	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip SI	Local Centre	1650	118.06 Y
LOWE STREET	50	Urban	30	30	Gisborne City	111	267	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip SI	Local Centre	1650	155.68 Y
LYNSAR STREET	50	Urban	40	40	Oklu					Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	11	126.37 Y
LYNSAR STREET	50	Urban	40	40	Waimata					Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	11	0.76 Y
LYTTON ROAD	40/50V	Urban	30/40	40	Lytton West	353	539	M1	P4	Urban	Urban Connectors	Urban Connectors	Arterial	Urban Residential	Urban Residential	8500	8.90 Y
LYTTON ROAD	40/50V	Urban	30/40	40	Lytton West	539	1441	M1	P4	Urban	Urban Connectors	Urban Connectors	Arterial	Urban Residential	Urban Residential	11850	0.01 Y
LYTTON ROAD	40/50V	Urban	30/40	40	Riverdale	539	539	M1	P4	Urban	Urban Connectors	Urban Connectors	Arterial	Urban Residential	Urban Residential	8500	134.89 Y
LYTTON ROAD	40/50V	Urban	30/40	40	Riverdale	539	1441	M1	P4	Urban	Urban Connectors	Urban Connectors	Arterial	Urban Residential	Urban Residential	11850	143.83 Y
MACLEAN STREET	50	Urban	40	40	Whataupoko	0	74	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	11	82.31 Y
MACLEAN STREET	50	Urban	40	40	Whataupoko	74	177	M5	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	165	105.25 Y
MACLEAN STREET	50	Urban	40	40	Te Karaka	646	707	M3	P3	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Neighbourhood Centre	700	58.43 ONF - Urban activity streets
MAIN ROAD	50	Urban	30	50	Te Karaka	707	856	M3	P3	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Neighbourhood Centre	700	141.80 ONF - Urban activity streets
MAIN ROAD	50	Urban	40	50	Te Karaka	347	474	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	700	130.25 ONF - Urban local streets
MAIN ROAD	50	Urban	40	50	Te Karaka	474	646	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	700	174.33 ONF - Urban local streets
MAKAHURI PLACE	70	Urban	30	40	Hicks Bay	0	168	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	20.81 ONF - Urban Local Streets
MAKAHURI PLACE	70	Urban	30	40	Hicks Bay	0	168	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	167.08 ONF - Urban Local Streets
MAKORORI BEACH ROAD	50	Urban	30	60	Makorori	0	1139	M5	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Fringe	531	1140.59 ONF - Rural stopping place
MANGAHAREI STREET	50	Urban	40	40	Ruatoria					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	2.93 Y
MANGAHAREI STREET	50	Urban	40	40	Ruatoria	0	174	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	384.24 Y
MANGAHAREI STREET	50	Urban	30	40	Tokomaru Bay					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	88	299.58 missing ONF
MANGAHAREI STREET	50	Urban	30	40	Tokomaru Bay	0	394	M3	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	402.25 ONF - Urban activity streets
MANGAKINO STREET	50	Urban	40	40	Ruatoria	0	236	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	244.33 Y
MANGAKINO STREET	50	Urban	40	40	Ruatoria	0	265	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	258.90 Y
MANUTAH DRIVE	50	Urban	30/40	40	Waipiro					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	146.14 missing ONF
MARAE ROAD	100	Rural	30	60	Waipiro	0	163	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	55	21.07 ONF - Rural stopping place
MARAE ROAD	70	Urban	30	40	Hicks Bay	0	488	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	488.49 ONF - Urban Local Streets
MARAEHARA ROAD	100	Rural	30	60	Tikiti	0	274	M5	P4	Rural	Rural Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	160	274.52 ONF - Rural Peri-urban
MARAEHARA ROAD	100	Rural	60	60	Tikiti	2522	4478	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	50	1941.02 Y
MARAEHARA ROAD	100	Rural	60	60	Tikiti	274	1812	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	80	1547.36 Y
MARAEHARA ROAD	100	Rural	60	60	Tikiti	1812	2522	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	80	737.88 ONF - Rural road
MAROTIRI STREET	50	Urban	30	40	Tokomaru Bay					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	75.82 missing ONF
MATAI STREET	70	Urban	30	40	Te Araroa	0	87	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	86.15 ONF - Urban local streets
MATAI STREET	70	Urban	30	40	Hicks Bay	0	1581	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	29	1544.13 Y
MATAKAOA ROAD	100	Rural	60	60	Waipiro					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	29	39.09 missing ONF
MCILROY ROAD	100	Rural	30	60	Waipiro	0	236	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	283.11 ONF - Rural road
MCILROY ROAD	100	Rural	30	60	Waipiro	236	1232	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	895.84 ONF - Rural road
MCILROY ROAD	70	Urban	30	60	Te Pua Springs	0	319	M5	P4	Urban	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	318.80 ONF - Rural Peri-urban
MCKENZIE STREET	100	Urban	30	60	Tokomaru Bay	0	91	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	109	91.10 ONF - Urban local streets
MERE STREET	50	Urban	30	40	Te Araroa					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	70.75 missing ONF
MERE STREET	50	Urban	30	40	Te Araroa	0	243	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	229.83 ONF - Urban activity streets
MERE STREET	50	Urban	30	40	Te Araroa	243	316	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	72.86 ONF - Urban activity streets
MOANA PARADE	70	Urban	30	40	Te Araroa	320	500	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	113.04 ONF - Urban local streets
MOANA PARADE	70	Urban	30	40	Te Araroa	500	712	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	214.80 ONF - Urban local streets
MOANA PARADE	70	Urban	30	40	Oklu					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	55	141.17 Y
MOANA STREET	50	Urban	30	40	Tokomaru Bay					Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	55	78.79 missing ONF
MONKHOUSE STREET	50	Urban	30	40	Tolaga Bay	0	131	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	136.36 ONF - Urban local streets
MONKHOUSE STREET	50	Urban	30	40	Tolaga Bay	131	264	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	133.18 ONF - Urban local streets
MONKHOUSE STREET	50	Urban	40	40	Tolaga Bay	264	534	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	270.05 Y
MORRIS ROAD	100	Urban	40	40	Te Karaka	0	290	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	292.47 Y
MURIWAI BEACH ROAD	100	Rural	30	60	Muriwai	980	1409	M5	P3	Rural	Peri-urban Roads	Stopping Places	Access	Rural Town	Urban Fringe	109	432.55 ONF - Rural stopping place
MURIWAI BEACH ROAD	50	Urban	30	40	Muriwai	0	90	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	220	88.46 ONF - Rural Peri-urban
MURIWAI BEACH ROAD	50	Urban	30	40	Muriwai	587	796	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	213.12 ONF - Rural Peri-urban
MURIWAI BEACH ROAD	50	Urban	30	40	Muriwai	796	980	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	180.52 ONF - Rural Peri-urban
MURIWAI BEACH ROAD	50	Urban	30	40	Muriwai	90	587	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	220	499.58 ONF - Rural Peri-urban
MURPHY ROAD	50	Urban	40	40	Wainui	421	523	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	549	225.77 Y
MURPHY ROAD	50	Urban	40	40	Wainui	179	737	M5	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	549	18.06 Y
MURPHY ROAD	50	Urban	40	50	Wainui	0	178	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	549	179.50 ONF - Urban local streets
MURPHY ROAD	50	Urban	40	50	Wainui	178	421	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	549	341.65 ONF - Urban local streets
NELSON ROAD	100	Rural	60	60	Makauri	2675	3208	M3	P5	Rural	Rural Connectors	Rural Connectors	Primary Collector	Rural Residential	Rural Residential	1000	534.34 Y
NELSON ROAD	40/50V	Urban	30/40	40	Lytton West					Urban	Urban Connectors	Local Streets	Primary Collector	Rural Town	Urban Residential	2875	1.07 Y
NELSON ROAD	40/50V	Urban	30/40	40	Lytton West	0	212	M3	P2	Urban	Urban Connectors	Activity Streets	Primary Collector	Urban Residential	Urban Residential	2875	214.32 Y
NELSON ROAD	40/50V	Urban	30/40	40	Lytton West	212	490	M3	P3	Urban	Urban Connectors	Activity Streets	Primary Collector	Urban Residential	Urban Residential	2875	232.47 Y
NELSON ROAD	80	Rural	60	60	Lytton West	1709	2675	M3	P3	Rural	Rural Connectors	Stopping Places	Primary Collector	Rural Residential	Rural Residential	1000	44.26 Y
NELSON ROAD	80	Rural	60	60	Makauri	1709	2675	M3	P3	Rural	Rural Connectors	Stopping Places	Primary Collector	Rural Residential	Rural Residential	1000	922.34 Y
NGAWARI PLACE	50	Urban	40	40	Whatautu	0	69	M5	P4	Urban	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	69.56 Y
NGAWATI STREET	50	Urban	40	40	Ruatoria	0	104	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	100.27 Y
NURSERY ROAD	50	Urban	40	40	Matawhero	0	119	M5	P4	Urban	Rural Roads	Peri-urban Roads	Access	Rural Residential	Urban Residential	55	115.47 ONF - Rural Peri-urban
OCEAN PARK	50	Urban	40	40	Wainui	0	50	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	51.23 Y
ONEPOTO ROAD	70	Urban	30	40	Hicks Bay	0	140	M3	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	902.04 ONF - Urban Local Streets
ONEPOTO ROAD	70	Urban	30	40	Hicks Bay	1127	1475	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	129.40 ONF - Urban Local Streets
ONEPOTO ROAD	70	Urban	30	40	Hicks Bay	140	1127	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	442.53 ONF - Urban Local Streets
ONEROA ROAD	50	Urban	40	40	Wainui					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	255	40.28 Y
ONEROA ROAD	50	Urban	40	50	Wainui	0	178	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Rural Town	Urban Residential	1495	178.57 ONF - Urban activity streets
ORMOND ROAD	40/50V	Urban	30/40	50	Mangapapa	2111	2293	M1	P4	Urban	Urban Connectors	Urban Connectors	Arterial	Rural Town	Urban Residential	12600	131.37 School variable
ORMOND ROAD	40/50V	Urban	30/40	50	Mangapapa	2331	2512	M2	P5	Urban	Urban Connectors	Activity Streets	Arterial	Rural Town	Urban Residential	12600	164.21 School variable
ORMOND VALLEY ROAD	100	Rural	80	80	Ormond		</										

PARKINSON STREET	50	Rural	40	40	Tolaga Bay															69.39 Y		
PARKINSON STREET	50	Urban	40	40	Tolaga Bay	0	257	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128				489.08 Y		
PARUA STREET	50	Urban	30	40	Tokomaru Bay	0	353	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	28				352.01 ONF - Urban local streets		
PEEL STREET	50	Urban	30	30	Gisborne City															51.63 Y		
PEEL STREET	50	Urban	30	30	Gisborne City	0	157	M3	P2	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip	SI Local Centre	3300					163.48 Y	
PEEL STREET	50	Urban	30	30	Gisborne City	157	313	M3	P2	Urban	Activity Streets	Activity Streets	Primary Collector	Commercial Strip	SI Local Centre	3300					155.48 Y	
PEEL STREET	50	Urban	30	30	Whataupoko															72.83 Y		
PENEHA STREET	50	Urban	40	40	Whataututu	0	122	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220				119.05 Y		
PENEHA STREET	50	Urban	40	40	Whataututu	122	242	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220				121.38 Y		
PENEHA STREET	50	Urban	40	40	Whataututu	242	366	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220				132.27 Y		
PERRY STREET	40/50V	Urban	30/40	40	Mangapapa	0	350	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220					53.62 Y	
FEWHAIRANGI STREET	50	Urban	30	40	Tokomaru Bay	0	180	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450					191.00 ONF - Urban local streets	
PIGGERY ROAD	100	Rural	50	40	Ruatoria																2.73 missing ONF	
PIGGERY ROAD	100	Rural	50	40	Ruatoria	0	268	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	55					265.53 ONF - Urban local streets	
POHUTU ROAD	70	Urban	40	40	Te Araroa	0	484	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					481.21 Y	
POHUTU ROAD	70	Urban	40	40	Te Araroa	484	625	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					126.84 Y	
POHUTU ROAD	70	Urban	40	40	Te Araroa	625	777	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					158.18 Y	
POTAE AVENUE	50	Urban	30/40	40	Lytton West																298.50 Y	
POTAE STREET	50	Urban	30	40	Tokomaru Bay	0	188	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450					200.77 ONF - Urban local streets	
PUA STREET	100	Rural	60	60	Te Pua Springs																394.00 Y	
PUKETITI ROAD	100	Rural	60	60	Te Pua Springs	17	2700	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	22					2700.28 Y	
FUTUTU ROAD	50	Urban	30	40	Tikiti	0	411	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220					411.20 ONF - Rural Peri-urban	
QUEENS DRIVE	50	Urban	30	40	Kaiti	0	132	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109					125.07 ONF - Urban Activity Streets	
QUEENS DRIVE	50	Urban	30	40	Kaiti	132	540	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109					426.21 ONF - Urban Activity Streets	
QUEENS DRIVE	50	Urban	30	40	Kaiti	540	894	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109					298.72 ONF - Urban Activity Streets	
RAIWAHAI STREET	50	Urban	30	40	Tokomaru Bay	0	101	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450					103.48 ONF - Urban local streets	
RAIWAHAI STREET	50	Urban	30	40	Tokomaru Bay	101	200	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450					91.24 ONF - Urban local streets	
RAIWAHAI STREET	50	Urban	30	40	Tokomaru Bay																57.30 missing ONF	
RANGATIRA ROAD	50	Urban	40	40	Te Karaka	0	319	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					324.74 Y	
RANGITAWHIO STREET	50	Urban	40	40	Te Karaka	0	74	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					80.93 Y	
RANGITUKIA ROAD	100	Rural	30	80	Tikiti	2723	5076	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	250					49.65 ONF - Rural connector	
RANGITUKIA ROAD	100	Rural	30	80	Tikiti	5076	5333	M3	P3	Rural	Rural Connectors	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	250					209.31 ONF - Rural stopping place	
RANGITUKIA ROAD	100	Rural	30	80	Tikiti	5333	6289	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	250					53.95 ONF - Rural connector	
RANGITUKIA ROAD	100	Rural	60	60	Tikiti	524	1870	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	450					1293.35 Y	
RANGITUKIA ROAD	100	Rural	60	60	Tikiti	7560	8573	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	15					1338.48 Y	
RANGITUKIA ROAD	100	Rural	60	60	Tikiti	8655	14687	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	15					6434.80 Y	
RANGITUKIA ROAD	100	Rural	80	80	Tikiti	1870	2723	M3	P3	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	250					3218.22 Y	
RANGITUKIA ROAD	100	Rural	80	80	Tikiti	5333	6289	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	250					903.13 Y	
RANGITUKIA ROAD	100	Rural	80	80	Tikiti	6289	7560	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	165					1273.54 Y	
RANGITUKIA ROAD	100	Rural	30	60	Tikiti	288	524	M3	P3	Rural	Peri-urban Roads	Stopping Places	Secondary Collector	Rural Town	Urban Fringe	450					284.00 ONF - Rural stopping place	
RANGITUKIA ROAD	100	Rural	30	60	Tikiti	8655	14687	M5	P5	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	450					286.35 ONF - Rural Peri-urban	
RANGILUA ROAD	50	Rural	40	60	Tolaga Bay	0	387	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	50					387.02 ONF - Rural road	
RANGIWAHO ROAD	50	Urban	30	40	Muriwai	0	115	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109					114.80 ONF - Rural Peri-urban	
RATA STREET	70	Urban	30	40	Te Araroa	0	200	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					103.20 ONF - Urban local streets	
RATA STREET	70	Urban	30	40	Te Araroa	200	350	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165					139.04 ONF - Urban activity streets	
RATA STREET	70	Urban	30	40	Te Araroa	0	95	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					92.38 Y	
RATA STREET	70	Urban	40	40	Te Araroa	0	200	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					91.78 Y	
RAWIRI TAMANUI PLACE	50	Urban	40	40	Whataututu	0	85	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220					87.88 Y	
READS QUAY	50	Urban	30	30	Gisborne City	0	132	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip	SI Local Centre	2571					133.79 Y	
READS QUAY	50	Urban	30	30	Gisborne City	132	359	M4	P2	Urban	Activity Streets	Activity Streets	Secondary Collector	Commercial Strip	SI Local Centre	2571						240.52 Y
REPORUA ROAD	100	Rural	60	60	Ruatoria	0	1813	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120					2159.54 Y	
REPORUA ROAD	100	Rural	60	60	Ruatoria	1813	6350	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	120					4256.93 Y	
RESOLUTION STREET	50	Urban	30	40	Tolaga Bay	0	61	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	220					228.95 ONF - Urban activity streets	
RESOLUTION STREET	50	Urban	40	40	Tolaga Bay	225	459	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220					231.95 Y	
RIMUI STREET	70	Urban	30	40	Te Araroa	0	126	M4	P3	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165					125.66 ONF - Urban local streets	
RIMUROA ROAD	50	Urban	30	40	Tokomaru Bay																400.62 missing ONF	
RIVERPOINT ROAD	100	Rural	80	60	Matawhero	0	41	M5	P4	Rural	Rural Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	109					40.93 ONF - Rural Peri-urban	
RIVERPOINT ROAD	100	Rural	80	80	Matawhero	41	721	M5	P4	Rural	Rural Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	109					685.52 Y	
RIVERPOINT ROAD	100	Rural	80	80	Matawhero	721	1885	M5	P4	Rural	Rural Roads	Peri-urban Roads	Access	Rural Residential	Rural Residential	109					1163.20 Y	
ROEBUCK ROAD	40/50V	Urban	30/40	40	Gisborne City																130.73 Y	
ROEBUCK ROAD	40/50V	Urban	30/40	40	Gisborne City	1029	1491	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Urban Residential	Urban Residential	1200						193.66 Y
ROEBUCK ROAD	40/50V	Urban	30/40	50	Te Hapara																1.26 Y	
ROMO STREET	50	Urban	30	40	Tokomaru Bay	0	104	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450					199.92 School variable	
RUA STREET	40/50V	Urban	30/40	40	Mangapapa	0	151	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Urban Residential	Urban Residential	1000					102.87 ONF - Urban local streets	
RUA STREET	40/50V	Urban	30/40	40	Mangapapa	151	302	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	1000					150.77 Y	
RUAKAKA ROAD	100	Rural	30	60	Hangaaroa	0	813	M5	P5	Urban	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	66					45.67 School - ONF Rural Road	
RUAKAKA ROAD	100	Rural	30	60	Tiniroto	0	813	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	66					33.18 ONF - Rural road	
RUBISH DUMP ROAD	50	Urban	30	40	Tikiti	0	292	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	165					292.00 ONF - Rural Peri-urban	
RYLAND ROAD	50	Urban	30	40	Tokomaru Bay	0	48	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	28					40.35 missing ONF	
SANDY COVE	50	Urban	40	40	Wainui																48.08 ONF - Urban local streets	
SCARLYS WAY	50	Urban																				

STOUT STREET	50	Urban	40	50	Whataupoko	126	247	M3	P3	Urban	Activity Streets	Activity Streets	Primary Collector	Urban Residential	Neighbourhood Centre	3993	120.84 ONF - Urban activity streets
STOUT STREET	50	Urban	40	50	Whataupoko	437	438	M4	P4	Urban	Urban Connectors	Local Streets	Primary Collector	Urban Residential	Urban Residential	3993	192.89 ONF - Urban local streets
STOUT STREET	50	Urban	40	50	Whataupoko	458	578	M4	P4	Urban	Urban Connectors	Local Streets	Primary Collector	Urban Residential	Urban Residential	3993	137.85 ONF - Urban local streets
STOUT STREET	50	Urban	40	50	Whataupoko	578	711	M4	P4	Urban	Urban Connectors	Local Streets	Primary Collector	Urban Residential	Urban Residential	3993	134.12 ONF - Urban local streets
STOUT STREET	50	Urban	40	50	Whataupoko	711	932	M4	P4	Urban	Urban Connectors	Local Streets	Primary Collector	Urban Residential	Urban Residential	3993	220.75 ONF - Urban local streets
STOUT STREET	50	Urban	40	50	Whataupoko	932	1153	M4	P4	Urban	Urban Connectors	Local Streets	Primary Collector	Urban Residential	Urban Residential	3993	375.03 ONF - Urban local streets
TAMANUIHURI ROAD	50	Urban	30	40	Muriwai	0	204	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	204.82 ONF - Rural Peri-urban
TARANHAE ROAD	100	Rural	60	60	Matawhero	0	101	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	28	100.59 ONF - Rural road
TARANGI ROAD	50	Urban	30	40	Tokomaru Bay					Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	680	179.59 missing ONF
TATAPOURI HOTEL ROAD	100	Rural	30	60	Makorori	0	116	M5	P3	Rural	Stopping Places	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	330	116.07 ONF - Rural stopping place
TAUARAU VALLEY ROAD	50	Urban	30	40	Manutuke	0	159	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	330	93.20 ONF - Rural Peri-urban
TAUWHAREPARAE ROAD	100	Rural	50	50	Tolaga Bay	1018	1756	M4	P4	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	680	739.38 Y
TAUWHAREPARAE ROAD	50	Urban	50	50	Tolaga Bay	0	47	M3	P3	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Urban Residential	680	1020.29 Y
TAWHITI STREET	50	Urban	30	40	Tokomaru Bay	0	190	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	28	195.44 ONF - Urban local streets
TE HAU ROAD	70	Urban	60	40	Whatautu	0	368	M5	P3	Rural	Peri-urban Roads	Stopping Places	Access	Rural Town	Urban Fringe	120	370.55 ONF - Rural stopping place - SAAS 40 TBC
TE HUNGA AVENUE	50	Urban	40	40	Ruatoria	0	99	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	104.81 Y
TE MAANGA ROAD	100	Rural	60	80	Matawhero					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	923.46 ONF - Rural road - Industrial Hub - engagement submission
TE WEHI ROAD	100	Rural	60	80	Tokomaru Bay					Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	212.62 missing ONF
TE WHIWHI STREET	50	Urban	40	40	Whatautu	0	123	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	120.61 Y
TE WHIWHI STREET	50	Urban	40	40	Whatautu	123	243	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	120.61 Y
TE WHIWHI STREET	50	Urban	40	40	Whatautu	243	399	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	220	158.05 Y
TE WHIWHI STREET	50	Urban	40	40	Whatautu	399	471	M5	P3	Rural	Peri-urban Roads	Stopping Places	Access	Rural Town	Urban Fringe	220	92.80 Y
TEMEPARA LANE	50	Urban	40	40	Tolaga Bay	0	67	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	20	71.63 Y
TIKAPA ROAD	100	Rural	60	60	Tikikiki					Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	14.35 Y
TIKAPA ROAD	100	Rural	60	60	Tikikiki	0	3236	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	3251.76 Y
TIKAPA ROAD	100	Rural	60	60	Tikikiki	3236	3410	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	906.29 Y
TIKAPA ROAD	100	Rural	60	60	Tikikiki	3410	5457	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	1321.94 Y
TINIROTO ROAD	70/100	Rural	60	60	Waerengaokuri					Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	261.74 Y
TINIROTO ROAD	70/100	Rural	60	60	Waerengaokuri	17614	17800	M3	P3	Rural	Rural Connectors	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	255	202.89 Y
TITIRANGI DRIVE	50	Urban	30	40	Kaiti	0	1788	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109	1813.38 ONF - Urban Activity Streets
TITIRANGI DRIVE	50	Urban	30	40	Tokomaru Bay	0	234	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	299.52 ONF - Urban local streets
TOA STREET NORTH	50	Urban	30	40	Tokomaru Bay	294	400	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	102.47 ONF - Urban local streets
TOA STREET NORTH	50	Urban	30	40	Tokomaru Bay	0	128	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	131.96 ONF - Urban local streets
TOA STREET SOUTH	50	Urban	30	40	Tokomaru Bay	0	120	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	450	119.33 ONF - Urban local streets
TOKOMARU STREET	50	Urban	30	40	Tokomaru Bay	120	180	M4	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	220	50.44 ONF - Urban local streets
TOKOMARU STREET	70	Urban	30	40	Te Araroa	0	113	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	165	112.73 ONF - Urban local streets
TOTARA STREET	50	Urban	40	40	Wainui	0	144	M4	P4	Urban	Local Streets	Local Streets	Access	Urban Residential	Urban Residential	220	144.52 Y
TUAHINE CRESCENT	70	Urban	40	40	Ormond	0	179	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	55	180.74 Y
TUKE STREET	100	Rural	60	60	Ruatoria	2300	2509	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	168	2100.67 Y
TUPAROA ROAD	100	Rural	60	60	Ruatoria	4391	6420	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	55	3490.31 Y
TUPAROA ROAD	100	Rural	60	60	Ruatoria	6420	7919	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	55	68.34 Y
TUPAROA ROAD	100	Rural	60	60	Ruatoria	7919	8930	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	55	480.86 Y
TUPAROA ROAD	100	Rural	60	80	Ruatoria					Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	55	9.35 missing ONF
TUPAROA ROAD	100	Rural	60	80	Ruatoria	891	2300	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	252	415.39 ONF - Rural connector
TUPAROA ROAD	100	Rural	80	80	Ruatoria	439	1447	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	220	977.80 Y
TUPAROA ROAD	100	Rural	80	80	Ruatoria	792	891	M4	P4	Rural	Local Streets	Local Streets	Secondary Collector	Urban Residential	Urban Residential	750	83.41 Y
TUPAROA ROAD	50	Urban	30/40	50	Ruatoria	0	181	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Rural Town	Neighbourhood Centre	750	498.63 School variable
TUPAROA ROAD	50	Urban	30/40	50	Ruatoria	181	502	M4	P3	Urban	Local Streets	Local Streets	Secondary Collector	Rural Town	Neighbourhood Centre	750	3.59 School variable
UAHIA PARADE	50	Urban	40	40	Tolaga Bay	0	776	M5	P4	Urban	Local Streets	Local Streets	Access	Rural Town	Urban Residential	128	800.97 Y
WAIERI ROAD	50	Urban	30	40	Muriwai	0	128	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	127.51 ONF - Rural Peri-urban
WAIERI ROAD	100	Rural	30	40	Muriwai	126	281	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	136.70 ONF - Rural Peri-urban
WAIERI ROAD	50	Urban	30	40	Muriwai	261	296	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	109	35.43 ONF - Rural Peri-urban
WAIKAWA ROAD	100	Rural	30	60	Waipiro	0	314	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	382.44 ONF - Rural road
WAIKAWA ROAD	100	Rural	30	60	Waipiro	314	2690	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	40	1852.89 ONF - Rural road
WAIMA ROAD	50	Urban	30	40	Tokomaru Bay	0	447	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	28	479.50 ONF - Urban activity streets
WAIMA ROAD	50	Urban	30	40	Tokomaru Bay	447	1315	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	28	915.54 ONF - Urban activity streets
WAINGAKE ROAD	100	Urban	30	80	Manutuke	986	10821	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	330	220.33 ONF - Urban connector
WAINGAKE ROAD	50	Urban	30	50	Manutuke	0	220	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	550	218.61 ONF - Rural Peri-urban
WAINGAKE ROAD	50	Urban	30	50	Manutuke	220	986	M3	P3	Rural	Peri-urban Roads	Stopping Places	Secondary Collector	Rural Town	Urban Fringe	550	768.06 ONF - Rural stopping place
WAINGAKE ROAD	50	Urban	30	50	Manutuke	986	10821	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	330	86.63 ONF - Rural connector
WAIOMATATINI ROAD	100	Rural	50	50	Ruatoria	356	1179	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	1304	622.98 Y
WAIOMATATINI ROAD	100	Rural	50	60	Ruatoria	0	356	M3	P5	Rural	Rural Connectors	Rural Connectors	Primary Collector	Rural Residential	Rural Residential	1220	355.32 ONF - Rural connector
WAIOMATATINI ROAD	100	Rural	50	60	Ruatoria	356	1179	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	1304	205.31 ONF - urban connector
WAIOMATATINI ROAD	100	Rural	60	60	Ruatoria	11314	11925	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	1498.34 Y
WAIOMATATINI ROAD	100	Rural	60	60	Ruatoria	5283	8124	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	333	2898.75 Y
WAIOMATATINI ROAD	100	Rural	60	60	Ruatoria	8124	9406	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	330	1366.33 Y
WAIOMATATINI ROAD	100	Rural	60	60	Ruatoria	9446	11314	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	1820.65 Y
WAIOMATATINI ROAD	100	Rural	60	60	Tikikiki	12813	12890	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	247.91 Y
WAIOMATATINI ROAD	100	Rural	60	60	Tikikiki	12890	15015	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	2387.26 Y
WAIOMATATINI ROAD	100	Rural	60	60	Tikikiki	15566	17038	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	109	1417.09 Y
WAIOMATATINI ROAD	100	Rural	80	80	Ruatoria	3338	4530	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	220	1162.79 Y
WAIOMATATINI ROAD	100	Rural	80	80	Ruatoria	4530	5283	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	440	737.90 Y
WAIOMATATINI ROAD	50	Urban	30/40	50	Ruatoria	1934	2472	M3	P3	Urban	Local Streets	Activity Streets	Secondary Collector	Rural Town	Neighbourhood Centre	652	316.22 School variable
WAIOMATATINI ROAD	50	Urban	40	50	Ruatoria					Urban	Local Streets	Activity Streets	Secondary Collector	Rural Town	Neighbourhood Centre	652	1.31 missing ONF
WAIOMATATINI ROAD	50	Urban	40	50	Ruatoria	1179	1886	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	1304	523.32 ONF - urban connector
WAIOMATATINI ROAD	50	Urban	40	50	Ruatoria	1886	1934	M3	P4	Urban	Urban Connectors	Urban Connectors	Primary Collector	Rural Town	Urban Residential	1304	

WHAKATO ROAD	50	Urban	30	80	Manutuke	0	918	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	33	65.79 missing ONF
WHAREKAHKA ROAD	100	Rural	60	60	Hicks Bay	0	3428	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	33	901.23 Y
WHARF ROAD	100	Rural	30	60	Hicks Bay	3428	3866	M5	P5	Rural	Rural Roads	Rural Roads	Access	Remote Rural	Remote Rural	55	88.05 ONF - Rural Road
WHARF ROAD	100	Rural	30	60	Hicks Bay	3866	4337	M5	P3	Rural	Rural Roads	Stopping Places	Access	Rural Residential	Rural Residential	55	424.42 ONF - Rural Road
WHARF ROAD	100	Rural	40	60	Tolaga Bay	0	840	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	235	847.47 ONF - Rural connector
WHARF ROAD	100	Rural	40	60	Tolaga Bay	1308	1750	M3	P3	Rural	Rural Connectors	Stopping Places	Secondary Collector	Rural Residential	Rural Residential	235	409.96 ONF - Rural stopping place
WHARF ROAD	100	Rural	40	60	Tolaga Bay	840	1308	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	235	508.42 ONF - Rural connector
WHARF ROAD	100	Rural	60	60	Hicks Bay	1047	2356	M4	P4	Rural	Local Streets	Peri-urban Roads	Access	Rural Town	Urban Residential	255	1655.10 Y
WHARF ROAD	100	Rural	60	60	Hicks Bay	2687	3428	M5	P5	Rural	Rural Roads	Rural Roads	Access	Rural Residential	Rural Residential	99	1127.02 Y
WHARF ROAD	70	Urban	30	40	Hicks Bay	0	158	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	255	1044.87 ONF - Urban Local Streets
WHATATUTU ROAD	100	Rural	60	60	Te Karaka	0	1061	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	591	29.59 Y
WHATATUTU ROAD	100	Rural	60	60	Te Karaka	1061	2299	M3	P5	Rural	Rural Connectors	Rural Connectors	Secondary Collector	Rural Residential	Rural Residential	591	307.96 Y
WHATATUTU ROAD	70	Urban	40	40	Whataututu	11044	11264	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	591	222.04 Y
WHATATUTU ROAD	70	Urban	40	40	Whataututu	11264	11541	M3	P4	Rural	Peri-urban Roads	Peri-urban Roads	Secondary Collector	Rural Town	Urban Fringe	591	283.43 Y
WHEATSTONE ROAD	100	Urban	50	80	Wainui	0	1267	M3	P4	Rural	Rural Connectors	Peri-urban Roads	Secondary Collector	Rural Residential	Rural Residential	220	1266.80 ONF - Rural Peri-urban
WHEELER STREET	100	Rural	60	60	Te Pua Springs	0	353	M5	P4	Rural	Peri-urban Roads	Peri-urban Roads	Access	Rural Town	Urban Fringe	96	329.18 Y
WHITMORE ROAD	70	Rural	30	80	Ormond	0	533	M5	P3	Rural	Peri-urban Roads	Stopping Places	Access	Rural Town	Urban Fringe	96	530.90 ONF - Rural Peri-urban
WHITMORE ROAD	50	Urban	40	40	Whataupoko	0	104	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109	1.00 ONF - Rural stopping place
WHITMORE ST	50	Urban	40	40	Whataupoko	0	104	M3	P3	Urban	Local Streets	Activity Streets	Access	Urban Residential	Urban Residential	109	104.81 Y
WIIRA STREET	70	Urban	30	40	Te Araroa	0	216	M3	P3	Urban	Local Streets	Activity Streets	Access	Rural Town	Urban Residential	165	226.57 ONF - Urban activity streets
WILLIAMSON STREET	50	Urban	40	40	Okitu												237.10 Y
WINIFRED STREET	50	Urban	40	40	Okitu												1069.28 Y

Insert Maori Translation of below title

(Gisborne District Council Speed Limits 2013 (amended))

First made by Gisborne District Council

Resolution of Council dated 12 December 2013

Amended by Resolution of Council [day] [month] 2022

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1. Introduction

- (1) Pursuant to the Local Government Act 2002, the Land Transport Act 1998 and Land Transport Rule: Setting of Speed Limits 2003, the Gisborne District Council makes this bylaw to set speed limits.
- (2) Amendments have been made to this bylaw under the Land Transport Rule: Setting of Speed Limits 2017.

2. Title

This bylaw is the Gisborne District Council Speed Limits Bylaw 2013 (amended)

3. Commencement

- (1) This bylaw came into force on 12 December 2013.
- (2) Amendments to the bylaw made on [insert date] commence on 18 August 2022.
- (3) From the date this bylaw comes into force, any previous bylaws relating to the setting of speed limits on roads under the control of the Gisborne District Council shall be repealed.

4. Interpretation

- (1) The terms **road**, **speed limit** and **urban traffic area** have the same as in Land Transport Rule: Setting of Speed Limits 2003.
- (2) **Vehicle** has the same meaning as given in s.2 of the Land Transport Act 1998.
- (3) Related information boxes are only intended to assist with the interpretation of the bylaw and do not have legal effect as a part of the bylaw. They may be amended at any time without a formal process.

5. Speed Limits

- (1) The roads or areas described in the schedules specified in Schedule 1 (Pre-amendment Speed Limits), or as shown on a map referenced in Schedule 1, are declared to have the speed limits specified in Schedule 1, until such time as any such speed limits for the road or area are replaced by an amended speed limit that has taken effect in accordance with clause 5(2).
- (2) The roads or areas described in the schedules specified in Schedule 2 (Amended Speed Limits) or Schedule 3 (Amended Speed Limits – Variable Speeds around Schools), or as shown on a map referenced in Schedules 2 or 3, are declared to have the speed limits specified in Schedule 2 or 3, from a date determined by later resolution of Council with respect to each road or area.

Related Information

Each of the new speed limits in this amended bylaw will be brought into effect by Council resolutions, after this bylaw is made.

Schedule 1, and the schedules and maps with the letter "A" describe the existing speed limits, that will apply until the Council brings the new speed limits under this bylaw into effect. The new speed limits will be those reflected in Schedules 2 and 3 and the maps labelled with the letters "B".

A register of any of the new speed limits that have been brought into effect by resolution will be available on the Council's website.

- (3) The Council may by later resolution revoke any speed limit described in Schedule 3 (a variable speed limit) that has been brought into effect under clause 5(2), and replace it with a speed limit described in Schedule 2 (a permanent speed limit).

Related Information

Clause 5(3) allows the Council to replace a new variable speed limit with a new permanent speed limit.

6. Offences

- (1) Every person commits an offence against this bylaw who operates a vehicle in excess of the bylaw speed limits set by this bylaw.

Schedule 1: Pre-amendment Speed Limits

- (1) In this schedule, the areas of road indicated on the maps are indicative only. The precise location of the areas of road to which the speed limits apply will be specified by Council resolution.

(2) In the event of inconsistency between the speed limits set in this Schedule and any permanent speed limits (under clause 6A or 6C) in effect at the same time, the variable speed limits in this Schedule prevail.

(3) Urban Traffic Areas – Roads that have a Speed Limit of 50 km/h

Roads shown in red on the maps that are labelled with the following area names and marked **A**, are in designated urban traffic areas that have a speed limit of 50 km/h.

Maps: Gisborne District Council Speed Restriction zones (**A**):

Gisborne city, Makaraka, Makorori, Manutuke, Matawai, Muriwai, Okitu, Pātūtahi, Ruatōria, Te Karaka, Tikitiki, Tokomaru Bay, Tolaga Bay, Wainui.

(4) Roads that have a Speed Limit of 70 km/h.

Roads shown in blue on the maps that are labelled with the following area names and marked **A**, are declared to have a speed limit of 70 km/h.

Maps: Gisborne District Council Speed Restriction Zones (**A**):

Gisborne city, Hicks Bay, Makaraka, Okitu, Ormond, Te Araroa, Te Puia Springs, Tokomaru Bay, Tolaga Bay, Wainui, Whatatutu.

(5) Roads that have a Speed Limit of 80 km/h

Roads shown in purple on the maps that are labelled with the following area names and marked **A**, are declared to have a speed limit of 80km/h.

Maps: Gisborne District Council Speed Restriction Zones (**A**):

Lavenham, Manutuke.

(6) Rural Areas – Roads that have a Speed Limit of 100 km/h

All public roads within Gisborne district not otherwise referenced, or marked in green on maps described in this Schedules 1, are designated Rural Areas that have a speed limit of 100 km/h.

(7) Roads that have a Variable Speed Limit (VSL)

Maps: Mangapapa School A (VSL).

Schedule 2: Amended Speed Limits

(1) Urban Traffic Areas – Roads that have a Speed Limit of 50km/h

Roads shown in green on the maps that are labelled with the following area names and marked **B**, are in the designated urban traffic areas that have a speed limit of 50km/h

Maps: Gisborne District Council Speed Restriction zones (**B**):

Ruatoria; Ormond.

Related Information

The speed limits in Matawai, Patutahi will remain as indicated on the relevant maps marked "A". The only parts of the Gisborne City area that will have new speed limits are Commercial Business District, Stout Street Residential Area, Industrial Subdivisions, Titirangi, Inner Harbour and Kaiti Beach Road, and Taruheru Subdivision. All other parts of the Gisborne City area will retain the speed limits indicated on the Gisborne City maps marked "A".

(2) **Roads that have a Speed Limit of 80km/h**

Roads shown in **light green** on the maps that are labelled with the following area names and marked **B**, are in the designated urban traffic areas that have a speed limit of 80km/h

Maps: Gisborne District Council Speed Restriction zones **(B):**

Manutuke, Riverpoint Road - Matawhero, Industrial Subdivisions, Tikitiki, Ruatoria, Ormond.

(3) **Roads that have a Speed Limit of 30km/h**

Roads shown in **orange** on the maps that are labelled with the following area names and marked **B** are in the designated urban traffic areas that have a speed limit of 30km/h

Maps: Gisborne District Council Speed Restriction zones **(B):**

Titirangi Inner Harbour and Kaiti Beach; Central Business District; Makorori; Hicks Bay; Te Araroa; Tikitiki; Ruatoria; Waipiro Bay; Te Puia Springs; Tokomaru Bay; Tolaga Bay; Muriwai; Manutuke; Te Karaka; Ormond; Tiniroto School.

(4) **Roads that have a Speed Limit of 40km/h**

Roads shown in dark green on the maps that are labelled with the following area names and marked **B**, are in the designated urban traffic areas that have a speed limit of 40km/h

Maps: Gisborne District Council Speed Restriction zones **(B):**

Wainui; Okitu; Stout Street Residential Area; Ruatoria; Tolaga Bay; Te Karaka; Manutuke; Ormond; Te Araroa.

(5) **Roads that have a Speed Limit of 60km/h**

Roads shown in red on the maps that are labelled with the following area names and marked **B**, are in the designated urban traffic areas that have a speed limit of 60km/h

Maps: Gisborne District Council Speed Restriction zones **(B):**

Taruheru Subdivision; Industrial Subdivision; Hicks Bay; Te Araroa; Tikitiki; Ruatoria; Stainton Road; Waipiro Bay; Te Puia Springs; Tokomaru Bay; Tolaga Bay; Whakatutu; Whatatutu Road.

(6) **Beaches that have a Speed Limit of 20km/h**

Beaches shown in red on the maps that labelled with the following area names and marked **B**, are in the designated locations that have a speed limit of 20km/h

Maps: Gisborne District Council Speed Restriction zones **(B):**

Beaches – Special Designated Areas – Makorori, Kaiti

Schedule 3: Amended Speed Limits – Variable Speeds around Schools

(1) In this schedule, the areas of road indicated on the maps are indicative only. The precise location of the areas of road to which the speed limits apply will be specified by Council resolution.

(2) In the event of inconsistency between the speed limits set in this Schedule and any speed limits under clause 5(1)A or 5(2) (permanent speed limits) in effect at the same time, the variable speed limits in this Schedule prevail.

(3) **Roads that have a variable speed limit of 30km/h or 40km/h**

Roads shown in **yellow dashes** on the maps with the following names and marked "VSL" have a speed limit of 30km/h during the Applicable Operating Conditions 30/40, and speed limit of 40km/h at all other times.

Maps: Wainui

Applicable Operating Conditions 30/40 means either:

- a) when the steady state LED display 30 km/h legend in the variable speed limit sign is illuminated on any school day during the following times:
 - I. 35 minutes before the start of school until the start of school; and
 - II. 35 minutes at the end of school, beginning no earlier than five minutes before the end of school; and
 - III. 10 minutes at any other time when at least 50 children cross the road or enter or leave vehicles at the roadside; or
- b) where is no LED display sign, for the times prescribed on static school speed zone signs.

(4) Roads that have a variable speed limit of 30km/h or 50km/h

Roads shown in **orange dashes** on the maps with the following names and marked "VSL" have a speed limit of 30km/h during the Applicable Operating Conditions 30/50, and speed limit of 50km/h at all other times.

Maps: Mangapapa School; Gisborne Intermediate; Ilminster Intermediate, Waikirikiri School; Lytton High - Riverdale School, Sonrise Christian School.

Applicable Operating Conditions 30/50 means either:

- a) when the steady state LED display 30 km/h legend in the variable speed limit sign is illuminated on any school day during the following times:
 - I. 35 minutes before the start of school until the start of school; and
 - II. 35 minutes at the end of school, beginning no earlier than five minutes before the end of school; and
 - III. 10 minutes at any other time when at least 50 children cross the road or enter or leave vehicles at the roadside; or
- b) where is no LED display sign, for the times prescribed on static school speed zone signs.

(5) Roads that have a variable speed limit of 40km/h or 50km/h

Roads shown in **blue dashes** on the maps with the following names and marked "new VSL" have a speed limit of 40km/h during the Applicable Operating Conditions 40/50, and speed limit of 50km/h at all other times.

Maps: Champion College, St Marys School, Te Hapara School, Girls and Boys High Schools.

Applicable Operating Conditions 40/50 means either:

- a) when the steady state LED display 40 km/h legend in the variable speed limit sign is illuminated on any school day during the following times:
 - I. 35 minutes before the start of school until the start of school; and
 - II. 35 minutes at the end of school, beginning no earlier than five minutes before the end of school; and
 - III. 10 minutes at any other time when at least 50 children cross the road or enter or leave vehicles at the roadside; or
- b) where is no LED display sign, for the times prescribed on static school speed zone signs.

(6) **Roads that have a variable speed limit of 60km/h or 100km/h**

Roads shown in **red dashes** on the maps with the following names and marked "VSL" have a speed limit of 60km/h during the Applicable Operating Conditions 60/100, and speed limit of 100km/h at all other times.

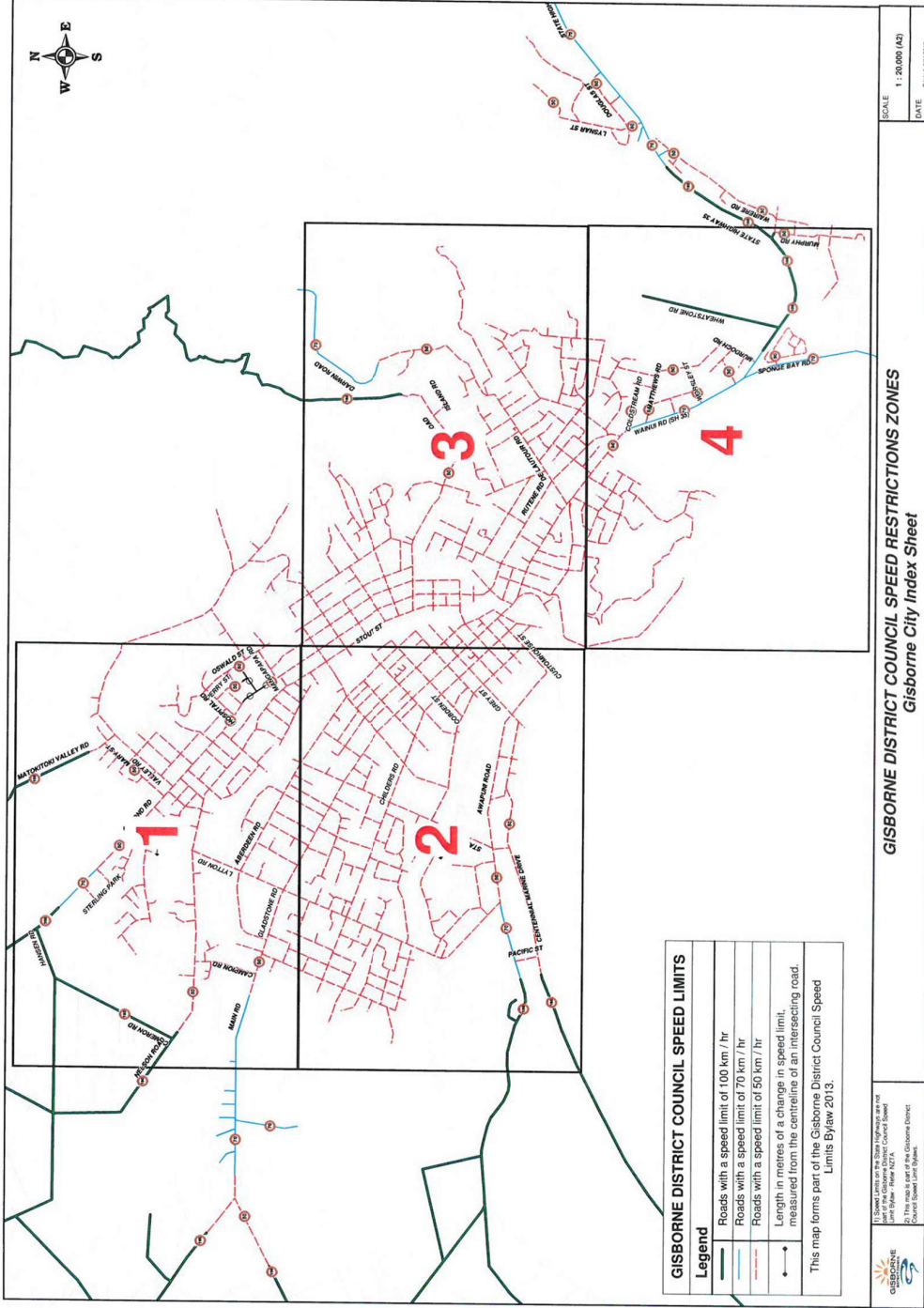
Maps: Waerenga O Kuri School

Applicable Operating Conditions 60/100 means either:

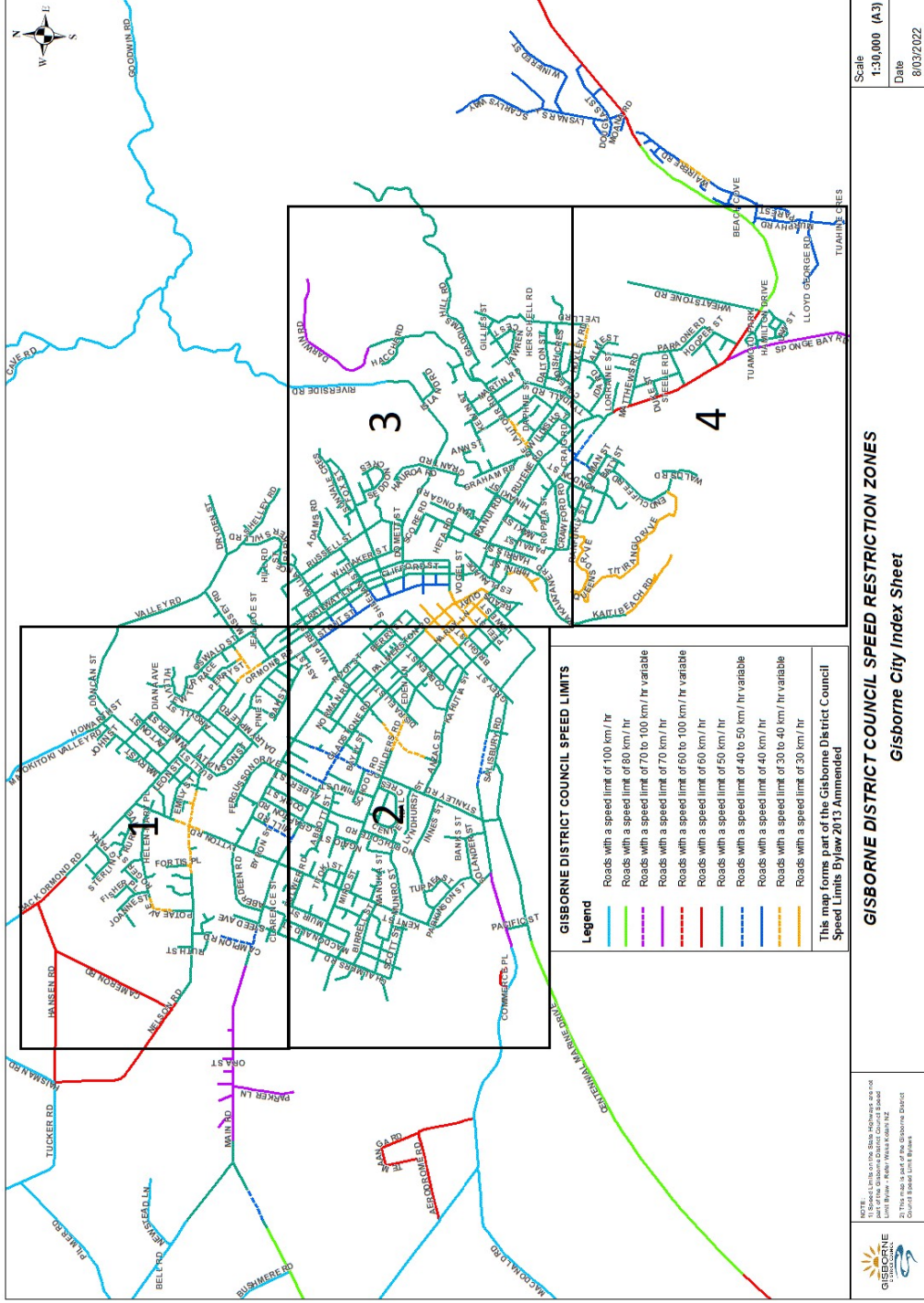
- a) when the steady state LED display 60 km/h legend in the variable speed limit sign is illuminated on any school day during the following times:
 - I. 35 minutes before the start of school until the start of school; and
 - II. 35 minutes at the end of school, beginning no earlier than five minutes before the end of school; and
 - III. 10 minutes at any other time when at least 50 children cross the road or enter or leave vehicles at the roadside; or
- b) where is no LED display sign, for the times prescribed on static school speed zone signs.

Speed Limit Maps

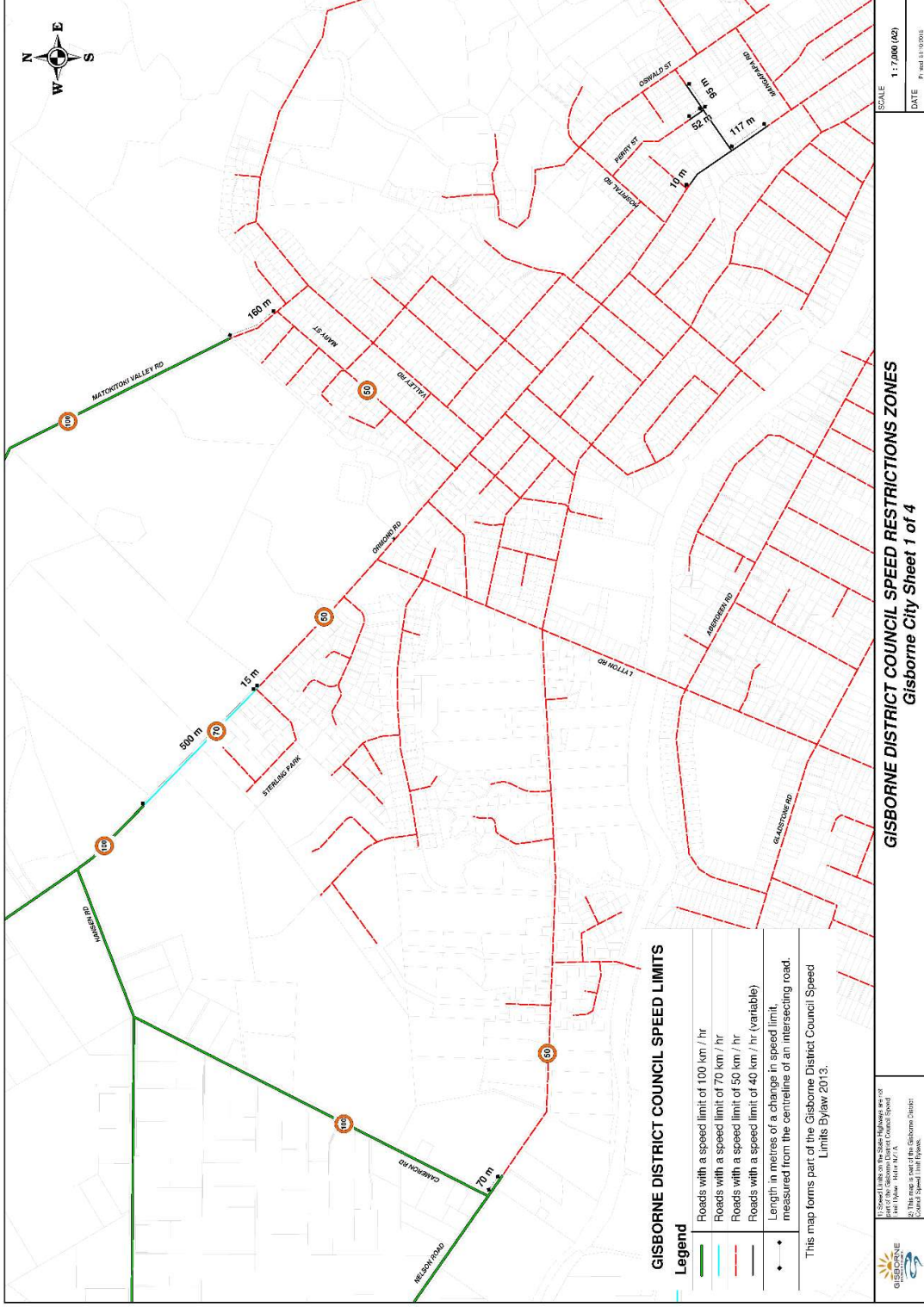
1. Gisborne City Index Sheet A



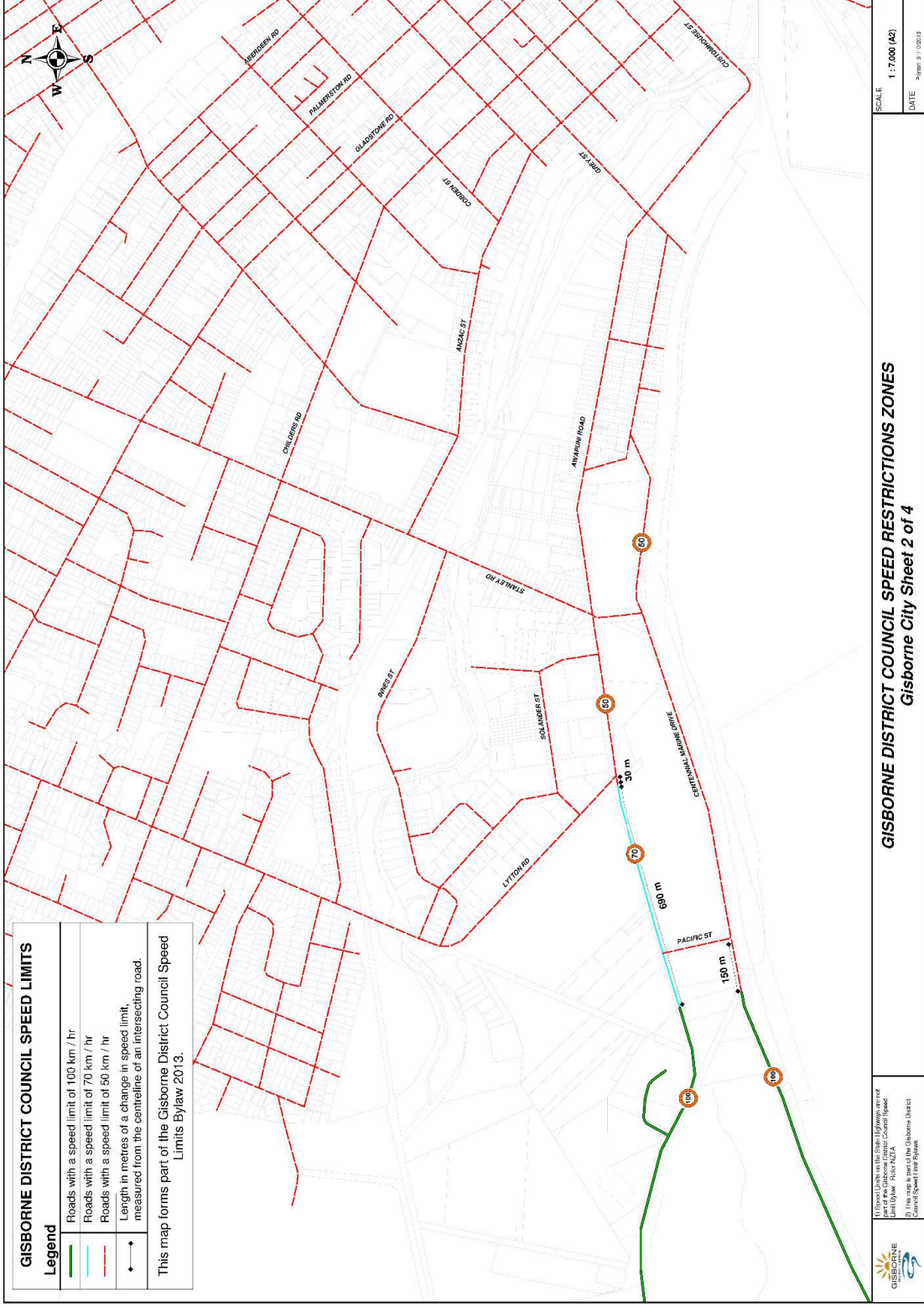
2. Gisborne City Index Sheet B



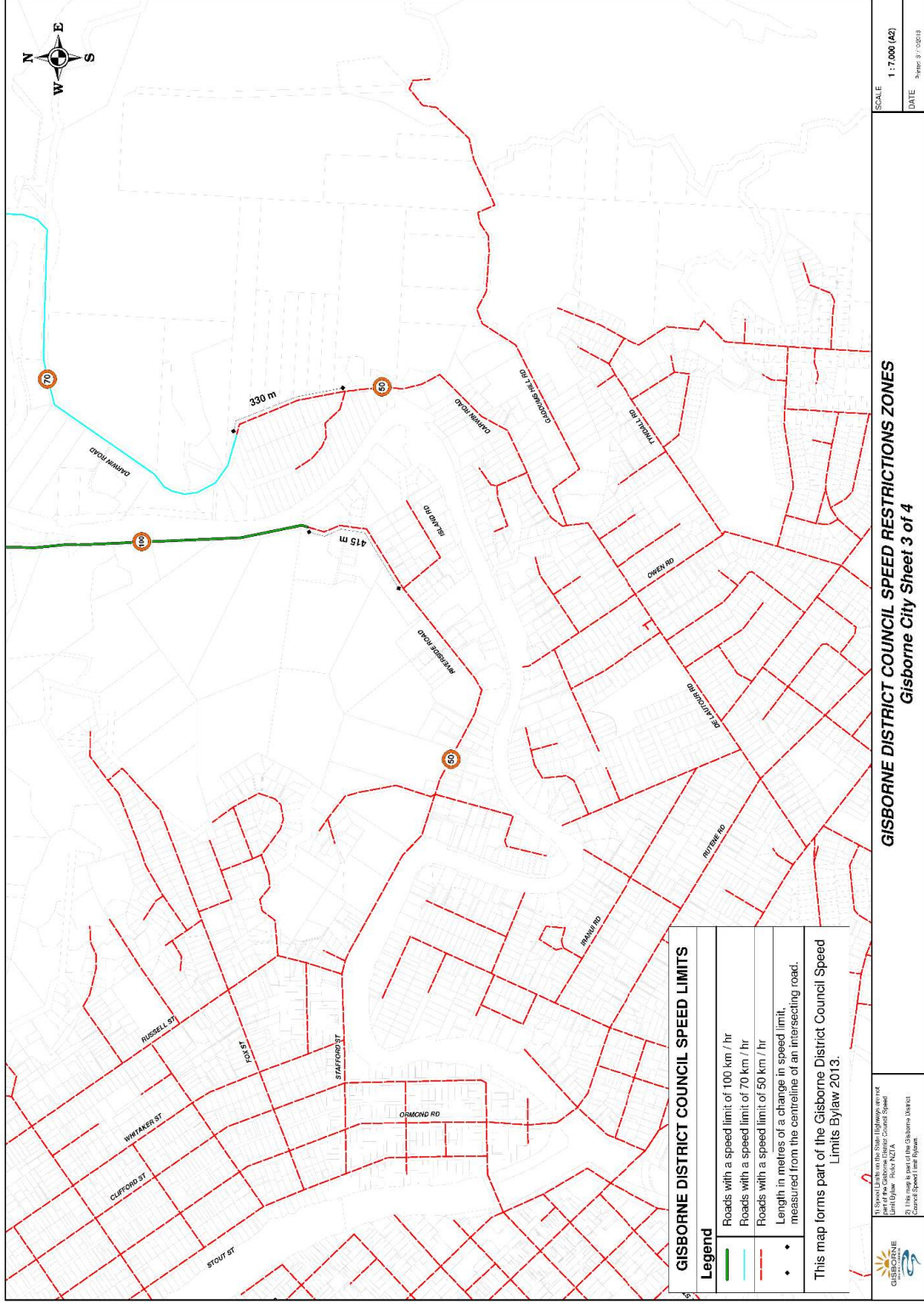
3. Gisborne City A 1



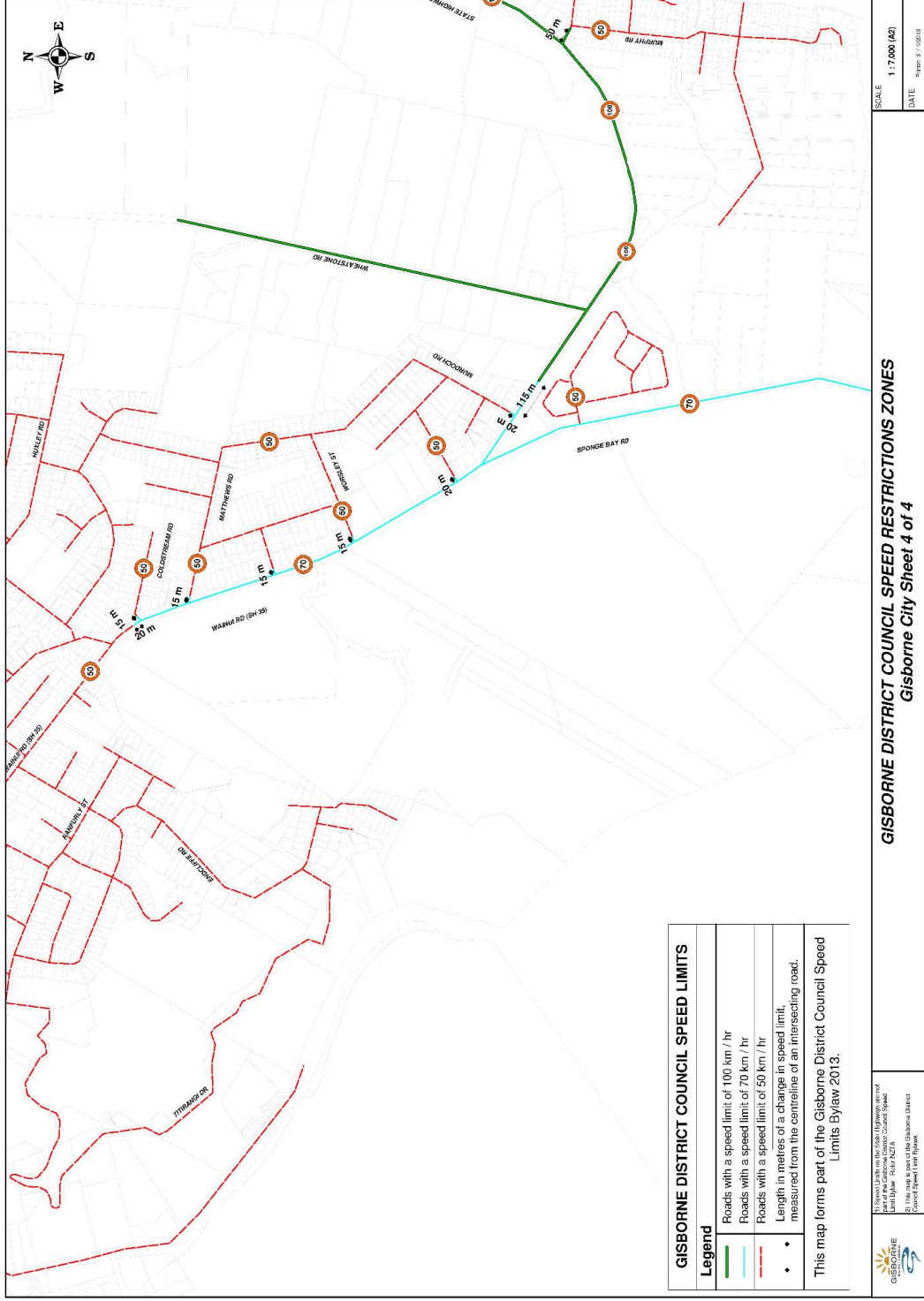
4. Gisborne City A 2



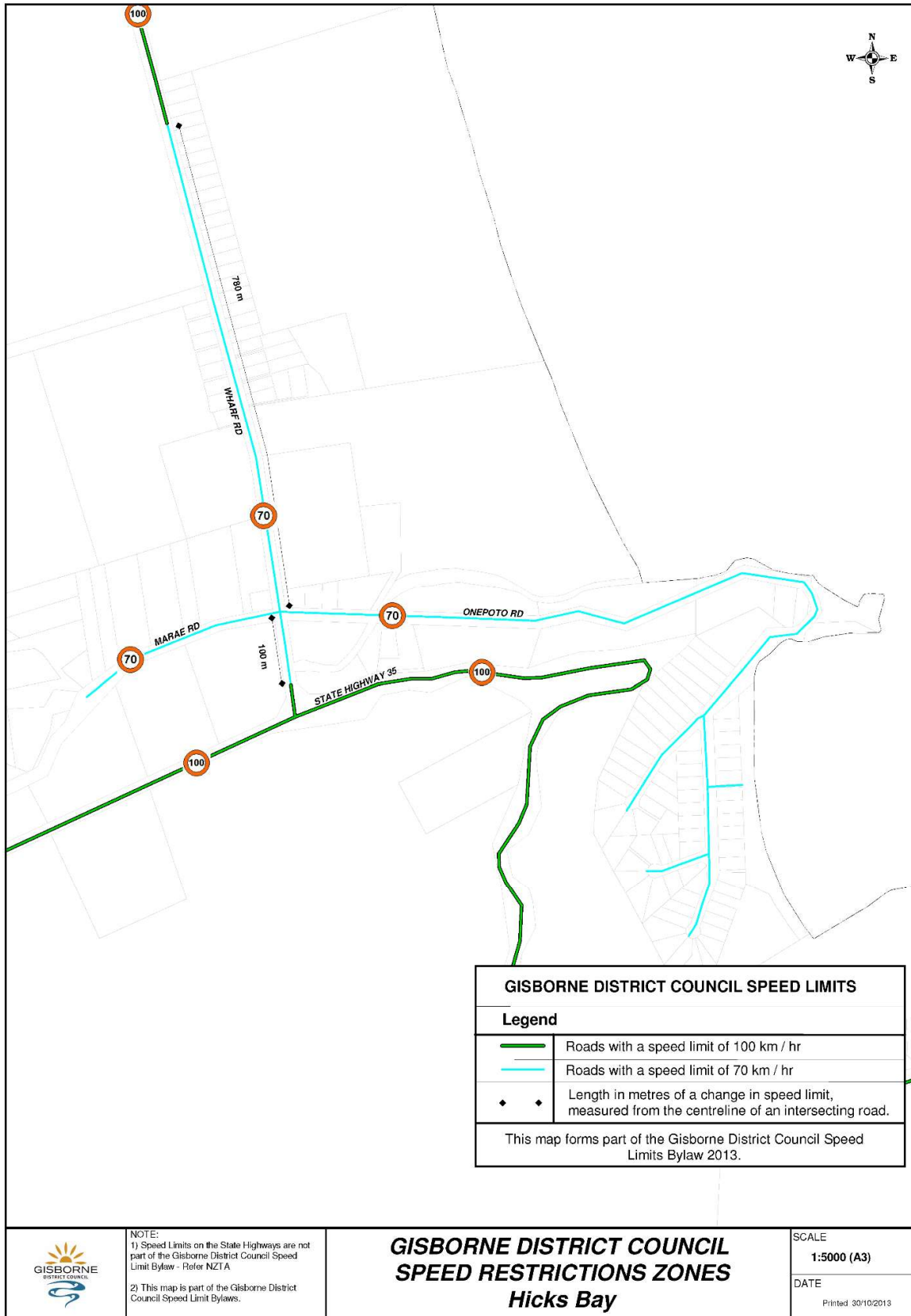
5. Gisborne City A 3



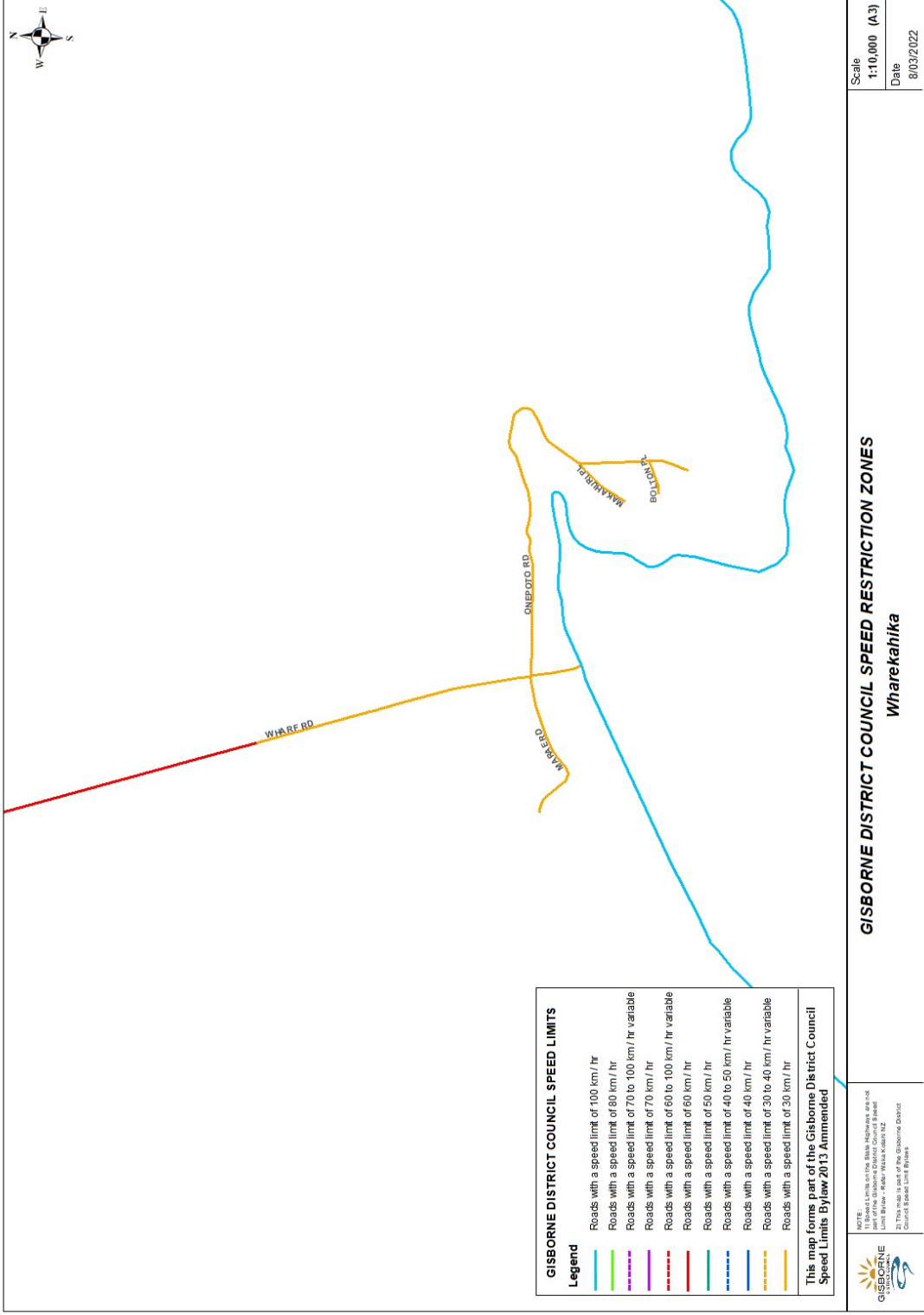
6. Gisborne City A 4



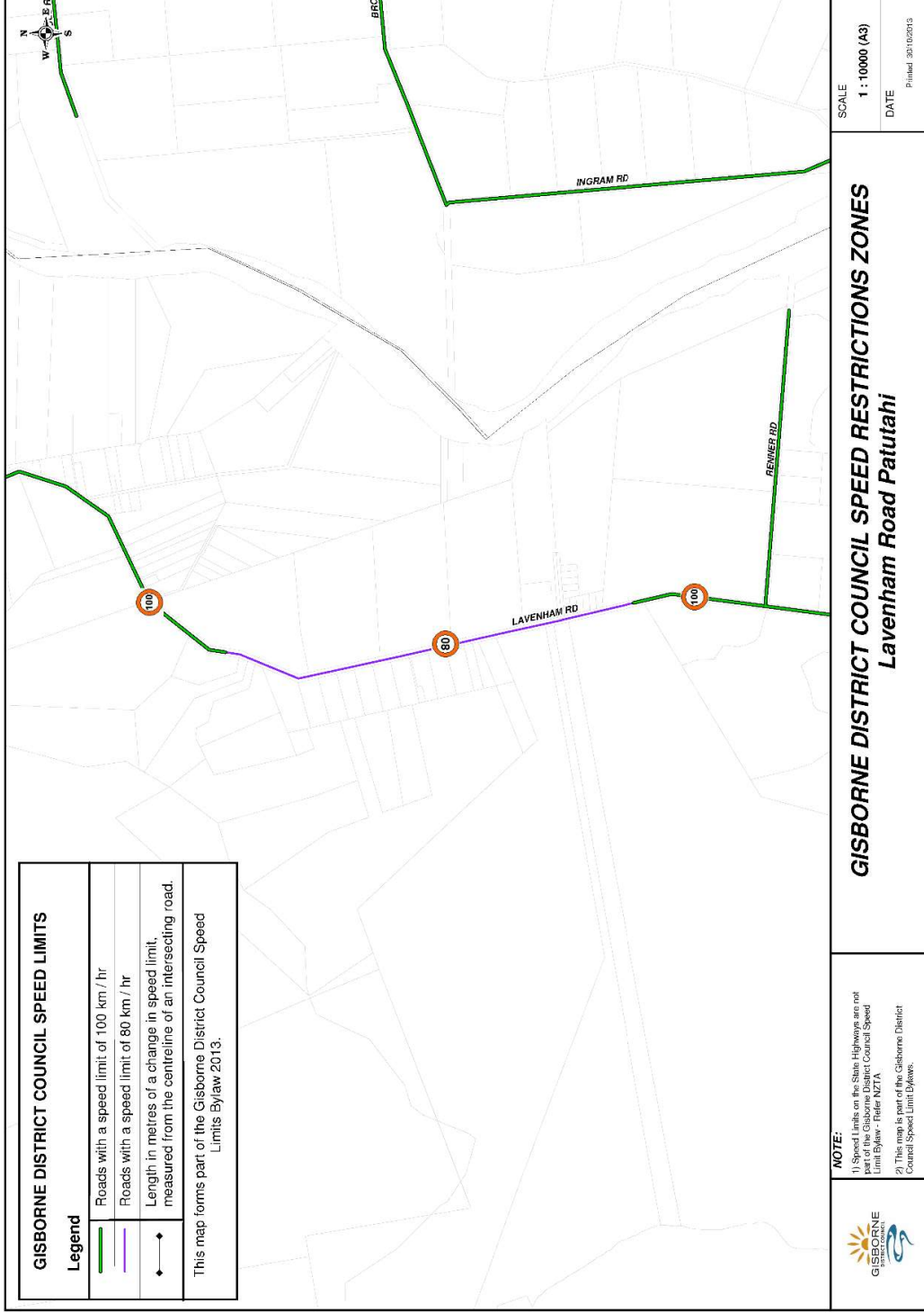
7. Hicks Bay A



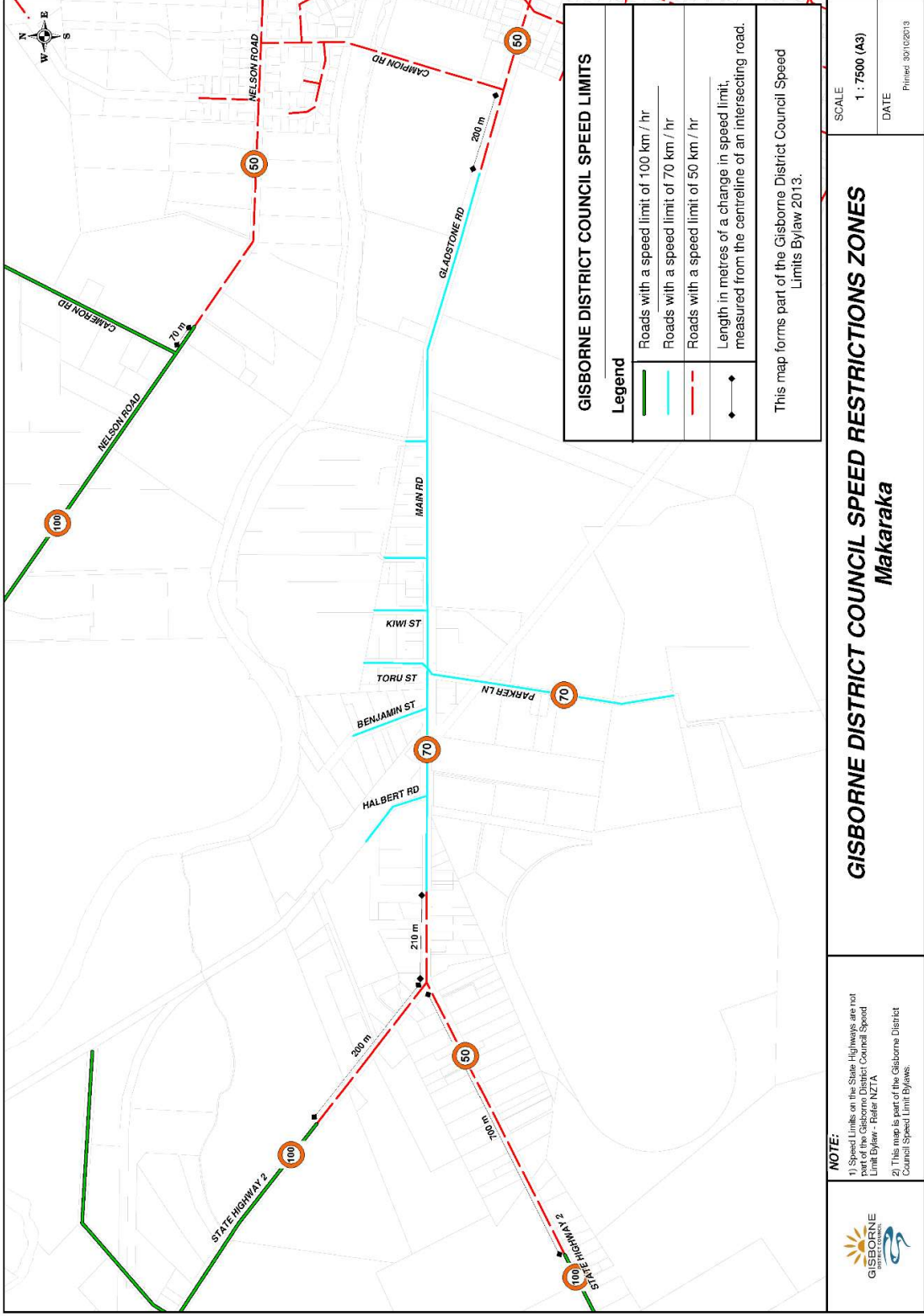
8. Hicks Bay B



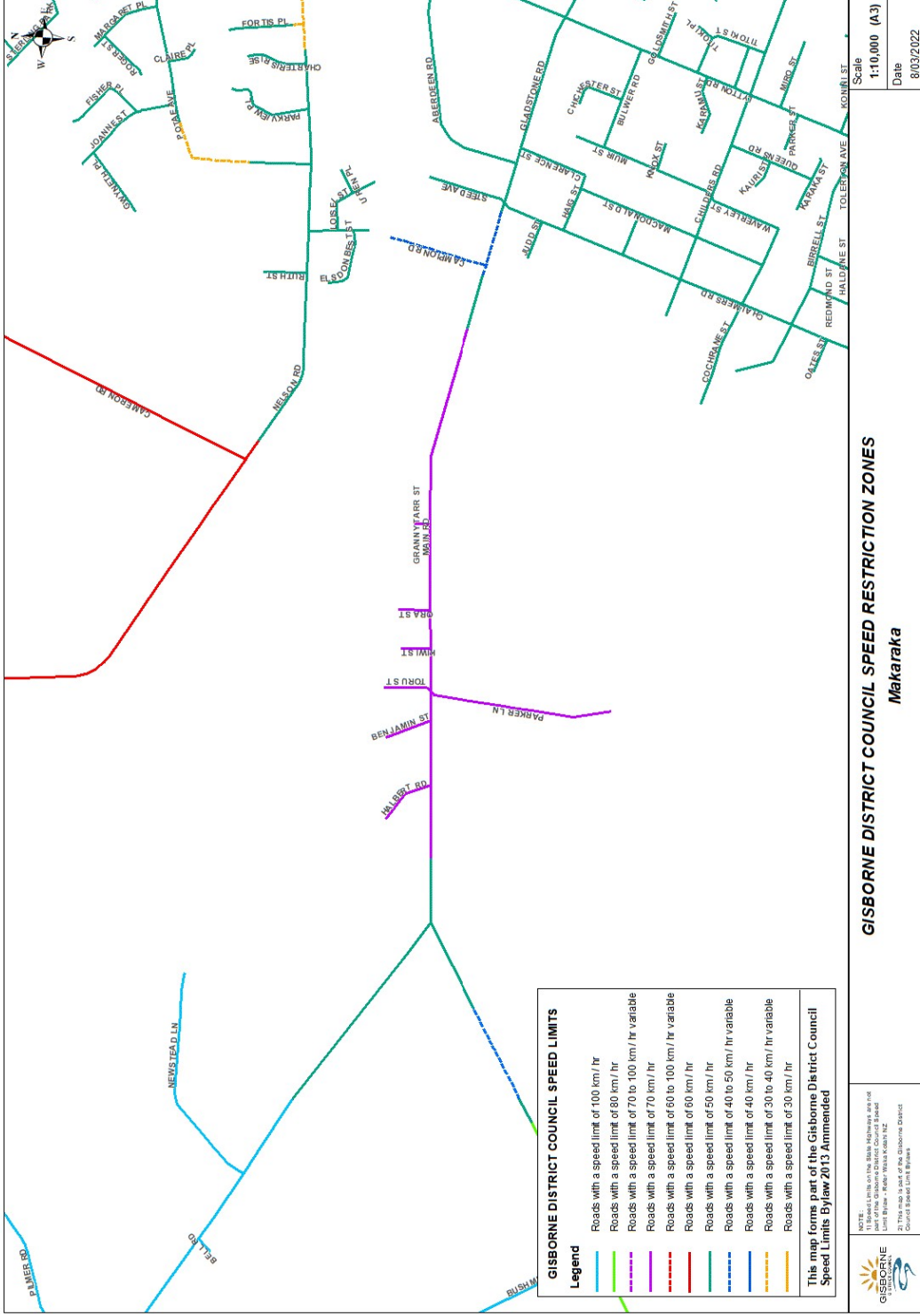
9. Lavenham Road – Patutahi A



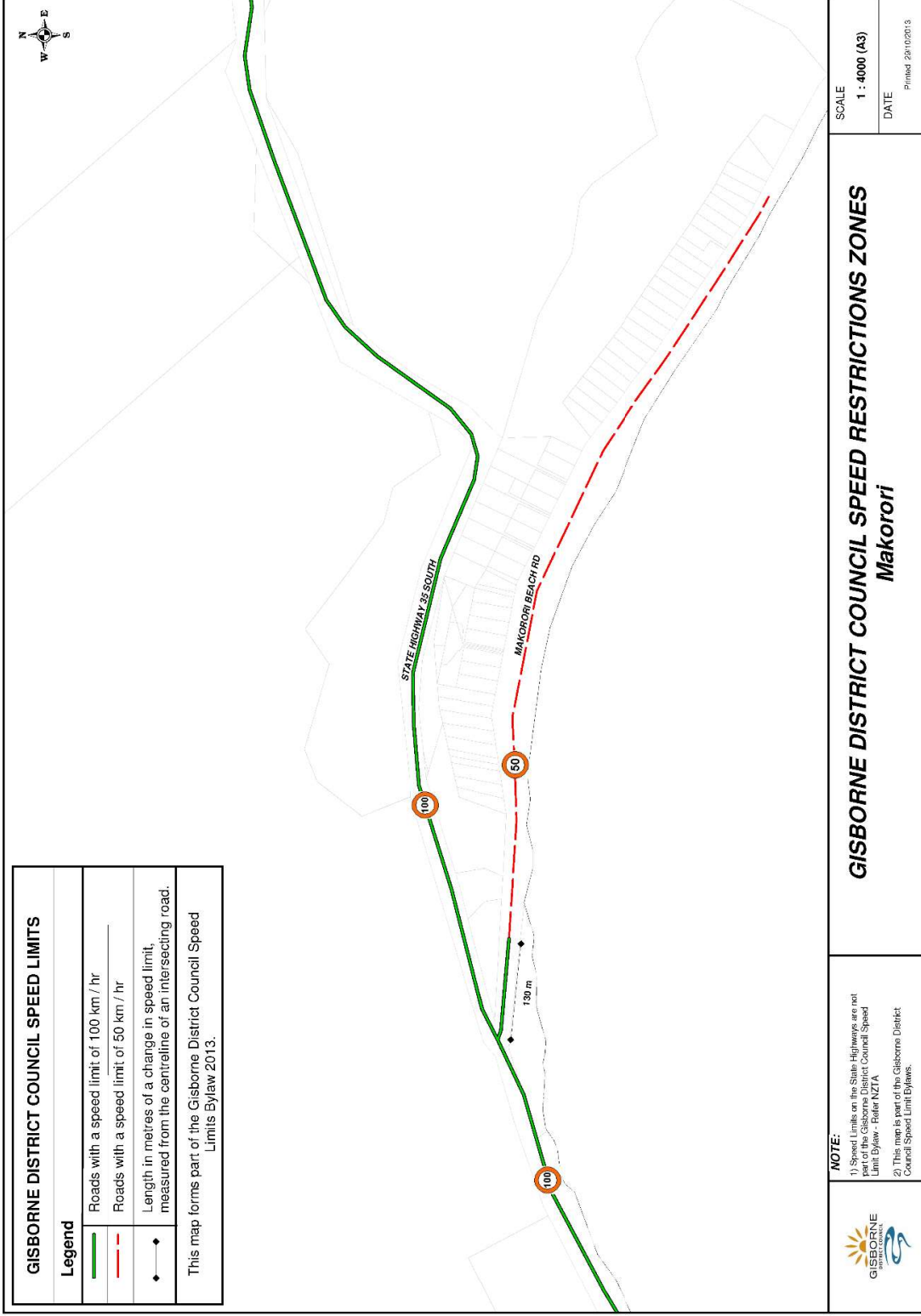
10. Makaraka A



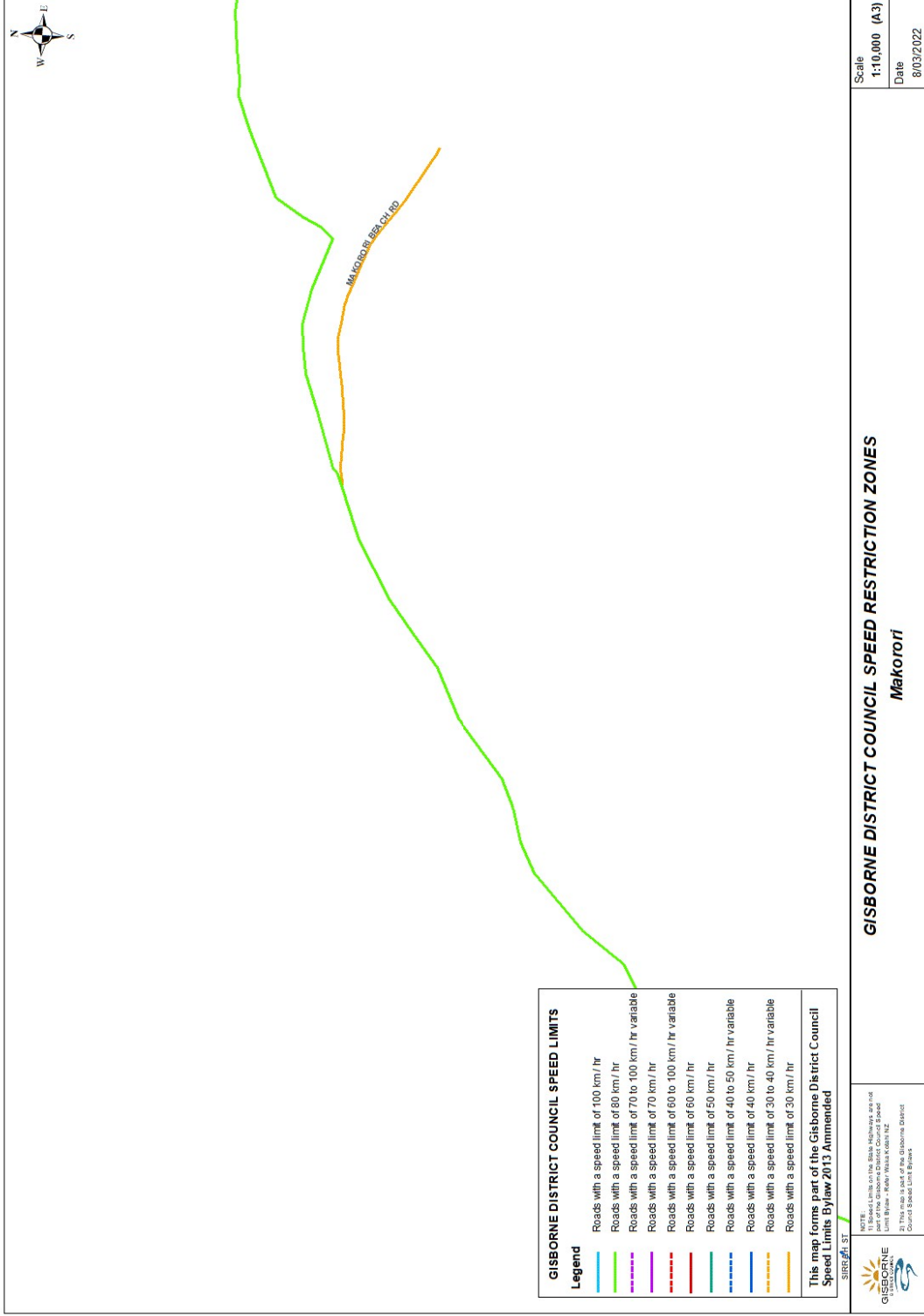
11. Makaraka B



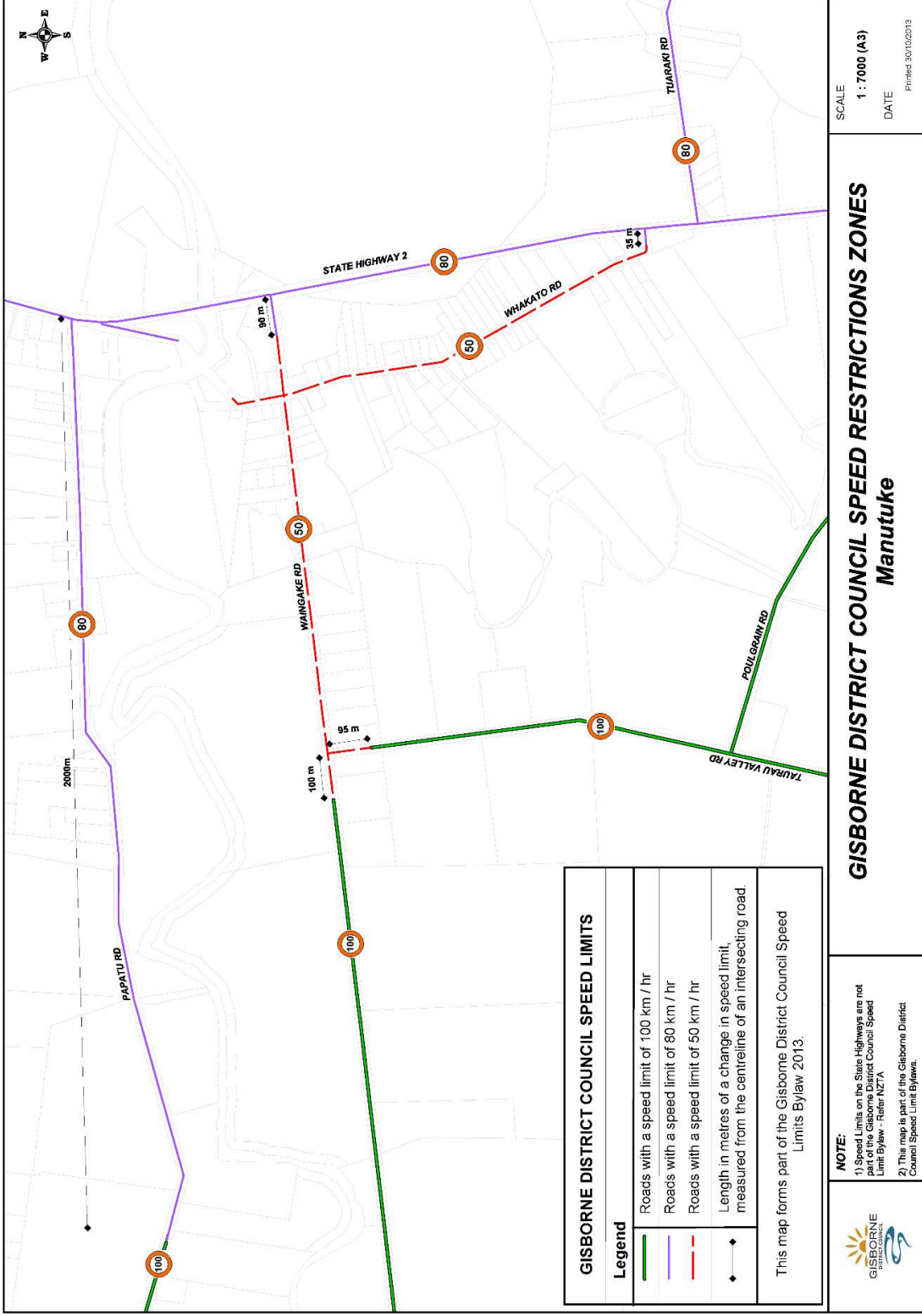
12. Makorori A



13. Makorori B

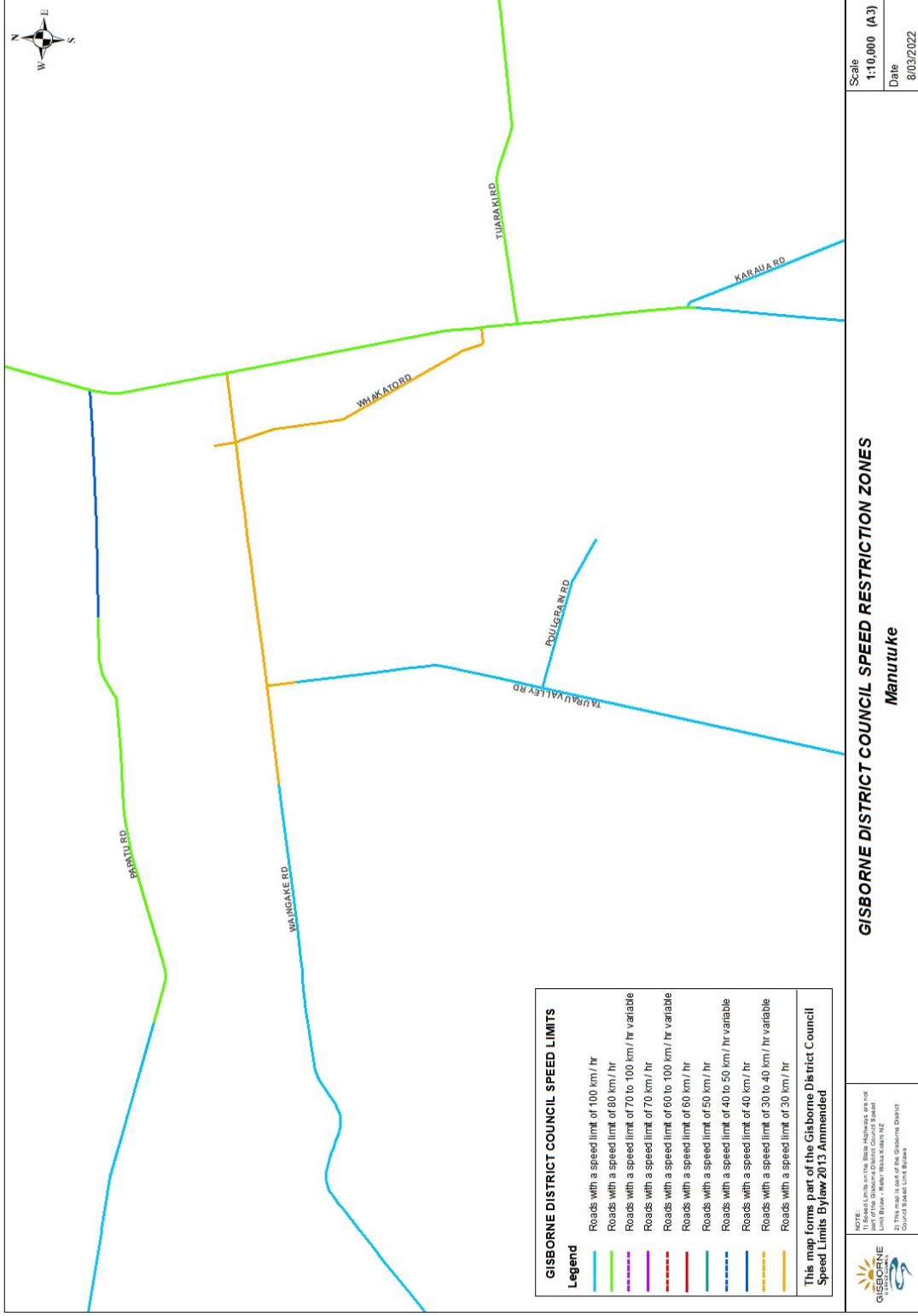


14. Manutuke A

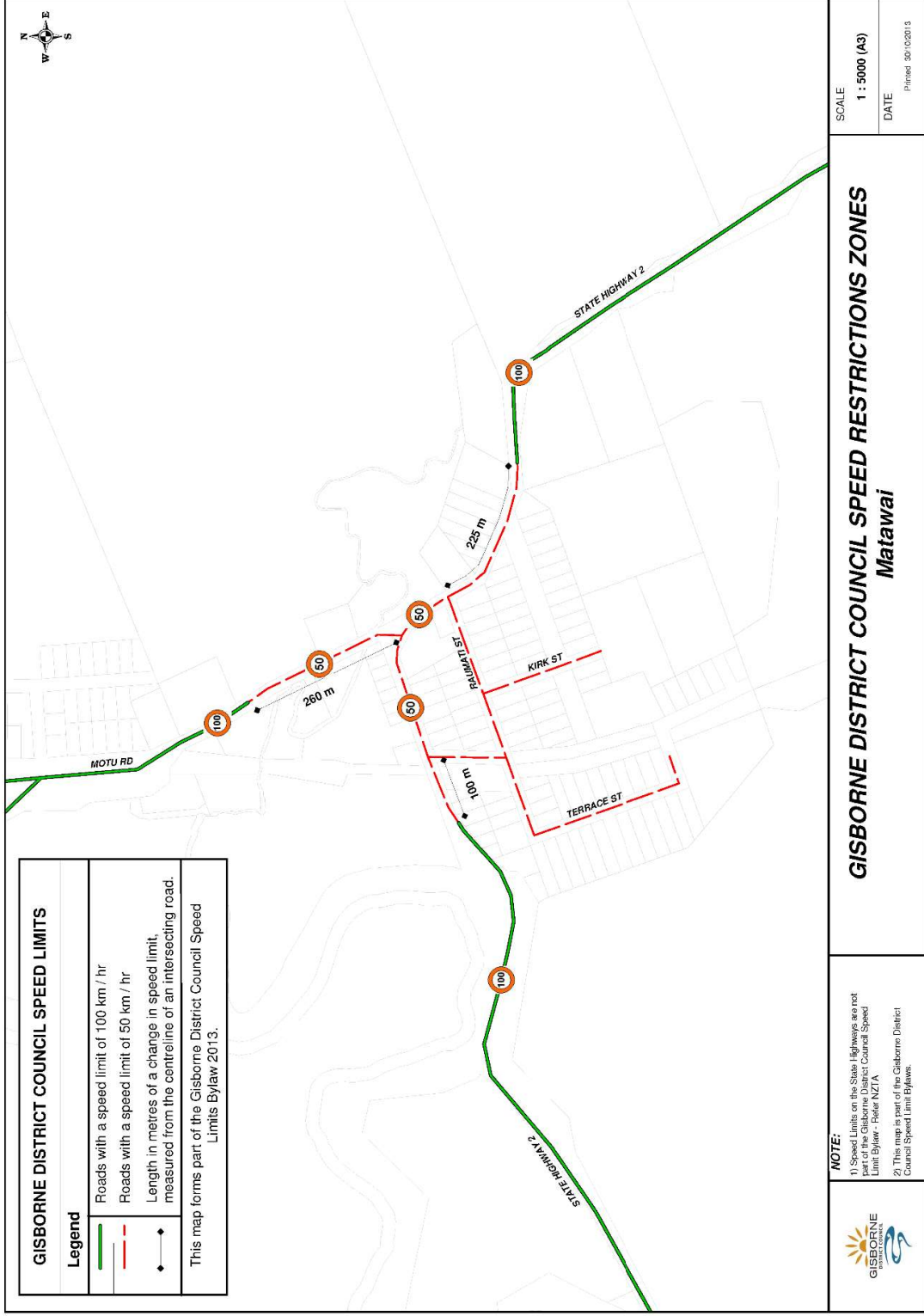


GISBORNE DISTRICT COUNCIL SPEED RESTRICTIONS ZONES
Manutuke

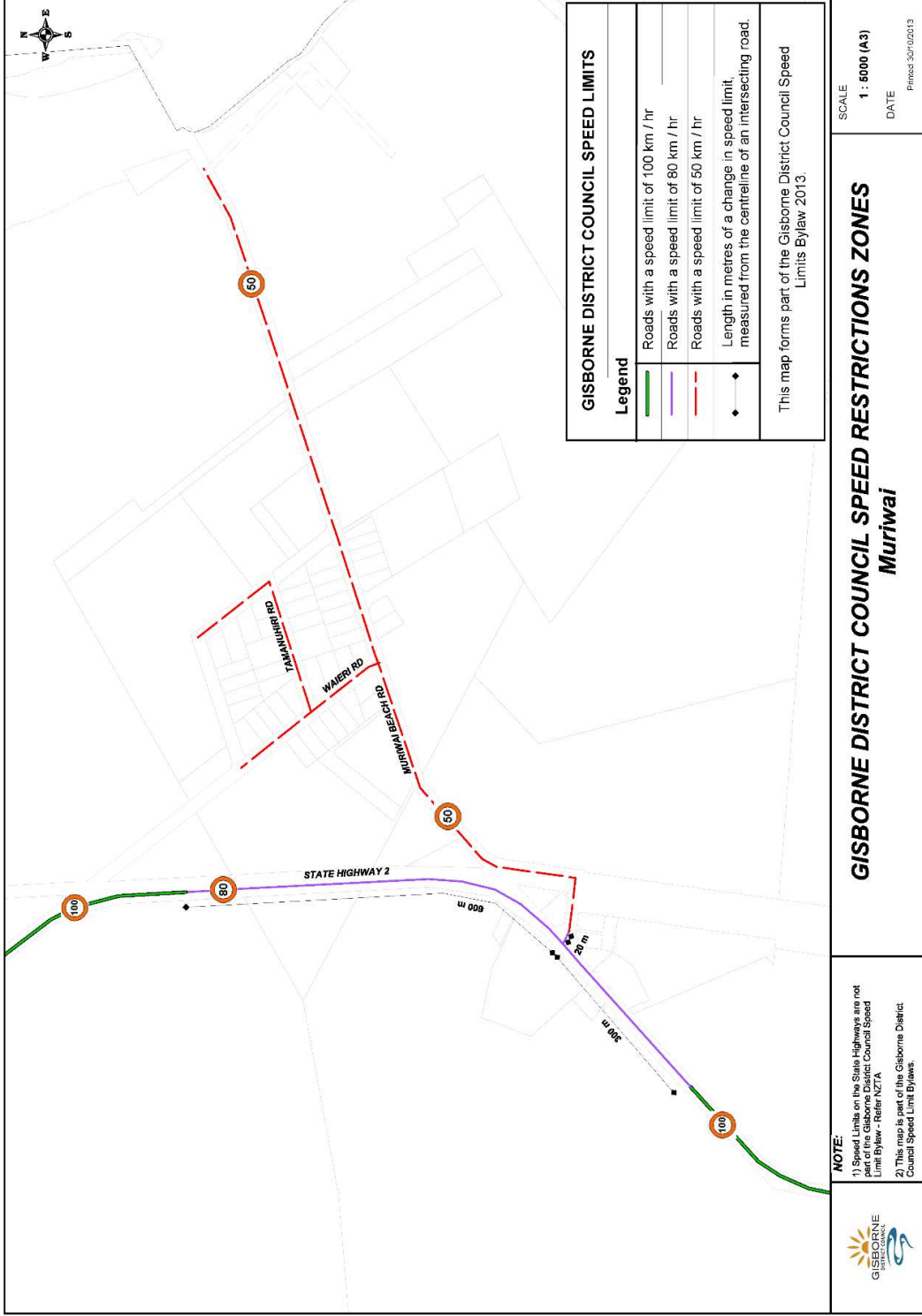
15. Manutuke B



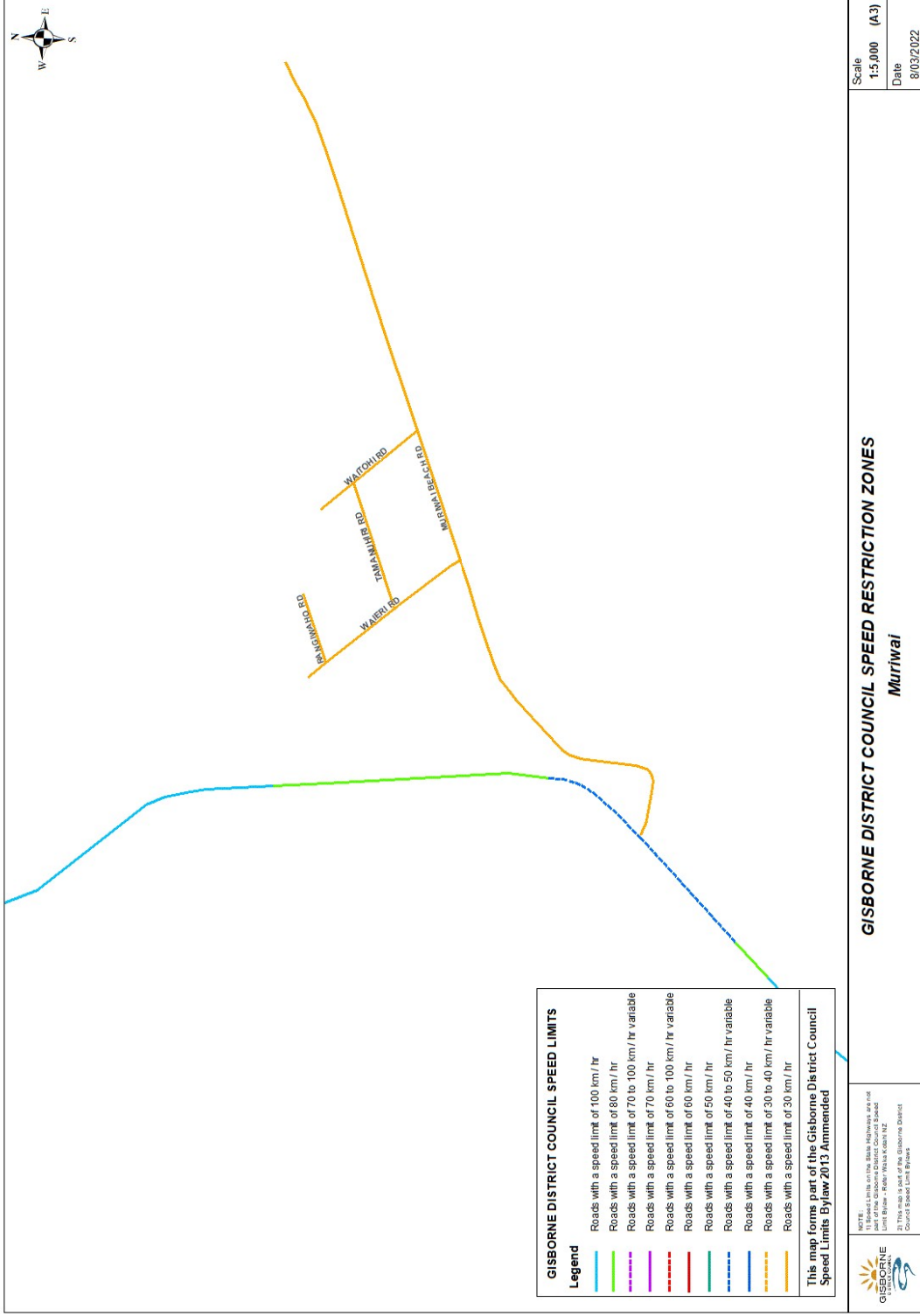
16. Matawai A



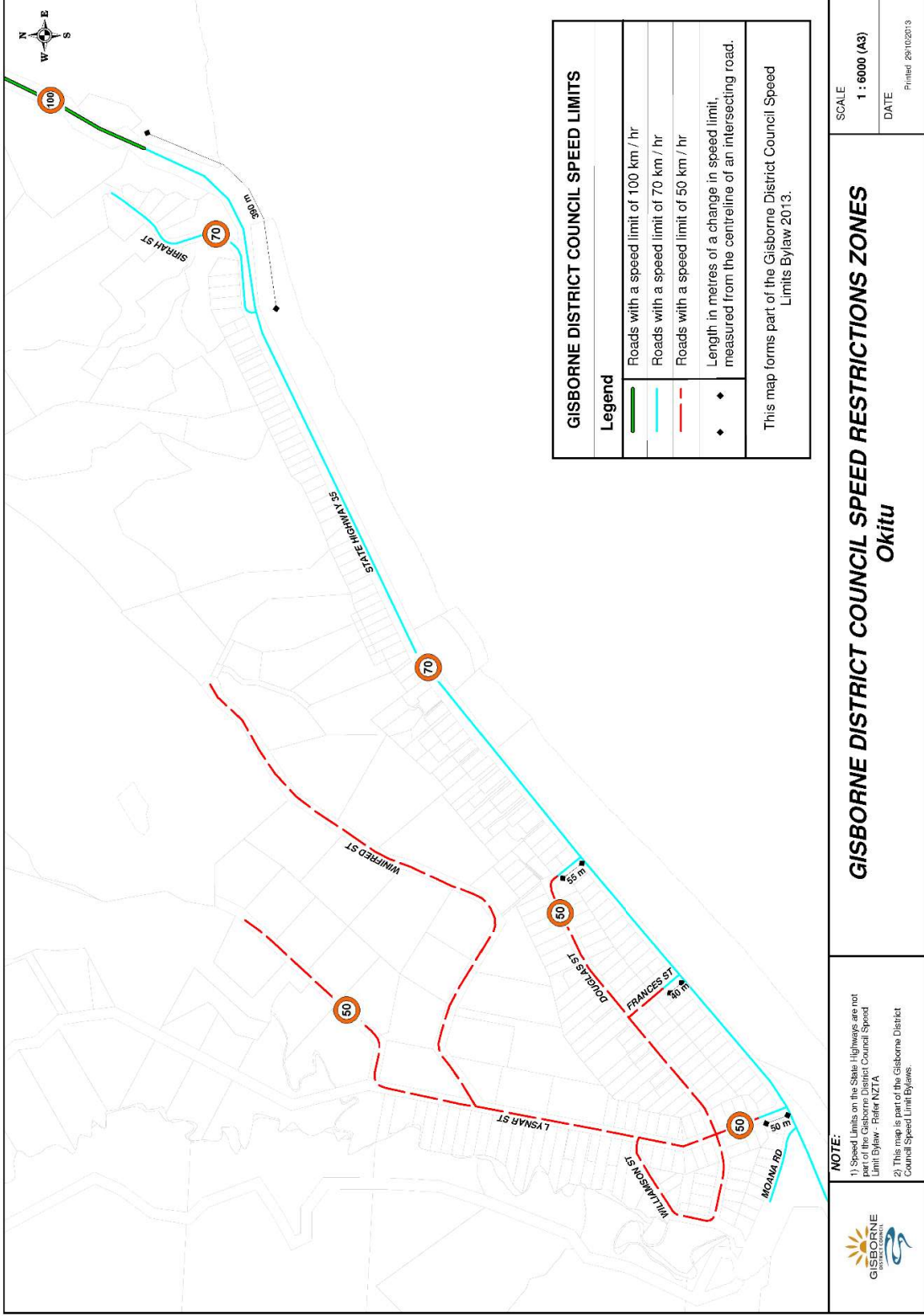
17. Muriwai A



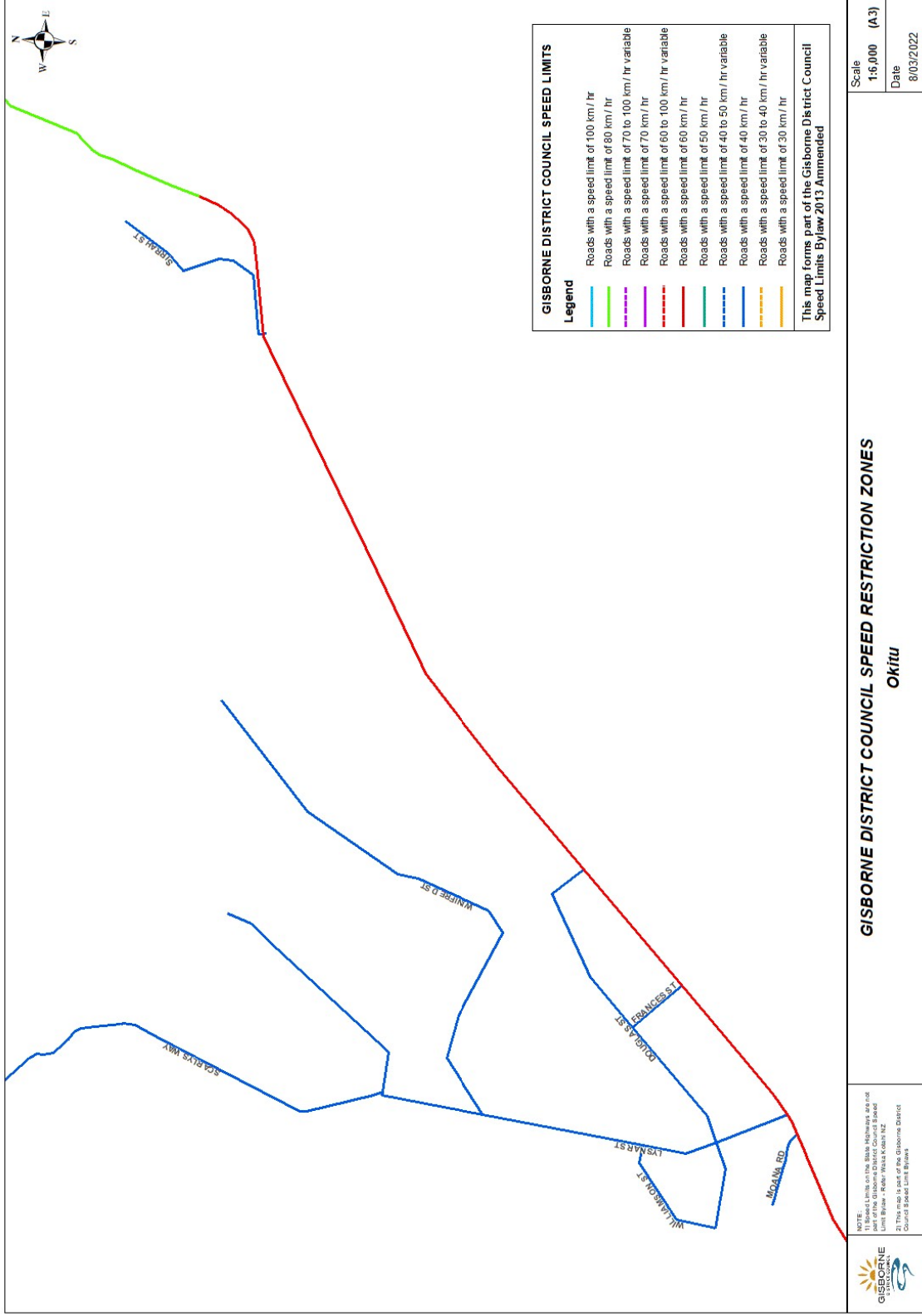
18. Muriwai B



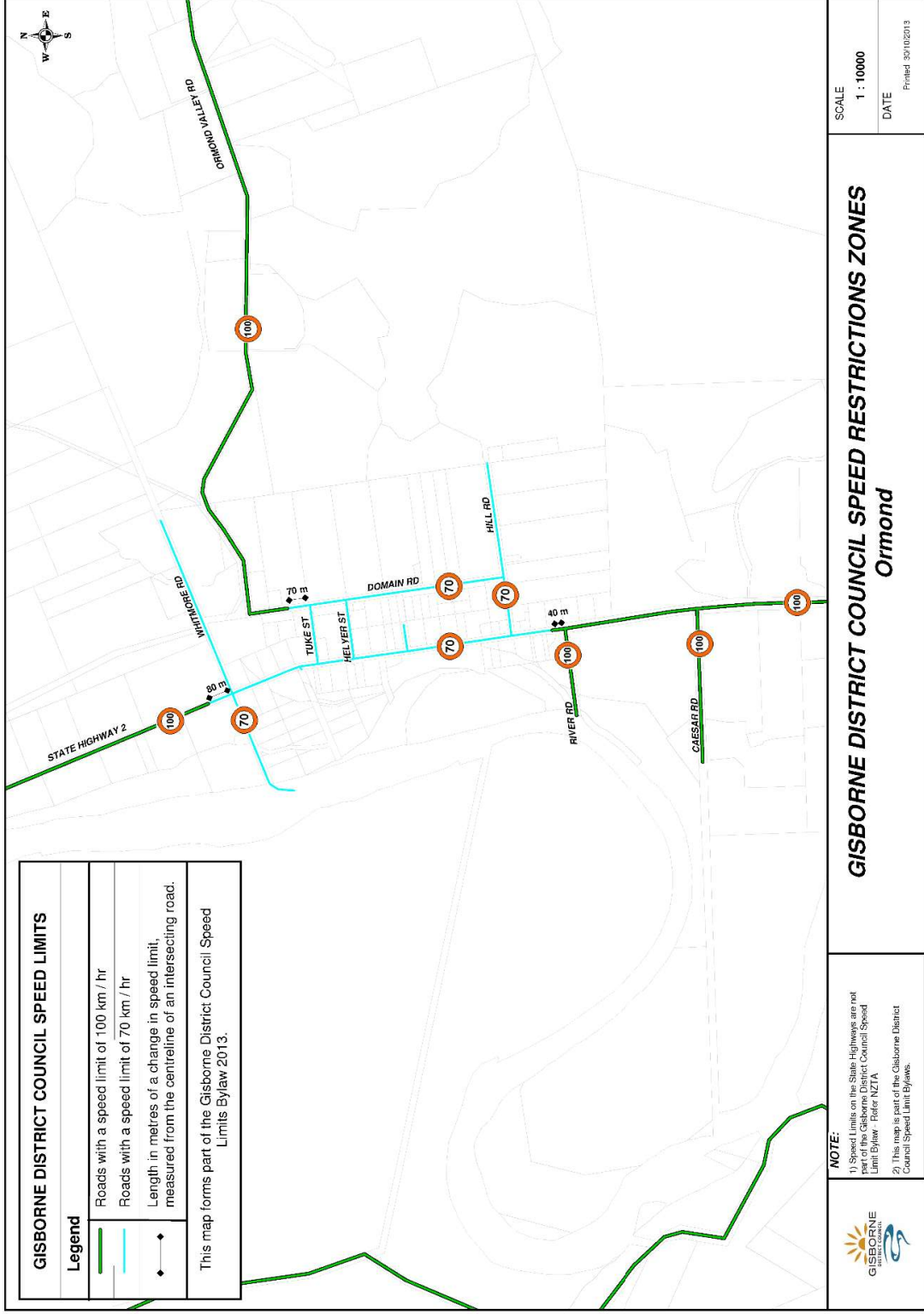
19. Okitu A



20. Okitu B



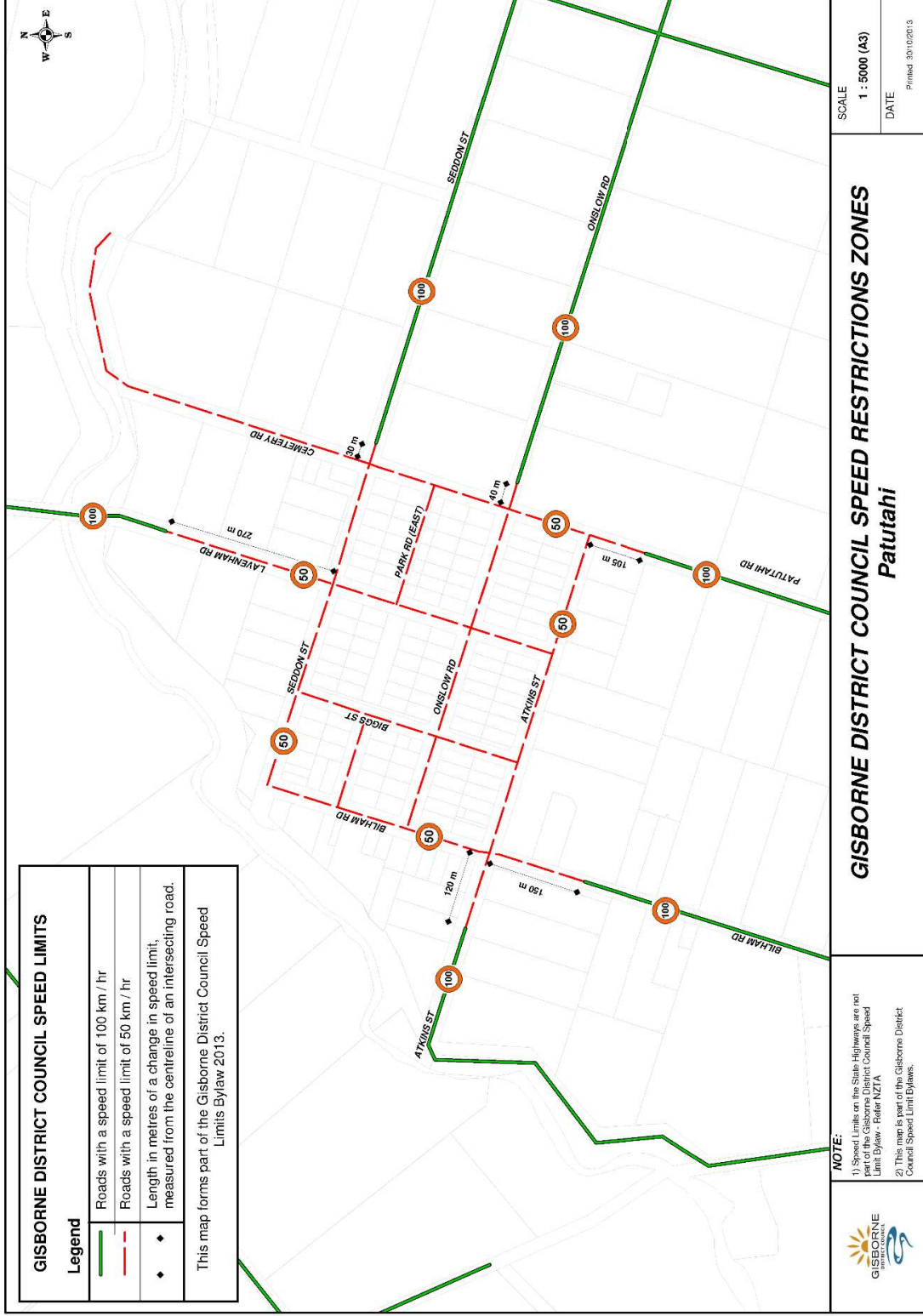
21. Ormond A



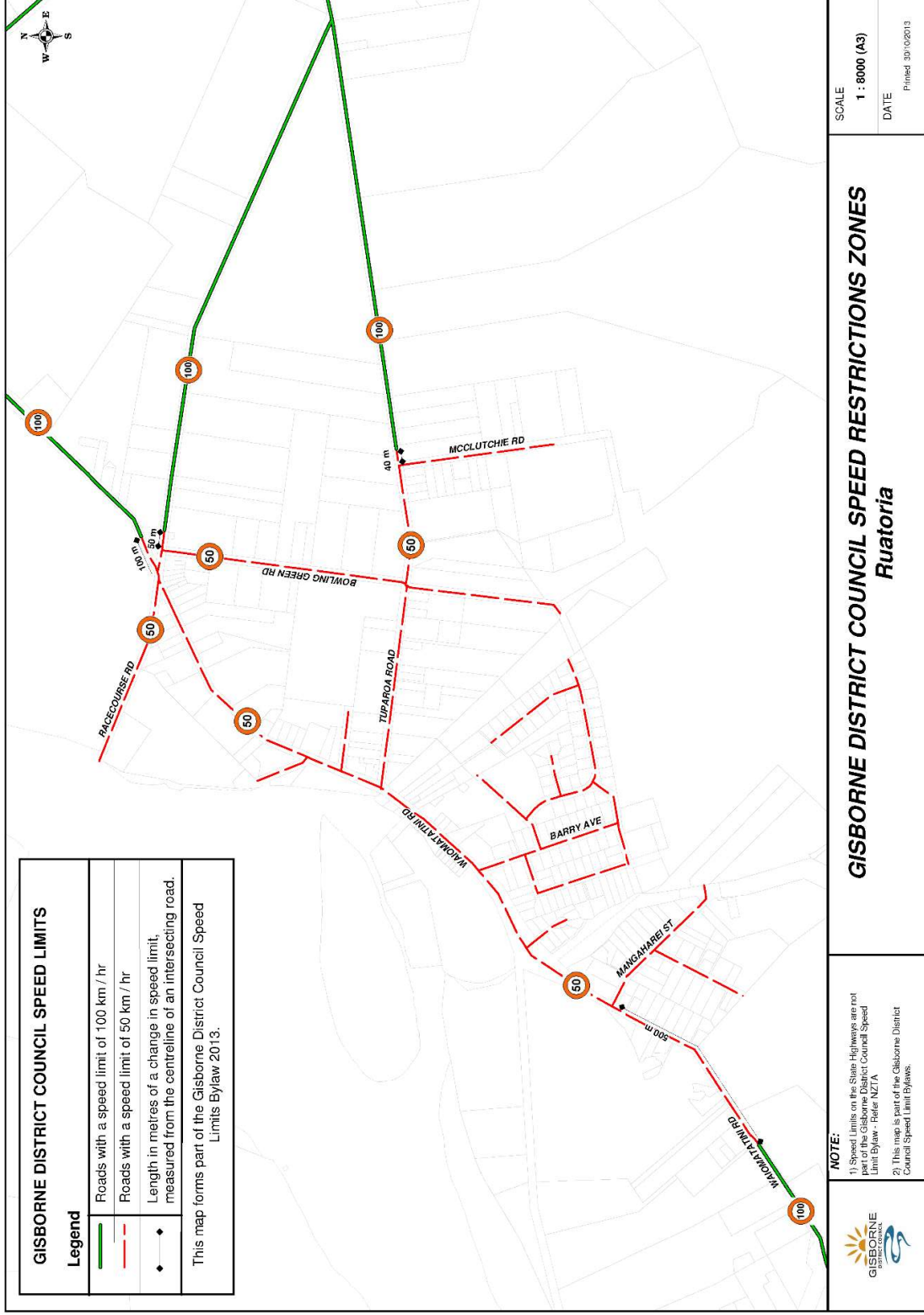
22. Ormond B



23. Patutahi A



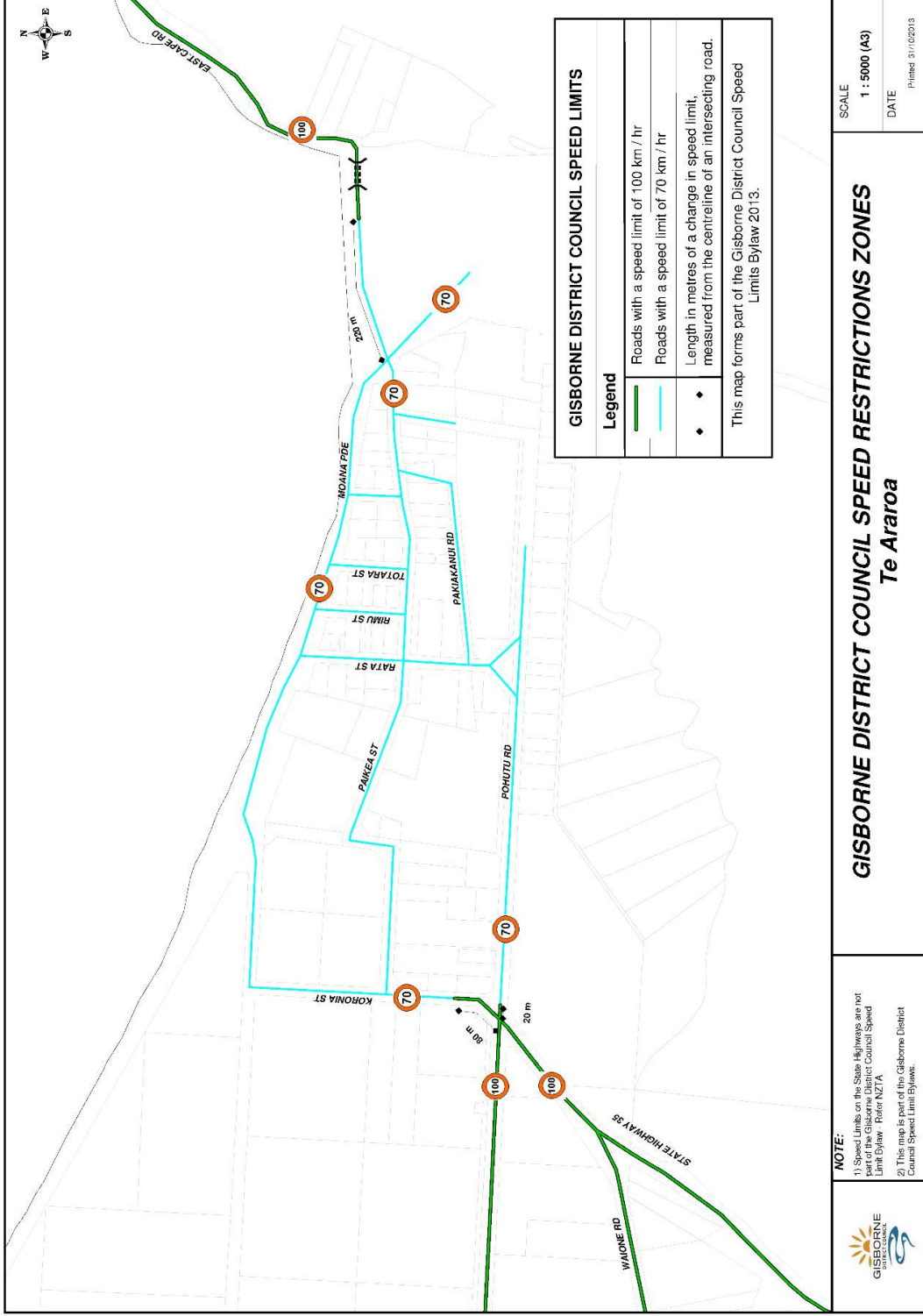
24. Ruatoria A



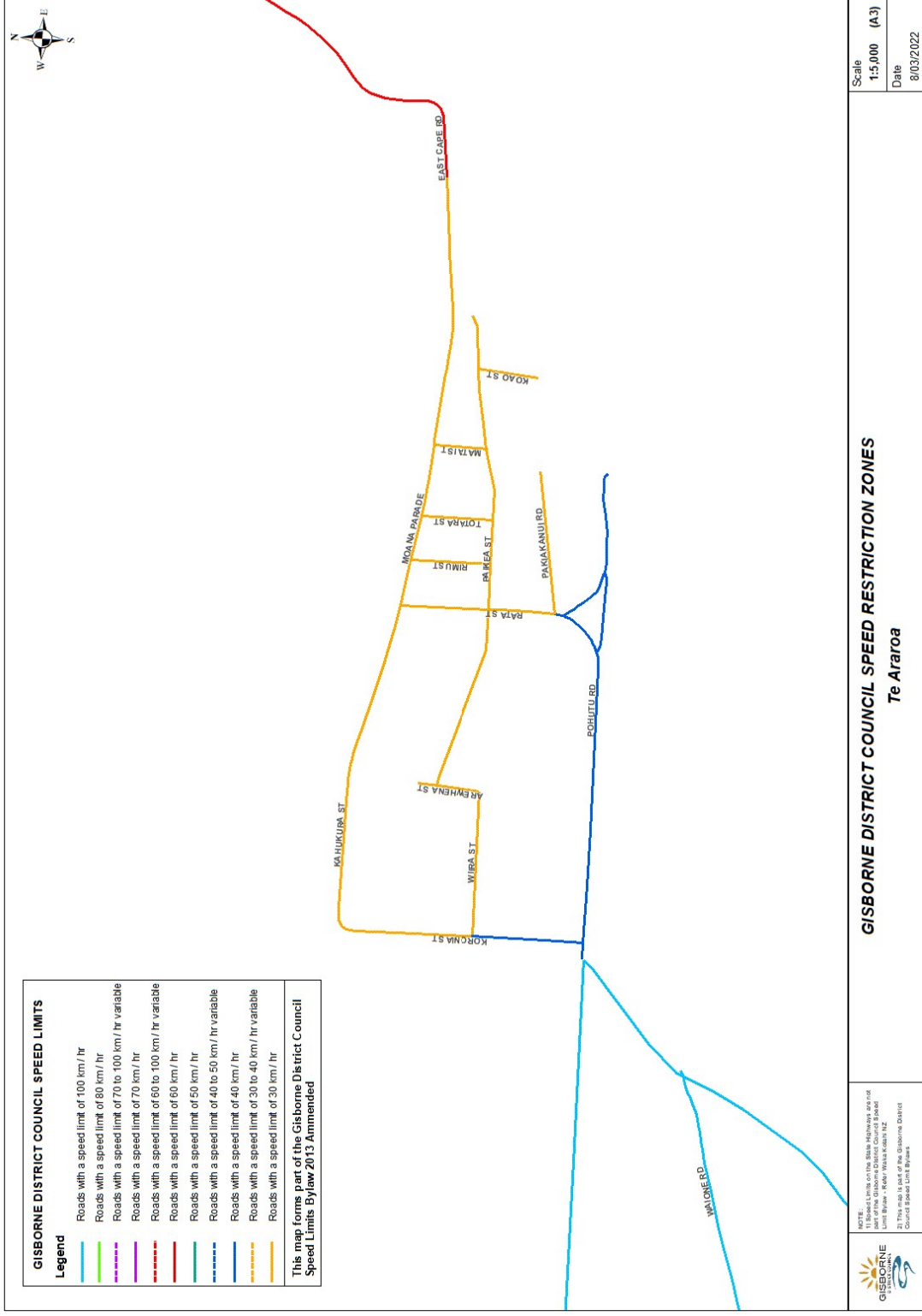
25. Ruatoria B



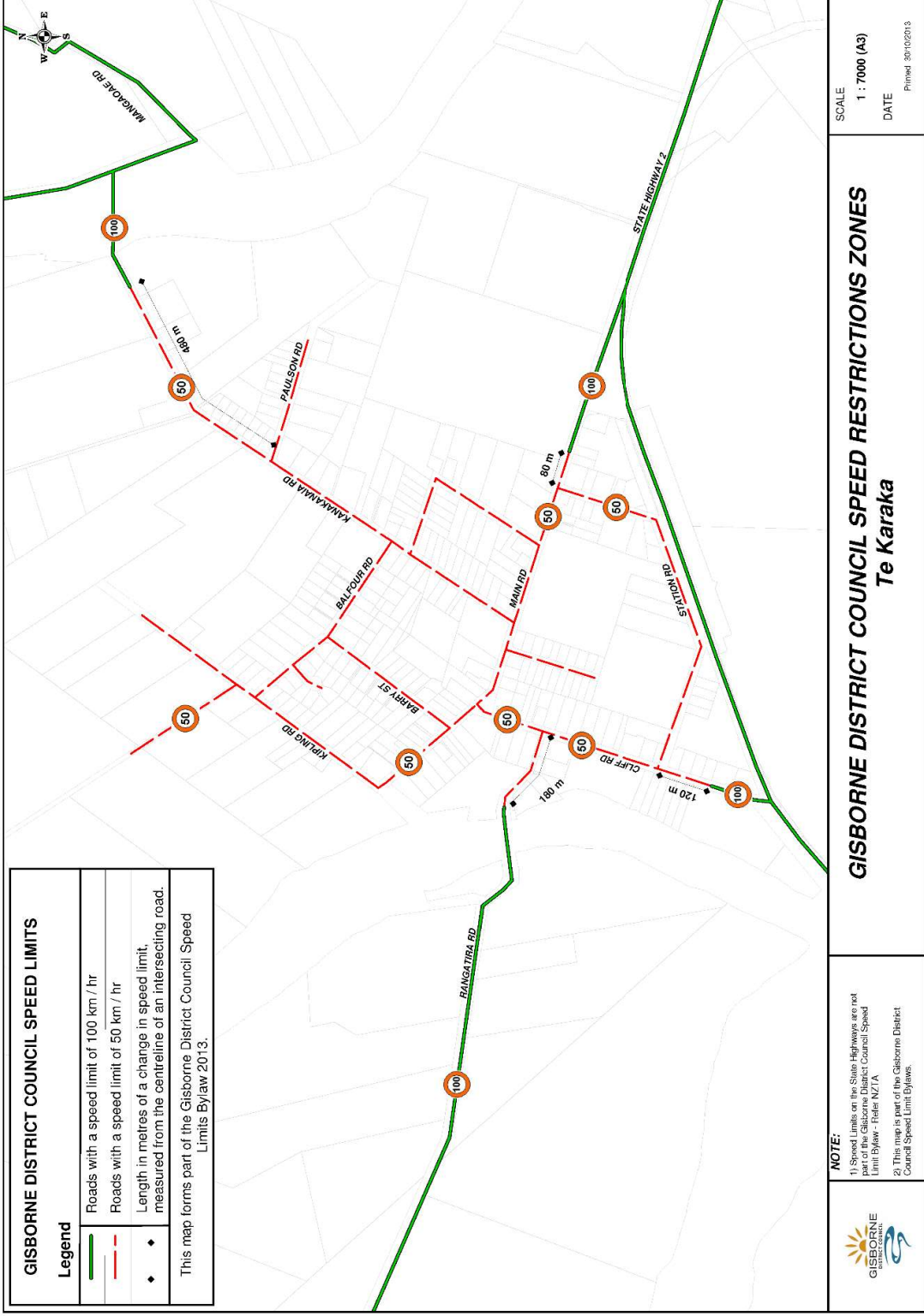
26. Te Araroa A



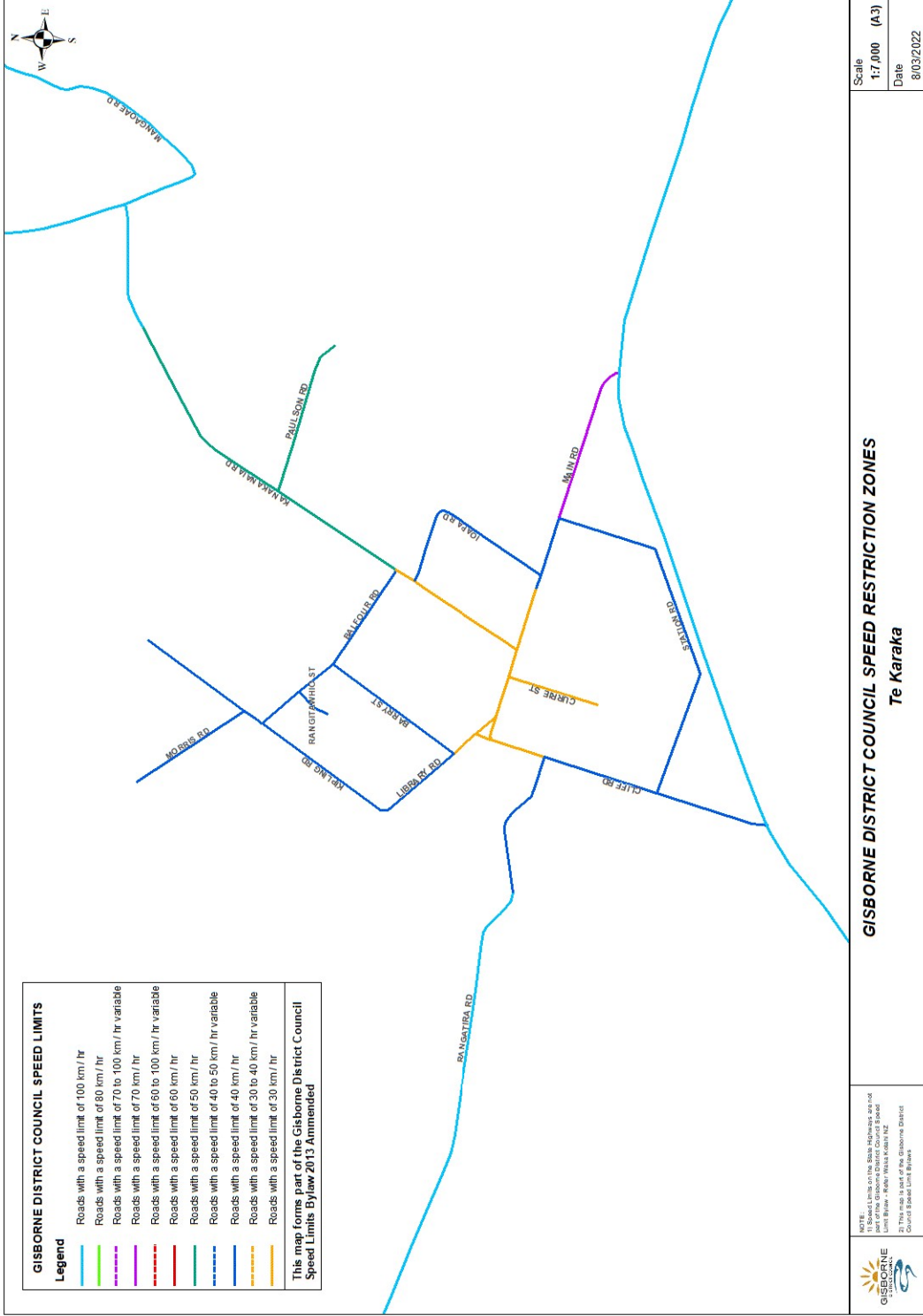
27. Te Araroa B



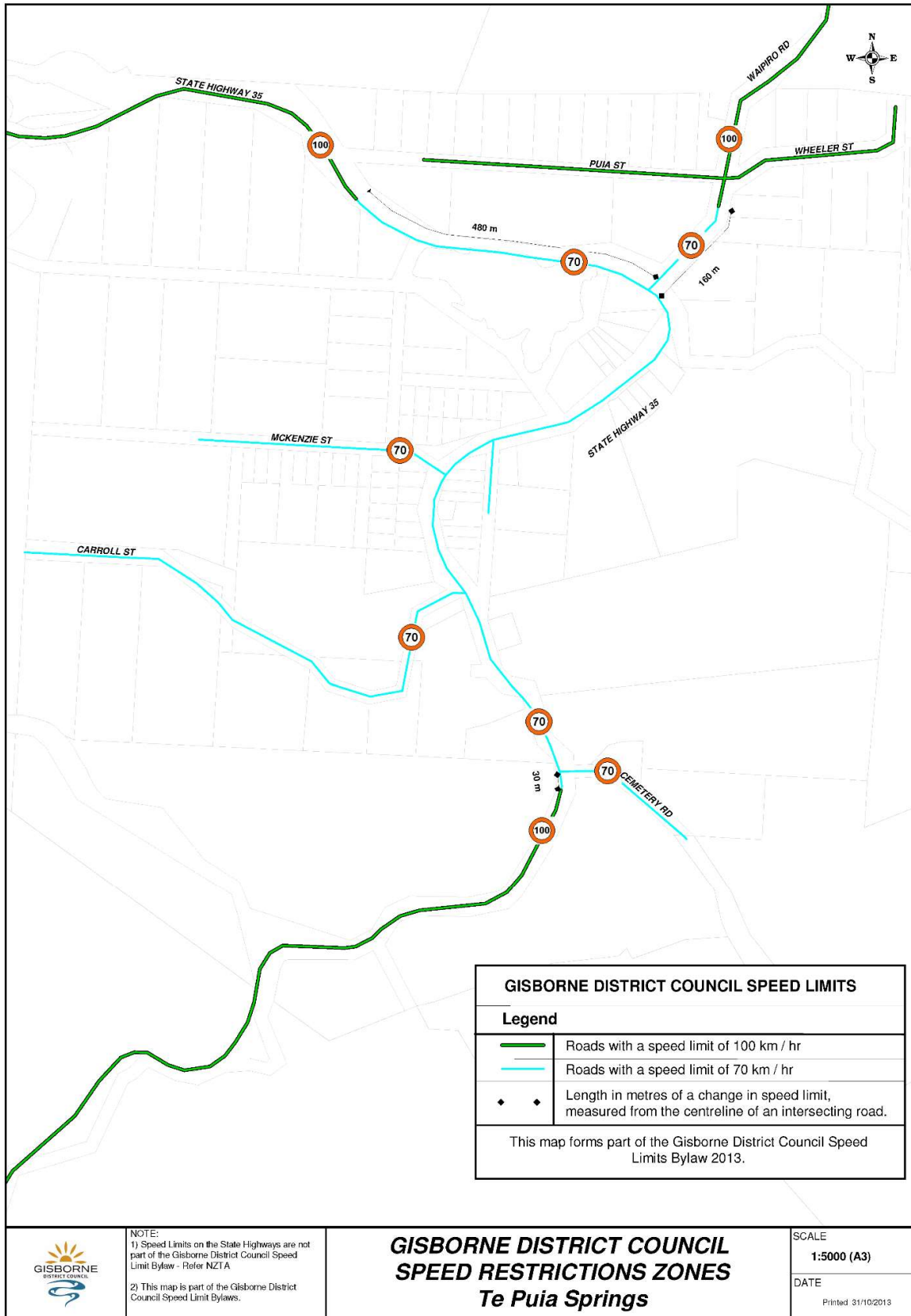
28. Te Karaka A



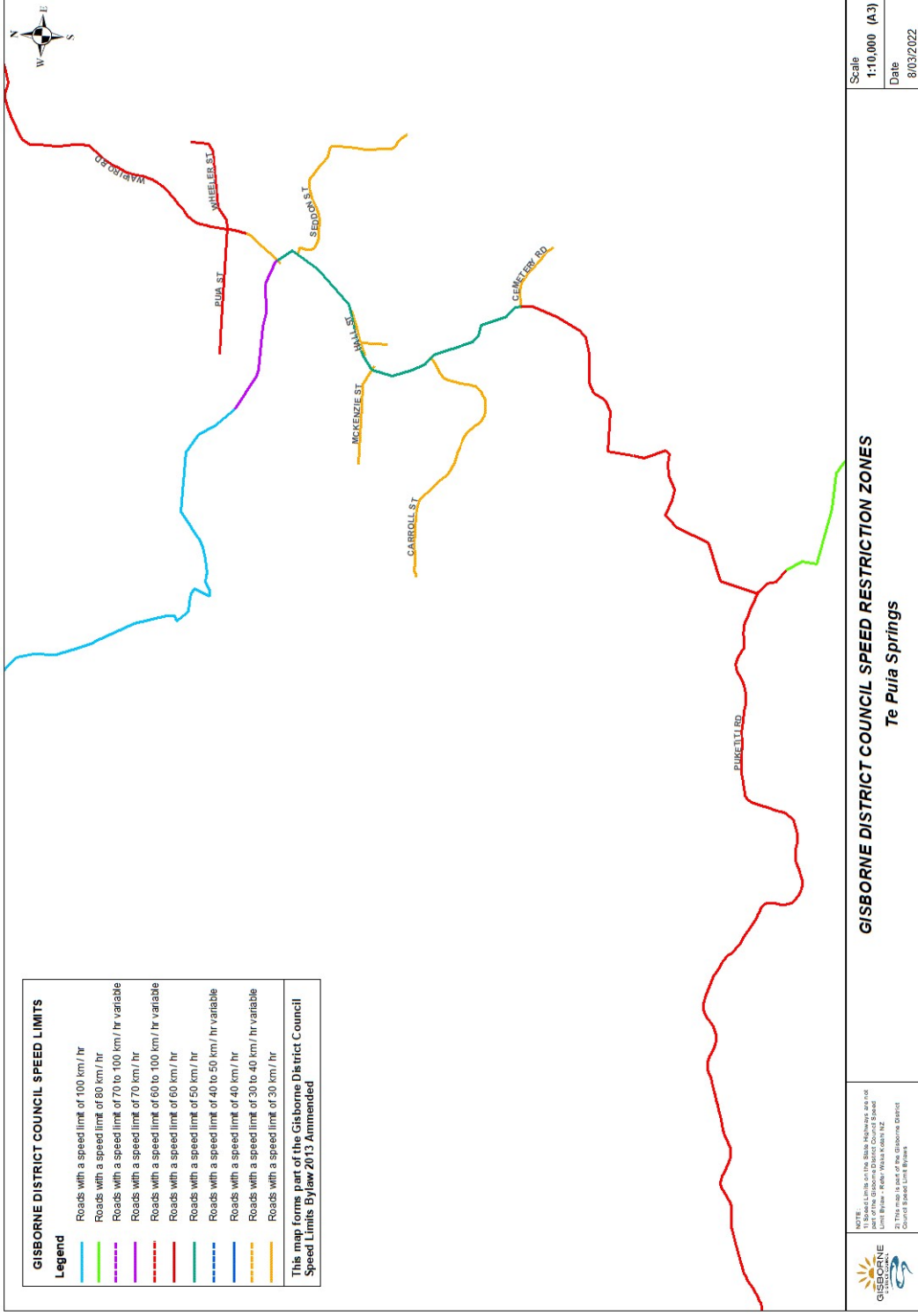
29. Te Karaka B



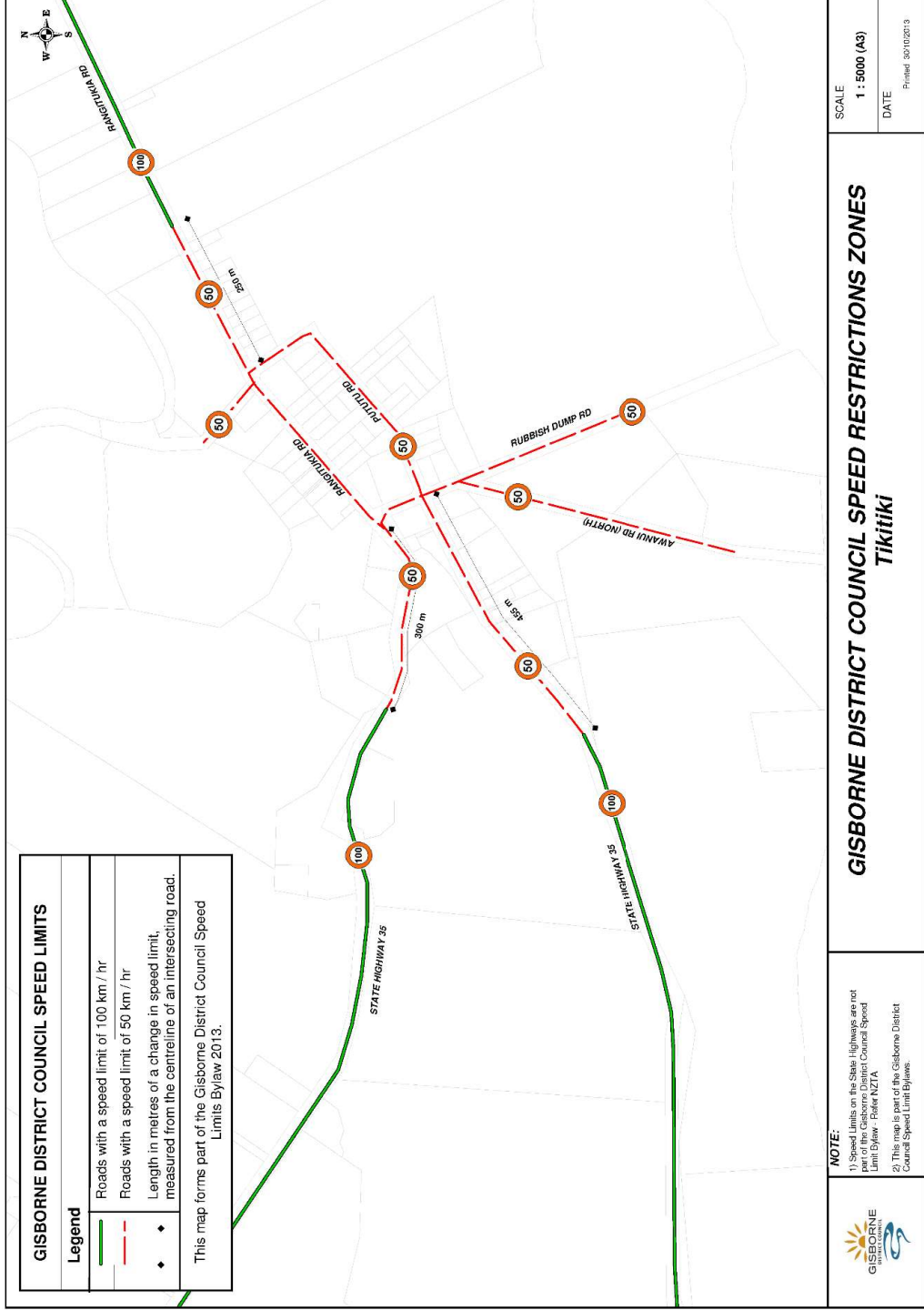
30. Te Puia Springs A



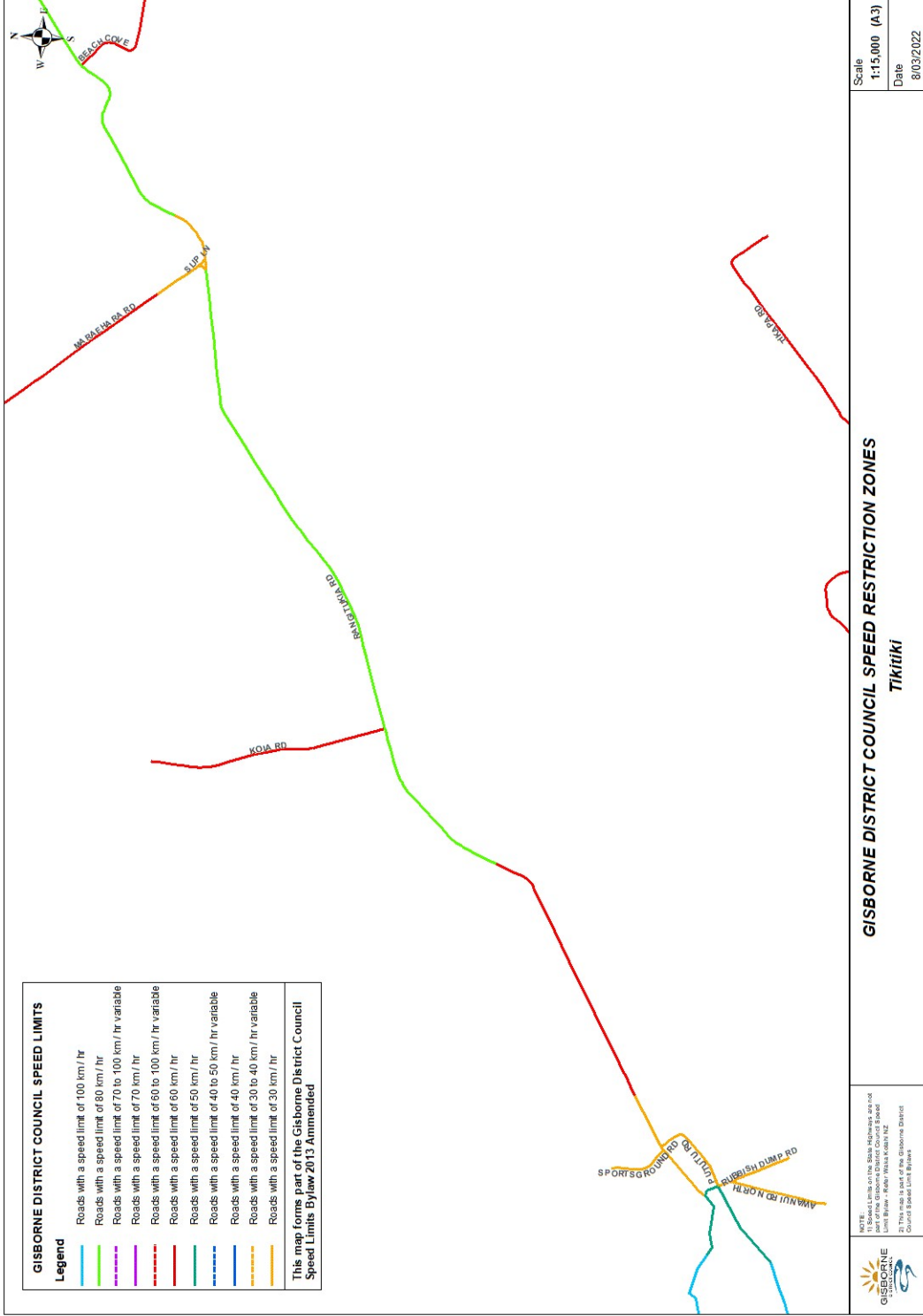
31. Te Puia Springs B



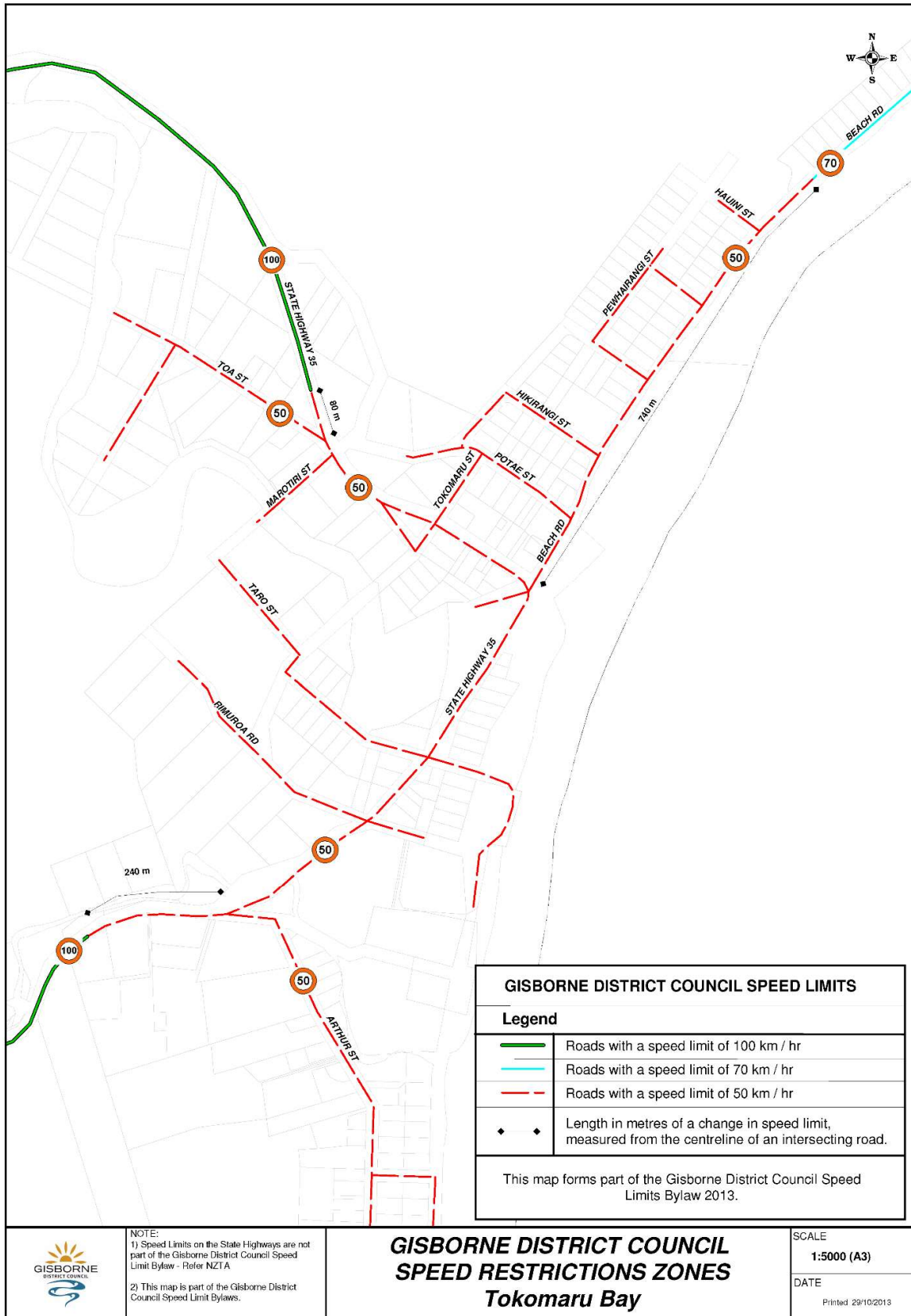
32. Tikitiki A



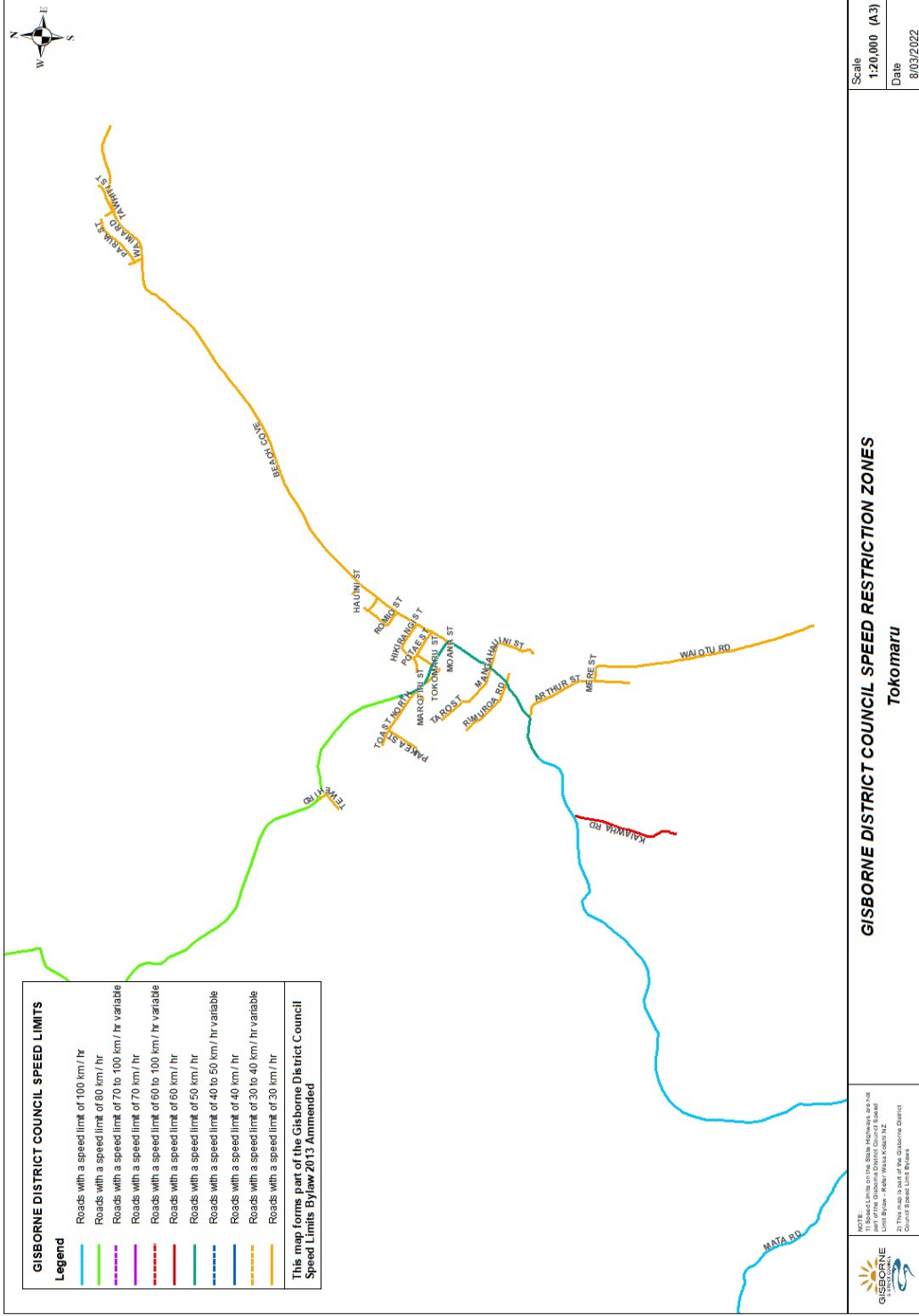
33. Tikitiki B



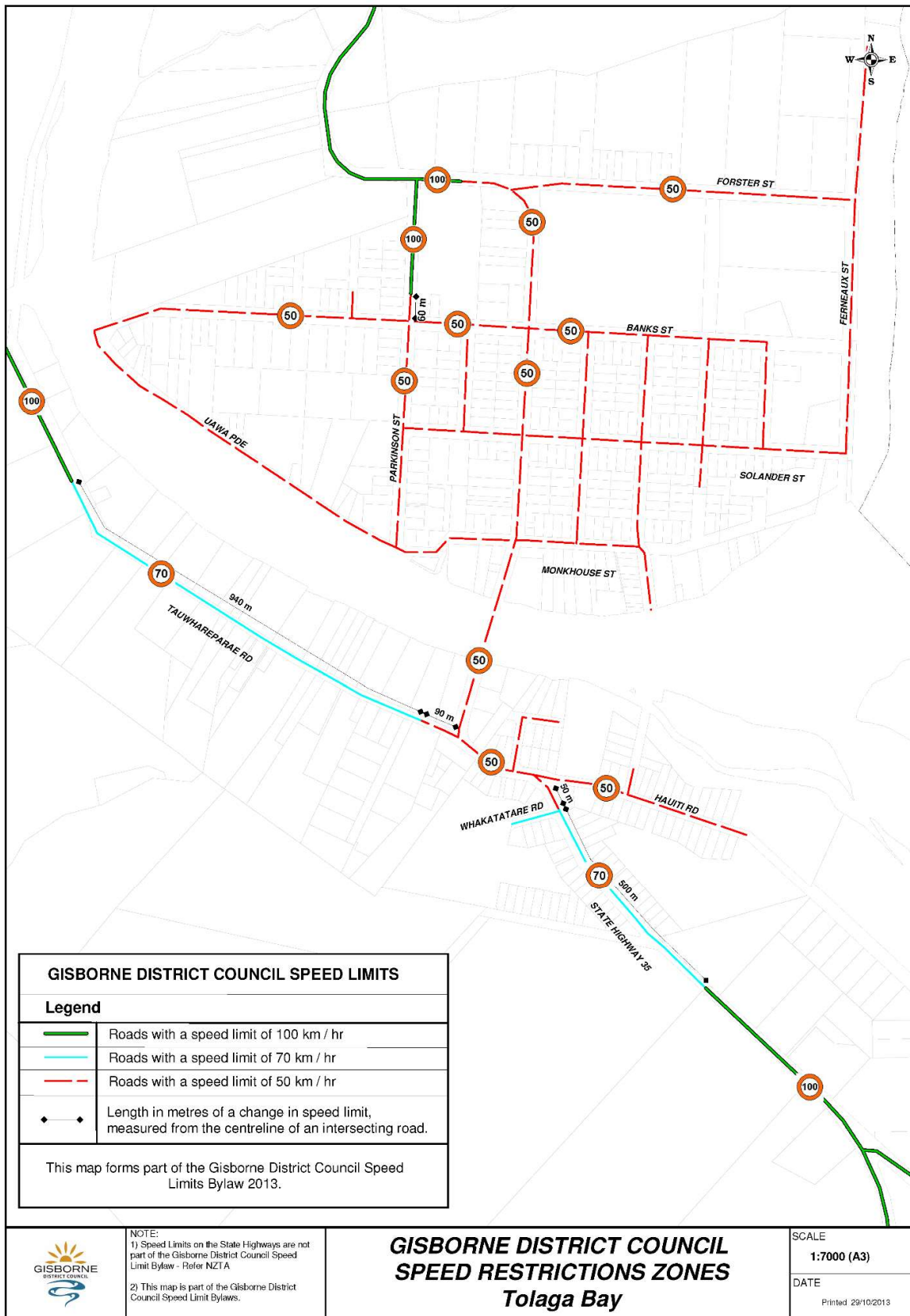
34. Tokomaru Bay A



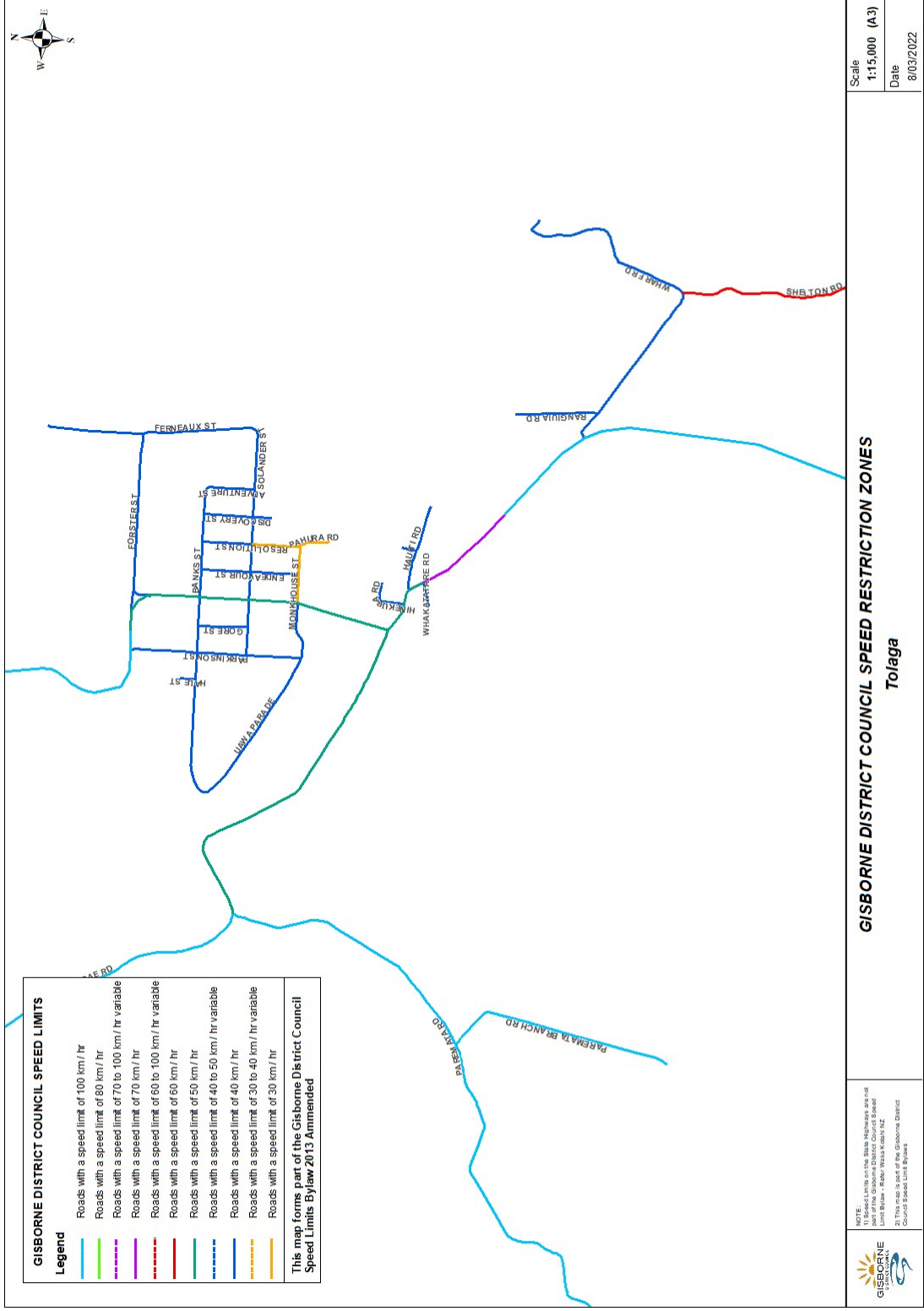
35. Tokomaru Bay B



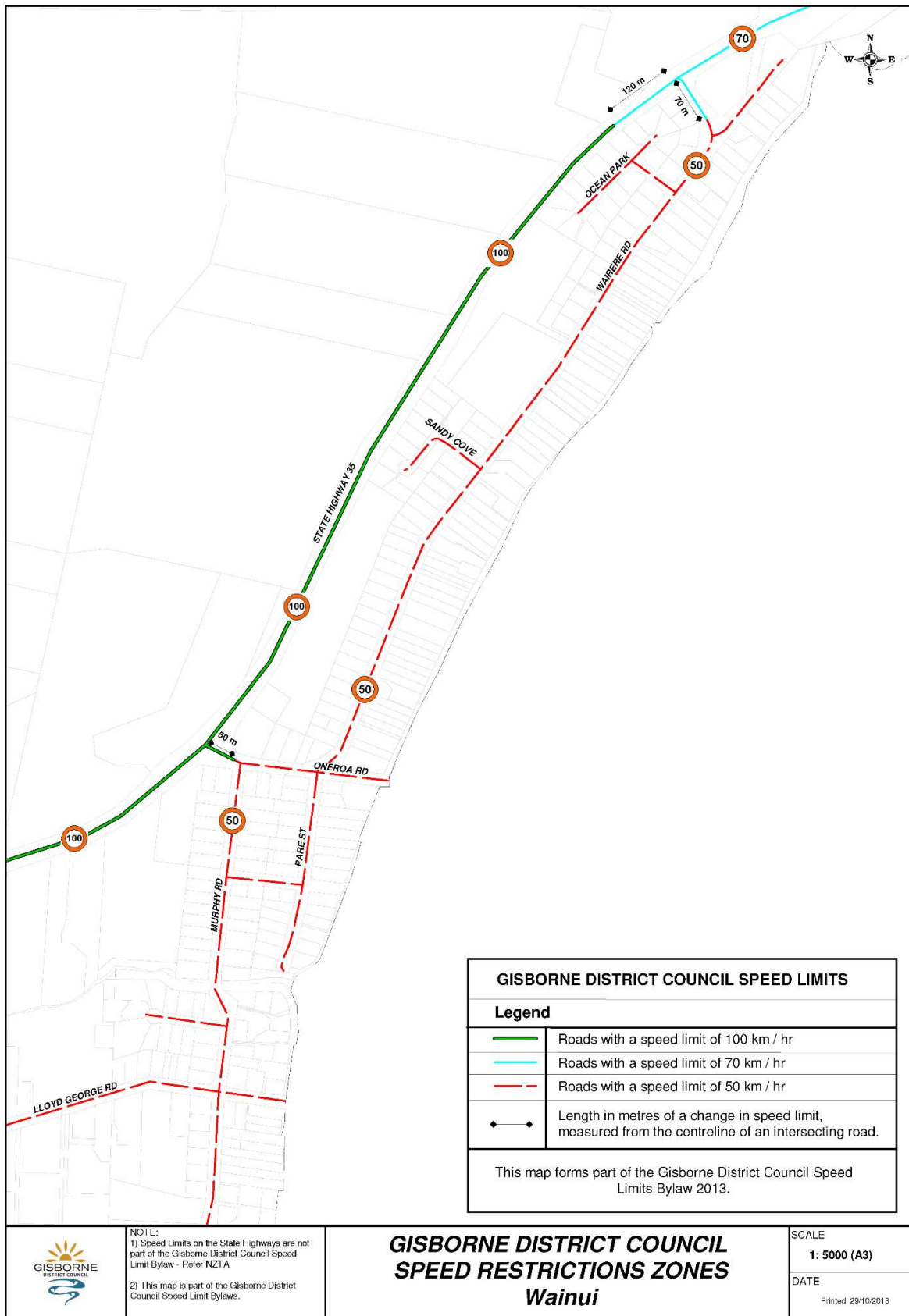
36. Tolaga Bay A



37. Tolaga Bay B



38. Wainui A

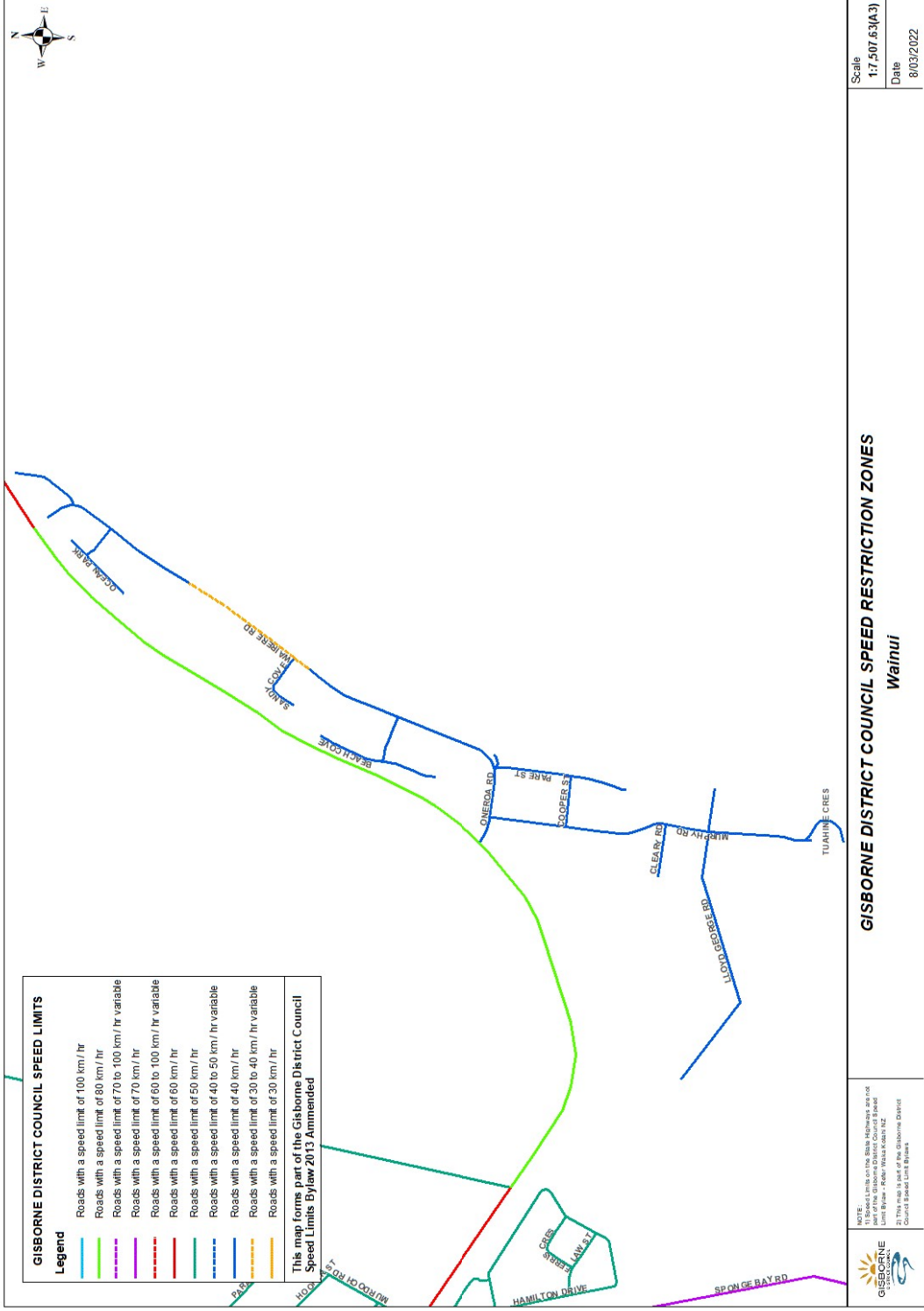


NOTE:
 1) Speed Limits on the State Highways are not part of the Gisborne District Council Speed Limit Bylaw - Refer NZTA
 2) This map is part of the Gisborne District Council Speed Limit Bylaws.

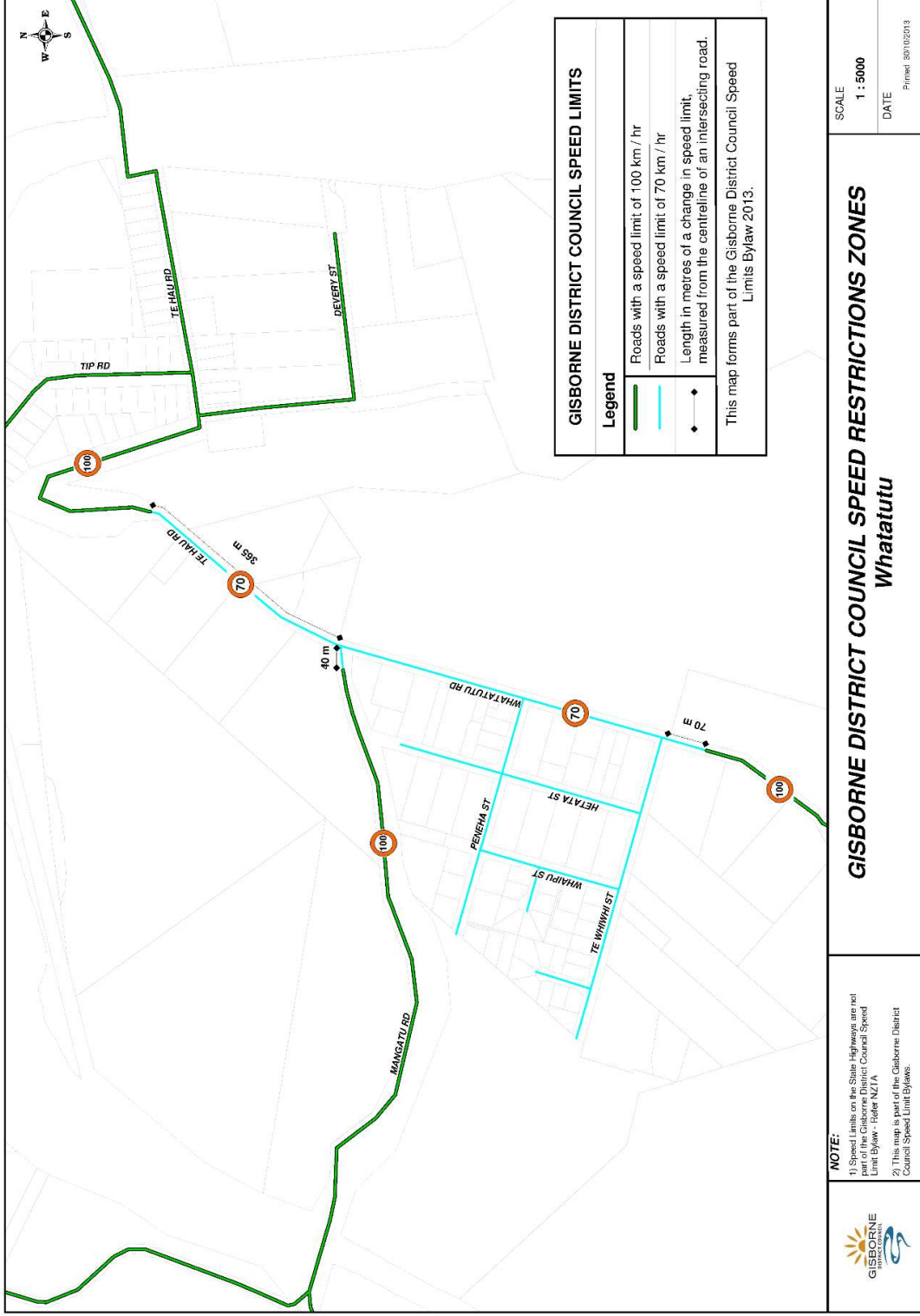
**GISBORNE DISTRICT COUNCIL
 SPEED RESTRICTIONS ZONES
 Wainui**

SCALE
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 DATE
 Printed 29/10/2013

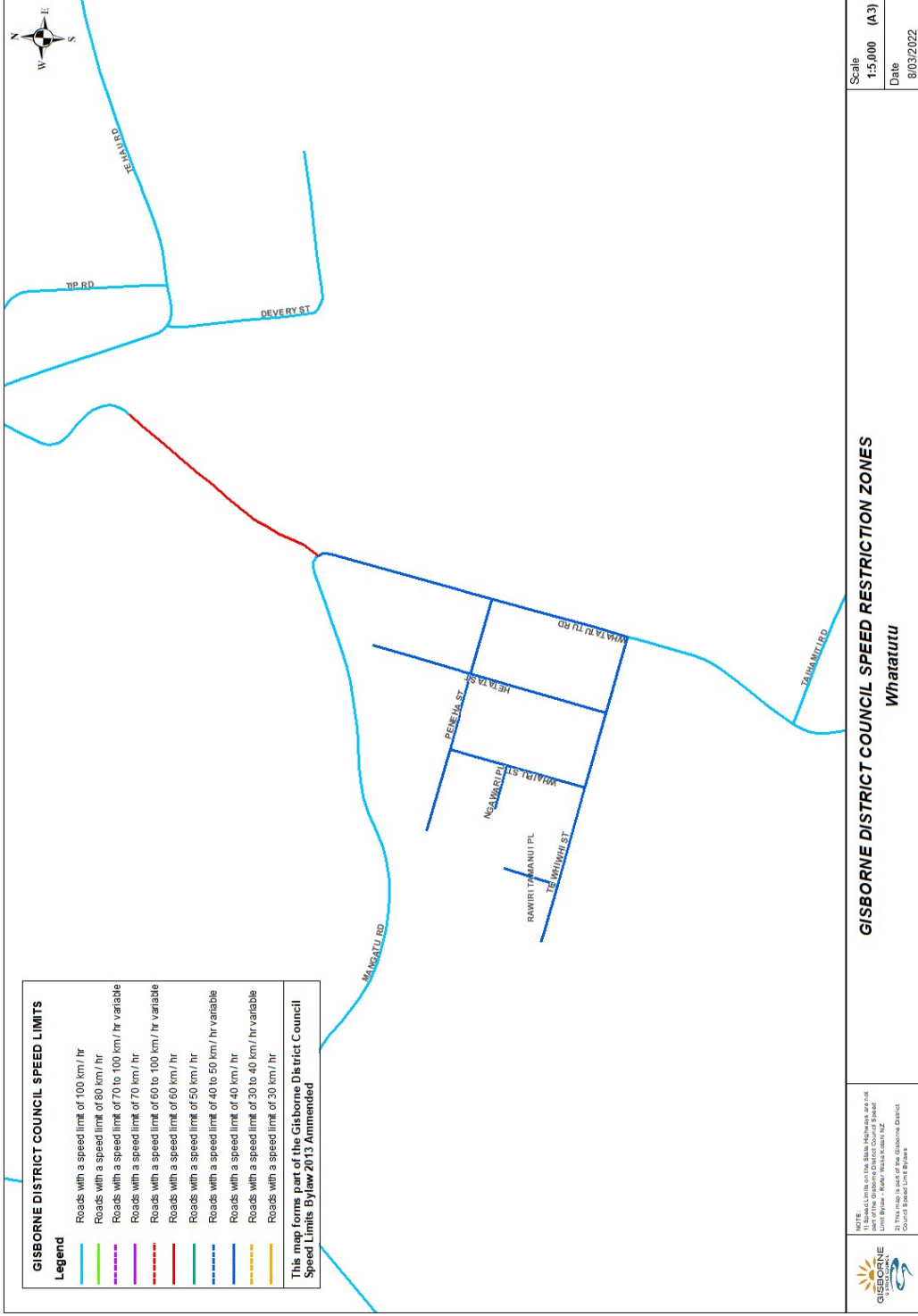
39. Wainui B



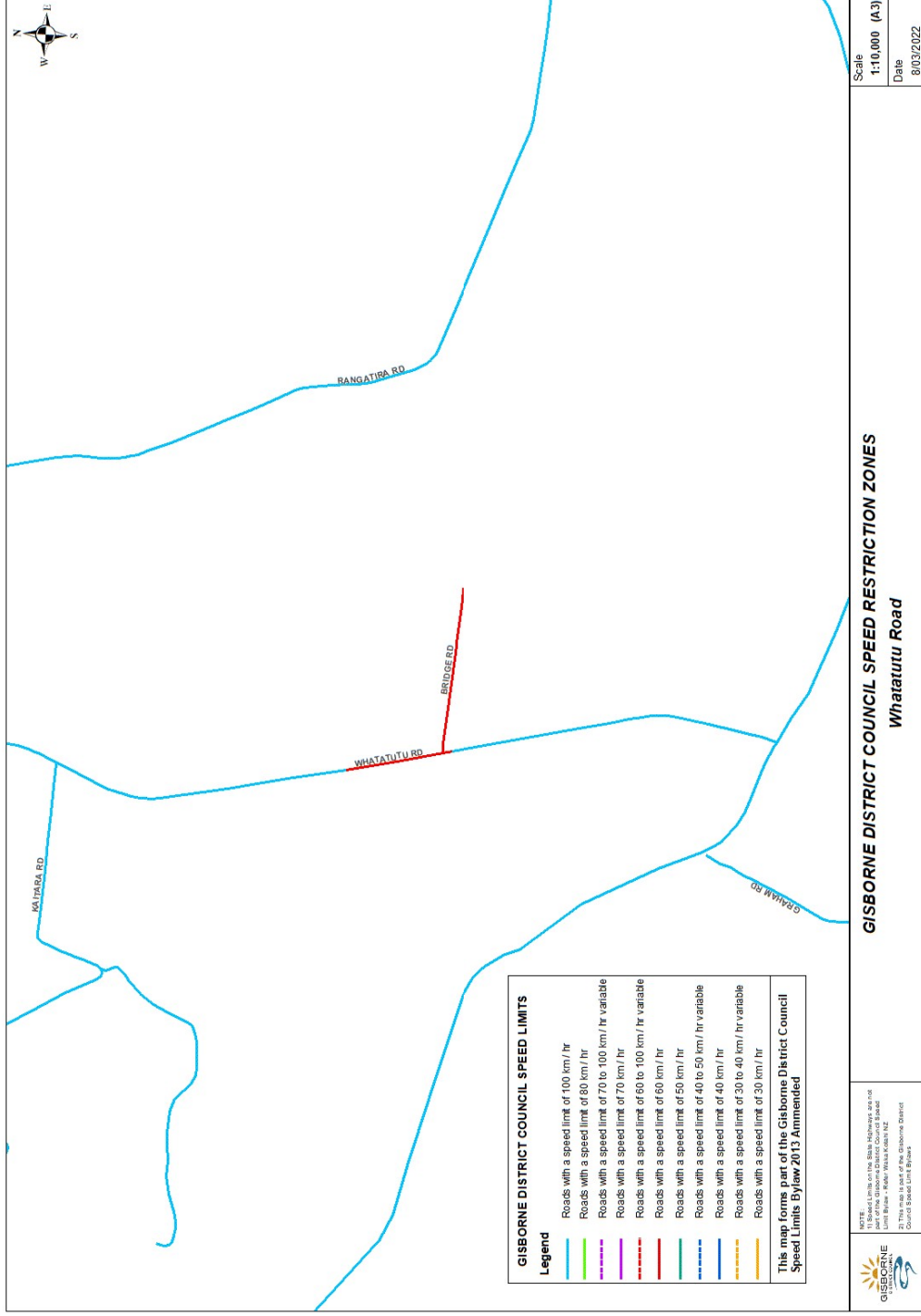
40. Whatautu A



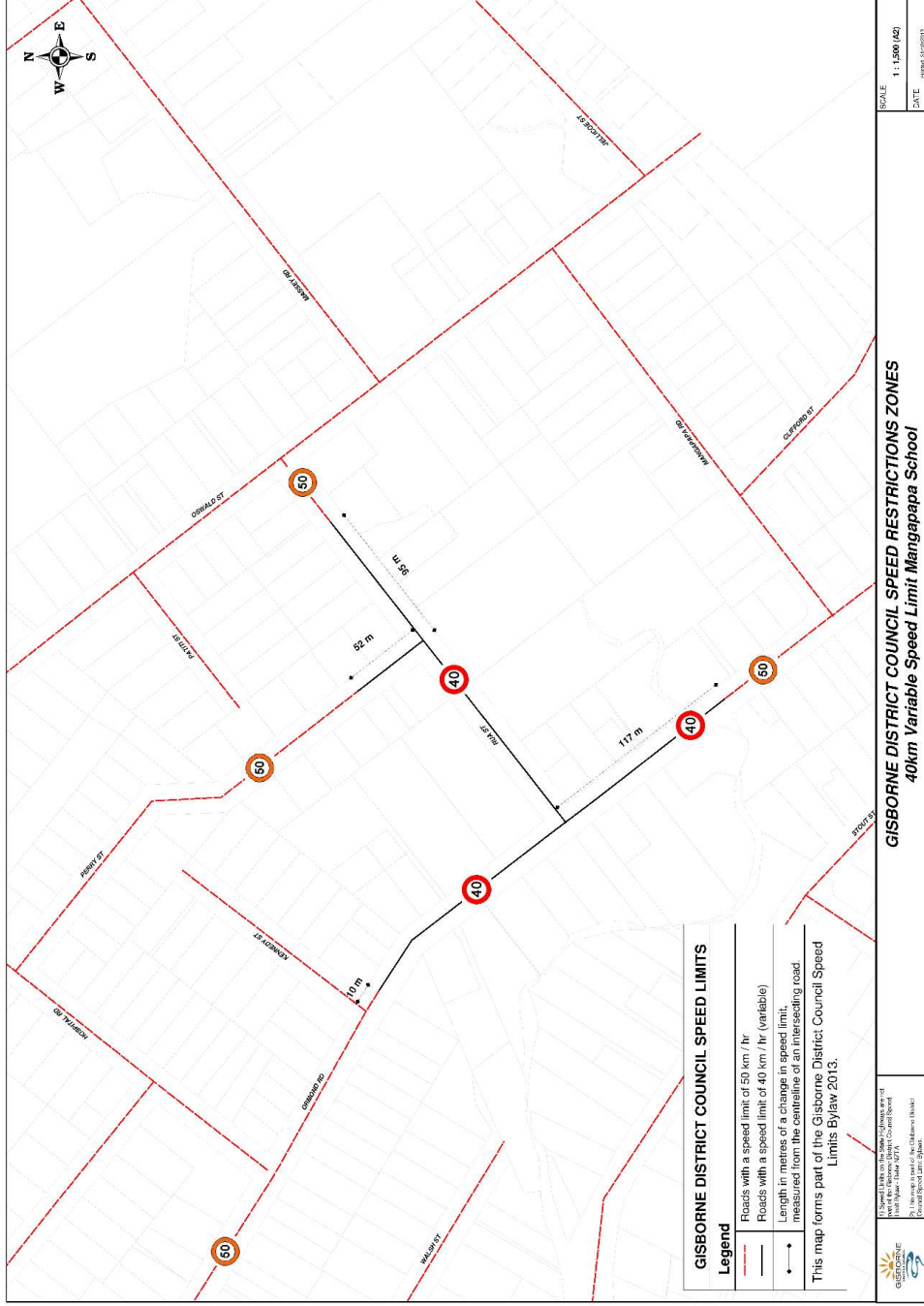
41. Whatatutu B



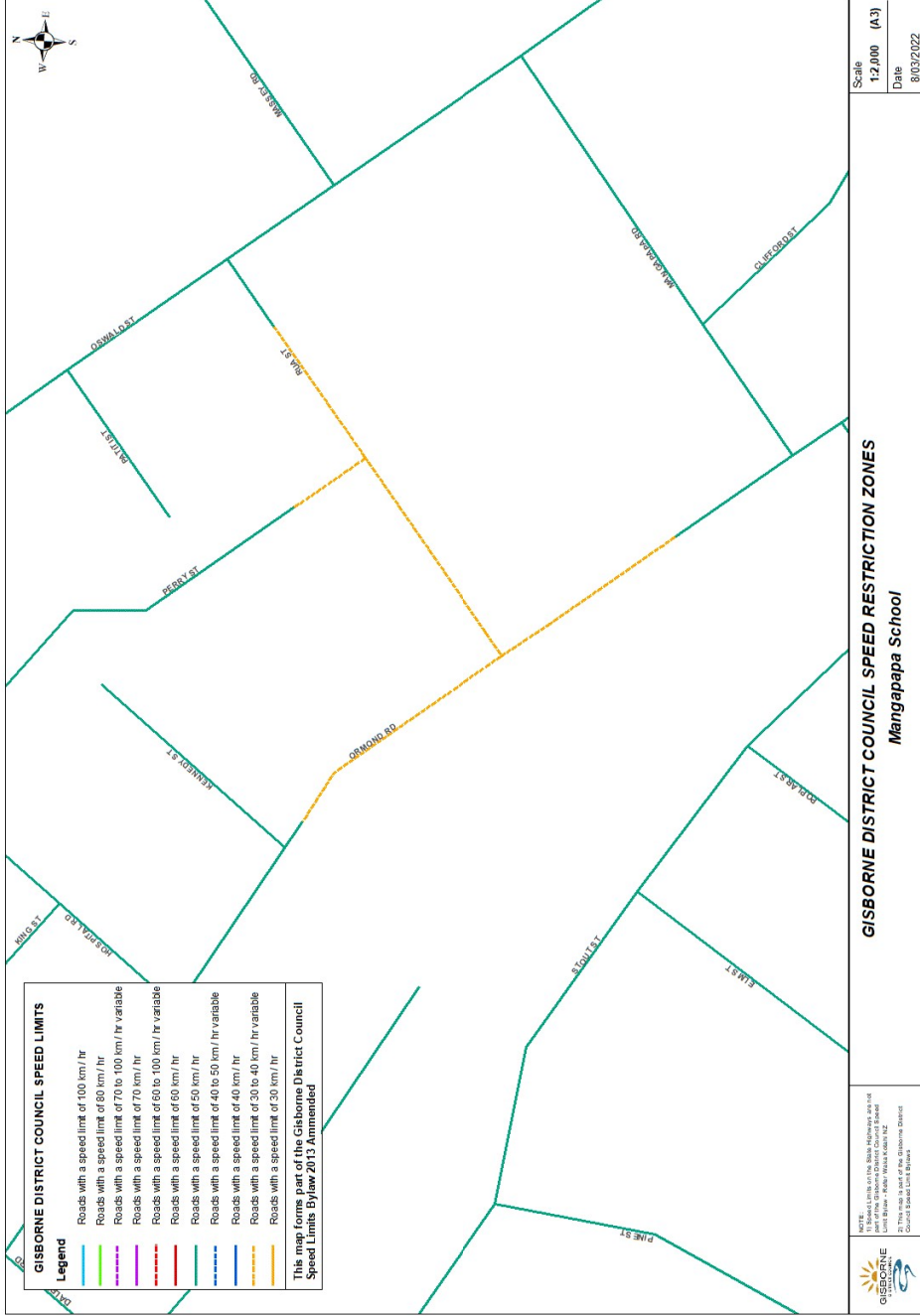
42. Whatatutu Road B



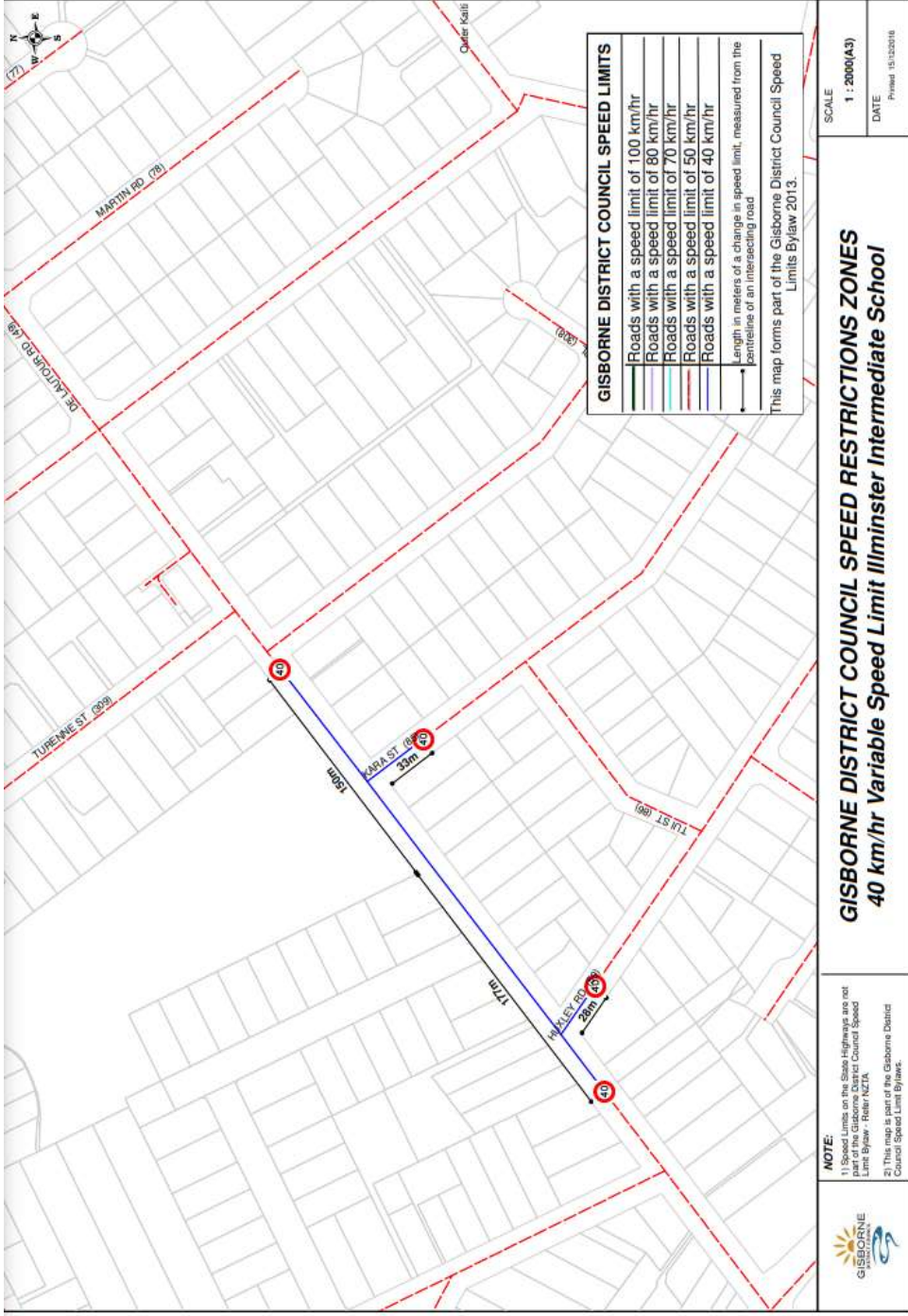
43. Mangapapa School A (VSL)



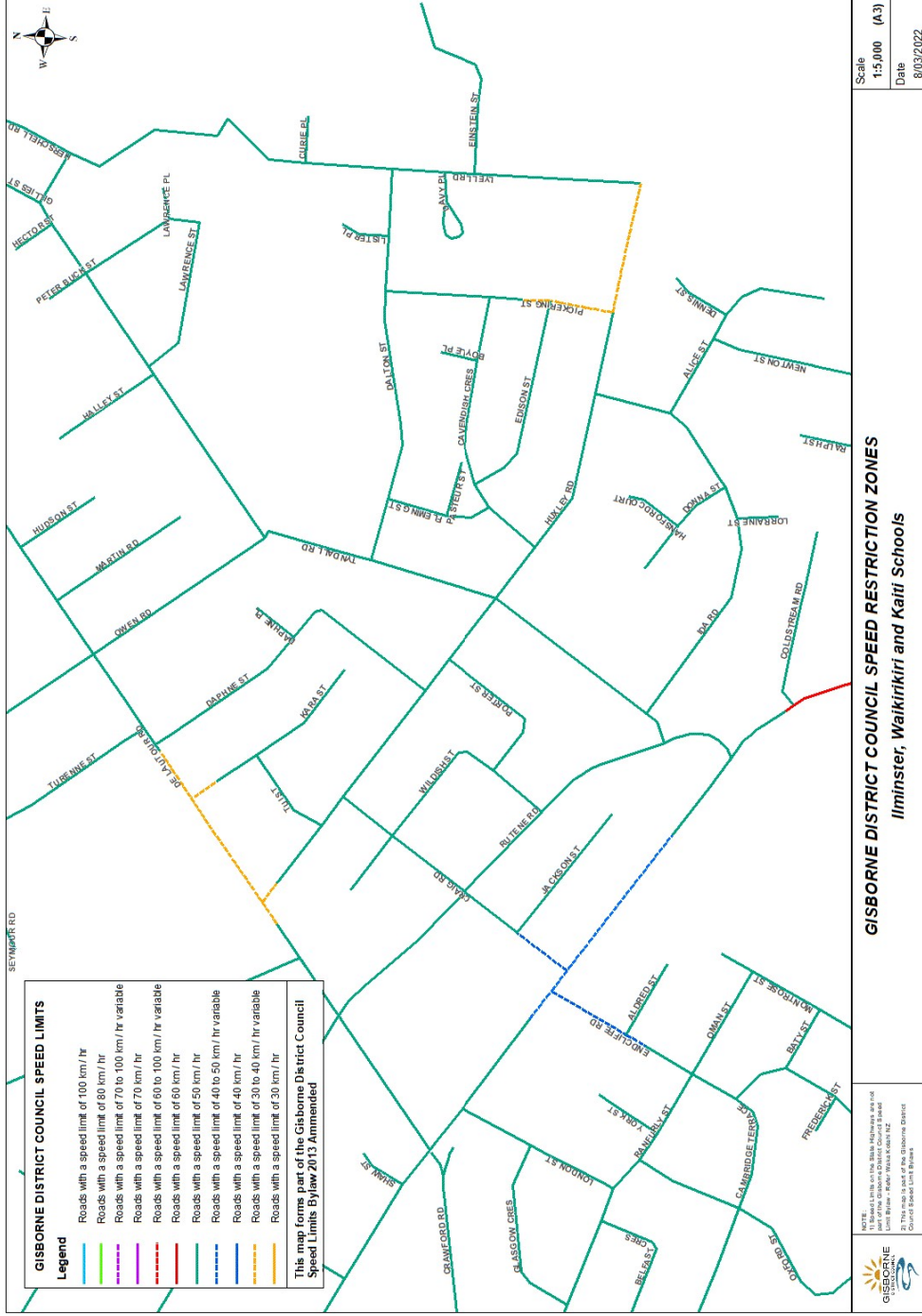
44. Mangapapa School B (VSL)



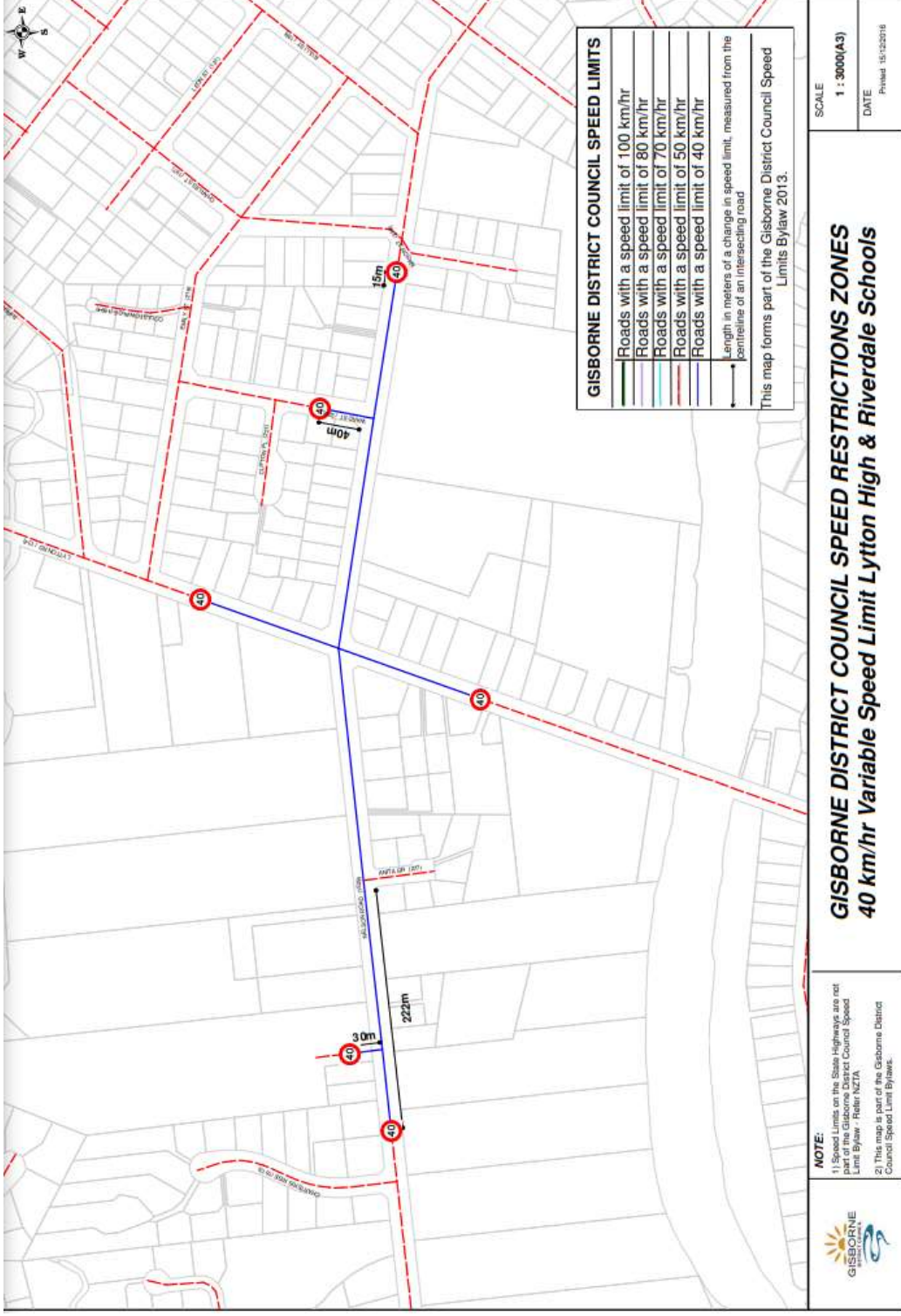
45. Iliminster Intermediate School A (VSL)



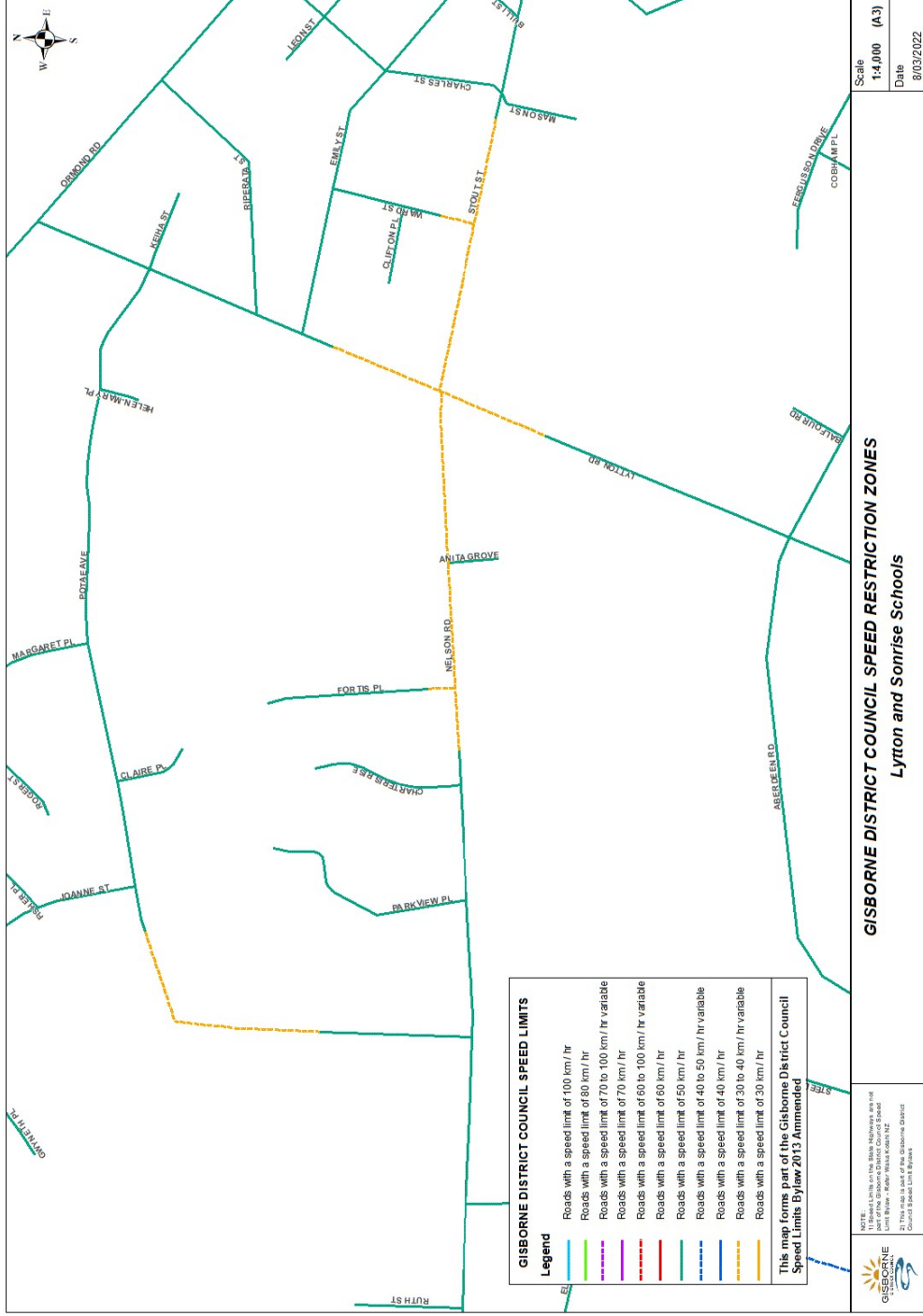
46. Iliminster School, Waikirikiri School B (VSL)



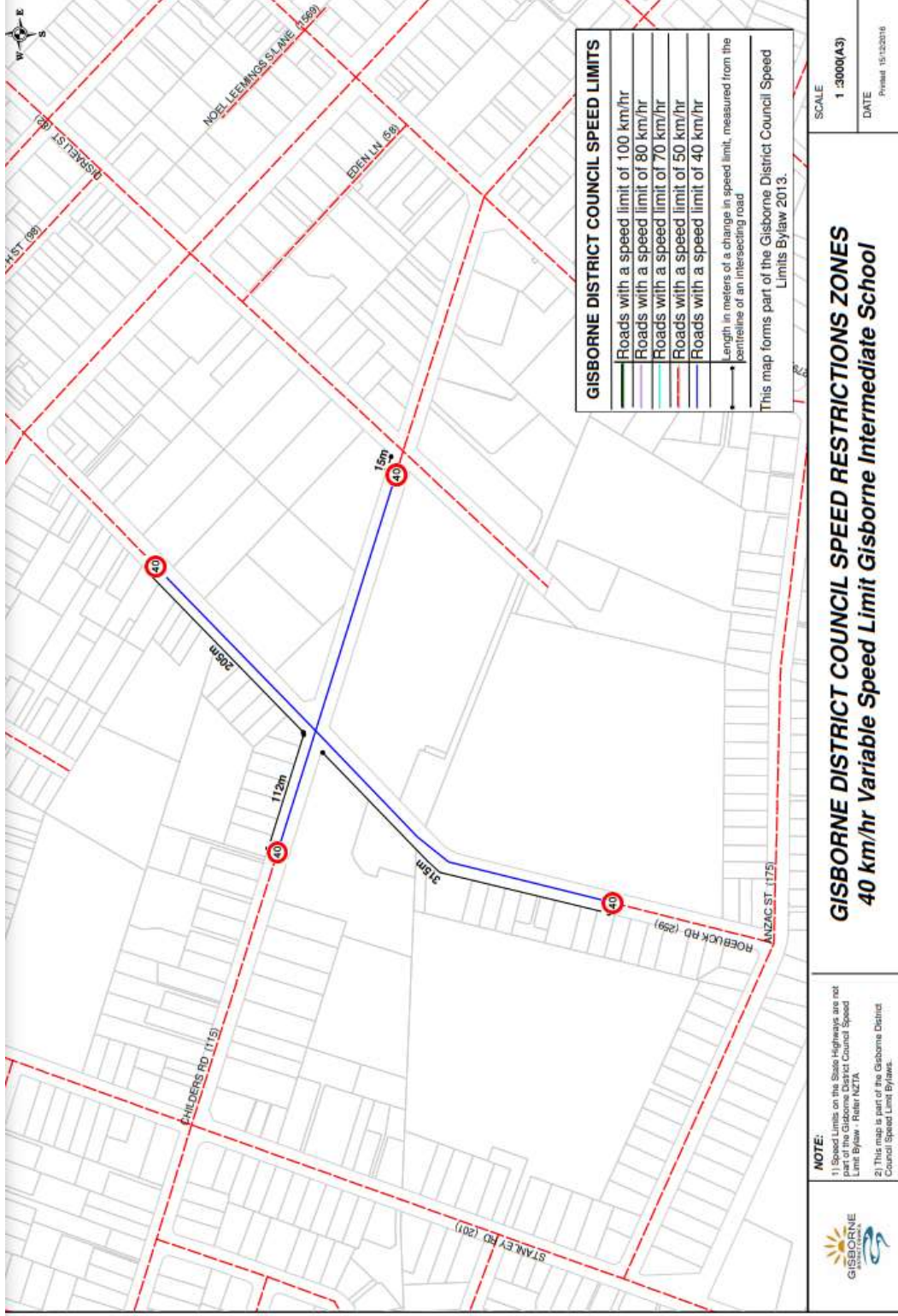
47. Lytton High – Riverdale School A (VSL)



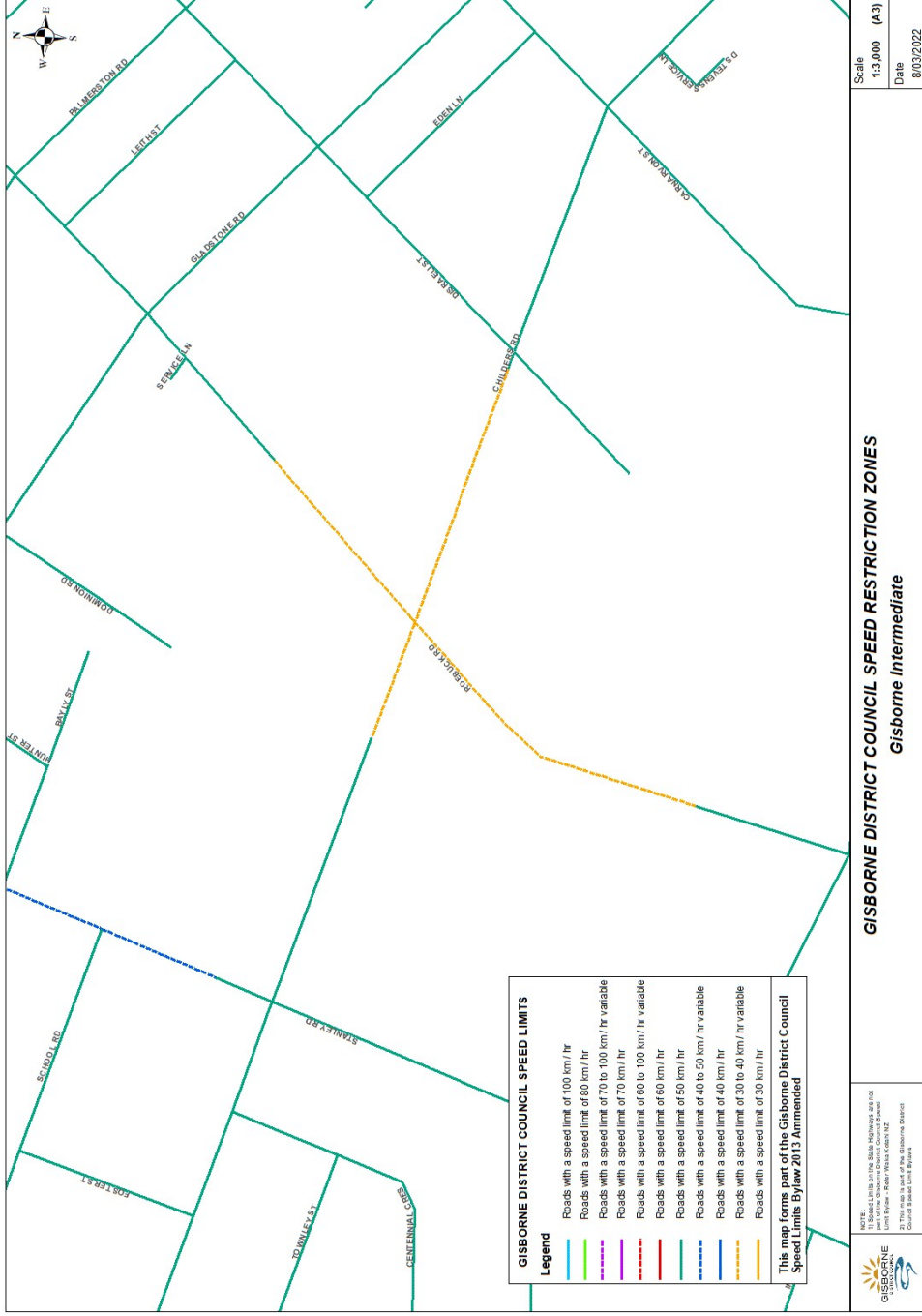
48. Lytton High – Riverdale School, Sunrise Christian School B (VSL)



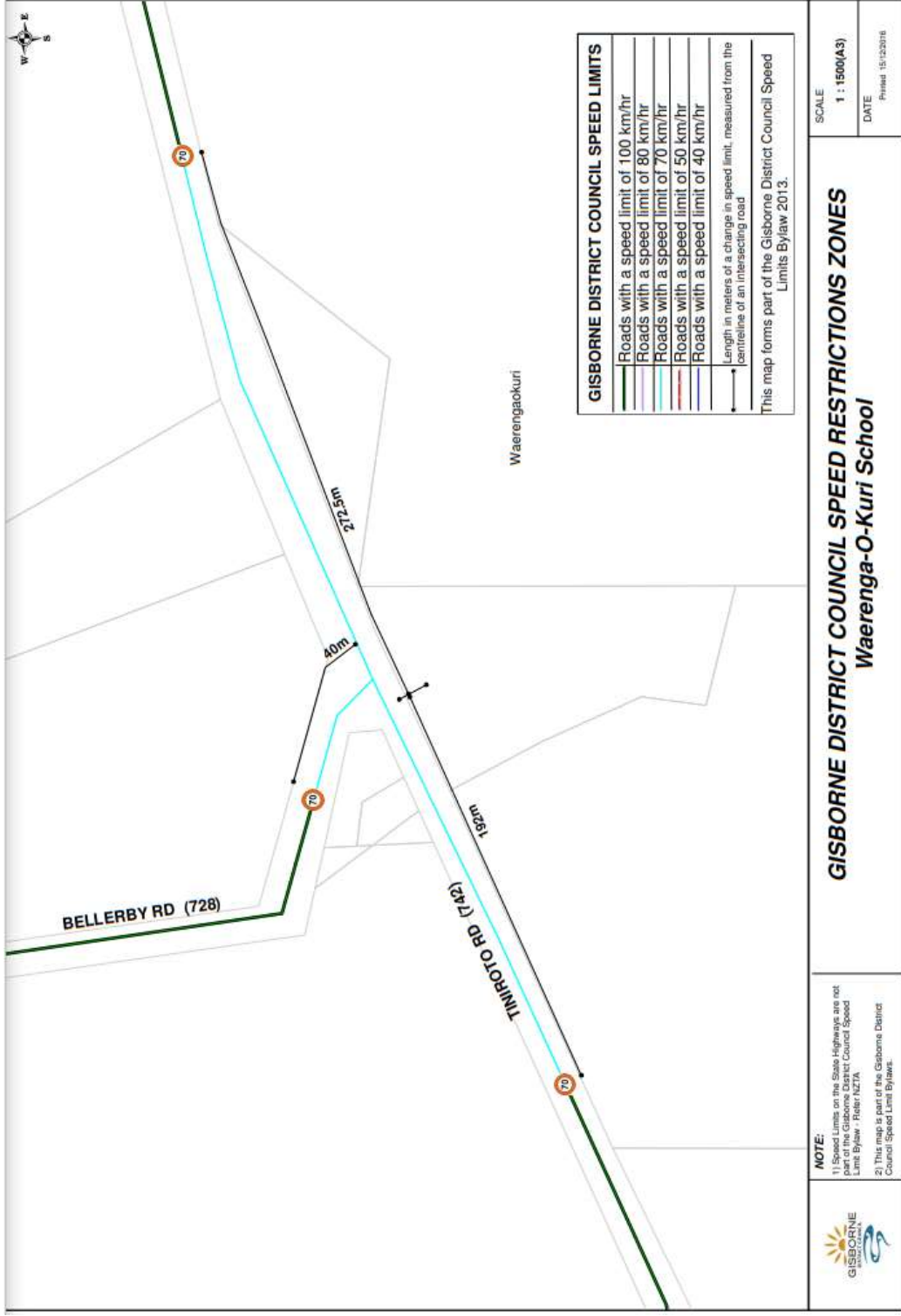
49. Gisborne Intermediate A (VSL)



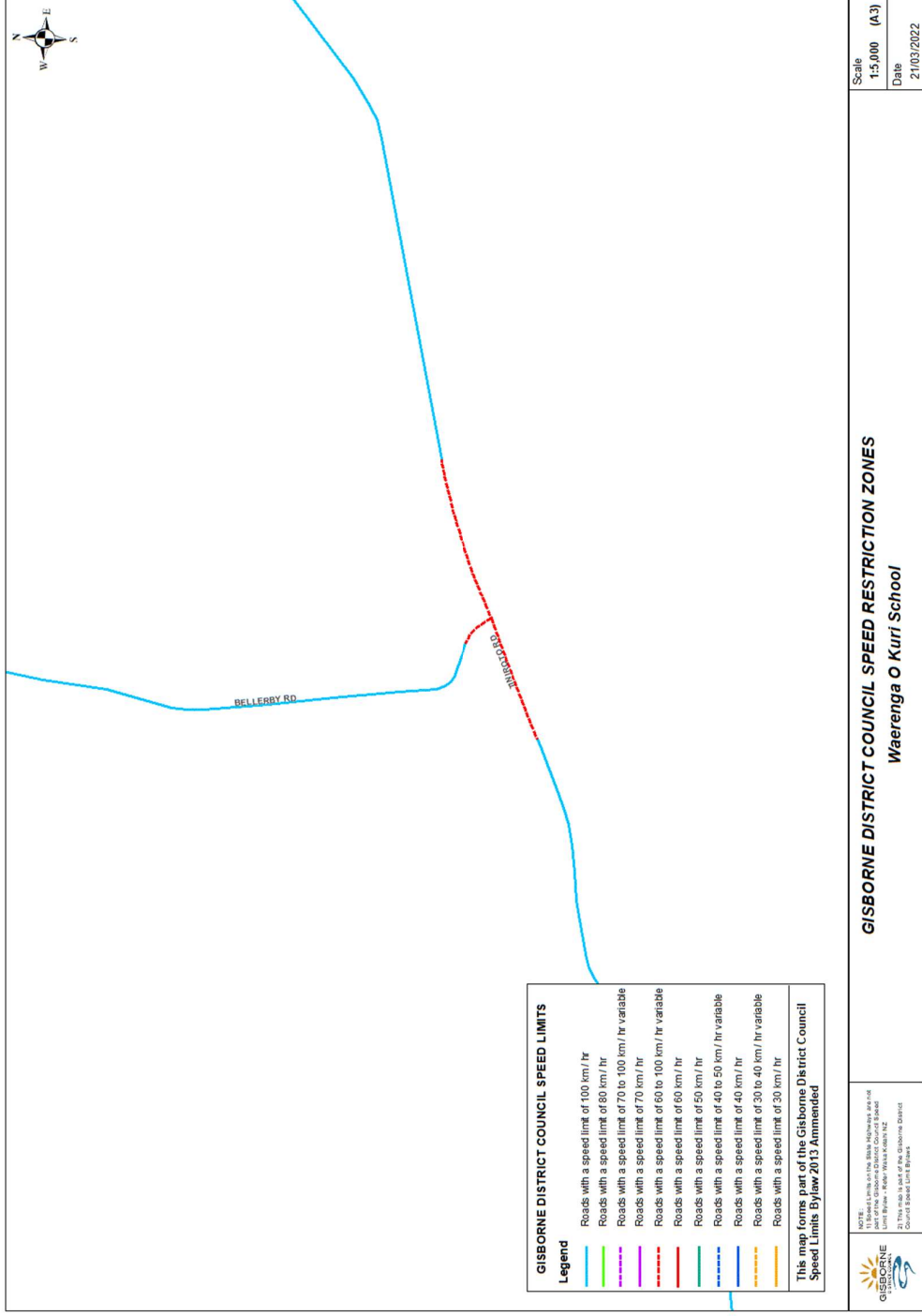
50. Gisborne Intermediate B (VSL)



51. Waerenga O Kuri A (VSL)



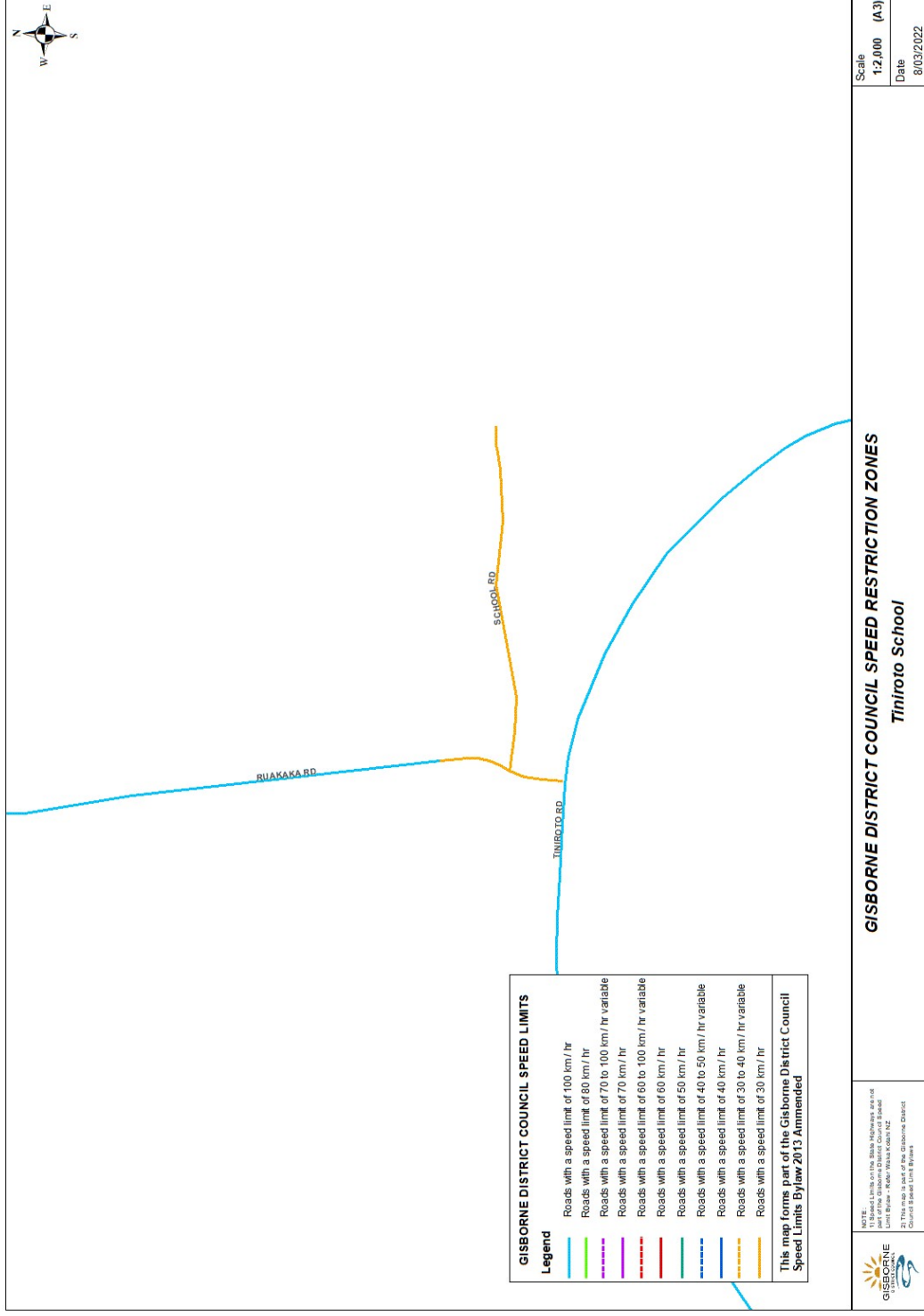
52. Waerenga O Kuri B (VSL)



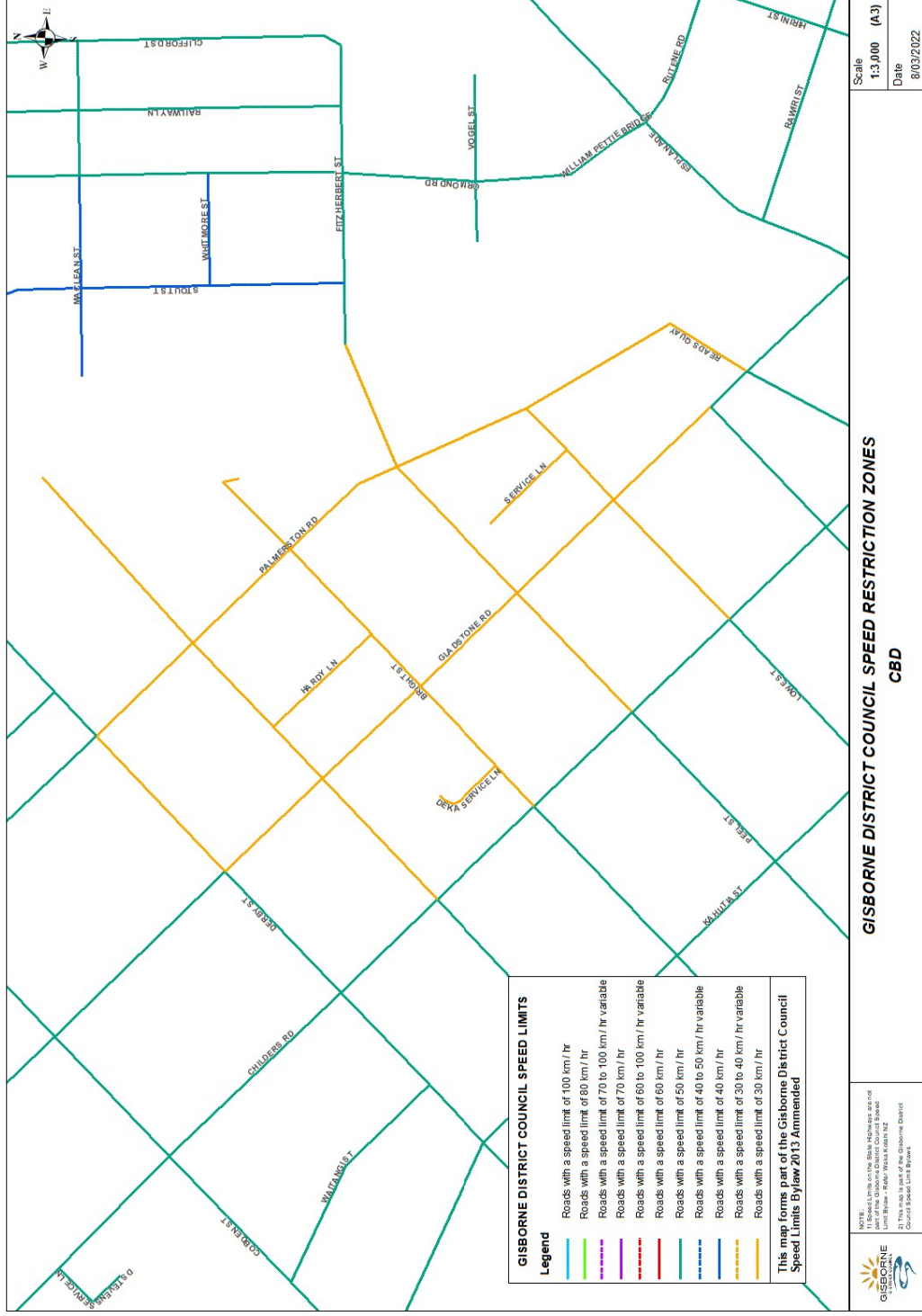
53. Campion, St Marys, Te Hapara, Girls and Boys High Schools B (VSL)



54. Tiniroto School B



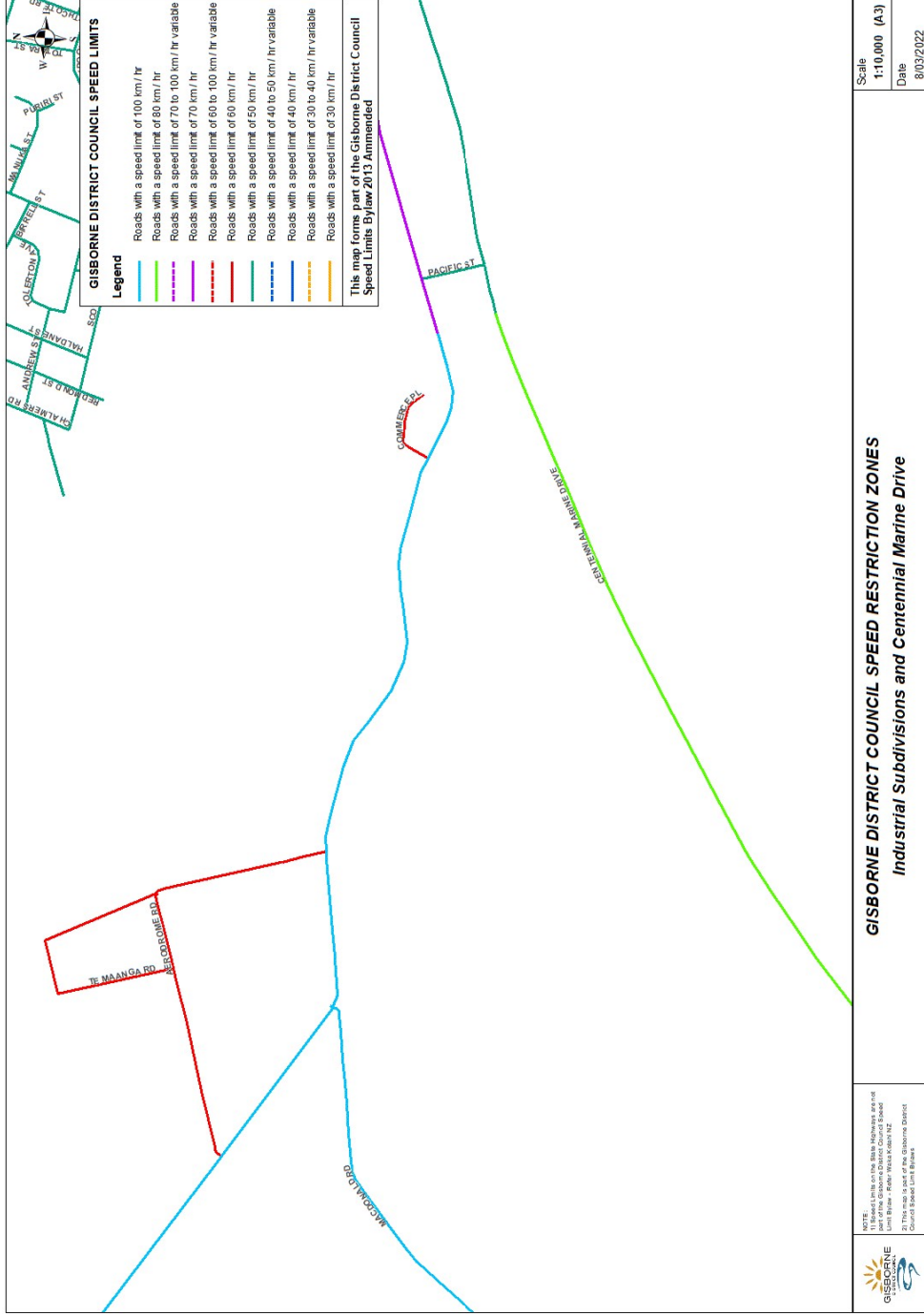
55. Commercial Business District B



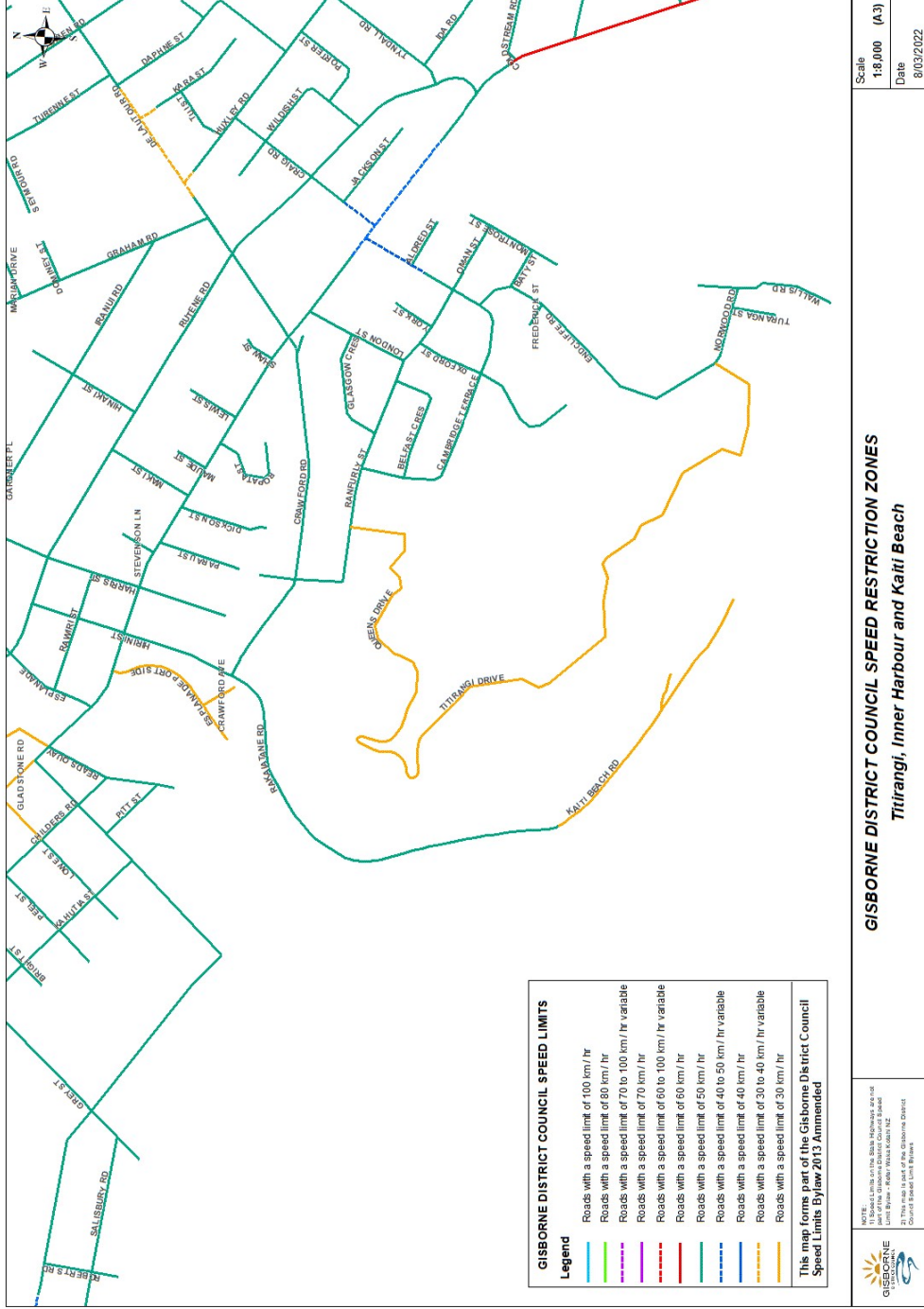
56. Stout Street Residential Area B



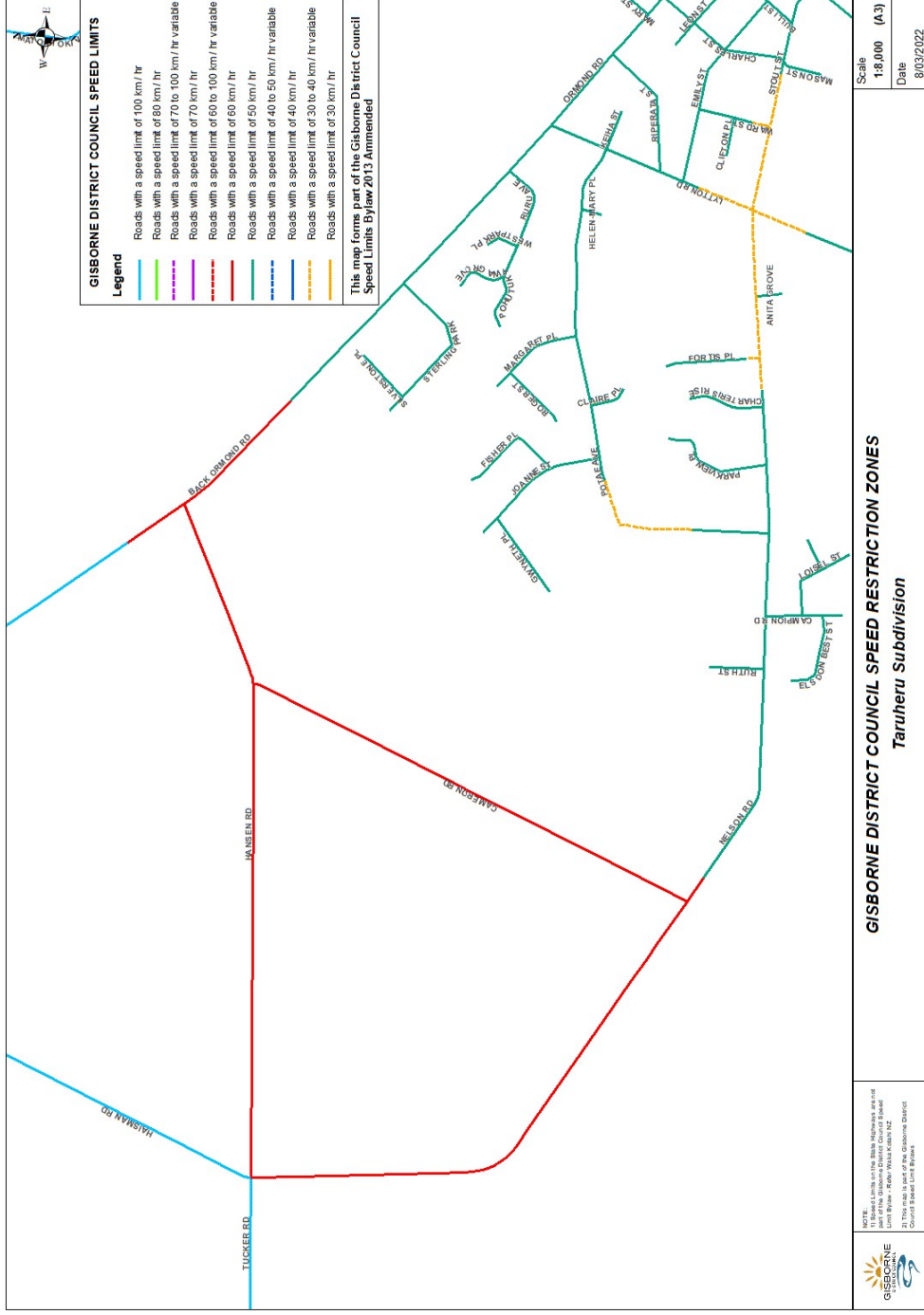
57. Industrial Subdivisions B



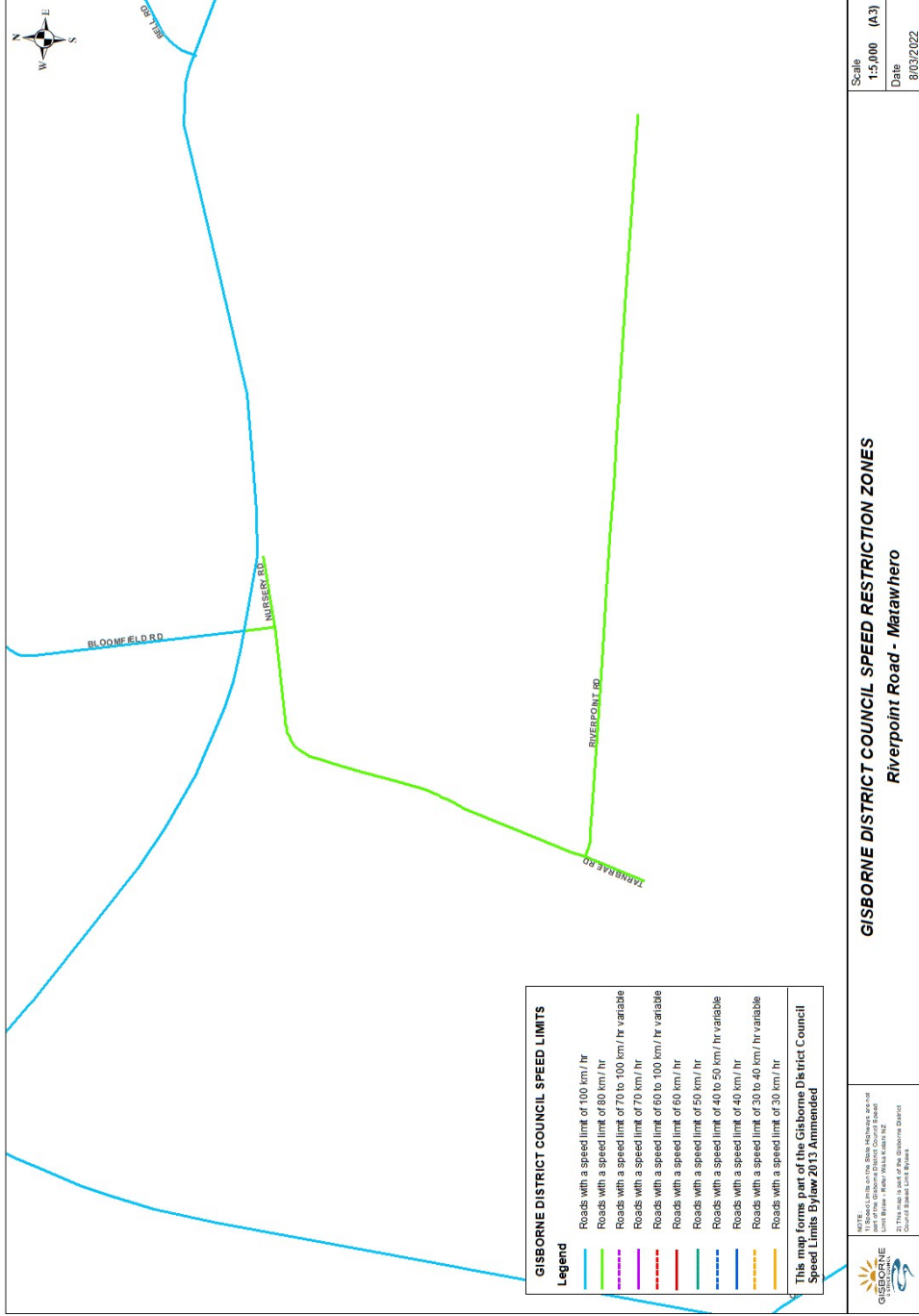
58. Tifirangi, Inner Harbour and Kaiifi Beach Road B



59. Taruheru Subdivision B



60. Riverpoint Road – Matawhero B



61. Beaches – Special Designated Areas B



Makorori Beach – special designated area = 20km/h



Kaiti Beach – special designated area = 20km/h

Title: 22-74 Reinstatement of Access to Bush Intake above the Te Arai
Landslide

Section: 4 Waters Infrastructure

Prepared by: Dr Murry Cave - Principal Scientist

Meeting Date: Thursday 31 March 2022

Legal: No Financial: Yes Significance: **Medium**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to seek approval for unbudgeted expenditure of \$515,000, including a contingency to reinstate access to the Bush Intake area above the major landslide located approximately one kilometre above the water treatment plant in the Te Arai catchment.

SUMMARY

On 28 September 2021 a very large landslide occurred in the Te Arai River 1km above the water treatment plant. The landslide partially dammed the river making the ford immediately upstream impassable. Access is important for water treatment operators to access the Bush Intake for operational maintenance. Longer term access for heavy vehicles will be critical for any repairs on an aging pipeline that supplies most of the Gisborne City's water from its dams and gravity intakes. The landslide failed again in October and during the November 2021 storm.

Advice was sought from Auckland University geotechnical engineers, along with a GeoNet landslide response team and Massey University who undertook detailed mapping of the entire hillside using a LiDAR drone.

These teams undertook complementary work, and all concluded that:

- There was significant risk of further failure,
- The landslide was likely to be the toe of a potentially larger failure which if it failed could at worst occupy the valley floor.

It was recommended that:

- A monitoring programme for the entire hillside be implemented,
- Modification of the toe of the landslide by earthworks be avoided,
- Options to dewater the slope be investigated, and
- Any options to reinstate access to the Bush Intake be undertaken as far away from the landslide as practicable.

Further engineering advice on options to reinstate access was obtained and based on that advice, an estimate of \$490,000 was established based on construction of a bridge along with associated works, bridge access construction, ancillary monitoring, consenting, and engineering costs. It is expected that costs may be greater because of the present material supply uncertainties (an allowance of 5%) and so a prudent total budget of \$515,000 is requested.

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 Council:

- 1. Approves the unbudgeted capital expenditure of \$515,000 (which includes contingencies to allow for supply constraints and engineering uncertainty).**
- 2. Notes that \$50,000 is anticipated to be committed in this financial year with the remainder spent in the 2022-23 financial year.**

Authorised by:

David Wilson - Director Lifelines

Keywords: Te Arai catchment, Te Arai River, landslide

BACKGROUND

1. A landslide occurred on 28 September 2021 in the Te Arai River at around 1km above the water treatment plant. It was likely triggered by rainfall that immediately preceded the failure but movement was observed by water treatment plant staff in August 2021. The landslide occupied an area of 6,220m² and resulted in a toe (leading edge) of the landslide that partially blocked the river and reaching to within 61 metres of the pipeline. A channel was cut on 29 September 2021 to release the water dammed up behind the landslide and regain access to the Bush Intake. Further failures were anticipated as large tension cracks were present on both the head and lateral scarps of the landslide **(Attachment 1)**.
2. A further failure duly occurred on 10 October 2021 and again blocked the river. More work was undertaken four days later to regain access to the upper river. During the severe storm that struck the region in early November, a more substantial failure occurred which resulted in the landslide toe moving to within 37m of the pipeline.
3. A new river channel formed flowing along the former road with the new riverbank 34m now away from the pipeline. A small lake formed upstream of the landslide with a water depth of around 2.5m. The landslide inundated the trunk of a large totara, and a grove of mature totara may be impacted if the landslide reactivates again. Establishing a new channel away from the toe is no longer an option and there is now no safe access upstream of the landslide.
4. Advice was sought from Auckland University geotechnical engineers and the GeoNet landslide response team who were already providing advice to Council following the November storm and from Massey University geomorphologists who mapped the entire hillside using a LiDAR drone.
5. Each of these teams undertook complementary work on the landslide and we are grateful for the effort they put in to assisting Council and Tangata Whenua to determine the appropriate course of action. They jointly concluded:
 - There was a significant risk of further failure,
 - The present landslide was likely to be the toe of a larger landslide which, if not managed, could fail and potentially block the valley floor,
 - That this risk was consistent with the pre-historic landslides identified further upstream.
6. It was recommended:
 - A monitoring programme be put in place for the entire hillside,
 - Modification of the toe of the landslide through earthworks be avoided,
 - Options to dewater the slope be evaluated, and
 - Any options to reinstate access to the Bush Intake should be undertaken as far away from the landslide as practicable.

7. Land Development & Engineering (LDE) was then engaged to provide a high-level overview of options and at the same time the company Bridge It NZ offered to undertake an indicative costing for a bridge. The budget presented here is based on the work of these two companies. After exploring a variety of options, a bridge was assessed as the only viable means to reinstate access while mitigating as much as practicable the associated consenting and environmental risks.
8. Based on the advice received, an indicative estimate of \$515,000 was established to reinstate access. This includes stability monitoring, dewatering the stock pond uphill from the landslide, consenting costs, environmental baseline studies (fish passage), engineering bridge design, quality assurance, diversion of water, abutment construction, bridge installation and a prudent contingency. It is noted, however, that materials supply constraints due to COVID may impact on the final cost.

DISCUSSION and OPTIONS

9. The landslide has meant that there is no vehicle access except for a discontinuous high-level All-Terrain Vehicle (ATV) track that is hazardous in wet conditions. Access to the Bush Intake via the Te Arai track from Tawera Road is possible for an ATV but is equally hazardous. Foot access is available by climbing up and around the landslide, but this is not practicable. Emergency access for urgent repairs will require the use of a helicopter.
10. Access is not just an issue for Council but also Patemaru Station. Their new stockyards are above the landslide and, while they have been able to move some stock over the toe of the landslide, this is not a sustainable medium-term option as this route is only available in dry weather. Otherwise, they are using horses for access or ATVs across the high-level track when conditions allow.
11. LDE have outlined and provided indicative costs for three different options:
 - Cut into the toe of the landslide to restore flows to the pre-November 2021 channel.
 - Build a raised ford across the lake.
 - Build a bridge. There are three sub-options for bridging:
 - a) hire a bailey bridge
 - b) re-using an existing stored 18m span bridge, or
 - c) constructing a new 24m span bridge.

Cut into toe of landslide to restore channel:

PROS&CONS	OPTIONS	COMMENTS
PROS	Low cost at around \$50,000.	The benefits of the low initial cost would be outweighed by the long-term cost of maintaining access and would be a false economy.
CONS	That it will exacerbate the long-term stability of the landslide and make the planned mitigations ineffective.	Both GNS and Auckland University teams are not in favour of such earthworks, and we fully agree with their assessment.
	This option would have longer term environmental impacts by increasing sediment discharge into the river downstream.	Council would be faced with high ongoing maintenance costs to keep the landslides away from the river.

Build a raised ford across the lake:

PROS&CONS	OPTIONS	COMMENTS
PROS	Moderate cost of around \$200,000.	
	Could be achieved quickly if it was possible to undertake the work under emergency works.	
CONS	It would create fish passage issues.	It would be time consuming to consent and there is a high consent risk.
	The structure would be vulnerable to damage during significant floods.	It would not be a permanent solution and a bridge would likely to be required in the future.

Build a bridge:

a) Hire a Bailey Bridge:

PROS&CONS	OPTIONS	COMMENTS
PROS	It has a low initial cost and is relatively cost-effective as a short-term option with an install and initial hire cost of around \$90,000.	
	It can be installed quickly and would be the best option if time is of the essence.	
CONS	Ongoing hire costs of the bailey bridge if used beyond one year.	It is not a cost-effective permanent solution.

b) Re-using existing stored 18m span bridge:

PROS&CONS	OPTIONS	COMMENTS
PROS	It uses a resource that Council has at hand.	
	It is slightly cheaper than a new bridge build.	
CONS	The bridge is only 18m long and thus would require abutment construction work at the edge of the active stream bed and significant earthworks to connect the bridge to the roadway upstream.	
	The bridge capacity will need to be independently assessed and the design load may be below HN-HO 72 capacity.	
	A review of the durability of the bridge would need to be undertaken and this adds to the risk of the project.	
	There would be consenting risk due to the need to undertake works adjacent to and within the riverbed.	

c) Construct new 24m Bridge:

PROS&CONS	OPTIONS	COMMENTS
PROS	The construction would result in the most permanent access way.	
	It would allow for the abutments to be constructed away from the riverbed and banks.	
	It has the lowest environmental impact and thus the lowest consenting risk	
CONS	It is the most expensive option at \$330,000 based on the LDE estimates is for a bare bridge structure only.	This cost does not allow for engineering scoping, tendering, selection, quality assurance, road realignment and bridge access construction, landslide monitoring and slope dewatering costs, consenting costs, environmental baseline studies (fish passage), diversion of water, and a standard 10% contingency. Indicative costings for these components takes the total cost to \$490,000.
		However, since estimating was done in December 2021 there has already been some concern from suppliers about cost escalation due to COVID supply constraints and the impact on level of service. Hence it would be prudent to include an additional 5% or @25,000 contingency.

Key Risks and Mitigations

12. There are several key risks and associated mitigations. There is an ongoing threat of further failure of the landslide. Delays in actioning a solution will result in works being undertaken during winter when delays due to severe weather and floods may result in cost overruns as well as increase safety risks during operations.
13. A worst-case scenario is that Gisborne would only have water from the Waipaoa River water treatment plant if a large-scale failure of the pipeline occurred before access could be reinstated. This would result in a 70% reduction of capacity for Gisborne residential, commercial, and industrial use.
14. It was initially hoped that the procurement process could be accelerated so that the bridge, if approved, would be built before winter. There is a higher-than-average risk of cyclones between now and winter, which means that it is prudent to plan for a post-winter construction phase. This will allow for prudent planning, consenting, engineering design to proceed and reduce the risk of delays further down the track.

15. Offsetting that is the need to provide access in the short term for both Council and Patemaru Station. The hire of an 8-wheeler amphibious Argo ATV has been assessed and this provides the best access option until such time a permanent access can be reinstated. An Argo would have broader Council amenity, for example emergency services, if it was purchased rather than hired.
16. While the risk of a very large-scale failure such as the Whareongaonga/Beach Loop failure cannot be ruled out, it is more likely that smaller scale failures will occur, and these will be managed within the project plan. A key mitigation for ongoing landslide risk is by installing and maintaining monitoring equipment on the slope so that failure risk can be identified in advance but dewatering of the slope is the key mitigation. Dewatering of the stock pond above the head scarp can be undertaken as soon as possible and a tree planting plan is presently being developed. Short term low-cost buttressing options for the landslide toe are also being assessed.

Internal Impact assessment

17. The Drinking Water team is the most directly affected part of Council since they have the main access requirement for maintenance of the pipeline and Bush Intake. In addition, environmental monitoring at the Bush Intake is required as part of the existing resource consent but is presently on hold. The reinstatement programme will require cross-Council support over the next six months as the project lead works through the consenting, environmental monitoring, landslide monitoring and design and build of the option approved by Council.

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

Overall Process: **Medium** Significance

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

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

18. There has been extensive and continual engagement with both Ngai Tamanuhiri and with Maraetaha Incorporation as well as directly with the manager of Patemaru Station. A blessing was held on site before works were initiated following the October failure. Status updates have been provided regularly and there have been several on-site hui with representatives of Maraetaha and Nga Tamanuhiri. Active engagement will be key to the success of the reinstatement project.

COMMUNITY ENGAGEMENT

19. There has been no broader community engagement, but the issues associated with the landslide have been well publicised in the media.

CLIMATE CHANGE – Impacts / Implications

20. The proposal outlined in this paper is considered neutral from a climate change perspective. Bridge construction involves the use of both concrete and steel the manufacture of which result in carbon emissions. These could be offset by reducing the amount of both steel and concrete in the bridge structure, but this could impact on the long-term structural integrity of the bridge. Recycling the 18m span bridge in stock would result in a reduction in carbon emissions for the bridge span itself but this would be offset by the increased concrete and steel required for the expanded abutments. Assessments have shown that using steel beams such as that considered in the Te Arai design has a lower carbon footprint than using a composite steel and concrete beam structure.
21. Climate change is not considered to be a factor in the landslide failure itself. The landslide did not result from a rainstorm event although it was enlarged by a subsequent storm. While it is common to see references to increased storminess because of climate change it is not appropriate or sustainable to attribute any one storm to climate change. Individual storms are the result of a complex mix of atmospheric conditions whereas the impact of climate change can only be seen over time with, for example, a change in storminess trends that is at variance with other natural atmospheric perturbations.

CONSIDERATIONS

Financial/Budget

22. No provision for this expenditure was made in the Long-Term Plan as the landslide could not have been anticipated. While some of the options considered above would be less expensive in the short term, the new 24m span bridge is the most resilient option. Given the significant escalations in costs observed generally as a result of COVID, it would be prudent to add a contingency of \$25,000 on top of the estimated expenditure of \$490,000 that was based on the consultant's initial estimates and additional level of service requirements.
23. The proposed works will result in an increase in Council's debt level but will remain within limits set in the Liability Management Policy. The impact on the Annual Plan 2022/23 will be increased operational costs for Interest and depreciation of approximately \$25,000 and will be absorbed within existing budgets.
24. The capital cost of these works will be funded by loan. When the 3 Waters reforms start in July 2024, the residual loan and asset will be transferred to the new entity.

Legal

25. There are no legal implications associated with the proposed works. The land on which the bridge will be built is part of Patemaru Station and while the asset may be transferred to the new 3 Waters Entity the land will not.
26. Resource Consents will be required.

POLICY and PLANNING IMPLICATIONS

27. There are no policy and planning implication with respect to this proposal.

RISKS

28. The risks have been spelt out in detail above. At a strategic level the key risk is doing nothing. While doing nothing has no immediate cost implications, it would also mean that Council would be unable to respond to a failure or damage to the pipeline above the landslide. That would result in a reduction or loss of up to 70% of the water supply to the residential, commercial, and industrial water users in Gisborne city.

NEXT STEPS

Date	Action/Milestone	Comments
30 March 2022	Refined pricing and expressions of interest from tendering entities.	Documentation with respect to the Expressions of Interest will make explicit that proceeding is subject to Council decision.
30 March 2022	Mapping out slope mitigation options with Ngai Tamanuhiri, Maraetaha and Patemaru Station (stock pond de-watering and tree planting options).	Slope dewatering will require both active removal of water from the stock pond by siphoning across low saddle to adjacent slope and tree planting to adsorb water through transpiration and direct protection by root binding.
30 April 2022	Tender documents received	One week has been allowed for tender evaluation.

ATTACHMENTS

1. Attachment 1 - Reinstatement of Access Te Arai Landslide [22-74.1 - 8 pages]

Reinstatement of Access to Bush Intake above the Te Arai Landslide

Appendix One

The landslide was reported through on the morning of 28th September and a site inspection undertaken the same day. The failure has occurred on the true right bank of the Te Arai River at 1.42 km above the start of the Bush Intake Road.

The landslide had an initial area of around 5,440 metres² and a perimeter of 300m. It was likely triggered by rain overnight between Monday 27th and Tuesday 28th September. This rainfall was well below the normal daily threshold of 120-150mm likely to trigger landslides and the total monthly rainfall was only 152mm. Rain radar monitoring showed a rain cell moving through the area from 9- 11pm on the 27th with sustained rain both before and after this period .

Water treatment staff had observed movement of the slope in August 2021 but total rainfall for August 2021 was only 57.5mm well below a normal landslide triggering threshold. Assessment of the available information for August would suggest that loss of support for the toe of the slope by undercutting by the river was the most likely underlying cause of the failure in August which meant the slope was vulnerable to failure in September.

Satellite imagery dated 15th of October 2019 shows that there was an obvious tension crack developing on the slope above the river. This indicates that the conditions that led to landslide initiation preceded the September 2021 event by at least two years.

The series of images below depicts the development of the landslide from 28th September 2021 to the present.



Figure One. October 15th 2019 satellite image of the landslide area showing the obvious tension crack. Also note that the river is cutting into the toe of the slope.



Figure Two. View of the landslide showing the area affected and the large headscarp at the top of the failure. The main channel is flowing against the toe of the slope while the secondary channel that normally accommodates flood flow is now taking some of the flow as a result of the partial damming of the river. This secondary channel was enlarged on the same day to release the water dammed up behind the slip.



Figure Three. View of the ford immediately upstream showing the increase in water depth over the ford, prior to the channel being enlarged to reduce water levels.



Figure Four. View of the slip from upstream showing the ponding and the water being diverted into the flood channel



Figure Five. Drone map of the landslide from 29th September 2021. Vehicle middle left gives scale. The flight was taken after emergency works were completed to divert the river away from the toe of the landslide into the flood channel. The pipeline is 58 to 62m away from the toe of the landslide at the end of September.



Figure Six. Oblique drone photo from the 29th September 2021 showing the landslide position and with obvious potential failure lines (arrowed).

On the 10th of October the landslide failed again, resulting in the partial blockage of the flood channel and again resulting in the partial damming of the river.



Figure Seven. View of landslide toe on 11th October after a failure overnight. Channel cut on the 28th September was partially blocked and water level across the ford giving access to Bush Intake rose to 1.2m (**Figure Eight**).



Figure Eight. Measuring water depth at the ford upstream of the landslide.

On the 10th October the landslide failed again, resulting in the partial blockage of the flood channel and again resulting in the partial damming of the river. Emergency works were undertaken on the 13th October to reinstate a drainage channel and restore access to the Bush Intake.



Figure Nine. Fulton Hogan undertaking channel reinstatement under emergency works. It needs to be noted that Fulton Hogan assigned their best digger operator to the works and as a result sediment discharge downstream was limited.

In early November a significant weather event struck the region and resulted on many landslides in Gisborne City as well as regionally, particularly in the southern part of the region. The mega landslides at Beach Loop (Whareongaonga) and Kopua Station occurred and a significant reactivation occurred at Te Arai. This resulted in the further failure of the landslide with the toe moving to within 32m of the pipeline (**Figure Ten**). The lake upstream reformed and is now 2.5m deep (**Figure Eleven**). Headscarp migration uphill also occurred and is continuing.



Figure Ten. View of the landslide after the November storm. The proposed bridge would be located at the bottom left of this image.



Figure Eleven. View of small lake over the previous ford. Water level here is now c.2.5m.



Figure Twelve. View of the former track at the end of the November 2021 storm.

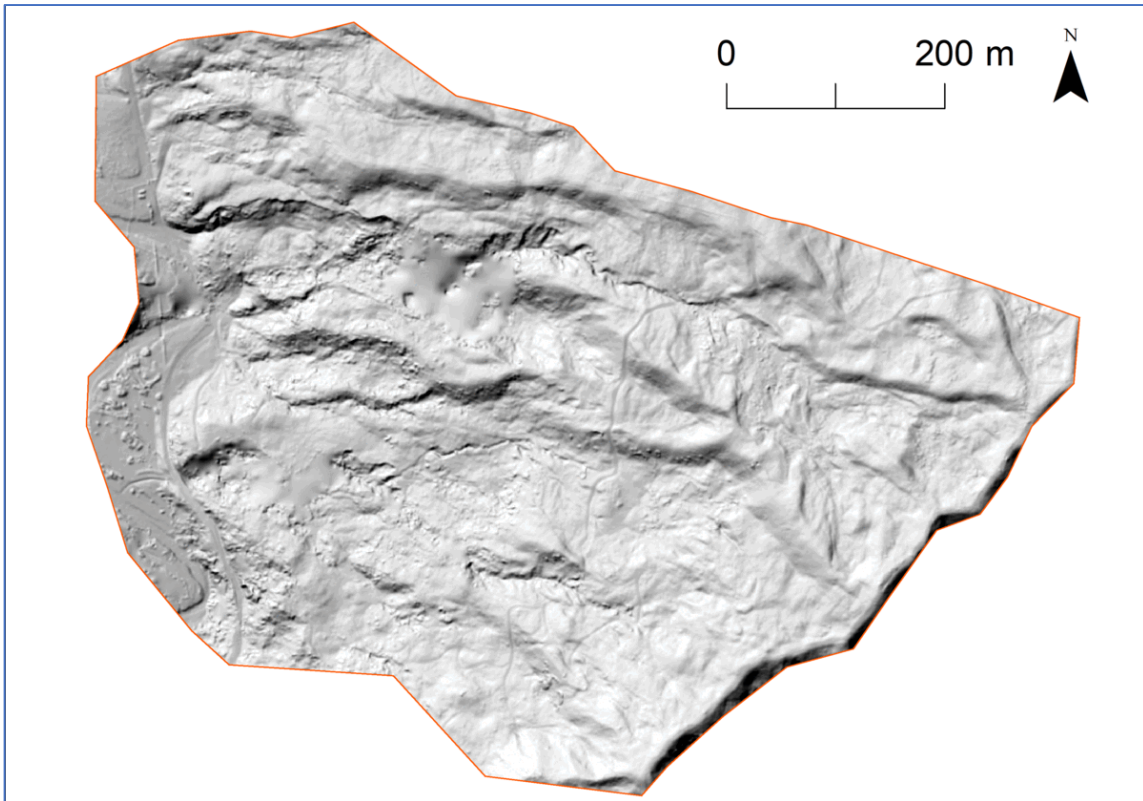


Figure Thirteen. A structure from motion survey where we assessed the difference between the 2018-19 LiDAR and a new drone-based LiDAR survey in December 2021 shows that there is movement on the entire hillside which is subtle in most places but with an active failure at the top of the slope.

Title: 22-75 2022 Triennial Election
Section: Democracy & Support Services
Prepared by: Heather Kohn - Democracy & Support Services Manager
Meeting Date: Thursday 31 March 2022

Legal: Yes

Financial: No

Significance: **Low**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to provide pre-election material and tasks for Council's information and attention. It also provides information to enable Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order).

SUMMARY

The Gisborne District Council Electoral Officer (Dale Ofsoske) has provided a full report to Council. This **attached** report provides details of:

- the electoral system
- the representation review
- the non-resident ratepayer roll
- the order of the candidate names
- the number of electors
- the Pre-Election report.

An election fact sheet is also provided.

Gisborne District Council from its inception until the 2016 Local Government elections had the alphabetical order of names for the voting documents. For the 2016 elections it used the pseudo-random system meaning that all voting documents appeared the same but with a random order of names. For the 2019 elections this was changed to a random order of names whereby all voting documents are independently produced and are not identical.

If no decision is made, the order of names defaults to alphabetical.

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 Council:

1. Adopts for the 2022 triennial election either:
 - a. The alphabetical order of candidate names; or
 - b. The pseudo-random order of candidate names; or
 - c. The random order of candidate names.

Authorised by:

James Baty - Director Internal Partnerships

Keywords:2022, triennium, candidate, names, order.

ATTACHMENTS

1. Attachment 1 - 2022 Triennial Election [**22-75.1** - 11 pages]

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Report to the
Gisborne District Council
regarding the

2022 Triennial Election

From the
Electoral Officer

1 March 2022



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

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Outline

The 2022 triennial local government elections will occur on Saturday 8 October 2022. An update on preliminary matters relating to the election is provided to Council, including consideration of the order of candidate names to appear on the voting documents.

Background

The 2022 triennial elections for local authorities are due to occur on Saturday 8 October 2022 and are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001, to a limited extent, the Local Government Act 2002.

Certain pre-election information and tasks are outlined in this report for Council's information and attention.

The Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical.

Narrative

2022 Elections

Elections will be required for the following positions:

- mayor (elected 'at large')
- councillors (13)*
 - Tairāwhiti Māori Ward (5)
 - Tairāwhiti Rural General Ward (2)
 - Tūranganui City General Ward (6)

*subject to determination by the Local Government Commission, expected by 10 April 2022.

2022 Election Timetable

With an election date of **Saturday 8 October 2022**, the following key functions and dates will apply:

Nominations open/roll open

Friday 15 July 2022

Nominations close/roll closes (noon)

Friday 12 August 2022

Delivery of voting mailers

From Friday 16 September 2022

Close of voting

Noon Saturday 8 October 2022

A more detailed timetable is attached [Appendix 1](#).

2022 Election Fact Sheet A 2022 Election Fact Sheet summarising the key functions of the election ([Appendix 2](#)) is also attached.

Electoral System Council will use the STV (single transferable vote) electoral system for the 2022 elections for the first time.

Representation Review Following the decision to establish Māori wards in 2020, Gisborne District Council was required to review its representation arrangement (number of councillors, wards, boundaries, etc).

As a result of this, the current five ward structure was reviewed and changed to three wards*:

- Tairāwhiti Māori Ward, 5 councillors
- Tairāwhiti Rural General Ward, 2 councillors
- Tūranganui City General Ward, 6 councillors.

*subject to determination by the Local Government Commission, expected by 10 April 2022.

There are no longer elections held for district health board members.

Compilation of non-resident Ratepayer Roll The compilation of the 2022 non-resident Ratepayer Roll is required to commence in early-mid 2022. This will include:

- an insert detailing the qualifications and procedures for enrolment as a non-resident ratepayer elector to be included with a 2022 rates instalment notice by the end of August 2022 ([Appendix 3](#));
- a national Ratepayer Roll inquiry hotline operating between 1 February and 30 August 2022;
- a confirmation letter issued to all current non-resident ratepayer electors in March/April 2022;
- a national advertising campaign on the qualifications and procedures for enrolment as a non-resident ratepayer elector during May 2022.

Council can undertake additional promotion of the ratepayer roll if it wishes - such as contacting (letter/email etc) all current or potential non-resident ratepayer electors encouraging their enrolment and participation in the electoral process.

Order of Candidate Names

Regulation 31 of the Local Electoral Regulations 2001 provides the opportunity for Council to choose the order of candidate names appearing on the voting documents from three options – alphabetical, pseudo-random (names drawn randomly with all voting documents printed in this order) or random order (names randomly drawn by computer with each voting document different).

Council may determine which order the names of candidates are to appear on the voting documents, but if no decision is made, the order of names defaults to alphabetical.

Council has resolved to adopt the random order for the 2019 triennial election.

For Council's information, following a recent analysis undertaken by Auckland Council, research showed no observable effect of candidate order on actual election outcomes.

For the 2019 local government elections:

- 22 territorial authorities used alphabetical order (32.84%)
- 7 territorial authorities used pseudo-random order (10.44%)
- 38 territorial authorities used random order (56.72%)

Alphabetical Order

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Comments regarding alphabetical order are:

- voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;
- the order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).

Pseudo-Random Order

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Comments regarding pseudo-random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

Random Order

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different.

Random order enables names to be listed in a completely unique order on each voting document.

Comments regarding random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

There is no longer any price differential in printing costs between the three orders of candidate names.

Number of Electors

The number of electors for the 2022 triennial elections is expected to be 34,500 (as at 31 January 2022 this was 34,603). This compares to 32,508 electors for the 2019 triennial election or +6.1% growth.

Pre-Election Report

Section 99A of the Local Government Act 2002 requires each local authority to prepare a pre-election report,

whose purpose is to provide information to promote public discussion about the issues facing the local authority. The pre-election report is prepared by the Chief Executive, must contain financial and major project information, and should be completed by the end of June 2022 (two weeks before the opening of nominations).

Recommendation

It is recommended that:

Council resolves for the 2022 triennial election, to adopt *either*:

- (i) the alphabetical order of candidate names; *or*
- (ii) the pseudo-random order of candidate names; *or*
- (iii) the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

Author:



Dale Ofoske
Electoral Officer // Gisborne District Council
Election Services

APPENDIX 1



SATURDAY 8 OCTOBER 2022

Wednesday 2 March - Saturday 30 April 2022	Ratepayer roll enrolment confirmation forms sent [Reg 16, LER]
Wednesday 2 March - Wednesday 6 July 2022	Preparation of ratepayer roll [Reg 10, LER]
May 2022	National ratepayer roll qualifications and procedures campaign [Sec 39, LEA]
Friday 1 July 2022	Electoral Commission's enrolment update campaign commences
Wednesday 13 July 2022	Public notice of election, calling for nominations, rolls open for inspection [Sec 42, 52, 53, LEA]
Friday 15 July 2022	Nominations open / roll open for inspection [Sec 42, LEA]
Friday 12 August 2022	Nominations close (12 noon) / roll closes [Sec 5, 42, 55 LEA, Reg 21, LER]
Wednesday 17 August 2022	Public notice of day of election, candidates' names [Sec 65, LEA]
by Monday 12 September 2022	Electoral officer certifies final electoral roll [Sec 51, LEA, Reg 22, LER]
Friday 16 September - Wednesday 21 September 2022	Delivery of voting documents [Reg 51, LER]
Friday 16 September - Saturday 8 October 2022	Progressive roll scrutiny [Sec 83, LEA] Special voting period [Sec 5 LEA, Reg 35, LER] Early processing period [Sec 80, LEA]
by Friday 7 October 2022	Appointment of scrutineers (12 noon) [Sec 68, LEA]
Saturday 8 October 2022	Election day [Sec 10, LEA] Close of voting (12 noon) [Sec 84, LEA] Progress and preliminary results available as soon as practicable after close of voting [Sec 85, LEA]
Saturday 8 October (pm) - Thursday 13 October 2022	Official count [Sec 84, LEA]
Friday 14 October - Wednesday 19 October 2022	Declaration of result/public notice of declaration [Sec 86, LEA]
mid-December 2022	Return of electoral donations & expenses form [Sec 112A, LEA]

LEA = Local Electoral Act 2001
LER = Local Electoral Regulations 2001



Dale Ofoske, Electoral Officer
Gisborne District Council
January 2021

APPENDIX 2

FACT SHEET

2022 election

8 OCTOBER 2022



What does Council do?

The District Council meets regularly to make many decisions that impact the day-to-day lives of people in the Gisborne District. The Council governs a wide range of local services including roads, water systems, rubbish collection, libraries, parks, community centres, dog registration, community and economic development and district planning.

Background

Local government triennial elections are being held by postal vote on Saturday 8 October 2022 and will be undertaken by Election Services, under contract to Gisborne District Council.

The single transferable voting (STV) electoral system will be used for the Gisborne District Council elections.

2022 Key Dates

Nominations open	Friday 15 July
Nominations close	Noon, Friday 12 August
Delivery of voting packs	from Friday 16 September
Close of voting	Noon, Saturday 8 October
Official results announced	Thursday 13 October

Who is being elected?

Following the decision to establish Māori wards in 2021, Gisborne District Council undertook a representation arrangements review (review of wards, boundaries, numbers of elected members etc).

As a result of this, elections will be required for the following positions:

- Mayor (elected 'at large')
- Councillors (13) *
 - Tūranganui City General Ward (6)
 - Tairāwhiti Rural General Ward (2)
 - Tairāwhiti Māori Ward (5)

* subject to determination by the Local Government Commission, expected by 10 April 2022.

There will be no district health board elections in 2022.

Gisborne District Council ward maps will be available following the Local Government Commission's final determination, to be made by 10 April 2022.

How can I be nominated?

Nominations for these positions will open on **Friday 15 July 2022** and close at noon on **Friday 12 August 2022**.

Nomination papers will be available during this period from:

- Gisborne District Council's Main Office, 15 Fitzherbert Street, Gisborne

- Te Puia Springs Service Centre, 4746 Waiapu Road, Te Puia Springs;
- by accessing www.gdc.govt.nz
- by telephoning the electoral office on 0800 922 822.

To be eligible to stand for election, a candidate **must** be:

- a New Zealand citizen (by birth or naturalisation ceremony); **and**
- enrolled as a Parliamentary elector (anywhere in New Zealand) on either the general or Māori electoral roll, irrespective of the ward being nominated for; **and**
- nominated by two electors whose names appear on the respective electoral roll within the area that a candidate is standing for.

A detailed candidate information handbook will be available from April 2022.

Who can vote?

Those eligible to vote are all resident electors and non-resident ratepayer electors whose names appear on the electoral roll when it closes on Friday 12 August 2022. The Preliminary Electoral Roll will be available for public inspection from **Friday 15 July 2022** to **Friday 12 August 2022** at the above locations.

Resident Roll: All parliamentary electors, including those on the Māori Electoral Roll, are automatically enrolled on the Resident Roll, at the address where they live.

Any alterations to the Resident Roll (e.g. change of address details, including new postal addresses) should be made by:

- completing the appropriate form at any postal agency;
- phoning 0800 ENROLNOW (0800 36 76 56)
- accessing the Electoral Commission website on: www.vote.nz

Ratepayer Roll: If a person is on the parliamentary roll in one area and pays rates on a property in another area, this person may be eligible to be enrolled on the non-resident ratepayer roll. A firm, company, corporation or society paying rates on a property may nominate one of its members or officers as a ratepayer elector (provided the nominated person resides outside the area). Ratepayer Roll enrolment forms are available at www.gdc.govt.nz, or by phoning 0800 922 822.

All electors will be able to vote for the Mayor, and those electors on the general electoral roll will be able to vote for the respective general ward councillors and those electors on the Māori electoral roll will be able to vote for the Māori ward councillors.

How to vote?

Voting packs will be sent out in the mail to all those who have enrolled from **Friday 16 September 2022**.

The voting period is three weeks (**Friday 16 September 2022 to noon Saturday 8 October 2022**). Electors may post their completed voting documents back to the electoral officer using the orange pre-paid envelope sent with their voting document.

Polling places for the issuing of special voting documents and for the receiving of completed voting documents will be available from Friday 16 September 2022 to noon, Saturday 8 October 2022 at both Council offices.

To be counted, all completed voting documents must be in the hands of the electoral officer or an electoral official by **noon Saturday 8 October 2022**.

Progress results will be announced early afternoon on election day. Preliminary results will be announced on Sunday morning, 9 October 2022, and final results will be known on Thursday 13 October 2022. All results will be accessible on Council's website: www.gdc.govt.nz

Contact us



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Phone: 0800 922 822

Heather Kohn, Deputy Electoral Officer
Gisborne District Council
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Email: heather.kohn@gdc.govt.nz
Phone: 0800 653 800 or (04) 867 2049

APPENDIX 3



Wherever you pay rates you can vote

Do you live in one area and pay rates on a property in another area?

You may qualify to vote in both areas at the local authority elections in October 2022

You may like to vote in this election. Voting is a way to have your say on what happens in your local community. This information is designed to help you. It notes who you can contact to enrol, and ways you might qualify to vote.

There are two types of electors...

Residential Electors – If you are registered to vote on the electoral roll, you are automatically enrolled to vote in local authority elections. You will receive a voting document so that you can vote by post.

Ratepayer Electors – You may also be eligible to enrol as a non-resident ratepayer elector in a council district if both of these apply:

- you are on the district valuation roll and pay rates in the council district
- the address where you are registered as a Parliamentary elector is outside that council district.

Your eligibility to enrol or be nominated as a ratepayer elector may also depend on your individual circumstances as determined by criteria in the Local Electoral Act 2001 and its regulations.

An organisation can nominate one of its members or officers to vote on its behalf

If a firm, company, trust, corporation, society partners, joint tenants and tenants in common collectively pay rates on a property in a council district, one of the group may be nominated to be the ratepayer elector. The person nominating and the nominated person must be registered as Parliamentary electors at addresses outside the council district where the property is located.

You can only enrol once

You can only enrol, or be nominated to enrol, once in a council district, no matter how many properties you own in that council district. Council district includes: a city, district and regional council area; a community board area if established; the area of Auckland Council and the local boards.

New Ratepayer Electors

If you think you may be eligible to enrol or to nominate someone as a ratepayer elector, get an Enrolment Form for Ratepayer Electors from the local council where you pay your rates. The Electoral Officer will be able to help you with your application.

If you want further information please phone toll free

0800 54 8683 0800 LG VOTE

(phone number is available from 7 February 2022 to 30 August 2022)



Enrol now – the Ratepayer Electoral Roll closes on 12 August 2022

11. Reports of the Chief Executive and Staff for INFORMATION



22-73

Title: Chief Executive Activity Report December 2021 – February 2022
Section: Chief Executive's Office
Prepared by: Jade Lister-Baty – Principal Advisor to the Chief Executive
Meeting Date: Thursday 31 March 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for information

PURPOSE

The purpose of this report is to provide elected members with an update of Council activities from December 2021 – February 2022.

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 Council:

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

Authorised by:

Nedine Thatcher Swann - Chief Executive

Keywords: CE Report, council activities, focus projects, local government, central government, relationships, science, monitoring, civil defence, external funding, biodiversity, long term plan, funding

ATTACHMENTS

1. Attachment 1 - Chief Executive's Report for Council - March 2022 [**22-73.1** - 28 pages]

Chief Executive's Report on Council Activities

March 2022

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INTRODUCTION FROM THE CHIEF EXECUTIVE

Kia ora koutou

This report provides high-level updates of Council activities from December 2021 through to February 2022, and further provides elected members with an opportunity to discuss progress on Council activities.

In the later part of 2021, we had a regional focus on preparation for the onset of COVID-19 Delta and Omicron variants. As of 10 March, COVID-19 is now an endemic and in full community transmission. The region is dealing with the surge in positive cases and the provision of welfare support to whanau. Council remains ready to assist with planning or coordination if tasked by the Regional Leadership Group.

The National Transition Unit (NTU) is now responsible for executing the Government's decisions on Three Waters reform. The NTU gave a [presentation](#) to all Councils in February 2022, outlining the information it will be gathering over the next months, in preparation for the [next stages of the reform](#). Council will continue to be responsible for the delivery of water services until 30 June 2024.

We remain engaged with the Ministry for the Environment, regional sector special interest groups, Taituarā and Local Government New Zealand to stay updated on the Government's resource management reform programme.

December 2021 saw severe weather along the East Cape with Cyclone Ruby. January 2022 regional preparation was put in place as Cyclone Cody presented a threat to Tairāwhiti. February 2022 heavy rain fell on the East Cape and resulted in several slips and damage to the East Cape Road.

At present the Te Matapihi platform serves as a great foundational tool to assist council staff in building capacity as a responsive Treaty partner. To ensure Te Matapihi continues to grow from strength-to-strength resource will be sought to further develop the tool as the go-to platform for all things Treaty.

The review of Te Papa Tipu Taunaki o te Tairāwhiti, the Tairāwhiti Resource Management Plan (TRMP), is eight months into Phase 1 of the programme and well underway. The three main workstreams are tracking against key deliverables. The impact of COVID-19 on the programme is actively monitored to ensure we deliver the programme in the eight-year timeframe.

Ngā mihinui

Nedine

2 CENTRAL GOVERNMENT UPDATES

THREE WATERS REFORM

The National Transition Unit (NTU) is now responsible for executing the Government's decisions on Three Waters reform.

The NTU gave a [presentation](#) to all Councils in February 2022, outlining the information it will be gathering over the next months, in preparation for the [next stages of the reform](#).

Council will continue to be responsible for the delivery of water services until 30 June 2024.

It is expected that the knowledge and expertise of council staff working in water services will strongly inform the structures and processes for the new water services entities (WSEs) - through their participation in NTU-established advisory and working groups, secondments and other methods.

Local Government New Zealand worked with the Government to broker the establishment of the Three Waters Working Group on Representation, Governance and Accountability (Working Group) to provide independent advice on how to improve the governance arrangements for the WSEs. Implications of the Working Group's recommendations for Tairāwhiti is detailed in a separate paper to Council (**Report 22-83**).

Council will have the opportunity to nominate appropriately qualified people into governance roles to assist with the transition.

Retaining staff and supporting their wellbeing through the transition to the water service entity and supporting iwi/Māori to contribute to the transition and the organisational design of the water services entities – are two key priorities of the NTU.

To this end, the NTU has said that all current council employees who work primarily in water services (except senior executives) will be eligible to transfer their employment to the new water services entity in their area on 1 July 2024.

The NTU will partner with iwi/Māori through the transition. This includes transitional funding (through the Pūkenga Wai Fund) being made available to support iwi organisations to determine the mana whenua representation that will provide joint oversight of the new entities once they have been established.

Funding for individual iwi organisations to wānanga within their own whānau and hapū will be available for up to \$18,000 per annum through this Fund, which will open for applications in February 2022.

Iwi/Māori influence and participation at this stage of the reform is particularly important to ensure that the new water services entities are created with the right culture, competencies, and relationships in place.

Funding will also be available to support Council through the transition process, and the financial impacts of reform. This is via the "better-off" fund (GDC pro-rata share of the \$500 million first tranche, is estimated to be \$28m), allocated from early 2022; and the "no worse off" package will be available in the second quarter of 2022.

Detail on the allocation of both these funds are still to be released from the Department of Internal Affairs (DIA).

RESOURCE MANAGEMENT REFORM

Government's reform of the resource management system continues to progress. The Natural & Built Environments Bill and Strategic Planning Bill are expected to be introduced into Parliament later this year and passed into law by the close of 2023.

The Ministry for the Environment has been engaging with tangata whenua, local government, and other stakeholders while the remaining policy details of the Bills are being finalised. Engagement with Council has been delivered through several forums over recent months including webinars, mayoral forums, and regional hui.

Council recently provided feedback on **(Report 22-14)** on policy decisions and proposals for matters that weren't addressed in the exposure draft of the Natural & Built Environments Bill (released in June 2021).

Natural and Built Environments and Strategic Planning Bills are expected to be introduced into Parliament in the third quarter. Council will have another opportunity to submit on the Bills at this time. The Climate Adaptation Bill is expected to be introduced to Parliament in 2023.

Staff remain engaged with MfE, regional sector special interest groups, Taituarā and Local Government New Zealand to stay updated on the Government's resource management reform programme.

WASTE LEGISLATION AND STRATEGY UNDER DEVELOPMENT

Consultation on a new Aotearoa New Zealand Waste Strategy and issues and options for developing new more comprehensive waste legislation closed in December. The final version of the waste strategy is expected to be released mid-2022. If the Government decides to go ahead with new waste legislation, a Bill will be introduced to Parliament later in 2022, the new legislation would replace the Waste Minimisation Act 2008 and the Litter Act 1979. If the Bill is passed by Parliament, it will likely come into force in mid-2023. Development of regulations under the new Act will commence in 2023.

Consultation on proposed product stewardship regulations for tyres and large batteries closed in December. The regulations would give manufacturers, sellers, and users more responsibility for ensuring used tyres and large batteries do not end up in landfills or the environment. Decisions will be announced this year.

¹ to regulate the management of waste, and products and materials circulating in our economy

OTHER NATIONAL DIRECTION INSTRUMENTS

This table provides a list of resource management matters the Government is developing national direction on.

NATIONAL DIRECTION INSTRUMENT	LEAD AGENCY	COMMENT	STATUS
Natural and Built Environment Bill	Environment Select Committee	First of two Bills giving effect to RMA reform. This focuses the setting of environmental limits, environmental and land use planning, and the governance of those activities.	Bill into House 3rd quarter 2022 (September 2022)
Strategic Planning Bill	Environment Select Committee	Second of two Bills giving effect to RMA reforms. This one focuses on regional spatial strategies and the governance of these activities	Bill into House 3rd quarter 2022 (September 2022)
Discharge to air of greenhouse gases	Ministry for the Environment (MfE)	National direction is currently being developed to support council decision-making when they are planning for and consenting air discharge permits. It follows changes to the RMA last year.	Policy is currently under development. The Government consulted on the plans to phase out fossil fuels in process heat, from April to May 2021. Public consultation has now closed.
Proposed National Policy Statement for Highly Productive Land (NPS-HPL)	Ministry for Primary Industries (MPI) with support from Ministry for the Environment (MfE)	The proposed NPS-HPL aims to improve the way highly productive land is managed under the Resource Management Act 1991	<p>The Ministry for the Environment (MfE) and MPI are reviewing the proposed NPS-HPL based on the public submissions and will provide feedback and recommendations to ministers.</p> <p>The work to further develop the policy has been affected by the government's need to focus on the response to COVID-19 and ongoing recovery. Final decisions on the proposed NPS-HPL will be made by ministers and Cabinet in the first half of 2022. If approved by Cabinet, the proposal would likely take effect in the first half of 2022.</p>
Proposed National Policy Statement for Indigenous Biodiversity (NPS-IB)	MfE with support from Department of Conservation (DoC)	The Government is proposing an NPS-IB. This builds on a draft created by the Biodiversity Collaborative Group	Decisions on the release of an exposure draft of the NPS-IB will now be made in the first half of 2022. This will enable further work on support measures to sit alongside the national direction to ensure that landowners, iwi/Māori, and councils are assisted to protect our native taonga.

SUPPORTING SUSTAINABLE FREEDOM CAMPING IN AOTEAROA

On 30 November 2021, the Minister of Tourism announced substantial changes to freedom camping in New Zealand.

They will have an impact on what vehicles can be certified as self-contained, how certification will be undertaken and where uncertified vehicles can be used for freedom camping. A detailed summary of these changes along with useful FAQ's can be found on the Ministry of Business Innovation and Employment's [website](#).

Outline of the five key changes

1. Require vehicle-based freedom campers to use a certified self-contained vehicle when they stay on council land. This is unless the council designates the site as suitable for non-self-contained vehicles.
2. Establish a regulated system for the certification and registration of self-contained vehicles. A national database of certified vehicles will also be available for prospective vehicle purchasers and to assist in Council enforcement.
3. Require fixed toilets (as opposed to portable chemical camping toilets) for a vehicle to be certified as self-contained.
4. Stronger enforcement mechanisms include a graduated system of infringement fines up to \$1000 and easier and quicker systems for collecting fines.
5. Extending the application of the Freedom Camping Act to land managed by Waka Kotahi – New Zealand Transport Agency and Toitū te Whenua – Land Information New Zealand.

HEALTH (FLUORIDATION OF DRINKING WATER) AMENDMENT BILL

In 2016, Cabinet agreed to proposed legislative changes to allow district health boards (DHBs) to direct local authorities to fluoridate community water supplies in their areas. After the announcement of the review of the health system, the bill was amended so the power lies with the director-general of health, instead of DHBs.

The proposed Health (Fluoridation of Drinking Water) Amendment Bill was introduced into the House to implement these changes. The Bill passed its third reading and received royal assent on 15 November¹. Changes to the Health Act come into force on 13 December 2021. Consultation with the local authority is required before the Director General directs a local authority to add fluoride to drinking water.

3 LOCAL GOVERNMENT AND POLICY UPDATES

UPDATE ON TE WHANAU A KAI APPEAL ON PROPOSED REGIONAL FRESHWATER PLAN

The High Court hearing on the Te Whanau a Kai appeal is scheduled for 3 and 4 April 2022. Legal submissions have been circulated on behalf of Te Whanau a Kai and the Council. The Attorney-General (on behalf of central government) has joined the appeal and supports the Council's position. Expert evidence is not required as this process considers matters of law not the merits of the Te Whanau a Kai position.

TE AROTAKE I TE ANAMATA MŌ NGĀ KAUNIHERA | THE FUTURE FOR LOCAL GOVERNMENT REVIEW

The Review Panel for Te Arotake held a virtual workshop with Councillors on 7 March 2022.

Key dates are:

March/April 2022	Panel engagement with local authorities
30 September 2022	Draft report and recommendations to be issued for public consultation
30 April 2023	Review panel presents final report to the minister and Local Government New Zealand

LAND TRANSPORT (CLEAN VEHICLES) AMENDMENT BILL

The Bill came into law at the end of February. It gives effect to the Clean Vehicle Standard by empowering Government to make regulations setting out the standard, set up a register of importers and various other tools necessary to give effect to these decisions. It also enables recovery of the cost of administering the clean vehicle discount and expands the discount to include new and used imported hybrids and other low emission vehicles from 1 April 2022.

CLIMATE CHANGE

Consultation on Options to Price Agricultural Sector Emissions

Late last year, the Primary Sector Climate Action Partnership (He Waka Eke Noa) released a [Discussion Document](#) to inform engagement with farmers and growers on two options (farm-level and processor level) to price emissions from the agricultural sector. The Partnership is currently having a wider public consultation until 31 March 2022.

Staff's recent climate change update report to Sustainable Tairāwhiti [**Report 22-42**] included a high-level overview of the potential implications of the two pricing options for our region. We will continue monitoring development in this space for information and planning purposes.

Consultation on Options for Managing Afforestation

Early March, Government released a public [Discussion Document](#) seeking feedback on ideas to better manage afforestation. The proposal excludes exotic species from the permanent forest category.

Staff are working with Māori landowners and other regional leaders to prepare a submission.

Work programme updates

An emissions measurement function has been added to the staff travel application form that is used for training requests. This will improve our travel data for future inventories and emissions reduction planning and improve awareness with staff of the emissions impact of their travel decisions regarding training and professional development.

Guidelines have been adopted and training has been undertaken to support staff to complete a climate change impact assessment and include an impact statement in Council reports.

Work has begun to draw up our climate change roadmap to 2050. The roadmap will provide a high-level overview of our key milestones and timelines for climate change action in the organisation and for supporting regional climate change efforts. This piece of work will be delivered before the end of the current financial year.

The [Tairāwhiti Economic Action Plan \(TEAP\)](#) sets out the strategic priorities and actions for delivering economic transformation for the region. Task 9.1 is “Develop a Tairāwhiti Just Transition Plan which sets out the actions the region will take to transition to a zero emissions economy.” Council and the Trust are co-leads for this task.

Trust Tairāwhiti have recently contracted Beca to provide consultancy support for this piece of work. Staff are contributing to the scoping process and will update Council on progress in this space.

TRAFFIC AND PARKING BYLAW

On 13 December 2021 Council made the the Traffic and Parking Bylaw 2021 along with the resolutions, placed in a register, which applies the rules in the bylaw to the specific locations on the network. A follow up report is programmed for Sustainable Tairawhiti’s 28 April meeting where the committee will decide on a package of new resolutions before considering the establishment of a traffic and parking sub-committee to handle such decisions in the future.

GAMBLING VENUE POLICY 2019 REVIEW

Councils Gambling Venue Policy is under its statutory three yearly review and currently out for consultation until 21 March.

The draft policy retains the current ‘sinking lid’ approach, meaning no new venues can establish and when a venue closes (for longer than 6 months) it cannot reopen.

The changes being suggested include:

- Further restricting the ability for venues to relocate
- Lowering the number machines permitted after a club merger
- Developing an Ethics Policy to inform future external funding decisions

Hearings are scheduled for 19 May and a final Council decision is expected on 23 June 2022.

DOG CONTROL POLICY AND BYLAW REVIEW 2010

At its 28 October 2021 meeting, Sustainable Tairawhiti approved review of Council’s Dog Control Policy and Bylaw 2010. Staff review and discussions with stakeholders found the current policy and bylaw were compliant with the legislation and largely effective at meeting at meeting Council’s objectives.

A report including updated draft policy and bylaw and Statement of Proposal for consultation is programmed for the 28 April meeting of Sustainable Tairawhiti with consultation to commence two weeks later.

REGIONAL SPEED MANAGEMENT PLAN

Consultation on the region's amended 2013 Speed Limit Bylaw is planned for April 2022. Originally this consultation was intended for a new Speed Management Plan under a new national Land Transport Rule for setting Speed Limits. However, delays to the Rule's approval have meant that consultation is required for a bylaw change in accordance with the 2017 Rule.

The Bylaw amendments propose changes to 12% of the local road networks speed limits after engagement showed a lack of support for more widespread changes to align all roads with Waka Kotahi's Safe and Appropriate Speeds. The changes include those listed in the 3-year implementation plan of the draft Speed Management Plan which includes reductions to:

- 30km/h and 40km/h around some schools, townships, beachside areas, Titirangi, inner harbour and the CBD.
- 60km/h and 80km/h developed land areas such as the Taruheru subdivision, new industrial zone, Titirangi and inner harbour.
- Variable speed limits extended to more schools (currently being trialled)
- Including beaches as designated locations for setting speeds at 20km/h

Speed limits are just one of the tools being used to help improve New Zealand's road toll under the nation's Road to Zero strategy and complements a raft of other projects under a safe system framework with infrastructure, walking and cycling, school gate and intersection improvements, better vehicle safety, policing and speed cameras, improved regulations and engagement that shifts the complacency that people have to the high numbers of deaths and serious injuries on our roads.

REPRESENTATION REVIEW

Council resolved at an Extraordinary Council meeting held 4 November 2021 to have, as its final proposal:

- a. That Gisborne District Council comprise, in addition to the mayor (elected at large), 13 councillors being five Māori ward councillors and eight general ward councillors.
- b. That the Gisborne District be divided into three wards consisting of the following:
 - Tairāwhiti Māori Ward (represented by five councillors) comprising the whole area of the district.
 - Tūranganui City General Ward (represented by six councillors) comprising the area known as Gisborne city.
 - Tairāwhiti Rural General Ward (represented by two councillors comprising the balance of the district).

Since the final proposal is different to the initial proposal, an appeals and objections period was held and closed 10 December 2021. 131 appeals and objections on the Council's final proposal were forwarded to the Commission. Two of these were considered invalid, one was a duplicate, and a further two have withdrawn their objection. The remaining seven valid/partially valid appeals and 119 objections were considered at a hearing on 17 March 2022. The Mayor presented Council's final proposal to the Local Government Commission.

The Local Government Commission will make its final determination on Gisborne District Council's representation arrangements for the 2022 and 2025 local government elections by early April.

TAIRĀWHITI REGIONAL SKILLS LEADERSHIP GROUP

The Tairāwhiti CARE Regional Skills Leadership Group (CARE-RSLG) of which Council staff are members, has been established to identify and support better ways of meeting future skills and workforce needs in our region.

CARE-RSLG are working towards producing our next Regional Workforce Plan (RWP) by June 2022, the initial sectors of focus are Vertical Construction, Manufacturing and Digital, and Technology with consideration of support for NEETs and the impacts of COVID-19.

As part of the development of their initial Regional Workforce Plan, the group has outlined the focus areas for the plan in our region. More details about this can be found in the 2 page summary [Regional Workforce Plan](#).

Supplementary information is available from the Tairāwhiti CARE Regional Skills Leadership Group on activities in our region [Tairāwhiti Update - February 2022](#).

GISBORNE RAIL REINSTATEMENT ASSESSMENT

Gisborne District Council and Hawkes Bay Regional Council have been approached to support the development of an Assessment Paper to go to key Ministers by 30 April.

KiwiRail has advised informally that it is supportive of the proposal to reinstate the Wairoa to Gisborne section of the line. The purpose of the Assessment Paper is to secure the consideration of key Ministers to make decisions on committing to commissioning the next stage detailed Business Case, including further investigations required for investment funding to be provided for the Wairoa to Gisborne rail repair reinstatement work.

The paper will provide updated costs to reopen the route from Wairoa to Gisborne and cost of any work that might be required to provide a reliable rail route between Napier and Wairoa. It will reassess all the information that is available in the BERL Wairoa Gisborne Rail Feasibility Study, more recent work carried out by technical consultants and information provided from KiwiRail. Hawkes Bay Regional Council and Gisborne District Council will fund \$30k each to support its development.

4 CIVIL DEFENCE UPDATES

COVID-19

In the later part of 2021, we had a regional focus on preparation for the onset of COVID-19 Delta and Omicron variants.

CDEM was involved with the facilitation and planning across all key stakeholders with a focus on getting a coordinated welfare system in place that was integrated with the clinical response.

As of 10 March, COVID-19 is now endemic and in full community transmission. The region is dealing with the surge in positive cases and the provision of welfare support to whānau. CDEM remains ready to assist with planning or coordination if tasked by the Regional Leadership Group or GDC.

TAIRĀWHITI SEVERE WEATHER EVENT

15 December 2021 – Cyclone Ruby Severe Weather East Cape. As a result of the severe weather event that resulted in heavy rainfall at the top of the east coast, there was damage to roading on SH 35 (between Hicks Bay and Potaka) and damage to the bridge on the Waikura Valley road. This resulted in temporary loss of access whilst repairs were completed to restore road access and repair the bridge.



16 – 17 January 2022 Cyclone Cody. Regional preparation was put in place given Cyclone Cody was presenting as a threat to Tairāwhiti however this was averted given the main weather cell passed well to the north of the region with impacts or effects on the region.

6-7 February 2022. Severe weather event East Cape. Heavy rain fell on the top of the East Cape that resulted in several slips and damage to the East Cape Road. The repairs required to restore road access before the lighthouse were completed on 25 March. In the interim, whānau were cut off and welfare support was provided via CDEM and NEMA.



5 RELATIONSHIPS

TREATY RESPONSIBILITIES PILOT PROGRAMME

Although DIA resourcing for the pilot programme was due to end in December, we have a commitment from DIA to support the project through until June 2022. This focusses on funding the facilitation of our governance wānanga with Paul Beverly providing expert guidance and advice.

Following our initial 4 November governance wānanga a second was scheduled for 9 March, with Council staff and the Toitū liaison working to jointly design its structure and delivery.

At request of iwi leads the 9 March wānanga has been pushed back, with a new date to be confirmed.

POTENTIAL JOINT MANAGEMENT AGREEMENT/MOU WITH NGĀ HAPU O TOKOMARU ĀKAU

Nga Hapū o Tokomaru Ākau (NHoTA) is seeking customary marine title and protected customary rights for the Tokomaru Bay marine and coastal area. This matter will be before the High Court in late 2022, with evidence from applicant groups required by the Court in April of 2022.

Following Council decision on 24 February, a statement of intent to pursue the return of land along the Tokomaru Bay foreshore to former owners or their successors, will be issued to NHoTA and the High Court prior to April, to be taken into consideration during proceedings.

TE KAHUI PATU KAIKIRI

The group has not met for some time and the desktop review agreed to has not been completed. A meeting is planned to review the scope of the group given the progress made by Council. This includes:

- Council workshops to define a position as Treaty partners
- The DIA pilot and resulting report is being actioned
- Inclusion of a Treaty component in Council's risk matrix
- Treaty obligations included in Council's procurement processes
- Weaving Tairāwhiti Piritahi and Treaty responsibilities through recruitment and Piriformance
- Inclusion of Treaty specific Key Performance Indicators
- A survey of organisational needs in terms of Treaty focused education and development

JOINT MANAGEMENT AGREEMENT FORUM (JMAF)

The Joint Management Agreement Forum was last convened on 8 February 2022. Several papers were presented to the forum:

- **Waiapu Catchment Plan** - Council and Ngāti Porou representatives are committing to meet on a 6-weekly basis to progress the Plan.
- Council and Ngāti Porou representatives will continue to collaborate on **resource consenting and research on the Waiapu catchment**.
- **Recent funding opportunities** were tabled. Ngāti Porou has secured funding through Te Mana o Te Wai Fund to support its role in freshwater planning. Council has also committed \$100k to Ngāti Porou for an iwi planning and policy role and to support iwi and hapū engagement in the Waiapu Catchment Plan.
- **Actions from the JMA not yet implemented** were canvassed and discussed. There is an opportunity for the forum to discuss these actions further. Training (such as Treaty settlement obligations) for councillors following elections may be one such opportunity. No actions from this item were set.
- The recent **Resource Management Reforms** were outlined.
- Council provided an overview of its **resource management work programme**.

The next JMAF is set for Tuesday 10 May.

WAIAPU KOKA HUHUA / RESTORING THE WAIAPU CATCHMENT

Funding has now been approved for the Programme Manager position (by MPI for a period of 2 years) and recruitment has re-commenced. A panel of representatives from MPI, Ngati Porou and Council will be involved in the recruitment process.

TE MATAPIHI

At present the platform serves as an internal tool to assist staff in building Council capacity as a responsive Treaty partner. To ensure Te Matapihi continues to grow from strength-to-strength, resource will be sought to further develop it as a go-to platform for all things Treaty. This will include:

- e-Learning modules and pathways for professional development
- Piriformance to support Tairāwhiti Piritahi implementation and evaluation
- induction material
- continue to develop the interactive map and its functions
- a platform to showcase and celebrate our partnership successes
- improved submission form for engagement support needs, aligning with wider comms and engagement planning templates.

6 GENERAL MANAGEMENT

PERSONNEL MANAGEMENT

We have completed the project to optimise and update our recruitment branding and recruitment strategy. There are new videos and advert content throughout several national digital platforms, increasing our reach and appeal to the labour market.

HEALTH AND SAFETY

COVID-19 continues a key factor in GDC's approach to health and safety controls and includes wellbeing support, with the majority of staff presently working from home. Stocks of RAT kits have been secured via a BOPLASS agreement and other sources, with critical staff registered on the Government CCE (Close Contact Exemption) Scheme. This means non symptomatic household contacts may return to work when returning daily negative RATs.

The management team has taken a very serious approach to reducing the risk of infection in Council workplaces and facilities. Following thorough risk assessments, the MVP policy was introduced in December 2021 in line with Health and Safety Legislation and government guidance, as a temporary measure to maintain the safety of staff and users. The management team has continually reviewed the requirement for vaccine passes under the red traffic light setting and with the onset of Omicron spreading in the community. A decision to remove vaccine passes will be determined following government announcements on Wednesday 23 March.

Satisfactory removal of ACM (Asbestos Containing Materials) with a clearance certificate at the Olympic Pool Complex 33m Pool. Homesafe team are increasing support and site visits on major projects, including floodwater project, Kiwa Pools and roading network maintenance contract.

Increased abuse to staff across teams, notably at HB William's Memorial Library, primarily around vaccination passes and incorrectly worn PPE. On-line Situational Awareness and De-escalation Training was recently deployed across teams.

Mental health and wellbeing: Individuals continue to be impacted and supported more so in relation to the Omicron community spread. Teams implemented their business continuity plans and continue to work from home seamlessly.

Incident Type	Incident Description	July 2021 Events*	Rolling 12 Months
Near miss	An event or incident that someone has been exposed to that could have caused injury.	2 x minor	46
Injury	Someone has been physically hurt and reported.	3 x minor	40
Incident	An event or incident that has caused damage to equipment, property or environment and includes threats and abuse to staff members.	2 x minor 11 x moderate	135
Notifiable event	Any of the following events that arise from work: death, notifiable illness or injury or notifiable incident that trigger requirements to preserve the site and notify WorkSafe NZ.	nil	2
Illness	Someone has seen or been involved in an event or exposed to a situation that has resulted in someone becoming ill or unwell, e.g., lung disease, asbestosis, legionnaires disease; this is from workplace exposure and does not include common illness such as personal illness, cold and flu.	nil	7

FINANCIAL REPORTING

For the seven months ended 31 January, Council has a net surplus of \$36.4m, \$1.9m above the Annual Plan. This represents a performance that is tracking to Plan after eliminating accounting gains.

A summary of the financial indicators for January 2022 Year to Date (YTD) are:

- YTD total revenue \$99.6m, \$2.8m above Annual Plan budget \$96.7m. This is mainly due to receiving more operational grants (from roading emergency works and roading Provincial Growth Fund (PGF)) and also from accounting recognition gain of the fair value of interest rate swaps. The swap market movements may or may not eventuate when final swaps are realised in the future.
- The YTD total expenditure is \$63m, \$1m above the Annual Plan budget. Expenditure on operating activities is \$2.3m above the YTD Plan, mostly due to roading emergency works and PGF operational projects. PGF operating costs were approved after the adoption of the Long-Term Plan and the costs have 100% external funding. Finance costs are lower than expected due to lower interest rates than was forecast and also due to the phasing of capital works.
- Capital expenditure for January YTD is \$39m (80%) of the YTD Annual Plan \$49m. This variance relates to mostly the Wastewater Treatment Plant Upgrade (\$5m), some roading PGF works (\$3m) and Kiwi Pools (\$2.7m). COVID-19 related delays from restricted works (Levels 3 and 4) caused some projects to be slightly behind what was initially planned and phased.

Draft Statement of Comprehensive Revenue and Expenses

For the Period Ended 31 October 2021

	Note	Jan-21 Actual \$000s	YTD Budget \$000s	YTD Variance \$000s	Full Year Budget \$000s
REVENUE FROM NON-EXCHANGE TRANSACTIONS					
Grants and Subsidies – Operational	1	11,592	9,034	2,558	14,699
Grants, Donations, Subsidies and Contributions – Capital	2	27,456	28,595	(1,140)	61,396
Other Non-Exchange Revenue	3	674	888	(214)	2,138
General Rates And Uniform Annual General Charge		17,161	16,870	291	22,493
Targeted Rates		32,466	32,466	(0)	43,288
REVENUE FROM EXCHANGE TRANSACTIONS					
Development and Financial Contributions		451	926	(475)	1,587
Other Revenue	4	6,073	5,956	117	10,429
Targeted Water Rates		1,614	1,963	(349)	3,366
Dividends		3	0	3	1,500
Interest Received		37	0	37	0
Other Gains/(Losses)	5	2,069	29	2,040	(474)
Total Revenue		99,597	96,728	2,869	160,422
EXPENSES					
Employee Benefit Expenses	6	15,314	15,499	185	26,570
Expenditure on Operating Activities	7	32,959	30,608	(2,351)	56,477
Depreciation and Amortisation	8	13,576	13,844	268	23,733
Financing Costs	9	1,296	2,225	928	3,813
Total Expenses		63,146	62,176	(970)	110,593
Net Surplus/(Deficit) Before Taxation		36,451	34,552	1,899	49,829
Subvention payment		0	0	0	600
Net Surplus/(Deficit)		36,451	34,552	1,899	50,429
Gains/(Losses) on Property Revaluation		0	0	(0)	35,747
TOTAL COMPREHENSIVE REVENUE AND EXPENSES		36,451	34,552	1,899	86,176
CAPITAL EXPENDITURE	10	39,156	48,784	(9,628)	103,467

Notes to the Statement of Comprehensive Revenue and Expense

1. Grants and Subsidies – Operational

Most of this revenue comes from roading subsidies through Waka Kotahi and the Provincial Growth Fund (PGF). This financial year we recover 68% of roading maintenance costs (excluding emergency works) from Waka Kotahi. Higher subsidies of 88% are received for high impact roading emergency works including the 2020 flood events. Tracking favourably \$2.5m over YTD budget due to roading subsidies related to the 2020 & 2021 flood events, and PGF projects that were approved after the adoption of the LTP.

2. Grants, Donations, Subsidies and Contributions – Capital

The capital grants expected to be received this year are from Waka Kotahi for roading renewals, PGF for the roading resilience programme and capital grant funding for projects such as Kiwa Pools, Wastewater Treatment Plant, Waipaoa Stop banks and the 1000-year bridge. Tracking below YTD budget is mainly due to the phasing of some of the projects, including PGF roading works.

3. Other Non-Exchange Revenue (Includes penalties, infringement fees, court enforcement fees, and other fees)

This includes court enforced fees, penalties received and infringements.

4. Other Revenue (Rent income, lease income, and all other fees and charges)

Other revenue includes fees and charges such as dog registration fees, rents, parking fees and trade waste charges. As a result of the 18 August COVID-19 response, parking fees were adjusted to include two hours free parking. Beginning Monday 30 November 21, parking fees have been reinstated.

5. Other Gains/(Losses)

Other Gains/losses includes gains or losses arising from the sale of assets and financial gain recognitions (such as interest rate swaps). The main movements arise from interest rate swaps. The interest rate swaps arise from the gain recognised from fair value Interest rates movement of swap financial instruments. The gain in fair value is an accounting recognition and it may or may not eventuate when the swaps are finally realised in the future.

6. Employee Benefit Expenses

Employee Benefit expenses are mostly on track with budget.

7. Expenditure on Operating Activities

Overall expenditure is over YTD annual plan by \$2.4m, mainly due to PGF operational costs and higher than expected roading emergency works. While the PGF operational costs were not within the Plan (as the funding approved after the adoption of the LTP), it has nil rate payer impact due to being 100% externally funded. Emergency works completed YTD is \$4.8m against YTD budget of \$2.3m.

8. Depreciation and Amortisation

Growth movements calculated for assets at year-end may alter the actual depreciation slightly, however it is expected that depreciation will come in under the Annual Plan.

9. Financing Costs

Financing costs are lower than the YTD budget due to lower interest rates than was forecast and to lower than expected capital spend YTD.

10. Capital Expenditure

Overall, the capital expenditure is \$39m against a \$48m YTD budget and includes major projects and renewal programs. The \$9.6m YTD variance mostly relates to the budget phasing of the Wastewater Treatment Plant. Delays due to COVID-19 restrictions has put this project as well as the Olympic Pool project behind initial phasing. Further the Enterprise Solution project has been moved into operational expenditure for accounting purposes. There is also a current underspend of \$1.1m in the grant funded Muriwai Pipeline & Reticulation but this will be on track at year end. PGF roading works are also below budget however forecasted to be on track by year end weather permitting.

7 FOCUS PROJECTS

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

RESOURCE RECOVERY CENTRE

The Resource Recovery Centre Feasibility Study is on track for completion by June 2022. Engagement is currently occurring in the form of online surveys, competitions, and remote community consultation. Due to COVID-19 restrictions, all community engagement has required to be completed online.

TAIRĀWHITI ENVIRONMENT CENTRE AND COUNCIL PILOT SCHEME TECH COLLECT NZ

The pilot scheme with Tech Collect NZ has continued into 2022. A total of 7,968kg of e-waste from the region has been diverted from landfill since the scheme began in November 2021, the uptake has been incredible and shows the need and desire for similar schemes within the region. Due to the success to date, Tech Collect are working with MfE to extend the pilot program through to June 2022. Confirmation for the extension of the pilot program will be received next month.



COMMUNITY FACILITIES

The Facilities Business Case has been submitted to the Minister for Sport and Recreation, Minister Robertson. The comprehensive document demonstrates how the requested investment will lift wellbeing in Te Tairāwhiti, in a cost-effective and achievable way. With our partners we look forward to a response and further engagement with the Minister.

Progress continues with the early win projects. Stage one of the Skatepark is complete; the pump track lease is being prepared following Council approval; hub entity development is taking place for the Victoria Domain sport & recreation hub; and planning and funding work continues for the other early win projects.

PLAYGROUNDS

A community playground in Tokomaru Bay was opened in late February in partnership with Hatea-a-Rangi school. Council staff are considering more long-term opportunities and will report to Council in the next few months.

DEVELOPMENT OF KIWA POOL

The Kiwa Pools project continues to progress well and remains on track for completion by late March 2023, despite the continuing impacts of COVID-19 on the building supply chain and contractors. Apollo is demonstrating great agility in rephasing the construction programme to accommodate material and contractor delays. This approach and their extensive supplier networks nationwide is proving to be key in keeping the project on track.

The design process is now complete, with the 100% design submission received in March. Ground works are completed and the foundations, main underground services for the pool hall and the pouring of the pool slab will all be completed by the end of March 2022.

Challenges with the supply of the structural steel has meant the above ground construction of the building will now be phased in three separate portions. The erection of the first structural steel will commence in late April with all structural steel in place by late September. Despite COVID-19 related pressures, there continues to be relatively few and minor variation requests to the contract.

Overall, the project remains on time and within budget.



PUBLIC CONVENIENCES

Resource Consent applications for toilets at Tokomaru Bay Wharf and Te Araroa have been lodged. Delivery is expected before June 2022. The new waterless toilet proposed for Waihou Bay is scheduled for delivery in October this year. The Peel Street toilet building is currently being considered with the latest information from architect.

TOWNSHIP UPGRADES

Approval from the **Te Araroa**, **Tikitiki** and **Tiniroto** communities to proposed design and plans were received in February 2022. A procurement document invited tenders from three local contractors. Tenders closed on 7th March and no tender applications were received. Contractors report that COVID-19 was impacting on their capacity.

Based on discussions with contractors the township team have updated the procurement document to extend the construction window from May 2022 to October 2023 and the provision of a 5-week timeframe for submission. Given the less complex nature of the Tiniroto upgrade, this upgrade will be completed by 30 June 2022.

Discussions for the **Ruatoria** upgrade scheduled for 2023 are progressing well. Community representatives have advocated for safety upgrades to Waiomatatini Road to reduce speed and the installation of a footpath. The community representatives have agreed to utilise a portion of the available township upgrades funding to contribute towards the footpath cost. Waka Kotahi funding will be used.

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

PĀNUKU TŪ/TITIRANGI SUMMIT

Resource consent for Te Pānuku Tū project was submitted late last year and was fully notified. Several submissions have been received. The application is now on hold while further information is provided, and discussions with submitters are undertaken.

TAIRĀWHITI RESOURCE MANAGEMENT PLAN

The review of Te Papa Tipu Taunaki o te Tairāwhiti, the Tairāwhiti Resource Management Plan (TRMP), is eight months into Phase 1 of the programme and well underway. The three main workstreams are tracking against key deliverables. The impact of COVID-19 on the programme is actively monitored to ensure we deliver the programme in the eight-year timeframe.

The Urban Growth and Development workstream reached an important milestone with the finalisation of the Housing and Business Capacity Assessment. The development of the Tairāwhiti Future Development Strategy (FDS) has also kicked off in March 2022. Early engagement is happening in the form of growth site nominations open to the public via our website, and virtual workshops with targeted stakeholders and online engagements are in plan. Full public consultation on draft FDS is planned for September 2022, with the strategy operational before the end of the year.

The Freshwater Planning workstream continues to work towards the review of the regional freshwater plan, with satisfactory progress made on the Waimata – Pakarae and Waipū catchment plans while waiting until after Omicron peaks to set dates for final meetings on the Motū catchment plan.

The development of the third workstream, the Regional Policy Statement (RPS), has been focusing on identifying significant resource management issues, prioritising procurement for the Panel of Suppliers to procure prioritised technical scopes of work, and looking into research and options analysis – including issues and options papers to inform the development of the RPS.

The TRMP is using the principles of Te Tiriti o Waitangi to inform its approach to engaging tangata whenua, and Māori living in the region. It is of critical importance to continue with the higher-level foundational discussions about aspirations for a Te Tiriti partnership agreement between Council and iwi leadership structures, cumulating in a co-governance committee for the TRMP. Planning for iwi and hapū engagement at an operational level is also progressing.

ENVIRONMENTAL SCIENCE UPDATE

The Science and Environmental Monitoring teams continue to make progress with delivering the science programme, with a particular focus on freshwater and providing evidence for the Tairāwhiti Resource Management Plan (TRMP) review.

The Science team are utilising additional budget (made by savings found during the Uawa bore drilling project in 2021) to install some additional groundwater bores on the Poverty Bay Flats. This will be in locations where Council have identified a need for further information. The potential locations of these bores will be discussed with tangata whenua.

The Science team are continuing the development of a groundwater model for the Poverty Bay flats aquifers. The development of the model has involved input from iwi, councilors, and groundwater abstractors. There are workshops scheduled for April 2022 to discuss the initial results of the model.

Wetlands have been mapped for the Motu catchment as part of the evidence required for the National Policy Statement for Freshwater Management. This mapping will be rolled out for the rest of the region in due course.

The Environmental Monitoring team continues to carry out regular monitoring of the environment as required by Government regulations and for Council business needs. The summer bathing water monitoring programme for our 17 beaches and six estuary sites began in November and will continue weekly until April 2022.

TURANGANUI ESTUARY RESTORATION PROJECT

This \$4.95 million project jointly funded by the Ministry for the Environment and Council is being delivered in collaboration with the Wastewater Management Committee and KIWA Group (tangata whenua technical reference group). The project will include riparian planting, wetland creation and restoration, removal of fish passage barriers, enhancing fish spawning, and reducing erosion in along the Taruheru, Waikanae and lower Waimata and their tributaries.

The project team are currently drawing up detailed project plans for the 32 sub-projects within the overall project. These plans will be completed by July 2023.

BIODIVERSITY

Waingake Transformation Programme

The MOU with Maraetaha Inc has been finalised, with Maraetaha undertaking a final legal review prior to signing. Once signed, the Joint Steering Group of Council and Maraetaha representatives will meet to confirm the Terms of Reference and begin to develop a Joint Action Plan.

A key focus for the programme continues to be the 29% second rotation land area. A Registration of Interest process closed in early February, and we are now working through several clarifications requested by the evaluation panel. We continue to work closely with Maraetaha Inc throughout this process.

Planting plans for this season have been adjusted due to some unforeseen issues with plant supply. The focus for this planting season will be areas that run adjacent to our main water supply pipeline helping to secure the land around this critical infrastructure. We anticipate planting around 200,000 manuka which will be complimented by several hundred soil erosion poles in erosion-prone areas. A full report will be provided in the quarterly update to the Operations Committee.

Our ungulate control contractor has now delivered two of four rounds of control for this financial year. Ungulate pest numbers are now being significantly reduced with the number of goat kills per hunter hour dropping from 2.5 in 2020 to 0.6 over the last two rounds of control. The team is also targeting deer and pigs within our closed water catchment areas. The Ngai Tāmanuhiri katieki hunting roopu have been working alongside our contractor and have been learning valuable skills based around both commercial culling techniques and biodiversity.

The recruitment process for the Waingake Ngahere Ora team (Jobs for Nature) is now complete and they are fully staffed with 10 team members. The team has recently completed the annual 27km Waingake Waterworks (QEII) bush perimeter toxin operation to target possums and have begun installation of over 20km of interior traplines in the Waterworks bush whilst also working on other areas of the project to ensure key milestones are being met.

PROJECT STATUS KEY:



PROPOSE



INITIATE



PLAN



DELIVER



CLOSE



ONGOING

Integrated Catchment Management (ICM)

Land Management staff continue to assist landowners who still have grants available through MPI under the ECFP (Erosion Control Funding Programme) to completed LO3A (land overlay 3A) requirements under Sustainable Hill Country Plans. ETS (Emissions Trading Scheme) opportunities are being promoted to further address soil erosion and freshwater management.

Conversion of land to exotic forestry continues within the district. This includes both plantation forestry and permanent carbon farming. Plantation forestry has controls for afforestation, harvesting and replanting through the NES-Plantation Forestry however there are no environmental controls for Permanent Carbon Farming. ICM and wider council have assisted in developing a Position Statement on the Regional Impacts of Permanent Carbon Farming in Tairāwhiti. There is concern locally that Classes 6, 7 and 8 are considered “marginal land” when all our hill country falls into this definition and misinformation suggesting there are no controls for plantation forestry activities.

Technical information towards a submission on the discussion document for Managing Exotic Afforestation Incentives from ICM is focusing on exotic species, other than *P. radiata*, which need to be retained in the ETS; providing support using case examples to realign the ETS; and the requirement for regulations and long-term environmental planning across all land uses.

Staff are keeping pace with the Freshwater Farm Environment Plan initiatives being developed by MfE and assisting landowners with formation of Catchment Groups throughout the district. This includes Land Use Capability mapping for landowners in the Hangaroa, Waihuka and Pakarae Catchments.

Assistance to the Whakaoratia Trust project continues with 463 sediment dams installed and a further 36 sited. Flume and bank protection works will progress in the next quarter. Digital recording of sites providing a record over time is invaluable.

Summer maintenance to the council pole nurseries is ongoing.

Protection Management Area (PMA) assessments continue during the summer months with a focus on TFLs PMAs and within plantation forestry blocks. A bat survey was undertaken at Waingake in December using bat recorders which successfully recorded bat passes and further deployment is envisaged to ascertain the long-tailed bat distribution throughout the district. An internal biodiversity action plan to set goals and priorities for three years has progressed. A third edition of Panui Taiao a rural/environmental focused digital newsletter for the community, has recently been released.

Farm Environmental Plans (FEPS)

FEPs are required under the Tairāwhiti Resource Management Plan (TRMP) by growers and farmers whose activities meet certain criteria. A FEP outlines the sustainable management of soil, water and nutrient resources on farms and is individually designed to identify and manage environmental risks. The FEPs are being assessed by a robust panel approach which includes staff from across Council.

FEPs were required to be approved by Council by 31 May 2021. To date, 70 FEPs have been received by Council and of these, 32 have been certified. Of the 70 FEPs received, there are 33 plans that were designed prior to the Freshwater Plan being notified therefore some do not meet the required standard, however, are a great starting point for the farming businesses to build on. Council is in discussions with these businesses.

Council staff are providing ongoing assistance to FEP applicants to progress the plans to achieve the required standards. We continue to engage with farming industry groups to ensure all those that need to submit a FEP are aware of their obligations. Council's Compliance Monitoring and Enforcement team are undertaking a risk-based approach to ensure that those who need an FEP have a certified plan.

BIOSECURITY

Animal and Plant Pests

The Hawkes Bay buffer zone and expansion for possum control has continued onto further properties, with increased feeders and increased possum pre-feeding. Toxic pellet bait application is underway. The single rook population remains little with no evidence of breeding, birds will be destroyed should the opportunity arise.

QEI Covenant possum control has been a focus with follow-up control being progressed by Landcorp on possums and mustelids, goats, pigs and deer. Feral goat control initiated in 2009 in association with Bay of Plenty Regional Council, Nga Whenua Rahui and DOC continues along our north-western boundary with a buffer zone monitored and controlled, if necessary, twice a year.

Biosecurity staff have responded to reports of myrtle rust in a range of plants confirming the presence and spread of myrtle rust and providing advice on removal and disposal to property owners.

Marine Biosecurity

After 34 fanworm were identified in July 2021, December's result of one fanworm was very promising. An updating Charter on Fanworm between GDC and MPI is imminent. GDC Biosecurity and MPI have contributed to the Marine Pest Management Plan (MPMP) developed by Eastland Port at Wharf 7.

Freshwater

With MPI funding a summer student provided a public a freshwater biosecurity awareness programme through education and engagement with recreational users.

Innovation and Education

Several innovations have progressed across Biosecurity. A comprehensive Pest Hub on all pests is being tested and will be publicly released shortly. Digital technology - using GIS templates will provide efficient data collection and storage improving reporting and information accessibility. A Biosecurity education programme has had very positive feedback from Rere and Motu Schools.

Pest Hub

An updated plant and animal pest website provides for all species outlined in Councils RPMP (Regional Pest Management Plan). Information includes landowner obligations and a public educational focus. This hub aligns with the RPM and Operational Plan with the recent focus towards advocacy, education and raising public awareness.



8 GRANT FUNDING

COUNCIL-ADMINISTERED GRANTS

Council has \$28,000 of Creative Communities grants to distribute to the February applicants. The Assessment Committee met online on Monday 14 March and have allocated just over \$26,000 to nine applicants, declined one application, and deferred another to the next funding round. The deferred applicant has been given advice on what they need to do prior to the next round and invited to reapply.

The Sport NZ Rural Travel Fund for Winter Sports is currently open for applications, none have been received, but applications close at the end of April.

EXTERNAL FUNDING SECURED FOR ACTIVITIES DELIVERED DURING 2020/21

Table 1 below provides an overview of income from external funds granted for activities that are in progress or have been completed in the 2021/22 financial year.

Table 1

Activity/Project	Awarded	Funder	Total Rewarded
IN PROGRESS 2020/2021			
Marae emergency resilience	February 2021	Phase 1 – Te Puni Kokiri	\$964,938
		Phase 2/3 – Toitu Tairāwhiti	\$596,058
Turanganui Estuary Restoration	February 2021	MfE Freshwater Improvement Fund	\$2,250,000
Land use characterisation for SoE soil quality monitoring and reporting	October 2021	Manaaki Whenua LandCare	\$39,760
Impact of forestry slash on Kai Moana Tolaga	August 2021	Envirolink	\$35,000
Economic utilisation of woody debris research	August 2021	Envirolink	\$35,000
Active Fault Delineation for Tairāwhiti	August 2021	CDEM Resilience Fund	\$120,000
Tairāwhiti Haumarū Moana – recreational boating safety activities	August 2021	Maritime NZ - Fuel Exercise Duty fund	\$38,000
Tairāwhiti 'No excuses on water' Campaign	August 2021	Maritime NZ	\$5,000
Environmental impact of Tokomaru Bay legacy landfill	August 2021	Massey University	\$30,000
Tokomaru Bay Wharf Toilet	July 2021	MBIE Tourism Infrastructure Fund	\$203,200
1000 Year Bridge	June 2021	Lotteries Significant Projects Fund	\$1,750,000
Te Tairāwhiti Arts Festival	June 2021	Creative New Zealand	\$50,000
Library – Digital services, databases, managed services	July 2020 – June 2022	New Zealand Libraries Partnership programme #	\$117,495
Library – Resource capacity to support community digital learning	May 2021	New Zealand Libraries Partnership programme	\$117,224
Library – Digital preservation projects	May-July 2021	New Zealand Libraries Partnership programme	\$16,540
Waingake Transformation – Planting Year 2,3,4	May 2021	One Tree Planted	US\$740,000
Waingake Transformation – Weed/Pest control Year 2,3,4	March 2021	DOC –Kaimahi for Nature	\$2,000,000
Waingake Transformation – Planting Year 2,3,4	March 2021	MPI - One Billion Trees Fund	\$1,860,000
Tsunami Taumarū project	March 2021	CDEM Resilience Fund	\$20,000
Feasibility study for Regional Resource Recovery Centre	February 2021	MFE Waste Minimisation Fund	\$90,000
Wastewater Treatment Upgrade Options for water amalgamation Rural townships water supply	August 2020	3-Waters Reform Economic Stimulus	\$7,500,000
			\$250,000
			\$3,290,000

Activity/Project	Awarded	Funder	Total Rewarded
Olympic Pool Redevelopment	July 2020	COVID-19 Recovery Fund	\$40,000,000
Waipaoa River Flood Control Scheme	July 2020	COVID-19 Recovery Fund	\$7,500,000
Poverty Bay Flood Hazard Mapping	December 2019	EQC Contestable Grant	\$50,000
Big Belly Bins and Dry Vault Toilet	September 2019	Tourism Infrastructure Fund	189,000
Midway to Waipaoa Cycle and Walkway	October 2018	Trust Tairāwhiti	\$1,000,000
Waiapu Phase 2 Erosion Control -ECPF Fund Administrator***	October 2016	MPI Erosion Control Funding Programme	\$2,100,000
COMPLETED 2020/21			
Assessment of Waipaoa LiDAR data	December 2020	Envirolink	\$25,000
Waingake Restoration – Science and Monitoring strategy	September 2020	Envirolink	\$24,400
Waingake Restoration – Sediment Monitoring and Geomorphological Change	April 2021	Envirolink	\$8,800
Responsible Camping initiatives	September 2020	MBIE Responsible Camping Fund	\$300,000
Titirangi Summit	May 2020	Provincial Growth Fund	\$1,067,000
Project Review of water allocation tool	August 2021	Envirolink	\$8,000

***The ECPF Fund role is now complete, while the work for the Phase 2 Erosion Control continues.

New Zealand Libraries Partnership Programme is government fund to support librarians and library services to be retained, developed and to assist them to support community recovery

EXTERNAL FUNDING APPLICATIONS

Table 2 below provides an overview of funding applications awaiting decision.

While Council received \$1,750,000 from the Lotteries Significant Projects fund for construction of the 1000-year walkway bridge in June 2021, work is still ongoing to gain further funding from Trust Tairāwhiti to complete the cultural heritage elements and a viewing platform at the Te Maro sculpture for a total of \$343k.

The recreational activity components of the Te Araroa township upgrades valued at \$1 –\$1.5m are included in the Tairāwhiti Sports and Recreation Facilities Business Case which is being submitted to Central Government. An application to NZCT to support components of township plan upgrades has currently been deferred for decision.

Table 2

Activity/Project	Awarded	Funder	Total Rewarded
Advice on economic utilisation of woody debris	December 2021	University of Canterbury	\$18,000
Right Plant, Right Place	December 2021	University of Canterbury	\$30,000
1000-year Walkway Bridge cultural component and Te Maro platform	February 2022	Trust Tairāwhiti	\$343,000
Township upgrades	February 2022	NZCT (advise deferral of application awaiting decision on Councils sinking lid policy - gambling)	\$361,000
Waiapu Koka Huhua 2021-2025	TBC	MfE – Kaimahi for Nature	\$4,375,000

9 REGIONAL ROADING ACTIVITIES

A high-level description of several infrastructure projects is detailed below.

EAST CAPE ROAD

Cyclone Dovi made its presence felt on the Te Araroa township, particularly East Cape Road. The rainfall intensity on this type of geology is going to be a costly and on-going problem. To date \$600k has been spent to reopen the road. \$400k is transportation related for the clean-up of debris to clean fill sites.

Council regional staff have also visited the area and confirmed there is still material on the slopes that will come down in future rainfall events, but we are unsure if 10,20 or 30mm/hr is the trigger point.

For simplicity purposes –signage will be installed at the 19km mark for road users not to use the road when it rains.

Local iwi, hapū, landowners and contractors wanted to respect “Tikanga Māori” at the East Cape Bluffs worksite before commencing work at a new clean fill site. The team organised a blessing which was attended by 40 people. There is a tight balance between working through COVID-19 settings but respecting traditions.

Special thanks to the Senior Māori Advisor – Walton Walker and Capital Projects Officer for Errol Clarke for navigating Council through this.

A future report will be provided to Council about the long-term future and options for this road.



PEEL STREET/PALMERSTON ROAD

The team of Currie Construction Ltd have started work at this intersection. The new roundabout will accommodate heavy vehicles once the restrictive traffic management systems are removed. These are required to allow the concrete in the central dome to cure and to cater for pedestrians until the speed tables are constructed. The central dome boxing will be removed soon, and trucks will be able to travel over the dome if required. However, the two existing traffic lanes at the Peel Street intersection will be combined into one lane which will also increase turning capacity for all road users.



STOUT STREET

With COVID-19 starting to impact contractors and their families, some projects could be delayed. To mitigate this, signs have been erected at the two locations where speed tables will be constructed. This is providing the residents with an anticipated timeframe of when they will be built. A construction programme of infrastructure projects to date is also attached to the report.



Stout Street Traffic Calming Plan.

Programmed work to begin soon.

1. Peel St/Palmerston Rd roundabout
(Feb-April)
2. Grey St crossing by the new skateboard bowl
(Feb-April)
3. Stout/Stafford St intersection
(May)
4. Stout St/Hall St intersection
(May)

These timeframes may change due to COVID

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Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

Title: 22-48 Permanent Carbon Farming in Tairāwhiti
Section: Strategy
Prepared by: Tim Stoddart - Senior Policy Advisor
Meeting Date: Thursday 31 March 2022

Legal: No

Financial: No

Significance: **Medium**

Report to COUNCIL for information

PURPOSE

The purpose of this report is to provide an overview of the issues and opportunities associated with permanent carbon farming in Tairāwhiti. This information will assist Council in developing a submission to the current proposed changes to national policy settings and support development of a regional position statement on this kaupapa.

SUMMARY

Afforestation is a key pathway for Aotearoa New Zealand to meet its climate change targets and transition to a low emissions society. However, current national policy settings and carbon prices are driving higher rates of afforestation, particularly fast-growing permanent exotic forests.

Concerns have been raised by some groups in Tairāwhiti about the risks of permanent exotic carbon farming, particularly around the potential for rapid landscape changes, displacement of other land uses and environmental impacts. Others have highlighted the opportunities presented by planting exotic tree species as carbon sinks and for erosion control.

In response to concerns, the Government is seeking feedback on changes to national policy settings, including removing the ability to register exotic species in the permanent forest category of the New Zealand Emissions Trading Scheme (NZ ETS).

Consultation on the proposals ends on 22 April 2022. Staff are currently preparing a submission on the discussion document. Staff are also preparing advice for Rau Tipu Rau Ora (RTRO) on this kaupapa.

While national level policy changes are critical, it will be important for Council to work alongside Māori landowners, tangata whenua and key stakeholders to better understand the regional issues and opportunities and to drive suitable land use changes that promote the four wellbeings. It is also important to consider the potential for unintended consequences of proposed policy changes, particularly given the unique characteristics of Tairāwhiti, which has a high proportion of whenua Māori compared to Aotearoa New Zealand.

A draft submission on the MPI discussion document will be circulated to Councillors for input before 22 April 2022.

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 Council:

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

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: permanent carbon forestry, carbon farming, land use, reform, whenua Māori

BACKGROUND

1. This report provides an overview of permanent carbon farming in Tairāwhiti. It sets out the national policy settings influencing land use change and value, the regional drivers, and issues and opportunities raised by mana whenua, key stakeholders and our communities.
2. There is no widely accepted definition for the terms 'permanent carbon forestry' or 'permanent carbon farming,' and slight variations exist depending on the source material. For the purpose of this report, this category of land use is defined as:
 - Forests that are used to produce carbon credits under the New Zealand Emissions Trading Scheme (NZ ETS) and are not intended to be clear fell-harvested for at least 50 years (but may be subject to selective or small coupe harvesting).
3. While both native and exotic forests can be established for the purpose of permanent carbon farming, it is the use of *Pinus radiata* and other exotic tree species that has led to significant debate recently.
4. While this debate exists throughout Aotearoa New Zealand, specific regional drivers and the potential for rapid land use change and environmental impacts have raised local concerns here in Tairāwhiti. Conversely, permanent carbon farming also presents new opportunities for mana whenua, communities and the environment.
5. One of the key challenges for managing permanent carbon farming is balancing the various social, cultural, economic and environmental perspectives, trade-offs and outcomes.

LEGISLATION AND POLICY SETTING

6. The primary drivers of permanent carbon farming are legislation and policy settings at the national level.

Climate Change Response Act

7. The Climate Change Response Act 2002 (CCRA) establishes the legal framework to enable Aotearoa New Zealand to meet its international obligations under the United Nations Framework on Climate Change, the Kyoto Protocol and the Paris Agreement¹.
8. The CCRA requires the Government to set emissions budgets and emissions reduction plans to achieve domestic targets. The first three emissions budgets will be set in May 2022². These budgets can be achieved using both gross emissions reductions and net emissions removals³.

¹ New Zealand has committed to reducing our greenhouse gas emissions to limit the global average temperature rise to 1.5°C above pre-industrial levels. An international target known as a Nationally Determined Contribution to reduce net emissions by 50% below gross 2005 levels by 2030 was also set under the Paris Agreement 2016

² For the periods 2022–2025, 2026–2030 and 2031–2035.

³ Gross emissions mean the total emissions released from sectors such as agriculture, transport, energy, industry and waste. Net emissions mean the total of gross emissions, minus any removals (e.g. from forests storing carbon as they grow).

New Zealand Emissions Trading Scheme (NZ ETS)

9. Introduced under the CCRA in 2008, the NZ ETS is the Government's primary policy tool for reducing greenhouse gas emissions. It seeks to help Aotearoa New Zealand meet its emission reductions and targets, and international climate obligations, by pricing greenhouse gas emissions.
10. The NZ ETS establishes a price on greenhouse gas emissions in the form of an 'emission unit' – also known as a 'New Zealand Unit (NZU)'. All sectors of the country's economy must measure and report their emissions and, if required to, purchase NZUs that they can surrender to the Government to cover their emissions⁴.
11. People or organisations involved in the NZ ETS (generally landowners, businesses, or individuals with forestry rights) can earn NZUs from the Government for activities that absorb carbon dioxide (such as planting or managing forests). NZUs are often referred to as 'carbon credits' in this context.
12. NZUs are allocated and surrendered between the Government and required industries. Units can also be purchased and sold within the market between emitters and forestry participants (that sequester carbon) in the scheme (Figure 1). The price for NZUs is driven by market forces and reflects supply and demand.

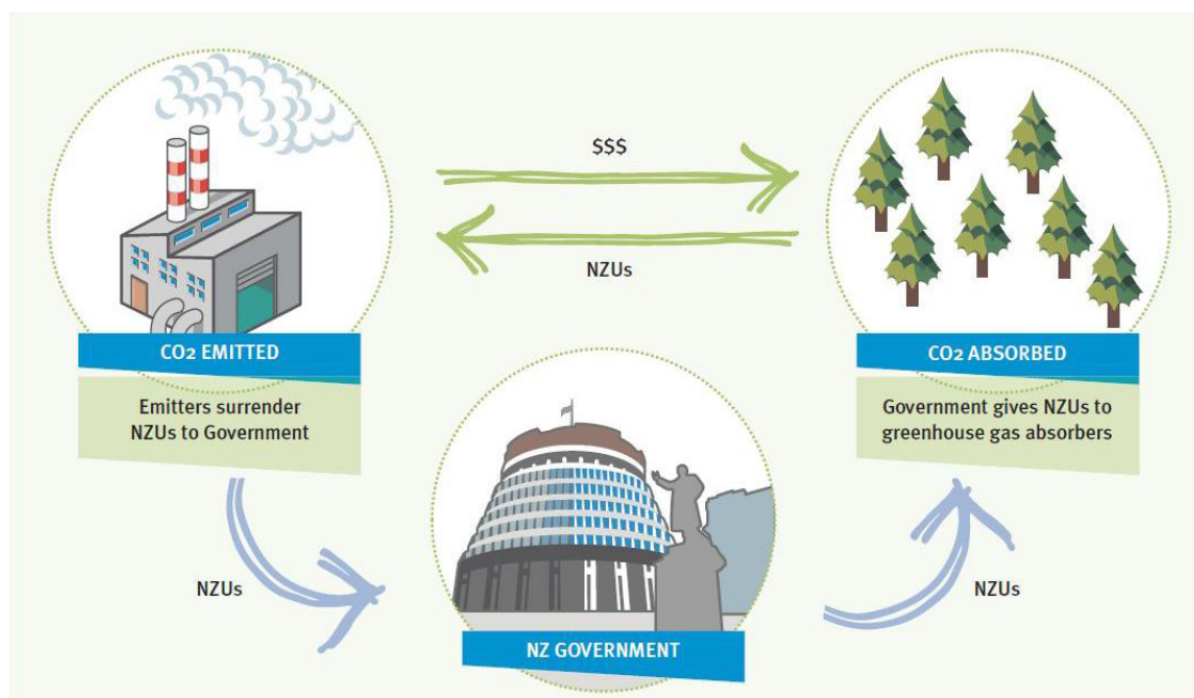


Figure 1: Simplified diagram of how the NZ ETS works. Source: MPI, 2022.

13. The Government sets and reduces the number of NZUs supplied into the scheme over time. This restricts the quantity that emitters can emit in order to meet Aotearoa New Zealand's emission reduction targets. This approach is intended to encourage businesses to lower their emissions and drive behavioural change through innovation and development of low emissions technology. It also provides an incentive to plant forests to absorb carbon dioxide.

⁴ One emissions unit or NZU represents one tonne of emissions.

Influence of national policy settings on forestry land use

14. Forests contribute to achieving our climate change emissions budgets and targets by sequestering carbon and reducing net emissions. Forests can be both a carbon sink (while growing) or a source of emissions (e.g. from harvesting or deforestation).
15. Afforestation is a key pathway for Aotearoa New Zealand to meet its emissions budgets set under the CCRA. The Climate Change Commission's pathway⁵ for meeting our climate change targets include significant afforestation of both production and permanent forests in the near future, but the Commission also recommended that Government establish a clear position on the use of permanent exotic forests as carbon sinks⁶.
16. The NZ ETS incentivises afforestation by allowing eligible foresters to earn NZUs from the Government as their trees grow and absorb carbon dioxide, which they can then trade on the market.
17. Rising carbon prices are making afforestation increasingly profitable. The NZU price has more than doubled within the last year, from around \$35 in late 2020 to upwards of \$80 in early 2022. Prices are expected to increase further in order to drive the decarbonisation of our economy.
18. Forestry under the NZ ETS is not restricted by species or harvesting regime. However, due to the sequestration rates and lower establishment costs, exotic forests, particularly *Pinus radiata*, are more profitable under the NZ ETS than native species. Natives are difficult and costly to establish, may require initial cover crops, and can be vulnerable to damage from pests.
19. The NZ ETS is also the only emissions trading scheme that allows for 100% of an emitter's emissions to be offset by forestry⁷. There are also no limits to the total area of land that can be registered under the NZ ETS. There is concern that without limits, an oversupply of forestry offsets will reduce the incentive for emitters to cut their emissions in the longer-term.

Permanent carbon farming under the NZ ETS

20. In 2020, the Government introduced major reforms to forestry in the NZ ETS. The Climate Change Response (Emissions Trading Reform) Amendment Act introduced the following key changes related to forestry:
 - introducing averaging accounting for some post-1989 forests
 - creating a new permanent forestry category in the NZ ETS (set to start from 2023)
 - exempting post-1989 forests from the requirement to surrender NZUs to cover emissions from temporary adverse events (such as fire or wind throw)

⁵ He Pou a Rangi Climate Change Commission. (2021). *Ināia tonu nei: a low emissions future for Aotearoa*. <https://www.climatecommission.govt.nz/our-work/advice-to-government-topic/inaiia-tonu-nei-a-low-emissions-future-for-aotearoa/>

⁶ In total, around 300,000 ha of new native forests and 380,000 ha of new exotic forestry are assumed will be established from 2021 to 2035. The Climate Change Commission recommended that the Government reduce its reliance on forestry carbon removals and manage the effects of afforestation.

⁷ Yule Alexander Limited. (2022). *Managing Forestry Land-Use under the influence of Carbon. The Issues and Options. A Green Paper*.

- allowing some types of post-1989 forestry participants to offset their deforestation liability by planting a forest elsewhere
 - improving the pre-1990 forest land offsetting.
21. The new permanent forest category in the NZ ETS is expected to further incentivise permanent forest plantings. Forests registered in this category will earn NZUs for the duration the trees are in the ground and the carbon stock is increasing. Landowners will be able to register post-1989 forests in the new category from 1 January 2023.
 22. Current NZ ETS settings, NZU prices and the expectation of rising NZU prices in future are therefore accelerating levels of afforestation, particularly the planting of permanent exotic species.
 23. The unequal playing field in the NZ ETS for native forests (and other native planting such as riparian strips) was highlighted in Council's submission to the Climate Change Commission in March 2021 ([Report 21-57](#)).

Government response to NZ ETS concerns

24. During the drafting of this report, on 3 March 2022, the Government released a discussion document on proposals to change forestry settings in the NZ ETS (the MPI discussion document) (**Attachment 1**). The proposed changes were announced in response to concerns from rural communities and Treaty partners.
25. The following key changes to the NZ ETS are proposed:
 - Removing the ability to register exotic species within the permanent forest category.
 - Adjusting how the new carbon accounting method (averaging accounting) applies to remote and marginal land for harvesting.
 - Government is also seeking feedback on methods to increase incentives for planting permanent indigenous forests.
26. Consultation on the MPI discussion document runs from 14 March 2022 to 22 April 2022. Final decisions are expected in mid-2022. This is to ensure decisions are made before the permanent forestry category is introduced on 1 January 2023.
27. Staff are currently preparing a submission to the discussion document, as discussed in paragraph 58.

REGIONAL DRIVERS

28. Forestry has been incentivised by successive governments over the decades to support improved environmental and economic outcomes. This includes through schemes such as the East Coast Forestry Project, established in 1992, supporting landowners to establish forests on erosion-prone land⁸.
29. Production forestry is also a major commodity and economic driver for the region. About 188,051 ha (over 20%) of land in Tairāwhiti is exotic forestry, with 54% of this planted post-1989 and therefore eligible for permanent carbon farming under the NZ ETS⁹.

⁸ Other programmes incentivising afforestation have included the Afforestation Grant Scheme, Permanent Forest Sink Initiative and One Billion Trees Programme.

⁹ BDO. (2021). *Report on the impacts of permanent carbon farming in Te Tairāwhiti region*.

30. A significant proportion of post-1989 forest land in the NZ ETS is on what central government has defined as 'poor quality' or 'marginal' land, classified as Land Use Capability (LUC) classes 6 to 8. Tairāwhiti has a relatively high percentage of grassland on LUC classes 6 to 8, which have typically had lower land purchase costs.
31. Tairāwhiti is 88% hill country and does not have any LUC class 5 land. According to the definition above, all of the region's hill country would be considered 'marginal'. However, the region has a lot of very productive and versatile class 6 land and better class 7 land, which is highly productive in a range of land uses with appropriate soil conservation measures. LUC class 8 is considered to be 'retirement land'.
32. The region is good at growing plantation forests¹⁰ and land has been comparatively cheap compared with other regions. The current NZ ETS settings create a strong driver for investment in both plantation forestry and permanent carbon farming in Tairāwhiti compared with other parts of Aotearoa New Zealand.

COMMUNITY CONCERNS AND INTERESTS

33. Concerns around the potential impacts of large-scale afforestation and permanent carbon farming have been raised by many parties including central and local government, industry representatives and environmental groups¹¹.
34. Recent media coverage has also highlighted concerns regarding the potential for rapid land use change from extensive sheep and beef farming to carbon farming within Tairāwhiti, and the flow on effects for landowners and rural communities.
35. However, some groups have also identified benefits and opportunities associated with permanent carbon farming if it is managed appropriately and sustainably.

Issues

36. The three key issues with widespread permanent exotic forestry identified by the MPI discussion document, and supported by other parties, are:
 - a. It will drive land use change and displace productive land uses that provide wider economic and employment benefits.
 - b. It may make it harder to achieve our long-term climate change targets as it does not incentivise emission reductions.
 - c. Widespread permanent exotic afforestation has environmental impacts.
37. Under the current national settings, permanent exotic carbon farming provides better economic returns than other rural land uses including both production and indigenous forests, and sheep and beef farming. While other considerations are influential, for most landowners, economics is a significant driver for making decisions about land use.

¹⁰ Tairāwhiti has a great climate for growing a wide range of plants inclusive of pastoral species and trees.

¹¹ Government Ministers, Members of Parliament, the Parliamentary Commissioner for the Environment, Environmental Defence Society, Pure Advantage, Federated Farmers, Forest and Bird, Beef + Lamb New Zealand, forestry sector groups, Local Government New Zealand (LGNZ), Trust Tairāwhiti, Dame Anne Salmond, iwi groups and several territorial authorities. Lobby groups such as '50 Shades of Green' have also been vocal on the topic.

38. A significant percentage of sheep and beef farm sales in 2021 on the East Coast of the North Island have been for the purpose of forestry use¹². Higher land prices will make it more expensive for others in the primary sector to purchase new land.
39. Permanent carbon farming is predicted to result in lower economic activity (including direct spend in communities) and employment over the long-term relative to competing land uses. It can also add risks for succession planning and land use flexibility. There is a risk that companies may claim the short-term economic benefits of carbon credits but end up socialising any long-term costs through planned insolvency.
40. Permanent monocultures of *Pinus radiata* and other exotic species provide poorer habitat for indigenous fauna than native forests and can result in the loss of biodiversity. Potential risks of increased pest species such as deer, goats, possums and rats have also been raised. These risks are relevant for both indigenous and exotic blocks without appropriate pest control measures in place.
41. Permanent forests with high stocking numbers and less silviculture or active management may pose increased risks in the long-term, including wild-fire and wind throw¹³. Unthinned blocks can harbour fungal diseases to the detriment of permanent forest and adjoining forests.
42. As there is currently no regulation of permanent forests, there is concern that when the trees age and fall, forest owners will walk away via a limited liability company and the resulting disease, pest and fire risk will be left to the land. This risk will not be universal among forest owners. For example, it will likely be low to negligible for Māori landowners given the longstanding and enduring relationship with their whenua.
43. The weight of trees on highly erodible landscapes can also cause slope failure and landslides. There is no sophistication in the NZ ETS scheme to recognise areas of land that are suited to permanent forestry and those that are not. Concerns have been raised that the current policy settings do not effectively mitigate erosion risks.
44. Other potential environmental effects include reduced water availability, reduced landscape values and amenity, and increased risk of sedimentation (particularly during and after the harvesting of trees once they have reached the end of their lifespan).

Opportunities

45. Whilst the potential social, economic, and environmental concerns are acknowledged, benefits and opportunities associated with permanent carbon farming have also been identified.
46. Large scale permanent exotic afforestation would contribute to Aotearoa New Zealand meeting our emissions budgets and targets at low direct economic cost in the short-term. Large scale permanent exotic afforestation could also reduce the amount of offshore carbon reductions that the Government may need to purchase to meet New Zealand's Nationally Determined Contribution (NDC) for 2030 and subsequent NDCs.

¹² Yule Alexander Limited. (2022). *Managing Forestry Land-Use under the influence of Carbon. The Issues and Options. A Green Paper.*

¹³ These risks could be exacerbated by future changes in climate.

47. Environmental benefits from permanent carbon farming compared with some competing land uses, if managed appropriately, can include reduced erosion, reduced sediment and nutrient loss to waterways and receiving environments, improved water quality, and shade and habitat for ecosystems.
48. There are also opportunities for cultural and recreational activities (including eco-tourism), particularly if exotic plantings are used as a transition pathway to native forests.
49. Landowners, including sheep and beef farmers, may benefit from high NZU prices by retiring marginal pieces of land to permanent carbon forestry with little to no impact on stocking rates. The opportunity to integrate farming and forestry within limits is supported by some groups. Carbon markets can self-finance forestry conversion on land that is determined by landowners as unsuitable for pasture.
50. The use of exotic trees can also provide valuable income to fund other activities with social, cultural and/or environmental benefits. Money received from permanent carbon farming has been described as "rocket fuel" to fence waterways, meet regulatory requirements (particularly around freshwater), fund native nurseries, attract investment, improve businesses, and reinvest in land, people and the environment.

REGIONAL POLICY AND RESPONSE

Regional position on permanent carbon farming

51. In 2021, Trust Tairāwhiti commissioned a report by BDO¹⁴ to assess potential impacts of permanent carbon farming on Tairāwhiti. The report looked at potential social, economic, and environmental impacts in Tairāwhiti, and highlighted significant 'just transition' challenges for the region under the current national policy settings.
52. Whilst Council (and other groups) did not agree with all the findings of the BDO report or its methodology, it launched ongoing kōrero between several parties with an interest in sustainable land use, and the challenges and opportunities posed by permanent carbon farming in the region.
53. This group has been referred to as the 'Regional Impacts of Permanent Carbon Farming Group' (RIPCFCG)¹⁵ and was formed to activate a community-led response to the impacts of government set incentives driving permanent carbon farming in Tairāwhiti. Several workstreams were established within this group to support data collection, education and communication.
54. Another report, 'Managing Forestry Land-Use under the influence of Carbon – The Issue and Options,' released in February 2022, was developed by Yule Alexander Limited with funding from 16 councils (including Gisborne), LGNZ and Beef + Lamb NZ. It was drafted as a discussion document for a meeting of key stakeholders on 2 March 2022. A further 'solution-focussed' workshop is planned for late March 2022.
55. The RIPCFCG have developed a position statement and are seeking endorsement from regional partners to have their organisation/name added to the statement. A draft statement was presented to the Rau Tipu Rau Ora (RTRO) Governance Group on 1 March 2022 for endorsement.

¹⁴ BDO. (2021). *Report on the impacts of permanent carbon farming in Te Tairāwhiti region*. [Impacts-of-permanent-carbon-farming-on-the-Tairawhiti-region-July-2021.pdf \(trusttairawhiti.nz\)](#)

¹⁵ Federated Farmers, Enslaw One, Mangatu Blocks (Integrated Food Holdings), Hilton Collier (Tairāwhiti Whenua) and Council staff have been active participants.

56. RTRO directed further engagement be undertaken, and the draft statement revised as needed to ensure it does reflect a regional position. Concerns were raised about a lack of wider engagement with iwi, whenua Māori landowners and others. Council staff have agreed to lead further work on this kaupapa.

Advocacy

57. Council may wish to be involved in advocacy or lobbying to support changes to policy settings at the national level.

58. As mentioned above, staff are preparing a submission in collaboration with Tairāwhiti Whenua on the MPI discussion document. Given the timing of the submission period (the deadline is before the Sustainable Tairāwhiti meeting on 28 April 2022), a draft submission will be circulated to Councillors in advance for their comment and input.

59. Council is also leading the drafting of a separate submission on the MPI discussion document, on behalf of RTRO. Input and endorsement will be sought from RTRO.

60. While a formal response is yet to be developed, staff broadly support Government progressing changes to the ETS. However, these changes need to be evidence-based, and not create unintended consequences. For example, there may be scope for some non-native forestry that is long-lived to become permanent forest, and the use of *Pinus radiata* as well-managed carbon forest in the right location can create cash-flow and support wider catchment and/or local outcomes and programmes. Allowing for flexibility on whenua Māori will also be important given existing constraints for Māori landowners, and their unique position and value set with regard to land use.

61. Staff see opportunities for Tairāwhiti in amending the NZ ETS so that it incentivises land use with multiple benefits and provides for a more resilient future. This could include:

- Promoting “the right tree in the right place for the right reason” based on sustainable long-term benefits and matching soil erosion issues to the land.
- Incentivising conversion of plantation forestry to indigenous or long-lived species where a long-term vegetation cover is required, without liabilities.
- Incentivising tree planting in the presence of livestock to the benefit of carbon sequestration, soil conservation and animal health.
- Providing front-loading assistance for establishment of long-term species where sequestration will take significantly longer than short-lived exotic species.
- Deferring establishment costs against the NZUs (a scheme providing actual and reasonable costs for establishment with credits returning to the funding agency until costs have been covered). Landowners would plant marginal land within a property and be able to afford it, and more productive farmland would be retained. This would achieve diverse land uses and income sources.

62. In addition to proposed NZ ETS changes, Government is also pursuing other forestry and climate change proposals this year¹⁶, including:

- National direction for forests under the RMA
- NZ ETS Yield Table Updates
- Emissions Reduction Plan

¹⁶ See Attachment 1 for further details.

- Overseas Investment Act Forestry Review
- Forestry and Wood Processing Industry Transformation Plan

63. These additional Government proposals are not within the scope of the policy changes being consulted on within the MPI discussion document.

Regional tools for managing land use

64. It is also important to understand the existing regional tools and functions available to Council to manage permanent carbon farming and the scope for changes.

65. The legislative framework for managing land use in Aotearoa New Zealand is primarily the Resource Management Act 1991 (RMA), national direction and subordinate planning instruments.

Resource Management Act 1991

66. Under the RMA, Council has several functions relevant to forestry, including the control of the use of land for the purpose of soil conservation, maintaining and enhancing water quality and ecosystems, and the avoidance or mitigation of natural hazards. Council can also control discharges of contaminants (including sediment) and the use and development of land for the purpose of maintaining indigenous biodiversity.

67. Most forestry-related activities are land use activities, which do not require resource consent unless specified in a national environmental standard, a regional plan, or a district plan¹⁷.

National Environmental Standards for Plantation Forestry

68. The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (NES-PF) provide nationally consistent regulations to manage the environmental effects of forestry.

69. The NES-PF covers several core plantation forestry activities that have potential environmental effects. Afforestation, harvesting and replanting are important activities provided for under the NES-PF with regard to the land use change debate.

70. These activities require resource consent on 'Red Zone' land. Tairāwhiti has a significant area of Red Zone land, meaning that these activities often require resource consent in the region. The intent of these regulations in the NES-PF was to ensure that activities were undertaken in a manner that protected sensitive land, but not to prohibit plantation forestry on Red Zone land.

71. This intent has been misconstrued by some parties to avoid the Red Zone as it is deemed 'unsuitable for plantation forestry.' This has resulted in afforestation of Yellow (Moderate Risk) and Orange (High Risk) Zone land as it does not require resource consent, while the Red Zone has been avoided because of the regulatory requirements.

72. The NES-PF prevails over district or regional plan rules except where further stringency in Council plans is appropriate to:

- manage unique and sensitive environments such as geothermal areas and drinking water supplies
- protect significant natural areas and outstanding natural features and landscapes

¹⁷ Section 9 of the RMA.

- give effect to other national direction under the RMA such as the National Policy Statement for Freshwater Management or the New Zealand Coastal Policy Statement 2010.

73. The NES-PF does not cover forests where there is no intention to harvest and therefore does not capture permanent carbon farming. Therefore, these activities are not required to comply with any setbacks to waterways or other environmental standards under the NES-PF.

Tairāwhiti Resource Management Plan

74. Relevant operative provisions in the Tairāwhiti Resource Management Plan (TRMP) focus on water quality, land disturbance and vegetation clearance activities in relation to plantation forestry.

75. Some provisions introduced under the Regional Freshwater Plan in 2015 are more stringent than the NES-PF to protect significant and sensitive areas, such as scheduled waterbodies, wāhi tapu sites and Protection Management Areas. This includes some stricter controls for afforestation and harvesting activities, which require resource consent under the TRMP.

76. However, the TRMP does not currently address the environmental effects of permanent carbon farming as these activities do not fall under the definition of plantation forestry, nor does it control where this land use occurs.

77. Councils can pursue plan changes under the RMA to manage some of the potential environmental effects of permanent carbon farming. However, wider social and economic considerations can be more difficult to address as regulation is not usually a key driver for rural land use decisions on a macro scale.

Future policy opportunities

78. The TRMP review presents an opportunity to investigate regional-specific controls on plantation and carbon forestry, including the development of direction in the Regional Policy Statement and regional plan provisions, and through catchment planning. No rules would be introduced without full engagement with the community and working in partnership with mana whenua – any introduction of provisions would also be required to follow formal consultation and notification processes under the RMA.

79. Staff also support broadening the scope of the Government's Freshwater Farm Plans to deliver a region-wide response to land use change and management. These plans could capture plantation and permanent forestry and require long-term planning, particularly where sensitive land is identified¹⁸.

80. The proposed Strategic Planning Act (SPA) and Natural and Built Environments Act (NBA) offer an opportunity to consider what type of planting should occur to meet our carbon obligations. This type of integrated planning approach could also consider the other external costs of forestry and how these are funded, such as roading upgrades and maintenance. Details for the proposed Climate Adaptation Act (CAA) are less certain but this Act is also likely to play a key role in managing land use for climate adaptation and response purposes.

¹⁸ This point was outlined in a report from Council to Minister Parker in February 2022.

81. Staff will continue to monitor any potential changes to national direction under the RMA to manage the location and type of forests, as well as the new resource management reform legislation expected to be introduced into Parliament later this year.

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: High 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

82. 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 AND PERSPECTIVES

83. Māori have significant interests in forests as rangatira, kaitiaki, whenua and forest owners, workers and business owners, and for maintaining ahi kā. Approximately 30% of Aotearoa New Zealand's 1.7 million ha of plantation forestry is estimated to be on Māori land, and this is expected to grow to 40% as Treaty settlements are completed¹⁹.
84. Some Māori groups support retaining a permanent exotic category in the NZ ETS. Te Pou a Tane (National Māori Forestry Association) highlighted the sustainable development opportunities associated with permanent carbon farming which can provide a transition pathway to native forest, attract investment and generate income to fund other mahi and outcomes. Te Pou a Tane recognise the concerns about permanent carbon farming but consider they should be able to manage their own affairs, including how they use their whenua.
85. Ngāti Porou have previously stated that they see benefit in using *Pinus radiata* for erosion control on marginal land, managing transition to permanent native forest and improving environmental outcomes. Ngāti Porou Forests are wary of incentivising one land use over another and highlighted the importance of evidence-based policy.

¹⁹ MPI, 2022.

86. The Māori Climate Commission also note that carbon forestry represents a significant opportunity for Māori forestry that can benefit from innovation and diversity.
87. Engagement with Tairāwhiti Whenua Māori collective (TW) has informed this report. Staff will be working closely with this collective during the preparation of Council's submission on the MPI discussion document.
88. TW is a collective of currently 40 Māori land blocks, on behalf of the 1,596 Māori land blocks registered in Tairāwhiti. TW was formed to respond to the challenges of regulatory change around climate change, water quality, resource management and other regulations impacting on sustainable best choices for their whenua, people and communities, now and for the foreseeable future.
89. TW is involved in sheep and beef farming, horticulture, forestry and other land uses. With regard to permanent carbon farming, TW believe a mosaic approach, or 'right tree in the right spot' is the best sustainable choice for their whenua, people and communities.
90. TW support best land use choices when transitioning from one land use to another given the considerable costs and time. TW also seek flexibility to pursue the best options for Māori landowners, taking into consideration the regulations, liability risks and operational risks.
91. TW consider the industry is the best revenue generator for the region and with the Government footing the initial bill, there are sustainable long-term gains for landowners. Policy needs to be evidence-based and not a barrier for landowners to realise the potential.
92. The collective suggests it is vital for the incentives of permanent carbon farming to be communicated to landowners, and for any future regulations to ensure that whānau are provided for, now and into the future. TW also reiterated the use of exotic trees as "rocket fuel" to fund other positive initiatives.
93. Māori landowners are the best informed to develop sustainable choices for their whānau, communities and whenua. It will be critical to work in partnership with our Treaty partners with regard to any Council or regional work programmes related to permanent carbon farming in future to ensure that iwi, hapū and tangata Māori rights and interests are understood and recognised.
94. Iwi and hapū participation are central to the review of the TRMP. Partnership and engagement with mana whenua, and their role in the TRMP review project, is still to be worked through. The TRMP review will provide opportunities for mana whenua and Council to work collaboratively on land use issues and options.

COMMUNITY ENGAGEMENT

95. No direct engagement with the community has occurred during the preparation of this report. Some of the issues and opportunities raised in this report have been informed by public feedback from community and industry groups and other key stakeholders.
96. Ongoing input from the community will be fundamental given that landowners, rural and local communities, and industries will be affected by any changes made. The TRMP review will also provide opportunities for the community to ensure the new TRMP reflects their interests and aspirations, including with regard to any future land uses.

CLIMATE CHANGE – Impacts / Implications

97. There are no direct climate change implications as a result of this report.

98. This topic forms part of our regional and national response to climate change. As discussed throughout the report, permanent carbon farming is being driven by our international obligations, national climate change policies and regional drivers. Permanent carbon farming has implications for mitigation and adaptation.

CONSIDERATIONS

Financial/Budget

99. There are no financial implications associated with this report.

Legal

100. There are no legal implications associated with this report.

POLICY and PLANNING IMPLICATIONS

101. As discussed above, there are opportunities to investigate and review regional-specific controls on plantation and carbon forestry during the TRMP review.

102. Further proposed changes to national direction under the RMA, and the introduction of the proposed SPA, NBA and CAA may provide further functionality for Council to address permanent carbon farming. Staff will remain updated in this space.

RISKS

103. Any Council position or action on permanent carbon farming could become highly contested and politicised. Decision-making should be informed by meaningful input from our Treaty partners, community and key stakeholders. It should also be based on the best available information and data.

104. Council's collaboration with TW, RIPCFG, and other working groups on permanent carbon farming matters provides an opportunity to share information and resources, and capture different perspectives. Input from central government will also be key. Good evidence and engagement will be fundamental to the success of any future decision-making on these matters.

NEXT STEPS

Date	Action/Milestone	Comments
22 April 2022	Council submission lodged with MPI.	Council will also take the lead on drafting a separate submission to MPI on behalf of RTRO.
Ongoing	Draft regional position statement to be confirmed and endorsed by involved parties and RTRO.	Timing dependent on completion of wider engagement with iwi, Māori landowners and others.

ATTACHMENTS

1. Attachment 1 - MPI Discussion Document Managing Exotic Afforestation Incentives [22-48.1 - 36 pages]



Managing exotic afforestation incentives

A discussion document on proposals to
change forestry settings in the
New Zealand Emissions Trading Scheme

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Message from the Ministers

Forests play a vital role in New Zealand's response to the climate emergency. They are also hugely significant to our economy and to Māori, both culturally and economically.

Forests are recognised for their carbon sequestration in the New Zealand Emissions Trading Scheme (NZ ETS), New Zealand's primary means of cutting down on the pollution that causes climate change.

The NZ ETS puts a price on emissions from most sectors of the New Zealand economy. This encourages investment in lower emissions technologies and practices, including the use of forestry as a carbon sink.

It is important the NZ ETS incentivises enough emissions reductions to meet our climate targets.

Although exotic forestry helps reduce our net emissions quickly and at low-cost, there are likely to be significant trade-offs for our economy and environment in the long-term. This includes changes in land use as landowners and investors seek higher returns by establishing permanent exotic forests as carbon prices increase.

On 1 January 2023, a new category will be introduced into the NZ ETS for permanent post-1989 forests which will not be clear-felled for a minimum of 50 years. It is anticipated that under current settings there will be a lot more permanent exotic forests (particularly *Pinus radiata*) planted under this category.

However, we have heard the concerns of rural communities and our Treaty partners and agree there is a risk of permanent exotic forests increasingly displacing other productive land uses. This includes production forests for harvest, as well as sheep and beef farming.

There is also a risk that oversupply of forest offsets in the ETS could reduce the incentive for emitters to reduce gross emissions. We need to ensure our land use incentives achieve the best outcomes for our

environment, economy, and local communities, in the short, medium, and long term.

This discussion documents outlines proposals to mitigate these risks and protect the wider New Zealand economy, while still addressing the climate crisis and supporting biodiversity.

The Government is proposing to restrict exotic forests being registered in the new permanent forest category, prior to the new category becoming available in 2023. We are seeking your input on this proposal.

We also seek your feedback on an option in the NZ ETS to more precisely account for longer rotation production forests on remote and marginal to harvest land.

There is a role for permanent forests in New Zealand, particularly indigenous forestry. There may be some circumstances where exotics may be appropriate.

We want to hear your views on what circumstances permanent exotic forests may be beneficial. We also want to hear whether there should be exceptions to allow some exotic forests to be registered in the permanent category.

Finally, we are interested in how these proposals may affect you, your organisation, business, or community and how you think the options could work operationalised.

We encourage you to have your say during this consultation. Decisions we make now on permanent forestry will be critical for our future environmental sustainability, economic growth, and the well-being of our people and communities.



Stuart Nash
Minister of Forestry



James Shaw
Minister for Climate Change

1. Guide to this discussion document and consultation

We want to know your thoughts on proposals affecting forestry and the New Zealand Emissions Trading Scheme (NZ ETS). These proposals involve changes to the Climate Change Response Act 2002 (CCRA).

We are consulting on potential changes affecting forestry and the NZ ETS

The main topics are covered in this consultation:

- **Topic 1:** Proposals to change the forestry settings within the NZ ETS to remove the incentives for permanent exotic afforestation.
- **Topic 2:** An option to adjust how averaging accounting applies to remote and marginal land.
- **Topic 3:** Feedback on opportunities for improving incentives for indigenous afforestation.

This discussion document takes you through these topics, presents options for how we could implement these proposals, and provides relevant information that can help you write your submission.

Your feedback on the proposals will help us to gather information, ideas and evidence that we can use to shape the proposals further, consider alternative options, and understand what matters most to you.

If you're interested in the underlying evidence and analysis we've drawn on to shape the proposals, you can refer to MPI's [interim Regulatory Impact Statement](#).¹

Sending us your views

Submissions on these proposals will be received by the Ministry for Primary Industries (MPI) through to 5pm on 22 April 2022, by email to mpi.forestry@mpi.govt.nz or on the [MPI website](#).

Dates for public webinars to hear more about the proposals and ask questions can be found on the [MPI website](#).

You can find more information about how to send us feedback later in this document in the section on How to have your say [page 28].

Timeframes and other related work by the Government

This consultation will run from 14 March 2022 until 22 April 2022. We expect to make final decisions in mid-2022. We anticipate that legislative change may be needed following this.

There are other proposals related to Government forestry and climate change policy in progress this year. We are not seeking feedback on these other policies through this consultation.

1. National direction for forests

Later this year, we will consult on changes to the land use planning system affecting forests, under the Resource Management Act 1991 (RMA). We will seek views on National Direction that will provide greater local control over the location and type of new forests.

This work will also consider expanding the scope of the existing National Environment Standards for Plantation Forestry to ensure the environmental effects of existing permanent exotic forests are managed. This may include the setting of national objectives and policies for land use and for forestry. Although the RMA is currently being reformed, the proposals we consult on will be designed to fit into the new system.

2. NZ ETS Yield Table Updates

For most forest species in the NZ ETS, tables and methods used to calculate carbon sequestration have not been updated since 2008. MPI is developing proposals to update these methods to ensure that carbon stored in NZ ETS forests is accurately accounted for. We expect to publicise these proposals in detail towards the middle of the year.

3. Emissions Reduction Plan (ERP) consultation

From October to November 2021, we heard feedback from the public on ideas for forestry. Some of this feedback has informed the proposals and analysis included in this document.

We also heard a range of feedback on opportunities for encouraging nature-based solutions and encouraging indigenous afforestation through the ERP consultation.

The Government's first ERP will be published in May 2022 and will include broader actions on forestry initiatives, as well as nature-based solutions more generally. A more detailed summary of feedback on forestry and the NZ ETS can be found in Section 3 on page 10.

¹ If you're keen to engage further on technical aspects of the proposals during consultation, please get in touch at mpi.forestry@mpi.govt.nz. These proposals are being led by MPI's Climate Change and Forestry Policy team, with support from staff at the Ministry for the Environment.

4. Overseas Investment Act 2005 Forestry Review

The Government is pursuing changes to the Overseas Investment Act 2005 to remove forestry conversions from the streamlined special forestry test. The test was introduced to facilitate more overseas investment in plantation forestry. Forestry conversions would instead need to access the Benefit to New Zealand test pathway, which would require forestry conversions through the overseas investment screening regime to demonstrate benefits to New Zealand.

5. Forestry and Wood Processing Industry Transformation Plan

The Forestry and Wood Processing Industry Transformation Plan is in development, and it is anticipated the draft plan will be released later this year. It will outline a roadmap to add value to forest resources, increase domestic manufacturing, and replace emissions intensive fuels and materials using forest products. Transformation will require a resilient forest industry with a secure wood supply.

Overview of forestry and climate change policy work in 2022-23

Table 1: What's on for key forestry and climate change policy work in 2022-23?

Proposed change	Policy instrument	2022				2023	
		Q1	Q2	Q3	Q4	First half	
Removal of exotic forests from permanent post-1989 forest category	NZ ETS	Consultation	Cabinet decisions following public feedback	Window for primary legislation		Changes come into force Introduction of permanent forest category in NZ ETS	
Adjusting how averaging applies to land that is remote and marginal for harvesting	NZ ETS	Consultation	Cabinet decisions following public feedback	Further regulatory and operational design of initiative if progressed. Possible introduction of a long rotation category via updated regulations after 2022.			
Other work and consultation related to forestry							
ERP: Opportunities to reduce barriers for indigenous forests	General	Ongoing feedback welcome	Emissions Reduction Plan initiatives <ul style="list-style-type: none"> • Forestry chapter • Pricing chapter • Nature based solutions chapter The ERP may lay out future work programmes to continue this work – which may eventually require changes to legislation or regulations.				
New national direction for forests	Resource management legislation	Announcement of policy direction	Consultation on options	Progress of national direction to provide greater local control over the location and type of new forests			

Why not consult on the range of new policies at the same time?

We understand that holding multiple consultations on similar topics throughout the year can be challenging for people with interests in forestry or climate change action.

We are consulting on proposed changes to the NZ ETS ahead of consultation on other forestry proposals to ensure that any changes to the CCRA can be passed by Parliament in time for the 1 Jan 2023 start date for the permanent post-1989 forest category. It is not possible to consult on changes to the resource management system on the same timelines as this.

2. Summary of the proposals

Successive governments have encouraged the planting of new forests to support improved environmental and economic outcomes for New Zealand over the decades. This includes through schemes such as the East Coast Forestry Project established in 1993 supporting landowners to establish forests on erosion-prone land.

These programmes have included support to landowners in establishing new permanent forests², contributing to the removal of carbon from the atmosphere, meeting our climate change targets and protecting vulnerable land through schemes such as the *Permanent Forest Sink Initiative (PFSI)*, established in 2006.³

Past policies encouraging permanent forests and forest cover continue to provide ongoing benefits to New Zealand. Forests planted as a result of past grant schemes will sequester around 46 million tonnes of carbon dioxide from 2022 to 2035 (roughly 5 percent of our anticipated gross emissions).⁴

The most recent of these initiatives has been the announcement of a new **permanent post-1989 forest** category within the *NZ ETS*, where landowners who plant a permanent forest can earn and then sell or use tradeable units (New Zealand Units or NZUs) within the scheme based on the amount of carbon their forest removes from the atmosphere (sometimes referred to as “sequestration” or “removals” or “abatment”).

This new permanent forest category was introduced by the Climate Change (Emissions Trading Reform) Amendment Act in 2020 and is scheduled to open for registrations from 1 January 2023.

Currently, forests consisting of any tree species can be registered in the category (including those introduced to New Zealand such as *Pinus radiata* – referred to as “exotic” species), and there are no limits to the total area of land that can be registered under this category.

The Government has identified issues with this current approach for the introduction of the permanent forest category in the *NZ ETS* – due to the high, and rising price of carbon. The NZU price has more than doubled within the last year, from around \$35 in late 2020 to upwards of \$80 in early 2022.

Without changes, the introduction of this new category is likely to result in large areas of land nationwide (relative to historic trends) being planted in permanent forests consisting of exotic species which are not intended to be harvested (referred to as ‘permanent exotic forests’⁵ in this document). The most common exotic species being planted as permanent forest at present is *Pinus radiata*, due largely to its fast rate of growth and the ease of establishing it.

Over the long-term, this trend is likely to increasingly present issues for New Zealand:

- **Rural and local communities**
Permanent forests can result in low long-term economic activity and job creation in the region directly surrounding that land relative to competing land uses (generally sheep and beef, deer, and production forestry). If cumulative land conversion occurs at scale or is concentrated in particular regions, this can work against the economic and social outcomes sought by those communities.
- **New Zealand’s transition to a net-zero emissions economy**
With permanent exotic forests being a highly profitable use of land at current carbon price levels, the resulting increase in the supply of NZUs to the *NZ ETS* from these forests is likely to dampen medium-term carbon prices in the *NZ ETS*. This risks curtailing investment and uptake of low-carbon technologies to reduce emissions. The Climate Change Commission also identified a clear role for indigenous afforestation which provides slower but sustained sequestration throughout this century.
- **Long-term environmental outcomes**
Large areas of exotic planting with little ongoing management poses long-term risks of animal pests, disease, fire and wilding conifer spread.⁶ Over time,

² “Permanent forests” in this document refers to forests that are not intended to be clear-felled for at least 50 years, although they can be partially logged before then. While some planted forests may be intended to be truly permanent, this is not an *NZ ETS* requirement. These are different to the terms ‘production’ and ‘plantation’ forests, which generally refer to forests that are regularly harvested for the purpose of selling the wood/logs.

³ New Zealand Government. (2006). Ministers announce Permanent Forestry Sink Initiative. Link: www.beehive.govt.nz/release/ministers-announce-permanent-forestry-sink-initiative.

⁴ Based on the Climate Change Commission’s recommended emissions budgets between 2022 and 2035. (Page 78 in <https://ccc-production-media.s3.ap-southeast-2.amazonaws.com/public/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa.pdf>)

⁵ Permanent exotic forests have often been colloquially referred to as ‘carbon forestry’ in New Zealand media in recent years, though usage of the term ‘carbon forestry’ can also refer to other forests earning carbon returns (e.g., indigenous forests). The term ‘carbon forestry’ is not used elsewhere in this document, as the meaning of this term can be ambiguous.

⁶ Though these risks exist, permanent forests – including those consisting of exotic species – also have environmental benefits beyond carbon relative to competing land uses (e.g., reduced erosion, reduced sediment and nutrient loss to waterways, shade and habitat for wildlife).

fast-growing, heavy forests planted on steep, erosion-prone land are also at risk of instability through heavy rain and windthrow, which can present long-term risks to downstream communities and for landowners.

Unlike many indigenous trees, few exotic species are long-lived in New Zealand (for example, *Pinus radiata* has an average lifespan of 80-90 years) and without ongoing management there is no certainty that a self-sustaining forest will develop or provide biodiversity or other benefits.

Acknowledging these risks, the Government does not consider it appropriate to provide incentives that could lead to a legacy of large areas of concentrated and permanent exotic forests. This will not provide a prosperous and sustainable footing for New Zealand in the long-term.

We also heard these concerns raised during consultation in late 2021 on the Emissions Reduction Plan (ERP), as well as more generally by some rural communities and land users. These risks were also acknowledged by the independent Climate Change Commission in their 2021 report, *Ināia tonu nei: a low emissions future for Aotearoa*.⁷

Given these risks, **we propose to remove the ability to register exotic species within the permanent forest category of the NZ ETS**. This would mean that forests that consist of exotic species (such as *Pinus radiata*, other conifers, or hardwoods) would not be eligible to be registered as a permanent forest.⁸

Questions 1 to 19 in the submission form relate to these proposals.

Long rotation averaging option

We also invite your views on whether a long rotation averaging accounting⁹ forest category should be developed within the NZ ETS that could provide opportunities for forest owners whose land is poorly suited to harvesting *Pinus radiata* at typical harvest ages (e.g., due to difficult terrain, slow growth rates or distance from port).

The idea for this category follows feedback received from consultation on regulations for the introduction of averaging accounting, where submitters raised concerns that the chosen use of one “average” age for *Pinus radiata* would not recognise higher levels of carbon stored in *Pinus radiata* forests with longer rotation lengths.

Questions 20 to 25 in the submission form relate to this option.

Incentivising permanent indigenous afforestation – update

As well as removing the incentives for permanent exotic afforestation, we want to increase incentives to plant permanent indigenous forests. We present some of the feedback we received on this topic during the ERP consultation, and offer you the opportunity to make further comments.

Question 26 in the submission form relate to this option.

Where to next?

Pages 17-23 Proposals to remove permanent exotic forests from the NZ ETS.

Pages 24 to 25 Potential option for a long-term rotation forest category under averaging.

Pages 26 to 27 Incentivising permanent indigenous afforestation – update

Page 28 How to provide your submission.

⁷ Climate Change Commission. (2021). Page 314: <https://ccc-production-media.s3.ap-southeast-2.amazonaws.com/public/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa.pdf>

⁸ These changes would not affect landowners registered under the Permanent Forest Sink Initiative (PFSI) that are being transitioned to the NZ ETS. Registration in the PFSI is closed – but the landowners who are registered will remain eligible for earning units under the NZ ETS permanent forest category, including those with exotic tree species. More details can be found on PFSI covenants on pages 20 and 22.

⁹ Averaging accounting is the new carbon accounting method which will be used to determine how and when newly registered production forests will earn NZUs from 2023. In averaging accounting, forests earn NZUs up to the age at which they reach the average level of stored carbon for that forest over its lifetime. The current averaging accounting category within the NZ ETS sets an average age per forest type (for example, *Pinus radiata* can earn units for up to 16 years).

⁶ Ministry for Primary Industries



3. Background – climate change and forestry

Afforestation is an important part of New Zealand's approach to tackling climate change

New Zealand has committed to reducing our greenhouse gas emissions to limit the global average temperature rise to 1.5°C above pre-industrial levels. The Government has set the following targets to help achieve this commitment:

- all greenhouse gases, other than biogenic methane, to reach net zero by 2050;
- emissions of biogenic methane to reduce to at least 10 percent below 2017 levels by 2030, and at least 24–47 percent below 2017 levels by 2050.

To help meet these targets and manage the impacts for all New Zealanders over time, the Climate Change Response Act 2002 (CCRA) establishes a system of emissions budgets and Emissions Reduction Plans. Emissions budgets set a limit on the amount of greenhouse gas emissions allowed across the budget periods. These budgets can be met using a combination of gross emissions reductions and net emissions removals.

New Zealand's Nationally Determined Contribution (NDC)¹⁰ has set a target to reduce net emissions by 50 percent below gross 2005 emissions levels by 2030.

How the NZ ETS works

Established in 2008, the New Zealand Emissions Trading Scheme (NZ ETS) is a key climate change policy tool to reduce greenhouse gas emissions. The scheme aims to help New Zealand meet its emission reduction budgets, domestic targets and international climate obligations by pricing greenhouse gas emissions. This encourages investment in lower emissions technologies and practices, including forestry.

Box 2: Gross emissions versus net emissions

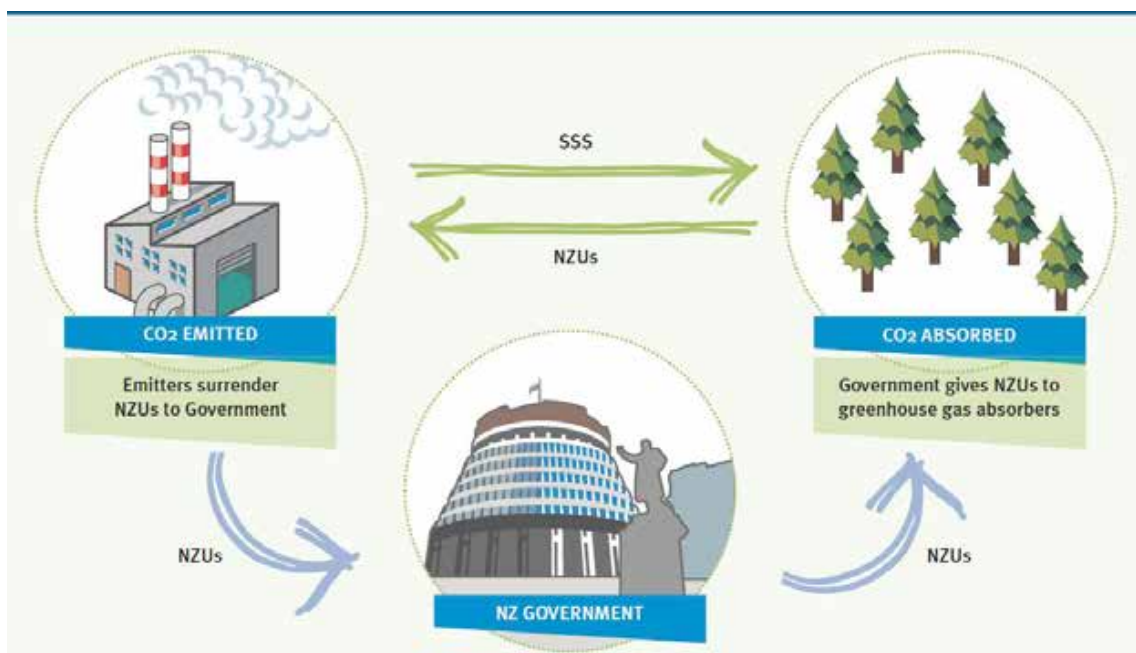
Gross emissions mean the total emissions New Zealand releases from sectors such as agriculture, transport, energy, industry and waste.

Net emissions mean the total of gross emissions, minus any removals (for example, from forests storing carbon as they grow).

New Zealand needs more afforestation to meet our climate targets

Forestry is needed to help New Zealand meet its climate change targets and emissions budgets by offsetting emissions. Forests can be both a carbon sink (while growing) or a source of emissions (for example, from harvesting or deforestation).

Figure 1: How the NZ ETS works



¹⁰ Under the Paris Agreement each country adopts an international target known as a Nationally Determined Contribution (NDC). This sets out the contribution the country will make towards the goals of the Paris Agreement.

The Climate Change Commission's pathways for meeting New Zealand's climate change targets include significant afforestation of both production and permanent forests. However, their report also specifically asked the Government to consider the role of permanent exotic forests in its climate change response.

The CCRA was amended in 2020 – adding a new permanent forestry category to the NZ ETS, set to start from 2023

In 2020, the Government introduced major reforms for forestry in the NZ ETS through changes to the CCRA.

An important change was the introduction of a *permanent post-1989 forestry category* to replace the Permanent Forest Sinks Initiative (PFSI). This category will reward landowners for establishing forests – exotic or indigenous – that will not be clear-felled for at least 50 years after they are registered in the NZ ETS.

Forests in this category will earn NZUs for as long as the forest is in the ground and the carbon stock is increasing.

Landowners will currently be able to register their forests in the new permanent forestry category from 1 January 2023.

Box 3: Climate Change Commission recommendations relevant to proposals

Recommendation 11

Amend the NZ ETS to strengthen the incentive for gross emissions reductions and to manage the amount of exotic forest planting the NZ ETS drives, in line with the Commission's advice on the proportion of emissions reductions and removals necessary for meeting emissions budgets

Recommendation 25

Designing a package of policies to reduce reliance on forestry removals and manage the impacts of afforestation including:

- (a) Amendments to the NZ ETS to manage the amount of exotic forest planting driven by the scheme (see also Recommendation 11 (1) on the NZ ETS).
- (b) A clear position on the role and desirability of different types of permanent exotic forests as carbon sinks and amending the NZ ETS and other policies accordingly.

Note: these recommendations are a subset of broader Climate Change Commission's recommendations. The proposals in this document relate most directly to the recommendations in the table above. Other ongoing work (for example, the programmes mentioned on page 6) respond to other recommendations.

4. Feedback on permanent forestry and the NZ ETS from earlier consultations

This section summarises feedback we received on permanent forestry and the NZ ETS as part of consultation on the Emissions Reduction Plan (ERP) in 2021.

October – November 2021: we consulted on the ERP

The Government recently consulted on the ERP. The ERP sets the policies and strategies for New Zealand to meet

our first emissions budget, helping us transition to a low-emissions future in an achievable and affordable way.

Our first ERP will be published in May 2022. We received 10,050 submissions.

The recent ERP consultation asked for feedback on the role of permanent exotic forests in New Zealand's climate change response. The feedback we received during that consultation has helped shape the proposals in this document.

Box 4: Feedback received on permanent exotic forest from the ERP consultation

Across stakeholder groups there was widespread support for indigenous afforestation. However, views on permanent exotic forests differed, with support for limits coming from the agriculture sector, and some disagreement from members of the forestry sector and Māori groups.

There was widespread support from individual submitters for limits on permanent exotic forests, their location or long-term management. The most common reasons for supporting limits were risks to food production and productive land, environmental risks (loss of biodiversity, and wilding, fire and pest risk) and the limited amount of time that exotic forests store carbon. There was also widespread support for incentives for indigenous forests and several submitters viewed that exotic to indigenous transition is a viable option.

Many agricultural industry groups expressed concern about the scale and speed of productive land being converted into exotic forests and the negative impacts this can have on rural communities where there is no intention to harvest. There was support for managing the amount of exotic forest planting that the NZ ETS drives and for the removal of policies that are affecting rural land markets and leading to exotic afforestation on sheep and beef farms.

Some submitters believed exotic forests need to be planted more rapidly and should not be limited until there is a significant buffer for meeting our emissions budgets and targets domestically. There were also some that disputed that exotic permanent forests would have a negative effect on rural communities or would result in the loss of productive farmland.

Some Māori submitters expressed concern about permanent exotic forest being considered a problem and disagree with proposals to limit these forests. They considered permanent forests to be an opportunity for Māori by providing the ability to establish forests in remote areas where harvest is not economically or environmentally feasible, and state limits on permanent exotic forestry will interfere with tino rangatiratanga over their land. Several submitters suggested that financially viable models are needed for indigenous afforestation before limits are placed on permanent exotic forests.

5. The proposals in this document will be significant for Māori

There is a fundamental tension between simple rules applied universally and ensuring rules are suitable for different land types and owner aspirations.

Māori have significant cultural, spiritual and economic interests in forests

Māori have significant interests in forests as rangatira, kaitiaki, land and forest owners, workers and business owners. Māori land¹¹ (both freehold and Treaty settlement) is also different from other land.

In 2018 Māori were estimated to own \$4.3 billion of forestry assets and some 2,200 Māori were employed in the sector (40 percent of the forestry workforce).¹² Around 30 percent of New Zealand's 1.7 million hectares of plantation forestry is estimated to be on Māori land and this is expected to grow to 40 percent as Treaty settlements are completed. Most of this forest is on pre-1990 forest land.

Māori also hold proportionally high economic investment and employment in the broader primary industries. In 2018, the broader Māori economy was estimated at \$68.7 billion worth of assets, with \$23.4 billion within agriculture, fishing and forestry. Sheep and beef farming are the predominant concentration of Māori assets, at 37 percent of that asset base (\$8.6 billion).¹³ Forestry contributes 6 percent of the asset base.

We want to hear about the impact of the changes on Māori, and on different types of land.

Māori land is often well suited to permanent forest cover or long rotation forestry

Māori freehold land often has different characteristics to general title land which make it well suited to forestry. Māori freehold land has greater proportions of remote, less versatile land, and is held in smaller, fragmented titles rather than general title. This land also has more

forest and shrubland than general title land, particularly indigenous forests established before 1990.

Around 230,000 hectares of Māori land has been identified as well suited to forests – and could qualify for registering in the NZ ETS. Of this, at least 146,000 hectares have been identified as marginal for typical production forestry as they are far from ports.¹⁴ This land is well suited to permanent forestry (including some selective harvesting of high value timber), or long rotation forestry.

The proposals in this document will have impacts on Māori landowners

The proposals in this document affect two types of forestry which present economic opportunities on Māori-owned land – permanent forestry and long rotation forestry. We are seeking feedback from Māori on how these proposals might affect you.

With the proposed removal of the ability to register exotic species in the permanent forest category of the NZ ETS, we also welcome feedback on other opportunities for how the NZ ETS and other policy instruments operated by central government can provide opportunities for less productive land, including land held by Māori. We also welcome feedback on the scale and impacts of the proposed options.

- **Questions 1 to 19** invite feedback on criteria for whether and how exceptions should be provided for forests that consist of exotic species operated under certain conditions (e.g., forests established with exotic species, but managed over time with nearby indigenous seed sources to transition the forest to predominantly indigenous species).¹⁵
- **Questions 20 to 25** seek views on options for the potential introduction of a long-rotation averaging band.
- **Question 26** invites further ongoing feedback on opportunities to address barriers to indigenous afforestation.

¹¹ Māori collectives hold land in freehold land and settlement land. We use the term Māori land to refer to both freehold and settlement land.

¹² <https://www.rbnz.govt.nz/-/media/ReserveBank/Files/Publications/Research/Te-Ohanga-Maori-Report-2018.pdf?revision=7eae6b2b-14d1-480e-95b8-fb57e6ba6e8e>

¹³ <https://www.rbnz.govt.nz/-/media/ReserveBank/Files/Publications/Research/Te-Ohanga-Maori-Report-2018.pdf?revision=7eae6b2b-14d1-480e-95b8-fb57e6ba6e8e>

¹⁴ Based on the LUCAS NZ Land Use Map, analysis undertaken by Te Uru Rakau – Forestry New Zealand.

¹⁵ Examined in, Forbes Ecology. (2021). *Transitioning Exotic Plantations to Native Forest: A Report on the State of Knowledge*. Link: www.mpi.govt.nz/dmsdocument/47521-Transitioning-Exotic-Plantations-to-Native-Forest-A-Report-on-the-State-of-Knowledge-2021-22-

6. What is the problem?

On 1 January 2023 the 'permanent post-1989 forest' category (permanent forest) will be added to the NZ ETS.

Permanent forests registered in the NZ ETS will earn units in the scheme (NZUs) for as long as the forest continues to grow and store carbon. There are currently no limits on forest species which can be registered in the permanent forest category.

Rising prices in the NZ ETS are expected to drive large-scale permanent exotic afforestation

The NZ ETS incentivises afforestation by providing NZUs for carbon storage. Rising carbon prices mean afforestation is becoming increasingly profitable. The NZU price has more than doubled within the last year, from around \$35 in late 2020 to upwards of \$80 in early 2022.

Prices need to keep increasing over time to drive the decarbonisation of New Zealand's economy.¹⁶

Permanent exotic forests often provide the highest economic return

Under the NZ ETS settings which apply from 2023, the returns on investment are highest for permanent exotic forests (particularly *Pinus radiata*) relative to competing land uses.

This is because exotic forests sequester carbon quicker than indigenous species, are cheaper to establish than indigenous species, and permanent exotic forests earn NZUs for longer than production forests, which are only eligible to earn NZUs for a limited time (between 16 years for *Pinus radiata* and 26 years for Douglas fir).

Based on current NZU spot prices of around \$70 to \$80, investment returns for permanent exotic forests significantly outperform competing land uses, with an estimated investment return of ~\$30,000 per hectare.¹⁷ This compares with returns in the order of ~\$4,500 per hectare for sheep and beef farming and ~\$20,000 for production forestry.¹⁸

The profitability of permanent exotic forests in the NZ ETS relative to other productive land-uses will increase as the NZU price rises over time.

This is expected to lead to widespread permanent exotic afforestation

Under the emissions price pathways used by the Climate Change Commission last year, MPI estimates that the NZ ETS could drive upwards of 645,000 hectares of exotic afforestation over this decade.

As much as half of this new afforestation through to 2030 (around 350,000 hectares) is expected to consist of permanent exotic forests. This compares with 1.74 million hectares currently in production forestry in New Zealand and 9.6 million hectares in sheep and beef land.¹⁹

What direct benefits does widespread permanent exotic afforestation have?

Large scale permanent exotic afforestation would contribute to New Zealand meeting our emissions budgets and targets at low direct economic cost in the short term. Large scale permanent exotic afforestation could also reduce the amount of offshore carbon reductions that the Government may need to purchase to meet New Zealand's NDC for 2030 and subsequent NDCs.²⁰

Relative to indigenous forests, a significantly smaller area of land would be required to offset New Zealand's gross emissions through to 2050 with exotic forests.

This fast sequestration rate also provides high direct economic returns for the participant when registered in the NZ ETS.

However, extensive permanent exotic afforestation might not produce the best long-term outcomes for New Zealand (particularly when considering the state of the land, indigenous biodiversity, and economy that we leave for future generations).

New Zealand needs to make trade-offs in considering the role of permanent exotic forests within its climate change response, and the extent to which these are actively incentivised by the Government.

16 Climate Change Commission. (2021) <https://ccc-production-media.s3.ap-southeast-2.amazonaws.com/public/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa.pdf>

17 Investment returns are expressed as Net Present Value (NPV) in this document. Estimates produced by MPI use current real NZU price and an 8 percent discount rate for forestry over a 50-year term. Sheep and beef returns are derived from Beef+Lamb farm economic data for North Island hard hill country. Production forest returns are estimated over one rotation. Area weighted FMA tables are used for forestry. Average rates are used, however, and the range of returns is wide.

18 Significant variation in investment returns for sheep and beef and production forestry occurs in practise throughout the country based on farm system, land capability and economic factors.

19 Production forestry land figure from <https://www.mpi.govt.nz/dmsdocument/43540-2021-NEFD-report>

Sheep and beef land figure from https://beeflambnz.com/sites/default/files/data/files/Compendium%202021_digital.pdf

20 The Climate Change Commission estimated that the amount of offshore mitigation needed under different Nationally Determined Contribution levels varied between 47-121Mt CO₂e.

There are 3 key issues with widespread permanent exotic afforestation...

Issue 1: It will drive land use change and displace productive land uses that provide wider economic and employment benefits

The high NZU price means permanent exotic forests provide better economic returns than other rural land uses. This includes higher returns than other types of forestry – both production forests and indigenous forests, as well as significantly higher economic returns than sheep and beef farming. At a carbon price of \$110,²¹ permanent exotic forest can become competitive with lower productivity dairy land.²²

Due to these high economic returns, permanent exotic forests have started to displace other productive land-uses (such as sheep and beef farming and production forests) in some regions.

Permanent exotic afforestation contributes less export earnings and fewer jobs to the economy

Industries such as sheep and beef farming and production forestry provide important export earnings for the country. Sheep and beef farming and production forestry contributed \$10.7 billion and \$5.5 billion in export revenue in 2020 respectively. Returns from forestry in the NZ ETS do not generate export revenue. Therefore, if large areas of productive land are converted to permanent exotic forestry, export revenue will be reduced.

Permanent exotic forests also provide fewer direct jobs and less added value in the economy. A report from PricewaterhouseCoopers estimated that both plantation forestry and sheep and beef farming outperform permanent exotic forests in contribution to GDP and jobs per area of land. Impacts are expected

to disproportionately affect regions with higher levels of permanent exotic afforestation.

Analysis by BakerAg (2019)²³ looking at direct spend and employment in the Wairoa district also found that permanent exotic forestry provided fewer jobs and contributed less direct spend than both production forestry and sheep and beef farming. Sheep and beef farming provided the highest direct spend and employment.

There are also risks for succession planning and wider land use flexibility from the status quo. Higher land prices (spurred by the returns of permanent exotic forestry) will make it more costly for other primary sector businesses to purchase new land.

Secondly, the high value of liabilities on permanent exotic forest land that has been registered in the NZ ETS for an extended period of time will make it highly costly for that land to be transitioned to any other uses. Where permanent exotic afforestation occurs at scale on more productive land use classes, this creates risks for New Zealand's long-term land use flexibility.

Land converted to permanent exotic forests can create issues for nearby communities in parts of the country. However, returns earned by landowners from NZ ETS forestry can also lead to higher profits (relative to competing land uses) being spent or invested within their local communities (for example, in renovations to houses in the area or financing capital investment in other economic activity). These benefits were highlighted by some submissions to the ERP, and feedback from Māori foresters during engagement through the ERP consultation in late 2021.

Widespread indigenous afforestation still present risks for land use change – but we think this a lower risk due to the lower financial returns from carbon storage in indigenous forests. We will consider ways to manage these risks when we consult on changes to the resource management system later this year.

Table 2: Annual contribution to GDP and full-time equivalent (FTEs) jobs per unit of area

Land-use	GDP per 1,000 hectares	FTEs per 1,000 hectares
Permanent exotic forests	\$0.8 million	2
Production forestry ²⁴	\$4.8 million	38
Sheep and beef farming ²⁵	\$1.7 million	17

Source: PriceWaterhouseCoopers. (2020). *Economic Impact of Forestry in New Zealand*.

21 Reflecting the 2026 NZ ETS auction cost containment reserve trigger.

22 Based on MPI analysis in January 2022, using \$110 NZU price real and financial information from Dairy NZ.

23 BakerAg (2019) Socio-economic impacts of large-scale afforestation on rural communities in the Wairoa District.

24 Production forestry relates to 1,000 hectares of forests at all age classes (including afforestation and harvest) and doesn't reflect the contribution to the economy of 1,000 hectares of new afforestation

25 Figures for sheep and beef farming represent national aggregates including extensive hill country stations. Sheep and beef farming's economic contribution per hectare will be greater when low-stocked extensive hill country farms are excluded from the figures.

We are interested in your experiences and evidence related to the benefits and risks of permanent exotic forests in your region or community as part of your submission. This will help us to gather a fuller understanding of how the proposed changes impact different rural communities in different ways.

Issue 2: It may make it harder to achieve our long-term climate change targets

While carbon sequestration is critical to meeting our emissions budgets and targets, unconstrained permanent exotic afforestation within the NZ ETS has risks for reducing incentives across the economy to reduce gross emissions in the longer-term.

Ongoing high levels of NZU supply for permanent exotic forests can create risks for the Government's ongoing management of levels of supply relative to demand in the NZ ETS. This has implications for our ability to drive gross emissions reductions.

Emitters may be able to secure ongoing supply of relatively low-cost NZUs for the lifetime of any new capital investment in emitting technologies (for example, through negotiating a futures agreement of ongoing sale of NZUs with a land owner). Where this occurs, emitters could be able to offset their emissions at relatively low cost, rather than finding ways to reduce them.

Other gross emitters may also anticipate a relatively lower cost trajectory for the NZ ETS price when making investment decisions (by assuming permanent exotic

forests will provide relatively abundant NZU supply over the coming decades when forming their investment decisions).

MPI estimates the impacts of removing permanent exotic forests from the NZ ETS are likely to reduce the level of removals counted towards our second and third emissions budgets. This is shown in Table 3 below.

These changes may impact the Government's ability to meet the Commission's demonstration pathway in the third emissions budget period.

Under current policies and settings, removals from forestry are expected to become the largest source of supply in the NZ ETS by the early 2030s. Increasing abundance of NZUs from permanent exotic forests will reduce the impact of the Government's other levers affecting price and supply in the scheme.

Forests being planted over the next few years will lead to the high levels of NZU supply from forestry we expect to see in the 2030s and later decades. Because of this, choices today on permanent exotic forests will have ongoing long-term impacts on the NZ ETS.

The proposed changes are likely to have the opposite impact on gross emissions from agriculture in the short-term (as these are not currently required to surrender NZUs for their gross emissions in the NZ ETS). Relative to the status quo, removing permanent exotic forestry from the NZ ETS will lead to increased levels of gross emissions from agriculture due to a reduced area of agricultural land being converted to permanent forest.

Table 3: Carbon removals from forestry for the first three budget periods (millions of tonnes of carbon dioxide credited towards meeting budget)

Budget period	2022-2025	2026-2030	2031-2035
Commission's demonstration pathway (2021 Commission projections)	26	50	69
Status quo (2022 carbon price pathway) ²⁶	24	51	107
After exotic forests removed from permanent forest category (2021 Government projections)	24	48	66

Issue 3: widespread permanent exotic afforestation has environmental impacts

Permanent forests are an appropriate land use in some situations. For example, there is an estimated 840,000 hectares of land in the North Island that is deemed at risk of severe erosion and much of this may be suitable for permanent forest cover.²⁷

The Government needs to consider the type of permanent forests it would like to incentivise through the NZ ETS

factoring in long-term outcomes for New Zealand.

In general, well managed indigenous forests are likely to have better environmental and biodiversity outcomes over time than comparable exotic forests.

While permanent exotic forests have environmental benefits over and above some competing land uses (for example, lower sediment loss to waterways, shade and habitat for wildlife), if not well managed, these forests carry longer-term environmental risks.

²⁶ Projections use an NZU price of \$50 in 2022 (plus 10 percent annual increase). The Government projections used in this table were compiled in June 2021.

²⁷ <https://environment.govt.nz/assets/Publications/Files/Our-land-201-final.pdf>

For example, wilding conifers could have an adverse impact on conservation forests and pastoral land uses, while fire and disease present significant risk to plantation forests. Over time, fast-growing, heavy forests planted on steep, erosion prone land are at risk of instability through heavy rain and windthrow, which can result in risks to communities and landowners.

Because of the short lifespan of most exotics (especially *Pinus radiata*), we also do not know how these forests will develop over time and the extent to which benefits they offer will be maintained.

The Government's parallel work programme to develop new national direction for forests under the resource management system will look to further address these environmental risks in concert with the changes proposed for the NZ ETS.

Why do we want to act now?

Current prevailing NZU prices in the NZ ETS are expected to drive large-scale permanent exotic afforestation, and prices are expected to increase over time to drive the decarbonisation of New Zealand's economy.

Financial returns for permanent exotic forests already significantly outperform competing land uses, and the relative profitability of these forests will increase as the NZU prices rise. In response to the increasing NZU price, the Government estimates the NZ ETS could drive around 350,000 hectares of new permanent exotic forest planting this decade.

The new permanent post-1989 forestry category in the NZ ETS will come into effect from 1 January 2023, so this issue needs to be considered prior to the category becoming available.

Questions – is this a fair description of the problem?

1. Do you agree with our description of the problem? Why/Why not?
2. Do you have evidence you can share that supports or contradicts this problem definition? Or that demonstrate other problems?



7. Objectives and assessment criteria

Afforestation is needed to meet our climate change emissions budgets and targets

Our forests will play a critical role in meeting our targets, while growing a productive source of renewable materials that can provide substitutes for emissions-intensive materials and fossil fuels and support regional economies. Forests can also provide benefits including erosion control, improved water quality, species habitats, and opportunities for cultural and recreational activities.

The Government's broader objectives for forestry include:

- **Sequestration:** forests help meet our climate change targets by offsetting emissions while gross emissions are actively reduced.
- **Substitution:** the forestry and wood processing sectors support the transition to a low-carbon bioeconomy by producing substitutes for emissions intensive products and energy sources
- **Economy and jobs:** forestry and wood processing sectors contribute to regional and economic development, and support the wellbeing of rural communities by providing high quality employment
- **Native biodiversity:** new and existing forests provide and support native biodiversity
- **Environment:** our forests support freshwater quality, soil conservation and resilience to climate change
- **Māori:** forests and forest products support the cultural, social, environmental, and economic aspirations of Māori whānau, hapū and iwi.

We want to ensure that afforestation driven by the NZ ETS achieves the best outcomes for New Zealand. This requires us to balance some complex trade-offs – for example, between meeting our emissions budgets and targets, and meeting wider objectives and outcomes for forests, land use, rural communities and economies, and biodiversity.

Assessment criteria

Options presented in this consultation document have been assessed using the following criteria. Our full analysis can be found in the [interim Regulatory Impact Statement](#).

Question – assessment criteria?

3. Do you agree with our criteria for managing permanent exotic afforestation? If not, what would you change and why?

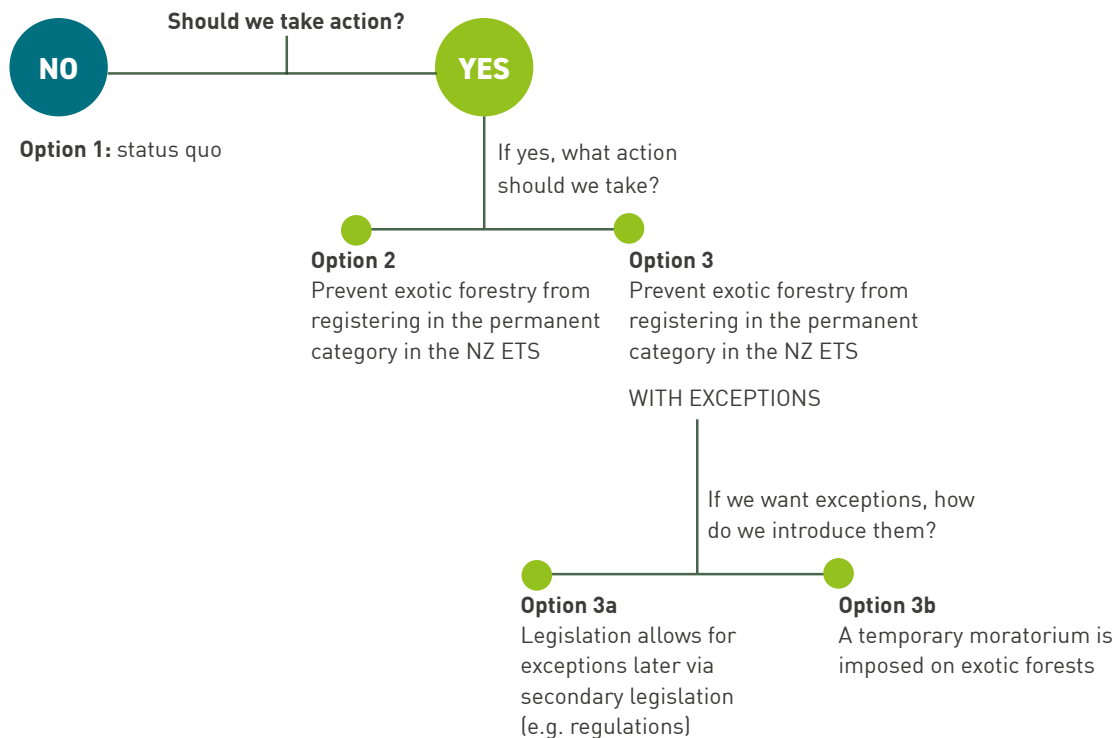
1. **Provides sequestration to meet emissions budgets and targets.**
 - Forests help meet New Zealand's emissions budgets and targets (NDCs) by offsetting emissions.
2. **Supports gross emissions reductions.**
 - Afforestation at a level to avoid reducing NZU prices and impacting gross emissions reductions.
3. **Provides substitutes for emissions intensive products and energy sources**
 - The forestry and wood processing sectors support the transition to a low-carbon bioeconomy by producing substitutes for emissions intensive products and energy sources.
4. **Supports regional economies and jobs**
 - Forestry and wood processing sectors contribute to regional and economic development and support the wellbeing of rural communities by providing high quality employment.
5. **Supports indigenous biodiversity**
 - New and existing indigenous forests provide and support indigenous biodiversity.
6. **Provides environment benefits**
 - Our forests support freshwater quality, soil conservation and resilience to climate change, and are not sources of pests.
7. **Supports Māori aspirations for their land**
 - Actively protect Māori interests and ability to make decisions regarding their land in line with aspirations. Forests and forest products support the cultural, social, environmental and economic aspirations of Māori whānau, hapū and iwi.
8. **Effective, practical and implemented quickly**
 - The option can be implemented quickly. It is operationally feasible, resilient to future changes and avoids unintended consequences. The option should also minimise administration and compliance costs, support the purpose and integrity of the NZ ETS and maintain regulatory certainty.

8. Options to manage permanent exotic forestry in the NZ ETS

There are two basic decisions we need to make around this issue.

- Should we take action?
- If yes, what action should we take?

Figure 2: Decision tree on whether and how to manage permanent exotic forestry



Option One: Status quo: allow unlimited exotic and indigenous registration in the post-1989 permanent forestry category

There are currently no restrictions on the types of forest that can be registered in the NZ ETS permanent post-1989 forest category, or upper limits on the total area.

To be registered an area of forest is required to meet the definition of forest land in the CCRA, be post-1989 forest land and meet the conditions set out in the CCRA.

Option Two: Prevent exotic forestry from registering in the permanent post-1989 category in the NZ ETS

When the permanent post-1989 category in the NZ ETS comes into effect on 1 January 2023, exotic forests will not be able to be registered. This option would restrict the permanent post-1989 category in the NZ ETS to indigenous forests.

Option two would make entering the permanent post-1989 category more complicated than the status quo, because forests will have to be checked to make sure they are not exotic. New rules will also be needed around when to reject or adjust applications with exotic forest.

Option Three: As for option two, but with exceptions for exotic species under certain conditions or criteria

Option three is the same as option two – but with the opportunity to introduce exceptions for special circumstances.

There may be benefits to creating exceptions to help realise some of the benefits of including exotic forests in the permanent post-1989 category.

We are aware that creating exceptions will introduce more complexity into the NZ ETS, and some could be costly to monitor and implement (for both the participant

and Te Uru Rākau – the New Zealand Forest Service as the administrator).

There may also be alternative ways to incentivise planting forests in the circumstances which exceptions could cover, other than through the permanent post-1989 category of the NZ ETS.

We'd like your feedback on whether we should consider exceptions, and if so, under what conditions and criteria should exceptions be provided?

Circumstances where exceptions could be relevant:

- Exotic planting for erosion control or small land parcels (for example, pole planting low stocked, space planted poplars or willows on erosion-prone land).
- Remote and marginal land (which can be well suited to permanent forestry).
- Certain species of exotic trees (for example, long-lived exotic species like redwoods for amenity purposes or sustainable harvest of high value timbers).
- Plantations transitioning from exotic to indigenous forests over time. (see box below).'

Box 5: Should there be exceptions for plantations transitioning from exotic to indigenous forests?

Some permanent exotic forests have been established with the stated intent of transitioning to indigenous forest over time. There are differing views in contemporary discussions of this forest model over whether this can be achieved cost-effectively at scale, in all environments and climatic conditions, to achieve an acceptable ecological outcome²⁸

There are also challenges to how such forests could be managed for both the participant and the administrator, if these were registered in the permanent forest category. For example, exceptions may need to make transitions time-bound to be enforceable (and ensure forests don't remain exotic). Transitioning forests would also be at risk of incurring significant liabilities in the NZ ETS, as replacing large exotic trees with smaller and slower growing regenerating indigenous species may result in a decrease in carbon stocks for an extended period of years.

The Government will need to consider the implications of this model of forestry, and assess this model against our broader objectives for managing afforestation in New Zealand. Another way to manage risks from this model of forestry could be through the Government's parallel work developing changes to the treatment of forestry under the resource management system (for example, through new or amended national direction).

Through this consultation, we're interested in your feedback on the benefits, trade-offs and risks that would come with exceptions for this type of forest being allowed to register in the NZ ETS permanent forest category.

Question – designing the options to manage permanent afforestation

Designing exceptions (option three)

4. Should we provide for exceptions allowing exotic species to register in the permanent forest category under certain conditions?
5. Are there particular circumstances that you support introducing exceptions for (for example, exceptions for certain species of exotics)? Why?
 - What are the likely impacts, risks and costs of allowing exceptions in these circumstances?
 - If we allow exceptions for exotic species under certain conditions, should we place additional conditions on the granting of this exception? What could these be?
6. Are there alternative ways we can recognise and encourage these forests, either within, or outside, the NZ ETS?

Preferred options

Options two and three are preferred. Both options would help manage the risk of large-scale conversion of land into permanent exotic forests, improve the relative incentive for indigenous forests on less productive land, and help meet our climate change targets by offsetting emissions while gross emissions are actively reduced.

Option three can provide benefits for NZ ETS and New Zealand (e.g., reduced erosion through greater uptake of pole planting registered in the NZ ETS). However, the level of benefits relative to costs are likely to vary depending on the types of exceptions allowed, and how these are implemented.

In determining whether to pursue option 2 (no exceptions) or option 3 (providing exceptions under certain criteria or conditions), there is a balance to be struck between driving wider benefits and environmental outcomes; compared with overall administrative complexity and cost, and mitigation of the key issues/risks identified with exotic species being registered in the permanent post-1989 forest category.

²⁸ Forbes Ecology. (2021). *Transitioning Exotic Plantations to Native Forest: A Report on the State of Knowledge: Prepared for Te Uru Rākau – New Zealand Forestry Service.* <https://www.mpi.govt.nz/dmsdocument/47521-Transitioning-Exotic-Plantations-to-Native-Forest-A-Report-on-the-State-of-Knowledge-2021-22->

We will use feedback gathered through consultation to determine whether and how to pursue exceptions. You can see our in-depth analysis of these options in the [interim Regulatory Impact Statement](#).

Question – options to manage permanent afforestation

7. Of these options, what is your preferred approach? Why? Are there other options you prefer, that we haven't considered?

If we choose option 2 or 3 (and remove permanent exotic forests from the NZ ETS), we want to introduce this from 1 January 2023

The new permanent post-1989 forestry category in the NZ ETS will come into effect from 1 January 2023. If we choose option 2 or 3 (and remove permanent exotic forests from the NZ ETS) – we want this to come into effect from 1 January 2023.

We considered, but discarded, the option of introducing the changes at a later date (for example, 1 January 2025). Although this would give us more time to consider the issue and solutions (including introducing exceptions at the same time as the changes come into effect), we consider letting exotic forests register in the permanent category carries risks.

Offering a window of time for forests to register in the permanent exotic category is likely to lead to a surge of forests registering the NZ ETS in this category – exacerbating the issue.

This would result in the negative impacts we have identified (although on a smaller scale than the status quo), as well as make administering the NZ ETS system more complicated.

It would also create a permanent forest legacy which limits future governments' flexibility to take decisions affecting NZ ETS settings. Therefore, we want to act before 1 January 2023.

Question – Timeframes

8. Do you agree with our preferred approach (acting before 1 January 2023)? Why/why not? If not, what is your preference?

If we choose option 3 (introducing exceptions) ... there are two ways we could do this

There are two ways we could introduce exceptions (if we choose this option). We could either:

- **Option 3A** – add the ability to introduce exceptions to the restriction on permanent exotic forests registering the NZ ETS – via secondary legislation.
- **Option 3B** – introduce a moratorium now, preventing any permanent exotic forests registering in the NZ ETS while decisions on exceptions are worked through.

If we choose to introduce exceptions, we anticipate these would need to be introduced after 1 January 2023, to allow adequate time to work through their design (including operational changes).

We considered, but discarded, the option of having all exceptions in place before 1 January 2023. This option would not have allowed enough time to work through their design and consider the impacts of the exceptions.

Option 3A: add the ability to introduce exceptions via secondary legislation [Preferred]

This option would allow exceptions to be introduced through secondary legislation (for example, by regulations or Order in Council).

The Act would need to state what matters or criteria the Minister must consider before recommending these to the Governor-General.

Other parts of the CCRA have similar mechanisms in place. For example, Section 60 of the CCRA allows the Minister of Climate Change to recommend that exemptions be made to exempt people from being a participant in the NZ ETS, or needing to surrender NZUs, in limited circumstances. In making recommendations, section 60 requires the Minister to:

- be satisfied that the costs won't exceed the benefits, and the order won't undermine the environmental integrity of the NZ ETS.
- give regard to:
 - the need to maintain the environmental integrity of the NZ ETS;
 - the desirability of minimising any compliance and administrative costs associated with the NZ ETS;
 - the relative costs of giving the exemption or not and who will bear the costs of the exemption;
 - any alternatives for achieving the objectives the Minister has in giving the exemption;
 - and other matters the Minister considers relevant.

Box 6: we will also make provisions for Permanent Forest Sink initiative (PFSI) covenant holders with exotic forests

The PFSI was one of the Government's sustainable forestry programmes that enabled landowners to receive carbon units through the creation of permanent forests. The PFSI and the NZ ETS was reviewed between 2013 and 2018. In December 2018, the Government announced it would discontinue the PFSI, instead replacing it with the new permanent post-1989 forest category in the NZ ETS.

The Government has agreed that covenant holders won't be adversely affected by the discontinuation of the PFSI. Covenant holders will have the option to transfer their PFSI covenants into the new permanent post-1989 forestry category when it becomes available on 1 January 2023.

No new forest land will be added to the PFSI before being moved into the NZ ETS.

The PFSI is discussed in more detail in Section 9 (page 21).

Option 3B: moratorium

A moratorium could temporarily prevent exotic forests, or all types of forest from entering the permanent category of the NZ ETS. A moratorium could be short (1-2 years) or longer (3-5 years). The legislation could provide an ability to extend the moratorium via secondary legislation.

There are a range of ways the moratorium could apply. For example, it could end automatically, or could require a decision after several years to continue (or to end). Under a moratorium, once the moratorium ends, exotic forests could be able to register in the permanent post-1989 category in the NZ ETS. We do not have a preferred option.

A moratorium would give the Government time to consider where and what types of exotic forests are desirable in the category – while keeping open the possibility of the Government letting the moratorium lapse (and allowing permanent exotic forests into the permanent forest category). If the Government decides to introduce exceptions during or after the moratorium, these could be introduced via secondary legislation.

There are risks with a moratorium. A moratorium (of any length) may not significantly alter the incentives to stop foresters planting permanent exotic forests now – if they expect to be able to register the forests at some point in future once the moratorium has ended. If this were the case, exotic species might be registered into averaging accounting and then moved to the permanent forest category if/when the moratorium ends.

Question – comparing Option 3a (exceptions by secondary legislation) and Option 3b (exceptions after a moratorium)

If we choose to introduce exceptions ...

9. Do you support exceptions by regulations [option 3a] or exceptions after a moratorium [option 3b]? Why?
10. If we choose to introduce exceptions by regulations, what conditions or criteria should be placed on the Minister in choosing to pursue these?
11. If we choose a moratorium (Option 3b) – how long should it be? Why?
12. Do you think a different type of moratorium (whether it requires a decision to be ended/continued) would have different impacts? Or do you prefer a different approach?

Managing the risk of forests in other NZ ETS categories being managed as permanent

Removing the ability to register exotic forests in the NZ ETS permanent category will reduce the incentive to plant permanent exotic forests. However, the Government also needs to monitor the risks associated with other types of forests registered in the NZ ETS being managed as permanent forests.

At the current and expected future NZU prices *Pinus radiata* forests registered under averaging accounting are expected to have a positive return on investment, regardless of whether they are harvested. There is a risk that forests registered under averaging accounting could be managed as permanent if harvesting is not economically viable.

These forests could contribute negative environmental impacts if poorly managed such as wilding, pests, disease and fire risk.

Furthermore, forests currently registered under the existing NZ ETS stock change accounting are not currently required to switch to averaging accounting when it becomes available on 1 January 2023.

Forests registered under stock change between 1 January 2019 and 31 December 2022 will have the option to switch to averaging accounting once it becomes available. Forests registered before 2019 will remain on stock change. There is a risk that a proportion of the 310,000 hectares of exotic forests currently registered under stock change accounting could be managed as permanent forests and continue to earn NZUs within the NZ ETS (or sold to new owners who convert management of the forest to a permanent exotic forest).

The Government will need to consider the likelihood that exotic forests registered under both stock change and averaging accounting will be managed as permanent and whether measures are needed to mitigate potential adverse impacts.

9. Implementing changes to the permanent forestry category

If we choose to restrict exotic forests in the NZ ETS permanent category, we will need to ensure the restrictions are enforceable and enforced. We want feedback on:

1. How we define indigenous forest? What happens if forest changes over time, and no longer fits this definition?
2. If we remove forests which no longer meet the definition of indigenous forest from the permanent category in the NZ ETS, how should we do it?
3. If we remove exotic forests from the permanent category in the NZ ETS, what changes should be made to the penalties in the category?
4. Treatment of exotic forests in the PFSI.

How should we define indigenous forest? What happens if forest changes over time, and no longer fits this definition?

Checking forests at registration

We propose to check the forest type at registration. We could reject or alter applications which contain exotic forests. If rejected, the participant would be able to resubmit the application without those areas of exotic forest.

What happens if the forest changes after it has been registered?

Forests and species composition changes over time. Occasionally, some land will be indigenous forest at registration and become predominantly exotic. This can be due to specific events, (such as disease or a fire) or slower processes like wilding spread from within the forest or a neighbouring property.

Often, these species changes can be outside the participants control, and are expensive to reverse (particularly if the exotic forest must be cleared). We want your input on how we should monitor compliance on an ongoing basis, and what you think we should do if the forest becomes non-compliant. We are considering two options. We are interested to hear from you if there are other options you prefer.

Option 1: Areas of forest which become predominantly exotic are removed from the NZ ETS

Participants could be required to declare if any of their forest becomes exotic when submitting an emissions return. We could then remove it from the NZ ETS, transition it to averaging accounting, or require the participant to reinstate indigenous forest as the dominant type.

These options are set out in more detail below. Removing the forest from the NZ ETS could be very expensive for participants, and could create risk for owners of indigenous forests if species changes occur outside their control. However, it would mean that the restrictions on exotic species in the permanent category in the NZ ETS are very tightly enforced.

Option 2: We continue to treat the forest as it was originally registered in the NZ ETS, even if areas change to exotic over time

We could treat any area which becomes non-compliant over time as if the forest is still indigenous. The area would continue to earn NZUs like an indigenous forest, even though it may now contain predominantly exotic species. This could be cheaper and lower risk for the participant, while still removing the incentive to transition a permanent indigenous forest to an exotic forest.

If we choose to remove forests which have become predominantly exotic over time (option 1 above), how should we do it?

If Option 1 above is implemented, there are different methods we can use to remove the forest from the permanent category in the NZ ETS.

Option 1A: Remove the land from the NZ ETS immediately.

Once an area of forest no longer complies with the restrictions of the permanent category (e.g. indigenous becomes exotic), it is deregistered and the participant must surrender NZUs. Leaving the category could be very expensive for participants, and mean owners are less likely to register indigenous forests in the permanent category.

Option 1B: Allow the land to remain in the NZ ETS but transition to averaging accounting

This would potentially reduce the cost for the participant but would allow participants to 'escape' their permanence period by converting their indigenous forest to an exotic forest.

Option 1C: Provide a time-period for the participant to become compliant again

Participants could be given a certain number of years to make the forest meet the conditions of the category, and if they do not do this within the timeframe, the forest is removed and NZU surrenders apply. Accounting could also pause over the affected areas in a similar way to temporary adverse event exemptions, where participants could stop earning NZUs until the forest returns to being predominantly indigenous forest. Restoring indigenous forest could be very expensive if it was required at scale, and could mean owners are less likely to register indigenous forests in the permanent category.

Participants who have to clear exotics to restore indigenous forests could also be subject to penalties for clear-felling forest registered in the permanent category. Fines would further increase the cost of and risk for participants in the permanent category.

The next section of this document discusses changes to the penalty regime for the permanent category.

If we remove exotic forests from the permanent activity, what changes should be made to the penalties in the permanent category?

The permanent activity has strong penalties for clear-felling forests, to protect the requirement to leave the forest for 50 years with no 'clear-felling'.²⁹ A participant who clear-fells will be fined equal to the deemed value of the forest which was cleared below 30 percent canopy cover. This is a complex penalty driven by the potential for high returns from clear-felling exotic forests and selling the timber, and was designed to remove any incentive to clear-fell permanent forests.

If exotic species are heavily restricted in the category, we may be able to safeguard the indigenous forest through other mechanisms which are simpler and less severe.

For example, we could make clear-felling a prosecutable offence with a set rate per hectare of clearing, based on approximate returns from indigenous forestry.

We want to know if you think penalties should be reconsidered if exotics are restricted within the category, and if so, what penalty would be more appropriate.

How will exotic forests registered in the PFSI be treated?

The PFSI was one of the Government's sustainable forestry programmes that enabled landowners to receive carbon units through the creation of permanent forests. The PFSI and the NZ ETS was reviewed between 2013 and 2018. In December 2018, the Government announced it would discontinue the PFSI, instead replacing it with the new permanent post-1989 forest activity in the NZ ETS.

Around 3,600 hectares of exotic forest are on PFSI covenanted land, from a total of around 15,500 hectares under PFSI covenant. No new forest land will be added to the PFSI before it is moved into the NZ ETS.

In 2023, PFSI covenant holders will have the option to transfer the forest land in their PFSI covenants into the new permanent post-1989 forestry activity or standard post-1989 forestry subject to averaging accounting. For forest land which transfers to averaging, if the forest land is older than the appropriate average, there will be a surrender obligation for the difference.

We propose to allow the exotic forest in the PFSI to be able to transfer into the permanent post-1989 forestry category, and remain in the NZ ETS, regardless of the wider decisions that result from this paper.

²⁹ Clear-felling is defined in the Climate Change Response (Emissions Trading Reform) Act 2020 as at least one hectare on which trees are cleared or killed by any form of human activity (including felling, harvesting, burning, removal by mechanical means or herbicide spraying with intent to kill), and that after clearing or killing the land has tree crown cover of less than 30 percent in each hectare.

Question – implementing changes to the permanent forest category

Defining ‘indigenous forest’, and managing forests which change over time

If we choose to remove permanent exotic forests from the NZ ETS – we will need to define what counts as an exotic forest.

13. Currently the NZ ETS defines forests based on the predominant species in a hectare. However, forests change makeup over time. Do you think this definition of exotic and/or indigenous forests is appropriate for the permanent post-1989 category in the NZ ETS?
14. What level of exotic species in a forest would be acceptable for the forest to still be classified as an indigenous forest, and registered in the permanent post-1989 category in the NZ ETS?
15. If forest changes from indigenous to exotic while registered in the permanent category, do you think it should be removed from the category (Option 1), or be treated as indigenous (Option 2)? Why? Are there other options we haven't considered?
16. If we choose to remove forests which have become predominantly exotic over time from the category, how do you think we should do this? Why?

What changes should be made to the penalties in the permanent category?

17. If exotic forests are removed from the permanent category, what would an appropriate penalty be for clearing the forest before the end of the permanent period? Do you think the current penalty needs updating?

Proposed treatment of exotic forest in the PFSI

18. Are you a PFSI consent holder?
19. Do you agree with the proposal to allow exotic forest land in the PFSI to transition into the permanent post-1989 forestry activity, or would another approach be more suitable?

10. Averaging accounting for remote and marginal land

From 1 January 2023, a new carbon accounting method – averaging accounting – will be used to determine how and when newly registered production forests in the NZ ETS will earn NZUs. Averaging accounting was introduced to simplify the process of calculating and earning NZUs and encourage afforestation by delivering more low-risk carbon to owners of production forests.³⁰

During consultation on averaging accounting in 2021, stakeholders highlighted that not all forests registered under averaging accounting will be harvested at an age which results in the corresponding average age. Forests on remote and marginal land with high harvesting costs are often left to grow older (and can store more carbon) than the typical harvest age if the costs of harvesting outweigh the revenue from selling the logs.

We have an opportunity to consider changes to how we apply averaging accounting to remote and marginal land. We invite your views on developing and designing a “longer rotation” averaging forest category which recognises *Pinus radiata* grown on remote and marginal land is likely to be harvested later than other production forests, so will probably store more carbon.

What is averaging accounting?

Forests registered under averaging accounting earn NZUs based on the long-term amount of carbon the forest is expected to store on average over many planting and harvesting cycles (rotations).

Under averaging accounting new forests earn NZUs up until the age the forest reaches its expected long-term average carbon stock. The age that the forest reaches its long-term carbon stock is called its ‘average age’.

Averaging accounting sets one average age for each forest type. The average ages, which are set out below, are based on the typical New Zealand harvest age for each forest type:³¹

- *Pinus radiata*: age 16
- Douglas fir: age 26
- Exotic softwoods: age 22
- Exotic hardwoods: age 12
- Indigenous: age 23

After a forest reaches its average age no further transactions of NZUs are required. Forests will not earn or be required to surrender any additional NZUs, provided the forest continues to be replanted after harvesting.

This enables foresters to manage their forests with lower ongoing administrative and transaction costs than the current accounting method (stock change accounting), and provides flexibility for managing these forests in line with changing economic, regulatory, and environmental conditions.

Averaging accounting is replacing the existing stock change accounting method used in the NZ ETS since 2008 for newly registered forests. Stock change provides continuous NZUs for forests as they grow, and requires NZUs to be surrendered if and when the forest is harvested. If the forest is replanted after harvest the forest can again earn NZUs for its growth.

Forests registered on stock change accounting are not currently required to switch to averaging accounting. However, forests registered since 1 January 2019 can switch to averaging (if they choose to do so) once the averaging accounting becomes available on 1 January 2023. Averaging accounting will be only option available for forests registered after 1 January 2023.

We have an opportunity to improve how averaging accounting applies to remote and marginal land

Forests with high harvesting costs are often left to grow older than the typical harvest age if the costs of harvesting outweigh the revenue from selling the logs. These forests tend to be remote, located far from ports or domestic markets, difficult to access, grown on marginal land, or expensive to harvest due to other factors such as slope.

Forests harvested later than usual, are likely to have a higher long term average carbon stock than forests harvested at the typical harvest age.

During consultation in 2021, stakeholders suggested a long rotation category should be created under averaging accounting for *Pinus radiata* forests which are not profitable to harvest at age 28, recognising additional carbon stored by these forests.

³⁰ Because NZUs do not have to be repaid after harvest or species changes, all of the NZUs a forest earns under averaging can be traded at low risk, so long as the forests are replanted after harvest.

³¹ <https://www.mpi.govt.nz/forestry/forestry-in-the-emissions-trading-scheme/averaging-accounting/> The average age for indigenous forest was calculated on the oldest age in the lookup tables – age 50. We anticipate this could be extended in the future as tables are updated.

Māori own a disproportionate amount of remote and marginal land which is typically better suited to long rotation forestry or permanent forestry. Māori stakeholders were particularly concerned about a lack of recognition for the additional carbon stored by long-rotation forests. Approximately 146,000 hectares of Māori land may be eligible to be registered in the NZ ETS which is located over 100km from port and may not be profitable to harvest *Pinus radiata* forests at the typical harvest age of 28.³²

Long rotation forestry increases the quality of timber, creating the potential for higher value uses and may provide an opportunity for land that is marginal for production forestry on a typical rotation length (or land that may be considered for permanent forestry) to be harvested and provide an economic return.

We seek your feedback on whether the Government should develop a long rotation category under averaging accounting for *Pinus radiata* forests to credit additional carbon, which is likely to be stored by those long rotation forests. This includes feedback on any limits that should apply to the category and measures to mitigate risks if the land doesn't become profitable to harvest.

If we introduce a long rotation category under averaging accounting, we will implement this via updated regulations after 2022.

Option 1: Status quo

When averaging accounting becomes available on 1 January 2023, new forests registered in the NZ ETS under averaging accounting and harvested after the forest reaches the average age for the forest type, will receive NZUs up until the forest reaches the average age for the forest type. For example, up to 16 years for all *Pinus radiata* forests.

Option 2: Create a 'long rotation' category under averaging accounting for *Pinus radiata* forest which are not profitable to harvest at the typical harvest age

A long rotation category could be created under averaging accounting for *Pinus radiata* forests which are not profitable to harvest at the typical harvest age of 28.

A long rotation category could assume a harvest age of 40, setting the average age at 21.

It is likely to be easiest to implement a long rotation category which is mandatory for all *Pinus radiata* forests registered under averaging accounting on land where it is not expected to be profitable to harvest *Pinus radiata* at age 28.

Forests in a long rotation category could be harvested before age 40 by surrendering NZUs down to the existing average age of 16. This would require surrendering any additional NZUs earned between age 16-21.

A long rotation category could be applied solely to *Pinus radiata* forests, as this would be the simplest option while retaining benefits for relevant landowners, as *Pinus radiata* is the predominant forest type in New Zealand and other forest types already have higher average harvesting ages (for example, Douglas Fir and exotic softwoods are both credited to an average age of over 22).

Question – long rotation category under averaging accounting

20. Should the Government create a long rotation category under averaging accounting for *Pinus radiata* forests which are not profitable to harvest at age 28, recognising the additional carbon which is likely to be stored by these long rotation forests?
21. What do you think the impacts of introducing a long rotation category as proposed would be?
22. Do you think forests in this category are likely to be harvested? Are measures needed to prevent forests in a long rotation category being left permanently and never harvested, or to mitigate potential adverse effects of these forests being left permanently?
23. What criteria should be in place to restrict the category to *Pinus radiata* forests which are not profitable to harvest at age 28?
24. Do you think a long rotation category aligns with the proposed changes to the permanent activity and supports the Government's wider forestry objectives?
25. Are there alternative options to a long-rotation forest category that could be more effective at addressing the concerns raised by stakeholders about remote and marginal land and that align with the Government's forestry objectives?

³² Based on the Māori Land Online Database, and the LUCAS Land Use Map (MfE).

11. Biodiverse permanent indigenous forests – update on work

Current rates of indigenous afforestation

The Climate Change Commission recommended that, in general, permanent forests established as carbon sinks should be indigenous species and support biodiversity gains.

To provide a long-term carbon sink beyond 2050, the Commission's assumption was such forests would have long-lived tree species that grow and sequester carbon for hundreds of years. The Commission emphasised the importance of integrated pest control for establishing this biodiverse, carbon sink and maintaining the carbon stock in all new and existing indigenous forests.

Restrictions on exotic forest species in the permanent post-1989 forest category will not necessarily lead to

more permanent biodiverse indigenous forests being established.

Current rates of indigenous forest regeneration and establishment are much lower than the rates envisaged by the Commission. The costs of establishing and maintaining indigenous forests, particularly on marginal land, are high and there are currently limited commercial returns.

Feedback on indigenous afforestation in the ERP consultation

As part of the Government's consultation on its first ERP, we sought feedback on what is needed to make it more economically viable to establish and maintain indigenous forest through planting or regeneration on private land.

Box 6: Feedback on indigenous afforestation in the ERP consultation

Broad support for greater levels of indigenous afforestation:

There was widespread support for establishing new and regenerating existing indigenous forests in Aotearoa. To support this, most submitters said the Government should support or incentivise indigenous tree planting. Some also suggested more technical support for landowners for indigenous tree planting. Indigenous tree planting was recognised by some as an opportunity for re-establishing indigenous flora and fauna and for improving biodiversity outcomes.

Many supported indigenous planting and an exotic-to-indigenous transition. These submitters said the benefits of indigenous forestry included improved biodiversity and longer-term carbon storage. Some of these submitters also highlighted the need for more pest control and other measures and the lack of financial incentive for indigenous tree planting.

Suggested NZ ETS-related changes for indigenous forests

Most submitters said the most important thing is for changes to be made to the NZ ETS to recognise the value of indigenous forests. In particular, the long lead time for indigenous tree sequestration and the benefits of indigenous trees should be better acknowledged, with suggestions that NZ ETS look-up tables and measurement should be updated for indigenous forest species. Others suggested that NZ ETS settings should also be changed to value biodiversity as well as carbon sequestration.

Some submitters suggested removing barriers for private landowners to register in the NZ ETS could also improve the financial competitiveness of permanent indigenous forests.

Many highlighted the risks browsing animals presented to carbon sequestration and storage in forests. Some submitters recommended the Government recognise the importance of browsing animal management to increase or maintain carbon sequestration.

Some also called for the Government to investigate the different issues with the NZ ETS for freehold general title land and Māori land.

A few submitters raised other equity issues with forestry on Māori land, and with ensuring they can gain credit. Submitters raised the importance of ensuring Māori land is not alienated under the NZ ETS.

Next steps

Drawing on consultation feedback provided through the ERP, the Government is progressing work to consider opportunities to overcome barriers and incentivise greater levels of indigenous afforestation (achieved through new planting and land retirement (reversion), as well as management of existing regeneration to speed up succession to forest and increase carbon stocks).

The work will include consideration of the viability of native afforestation and restoration as a long-term sustainable land use, including through potential incentivisation or initiatives impacting the costs of establishing and regenerating native forests.

A broad range of options will be considered over the coming year, these include, but are not limited to:

- **NZ ETS Yield Tables** – considering options relating to methods to ensure that carbon stored in NZ ETS forests is accurately accounted for.
- **Approaches to lowering the costs of native afforestation** – such as through the use of innovation, propagation techniques and the benefits of economies of scale.
- **Provision of advice, best-practice sharing and further research** – including operational, scientific and innovate solutions and improving our understanding of management interventions that provide measurable increases in carbon stock in existing native forests.
- **Barriers to entering indigenous forest into the NZ ETS** – for example, examining eligibility criteria of shrub and scrub land as post-1989 forest land.
- **Understanding workforce barriers** – including the use of both volunteer and professional planting services.
- **System issues** – alignment with wider work on pest management and valuing biodiversity.

Although we are not actively consulting on options for indigenous afforestation incentives as part of this round of consultation, we are interested in your views on how we could better encourage indigenous restoration and afforestation. We therefore welcome further feedback on opportunities to reduce barriers to indigenous afforestation for anyone wishing to provide feedback.

Ongoing feedback we receive will feed into the Government's wider programmes of work to incentivise indigenous afforestation. We anticipate further rounds of consultation and engagement on other aspects of the indigenous afforestation work programme mid-late 2022.

Question – incentivising indigenous afforestation [Optional]

26. Do you have any further feedback on how the Government can reduce barriers and incentivise permanent indigenous afforestation to ensure we deliver long-term resilient, biodiverse forests?

Note: Submitters interested in forest models involving transition of forests from exotic species to indigenous species over time are encouraged to respond to questions 4 to 6 on page 29 relating to whether and how criteria for exceptions to the registration of exotic species in the permanent forest category NZ ETS could be provided.



12. How to have your say

The Government welcomes your feedback on this discussion document. The questions posed throughout this document are summarised on pages 29 and 30. They are a guide only and all comments are welcome. You do not have to answer all the questions.

To ensure your point of view is clearly understood, you should explain your rationale and provide supporting evidence where appropriate.

Timeframes

The proposed timeline for changes to the NZ ETS is:

Milestone/Activity	Timeframe
Public consultation on proposals	March – April 2022
Analysis of submissions and development of final decisions	May – June 2022
Final Cabinet decisions & drafting of amendments	Mid-2022
Parliamentary process	~Q3/Q4 2022

How to make a submission

You can send us your comments in two ways.

- Complete the survey on the MPI website.
- Write your own submission.

We request that you don't post submissions as this can risk the submission not getting to us in a timely manner. However, if you need to, written submissions can also be sent to Managing Exotic Afforestation Consultation, Climate Change Policy, Ministry for Primary Industries, PO Box 2526, Wellington 6140 and include:

- your name or organisation
- your postal address
- your telephone number
- your email address.

If you are emailing your submission, send it to mpi.forestry@mpi.govt.nz as a:

- PDF
- Microsoft Word document (2003 or later version).

Submissions close at 5pm, 22 April 2022.

For more information

Please send any queries to:

Email: mpi.forestry@mpi.govt.nz

Postal: Managing Exotic Afforestation Consultation, Climate Change Policy, Ministry for Primary Industries, PO Box 2526, Wellington 6140

This consultation starts on 14 March 2022 and ends on 22 April 2022.

Following the end of consultation, we will publish a summary and may make all or parts of submissions publicly available on our website. We cannot reply to individual submitters.

Our preferred proposals will see the changes to the CCRA take effect from 1 January 2023.

Publishing and releasing submissions

All or part of any written comments (including names of submitters), may be published on the Ministry for Primary Industries website, mpi.govt.nz.

Unless you clearly specify otherwise in your submission, the Ministry will consider that you have consented to website posting of both your submission and your name.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for Primary Industries (including via email).

Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions to this document under the Official Information Act.

The Privacy Act 2020 applies certain principles regarding the collection, use and disclosure of information about individuals by various agencies, including the Ministry for Primary Industries. It governs access by individuals to information about themselves held by agencies.

Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this document. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.

13. Consultation questions

Is this a fair description of the problem?

1. Do you agree with our description of the problem? Why/Why not?
2. Do you have evidence you can share that supports or contradicts this problem definition? Or that demonstrate other problems?

Assessment criteria

3. Do you agree with our criteria for managing permanent exotic afforestation? If not, what would you change and why?

Designing exceptions (option three)

4. Should we provide for exceptions allowing exotic species to register in the permanent forest category under certain conditions?
5. Are there particular circumstances that you support introducing exceptions for (for example, exceptions for certain species of exotics)? Why?
 - What are the likely impacts, risks and costs of allowing exceptions in these circumstances?
 - If we allow exceptions for exotic species under certain conditions, should we place additional conditions on the granting of this exception? What could these be?
6. Are there alternative ways we can recognise and encourage these forests, either within or outside, the NZ ETS? (For example, through the resource management system.)

Options to manage permanent afforestation

7. Of these options, what is your preferred approach? Why? Are there other options you prefer, that we haven't considered?

Timeframes

8. Do you agree with our preferred approach (acting before 1 January 2023)? Why/why not? If not, what is your preference?

Comparing Option 3a (exceptions by secondary legislation) and Option 3b (exceptions after a moratorium)

9. Do you support exceptions by regulations [option 3a] or exceptions after a moratorium [option 3b]? Why?
10. If we choose to introduce exceptions by regulations, what conditions or criteria should be placed on the Minister in choosing to pursue these?

11. If we choose a moratorium (Option 3b) – how long should it be? Why?
12. Do you think a different type of moratorium (whether it requires a decision to be ended/continued) would have different impacts? Or do you prefer a different approach?

Implementing changes to the permanent forest category

13. Currently the NZ ETS defines forests based on the predominant species in a hectare. However, forests change makeup over time. Do you think this definition of exotic and/or indigenous forests is appropriate for the permanent post-1989 category in the NZ ETS?
 14. What level of exotic species in a forest would be acceptable for the forest to still be classified as an indigenous forest, and registered in the permanent post-1989 category in the NZ ETS?
 15. If forest changes from indigenous to exotic while registered in the permanent category, do you think it should be removed from the category (Option 1), or be treated as indigenous (Option 2)? Why? Are there other options we haven't considered?
 16. If we choose to remove forests which have become predominantly exotic over time from the category, how do you think we should do this? Why?
 17. If exotic forests are removed from the permanent category, what would an appropriate penalty be for clearing the forest before the end of the permanent period? Do you think the current penalty needs updating?
 18. Are you a PFSI convent holder?
 19. Do you agree with the proposal to allow exotic forest land in the PFSI to transition into the permanent post-1989 forestry activity, or would another approach be more suitable?
- ## Long rotation category under averaging accounting
20. Should the Government create a long rotation category under averaging accounting for Pinus radiata forests which are not profitable to harvest at age 28, recognising the additional carbon which is likely to be stored by these long rotation forests?
 21. What do you think the impacts of introducing a long rotation category as proposed would be?

22. Do you think forests in this category are likely to be harvested? Are measures needed to prevent forests in a long rotation category being left permanently and never harvested, or to mitigate potential adverse effects of these forests being left permanently?
23. What criteria should be in place to restrict the category to *Pinus radiata* forests which are not profitable to harvest at age 28?
24. Do you think a long rotation category aligns with the proposed changes to the permanent activity and supports the Governments wider forestry objectives?
25. Are there alternative options to a long-rotation forest category that could be more effective at addressing the concerns raised by stakeholders about remote and marginal land and that align with the Government's forestry objectives?

**Incentivising indigenous afforestation
[Optional]**

26. Do you have any further feedback on how the Government can reduce barriers and incentivise to permanent indigenous afforestation to ensure we deliver long-term resilient, biodiverse forests?



14. Glossary

Accounting, accounting rules and accounting approach	In the NZ ETS this refers to the methodology for quantifying the changes in the carbon stored in registered forests from tree growth, and the amount emitted upon events such as clearing (harvesting) and deforestation.
Afforestation	Establishment (either by planting or natural regeneration) of forest on land that did not previously have tree cover.
Averaging accounting	The averaging accounting method reflects the amount of carbon stored in their forest over the long term, with emissions units allocated to participants. Averaging accounting is a new method to account for carbon storage in forests intended to be harvested that are registered in the NZ ETS. Forests will earn NZUs up until the age the forest is expected to reach its long-term average carbon stock over multiple rotations of replanting and harvesting.
Carbon price	The cost of one emissions unit (New Zealand Unit). One emissions unit represents one tonne of carbon dioxide equivalent.
Carbon sequestration	The uptake and long-term storage of carbon dioxide from the atmosphere (for example, in vegetation)
Carbon sink	Natural and artificial processes which take carbon dioxide from the atmosphere and store it are known as 'carbon sinks'. Forests are a good example of a carbon sink, as they take in and store carbon dioxide through the process of photosynthesis.
Carbon stock	The amount of carbon contained within a forest.
Clear-felling	Typical method for harvesting production forests in New Zealand. In the NZ ETS, it is defined as harvesting which drops tree crown cover below 30 percent across a hectare.
Climate Change Response Act 2002	A legal framework to help enable New Zealand to meet its international climate change obligations under various international agreements such as the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
Climate Change Response (Emissions Trading Reform) Amendment Act 2020	A legal framework which introduced significant changes to the forestry provisions in the NZ ETS, including: <ul style="list-style-type: none"> a) a new carbon accounting approach, called 'averaging' – averaging will replace the current 'stock change' approach for post-1989 forests registered in the NZ ETS from 2023 and will be optional for forests registered from 2019 (intended to reduce the financial risk of NZ ETS participation and to promote better alignment with international accounting); b) a new permanent post-1989 activity for permanent forests which will replace the PFSI (PFSI participants will shift into the ETS unless they elect to de-register, and the PFSI will be dis-established in 2024); c) a new exemption from carbon liabilities for forests partly or fully cleared from a temporary adverse event; and d) a large number of operational and technical improvements to improve efficiency for regulators and the overall NZ ETS experience for participants.
Deforestation	a) Means to convert forest land to land that is not forest land; and b) Includes clearing forest land, where section 179 applies.
Emissions	Greenhouse gases released into the atmosphere from human activity
Emissions Reduction Plan	The Emissions Reduction Plan (ERP) will set out how New Zealand will meet its first emissions budget (2022-2025) and set the path towards meeting our long-term climate targets. It is a key step in the country's transition to a low emissions future.
Exotic forest	A forest in which the main species does not occur naturally in New Zealand.

Forest land	<p>a) Means an area of land of at least one hectare that has, or is likely to have, tree crown cover from forest species of more than 30 percent in each hectare; and</p> <p>b) Includes an area of land that temporarily does not meet the requirements specified in paragraph (a) because of human intervention or natural causes but that is likely to revert to land that meets the requirements specified in paragraph (a); but</p> <p>c) Does not include – i. a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 metres; or ii. an area of land where the forest species have, or are likely to have, a tree crown cover of an average width of less than 30 metres, unless the area is contiguous with land that meets the requirements specified in paragraph (a) or (b).</p>
Forest type	<p>Forests in the ETS are assigned one of five possible forest ‘types’. The type is used to determine what lookup table or FMA table to use for carbon accounting. The forest types are:</p> <ul style="list-style-type: none"> • <i>Pinus radiata</i> (<i>Pinus radiata</i> is also split into region when a participant uses lookup tables); • Douglas fir; • Exotic softwoods (other than <i>Pinus radiata</i> and Douglas fir); • Exotic hardwoods; and • Indigenous
Harvesting	<p>Harvesting occurs when forest land is cleared and in the future new seedlings are either planted or naturally regenerate. There is no change in land-use; the forest land is considered to be temporarily unstocked. There is a time limit for how long harvested land may be temporarily unstocked before it is deemed deforested.</p>
Indigenous forest	<p>We use the phrase indigenous forest, rather than native forest, in order to align with the terminology the CCRA. In the CCRA, indigenous forest species means a forest species that occurs naturally in New Zealand or has arrived in New Zealand without human assistance.</p>
International climate change targets	<p>New Zealand is committed to international climate change targets as a party to the United Nations Framework Convention on Climate Change and the Kyoto Protocol.</p>
Look-up tables	<p>Tables for default carbon storage used to determine participants’ NZU entitlements and obligations for forests in the NZ ETS where forest areas are less than 100 hectares in area.</p>
Liability	<p>Liability here means the requirement to surrender or repay NZUs under the NZ ETS.</p>
Nationally Determined Contribution (NDC)	<p>How a country states its target under the Paris Agreement on Climate Change. It represents the individually determined contributions each country should make to reduce national greenhouse gas emissions and adapt to the impacts of climate change.</p>
New Zealand Emissions Trading Scheme (NZ ETS)	<p>The NZ ETS is an emissions pricing scheme. This is the key tool used by New Zealand for reducing emissions. Under this scheme, emitters must report and pay for their emissions.</p> <p>The NZ ETS was created through the Climate Change Response Act 2002 (CCRA), passed in recognition of New Zealand’s obligations under Kyoto Protocol.</p>
New Zealand Units (NZUs)	<p>A unit issued by the Registrar of the NZ ETS that can be used to meet obligations by participants of the NZ ETS.</p>
Participant	<p>Here, a person, persons or entity that is registered and:</p> <ul style="list-style-type: none"> • participates in a forestry activity; or • carries out an activity covered by the NZ ETS. <p>A participant must report on emissions (or on carbon captured) and may need to surrender units to cover emissions or may receive an entitlement of units for carbon capture.</p>

Permanent forest	Permanent forests are those not intended to be clear fell-harvested, but may be subject to selective or small coupe harvesting
Permanent forest sink initiative (PFSI)	A scheme to incentivise afforestation established in 2006 under the Forests Act 1949. It enables landowners to receive units for carbon stored in post-1989 permanent forests. It is being discontinued and participants in the PFSI are being transitioned into the Permanent Forest Activity
Permanent post-1989	A new category (activity) in the Climate Change Response Act 2002 (CCRA) which is available from 1 January 2023. Participants who opt to enter the permanent forest category will remain in the NZ ETS for 50 years. Forest land registered in the permanent forest category will earn on the stock change approach, and participants will be unable to clear-fell their forests for 50 years.
Post-1989 forest land	Post-1989 forest land is land which meets the forest land criteria, and includes land which: <ul style="list-style-type: none"> • was not forest land on 31 December 1989; or • was forest land on 31 December 1989 but was deforested between 1 January 1990 and 31 December 2007; or • was pre-1990 forest land that was deforested on or after 1 January 2008, and any ETS liability has been paid.
Pre-1990	Pre-1990 forest land is land which: <ul style="list-style-type: none"> • was forest land on 31 December 1989; remained as forest land on 31 December 2007; and • contained predominantly exotic forest species on 31 December 2007. <p>Land that was indigenous forest land on 31 December 1989, and remained so on 31 December 2007, is not pre-1990 forest land and is not subject to ETS obligations.</p>
Register	In this context; enter an area of eligible forest land into the NZ ETS.
Rotation	The cycle of growth and felling or cutting of trees.
Stock change accounting	Where the participant accounts for the net carbon stock change in the forest.
Surrender	Surrender means the transfer of one or more units to the Crown surrender account in the Register to meet an emissions obligation.
Temporary adverse event	Adverse events which do not directly result in long term or permanent deforestation

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Title: 22-80 Rau Tipu Rau Ora Response and Recovery Status Update
Section: District Mayor
Prepared by: Donna Shaw - Executive Advisor to the Mayor
Meeting Date: Thursday 31 March 2022

Legal: Yes

Financial: Yes

Significance: **Medium**

Report to COUNCIL for information

PURPOSE

The purpose of this report is to signal that there will be a verbal update to Council at this meeting, on the Rau Tipu Rau Ora (RTRO) Response and Recovery Plan on progress against the priorities, commitments and actions set out in the Plan (May 2020) linked to the Council website - <https://www.gdc.govt.nz/search?query=rau+tipu+rau+ora>

This was an action from the last RTRO Governance Group meeting held on 2 March 2022.

SUMMARY

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 Council:

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

Authorised by:

Nedine Thatcher Swann - Chief Executive
Rehette Stoltz - Mayor

Keywords: recovery, Rau Tipu Rau Ora, RTRO

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: High Significance

This Report: High Significance

The effects on individuals or specific communities

Overall Process: High Significance

This Report: High Significance

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

Overall Process: High Significance

This Report: High Significance

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

Title: 22-83 3-Waters Governance Working Group Recommendation-
Implications for Tairāwhiti

Section: Chief Executive's Office

Prepared by: Yvette Kinsella - Special Projects Manager

Meeting Date: Thursday 31 March 2022

Legal: No

Financial: No

Significance: **Low**

Report to COUNCIL for information

PURPOSE

The purpose of this report is to provide elected members with an assessment of the implications for Tairāwhiti of recommendations made by Local Government New Zealand's Three Waters Working Group in order to inform future discussion on the transition of three waters assets to the new Water Service Entity (WSE).

SUMMARY

Local Government New Zealand worked with the Government to broker the establishment of the Three Waters Working Group for Representation, Governance and Accountability (The Working Group).

The Working Group will provide independent advice on how to improve the governance arrangements for the WSEs. The Working Group's report was released in March 2022 and submitted to the Minister of Local Government. This paper focuses on the implications in terms of how the Working Group recommendations would address Gisborne District Council's concerns about the draft Bill and any risks that might remain.

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 Council:

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

Authorised by:

Nedine Thatcher Swann - Chief Executive

Keywords: 3-waters reform, implications for Tairāwhiti 3-waters reform, 3-waters working group

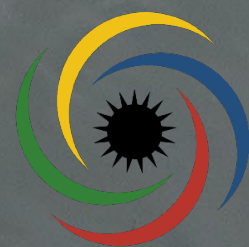
ATTACHMENTS

1. Attachment 1 - 22-83 REPORT to Council three waters 31 March 2022 (002) [**22-83.1** - 20 pages]

THREE WATERS

Working Group Recommendations: Implications for Te Tairāwhiti

31 March 2022



Logicus NZ

Executive Summary

In October 2021, government released a draft Bill outlining its proposed approach to three waters reforms. The key elements were:

- four (super-regional) water services entities deliver three waters services
- ownership of the WSEs to sit with territorial authorities
- independent, competency-based boards to govern each entity
- mechanisms to protect and promote iwi/Māori rights and interests
- economic regulatory regime to protect consumers and incentivise performance
- stewardship arrangements to ensure it adapts to shifts in national objectives and priorities and remains fit for purpose.

Gisborne District Council raised several concerns in response to the draft Bill with the general themes being:

- governance model, accountability and loss of local voice
- insufficient representation of Tairāwhiti iwi
- changes in service levels and loss of local initiatives
- loss of economies of scope (with increased net costs of remaining Council services) and impacts on ability to borrow
- impacts on Waingake Block ownership and management
- loss of gains made in-region around sustainable procurement and workforce development
- misalignment of infrastructure investment with local planning
- potential alternative alliances and opportunities for sub-regional representation.

Government established a Working Group to provide councils and iwi/Māori the opportunity to input into strengthening governance, representation and accountability for local communities.

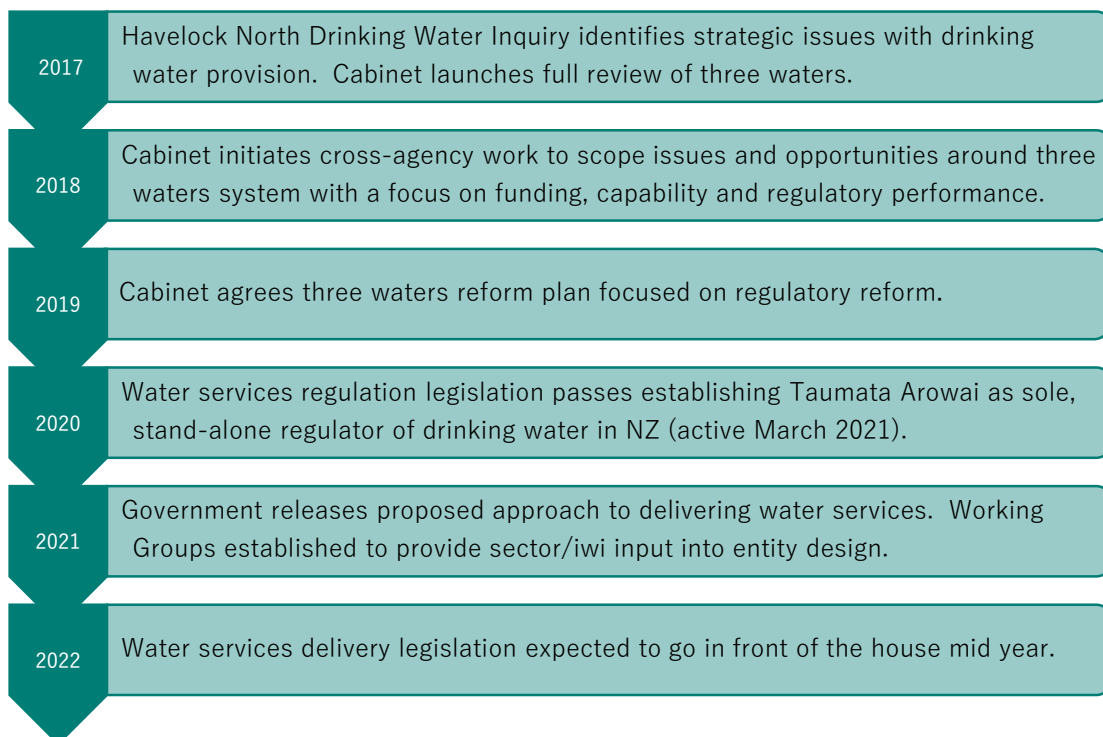
Their report was released in March 2022 and the key recommendations are to:

- ensure public ownership of WSEs through establishment of body corporates
- strengthen representation and accountability by extending the role (and size) of the Regional Representative Group and in each WSE and allowing for the establishment of sub-regional representation groups
- address wider policy issues such as: transferral of arrangements that give effect to the Treaty of Waitangi to WSEs, and the role of councils in planning and infrastructure
- ensure sufficient financial support to the WSEs and sufficient borrowing capacity.

The implications for Gisborne District Council are discussed in the report in terms of how the Working Group recommendations would address Gisborne District Council's concerns about the draft Bill and any risks that might remain.

Background

1. In 2017, the Minister of Local Government (the Minister) announced a review of three waters services (the review) in response to the findings of its Inquiry into Havelock North Drinking Water. The review found issues in several key areas:
 - System stewardship
 - Drinking water safety
 - Environmental performance
 - Economic regulation
 - Affordable service provision.
2. On the back of the review, government embarked on reform of the three waters system.

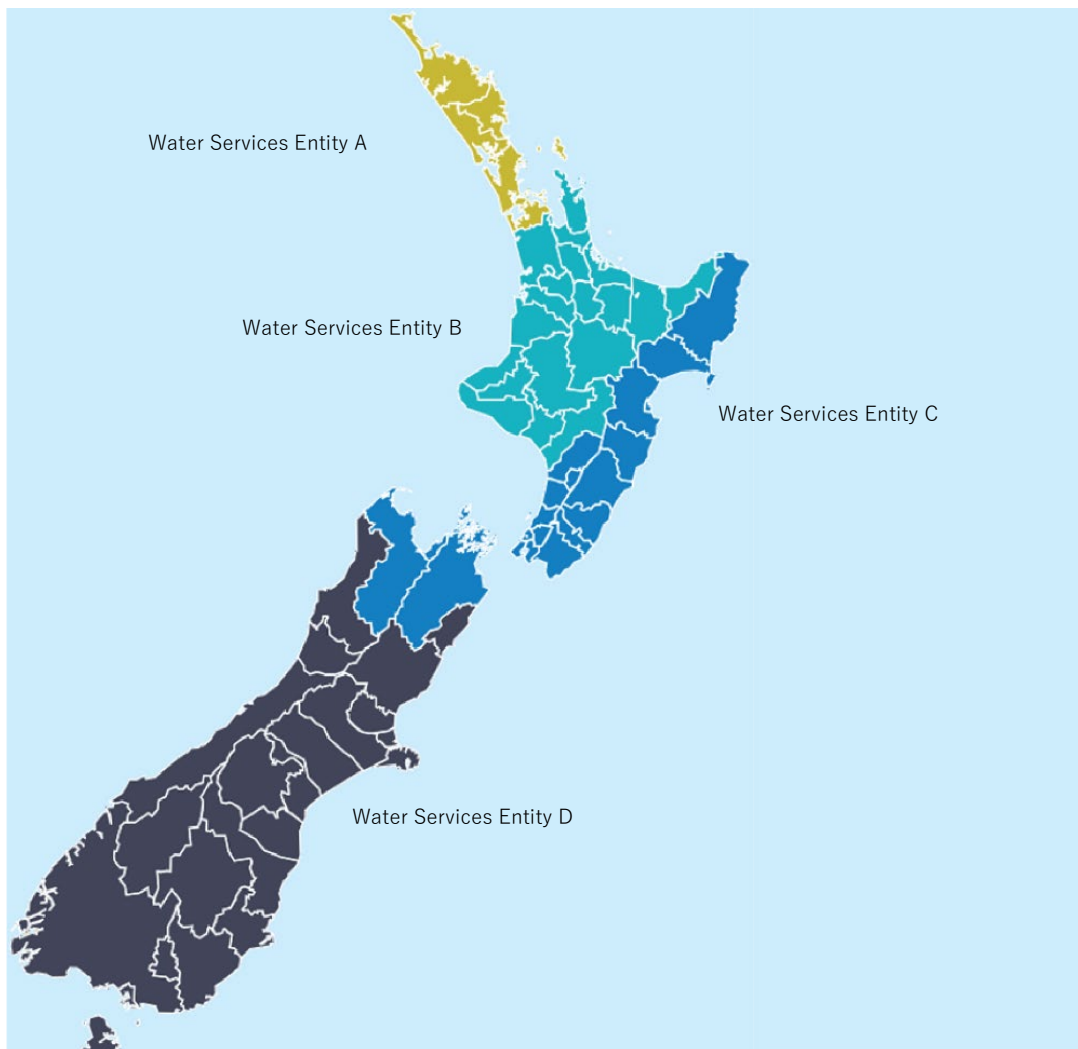


3. Government has made considerable progress in its reform agenda. Its early work was focused largely on overhauling the regulatory framework for three waters, most notably drinking water. With the water services regulator, Taumata Arowai, operational, government has shifted its attention to the overhaul of the system of water services delivery.

Government's Proposed Approach to Water Services Delivery

4. In October 2021, Cabinet released its proposed approach to reform of water services delivery in the form of a draft exposure bill (the draft Bill) for water services delivery. It is an 'all-in' approach to reform that shifts service provision away from councils.
5. The draft Bill has the following key elements:

- four publicly-owned (super-regional) water services entities (WSEs) to operate three waters infrastructure on behalf of councils to deliver three waters services with protections against future privatisation
- a Regional Representative Group in each WSE area co-governed by councils and iwi/Maori to provide strategic direction to WSEs
- independent, competency-based boards to govern each entity
- a suite of mechanisms to protect and promote iwi/Māori rights and interests
- an economic regulatory regime to protect consumer interests and provide strong incentives for performance
- stewardship arrangements for the new system to ensure it adapts to shifts in national objectives and priorities and remains fit for purpose.



6. The proposed reforms are intended to dovetail with wider government reforms in the resource management and climate change spaces.

Council Concerns

7. Gisborne District Council (Council) raised several concerns as summarised below.

Governance model, accountability and loss of local voice

8. There were concerns that the proposed approach further removed local communities from having a voice in decisions on water services delivery. A super-regional approach (that in effect would operate as a monopoly) would see many communities, who have their own distinct identities, with no mechanisms of influence and no way to hold the WSEs to account around decisions on significant public assets and services.

Tairāwhiti iwi engagement and representation

9. Engagement with iwi around representation is important. The proposed approach does not effectively represent a partnership approach with iwi/Māori under the Treaty of Waitangi as there is only limited opportunity for hapu to have a voice through limited number of mana whenua representatives.

Service levels and local initiatives

10. Decisions on investment in water services may result in a reduction in service levels, particularly for smaller and more remote communities, as investment serving larger populations may be prioritised. It may also result in a loss of local variability in service and quality levels where community have expressed a preference.

11. The WSEs may have a narrow focus on just financial bottom lines rather than considering wider community wellbeing. Existing infrastructure and arrangements that contribute towards wider long-term goals identified by our community may be lost.

Financial impacts

12. There would be a loss of economies of scope with removal of water services as Council has fixed costs that are typically spread across multiple cost centres. This would see an increase in net costs for the remaining non-three waters council activities.

13. The removal of water services from Council would see a shift in the Council balance sheet as the asset base shrinks and rates income for water services is reduced. This may reduce future ability to borrow.

Waingake Block

14. There are significant matters to be resolved around the ownership and management of the Waingake block (formerly known as Pamoā forest). The Waingake Transformation Programme, a partnership with Maraetaha Incorporated and Ngai Tāmanuhiri, is returning 1,100 hectares of pine plantation back to indigenous forest. The integrated activities in the Waingake block are supporting multiple outcomes, including enhancing biodiversity, meeting

treaty obligations, and long term protection of critical water supply and pipeline. We will need assurances that assets that have partnerships and outcomes such as this will be retained by Council.

Sustainable Procurement

15. The contribution that Council makes in Te Tairāwhiti towards social and economic outcomes may be partly undermined by the proposed arrangements. Council has invested significantly in social procurement to generate positive impacts on community wellbeing beyond delivering solely to financial bottom lines. There is potential for those wider benefits in contractor growth and workforce development to be lost.

Misaligned Planning

16. The WSEs will have multiple council jurisdictions to service and will need to prioritise investment across all of them. Te Tairāwhiti priorities for water services (improvements and new) will be competing with other (larger) communities. It is likely that there will be misalignment between local demands for new water services to support growth and when the delivery of said water services are programmed.
17. While there has been advice that WSEs would be required to give effect to council plans for housing growth, there does not appear to be anything in the draft Bill that indicates that councils are the plan makers and WSEs are the plan takers.

Potential Alternative Alliances

Government's proposal discounts other potential alliances between territorial authority areas that would reflect local preferences. It has predetermined the entity boundaries and number of entities. Council has explored other alternatives with Hawkes Bay councils that would ensure a better alignment of community values and whakapapa linkages. Sub-regional representation would give local councils more influence in strategic direction and could be a mechanism for ensuring local community and hapu voice.

Working Group on Representation, Governance and Accountability

18. Government has established working groups including sector and iwi representatives to contribute to the reform and ensure it will deliver to its promises:
 - Working Group Representation, Governance and Accountability
 - Planning Technical Working Group
 - Rural Supplies Technical Working Group.
19. The Working Group Representation, Governance and Accountability (the Working Group) is comprised of two council elected officials and two iwi representatives from each of the four proposed WSEs. Gisborne District Council is in Entity C and representatives are:

- Chair Ngāti Kahungunu Iwi Incorporated, Ngahiwi Tomoana
- Chair Te Rūnanga o Ngāti Rārua, Olivia Hall
- Mayor Lower Hutt, Campbell Barry
- Mayor Nelson, Rachel Reese.

20. The objectives of the Working Group are to consider issues relating to representation, governance and accountability of the new WSEs and recommend to the Minister a preferred strengthened approach to the governance framework. Appendix 2 has core elements of the Working Group's Terms of Reference.

Key Recommendations of the Working Group

21. The Working Group released its report in March 2022. The report recommends specific changes to the provisions in the draft Bill to:

- ensure public **ownership** of WSEs through establishment of body corporates comprised of councils in each WSE area (to protect from privatisation)
- strengthen **representation** and accountability by extending the role (and size) of the Regional Representative Group and in each WSE and allowing for the establishment of sub-regional representation groups to ensure a stronger voice for local communities.

22. The Working Group has also asked government to:

- address **wider policy issues** such as: transferral of arrangements that give effect to the Treaty of Waitangi to WSEs, and the role of councils in planning, other infrastructure and placemaking
- ensure sufficient **financial** support to the WSEs to achieve 'balance sheet separation' from councils and that WSEs have capacity to borrow sufficient to meet water services demands.

23. The full report of the Working Group is available here

[https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme-2022/\\$file/Governance-Working-Group-Report.pdf](https://www.dia.govt.nz/diawebsite.nsf/Files/Three-waters-reform-programme-2022/$file/Governance-Working-Group-Report.pdf).

Ownership

24. Government has stipulated one of its bottom lines in the reform is retaining public ownership of water services assets. The draft Bill expressly states that: "A water services entity is owned collectively by its territorial authority owners".

25. The Working Group report acknowledges that the draft Bill goes some way to reducing options for privatisation. It requires a 75% majority of the WSEs Regional Representative Group and the local community (on polling) to divest ownership of the WSE and significant infrastructure.

26. However, the Working Group would like to see this protection extended and recommends the following:
- establishment of a public shareholding structure, where councils hold shares on behalf of their communities” with one share per 50,000 resident population
 - decisions by Parliament on divestment to be subject to the same 75% super-majority requirement.
27. The thinking behind the recommendations is that this has a stronger chance of ensuring ongoing public ownership of water services infrastructure and the WSEs. It ensures that ownership remains protected from future legislative changes that might adjust ownership rights.

Representation

28. The Regional Representative Group (RRG) is a key link between local communities / mana whenua and the WSE board. In the draft Bill it has several powers including: setting the Statement of Strategic and Performance Expectations for the WSE to deliver, appointing and removing WSE board members and reviewing performance of the WSE.
29. The Working Group has recommended several changes to strengthen the RRG role including:
- extending the role of the RRG to include the approval of the strategic direction outlined by the WSE in its Statement of Intent
 - ensuring RRG has input into investment prioritisation methodologies and operational direction in asset management plans
 - requiring RRGs to have 12-14 members representing diverse communities with flexibility to decide their membership and competencies required of RRG members
 - using a consensus model of decision-making with at least 75% majority (preferably 100%)
 - seeking six-monthly reports on SOI and board performance reviews from the WSE
 - increasing the scope of the RRG constitution to enable: additional performance reporting, performance reviews, and establishment of sub-RRGs,
30. The Working Group has also identified other mechanisms to enable community voice in water services delivery:
- allowing RRGs to establish regional sub-advisory groups that could include local community and iwi/hapū members and feed information on local priorities and desired outcomes up to RRG
 - establishing a National Water Ombudsman to receive complaints and settle disputes on water services delivery
 - requiring WSEs to engage with local councils on parts of draft asset management plans that relate to their district to ensure that council planning priorities are reflected in the WSE’s strategic priorities.

Wider Policy Issues

31. The Working Group recognises that many local authorities have existing mechanisms in place to give effect to Treaty of Waitangi (Treaty) settlements and it is important to ensure that these mechanisms are carried across to the new WSEs.
32. The Working Group proffers that Te Mana o te Wai should be an overarching objective guiding decision making, planning, governance, accountability, and service delivery. The definition of Te Mana o te Wai should be extended to include non-freshwater bodies, (marine and estuarine waters, lagoons and puna) to recognise a whole-of-system approach to water, ki uta ki tai.
33. The Working Group wants to ensure there is alignment on key aspects of the water and resource management reforms and that the important role that councils play in planning decisions on regional infrastructure, development priorities and local place making are front and centre with WSEs.
34. It also wants to ensure that WSEs recognise they will need to participate in the new Natural and Built Environments Act and Strategic Planning Act processes, providing input into spatial strategies and plans and expert advice on consents.

Financial Matters

35. The Working Group asks that the Crown confirms that it will provide sufficient financial support to the WSEs to ensure 'balance sheet separation' from councils, that the WSEs have sufficient borrowing capacity to invest in the required infrastructure and can borrow funds at a cost similar to councils.
36. It also asks that Crown resources the full engagement of iwi and hapū in three waters regime so that the co-governance arrangements can be fully expressed in the way intended.

How the Working Group Recommendations Respond to Council Concerns

37. The Working Group report has captured some of the issues raised by Council throughout the reform process.

Governance model, accountability and loss of local voice

38. The Working Group recommendations offer further protection from privatisation in establishing council ownership of WSEs as body corporates. However, the only power that body corporates have is to vote on questions of divestment. The table below shows the estimated shareholding of councils within Entity C.

Council	Population (est 2018 Census)	Shares
Wellington City	210,000	4

Hutt City	110,000	2
Hastings District	81,000	1
Palmerston North City	80,000	1
Porirua City	60,000	1
Kāpiti Coast District	56,000	1
Napier City	55,000	1
Tasman District	54,000	1
Marlborough District	53,000	1
Nelson City	49,000	1
Gisborne District	48,000	1
Upper Hutt City	44,000	1
Horowhenua District	35,000	1
Manawatū District	32,000	1
Masterton District	25,000	1
Tararua District	19,000	1
Central Hawkes Bay District	15,000	1
South Wairarapa	11,000	1
Carterton District	10,000	1
Wairoa District	9,000	1

39. The Working Group recommendations would strengthen local voice in water services delivery by bringing more diversity to decision tables. More seats at the RRG table mean more councils and mana whenua can participate.
40. However, they do not guarantee Te Tairāwhiti (or any other region) a seat at the RRG table or the WSE board table.
41. They may provide opportunities for local voice through regional advisory groups, however, there is no accountability back to these groups.
42. Council may like to suggest further recommendations:
- that local authorities and mana whenua have input into drafting of the first-round constitution for their WSE
 - that the body corporate be responsible for appointing the RRG members to ensure local voice in choosing representatives that will play a significant role in water services outcomes.

Tairāwhiti iwi engagement and representation

43. As per paragraphs 38-39 above.

44. Please note that Tairawhiti iwi are engaging with the Crown directly through existing mechanisms such as the Iwi Leaders Forum.

Service levels and local initiatives

45. This was not addressed by the Working Group recommendations as it is beyond their purview.

46. The draft Bill does provide two potential mechanisms to influence this at a strategic level: through the Statement of Strategic Performance Expectations that the RRG gives to the WSE board; and through the Constitution of the WSP Board.

47. There is an assumption in the draft Bill that existing water services will continue to be delivered. However, it is up to the WSE how it intends to do this. We may see different decisions about how best to deliver the water services networks and we may see changes in levels of service. It is not clear in the draft Bill what the minimum levels of service would be and for whom. It is expected that a Government Policy Statement or subsequent regulations may clarify this. Communities will be expecting it.

Financial impacts

48. This was not addressed by the Working Group recommendations as it is beyond their purview.

49. Government has another stream of work around a water services economic regulator that may turn its mind to these concerns.

Waingake Block

50. This was not addressed by the Working Group recommendations.

51. The Working Group has recommended that government stipulate that any activities and/or partnerships giving effect to Treaty of Waitangi settlements be able to be carried across to the WSEs.

52. The issues around ownership and management of Waingake Block are much more complex than the recommendations provide for and require a bespoke solution.

Sustainable Procurement

53. This was not addressed by the Working Group recommendations as it is beyond their purview.

54. Despite the government having a social procurement policy of its own, the WSEs are independent entities and government would have to compel them to consider wider outcomes through a mechanism such as a Government Policy Statement.

55. As per paragraph 44, some influence can be wielded by the RRG through the Statement of Strategic Performance Expectations.

Misalignment of infrastructure investment with local planning

56. The Working Group recommendations would require WSEs to engage with local councils on parts of draft asset management plans that relate to their district to ensure that council planning priorities are reflected in the WSE's strategic priorities
57. Council's current Long Term Plan commits to providing a significant parcel of work in the water services space. This work has been carefully timetabled and budgeted for to meet wider requirements and outcomes, most notably infrastructure to respond to the resource consent requirements around the Gisborne city wastewater treatment plant. This is a risk that the WSE super-regional water service priorities trump local planned works causing delays.
58. Council may like to suggest further recommendations that require WSEs to, at least, dovetail the timing of asset management plans and infrastructure strategies with council long term planning milestones.

Potential Alternative Alliances

59. This was not addressed by the Working Group recommendations as it is beyond their purview. The Working Group terms of reference specifically rules out relitigating whether the reforms should happen or not.

Appendix 1

Core Elements of Government's Proposed Water Services Entities Bill

This Bill is a stand-alone Bill that establishes 4 publicly owned water services entities that will provide safe, reliable, and efficient water services in place of local authorities.

The Bill contains the ownership, governance, and accountability arrangements relating to those entities, and provides for transitional arrangements during an establishment period.

The entities will commence delivery of services on 1 July 2024.

This Bill is just 1 component of a comprehensive package to reform water services that are currently provided by local authorities.

Legal form and ownership by territorial authorities

Water services entities are a new public service delivery model. Each entity will be a body corporate owned collectively by the territorial authorities in its service delivery area.

Function, objectives, and operating principles

The function of a water services entity will be to provide safe, reliable, and efficient drinking water, wastewater, and stormwater services in its area. The objectives of an entity will be to—

- deliver water services and related infrastructure in an efficient and financially sustainable manner:
- protect and promote public health and the environment
- support and enable housing and urban development
- operate in accordance with best commercial and business practices
- act in the best interests of present and future consumers and communities
- give effect to Te Mana o te Wai, to the extent that it applies to the duties and functions of the entity
- deliver water services in a sustainable and resilient manner that seeks to mitigate the effects of climate change and natural hazards.

The operating principles of a water services entity will be—

- developing and sharing capability and technical expertise with other water services entities and across the water services sector
- being innovative in the design and delivery of water services and infrastructure

- being open and transparent, including in relation to calculation and setting of prices, determining levels of service delivery to consumers and communities, and reporting on performance
- partnering and engaging early and meaningfully with Māori, including to inform how the water services entity can give effect to Te Mana o te Wai, and understand, support, and enable the exercise of mātauranga, tikanga, and kaitiakitanga
- giving effect to Treaty settlement obligations, to the extent that the obligations apply to the duties and functions of an entity
- partnering and engaging early and meaningfully with territorial authorities and their communities
- co-operating with, and supporting, other water services entities, infrastructure providers, local authorities, and the transport sector.

Governance arrangements

Water services entities will have a 2-tier governance arrangement comprising—

- a regional representative group, which provides joint oversight of an entity by an equal number of representatives of the territorial authority owners and mana whenua from within the entity's service area
- corporate governance by an independent, competency-based, professional board.

Appointments to, and removals from, the board will be made by a board appointment committee that is part of the regional representative group. The board appointment committee is also responsible for preparing and maintaining an appointment and remuneration policy for the board. Board members are accountable to the regional representative group when performing their duties as members.

Constitution of regional representative group

Each regional representative group will have a constitution setting out—

- its composition, and how the appointment of representatives from territorial authority owners and mana whenua will occur
- how it will make decisions and regulate its internal procedure
- the number of its members. The Bill provides that the minimum number of members of the regional representative group is 6. The maximum is the number of territorial authority owners in the service area of the entity, with an equal number of mana whenua representatives.

The first constitution of each regional representative group will be set out in regulations, after the Minister engages with the entity's territorial authority owners and mana whenua in its service area.

Conflict of interest

The Bill contains provisions on conflicts of interest. The provisions apply to members of the board and regional representatives and include—

- a requirement to keep an interest register
- the obligation of board members and regional representatives to disclose relevant interests
- the consequences of being interested, such as the exclusion of a board member or a regional representatives who is interested from participating in decision making relating to the interest.

Statement of strategic and performance expectations

The regional representative group must make a statement of strategic and performance expectations at least once every 3 years. The purpose of a statement of strategic and performance expectations is to—

- state the regional representative group's objectives and priorities for the entity
- inform and guide the decisions of the board.

The board of a water services entity must give effect to the statement of strategic and performance expectations.

Reporting and accountability

The Bill requires the board to prepare and adopt—

- a statement of intent setting out the forecast service performance and budget of the entity, along with an annual report setting out the actual performance and audited financial statements for the entity
- an asset management plan and funding and pricing plan, which will cover a 10-year period
- an infrastructure strategy, covering a 30-year period.

Te Mana o te Wai

One of the objectives of a water services entity is to give effect to Te Mana o te Wai to the extent that it applies to the duties and functions of the entity. This is consistent with the approach across all legislation relating to water services, including the Taumata Arowai—the Water Services Regulator Act 2020, and on those who perform or exercise functions, powers, and duties under the Water Services Act 2021.

Mana whenua whose rohe or takiwā includes a freshwater body in the service area of an entity can make a Te Mana o te Wai statement for water services. The board must respond to the statement within 2 years, and the response must include a plan for how the entity intends to fulfil its objective to give effect to Te Mana o te Wai.

Relationship to Treaty settlements

To ensure that Treaty settlements are enduring, the Bill provides that,—

- where there is inconsistency between the legislation and a Treaty settlement obligation, the Treaty settlement obligation prevails
- an operating principle of entities is to give effect to Treaty settlement obligations, to the extent that the obligations apply to the duties and functions of an entity.

Consumer and community engagement

A water services entity must—

- establish 1 or more consumer forums to help gather consumer views and understand consumer needs, expectations, and service requirements
- prepare an annual consumer stocktake
- engage with its consumers and communities on its asset management plan, funding and pricing plan, and infrastructure strategy.

In performing those functions, a water services entity must be guided and informed by the following consumer engagement principles:

- communication to consumers should be clear and appropriate, and recognise the different communication needs of consumers
- the entity should be openly available for consumer feedback and seek a diversity of consumer voices
- the entity should clearly identify and explain the role of consumers in the engagement process
- the entity should consider the changing needs of consumers over time, and ensure that engagement will be effective in the future
- the entity should prioritise the importance of consumer issues to ensure that the entity is engaging with issues that are important to consumers.

Safeguards against privatisation

The Bill sets out strong safeguards against privatisation or loss of control of water services and significant infrastructure. In particular, the Bill provides for—

- collective territorial authority ownership of entities, to ensure appropriate oversight and influence on behalf of the communities
- joint oversight of entities by mana whenua
- clear legislative protections against loss of ownership or control based on provisions in the Local Government Act 2002, which are that an entity must not use water services assets as security for any purpose, divest its ownership in a water service, or sell or lose control of significant infrastructure
- a requirement that, for a divestment proposal to proceed, it must have support from 75% of both an entity's regional representative group and a poll of the electors in its service area.

The Bill provides that territorial authority owners may not receive profits from the entity, and have no beneficial interest in the security of an entity. The constitution must not give regional representatives rights or interests in assets of an entity.

Government policy statement

The Bill enables the Minister to make a Government policy statement setting out the Government's overall direction and priorities for water services, to inform and guide agencies involved in, and the activities necessary and desirable for, water services. A water services entity must give effect to the statement when performing its functions.

Crown monitoring and intervention

The Bill enables the Minister to appoint a department as a Crown monitor. The role of the monitor is to—

- act as a steward to provide oversight to the water services system from a whole-of-government perspective
- tender advice to Ministers, and assist the Minister to carry out the Minister's role under the legislation.

The Bill contains a Crown intervention framework, providing the Minister with powers of intervention based on a graduated risk regime, including—

- circumstances where there is a significant or persistent failure by a water services entity to perform 1 or more of its functions or give effect to a Government policy statement
- a water services entity's failure to demonstrate prudent financial management
- a state of emergency.

The Minister's powers of intervention are based on existing powers in the Local Government Act 2002 and include the appointment of a Crown review team, a Crown observer, or, as a last resort, a Crown manager.

Transition and establishment arrangements

Schedule 1 of the Bill contains the transition and establishment arrangements, including—

- establishment entities, which will make the preparatory arrangements for full operation
- the statutory oversight powers of the national transition unit (a business unit based in the Department of Internal Affairs) for the transition period
- transitional provisions relating to employment of the water services workforce, including employment security by transferring existing employment positions to the relevant water services entity on terms that are no less favourable than existing terms.

Appendix 2

Core Elements of the Terms of Reference of the Working Group on Representation, Governance and Accountability

- The Working Group is comprised of two council elected officials and two iwi representatives from each of the four proposed WSEs.
- The objectives of the Working Group are to consider issues relating to representation, governance and accountability of the new WSEs and recommend to the Minister of Local Government a preferred strengthened approach to the governance framework.
- The terms of reference of the Working Group outlines the scope of the advice on strengthening the approach that has been sought from the Working Group:
 - what local authority ownership on behalf of communities means and how it is provided for, and how it is reflected in the governance framework
 - the size, composition and functions to be carried out by oversight bodies for a WSE
 - the process for setting and documenting strategic direction and performance expectations for each WSE
 - the process for appointment and removal of members of the board of a WSE and their oversight bodies
 - the role of the oversight bodies in scrutinising entity and board performance including accountability mechanisms
 - how provision is made for access to resources to support any governance and oversight bodies to perform their roles
 - the extent to which, within a nationally-consistent governance and accountability framework, there is flexibility for bespoke governance and accountability mechanisms to be developed for a WSE
 - mechanisms for resolving differences that may arise in relation to the governance and oversight framework ie between owners or between owners and the entity.

- In preparing their advice, the Working Group must consider issues and concerns raised by local authorities and iwi/Māori and achieve greater buy-in from the local government sector than the original proposal.
- Government has stipulated four bottom lines:
 - Treaty of Waitangi partnership: that the governance framework for each WSE is set up to give effect to the Crown's Treaty obligations by giving effect to the principle of partnership with iwi/Māori across the rohe/takiwā served by that WSE, including by: (a) ensuring that mana whenua and councils have joint oversight of the WSE; (b) integration within a wider system of iwi/Māori rights and interests in water; (c) reflecting a Te Ao Māori perspective; (d) supporting clear accountability of the WSE to iwi/Māori; (e) improving outcomes for iwi/Māori at a local level including addressing inequitable access to three waters services; and (f) enabling iwi/Māori to have rights and influence over the WSE the same as those of councils.
 - Good governance: that the board (a) has clear roles and responsibilities; (b) is appropriately skilled with members appointed based on competency; (c) is focused on acting in the best interests of the WSE and the communities it serves; and (d) has competence in Treaty of Waitangi, matauranga Maori and tikanga Maori.
 - Public ownership: that each WSE remains in public ownership, including local authority and/or community ownership, and with strong protections in place that prevent privatisation (of the WSE itself and the essential three waters service delivery assets they own).
 - Balance sheet separation: that the WSE governance framework will provide the WSE with the financial capacity (including through the ability to borrow) to meet the future three waters service delivery investment needs (including any existing infrastructure deficit) of the region it serves without: (a) resulting in the debt of the WSE consolidating on council balance sheets or requiring additional financial support from the Crown or councils (beyond that already agreed to).

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:

Confirmation of Confidential Minutes

Item 4.1 Confirmation of Confidential Minutes 24 February 2022

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 4.1	7(2)(j)	Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
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