

# AGENDA/KAUPAPA



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Josh Wharehinga (Deputy Chair), Colin Alder, Andy Cranston, Larry Foster, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Tony Robinson, Rob Telfer, Teddy Thompson, Rhonda Tibble and Nick Tupara

## SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee

DATE: Thursday 1 June 2023

TIME: 9:00AM

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

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# Sustainable Tairāwhiti / Toitū Tairāwhiti

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

## Purpose

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

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

## Terms of Reference

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

- Oversee any development of unitary/spatial plan, integrated plans or major catchment plans.
- Consider and recommend to Council strategies, policies, rules and other methods for inclusion into the Tairāwhiti Resource Management Plan and other associated plans.
- Monitor and report on environmental performance trends and the effectiveness of and compliance with Council's resource management responsibilities and activities associated with policy implementation.
- Receive and review State of the Environment monitoring reports to assist in future activity planning and policy development.
- Bylaw development – make any decisions leading up to consultation on a proposal relating to a bylaw. This includes approval of a draft bylaw and/or proposal for consultation (and recommending the appointment of a Hearing Panel to the Bylaw Submissions Hearings Panel).
- Establish, implement and review the operational policy and planning framework for decision making that will assist in achieving the strategic priorities and outcomes
- Monitor, review and develop Council responses, strategies, plans and policy in relation to Iwi and Māori commitments.
- Prepare submissions on any matter that is within its role and terms of reference for Council.
- Approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
- Make decisions that are required to be made by resolution, except those that are not legally able to be delegated.

## Power to Act

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

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members (such as tangata whenua representatives) to assist the Committee.

## Power to Recommend

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

### 3.1. Confirmation of non-confidential Minutes 16 March 2023

# MINUTES

## Draft & Unconfirmed



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## MINUTES of the SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee

Held in Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne on Thursday 16 March 2023 at 9:00AM.

### PRESENT:

Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Colin Alder, Andy Cranston, Debbie Gregory, Ani Pahuru-Huriwai, Rawinia Parata, Aubrey Ria, Tony Robinson, Rob Telfer, Daniel Thompson, Rhonda Tibble, Nick Tupara, Josh Wharehinga.

### IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Liveable Communities Michele Frey, Director Engagement & Maori Responsiveness Anita Reedy-Holthausen, Chief Financial Officer Pauline Foreman, Chief of Strategy & Science Jo Noble, Māori Responsiveness Manager Gene Takurua, Strategic Planning Manager Charlotte Knight, Principal Policy Advisor Janic Slupski, Democracy & Support Services Manager Heather Kohn and Committee Secretary Charlotte Taylor.

**Secretary note:** Cr Parata attended via audio visual link.

The meeting commenced with a karakia.

### 1. Apologies

MOVED by Cr Wharehinga, seconded by Cr Cranston  
That the apologies from Cr Foster be sustained.

**CARRIED**

### 2. Declarations of Interest

Cr Alder declared an interest in report 23-22 as he owns property on the valley of the Te Arai River.

Cr Tupara declared an interest in report 23-22 as he is from Te Whanau a Kai.

Cr Tibble declared an interest in report 23-22 regarding past involvement with Te Aitanga a Mate resource consents.

### **3. Confirmation of non-confidential Minutes**

#### **3.1 Confirmation of non-confidential Minutes - Traffic and Parking Sub Committee 2 February 2023**

MOVED by Cr Cranston, seconded by Cr Gregory  
That the Minutes of 2 February 2023 be accepted.

**CARRIED**

#### **3.2 Action Sheet**

Noted.

#### **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 INFORMATION**

#### **10.1 23-22 Freshwater Planning Update (March 2023)**

Discussions included:

- Te Arai and Waipaoa rivers exist in separate freshwater management units and will be managed separately, though they belong to the same catchment area plan.
- Area of concern around little mention of Te Mana o te Wai in the report which now sits in the centre of national objective framework. It gives directive to be used by all local Councils on how Te Mana o te Wai must be used to inform the implementation of NPSFM 2020. In order to give effect to Te Mana o te Wai the 6 principals must be implemented.
- Staff are working with Ngāti Porou representatives in the Waipapu space for research around gravel. We have LiDAR information from 2019, and some from 2022, the idea is that through the LiDAR catchment - which gives us an understanding of the way the material moves across the river system, we can start to calculate what the bedlow transfer is on an annual basis. This information will be used to inform provisions of the Waipapu Catchment Plan around gravel management. Staff have been working with our Ngāti Porou representatives on a fortnightly basis to work through some of these dimensions as well as sharing the LiDAR and aerial photography.

- Council has a working relationship with iwi, and it would be beneficial to let them guide us through engagement at this time.
- Engagement is important, especially when involving tangata whenua and mana whenua. The Māori Responsiveness team have worked with the Freshwater Planning team to facilitate the foundations for what that looks like. Staff started the journey with the outgoing Council to adopt a te tiriti compass to create a foundational base line to improve and create a collective understanding of Councilor's role as decision-makers in the context of being an enduring treaty partner.
- Staff plan to engage tangata whenua first to define what objectives and values looks like from their perspective, then to take those to a wider catchment planning group or a wider stakeholder discussion.
- Councillors would like to see the tangata whenua engagement in future reports like Gene provided in the meeting.
- Use the te tiriti compass as a foundational platform and allow Council's decision-makers to have a different conversation about our contribution, how are we assisting the current dynamic. The capacity challenges are there - what we would like to know is how we are going to step into these conversations, what solutions we will bring to this environment to allow hapu and iwi to make different decisions and have different abilities about the way they can engage.
- A timeframe extension will give us the opportunity to cultivate the engagement space in a meaningful way, and then progress to planning development so that when it comes to publicly notifying our plans, we can have confidence that our plans reflect and represent our communities' interests.
- Time extension is not a guarantee, it is up to the Ministers to approve whether they will extend the 2024 deadline.
- The effect on the fish species from the floods is unknown but we follow up at our environmental monitoring sites with EDNA. The Ministry for the Environment is interested in understanding what the effects of the cyclones are. We can only assume with the volume of sediment that was liberated by the storms that the ecosystem health was affected, but we will have to determine that in testing.
- Councilors support on application to Central government to move the deadline for the catchment plans at least 24 months.

MOVED by Cr Parata, seconded by Cr Ria

That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:

1. Notes the contents of this report.

**CARRIED**

## 10.2 23-30 National Policy Statement for Highly Productive Land (Implementation Update)

- There is only a grace period if you already had a resource consent application lodged and in train. Staff are looking closely at the effects of individual applications and whether they are really having a meaningful impact on the reduction of highly productive land - but it is a new piece of policy that everyone must work through.
- The default position under the National Policy Statement is land use classes 1, 2 and 3. We can then refine that mapping to some extent within the criteria given in our Regional Policy Statement, but the default applies until we've gone through that process.
- This potentially will impact on smaller communities that are wanting to build on land depending on how the land was zoned. If the land was zoned rural or rural production the National Policy Statement will have an impact and potentially make it harder, but we are taking a case-by-case approach.

MOVED by Cr Wharehinga, seconded by Cr Ria

That the Sustainable Tairāwhiti/Toitū Tairāwhiti Committee:

1. Notes the contents of this report.

**CARRIED**

## 10.3 23-61 Development Contributions Policy Review

Presentation and discussion by Charlotte Knight and Malcolm Thomas (Thomas Consulting).

Discussions included:

- Note that this was written in October 2022, so the recent weather events are not included.
- Recent cyclones and Three Waters Reforms will impact this policy by: impacting businesses, residents, and Council.
- Many possible major impacts on assumptions, and process if Long Term Plan is deferred.
- Council has a legal and strategic obligation around growing the community and providing housing etc.
- Currently the Development Contribution Policy is charged only for Gisborne urban area, there is no expectation that this would extend up the coast.
- If a dwelling was moved to a different location on the same property, there would be no development contribution charge.
- Councilors have an opportunity to challenge the assumptions in upcoming workshops.
- In the graphs comparing Gisborne District Council against other Councils, the figures are generated by from the Long Term Plan (LTP) in terms of the project, and the growth related parts of these projects generate the final figure. There is an ability in the Local Government Act and in the Development Contributions Policy to index the number by the producer's price index and construction index - this will be part of the fees and charges discussion.

- Lifelines and Regulatory teams do look at developer agreements that consider those specific circumstances - balancing up charges vs contributions and other dollars.
- Timeframes for the review are based on the LTP timeframes as we need those project costs and breakdowns. The intent was to have a draft policy towards the end of 2023 based on what the LTP timeframes were looking like. But this timeframe will be confirmed later after a review of staff resourcing following Cyclone Gabrielle.
- Communication to the public would be helpful so people know upfront the amount they are being charged.
- Although the population is going to increase, the demographic is likely to change.
- Population estimates have substantially increased in the past 3-4 years.
- There is a whole lot of change expected with people leaving the country and more arriving from overseas.

MOVED by Cr Cranston, seconded by Cr Ria

That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:

1. Notes the contents of this report.

**CARRIED**

## **11. Close of Meeting**

There being no further business, the meeting concluded at 11:25 am.

Rehette Stoltz  
**MAYOR**



### 3.2. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
10/03/22	10.1	22-30 Additional Information for Emissions Reduction Targets	In progress	Provide Councillors with cost implications to ratepayers when setting a 2030 net zero target.	Magnus Abraham-Dukuma	<b>11/04/2022 Magnus Abraham-Dukuma</b> May 2022 will be premature. The plan is to present the cost information in November alongside the full report after we complete the work underway.	13/11/23
16/03/23	10.1	23-22 Freshwater Planning Update (March 2023)	In progress	Staff to provide report regarding fencing, farm planning, waterways and outlining complexities around stock exclusion.	Janic Slupski		15/08/23

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



Te Kaunihera o Te Tairāwhiti  
**GISBORNE**  
DISTRICT COUNCIL

23-107

**Title:** 23-107 Council's Submission on He Pou a Rangī Draft Advice on the Next National Emissions Reduction Plan

**Section:** Strategy

**Prepared by:** Abi Wiseman - Senior Policy Advisor

**Meeting Date:** Thursday 1 June 2023

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Legal: No

Financial: No

Significance: **Low**

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### Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee for decision

#### PURPOSE - TE TAKE

The purpose of this report is to seek Council's approval of key messages to include in a submission to He Pou a Rangī – Climate Change Commission on their draft advice to inform the strategic direction of the Government's second Emissions Reduction Plan.

#### SUMMARY – HE WHAKARĀPOPOTOTANGA

He Pou a Rangī – the Climate Change Commission published their draft advice for consultation. The draft advice sets out proposed recommendations on the critical actions required to achieve Aotearoa New Zealand's second emissions budget (2026-2030) and to ensure the country is on track to meet the third emissions budget and beyond. The advice will inform the strategic direction of Government's next Emissions Reduction Plan for 2026-2030.

The proposed response points **attached** to this report mainly address Council's responsibilities as a local authority, rather than responding to all the issues addressed in the draft advice on behalf of the region.

Overall, we broadly support the advice presented by He Pou a Rangī, with a few additional recommendations to reflect the particular challenges and opportunities faced by Tairāwhiti, and to emphasize the need for Government support to ensure a just transition to a low emissions Aotearoa.

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 - NGĀ TŪTOHUNGA

That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:

1. Endorses the draft key messages of the submission to the Climate Change Commission.
2. Delegates final sign-off of the submission to the Mayor on behalf of Council.

*Authorised by:*

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

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**Keywords:** Climate Change, Climate Change Commission, Submission, Emissions Reduction, Emissions Budget, He Pou a Rangi

## BACKGROUND - HE WHAKAMĀRAMA

1. He Pou a Rangi – Climate Change Commission was formed in 2019 to provide independent, evidence-based advice to government on fulfilling its climate change goals within the framework of the Climate Change Response Act. Under the Act, the Government has set targets for Aotearoa to reach net zero emissions by 2050 except for biogenic methane, which has a target reduction of 24-47 per cent below 2017 levels by 2050.
2. Under the Act, Government sets emissions budgets for five-year periods to reach the national target of achieving net zero emissions by 2050 and must present emissions reduction plans to meet those emissions budgets. Government's first Emissions Reduction Plan (covering 2022 – 2025) was released in 2022. He Pou a Rangi is now preparing to provide advice to the Minister of Climate Change on the direction of policy for the second Emissions Reduction Plan, due to be released at the end of 2024.
3. [He Pou a Rangi's draft advice](#) to the Minister of Climate Change was released for public consultation on 26 April 2023, with submissions due by 20 June 2023. Taituarā and Local Government New Zealand (LGNZ) have prepared a short summary of the advice, which is included in **Attachment 2**.
4. The advice focuses on three areas, setting out 19 recommendations across them:
  - a. Fundamentals for success – the key foundational settings needed to reach our climate objectives
  - b. Creating low emissions options – specific recommendations for different sectors
  - c. Enabling system transformation – system wide changes needed for a low emissions future.
5. Accompanying the advice are three supporting documents: a report on Non-Cost Decarbonisation Barriers for Process Heat, summary data of delayed electricity generation build modelling, and updated demonstration path and current policy reference scenarios.

## DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

### Council's key messages on Government's second emissions reduction plan

6. A summary of key points in the advice and Council's proposed response points is included in **Attachment 1**. A full submission document will be drafted building on these key response points, subject to feedback from Sustainable Tairāwhiti and final approval by the Mayor on behalf of Council.
7. The response points mainly address Council's responsibilities as a local authority rather than responding to all the issues addressed in the draft advice on behalf of the region. Overall, we broadly support the advice presented by He Pou a Rangi, including the focus on incentivising gross emissions reductions at source and avoiding an over-reliance on sequestering emissions through afforestation.

8. The proposed response points reflect particular challenges and opportunities facing Tairāwhiti and highlight the need for targeted Government support to enable a just and equitable transition for the region.
9. The key messages are consistent with Council's previous submissions on these matters to He Pou a Rangi, the Ministry for the Environment (MfE) and the Ministerial Inquiry into Land-Use.

### **ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA**

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

**Overall Process:** Low Significance

**This Report:** Low Significance

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

**Overall Process:** Low Significance

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** Low Significance

**This Report:** Low Significance

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

**Overall Process:** Low Significance

**This Report:** Low Significance

The effects on individuals or specific communities

**Overall Process:** Low Significance

**This Report:** Low Significance

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

**Overall Process:** Low Significance

**This Report:** Low Significance

10. 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 - TŪTAKITANGA TANGATA WHENUA**

11. There has been no engagement with tangata whenua on the draft submission points.

### **COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI**

12. There has been no engagement on the draft submission points.

## **CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga**

13. There are no direct climate change impacts of submitting on the draft advice. However, He Pou a Rangi's final advice and the Government's response to it will influence the direction of Government action on climate change mitigation through the next Emissions Reduction Plan.

## **CONSIDERATIONS - HEI WHAKAARO**

### **Financial/Budget**

14. There are no financial implications of submitting on the draft advice.

### **Legal**

15. There are no legal considerations that need to be taken into account when submitting on the draft advice.

## **POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE**

16. There are no policy and planning considerations that need to be taken into account when submitting on the draft advice.

## **RISKS - NGĀ TŪRARU**

17. There are no major risks associated with submitting on the draft advice.

## **NEXT STEPS - NGĀ MAHI E WHAI AKE**

<b>Date</b>	<b>Action/Milestone</b>	<b>Comments</b>
20 June 2023	Council submission to be submitted to He Pou a Rangi – Climate Change Commission.	Submission will reflect the key messages set out in this report, subject to feedback from Sustainable Tairāwhiti Committee.
By 31 December 2023	He Pou a Rangi to provide final advice to Minister of Climate Change.	He Pou a Rangi will consider our submission when drafting final advice.
End of 2024	Government to release second Emissions Reduction Plan to cover 2026-2030.	Timing of the consultation on the draft Emissions Reduction Plan for 2026-2030 is yet to be confirmed.

## **ATTACHMENTS - NGĀ TĀPIRITANGA**

1. Attachment 1 - Summary of Council Submission Points [23-107.1 - 7 pages]
2. Attachment 2 - Taituara/LGNZ Summary of He Pou a Rangi Draft Advice for the Second Emissions Reduction Plan [23-107.2 - 2 pages]

## Attachment 1: Summary of He Pou a Rangī's Proposed Recommendations and Council's Response

He Pou a Rangī's key points and recommendations	GDC feedback – Key points
<p><b>CHAPTER 3: A PATH TO NET ZERO</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>In the next ERP, Government must:</p> <ol style="list-style-type: none"> <li>1. Commit to a specific level of gross emissions for the second and third emissions budgets no less ambitious than 362 MtCO<sub>2e</sub> and 322 MtCO<sub>2e</sub> respectively and ensure that its policy choices align with delivering this outcome.</li> <li>2. Communicate indicative levels of gross emissions and carbon dioxide removals from forestry out to 2050 and beyond to guide policy development.</li> </ol>	<p>Council agrees with the proposed recommendations and the advice set out in this chapter, which focuses on addressing the challenges related to balancing carbon removals and gross emissions reductions to enable Aotearoa to meet the second emissions budget and its longer-term emissions reduction targets.</p>
<p><b>CHAPTER 4: EMISSIONS PRICING</b></p> <p><b>Commission's proposed recommendations:</b></p> <ol style="list-style-type: none"> <li>3. Make the emissions pricing system consistent with delivering the specific levels of gross emissions for the second and third emissions budgets, and with the 2050 net zero target, by: <ol style="list-style-type: none"> <li>a. implementing an amended NZ ETS that separates the incentives for gross emissions reductions from those applying to forestry.</li> <li>b. developing an approach that can provide durable incentives for net carbon dioxide removals by forests through to and beyond 2050.</li> </ol> </li> </ol> <p><b>Key points covered in advice:</b></p> <ul style="list-style-type: none"> <li>• The purpose of the NZ ETS needs to shift from focusing only on net emissions, to ensuring gross emissions also reduce. This requires decoupling the incentives for gross emissions reductions and afforestation, so the amount of gross reductions driven by the NZ ETS is no longer dependent on the amount of removals achieved by forests.</li> <li>• A second, longer term issue for the NZ ETS is that by the mid-2030s it will lose the ability to incentivise carbon dioxide removals. There will not be enough demand from covered sectors to drive the further afforestation needed to reach net zero long-lived gas emissions across the economy by 2050.</li> <li>• Amending incentives must be considered via a process that upholds Te Tiriti o Waitangi/The Treaty of Waitangi.</li> <li>• While emissions pricing is a key component of effective and efficient climate policy, other policies will also be needed to address market barriers, coordination problems and potential impacts on social and economic equity that could emerge from relying solely on pricing.</li> </ul>	<ul style="list-style-type: none"> <li>• Agree it's important to highlight that Iwi and Māori hold significant interests in land and an important stake in the NZ ETS – this is particularly true in Tairāwhiti. Any amendments to the NZ ETS must be designed in partnership with Treaty partners.</li> <li>• Under the current settings, it is evident that the ETS has been driving exotic afforestation in Tairāwhiti and having less impact on reducing emissions at source.</li> <li>• The current ETS settings also provide perverse incentives to plant 'the wrong tree in the wrong place' – this needs to be addressed.</li> <li>• We agree with the Commission's advice that while emissions pricing will be a key component of achieving Government's targets, other targeted policies will be crucial to drive emissions reductions at source and to manage the equity impacts associated with changes in land-use driven by the ETS.</li> <li>• Any amendments to the ETS should reflect that the ETS is by nature a blunt instrument to put a price on emissions, and it is therefore critical that as well as amending the ETS to be fit for purpose, more direct, targeted action is taken with urgency to: <ol style="list-style-type: none"> <li>a) reflect that not all tonnes of GHG are created equal – for example, native forests offer much broader ecosystem, cultural and biodiversity benefits compared to exotic monocultures</li> <li>b) incentivise decarbonisation at source (using both 'the carrot and the stick'), and</li> <li>c) ensure that people negatively impacted by associated changes in land-use are supported e.g. with appropriate access to re-training.</li> </ol> </li> </ul> <p>Such action may include more targeted pricing mechanisms, such as direct subsidies to incentivise native afforestation where appropriate.</p>

He Pou a Rangi's key points and recommendations	GDC feedback – Key points
	<ul style="list-style-type: none"> <li>It is also important that government enables and empowers local government to take action where necessary to manage sustainable land use – this is further detailed in response to the 'Forestry' chapter.</li> <li>We also agree that it is important that government consider expanding the scope of the ETS to include other activities that store carbon.</li> </ul>
<p><b>CHAPTER 5: WHĀIA NGĀ TAPUWAE</b></p> <p><b>Commission's proposed recommendations for the next ERP:</b></p> <ol style="list-style-type: none"> <li>Accelerate Iwi/Māori emissions reductions in conjunction with climate change adaptation initiatives by exploring and implementing a mechanism to allocate resourcing direct to Iwi, and increase funding to Māori landowners (Te Ture Whenua entities).</li> <li>Ensure Iwi/Māori can drive the integration of mātauranga Māori into policy design, development, and implementation at central and local government level, by delivering sufficient resources to Iwi/Hapū.</li> </ol>	<p>Council fully supports the recommendations and advice set out in this chapter – direct resourcing to Iwi and Māori landowners will accelerate the transition to low-emissions, climate resilient communities.</p>
<p><b>CHAPTER 6: MAINTAINING AND ENHANCING WELLBEING THROUGH THE TRANSITION</b></p> <p><b>Commission's proposed recommendation:</b></p> <p>The next ERP must</p> <ol style="list-style-type: none"> <li>Enable a fair, inclusive, and equitable transition for New Zealanders by expanding the scope of the Equitable Transitions Strategy to include compounding impacts of climate change and adaptation as well as mitigation.</li> <li>Make use of existing mechanisms to manage impacts of climate policies in the interim, rather than delaying climate action.</li> </ol>	<p>Council fully supports the recommendations and advice set out in this chapter. In addition, Council proposed that He Pou a Rangi recommend that Government expand support for developing Just Transition plans with lower-income regions most impacted by the transition and by the impacts of a changing climate – Tairāwhiti will require Government support to enable a just transition.</p>
<p><b>CHAPTER 7: AGRICULTURE</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>The next ERP must</p> <ol style="list-style-type: none"> <li>Enhance advisory and extension services to farmers to enable them to respond to pricing and accelerate the adoption of emissions-efficient practices, appropriate land-use diversification, and emerging technologies to reduce gross emissions. These services should be co-designed and implemented in partnership with industry and Iwi/Māori.</li> <li>Advance the agricultural emissions pricing system to: <ol style="list-style-type: none"> <li>enable recognition of a broader range of emissions-reducing practices and technologies</li> <li>incentivise gross emissions reductions in line with the 2050 target.</li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>Agriculture is the main source of emissions in Tairāwhiti and also a main employer and source of income – Government support will be required for a just transition to address our agricultural emissions and ensure sustainable land-use.</li> <li>Council agrees with the proposed recommendations and advice set out in this chapter. It will be important that advisory services include training on land management expertise for Māori collective landowners in ways that complement mātauranga Māori.</li> </ul>



He Pou a Rangī's key points and recommendations	GDC feedback – Key points
<p><b>CHAPTER 8: BUILT ENVIRONMENT</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>We propose that the next emissions reduction plan must:</p> <ol style="list-style-type: none"> <li>10. Implement an integrated planning system that builds urban areas upward and mixes uses while incrementally reducing climate risks.</li> <li>11. Incentivise comprehensive retrofits to deliver healthy, resilient, low emissions buildings.</li> <li>12. Prohibit the new installation of fossil gas in buildings where there are affordable and technically viable low emissions alternatives in order to safeguard consumers from the costs of locking in new fossil gas infrastructure.</li> </ol> <p><b>Key points covered in advice:</b></p> <ul style="list-style-type: none"> <li>• Existing urban form in Aotearoa is not compatible with our climate challenges.</li> <li>• High density urban development reduces emissions from urban form (embodied, enabled and operational emissions), but density needs to be in the right places – i.e., not in areas susceptible to natural hazards and the impacts of climate change.</li> <li>• Transport and urban development in Aotearoa New Zealand are not well linked, as the funding and planning systems are completely different, and current financing structures are not well integrated, which overwhelms the capacity to pay for transport and urban form improvements.</li> <li>• Restrictive land-use policies can add cost, time and complexity to projects and prevent climate-resilient design. Demand on the consenting system out to 2050 may exceed the likely ability of the system to respond in the short term: Simplifying consenting for low emissions infrastructure, especially renewable energy and transport assets, will be necessary to achieve our 2050 emissions reduction target.</li> <li>• Electrification is essential for reducing emissions from building heating. Continued fossil gas use and asset expansion will add additional cost to consumers as well as raise equity issues for future generations, and targeted support for retrofitting existing fossil gas infrastructure in residential and non-residential properties may be required.</li> <li>• Greater incentives are required to encourage uptake of low emissions building options. Optimising building design through improved data access, standardised methodologies, and upgraded regulations and guidelines will assist with achieving low emissions construction.</li> <li>• Increasing use of timber products in buildings can reduce embodied emissions.</li> <li>• Papakāinga development can support Iwi/Māori aspirations and connection to whenua.</li> </ul>	<ul style="list-style-type: none"> <li>• Council fully supports the recommendations and advice set out in this chapter.</li> <li>• It will be crucial to address cost and non-cost barriers to retrofits. Low-income earners will struggle with affordability, and requirements to retrofit can exacerbate existing housing affordability and general cost of living.</li> <li>• Government should also consider incentivising more use of New Zealand-grown timber in building and construction to increase local content and boost our economy. Further investigation is needed in this area to inform Government's decision regarding the role that New Zealand-grown timber can play in the building sector and the associated economic benefits.</li> <li>• Further consideration may also be given to reducing barriers to uptake of innovative, sustainable building materials.</li> </ul>

He Pou a Rangī's key points and recommendations	GDC feedback – Key points
<p><b>CHAPTER 9: ENERGY AND INDUSTRY</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>The next ERP must:</p> <p>13. Prioritise and accelerate renewable electricity generation build and ensure electricity distribution networks can support growth and variability of demand and supply.</p> <p>14. Pursue more widespread process heat decarbonisation and establish mechanisms for other industrial sectors and processes to decarbonise</p> <p><b>Key points relevant to GDC:</b></p> <ul style="list-style-type: none"> <li>• Electrification (of transport, heating and industry) is key for decarbonisation, and the system must be able to deliver secure, affordable low-emissions electricity.</li> <li>• The consenting system can enable a fast-paced and sustained build of renewable generation, but stronger direction is needed to remove barriers to building new renewable generation or re-consenting existing generation. A simplified or streamlined consenting process that makes renewable build easier and quicker is needed by the start of the second emissions budget period, if not earlier.</li> <li>• The transition to a low emissions economy will generate jobs and economic opportunities – Transpower estimates that thousands more highly skilled workers will be needed in the electricity sector by 2035 to meet increasing demand).</li> <li>• Community-scale renewable electricity generation projects can provide local and regional benefits.</li> </ul>	<ul style="list-style-type: none"> <li>• Council supports the recommendations and advice set out in this chapter.</li> <li>• More support is needed to enable and incentivise distributed, community-driven renewable electricity generation projects – this supports decarbonisation but also builds community and network resilience.</li> <li>• As noted in response to the Built Environment and Transport recommendations, affordability constraints on energy efficiency improvements will require Government support.</li> </ul>
<p><b>CHAPTER 10: FORESTS</b></p> <p><b>Commission's proposed recommendation:</b></p> <p>15. The next ERP must set and implement integrated objectives for the role of forests with respect to emissions mitigation and adaptation, while giving effect to the principles of Te Tiriti o Waitangi/The Treaty of Waitangi.</p> <p><b>Key points covered in advice:</b></p> <ul style="list-style-type: none"> <li>• While heavy reliance on forests may enable Aotearoa to meet its 2050 target, it would only delay the need to reduce gross emissions and may not ensure that a 'durable net zero' is reached.</li> <li>• The need for ongoing land conversion to maintain a lower rate of net emissions through forests will reduce land use flexibility and shift the burden of reducing gross emissions to future generations.</li> <li>• Relying heavily on forests also presents permanence risks, which will be exacerbated by climate change (increased risk of fire, pathogens, extreme weather events). If large</li> </ul>	<ul style="list-style-type: none"> <li>• Agree with proposed recommendation that the next ERP must set and implement integrated objectives for the role of forests with respect to emissions mitigation and adaptation, while giving effect to the principles of Te Tiriti o Waitangi/The Treaty of Waitangi.</li> <li>• Strongly agree that setting and implementing objectives for the role of forests must be done in partnership to give effect to the principles of Te Tiriti o Waitangi/The Treaty of Waitangi (will note large proportion of Maori owned land in forests)</li> <li>• Government needs to partner with local government and regional leaders to understand regional peculiarities and to work out an equitable approach for avoiding the economic, environmental, social, and cultural impacts of policy measures relating to forestry.</li> <li>• Council agrees that more incentives are needed for native afforestation for longer-term removals and other benefits (biodiversity, cultural). Barriers</li> </ul>

He Pou a Rangī's key points and recommendations	GDC feedback – Key points
<p>sections of forest land are impacted by these events and the forest is not replaced, this can result in a return of carbon dioxide back into the atmosphere over the long-term.</p> <ul style="list-style-type: none"> <li>• Without incentives, the establishment of native forest through natural regeneration will be slow and small-scale.</li> <li>• While any current plantings through 2026-2030 will not significantly contribute to the second emissions budget, they will represent significant progress toward achieving future emissions budgets and the 2050 target.</li> <li>• To give certainty over the outcomes being sought and guide the design of climate policies relating to forests, it is essential that there is a clear direction on: <ul style="list-style-type: none"> <li>- the quantity of removals desired over the second and third emissions budgets</li> <li>- expected planting rates over the second and third emissions budgets</li> <li>- the role of forests in the transition to a low emissions economy</li> <li>- the types of forests to be used in different contexts and for different purposes.</li> </ul> </li> </ul>	<p>include the ETS incentives for exotic plantations, funding constraints, gaps in specialist knowledge and skills required for native planting, as well as more incentives required for pest control to ensure success.</p> <ul style="list-style-type: none"> <li>• It will also be crucial to address plantation forestry management and enforcement options (aligning with Council's Submission to Ministerial Inquiry for our recommendations) – e.g. require a further Risk Zone for Extreme Risk, a "Purple" zone where plantation forestry should not take place.</li> <li>• Suggest post-RMA improvements of forestry management under the NBA, RSS and NPF noted in Submission to Ministerial Inquiry: <ul style="list-style-type: none"> <li>- Creation and implementation of biodiversity credits</li> <li>- New approaches to land-use could be explored through the development of the Regional Spatial Strategy (RSS) which will be required by the new Spatial Planning Bill currently being considered by Select Committee.</li> <li>- Support for forestry-related manufacturing clusters to stimulate demand for biomass (slash / wood waste) to be located near existing forestry support infrastructure like processing facilities.</li> <li>- Incorporation of the Forestry Owners Association Voluntary Code of Practice into the system.</li> </ul> </li> </ul>
<p><b>CHAPTER 11: TRANSPORT</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>The next ERP must:</p> <p>16. Simplify planning and increase funding of integrated transport networks that optimise public and active transport. For major population centres, the Government should also complete cycleway networks by 2030 and take steps to complete rapid transport networks by 2035.</p> <p>17. Rapidly resolve the barriers to scaling up vehicle charging infrastructure.</p> <p>18. Develop incentives to accelerate the uptake of zero emissions commercial vehicles, including vans, utes, and trucks.</p> <p><b>Key points covered in advice:</b></p> <ul style="list-style-type: none"> <li>• Transport is critical for connecting people, families, and communities, and for a thriving economy, but it's a major source of emissions. Decarbonising transport can improve health, wellbeing, and equity.</li> <li>• The transport system needs change at all levels to provide New Zealanders with more low emissions options.</li> <li>• Major opportunities to decarbonise transport are to avoid (i.e. through changes to urban</li> </ul>	<ul style="list-style-type: none"> <li>• Council agrees with the recommendations and advice set out in this chapter and emphasizes that cost is a significant barrier to transforming the transport system particularly in Tairāwhiti, where we have a small rate payer base but large roading network.</li> <li>• Council fully supports recommendation to simplify planning and increase funding of integrated transport networks that optimise public and active transport and recommend this includes bringing back incentives to support modal shift in lower income communities. Note the development of our public transport system, walking and cycleways rely on external funding.</li> <li>• It will be important that Government focus on creating settings to meaningfully and radically shift towards collective travel options and avoids reinforcing the default of private vehicle use.</li> <li>• The advice should recommend that Government carefully consider the equitability of the contestable funding processes made available by transport funding agencies for lower-income regions with capacity constraints.</li> <li>• While cost and charging infrastructure are important barriers to EV uptake,</li> </ul>

He Pou a Rangī's key points and recommendations	GDC feedback – Key points
<p>form), to shift to lower-emissions modes of transport through infrastructure supporting more walking, cycling, and public transport, and to replace fossil-fuelled vehicles with low carbon alternatives.</p> <ul style="list-style-type: none"> <li>• Decarbonising transport can support Māori to access places essential for identity and wellbeing, and address inequities.</li> <li>• Transport infrastructure has been underfunded, especially that which supports safe walking, cycling, and public transport.</li> <li>• Simplifying the planning and funding of integrated transport networks is needed to deliver transport infrastructure at the pace required.</li> <li>• Shared transport modes and enhanced transport modes are transformative investments which should be funded to support connection.</li> <li>• Transitioning to zero emissions battery electric vehicles is needed as quickly as possible.</li> <li>• The rapidly climbing share of EVs in vehicles new to Aotearoa needs to continue growing throughout the second emissions budget, with sustained support. Targeted support for low income and disadvantaged groups is needed to ensure an equitable transition to a zero emissions vehicle fleet. Vehicle charging infrastructure is likely to limit electric vehicle uptake unless existing barriers are removed.</li> <li>• Policy support and incentives are needed to decarbonise freight and commercial vehicles.</li> <li>• Supporting rail and coastal shipping provides resilience to climate impacts.</li> <li>• Aotearoa New Zealand needs to prepare now to enable future decarbonisation of aviation.</li> </ul>	<p>an additional barrier in Tairāwhiti is the lack of appropriate 4WD options, which are necessary to access rural locations. It is crucial that further incentives for zero emissions vehicles carefully consider the equity impacts.</p> <ul style="list-style-type: none"> <li>• The forthcoming EV Charging Infrastructure Strategy should consider battery-swap systems to reduce stranded and under-utilised assets.</li> </ul>
<p><b>CHAPTER 12: WASTE AND FLUORINATED GASES (F-GASES)</b></p> <p><b>Commission's proposed recommendations:</b></p> <p>The next ERP must:</p> <p>19.a. Apply regulatory and policy instruments to achieve the optimal use and efficiency of landfill gas capture systems and technologies at all landfills.</p> <p>19.b. Improve the accuracy and transparency of landfill gas capture data by reviewing and strengthening relevant regulatory and policy tools.</p> <p><b>Key points relevant to GDC:</b></p> <ul style="list-style-type: none"> <li>• Notes that diverting organic waste from landfills is critical for emissions reduction, but government also needs to improve the incentives to continuously improve efficiency of landfill gas capture systems.</li> <li>• Acknowledges that a lack of funding is considered a barrier to reducing the emissions</li> </ul>	<p>Council broadly agrees with the recommendations and advice in this chapter, and proposes three further recommendations to include:</p> <p>We propose that Government</p> <ol style="list-style-type: none"> <li>1. Provide clarity as to how it intends to provide technical and financial support to local authorities in rolling out gas capture technologies</li> <li>2. Investigate alternatives to LFG capture systems at landfills, especially for historic landfills where it may be difficult to implement LFG capture systems.</li> <li>3. Progress product stewardship schemes – particularly important in Tairāwhiti given barriers of isolation and large area reducing feasibility of offering some schemes.</li> </ol> <p>Council agrees that the lack of funding is a barrier for Councils to reduce the emissions from waste, particularly those with a smaller rating base such as Gisborne, and that there remains uncertainty about who would fund the</p>

<b>He Pou a Rangi's key points and recommendations</b>	<b>GDC feedback – Key points</b>
<p>from waste by some councils, particularly those with a smaller rating base, and that food waste diversion is not a priority for some councils and there remains uncertainty about who would fund the ongoing costs of related servicing and processing infrastructure.</p> <ul style="list-style-type: none"> <li>• Recommends that high performance gas capture systems be mandated for all landfills that accept organic waste.</li> <li>• Recognizes that waste management policies need to be developed in partnership with Iwi and incorporate mātauranga Māori.</li> <li>• Sets out broader policy intervention initiatives for consideration, including efforts to reduce commercial, industrial, manufacturing and farm waste, a more strategic approach to food waste and food rescue, providing funding for related initiatives led by Iwi/Maori groups.</li> <li>• Acknowledges tensions over thermal waste-to-energy for emissions reduction.</li> </ul>	<p>ongoing costs of food waste diversion servicing and processing infrastructure. Particular barriers facing Tairāwhiti to minimise waste also include freight cost and road network challenges (e.g. of diverting certain waste streams from landfill) and a lack of solutions to repurpose some materials.</p> <p>Note Council is actively seeking funding through MfE for the development of a region-wide resource recovery centre, which would reduce waste sent to landfill as well as the cost of waste disposal, reduce emissions associated with the import/export of materials and waste to the region, contribute to local economic development, and provide much needed employment and training opportunities for youth and those that are currently unemployed.</p>

# DRAFT ADVICE FOR THE SECOND EMISSIONS REDUCTION PLAN

## What is it all about?

The Climate Change Commission has [released their draft advice](#) that will inform the Government's second emissions reduction plan (ERP). Consultation on this advice is open until 20 June 2023.

The emissions budget sets out the total quantity of emissions that can be released during a budget period, and the ERP guides how the Government will deliver on these targets. The second emissions budget (2026-2030) has been set, and the next ERP will set how we deliver to it and be finalised by the end of 2024.

## Summary of the Draft Advice

The Commission's draft advice covers three main areas:

1. Fundamentals for success – the key settings needed to reach our climate objectives
2. Creating low emissions options – specific recommendations for different sectors
3. Enabling system transformation – system wide change needed for a low emissions future.

### Proposed Recommendations

- Commit to a specific level of gross emissions.
- Communicate indicative levels of gross emissions and CO<sub>2</sub> removals from forestry out to 2050 to guide policy development.
- Implement a NZ ETS that separates incentives for gross emissions reductions from those applying to forestry, and provide durable incentives for net CO<sub>2</sub> removals by forests.
- Accelerate Iwi/Māori emissions reductions and supporting the integration of mātauranga Māori into policy design.
- Expand the scope of the Equitable Transitions Strategy to include compounding impacts of climate change adaptation and mitigation.
- Make use of existing mechanisms to manage impacts of climate policies in the interim, rather than delaying climate action.
- Enhance advisory services to farmers and advancing the agricultural emissions pricing system.
- Implement an integrated planning system that builds urban areas upward and incentivizes comprehensive retrofits to deliver healthy, resilient, low emissions buildings.
- Accelerate renewable energy generation and distribution and pursue widespread process heat decarbonisation.

- Implement objectives for the role of forests with respect to emissions mitigation and adaptation that give effect to the principles of Te Tiriti o Waitangi.
- Simplify planning and increase funding of integrated transport networks, resolve the barriers to scaling up vehicle charging infrastructure, and incentivize the uptake of zero emissions vehicles.
- Improve the use and efficiency of landfill gas capture systems, and the accuracy of landfill gas capture data.

## What does it mean for local government?

The draft advice also includes references to local government's role in the next ERP. We'll expand on this in our draft submission, but some of the key points are:

- That iwi/Māori should be supported to drive the integration of mātauranga Māori into policy design and implementation at both the central and local government levels. The gap in resourcing is recognized, but there's little detail about how this would work in practice.
- That the disconnect between the transport and urban development funding and planning systems is problematic and doesn't lend itself to whole-of-system outcomes like emissions reduction. The Commission recognize that local government has a major role in both of these areas, and suggests that there should be greater integration across planning, delivery and funding to combine four key types of funding – existing central government funding, existing local government funding, existing private funding mechanisms, and any new Government funding.
- That the next ERP should provide much greater clarity about what councils are expected to deliver to support decarbonising transport.
- That any transitional measures should provide local government with clear direction on what existing levers and tools it can use to avoid further development in areas at risk from climate change, or development that locks in high emissions.
- As New Zealand shifts towards a more circular bioeconomy, the waste hierarchy needs to be included within central and local government decision-making requirements.

## What are the next steps?

LGNZ and Taituarā will prepare a joint submission on the draft advice and share it with you for your feedback in the next two weeks. We'll also host a drop-in session to provide feedback – more details to come.

If you have any questions or would like to provide feedback directly, please contact Jen Coatham ([jen.coatham@taituara.org.nz](mailto:jen.coatham@taituara.org.nz)) or Charlotte McKay ([charlotte.mckay@lgnz.co.nz](mailto:charlotte.mckay@lgnz.co.nz)).

**Title:** 23-108 2023/24 Annual Plan  
**Section:** Finance & Affordability  
**Prepared by:** Pauline Foreman – Chief Financial Officer  
**Meeting Date:** Thursday 1 June 2023

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Legal: Yes

Financial: Yes

Significance: **Medium**

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## Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee for decision

### PURPOSE - TE TAKE

The purpose of this report is to provide updated draft estimates for the 2023/24 Annual Plan (AP) and to approve the 2023/24 Consultation Document.

### SUMMARY – HE WHAKARĀPOPOTOTANGA

The draft estimates for the 2023/24 AP received approval at the Finance & Performance Committee meeting on 2 March 2023, through **Report 23-10**. Since the adoption of the draft AP, there has been significant changes, mostly to do with the reinstatement and recovery programme following Cyclone Gabrielle.

The AP will be a mix of balancing what we have committed to do within Year 3 of the 2021-2031 Long Term Plan (LTP) with balancing the need for reinstating and planning as a result of damage caused by Cyclone Gabrielle.

While we do not have all the information at this point on what funding we might receive from Central Government, we do know that we have significant programmes of work that need to be completed in the short term. The AP makes estimates within its budgets of what that might look like.

The key features of our AP are:

#### 1. Key committed LTP deliverables and outcomes:

- **The first year** of operations for the:
  - i. Kiwa Pools – our externally funded multi-purpose pool facility.
  - ii. Wastewater Treatment Plant upgrade – improving the water quality in Tūranganui-a-Kiwa Poverty Bay
- Township Upgrades – **Te Puia Springs, Waipiro Bay and Te Karaka**.
- Continued **focus on our building blocks** such as regional plans, climate change, the environment, and working with our partners, Tangata Whenua and our communities, to deliver and get to where we need to be for the future.
- Continued **focus on our infrastructure**, noting that it makes up the bulk of the capital program.



## 2. Recovery Focused - subsequent changes to draft AP

- Recovery Co-ordination Centre - set up to ensure a **co-ordinated, collaborative** programme of work to bring about **immediate, medium and long-term recovery** for Tairāwhiti.
- Road Reinstatement – **provision of \$65m** for roading emergency works as a result of Cyclone Gabrielle.
- Woody Debris removal - \$26.4 m **processing and disposal of sediment and debris** and a further \$6.9m for the help **commercial businesses clean land and return to profit**.
- Forestry - to **identify** locations where there are **forestry slash, debris and felled trees** that could be **mobilised in storm events** and/or as a result of landslides.
- Growing the Land management team enabled by external funding - to support **more informed freshwater plans**, and to **understand the long term impacts of increased rainfall events** across Tairāwhiti.

There are also projects that were expected to be completed in the current financial year (2022/23) but are unlikely to be completed by 30 June 2023. These capital “carryover” projects amounting to \$16.5m have been added to the AP. The schedule of these and new capital projects (externally funded) are in **Attachment 3**.

Overall, the key Financial Strategy measures remain within target and mostly unchanged from the draft AP:

- Total rates revenue increases (over the previous year) remain as per the draft 6.5% (excluding growth).
- Total external debt is \$148m, slightly up on the draft AP of \$146m. The increase in debt was due to providing for the local share of roading emergency reinstatement work.

Given the nature of the subsequent changes to the draft AP - mainly around the significant provision for roading network reinstatement - we recommend that the community is kept informed and is given an opportunity to provide feedback on the proposed changes prior to Council's formal adoption of the AP. This report also includes the Consultation Document for approval (**Attachment 1**).

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 - NGĀ TŪTOHUNGA

That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:

1. Approves the draft Annual Plan estimates as outlined in Attachment 2 - draft Financial Statements.
2. Approves the draft Capital Works Programme for 2023/24 amounting to \$69m, including capital carryovers of \$16.5 million and new projects of \$7.4 million as outlined in Attachments 2-3.
3. Approves the 2023/24 Annual Plan Consultation Document as outlined in Attachment 1 for distribution.

*Authorised by:*

**Nedine Thatcher Swann Chief Executive**

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**Keywords:** 2023/24 annual plan, AP, 2021-2031 long term plan, LTP, consultation,

## BACKGROUND - HE WHAKAMĀRAMA

1. An Annual Plan (AP) is produced each year in-between the Long Term Plan (LTP) cycle, which is produced every three years. The AP provides an opportunity to refresh information for the coming year.
2. Each year draft estimates for the AP are produced for approval in February. An assessment of whether the AP needs to be consulted with the community is completed. If the changes from what was consulted within the 2021-2031 LTP are not significant, the AP does not need to be consulted again. The final AP is then adopted by Council in June, along with the setting of rates for the coming year.
3. Between the draft AP and the final AP, changes that have occurred are assessed and incorporated into the final budget estimates for the coming year. Each year, most of these changes relate to capital projects where they may not be completed and are "carried over" into the new AP.
4. The draft estimates for the 2023/24 AP received approval at the Finance & Performance Committee meeting on 2 March 2023, through **Report 23-10**. The changes from what was in Year 3 of the 2021-2031 LTP were not significant and as such consultation with the community was not required.
5. However, since the adoption of the draft 2023/24 AP, there have been significant changes mostly to do with the reinstatement and recovery programme following Cyclone Gabrielle.
6. Cyclone Gabrielle resulted in a State of Emergency being declared on 14 February 2023. The National Declaration was extended three times and then lifted for Tairāwhiti on the 14 March 2023. Tairāwhiti experienced substantial widespread damage to infrastructure. The roading network suffered extensive damage, bridges completely swept away by floodwaters, collapsed roads, and communities and households being isolated.
7. The ongoing effort to reinstate access across the region continues and it will continue not only in next year's Annual Plan, but also in the years that follow.
8. Next year's Annual Plan is a short-term view and response. It is based on what is known now and allows us to do what we need to do, while we plan for where we want to be.
9. There are still significant uncertainties around funding, but as we progress to the medium and longer term views, we will have more certainty and options to consult with the community. After July 2023, we will start planning the subsequent three years (2024-2027).
10. But for the here and now, the revised draft Annual Plan will be made available to the community for their feedback. It incorporates the changes since March 2023 along with approved and known central government funding for recovery and reinstatement work in Tairāwhiti.
11. Due to these changes which are departures from what was in Year 3 of the LTP, we will be seeking feedback from the community. We will be using mostly online forums to gather feedback and written submissions, from 2 June to 16 June 2023.

12. Attached are the following documents:

- **Attachment 1** – Feedback/Consultation Document.
- **Attachment 2** – Financial Statements.
- **Attachment 3** – Capital Program with projects carry over into 2023/24 AP.

## **DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA**

13. The 2023/24 Annual Plan will be a mix of balancing what we have committed to do within Year 3 of the 2021-2031 LTP but also balancing the need for reinstating and planning as a result of Cyclone Gabrielle.

14. The draft recognised the key committed deliverables and outcomes as being:

- **The first year** of operations for the:
  - i. Kiwa Pools – externally funded multipurpose pool facility
  - ii. Wastewater Treatment Plant upgrade – improving the water quality in Tūranganui-a-Kiwa Poverty Bay
- Township Upgrades – **Te Puia Springs, Waipiro Bay and Te Karaka**
- Continue to **focus on our building blocks** such as regional plans, climate change, the environment, and working with our partners, Tangata Whenua and our communities, to deliver and get to where we need to be for the future.
- Continue to **focus on our infrastructure**, noting that it makes the bulk of the capital program.

15. However, Cyclone Gabrielle means that we also have to include a programme of work that is around reconnecting and protecting our communities. This work starts with the immediate recovery response after the event and fixing the damaged infrastructure.

16. While we do not have all the information at this point, we do know we have significant programs of work that needs to be completed in the short term. The AP makes estimates within its budgets of what that might look like.

17. It should be noted that details of some projects may change – we will still need to continue to invest in our infrastructure, but the condition of the assets and the priority of the need is likely to determine the detail of the work or where the work is to occur.

18. For instance, the Waingake main water pipes were damaged during the Cyclone and have now been replaced. Therefore, there is no need to complete renewals on this section of the network as part of the AP. Similarly, the Township Upgrades will be progressed with what has been committed, however priority for planning will occur in areas which may have more need.

19. The discussion that follows outlines the changes to the draft Annual Plan 2023/24 [**report 23-10**], what remains unchanged from the adoption of the Draft 2023/24 AP and our approach to community feedback and consultation.

## What's changed?

20. The AP includes provision within its budgeted estimates for recovery efforts:

- Recovery Co-ordination Centre
- Road Reinstatement
- Silt and Woody Debris removal
- Forestry Focus
- Land management

### Recovery Co-ordination Centre (Centre)

21. We know that the recovery from Cyclone Gabrielle will be lengthy. The Centre is to ensure that there is **a co-ordinated, collaborative** programme of work to bring about **immediate, medium and long-term recovery** for Tairāwhiti.

22. The Centre works under a Collective Impact Framework which provides the foundation for aligning collective agency efforts across our region. This framework includes a focus on:

- The **Built** environment – including Transport, local and state highway roading networks, critical infrastructure like the Four Waters, Solid Waste, Power, communications.
- The **Natural** environment – including the impacts of silt, and woody debris.
- The **Economic** environment – focusing on the economic recovery and the impacts on the agriculture, small to medium enterprises, tourism, including hospitality and accommodation, and forestry.
- The **Social** environment – including housing, employment and welfare.

23. The AP includes budget provisions for the necessary staff and structure, with Central Government providing funding for the Recovery office.

### Roading Network Reinstatement

24. The local roading network suffered significant damage with over 3,000 sites and over 180 local roads affected. The rebuild for the transport network has been identified as being focused around four main workstreams:

- Repair or replacement of 61 bridges
- Tinoroto Road at the Hangaora Bluffs.
- Dropouts and retaining walls.
- Silt and slash removal.

25. Response and recovery costs have been estimated to be around \$320m to \$420 million and is likely to take at least three years to complete. Shortly after the Cyclone, Central Government announced 100% funding for reinstatement work completed up to 30 June 2023. For Council, this initial funding was \$29.3m.

26. The immediate priority for Council has been to reinstate safe access across our roads and enable our communities to reconnect. While we implemented temporary solutions and fixes where possible, we will look to get the design process underway for developing more permanent solutions. Additional funding will be required to implement permanent solutions where possible.
27. Central Government announced its budgets on 18 May 2023, and at a high level where there will be more funding invested. But the details of what this means for Tairāwhiti and the level of funding assistance (referred to as the Funding Assistance Rate – FAR), is still to be announced.
28. The AP includes a **provision of \$65m** of emergency reinstatement work as a result of Cyclone Gabrielle, and a further \$2.5m for reinstatement work from Cyclone Hale. It is assumed that the emergency works will be at least 95% funded by Waka Kotahi in line with bespoke funding applications required for significant damage.
29. The AP budget provides for the remaining 5% and will need to be funded through a new loan. While the increase of this loan is minor for the 2023/24 AP (around \$80k), the impact on rates in future years will increase significantly (ie year 2024/25 increase will be over \$480k).
30. The total Waka Kotahi approved programme roading reinstatement work following Cyclone Gabrielle for our local roads, along with the FAR rate will be a critical element in our ability to deliver a reconnected roading network in an affordable way. This will feed into medium planning horizons and inform our 2024-2027 Three Year Plan.

### **Silt and Woody Debris Removal**

31. Following Cyclone Gabrielle, Tairāwhiti was left with a substantial amount of silt and woody debris to clean up in our waterways and on our beaches, and also threatening our infrastructure. As an immediate response, Council is focusing on cleaning up the remaining silt and woody debris left in our waterways and on our beaches, and at the same time will develop a Woody Debris Emergency Response Plan.
32. Central Government announced a “Silt and Debris Removal” funding package for Tairāwhiti made up of:
  - \$31.4m – for Council to support “processing and disposal of sediment and debris, and the management of debris” on ‘Council Owned Property” (but can extend to including beaches).
  - \$7.4m – grants and support for Commercial business (including farmers and growers) “to help clean up their land and return to profit”. Council is to help administer and facilitate the process for businesses within Tairāwhiti.
33. Some of the funding is expected to be spent by the 30 June, but the majority is expected to occur in the 2023/24 AP. The AP includes \$26.4m (for Gisborne District Council debris removal), and \$6.9m for (commercial grants).

## Forestry Focus

34. Following the Land use planning and regulations report **(23-24)** to Council on 26 January 2023, an additional forestry team has been established to support in the monitoring and compliance areas. The main objective of the team is to conduct both aerial mapping and on the ground inspections across Tairāwhiti to help identify areas with the highest risk of mobilisation, which may pose a risk to our communities and infrastructure.
35. Some of Council's existing 2023/24 budget will be redirected to get the team operational, which will significantly increase Council's monitoring and compliance capacity. The majority of the funding has been identified as coming from existing vacancies, from the use of reserves and from reprioritised budget allocations. The new budget will allow Council to recruit ecologists and technical officers who will work with the industry to enable safe and sustainable forestry practice within Tairāwhiti.

## Land Management

36. Funding has been granted to enable the expansion of Council's land management team for a period of 3 to 4 years, as part of the Integrated Catchment Management activity. This expansion is driven by the need to support Freshwater Farm Plans and comply with new Freshwater Reform requirements.
37. Also, as a result of increasing frequent rainfall events across Tairāwhiti, there is an increasing need for more involvement of land management team for long term planning.
38. External funding of \$1.5m has been secured from Ministry for the Environment (MfE) through the Jobs for Nature programme. In addition, the remaining funding from Ministry of Primary Industry Hill Country Erosion Fund (\$903k), and the remainder from Land Information New Zealand (\$600k) provided from Crown forestry harvest proceeds held within the Council's Waerenga O Kuri Reserve, will contribute to the project.
39. Funding for these programmes will allow Council to investigate erosion control methods for highly erodible gullies and slopes, create a comprehensive spatial dataset for assessing land treatment needs, and identify and implement suitable programmes for sustainable land use. Council will also be able to expand work on vegetation planting for freshwater and biodiversity restoration, fencing waterways, pest and plant control, and fish passage remediation.

## Flood Protection

40. Council is still committed to the Waipaoa Flood Control Resilience project. The construction work completed to date protected many properties under Cyclone Gabrielle. Council will complete \$4.2m of construction in 2023/24, with the work focussing on the western side of the Waipaoa River.
41. In light of the impact the severe weather events have had, over the next year Council will budget to do more investigations and modelling to determine the best solutions for flood protection across Tairāwhiti. Staff are also applying for more funding to accelerate the delivery of our flood protection programme.

## Capital Carryovers

42. Every budgeted plan (either LTP or AP) is based on what is expected to be completed – that is, what is probable and what is known at the time of formulating each budget. However, things change. Part of our overall annual process from April to May is reviewing the current years capital programme (i.e. Year 2 or 2022/23 actual programme) and we reforecast what is likely to be achieved by 30 June.
43. We refer to projects that are not likely to be completed as originally planned by the 30 June, as “carryovers”. These projects originally expected to be completed in Year 2 now roll into Year 3 of the LTP.
44. In the majority of the cases, these “carryovers” mean a few months in the delay of project completion. However, due to the way it is accounted for in both the AP (forecast or planned delivery) and Annual Report (reports on what we actually do), it creates a variance. In the normal course of a year, a few months delay in the delivery would be caught up as the end of the financial year progresses.
45. Both last year and this year, we have had more challenges with regards to the delivery of our capital programmes. Last year COVID-19, extreme weather events, rising inflation and supply shortages impacted on delivery on some of our projects. While it is a similar story this year, with the extreme weather events impacting on delivery, the extent and duration of the two cyclones at the beginning of 2023 unfortunately surpassed even last year’s impacts.
46. Carryovers as assessed at 10 May for 2022/23 are \$16.5m (or 16.7% of the full Annual Plan program \$99.2m.). The full list of projects that rollover to Year 3 are included within **Attachment 3**.
47. Significant Carryovers include:
  - **Waipaoa River Flood Scheme - \$1m**. Inability to complete full work schedule due to land being too saturated following cyclones Hale and Gabrielle.
  - **PGF Route Security - \$3.9m** – 100% PGF funded, the accelerated emergency works as well as severe weather events have delayed procurement and contractor availability. Contracts are in place and ready to get works underway next financial year.
  - **Kiwa Pools - \$1.1m**, due to issues with supply of materials construction experienced some delays and the timeframe for completion has been extended.
  - **1000 Year Bridge - \$1.46m**, construction is due to get underway in May 2023. The build will be completed in the next financial year.

## New projects

48. The total for new projects in the 2023/24 AP is \$7.4m. The majority of these projects have already been to Council Committees and have had Council approval. The full list of projects is included within **Attachment 3**.



49. New Projects Include:

- **Hawaiki Turanga \$400k:** The installation of a sculpture had to be postponed due to discovery of asbestos contamination at the site. Grant of \$400k was allocated to contribute towards remediation of the site.
- **Back Ormond and Hansen Roads \$753k:** Grant was approved to upgrade the size of the intersection which is a necessity for housing at Taruheru Block Development.
- **Taruheru Block Water Supply Upgrades \$784k:** A grant awarded to extent water supply connections to accommodate for new dwellings in the Taruheru development.
- **Waingake Lamella Filtration \$5.5m:** Source water in the supply impounding dams has high silt loading and is untreatable within the existing Waingake plant. Retrofit with a pre-filtration silt removal is needed to treat water and reinstate the supply after Cyclone Gabrielle. The funding for this project will be from a 60/40 split between National Emergency Management Agency (NEMA) and our insurers.

### What's not changed?

50. The key Financial Strategy measures remain unchanged. The Financial Strategy states that:
- Total rates revenue increases (over the previous year) shall be not more than 6.5% (excluding growth rates revenue – eg subdivisions).
  - Total external debt is to be no more than 130% of revenue.
51. The 2023/24 AP is:
- Total rates revenue increase 6.5% plus 0.57% growth (unchanged from the draft AP and report **(23-10)**).
  - Total external debt is \$148.4m (up slight on the draft of \$145.5m) but within 130% debt to revenue threshold. The increase in external debt is the addition loan funding of the 5% local share of roading reinstatement works.
52. The need to fund the additional costs of depreciation and higher interest costs as outlined with draft Annual Plan report remains. Council resolved to fund some of these costs from the use of loans and reserves rather than to raise rates by an additional 3.6% to cover higher operating costs.
53. It was noted within the report that most of the increase in depreciation costs was due to the revaluation of the water supply and stormwater assets. Due to the inherent uncertainty around the way separated components were valued, a review of the valuation methodology was to be undertaken.
54. Interest costs increased by \$1.3m, where \$324k was rated for, with the rest of the shortfall being funded by reserves.

## Our Approach to community feedback

55. We are proposing to comply with our Annual Plan consultation requirements by allowing two weeks for feedback on the draft Annual Plan prior to the decision on whether to adopt it. We consider that it is neither necessary or appropriate for us to hold hearings in the current circumstances.
56. Recent severe weather, including cyclones Hale and Gabrielle, caused significant disruption to local authorities within the affected regions. The Severe Weather Emergency Recovery Legislation Act 2023 (the SWERL Act) was passed in April 2023 to mitigate some of the impacts caused and aid in recovery efforts. The Act enables legislation to be changed via an Order in Council (OIC) process.
57. The Minister of Local Government has proposed that an Order in Council (the Order) be made to make eight temporary amendments to three local government enactments. These amendments propose to simplify legislative processes, extend statutory timeframes for key documents to be published, and allow councils to continue to collect rates and provide services to the community in an efficient and effective manner.
58. One of the proposed amendments is to **modify consultation requirements for annual plans**, so severely affected local authorities **may comply with the principles of section 82 to the extent that is reasonably practicable**.
59. The Department of Internal Affairs website noted the following reasons in support of this proposal:

*Affected local authorities have reported that due to time and resource requirements to respond to recovery, they are finding it difficult to meet legislative requirements regarding consultation with affected persons or groups.*

*Further to this, attempts to actively engage people to present their views may be hampered as they themselves are recovering from severe weather events. However, it is still important to give an opportunity to provide feedback and maintain transparency, so a total exemption from consultation would be inappropriate.*

*We consider modifying the consultation requirements to be necessary as it allows councils to adopt annual plans close to the start of the financial year, set rates and provide certainty to ratepayers for the coming year, while allowing for public consultation and transparency in the process.*
60. The current requirement for consultation on the AP under section 95 of the Act is that the "local authority must consult in a manner that gives effect to the requirements of section 82".
61. We do not have any certainty as to whether this requirement will be changed by an Order in Council in line with DIA's proposal outlined above (i.e. so that the obligation is to comply with the principles of section 82 to the extent that is reasonably practicable). Consultation of the proposal closed on 10 May 2023. A decision is expected to be finalised 7 June 2023.

62. Our proposed consultation process is intended to ensure that we comply with section 82 (whether or not the proposed amendments are made). In particular, the two-week period for submissions will ensure that persons who wish to have their views on the decision or matter considered by the local authority will have a reasonable opportunity to present those views.
63. While we are not required to comply with the more rigorous "special consultative procedure" (SCP), our process will nevertheless also be consistent with the current requirements of that legislative procedure. The requirements of the SCP to the Council's decision-making have been modified by the SWERL Act. The modified requirements apply until 30 September 2023, and explicitly enable the Council to consult without hearings, allowing only 14 days for written submissions.

### **ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA**

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

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

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

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

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

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

64. 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 - TŪTAKITANGA TANGATA WHENUA**

65. LGA section 82(2) reminds us to ensure that we have processes in place for consulting with Māori. Staff have also taken this into consideration when developing the communication plan.

## **COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI**

66. Council is guided by our Significance and Engagement policy to ensure public participation on 2023/24 AP changes is understood by our community on what we're doing and how it affects them.
67. LGA section 82(4e) advises that when determining the scope of engagement, regard should be given to the costs and benefits of any consultation process or procedure.
68. The 2023/24 AP will be short term and focused on recovery. Noting our next stage will be planning for the three years after. The 2023/24 AP must be adopted at the Council meeting on Wednesday 28 June 2023.
69. The 2023/24 AP Consultation Document will inform the community and share with them our recovery story and collective, community led recovery plans across Tairāwhiti e.g., focusing on the four recovery environments of built, natural, economic and social (**Attachment 1**).
70. The online "Have your say" survey serves to inform the community of changes to year three of the 2021 LTP with a summary of why we are doing things differently and simply "Tell us what you think" together with the timeline. The design will follow the recent Fees and Charges participate format and include a link to a PDF of the Consultation Document. There will be no options and no hearings.
71. The Communication Plan proposed for the 2023/24 AP Consultation Document will run over a period of two weeks with no hearings from Friday 2 June 2023 to Friday 16 June 2023.
72. We will utilise the Council's website, He Pānui distribution network and FaceBook page to inform and connect with our community.
73. Hard copies of the Consultation Document will be made available at our Customer Service desks and H B Williams Memorial Library.

## **CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga**

74. Climate change was a key consideration for the 2021-2031 LTP. The draft 2023/24 AP follows the same approach towards responding to climate change.
75. Our medium-term outlook - the 2024-2027 Three Year Plan - will include significant modelling and studies to factor the impacts of increasing adverse weather events, and decisions around how and where we rebuild our critical infrastructure.

## **CONSIDERATIONS - HEI WHAKAARO**

### **Financial/Budget**

76. The financial statements including the Statement of Capital Expenditure are included in **Attachment 3**.
77. The final 2023/24 Annual Plan will be presented to Council 28 June 2023.
78. Loan and reserve funding for operational costs means that these costs are not in 'balance' as our operating expenditure will be more than our operating income. Loan and reserve funding are not considered revenue.
79. This Annual Plan aims to be financially prudent in the medium to long term, as Council reverts to setting its budgets to a level where expenditure matches revenue. Report **23-10** identified that by 2026/27 we will have achieved our balanced budget, where we return to fully funding both interest and depreciation costs.

### **Legal**

80. LGA section 95A outlines the purpose and content required for an AP Consultation Document. LGA section 95A (4) requires a local authority to adopt the Consultation Document.
81. Additional to this LGA section 82 on the effect of the amendments in the Order under the Local Government Act 2002 includes to modify consultation requirements for annual plans, Council has complied with the principles of section 82 of consultation to follow the preparation of the Communication Plan and Consultation Document.
82. Staff are satisfied that the proposed Communication Plan and Consultation Document will meet our legal requirements for consultation under the LGA.

## **POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE**

83. The proposed Consultation Document for the 2023/24 AP is largely consistent with the plans set out in Year 3 of the LTP.
84. Council is guided by our Significance and Engagement Policy to ensure public participation on 2023/24 AP changes is understood by our community on what we're doing and how it affects them.

### **RISKS - NGĀ TŪRARU**

85. There is a risk that the Annual Plan will differ from what is currently included within its budget estimates. Funding for roading could differ to the high-level provision of \$65m at a 95% FAR funding rate.
86. However, mitigating some of this risk would be to have a program that follows the local share of what we have provided.

## NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
2 <sup>nd</sup> June	Consultation period	Closes 16 <sup>th</sup> June 2023
28 <sup>th</sup> June	2023/23 AP adoption	Council meeting
28 <sup>th</sup> June	Councillors 'sets the rates'	
1 July	Adopted AP made available online	

## ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Consultation Document AP 23-24- FINAL [**23-108.1** - 8 pages]
2. Attachment 2 - Financial Statements [**23-108.2** - 4 pages]
3. Attachment 3 - Capital Expenditure [**23-108.3** - 4 pages]



# Te Mahere ā-Tau 2023/24 Te Mauhanga Uiuinga 2023/24 Annual Plan Consultation Document

Te Kaunihera o Te Tairāwhiti  
Gisborne District Council

## Nā Te Koromatua Me Te Pouwhakahaere O Te Kaunihera From our Mayor and Chief Executive



To our communities, we sincerely thank you for working alongside us in what has been a very difficult year. From volunteering your time, donations of food and clothing, to checking in on neighbours, whānau and friends. We thank you.

Our Annual Plan is very different this year. This is because we've focused on dealing with the impacts of repeated, severe weather events and on the immediate needs of our region.

It's been nearly four months since Cyclone Gabrielle devastated our region. Since then, our top priority has been to ensure our communities are safe, protected and connected, investing in immediate needs such as fixing roads, bridges and reconnecting communities to water.

It is going to take time for Tairāwhiti to rebuild, redevelop and to increase our resilience. What we do beyond this will evolve as

communities identify their future recovery aspirations. Our longer-term recovery journey involves developing community plans that enable communities to live the lives that they value.

This Annual Plan sets out what Council can commit to delivering in the Long Term Plan for the next financial year (1 July 2023 to 30 June 2024) and also what needs to be delivered to achieve the objective of safe, connected and protected communities.

While we are on our road to recovery, let us know what you think of this plan. Complete the attached form or go online to our website.

We intend to adopt the 2023/24 Annual Plan at our Council meeting on 28 June 2023.

Mayor Rehette Stoltz

CEO Nedine Thatcher Swann

*Me whiri ngātahi tātau i ngā āheinga me  
ngā tauwhāinga kia whakahī ai te Iwi.*

**Let's navigate our opportunities and  
challenges together to make our  
community proud.**

## **He aha te Mahere ā-Tau?**

### **What is an Annual Plan?**

The Local Government Act requires all councils to have a 10 year Long Term Plan (LTP), and to produce an updated LTP every three years.

In each of the years in between, we produce an Annual Plan which contains changes or additions to any projects, activities and financial forecasts originally included in the LTP.

To deal with our regions immediate needs while we work towards our long term recovery, Council has reconsidered both our long term and annual planning processes. We've made important changes to the 2023/24 Annual Plan to help us manage our immediate to medium term needs while we focus on our road to recovery.

This is what we consulted on in [Our Tairāwhiti 2021–2031 Long Term Plan](#).



## **Ka aha tēnei mō te mahere pae tawhiti me te whakaritenga i te mahere ā-tau?**

### **What does this mean for our long term and annual planning process?**

Tairāwhiti has experienced nine weather events in the last 2 years. In February 2023, Cyclone Gabrielle resulted in a National State of Emergency. The National declaration was extended three times.

Tairāwhiti experienced unprecedented widespread damage. Our roading network was broken, bridges were significantly impacted or completely swept away, houses and businesses were inundated with water and silt, our main town water supply was extensively damaged and whole communities isolated for extended periods.

We responded swiftly and decisively to ensure communities were able to be reconnected to services and support. It was a huge undertaking.

Both our Annual Plan and our next LTP will focus on working towards resilience for our region, as we continue to seek funding from Central Government.

Our 2023/24 Annual Plan prioritises what we committed to do within Year 3 of our 2021-2031 LTP and what we have to prioritise for our recovery journey.





## Te Reo translation requested

### What's different this year?

Council has established a Recovery Co-ordination Centre - Tairāwhiti (RCC) to coordinate our regional response for recovery, exploring ways to make the region more resilient against the impacts of future weather events.

The focus on regional recovery is wider than just Council services. It is a whole of Government approach and focused on:

- **Built environment:** transport, water, solid waste and flood protection infrastructure, community facilities, emergency response and clean-up.
- **Natural environment:** assessments and analysis, environment-enhancing programmes.
- **Economic environment:** crop losses, strengthening infrastructure and industry resilience.
- **Social environment:** community engagement resources, housing services, employment and retention training.

The RCC is supporting a regional approach to ensuring communities are safe, protected and connected. These plans will help communities to live the lives that they value.



For more information about our road to recovery in Tairāwhiti, please see Council's website

» **Our Road to Recovery | Gisborne District Council ([gdc.govt.nz](http://gdc.govt.nz))**

### Impact of the severe weather event on our region

## ROADING NETWORK



**3000** faults registered on local roads

More than **130** sites on state highways SH2, SH35 and SH38 needing repairs

**200+** major drop outs



**61** bridge repairs or replacement requirements

**77 bridges** require slash removal

**111** other structures damaged (retaining walls, river protection, stop banks)

## WELFARE

**24%** of population required welfare support

**230** households headed to friends and whānau

**166** households evacuated to a Civil Defence Centre

**77** households required emergency accommodation

**1.2k** households required financial support

**2.9k** households required food support

**588** households required medical support

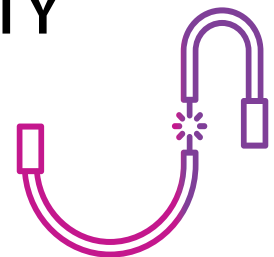


## CONNECTIVITY

**5 days** without communication

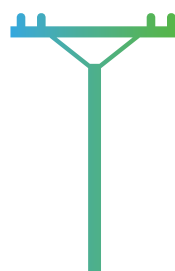
**9 fibre** connection breaks

**152** cell sites down



## POWER

Power network severed for parts of the region



## WATER

**9 breaks** in the pipeline to the main water supply



**45** days to repair pipeline

**45** days severe water restrictions for Gisborne City

**45** days until industries able to use full mains water

## **Te huarahi whakarauora – Te Tairāwhiti**

### **Our road to recovery – Tairāwhiti**

*A Safe, Protected and Connected Tairāwhiti* began with Council's immediate recovery response after Cyclone Gabrielle, fixing damaged infrastructure.

Our 2023/24 Annual Plan will focus on these key recovery areas for Tairāwhiti:

**Road reinstatement:** Our local roading network suffered significant damage during Cyclone Gabrielle. The total cost for reinstating our network is going to be within the range of \$320m - \$420m. We don't have the ability to do this all at once. Our Annual Plan for 2023/24 provides for \$65m of the total programme. Council's immediate priority is to reinstate safe access across our roads enabling our communities to reconnect. While we implement temporary solutions and fixes, the design process is underway to develop permanent solutions.

**Woody debris removal:** Following Cyclone Gabrielle, Tairāwhiti was left with a substantial amount of silt and woody debris threatening our infrastructure, our waterways and our beaches. As an immediate response, Council focused on cleaning up the silt and debris left in our beaches and in our waterways. At the same time Council is developing a Woody Debris Emergency Response Plan. Total Central Government funds for Council is \$31.4m.

**Forestry focus:** In response to the growing impact of climate change and severe weather events, Council has increased its resources in the monitoring and compliance areas through the establishment of a Forestry Team. The team will conduct both aerial mapping and on-the-ground inspections across Tairāwhiti to identify areas where woody debris is at high risk of moving posing a risk to our infrastructure. Council's existing 2023/24 budget will be reallocated to allow Council to recruit ecologists and technical officers who will work with the industry to enable safe and sustainable forestry practice within Tairāwhiti.

**Land management:** Funding has been granted to expand Council's land management team for a period of 3 to 4 years, as part of the Integrated Catchment Management activity. This expansion is driven by the need to support Freshwater Farm Plans and comply with new Freshwater Reform requirements. Funding from the Ministry for the Environment (\$1.5m), the Ministry of Primary Industry Hill Country Erosion Fund (\$903k), and Land Information New Zealand (\$600k) will contribute to the project. Funding for these programmes will allow Council to investigate erosion control methods for highly erodible gullies and slopes, create a comprehensive spatial dataset for assessing land treatment needs, and identify and implement suitable programmes for sustainable land use. We'll also be able to expand our work on vegetation planting for freshwater and biodiversity restoration, fencing waterways, pest and plant control, and fish passage remediation.

**Flood protection:** We are still committed to our Waipaoa Flood Control Resilience project. The construction work completed to date protected many properties from Cyclone Gabrielle. We plan to complete \$4.2m of construction in 2023/24, with the work focusing on the western side of the Waipaoa River. Over the next year, we will do more investigations and modelling to determine the best solutions for flood protection across Tairāwhiti. We are also applying for more funding so we can accelerate our flood protection programme faster.



## ***Ka aha tēnei ki ngā kaiutu rēti?*** **What does this mean for our ratepayers?**

The 2023/24 Annual Plan is a short term plan focusing on our region's road to recovery as well as projects that we have committed to do. Key will be on recovery and fixing our broken infrastructure – repairing our roads and our bridges – and resilience works for Gisborne city's water supply system.

Council's normal services will continue such as (pool/library, rubbish and recycling, building consents, parks and toilets).

Our projects for 2023/24, that we are still committed to delivering are:

- [Kiwa Pools](#) – our externally funded, multi-purpose aquatics community complex.
- [Wastewater Treatment Plant Upgrade](#) – improving the water quality in Tūranganui-a-Kiwa/Poverty Bay.
- Township Upgrades – Te Puia Springs, Waipiro Bay and Te Karaka.
- Our building blocks such as regional plans, climate change, the environment, and working with our partners, Tangata Whenua and our communities, to deliver and get to where we need to be for the future.
- Our infrastructure, although the details of some projects may change as we understand the condition and the priority of work needing to take place.

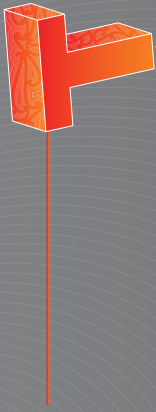
## ***Te utu whakarauora*** **Paying for recovery**

It's going to cost around \$1.2 billion dollars to provide for more protection and resilience for our region. Most of these costs are for our local roads.

Central Government has announced funding for our recovery but details on what that looks like, is still to be released.

Our 2023/24 Annual Plan provides for what we can do in the short term and \$61m funding already received from Central Government.





## Kōrero mai Have your say

**Make a submission on the Annual Plan 2023/24 Consultation Document.**

Full name: \_\_\_\_\_

Organisation:  
(if applicable) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

### Privacy note

Note your submission will be made public as part of Council's decision-making process. If you provide your name and organisation, this may be made public too.

The information you provide may be included in papers for the public and the media. This information may also be used for statistical and reporting purposes.

If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us [service@gdc.govt.nz](mailto:service@gdc.govt.nz)

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**It is important we receive your feedback by  
Friday 16 June 2023.**

### How to submit

Complete the submission form online at  
**[participate.gdc.govt.nz](https://participate.gdc.govt.nz)**

Email your submission to **[annualplan@gdc.govt.nz](mailto:annualplan@gdc.govt.nz)**

Fill in your submission form, drop it into our customer service desk between 9am - 4pm Mon-Fri at:

**15 Fitzherbert St Gisborne**

or

**Te Puia Springs Service Centre Waiapu Rd**

or post your submission for free using this form.

### Timeline

**Consultation opens:** Friday 2 June 2023

**Consultation closes:** Friday 16 June 2023

**Assess submissions and prepare Annual Plan:**  
From Monday 19 June 2023

**Adopt 2023/24 Annual Plan:** Wednesday 28 June 2023

**Financial Year:** 1 July 2023 to 30 June 2024

**Long term planning begins:** 1 July 2024 to 2027

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**FREEPOST 65**  
2023/24 Annual Plan Consultation Document  
Gisborne District Council  
PO Box 747  
GISBORNE 4040

SEAL ALONG HERE



## ***Tuku mai ōu whakairo*** **Tell us what you think?**

The 2023/24 Annual Plan will focus on what Council can do in the short term and the funding we've already received from Central Government. We're committed to work within the financial limits that we said we'd do in Year 3 of the LTP.

This year there won't be any formal submissions or hearings for the 2023/24 Annual Plan, but we're asking you to tell us what you think of this plan?

### **What do you want Council to consider?**

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FOLD

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*Kia ora rā e Te Tairāwhiti*

*I a tātau e ahu whakamua ana, ko te tino aronui ko te whakahaumaru  
me te tūhonotanga i o tātau hapori.*

**Thank you Tairāwhiti**

**As we work towards resilience, our focus is on ensuring our communities  
are safe, protected and connected.**



**Prospective Statement of Comprehensive Revenue and Expenses Attachment 23-108.2**  
**For the year ended 30 June 2024**

AP 2023 \$000s	Notes	LTP 2024 \$000s	AP 2024 \$000s
<b>REVENUE FROM NON-EXCHANGE TRANSACTIONS</b>			
12,885	Grants and Subsidies - Operational	12,795	112,745
44,535	Grants, Donations, Subsidies and Contributions - Capital	13,618	34,496
2,170	Other Non Exchange Revenue	2,149	2,196
24,113	General Rates And Uniform Annual General Charge	26,439	24,276
46,270	Targeted Rates	48,385	51,081
<b>REVENUE FROM EXCHANGE TRANSACTIONS</b>			
1,622	Development and Financial Contributions	1,658	1,658
11,645	Other Revenue	11,695	12,795
3,594	Targeted Water Rates	3,921	3,771
1,600	Dividends	1,700	1,800
0	Interest Received	0	0
(231)	Other Gains/(Losses) - Profit on Sale of Assets	(315)	(230)
<b>148,205</b>	<b>Total Revenue</b>	<b>122,044</b>	<b>244,588</b>
<b>EXPENSES</b>			
30,672	Employee Benefit Expenses	28,020	33,428
61,205	Expenditure on Operating Activities	59,126	164,692
24,907	Depreciation and Amortisation	28,181	29,473
4,482	Financing Costs	4,888	6,158
0	Internal Transfers	(0)	(0)
<b>121,266</b>	<b>Total Expenses</b>	<b>120,215</b>	<b>233,751</b>
<b>26,939</b>	<b>Net Surplus/(Deficit) before Taxation</b>	<b>1,829</b>	<b>10,837</b>
600	Subvention Payment from GHL	600	400
0	Income Tax Expense	0	0
<b>27,539</b>	<b>Net Surplus/(Deficit) after Taxation</b>	<b>2,429</b>	<b>11,237</b>
62,321	Gains/(Losses) on Property Revaluation	48,223	48,223
<b>89,860</b>	<b>TOTAL COMPREHENSIVE REVENUE AND EXPENSES</b>	<b>50,652</b>	<b>59,460</b>

**Prospective Statement of Financial Position**  
**For the year ended 30 June 2024**

Attachment 23-108.2

AP 2023 \$000s	LTP 2024 \$000s	AP 2024 \$000s
<b>CURRENT ASSETS</b>		
19,575 Cash & Bank	9,967	7,798
8,806 Non Exchange Trade and Other Receivables	11,588	11,475
9,182 Exchange Trade and Other Receivables	12,100	20,471
38 Inventories	101	120
0 Derivative Financial Instruments	0	37
80 Non Current Assets Held for Resale	(0)	80
<b>37,682 Total Current Assets</b>	<b>33,757</b>	<b>39,981</b>
<b>CURRENT LIABILITIES</b>		
498 Deposits Held	431	535
35,744 Trade and Other Payables	30,047	39,558
2,754 Employee Benefits and Suspense	2,574	3,180
7,100 Borrowings	5,000	5,000
279 Provisions for Other Liabilities	94	85
1,116 Derivative Financial Instruments	1,219	0
<b>47,491 Total Current Liabilities</b>	<b>39,365</b>	<b>48,359</b>
<b>(9,808) Total Net Working Capital</b>	<b>(5,608)</b>	<b>(8,378)</b>
<b>NON CURRENT ASSETS</b>		
0 Derivative Financial Instruments	0	861
2,666,688 Property Plant and Equipment	2,666,561	3,029,655
6,548 Intangible Assets	6,427	7,447
2,741 Biological Assets	2,663	1,540
33,893 Investments	33,595	34,387
<b>2,709,870 Total Non Current Assets</b>	<b>2,709,245</b>	<b>3,073,890</b>
<b>NON CURRENT LIABILITIES</b>		
135,399 Borrowings	137,170	143,444
179 Employee Benefit Liabilities	176	122
2,571 Provisions for Other Liabilities	3,008	2,249
1,618 Derivative Financial Instruments	4,029	0
1,950 Emission Trading Scheme Liabilities	1,950	2,570
<b>141,717 Total Non Current Liabilities</b>	<b>146,334</b>	<b>148,386</b>
<b>2,558,345 Total Net Funds Employed</b>	<b>2,557,302</b>	<b>2,917,126</b>
<b>EQUITY</b>		
575,479 Accumulated Surplus	595,922	589,217
32,477 Special Funds	20,190	30,151
1,950,389 Revaluation Reserves	1,941,191	2,297,758
<b>2,558,345 Total Equity</b>	<b>2,557,302</b>	<b>2,917,126</b>



**Prospective Statement concerning Balanced Budget  
For the year ended 30 June 2024**

Attachment 23-108.2

AP 2023 \$000s	LTP 2024 \$000s	AP 2024 \$000s
148,205 Operating Revenue	122,044	244,588
121,266 Operating Expenditure	120,215	233,751
600 Subvention Payment	600	400
0 Income Tax Expense	0	0
<b>27,539 Net Operating Surplus/(Deficit) After Taxation</b>	<b>2,429</b>	<b>11,237</b>
<b>LESS</b>		
1,272 Capital Rates Income	2,002	1,875
44,519 Capital Grants and Subsidies	13,574	34,496
1,638 Other Capital Grants, Donations and Contributions	1,701	1,658
(9,358) Operations Funded by Reserve Funds	(2,214)	(12,784)
<b>PLUS</b>		
10,253 Depreciation not Funded	12,233	13,547
279 Increase/(Decrease) in Deficit	401	461
<b>0 Balanced Budget - operating income agrees to operating expenditure</b>	<b>0</b>	<b>0</b>

**Prospective Statement of Changes in Equity**  
**For the year ended 30 June 2024**

Attachment 23-108.2

AP 2023 \$000s	LTP 2024 \$000s	AP 2024 \$000s
<b>EQUITY OPENING BALANCES</b>		
533,381 Accumulated Funds and Retained Earnings	590,502	568,039
47,036 Special Funds and Reserves	23,181	40,093
1,888,068 Revaluation Reserves	1,892,968	2,249,535
<b>2,468,485 Total Equity Opening Balance</b>	<b>2,506,651</b>	<b>2,857,666</b>
<b>CHANGES IN EQUITY</b>		
<b>Accumulated Surplus (Retained Earnings)/ Revaluation Reserves</b>		
89,860 Total Comprehensive Income for the Year	50,652	59,460
14,559 Transfer to/(from) Special Funds and Reserves	2,991	9,941
0 Transfer to/(from) Restricted Funds Liability Movement	0	0
<b>Special Funds and Reserves</b>		
(14,559) Transfer to/(from) Retained Earnings	(2,991)	(9,941)
<b>89,860 Total Changes in Equity</b>	<b>50,652</b>	<b>59,460</b>
<b>EQUITY CLOSING BALANCES</b>		
575,479 Accumulated Funds and Retained Earnings	595,922	589,217
32,477 Special Funds and Reserves	20,190	30,151
1,950,389 Revaluation Reserves	1,941,191	2,297,758
<b>2,558,345 Total Equity Closing Balance</b>	<b>2,557,302</b>	<b>2,917,126</b>
<b>Attributable to :</b>		
<b>2,558,345 Gisborne District Council</b>	<b>2,557,302</b>	<b>2,917,126</b>

Details	2024 DRAFT \$000	Final Annual Plan Capital \$000	Variance to DRAFT \$000	Comments
<b>Commercial Operations</b>				
Commercial Property - Staff Housing Upgrades	74	74	0	
Community Housing - Upgrades	210	210	0	
<b>Total</b>	<b>284</b>	<b>284</b>	<b>0</b>	
<b>Land, Rivers &amp; Coastal</b>				
Waipaoa River Flood Control Scheme Resilience Improvements	3,186	4,186	1,000	Carryover - delays due to wet weather conditions
Mahanga Stream Improvements	0	86	86	Carryover - delays due to wet weather conditions
<b>Total</b>	<b>3,186</b>	<b>4,272</b>	<b>1,086</b>	
<b>Liveable Communities</b>				
Waingake Restoration (pamoa)	2,629	2,879	250	Timing planting delayed
Titirangi To Tuamotu	11	11	0	
Flooring Replacement Wmt	11	11	0	
Amenities	247	247	0	
Peel St Toilets	0	183	183	Carryover - job is under contract, works to start next FY.
Parks & Reserves	452	492	40	
Parks & Reserves - Land Improvements & purchases (dc's)	181	628	446	Carryover - still in search of suitable land
Parks - Kopututea Private Reserve - Co-Governance	16	16	0	
Street Trees Planting	130	130	0	
Signage	21	21	0	
Land Remediation (asbestos Contamination On Reserve Land)	79	79	0	
Waihirere Domain Development	79	239	160	Carryover - delays in consultations and design changes.
Community Strategy Implementation Capex	2,630	2,630	0	
Cemeterities renewals	82	139	56	Carryover - fencing construction next FY.
Jetties And Boat Ramps	53	53	0	
Star Of Canada Renewals	263	263	0	
Lysnar House renewals	0	257	257	
Redevelopment of Olympic Pool Complex	0	1,090	1,090	Carryover - final fit out costs falling slightly into start of Q1 2023/24 year
Hawaiki Turanga	0	810	810	Carryover and grant funds provided for remediation. Installation to start end of this FY.
Public Art	53	93	40	Carryover - projects of this FY not finalised in time.
1000 Year Bridge	0	1,456	1,456	Carryover - construction to start in May 2023, project finished in FY 2024.
Aquatic Facilities Renewals (external)	21	21	0	
Library Books, Furniture & Fittings	196	237	40	Carryover - delay in delivery of furniture.
Library Books Ex Book Trust	20	20	0	
<b>Total</b>	<b>7,173</b>	<b>12,002</b>	<b>4,829</b>	
<b>Regional Leadership &amp; Support Services</b>				
Orthophoto Regeneration - Aerial Photography	41	41	0	
Existing Core Hardware Renewals	718	776	58	Carryover - website update to be undertaken next FY.
Software Renewals & upgrades	79	326	247	Carryover - delivery in July 2023.
Digitisation Of Records- Capex	649	849	200	
Business Analytics	139	139	0	
Bore Drilling and Renewals	0	408	408	Carryover - inability to travel and drill due to impacts of cyclone.
Groundwater Abstraction Device	63	63	0	
Freshwater Improvement Fund	662	662	0	
Telemetry And Hydrological Equipment	90	90	0	
Air Quality And Noise Monitoring Equipment	21	21	0	
Vehicle and Minor plant renewals	428	428	0	
<b>Total</b>	<b>2,892</b>	<b>3,805</b>	<b>913</b>	
<b>Journeys</b>				
Roading Renewals drainage, bridges, resurfacing, rehab pavement)	13,323	15,623	2,300	Carryover - inability to complete works in 2023 due to concentration on response to cyclone.
Minor Improvements Projects	1,420	1,420	0	
Resilience Improvement	484	484	0	
Gisborne City Carpark Facility	22	22	0	
Taruheru River Walkway And Cycling	2,188	2,188	0	
Streetlight Upgrades To Led	250	250	0	
Footpath Replacements - Funded	84	84	0	

Details	2024 DRAFT \$000	Final Annual Plan Capital \$000	Variance to DRAFT \$000	Comments
Pgf - 50 Max	650	650	0	
Pgf - Route Security (east Cape)	1,500	5,400	3,900	Carryover - wet weather related delays, project on track for FY 2024.
Pavement Maintenance-Forestry	500	500	0	
IAF -Back Ormand & Hansons Rds	0	753	753	New project - intersection upgrade in Taruheru block development.
<b>Total</b>	<b>20,423</b>	<b>27,376</b>	<b>6,953</b>	
<b>Solid Waste</b>				
Waiapu Landfill - Stage 3	42	42	0	
Paokahu Closed Landfill	0	120	120	Carryover
Solid waste renewals	80	80	0	
Heritage Landfill Remediation	191	191	0	
Tokomaru Trnsfr Stn Relocation	0	750	750	Carryover - delay in project delivery due to access issues from weather events
BOF - Waste resilience	2,765	2,765	0	
<b>Total</b>	<b>3,078</b>	<b>3,948</b>	<b>870</b>	
<b>Urban Stormwater</b>				
Stormwater renewals and upgrades	2,612	3,077	465	Carryover - high water table resulted in inability to complete in 2023.
Integrated Catchment Plan	27	27	0	
<b>Total</b>	<b>2,638</b>	<b>3,103</b>	<b>465</b>	
<b>Wastewater</b>				
Wastewater renewals and Localised Urban Upgrades	2,566	2,966	400	Carryover - unable to complete all works due to focus on response and recovery of pipes after cyclone.
Wastewater Treatment Plant Further Treatment	0	820	820	Carryover - finalizing the fitout and starting operation in early Q1 of 2023/24
Mortuary Waste Drain Field	0	157	157	Carryover - agreement about the location still to be reached.
<b>Total</b>	<b>2,566</b>	<b>3,943</b>	<b>1,377</b>	
<b>Water Supply</b>				
Water supply renewals and upgrades	1,854	2,491	637	Carryover - delays related to cyclone. Renewals to be carried out in 2024.
Rural Reticulation Renewal	456	781	325	Carryover - delays related to cyclone. Renewals to be carried out in 2024.
IAF Water Supply Upgrades	0	784	784	New project - Water supply upgrades related to Taruheru development.
Waingake - lamella filtration	0	5,500	5,500	New project - Filtration required to deal with impacts of cyclone and restore water supply.
<b>Total</b>	<b>2,310</b>	<b>9,556</b>	<b>7,246</b>	
<b>Townships</b>				
Township Upgrades	588	751	163	Carryover - delay in delivery of Ruatoria township upgrade.
Township Subsidised Improvements	700	700	0	
<b>Total</b>	<b>1,288</b>	<b>1,451</b>	<b>163</b>	
<b>Grand Total</b>	<b>45,839</b>	<b>69,740</b>	<b>23,901</b>	

**Attachment 3**  
**2024 Draft Annual Plan Forecast Carryovers**

Details	Carry-over \$000s	Comments
<b>Land, Rivers, Coastal</b>		
Waipaoa River Flood Control Scheme Resilience Improvements	1,000	Delays due to wet weather conditions
Mahanga Stream Improvements	86	Delays due to wet weather conditions
<b>Total</b>	<b>1,086</b>	
<b>Liveable Communities</b>		
Waingake Restoration (pamoa)	250	Timing planting delayed
Peel St Toilets	183	Job is under contract, works to start next FY.
Parks & Reserves - Playgrounds	40	More upgrades of play equipment required.
Parks & Reserves - Land Improvements & purchases (dc's)	446	Still in search of suitable land
Waihiere Domain Development	160	Delays in consultations and design changes.
Roadside Bollarding - Taruheru Cemetery	56	Fencing construction next FY.
Lysnar House renewals	257	
Redevelopment of Olympic Pool Complex	1,090	Final fitout costs falling slightly into start of Q1 2023/24 year
Hawaiki Turanga	410	Grant funds provided for remediation. Installation to start end of this FY.
Public Art	40	Projects of this FY not finalised in time.
1000 Year Bridge	1,456	Construction to start in May 2023, project finished in FY 2024.
Library Books, Furniture & Fittings	40	Delay in delivery of furniture.
<b>Total</b>	<b>4,429</b>	
<b>Regional Leadership &amp; Support Services</b>		
Software renewals and upgrades	305	Delivery in July 2023
Digitisation Of Records- Capex	200	
Bore Drilling and Renewals	408	Inability to travel and drill due to impacts of cyclone.
<b>Total</b>	<b>913</b>	
<b>Journeys</b>		
Roading Renewals (drainage, bridges, resurfacing, rehab, pavement)	2,300	Inability to complete works in 2023 due to concentration on response to cyclone.
Pgf - Route Security (east Cape)	3,900	Wet weather related delays, project on track for FY 2024.
<b>Total</b>	<b>6,200</b>	
<b>Solid Waste</b>		
Paokahu Closed Landfill	120	
Tokomaru Trnsfr Stn Relocation	750	Delay in project delivery due to access issues.
<b>Total</b>	<b>870</b>	
<b>Urban Stormwater</b>		
Stormwater renewals and upgrades	465	
<b>Total</b>	<b>465</b>	
<b>Wastewater</b>		
Wastewater renewals and upgrades	400	Unable to complete all works due to focus on response and recovery of pipes after cyclone.
Wastewater Treatment Plant Further Treatment	820	Finalizing the build and starting operation in July/August 2023.
Mortuary Waste Drain Field	157	Agreement about the location still to be reached.
<b>Total</b>	<b>1,377</b>	
<b>Water Supply</b>		
Water supply renewals and upgrades	637	delays related to cyclone renewals to be carried out in 2024.
Rural Reticulation Renewal	325	Delays related to cyclone. Renewals to be carried out in 2024.
<b>Total</b>	<b>962</b>	
<b>Townships</b>		
Township Upgrades	163	Delay in delivery of Ruatoria township upgrade.
<b>Total</b>	<b>163</b>	
<b>Grand Total</b>	<b>16,465</b>	

## Attachment 3

## 2024 Draft Annual Plan New Projects

Details	New projects \$000	Comments
Hawaiki Turanga	400	Grant funds provided for remediation of the area.
IAF-Back Ormand & Hansons Rds	753	Intersection upgrade in Taruheru block development.
IAF Water Supply Upgrades	784	Water supply upgrades related to Taruheru development.
Waingake - lamella filtration	5,500	New filtration required to deal with impacts of cyclone and restore water supply.
<b>Total</b>	<b>7,437</b>	

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



23-91

**Title:** 23-91 Tairāwhiti Resource Management Plan - Progress Update

**Section:** Strategy

**Prepared by:** Drew Williams - Principal Policy Advisor  
Janic Slupski - Principal Policy Advisor  
Paula Hansen - Senior Policy Advisor

**Meeting Date:** 1 June 2023

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Legal: No

Financial: No

Significance: **Low**

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### Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee for information

#### PURPOSE - TE TAKE

The purpose of this report is to update elected members on progress being made with the review on the Tairāwhiti Resource Management Plan (TRMP).

#### SUMMARY – HE WHAKARĀPOPOTOTANGA

##### **Te Arotakenga o Te Mahere Whakahare Rauemi o Te Tairāwhiti / Review of the Tairāwhiti Resource Management Plan**

The full review of the TRMP is an organisational priority. We are nearing the end of the second year of Phase 1 of the overall TRMP programme.

Phase 1 covers years 2021 to 2024 and includes three main workstreams:

- Developing a Regional Policy Statement to provide an overarching direction and to set the scene for the rest of the TRMP.
- Implement the National Policy Statement on Urban Development 2020 to support urban growth and development planning, inclusive of housing outcomes.
- Continued implementation of regional freshwater planning provisions and catchment plans required under the National Policy Statement for Freshwater Management 2020.

##### **Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS)**

The RPS workstream is in the process of resetting key timeframes and priorities due to the impact on engagement that the cyclones had on the work programme.

Key to progressing the RPS is having discussions around resource management issues of significance to iwi authorities. The 'Issue Statements' are intended to feed into the RPS through the drafting of provisions. The Iwi Technicians are developing initial statements for the working draft. These statements about issues of significance to iwi may be changed as the drafting progresses and will also require a process for approval by iwi authorities.

Some contracts for technical reports are also in progress.

### **Te Whakawhanake me te Whakarahi / Urban Growth and Development (UGD)**

A high priority for the UGD workstream is to finalise and adopt the Tairāwhiti Future Development Strategy (FDS). Preparations for the councillor's workshop, that will take place on 1 June, are underway. The workshop will discuss the preferred growth scenarios for the FDS. Councillors' direction is needed in this workshop before we bring back to Council, in August/September, a draft FDS for adoption. This will be followed by consultation with our community.

The aim of formally notifying the plan mid-2024 means there is a substantial amount of mahi to progress before it is operative. This workstream will assist in guiding future development and is also key to achieving the desired outcomes to realise our aspirations for the rohe, with ensuring Te Oranga O Te Taiao is held to high regard.

### **Te Whakamahere Wai Māori / Regional Freshwater Plan and Catchment Planning**

The seven catchment plans in the Freshwater Planning workstream are in various stages of planning. Council is required by legislation to publicly notify our Freshwater Planning Policy under the National Framework by the end of 2024. Engagement is central to the success of this planning and to this extent, an introductory meeting was held on 1 May with iwi/Māori to discuss Te Mana o te Wai. The call is also currently out for people with strong connections to Tairāwhiti to become members of the Freshwater Advisory Group. The first meeting is set to take place on 14 June 2023, with membership representing mana whenua and sector groups. This will add up to a membership of 26.

Phase 2 will cover years 4 to 8, which will start in early 2024, with public notification of proposed changes planned for 2028. This phase will include the Coastal Plan, the remainder of Regional Plan provisions and the remaining parts of the District Plan.

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 - NGĀ TŪTOHUNGA**

### **That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:**

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

*Authorised by:*

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

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

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## BACKGROUND - HE WHAKAMĀRAMA

1. Council is undertaking a full review of the TRMP. The 2021–2031 Long Term Plan (LTP) included a significant investment of \$25.8m (including \$7m for freshwater) to support a review of the TRMP and deliver Council's freshwater planning programme ([Report 21-120](#)).
2. Our region's Spatial Plan, Tairāwhiti 2050, provides the vision for Tairāwhiti for the next 30 years. This plan was developed throughout 2019 and has benefitted from extensive consultation and engagement (**Report 20-17**). It was approved by the Sustainable Tairāwhiti Committee on 30 January 2020. Staff are utilising the aspirations in Tairāwhiti 2050 and the feedback we received during its development to inform the TRMP review.
3. The TRMP review is being undertaken in two phases over the next eight years. The first two years of the programme have nearly been completed.

## DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

### Workstream 1: Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS)

4. Progress against RPS milestones for 2023 to 2024 is summarised in **Table 1** below:

<b>Identification of significant resource management issues for iwi authorities</b>	<p>Council staff have compiled a list of historic iwi submissions to determine the type of issues that were previously raised by each iwi and hapū.</p> <p>Key to progressing the RPS is having discussions around resource management issues of significance to iwi authorities. The ITT will develop initial resource management issues of significance to iwi - seeking to have the first conceptual draft ready by mid-June for further in-depth discussion of how they can be integrated into the rest of the RPS. The process will also require approval by iwi authorities.</p>
<b>Engagement with tangata whenua, stakeholders and the community</b>	<p>The Communication and Engagement Plan is being revised to take cyclone recovery efforts into consideration.</p> <p>A draft RPS is being prepared and due for completion in December 2023. The draft RPS will be released with summaries of the issues and options documents for public and iwi feedback.</p>
<b>Procurement of technical reports and inputs</b>	<p>Commissioned technical reports, both internally and through consultants:</p> <ul style="list-style-type: none"><li>• Coastal Environment Mapping Review</li><li>• Region-wide Assessment of Outstanding Coastal Natural Character Areas</li><li>• Region-wide Assessment of Outstanding Landscapes and Natural Features</li><li>• Wainui Beach Coastal Adaptation Programme</li><li>• Historic Heritage Assessment</li><li>• Biodiversity information review and forward planning.</li></ul>

**Table 1 – RPS progress against milestones**

<p><b>Research and Options analysis – including Issues and Options papers to inform the development of the RPS</b></p>	<p>Issues and Options papers have been prepared except the resource management issues of significance to iwi authorities.</p> <p>Some of the external technical reports require site visits to confirm findings. This has been put on hold as it requires use of our local roading network that is still in parts recovering from cyclone damage.</p>
<p><b>Begin drafting provisions for the RPS</b></p>	<p>Council staff have begun drafting provisions for discussion. These are based on the Issues and Options reports and any technical reports in support.</p> <p>Once significant issues to iwi authorities have been drafted, they will be included and threaded throughout the RPS, and other workstreams.</p> <p>Drafting of freshwater related RPS content will begin after a workshop between both RPS and freshwater workstreams has occurred.</p>

#### 5. Partnering with iwi

- RPS-related activities with iwi have been put on hold in the short term while the focus is on post-cyclone recovery. However, Council continues to support the iwi technicians to progress the resource management issues of significance to iwi.
- In preparation for iwi engagement, the RPS team has collated all past iwi-specific submissions and feedback to support the development of resource management issues specific to iwi.

#### 6. Current challenges we are facing in the RPS workstream

- **Capacity** – There is limited internal capacity within Council for this work, and with the recovery phase currently underway for the region, there is a risk that staff may need to prioritise other commitments over this work. Resourcing for tangata whenua in engagement, for example in the identification of significant resource management issues for iwi, face similar capacity issues.
- **Change to workstream lead** – There have been changes to the project lead in the RPS workstream, and this may lead to a delay in work as the new lead needs time to familiarise with the progress of the RPS workstream to date.

#### 7. What is next?

- Confirm process for defining resource management issues of significance to iwi authorities and the approach for agreeing to those issues, and to respond to those issues. When preparing a policy document like the RPS that manages the natural and built environment, the issues or problems to be addressed need to be identified early, so that the solutions to those issues can be addressed.
- Confirm structure of RPS e.g., whether regional issues, iwi issues and integrated management sections stand alone or are combined.
- Drafting objectives, policies and methods to respond to issues.
- September – November 2023 – finalise draft and summary of issues and options papers for consultation
- Undertake informal engagement December – January 2024.
- July 2024 formal notification of proposed RPS and section 32 Evaluation Reports.

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

8. Progress against Freshwater Planning milestones for 2023 is discussed in **Table 2** below:

Table 2 – Freshwater Planning progress against milestones	
<b>Review of Regional Freshwater Plan and Waipaoa Catchment Plan (CP)</b>	<ul style="list-style-type: none"> <li>• Council looking to establish a Freshwater Advisory Group for the review process. Members to include mana whenua and community stakeholders.</li> <li>• First Advisory Group meeting to take place on 14 June 2023 – refer to <a href="#">website</a>.</li> <li>• Background Information Document, website content, technical reports, Section 35 reports currently being developed to support engagement and policy development.</li> </ul>
<b>Mōtū CP for public notification</b>	<ul style="list-style-type: none"> <li>• Legal and technical reviews underway prior to Council approval to publicly notify draft Catchment Plan in August 2023.</li> </ul>
<b>Waiapū CP, in partnership with Ngāti Porou</b>	<ul style="list-style-type: none"> <li>• Council and Ngāti Porou representatives are currently focusing on gravel research and management options - includes engagement with gravel contractors.</li> <li>• Draft Catchment Plan aimed for December 2023.</li> <li>• Refer to Report 23-99 Waiapū Catchment: Joint Management Agreement and Waiapū Koka Huhua at this same Sustainable Tairāwhiti meeting.</li> </ul>
<b>Waimatā – Pakarae CP</b>	<ul style="list-style-type: none"> <li>• Council staff are currently seeking engagement with mana whenua to continue catchment planning process</li> <li>• A collaboration of Council, the Waimatā Catchment Group and mana whenua are refining a Lower Waimatā Restoration Plan. The plan will be finalised by July.</li> <li>• Council staff are supporting Mike Marden (Landcare) to examine flood terraces and landscape vulnerabilities across the catchment.</li> </ul>
<b>Ūawa CP</b>	<ul style="list-style-type: none"> <li>• Working with consultants to plan and undertake preliminary iwi/hapū engagement.</li> </ul>
<b>Southern CP (Hangaroa – Ruakituri) - potential name change to Southern Tairāwhiti/Northern Hawkes Bay CP</b>	<ul style="list-style-type: none"> <li>• Staff have liaised with Hawkes Bay Regional Council to discuss extent of collaboration on management of the Southern catchment.</li> <li>• The catchment team is currently determining baseline state using Hawkes Bay and Gisborne data.</li> <li>• Council looking to confirm tangata whenua engagement in the coming weeks.</li> </ul>
<b>Northern CP (Wharekahika – Waikura)</b>	<ul style="list-style-type: none"> <li>• Collating preliminary background information.</li> <li>• Prepared brief/contract to go out to Supplier Panel for consultant support.</li> </ul>

**Table 2 – Freshwater Planning progress against milestones**

<p><b>Research and Technical Work</b></p>	<p>A series of technical works around freshwater monitoring is being undertaken:</p> <ol style="list-style-type: none"> <li>1. Land Management Practices and nutrient losses from farms on the Poverty Bay and Ūawa Flats - SPASMO model.</li> <li>2. Habitat assessments for Waipaoa and Te Arai rivers.</li> <li>3. Regional wetlands mapping - verification of desktop analysis and prioritised database.</li> <li>4. Regional eDNA testing.</li> <li>5. Desktop location of inanga spawning sites – COMPLETED.</li> <li>6. Fish passage assessments in the Waipaoa Catchment - COMPLETED</li> <li>7. Urban Watercourse Assessment – COMPLETED.</li> <li>8. Faecal source tracking in urban waterways - COMPLETED.</li> <li>9. Groundwater modelling in the Poverty Bay Flats - COMPLETED.</li> <li>10. Review of freshwater monitoring framework - COMPLETED</li> </ol>
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**9. Partnering with iwi**

- A Te Mana o te Wai informational hui was held on 1 May 2023, with invitation extended to mana whenua. The hui covered:
  - An overview of the NPS-FM and Te Mana o te Wai.
  - Council's approach to the planning process, and the engagement process with tangata whenua.
  - The status of the Regional Freshwater Plan and the seven Catchment Plans.
  - Information on establishing a Freshwater Advisory Group for the Waipaoa Catchment Plan and discussion on tangata whenua representation.
- The hui on 1 May has garnered interest from tangata whenua on Council's planning and engagement process. The attendees emphasised the importance of Council upholding a meaningful and effective engagement process that has integrity and honours Council's partnership obligations under Te Tiriti o Waitangi.
- We are working with the iwi technicians to further refine representation expectations for the Waipaoa Catchment Plan Advisory Group.
- Working with Nga Uri o Te Kooti Rikirangi to undertake freshwater planning process for the Maungarongo wetland.
- Engagement on Te Arai National Objectives Framework (NOF) is on hold until Council has procured support for the engagement process.

**10. Current challenges we are facing in the Freshwater workstream**

- **Capacity** – Meaningful engagement with communities, iwi and hapū continues to be challenging due to impact on capacity and availability while the communities' focus shifted to recovery.

- **Request for Freshwater extensions** - No official feedback from Central Government on extension to 2024 deadline for notifying freshwater provisions. However, Government has accepted our request to step out of Tranche 1 of the National Freshwater Farm Plan roll out, which is due to start August 2023.

#### 11. What is next?

- Procuring a Te Mana o Te Wai expert to review the current Regional Freshwater Plan and Waipaoa Catchment Plan.
- Establish a Freshwater Advisory Group for the Regional Freshwater Plan and Waipaoa Catchment Plan - first Advisory Group meeting is planned for 14 June.
- All remaining catchment plans to start May - June – Ūawa, Southern, Northern.
- Technical work/research ongoing.

#### **Workstream 3: Te Whakawhanake me te Whakarahi / Urban Growth and Development (UGD)**

12. The UGD workstream is tracking satisfactory against key milestones. A Councillor workshop is being held on 1 June 2023 to check-in on the preferred growth scenarios, taking into consideration the impact of the two recent cyclones on the draft Future Development Strategy (FDS).
13. A high priority of this workstream over the next year is finalising and adopting the FDS - as a key project to inform the review of the urban related chapters of the new TRMP. The aim of formally notifying the plan mid-2024 means there is a substantial amount of mahi to progress before it is operative. The FDS will assist in guiding future development and key to achieving the desired outcomes to realise our aspirations for the rohe, with ensuring Te Oranga O Te Taiao is held to high regard.
14. In addition, an Intensification Strategy aims to progress the great mahi of the FDS in ensuring we have an action plan in encouraging the best use of denser housing in areas where people want to live, that are well-connected to jobs, transport and community facilities. More compact urban form reduces subdivisions sizes that many Tairāwhiti residents are accustomed to but has the potential to create well-functioning urban environments through careful consideration of neighbourhood development.

15. The current status and progress made are summarised in Table 3 below:

<b>Table 3 – Urban Growth and Development, including housing - progress against milestones</b>	
<b>Notify the draft FDS</b>	August/September 2023 <i>(date to be confirmed after the 1 June 2023 councillor workshop)</i> .
<b>Finalise the Intensification Strategy</b>	December 2023
<b>Progress the Zoning Strategy and start to draft the various Urban Chapters</b>	December 2023 - May 2024
<b>Procurement of technical reports and inputs</b>	Technical reports being undertaken by consultants: <ul style="list-style-type: none"> <li>• Future Development Strategy Professional Services relating to infrastructure (final stages).</li> <li>• Tairāwhiti Housing and Business Development Assessment (completed).</li> <li>• Greenhouse gas assessment (completed).</li> <li>• Intensification Strategy (final stages).</li> <li>• Update 3-waters capacity models and prepare a networkwide development capacity assessment.</li> </ul>
<b>Draft Urban Design Guide</b>	Late 2023
<b>Draft TRMP growth plan change consultation</b>	Mid-2024

#### 16. Partnering with iwi

- We have engaged with tangata whenua during the development of the FDS. Wānanga was held on numerous occasions at marae, online video conference sessions, wānanga with iwi chairs and more recently through a Council initiated Iwi Technical Trial (ITT). The latter involved working with iwi technicians in the formulation of iwi/hapū values and aspirations for urban development. The process has most certainly been enriched with the input from the iwi technicians in appropriately conveying iwi values and aspirations.
- Confirmation by ITT on the cultural aspirations to urban development is of high priority. Preliminary aspirations require these to be finalised in order to progress the draft FDS and providing ITT on a proposed way forward in assessing cultural values.

#### 17. Current challenges we are facing in the UGD workstream

- Capacity for various groups to engage with the process during post cyclone recovery period.
- At a time when the region's housing is under the greatest strain, the FDS must be delivered promptly and ahead of the 2024 Long Term Plan and to inform the replacement of the TRMP as to not constrain development.

#### 18. What is next?

- [FDS](#) councillor workshop on 1 June 2023 to present a preferred technical growth scenario.
- Anticipated approval of draft FDS to be publicly notified in August/ September 2023.
- Progression of the Intensification Strategy for adoption towards the end of 2023, and methods to implement.

## General TRMP Review Programme Update

19. Consultation and engagement are two of the most important components during the review of the TRMP. The January and February weather events, the city's water crisis and dealing with the aftermath of cyclones Hale and Gabrielle are at the forefront of people's minds – whanau, home, and flood recovery have been their immediate concerns. With many in the community directly or indirectly affected by these events, we recognised that they are unlikely to be motivated to participate in formal community engagement or consultation that help inform the TRMP workstreams. We therefore decided to hold off on any formal consultation and engagement for a couple of months, to be considerate of what our community is going through.
20. Consequently, the TRMP workstream leads also reassessed key deliverable dates and adjusted each workstream's programme to take into consideration the two months effectively lost in the aftermath of the cyclones.
21. We have also commenced a procurement process to undertake the following legal reviews:
  - Mōtū Catchment Plan.
  - Regional Policy Statement consultation draft.
  - Draft Future Development Strategy.
22. Further TRMP [programme](#) challenges we face:
  - The establishment of a TRMP co-governance structure continues to be on hold with no clear pathway forward.
  - Legislative compulsory deadlines e.g. freshwater and planning standards deadlines.
  - Currently on hold: working with iwi entity Chief Executives to put in place a governance structure to work in partnership with iwi.

## ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

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

**Overall Process:** Low Significance

**This Report:** Low Significance

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

**Overall Process:** Low Significance

**This Report:** Low Significance

Inconsistency with Council's current strategy and policy

**Overall Process:** Low Significance

**This Report:** Low Significance

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

**Overall Process:** Medium Significance

**This Report:** Low Significance

The effects on individuals or specific communities

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

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

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

**Overall Process:** **High** Significance

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

23. 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 - TŪTAKITANGA TANGATA WHENUA**

24. Iwi/hapū engagement continues to be a key part of the overall TRMP review process. The TRMP Review programme team is using the principles of Te Tiriti o Waitangi to inform its approach to engaging tangata whenua, and other iwi/Māori living in the region.
25. Planning for iwi/hapū engagement at an operational level is continuing. Such as workshops were held with iwi Chief Executives to identify practical options for technical input into plan-making and wider matters of interest to iwi (this was held in the second half of 2022). Discussions also include utilising the iwi technicians working within/alongside Council staff on matters of importance to iwi and procuring technical reports directly from iwi in addition to tangata whenua engagement.
26. Wānanga /was held on a number of occasions at marae, online video conference sessions, wānanga with iwi chairs and more recently through a Council-initiated Iwi Technical Trial (ITT). The latter involved working with iwi technicians in the formulation of iwi/hapū values and aspirations for urban development in the FDS.

## **COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI**

27. Ongoing community engagement is fundamental to all three workstreams: development of the next generation RPS, catchment and regional freshwater plans, and how we grow and develop our urban areas and townships.
28. Community groups and industry representatives have a keen interest in the development of the TRMP. Our engagement approach will reflect that interest and their various roles within the region.
29. Our rural and urban communities also have a key role to play in helping us develop a resource management framework that is fit-for-purpose.
30. Communications and Engagement plans have been developed for the three main workstreams and are reviewed on a regular basis to ensure fit-for-purpose plans.
31. The three main workstreams covered community engagement in detail in the sections above.



## **CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga**

32. There are no climate change impacts or implications arising from the matters in this report. However, climate change is a priority issue within the RPS and is integrated within the TRMP work programme. Councillors also identified climate change as a regionally significant issue during the councillor workshop held in August 2021 (see **Report 21-216** to 28 October 2021 Sustainable Tairāwhiti Committee meeting).
33. Climate change will affect the availability and reliability of freshwater resources. The combination of existing over-allocated water resources, an expected increased future demand and impacts of climate change mean that managing water quantity within limits is a significant issue for freshwater management in the region and will only become more important in the future.
34. Climate change will be a central consideration in all parts of the Urban Growth and Development workstream as it is one of the objectives of the NPS UD. Planning for an urban form, that is compact, intensified and well connected, would result in a decrease in greenhouse gas emissions by reducing the reliance on private motor vehicles. Growth and development planning will also incorporate climate change adaptation by ensuring that existing urban areas, subject to hazards affected by climate change, are subject to appropriate risk assessment requirements, and other areas are avoided entirely.
35. The Tairāwhiti 2050 *Spatial Plan* seeks to activate our Central Business District (CBD) by promoting walking and cycling, inner city living, re-purposing heritage buildings, creating multi-use public spaces and developing a hospitality precinct.

## **CONSIDERATIONS - HEI WHAKAARO**

### **Financial/Budget**

36. There are no financial implications from the progress updates in this report.
37. A budget of \$25.6m (including \$7m for freshwater) was approved to support the TRMP review. There was an underspend for the FY 2022 mainly due to difficulty recruiting staff, and the impact of COVID-19 on both internal and external resource availability.

### **Legal**

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

42. There are also requirements under the NPS-UD to implement plan changes for well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
43. A requirement of the NPS-UD is a Future Development Strategy (FDS) which forms the basis for integrated, strategic and long-term planning. An FDS helps the Council set the high-level vision for accommodating urban growth over the long term, and identifies strategic priorities to inform other development-related decisions, such as plan zoning and related plan changes and priorities and decisions in regional land transport plans
44. The TRMP will need to give effect to other national direction, which covers topics such as:
  - National planning standards (how plans are structured, presented, map conventions, functionality and how accessed by users).
  - Coastal environment.
  - Urban development.
  - Highly productive land.
  - Renewable electricity generation.
  - National standards for air quality, soil contaminants (human health), plantation forestry, drinking water sources, outdoor tyre storage, marine aquaculture, and telecommunication facilities.
  - National direction intended to be finalised shortly will need to be included in the RPS. Such as the proposed NPS for Indigenous Biodiversity.
45. Government has confirmed that these directions will be carried into the new system, perhaps with minor adjustments. As such Council is also aligning the TRMP review with the RMA reform programme to the extent this is possible.
46. Under Section 81 of the Local Government Act 2002, Council is required to establish and maintain processes to provide opportunities for iwi/Māori to contribute to the decision-making processes of Council and to consider ways in which Council may foster the development of iwi/Māori capacity to contribute to the decision-making processes of Council. This is articulated in Council's 'Tairāwhiti Piritahi – Fostering Māori Participation in Council Decision-making' Policy. This policy provides a framework for Council to ensure effective tāngata whenua participation in the Council's planning and decision-making processes.

## **POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE**

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

48. The Council has confirmation that the structure and appearance of plans as mandated by the National Planning Standards will transition into the new system. As such, our work to date has been compliant with this structure and appearance.
49. The new system will have a strong *Spatial* element in Regional Spatial Strategies. that spatial documents such as the FDS and the 2050 plan should be able to feed directly into.

### **RISKS - NGĀ TŪRARU**

50. There are no new risks associated with the content of this report. Refer to previous quarterly TRMP report for a comprehensive list of significant risks associated with the TRMP Programme (Report 22-54).
51. Extreme and high risks are also identified in the TRMP Programme Register and are being reported through the internal Major Project Steering Group monthly reporting process.

### **NEXT STEPS - NGĀ MAHI E WHAI AKE**

<b>Date</b>	<b>Action/Milestone</b>	<b>Comments</b>
7 September 2023	Next TRMP update information report due to Sustainable Tairāwhiti Committee	

**Title:** 23-129 Waiapu Catchment: Joint Management Agreement and Waiapu Koka Huhua

**Section:** Strategy

**Prepared by:** Ariel Yann le Chew - Policy Planner

**Meeting Date:** Thursday 1 June 2023

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Legal: No

Financial: No

Significance: **Medium**

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## Report to SUSTAINABLE TAIRAWHITI /TOITŪ TAIRĀWHITI Committee for information

### PURPOSE - TE TAKE

The purpose of this report is to provide this Committee with background information and current status of the Waiapu Koka Huhua Programme and the Joint Management Agreement between Gisborne District Council and Te Runanganui o Ngāti Porou.

### SUMMARY – HE WHAKARĀPOPOTOTANGA

The Waiapu Accord is an agreement between Council, Ngāti Porou and the Ministry for Primary Industry (MPI) and was signed by these parties in April 2014. This agreement led to the development of the 100-year programme called the Waiapu Koka Huhua on the restoration of the Waiapu catchment.

The Joint Management Agreement (JMA) is an agreement between Council and Te Runanganui o Ngāti Porou which provides for shared decision-making in resource consenting and resource management plan making in the Waiapu Catchment. The JMA was signed in 2015 and both parties renewed their commitment to the Agreement in June 2021.

Meetings between the partners of these two agreements have been sporadic, based on need, progress of each respective programme of work, and the availability of people to attend hui. More recently there has been a hiatus of meetings for both programmes as parties to each agreement deal with scoping issues, capacity constraints, Local Body Elections, COVID-19 and weather events.

Staff will aim to reconvene the Joint Governance Group and Joint Management Agreement Forum hui from June-July 2023.

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 - NGĀ TŪTOHUNGA

**That the Sustainable Tairāwhiti /Toitū Tairāwhiti Committee:**

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

*Authorised by:*

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

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**Keywords:** Waiapu Accord, Waiapu Koka Huhua, Joint Management Agreement, Waiapu catchment plan, freshwater

## **BACKGROUND - HE WHAKAMĀRAMA**

1. The Waiapu River is the ancestral river to Ngāti Porou and as such is regarded as a significant taonga to Ngāti Porou. Its restoration was an integral negotiation point for Ngāti Porou in their Treaty Settlement in 2010. Under the Ngāti Porou Claims Settlement Act (2012), the Waiapu River and its tributaries fall within their statutory acknowledgement area.
2. Council is committed to meaningful partnerships with Ngāti Porou and has statutory obligations to:
  - establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority (s81 Local Government Act 2001 ("LGA"))
  - consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority (s81 LGA)
  - recognise and respect the Crown's responsibility to take account of the principles of the Treaty of Waitangi (s4 LGA)
  - recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s6e Resource Management Act 1991 ("RMA"))
  - have particular regard to kaitiakitanga (s7a RMA)
  - take into account the principles of the Treaty (s8 RMA)
  - recognise statutory acknowledgements in the Ngāti Porou Claims Settlement Act 2012.
3. The Crown acknowledged that deforestation policies resulting in the flooding and erosion of the Waiapu River have had a devastating impact on the Ngāti Porou rohe. The measures the Crown took also failed to effectively resolve it, and Ngāti Porou were largely excluded from any decision-making concerning the Waiapu.
4. To help address these issues, Council has supported and ratified two key agreements with Ngāti Porou: the Waiapu Accord and the Joint Management Agreement (JMA).

### **The Waiapu Accord and Waiapu Koka Huhua (Restoring the Waiapu Catchment Project)**

5. In April 2014, Te Runanganui o Ngāti Porou (TRONPnui), Gisborne District Council (GDC) and the Ministry for Primary Industries (MPI, representative of the Crown) signed the Waiapu Accord – a Memorandum of Understanding around the restoration of the Waiapu Catchment (**see Attachment 1**).
6. The three signatories co-developed a 100-year programme – the Waiapu Koka Huhua (WKH). The vision of the programme is:

"Ko te mana ko te hauora o te whenua, ko te hauora o nga awa, ko te hauora o te iwi" (Healthy Land, Healthy River, Healthy People)

7. The desired outcomes from this programme are:
  - environmental restoration;
  - economic profitability;
  - cultural revitalisation; and
  - social prosperity.
8. Two groups were formed to support the delivery of the programme – the Joint Governance Group (JGG) and the Programme Management Group (PMG).
9. The JGG was established to ensure that the programme is delivered in a way that maximises the likelihood of achieving the stated benefits and optimises stakeholder engagement.
10. The key functions of the JGG are to:
  - guide and support the programme
  - actively promote, endorse and monitor the programme
  - have oversight of programme risks and approve risk mitigations as required
  - provide a forum for exchanging information and raising and resolving issues relating to the programme
  - ensure effective and appropriate linkage to related projects within the catchment
  - report back to their respective bodies.
11. The group originally intended to meet on a quarterly basis. In practice this has been difficult to do consistently. Ngāti Porou and MPI are currently working on an arrangement for collaboration that is mutually beneficial and will provide clarity moving forward.
12. The PMG was originally planned to meet monthly, with its purpose to drive the programme. Their functions are to:
  - provide authority to drive the work programme
  - escalate issues to the JGG as required
  - provide advice, support and resources for the programme management team
  - oversee interdependencies and integration
  - account for expenditure and overall work for projects within their organisations.
13. The immediate and urgent focus has been on implementing erosion control measures to prevent greater physical damage to the catchment. The Waiapu catchment has the highest suspended sediment yield of any river in New Zealand and one of the highest in the world. If erosion remains untreated in key areas, the catchment will experience even greater physical damage, the area's agricultural production would decline, and social deprivation will worsen.
14. The programme focuses on the first 10 years and evolves over four phases. The first phase was an 11-month action plan that started in October 2013 and ended in September 2014.
15. The directions in the first action plan were to:
  - draw together the expertise and information within GDC, MPI, and TRONPnui
  - accelerate land remediation by targeting the priority blocks causing the greatest damage to the catchment

- remove barriers to East Coast Forestry Project (ECFP) grants
  - assist owners of land in Māori title with land use, planning and management, and accessing finance
  - present landowners with a wider range of treatment and land-use options
  - encourage sustainable land-use practices and build innovative and profitable businesses.
16. The latest programme plan was developed in 2018 and provides the direction for the period 2018 – 2021. The objectives were to:
- provide an overarching framework for the delivery of the Waiapu Koka Huhua programme until 2021
  - outline the programme outcomes and management arrangements
  - specify the roles and responsibilities of partners and stakeholders
  - identify and prioritise key projects
  - provide direction on communication and engagement.
17. There are several types of projects within the Waiapu Koka Huhua programme. Some of them have direct transformational impacts, while others will help to enable transformation. Some projects are within the direct control of the JGG and/or its member groups.
18. The JGG will work to support these projects and seek to influence them to achieve WKH outcomes.

### **Joint Management Agreement between Council and Te Runanganui o Ngāti Porou**

19. Council staff first recommended that a co-management arrangement between Council and Te Runanganui o Ngāti Porou (TRONPnui) be explored in a report to the Future Tairāwhiti Committee in January 2015 (**Report 15-011**).
20. Following that report, Council staff met with representatives of TRONPnui to discuss possible co-management options. Eventually both parties came to an agreement on formalising a Joint Management Agreement (JMA) that enabled both Council and TRONPnui to jointly carry out the functions and duties under s 36B of the RMA.
21. The JMA was formally approved at a Council meeting on 8 October 2015 (**Report 15-346**) and signed later that year (**see Attachment 2**).

### **Scope of JMA**

22. The purpose of the JMA is to provide a mechanism for ngā hapū o Ngāti Porou to share in RMA decision-making within the Waiapu Catchment. Specifically, the JMA allows joint decision making on:
- decisions on notified resource consent applications under section 104 of the RMA within the Waiapu catchment
  - decisions on RMA planning documents under clause 10(1) of Schedule 1 of the RMA that affect the Waiapu catchment, including the Waiapu Catchment Plan
  - decisions on private plan changes within or affecting the Waiapu Catchment.



23. An important part of this partnership is the co-development of the Waiapu Catchment Plan. While dialogue between the two parties has occurred for several years, the project gained traction from 2021. Representatives from Council and TRONPnui have met regularly since then to work through requirements of the National Policy Statement for Freshwater Management 2020. An update on the development of the Waiapu Catchment Plan was provided in a report to the Sustainable Tairāwhiti Committee on 16 March 2023 (**Report 23-22**).

### **Joint Management Agreement Forum (JMAF)**

24. The JMA requires that Council and TRONPnui meet every four months to discuss:
- the operation of the JMA
  - other matters of interest to Ngāti Porou in the Waiapu catchment
  - capacity building opportunities
  - other matters relating to the functions of the Council including operational matters and the exercise of the functions under statutes such as the RMA and LGA in the Waiapu catchment.
25. The inaugural hui of the JMA Forum (JMAF) was held 17 May 2019 with Council and TRONPnui representatives. This was a significant milestone for Council and TRONPnui after the signing of the JMA in 2015.
26. The JMA is to be formally reviewed every 12 months after adoption, undertaken jointly by TRONPnui officers and the Council. The last review was completed in 2020.

### **Resource consenting**

27. To date, there has been only one resource consent in the Waiapu catchment where a hearing was required to be carried out under the JMA process. Under the JMA, Ngāti Porou were able to nominate people to the hearing panel.
28. The resource consent related to gravel extraction from the Waitahaia River for which a hearing was held in 2021. The successful conclusion of the first hearing under the JMA is expected to set precedence for other hearings, within the Waiapu catchment and throughout Tairāwhiti in the future.

## **DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA**

### **Updates on the WKH programme**

29. The last JGG meeting was held on 15 February 2022.
30. A report for information providing an update on the December 2021 Operations meeting was presented and discussed in the meeting. The following is a summary of the discussions on the report:
- **Programme progress** – members are working through the issues to get the programme back on track. The group look to improve visibility across all Waiapu-related projects and get traction on MoU goals.

- **Concerns about the lack of control and involvement in implementation** – The issue of funding the projects in the Waiapu catchment is a significant challenge. Members agreed that a governance dashboard is needed, and that funding commitment must focus on the Waiapu, not just fitting into the various programmes of other agencies. The Erosion Control Funding Programme (ECFP) is closed but funds allocated up until 2018 from the ECFP- Land Treatments are still available to landowners- and there is still money left in the community programme.
31. Discussion also covered the draft Terms of Reference (ToR). A draft ToR had been developed from the Accord and components captured from previous reporting. The main contents of ToR are the purpose, the principles and the structure of the JGG. While the ToR was circulated after this hui for feedback, three items were immediately addressed in the hui:
- **Consideration for the rotational basis for the Chair** – Members preferred commitment to the role from MPI, to which MPI have agreed to stay on. But members agreed that this topic should remain on the agenda in subsequent meetings.
  - **Programme Manager role** – The job description for a Programme Manager role needed to be finalised.
  - **Frequency of this JGG hui** – The initial proposed schedule was on a 6-monthly basis, and in this case starting from this hui, the next hui would be on the 16 August 2022. The consensus was that 3-4 times a year would be better, as the hui can then be run simultaneously with the JMAF hui.
32. A subsequent meeting has yet to be convened. Council staff will look to organise a hui between partners from June-July this year.

### Update on the JMA

33. The last JMAF hui was held on 8 February 2022. There were 6 reports for information presented and discussed in the hui:
- Waiapu Catchment Plan Update.
  - Resource Consenting and Research Protocols and Procedures.
  - Funding Opportunities for the Waiapu Catchment.
  - Non Waiapu Catchment Plan Commitments in the JMA.
  - Resource Management Reforms – Overview.
  - Gisborne District Council Resource Management Work Programme.
34. Discussions centred around three reports:
- **Resource Consenting and Research Protocols and Procedures** – Need to build capacity for both Ngāti Porou and Council in the consenting process.
  - **Non-Waiapu Catchment Plan Commitments in the JMA** – JMA should be taken as both operational and strategic opportunity for co-governance, capacity building to train Councillors around Council obligations especially through the JMA lens.

- **Resource Management Reforms** – TRONPnui expressing their interest in developing a Treaty-compliant framework and Plan (i.e. TRMP) well ahead of the reforms taking effect, which hopefully sees Ngāti Porou placed firmly as a partner in the relationship.
35. Disruption from COVID-19, organisational capacity and Local Body Elections have delayed commitments to quarterly meetings. Officers from both parties have also expressed a desire to make progress on the catchment plan in order to better utilise the forum for discussion.
36. Staff will look to reconvene the JMAF toward late June / early July this year.

## ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

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:** **Medium** Significance

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

Inconsistency with Council's current strategy and policy

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

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

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

**Overall Process:** **High** Significance

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

37. 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 - TŪTAKITANGA TANGATA WHENUA

38. On 1 May 2023, the Freshwater workstream hosted a wānanga with tangata whenua on Te Mana o te Wai and the freshwater planning process. One of the comments raised was the interest to see the planned projects under the JMA and the WKH programme resume after the hiatus from the last meetings in February 2022.
39. With the devastation caused by a series of back-to-back severe weather events, there is a greater need for restarting hui between partners under the JMA and WKH.

## **COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI**

40. Community hui were held for the Waiapu Catchment Plan on 7th December 2022. The hui provided an overview of the planning process and provided attendees the opportunity to contribute to the process. Attendees included local residents, farmers and gravel contractors. There will be additional community hui to refine the plan prior to public notification.
41. Ngāti Porou representatives also undertook extensive engagement with hapū in 2021 to socialise the freshwater planning process and determine values for the catchment.

## **CLIMATE CHANGE – Impacts / Implications - NGĀ REREKĒTANGA ĀHUARANGI – ngā whakaaweawe / ngā ritenga**

42. Climate change will affect the availability and reliability of freshwater resources. A 4% reduction in surface water resources is estimated by 2060 and rainfall patterns are expected to change, with more time spent in drought and drier conditions. Long-term reduction in flows will reduce the availability and reliability of water for other uses, particularly during the summertime when flows are naturally at their lowest.
43. As seen with recent storm events, a changing climate will increase the severity of weather events in our region and their effects of land uses on waterways and the coastal environment. Conversations about freshwater must also include land use and Council staff will look to bring these domains together to develop a more integrated approach to resource management.

## **CONSIDERATIONS - HEI WHAKAARO**

### **Financial/Budget**

44. All costs associated with pursuing the JMA are shared between Council and TRONPui. Costs associated with Waiapu Koka Huhua are funded by MPI.
45. Resourcing for freshwater planning (including the Waiapu catchment) and the wider TRMP review is included as part of the operational budgets in the 2021 – 2031 Long Term plan.
46. Implementation of catchment Action Plans is expected to require further resourcing. Council will need to consider the resourcing requirements in the upcoming Long Term Plan cycle.

### **Legal**

47. The functions of the JMA must meet the requirements as outlined under s36B of the RMA and LGA.

## **POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE**

48. The development of the Waiapu catchment plan gives effect to the requirements of the NPS-FM 2020.

## RISKS - NGĀ TŪRARU

49. **Capacity:** Council and TRONPnui face common capacity challenges to make progress in their planned work. Other priorities may require Council and TRONPnui to divert time and capacity of the already low team capacity to those other commitments. There is a risk that this can cause missed deadlines of deliverables and reduced effectiveness of the overall programme.
50. **Funding:** While Council and TRONPnui have committed to co-funding, and MPI had helped in the WKH programme, unexpected costs to restore damages caused by the recent Cyclones may increase the overall funding needed.
51. **Resource Management Reforms (RM reforms):** While it is expected that the reforms will only take effect in 10 years (at the earliest), there is a low risk that the RM reforms will lead to a variation to the terms under the JMA. This is because the JMA was drafted according to s36B of the RMA 1991, and so with the replacement of the RMA with the new Natural and Built Environment Act may require a reassessment of the terms under the new statute.

## NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
June-July 2023	Restart JMAF and JGG meetings	Both groups to discuss and agree on a potential meeting date for reconvening.
By end of 2023	Draft Waiapu Catchment Plan completed	Both groups are aiming to complete a draft catchment plan for consultation and feedback by the end of 2023

## ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - 2018 MOU Waiapu Koka Huhua [23-129.1 - 9 pages]
2. Attachment 2 - JMA Waiapu Catchment [23-129.2 - 15 pages]



Ministry for Primary Industries  
Manatū Ahu Matua



# Memorandum of Understanding in relation to the Restoration of the Waiapu Catchment

*Waiapu koka huhua – Waiapu, mother of many.*

Between **HER MAJESTY THE QUEEN** in right of New Zealand, acting by and through the Director General of the Ministry for Primary Industries (“MPI”)

And **TE RUNANGANUI O NGĀTI POROU TRUSTEE LIMITED** as a trustee of TE RUNANGANUI O NGĀTI POROU (“TRONPNui”)

And **GISBORNE DISTRICT COUNCIL**, a unitary council named in Part 2 of Schedule 2 of the Local Government Act 2002 (“GDC”)

hereafter referred to as “a Party” and “the Parties”.

## 1 This Memorandum establishes a working partnership between MPI, TRONPNui and GDC to exercise their individual responsibilities for the restoration of the Waiapu Catchment to give effect to commitments in the Deed of Settlement.

1.1 In the Deed of Settlement between Ngāti Porou and Te Runanganui O Ngāti Porou and the Crown, the Crown recognised the significance of the Waiapu River to Ngāti Porou and the impacts of erosion in the Waiapu catchment (the “Catchment”) and acknowledged damage from deforestation, the exclusion of Ngāti Porou from historical erosion control and catchment management decision making, and the resulting damage to Ngāti Porou's cultural, social and economic resources.<sup>1 2</sup>

1.2 In association with the Deed of Settlement, Cabinet:

- a. restated its commitment to work with Ngāti Porou and landowners to mitigate severe erosion in the Catchment;
- b. commissioned the Waiapu River Catchment Study;
- c. directed that any proposals stemming from the Study be met through existing programmes.<sup>3</sup>

<sup>1</sup> Deed of Settlement between Ngāti Porou and Te Runanganui O Ngāti Porou and the Crown, 12 December 2011; Ngāti Porou Claims Settlement Act 2012

<sup>2</sup> Ngāti Porou – Crown Relationship Accord, Section 3

<sup>3</sup> Cabinet Minute TOW Min (10) 9/1

## 2 The findings of the Waiapu River Catchment Study

2.1 The Waiapu River Catchment Study (the Study) assessed the current environmental state of the Catchment and its cultural, social and economic effects. The report highlighted the severity and urgency of erosion control problems in the Catchment, and framed those problems in a broader cultural, social and economic context:

- a. The Catchment is of great spiritual, cultural, and economic significance to Ngāti Porou. The health of the Catchment extends much further than the physical elements of the landscape.
- b. The Catchment and the people who depend on its resources have been subjected to a series of environmental, social and economic episodes for over a century (for example, deforestation, rural depopulation, a series of extreme weather events, the disestablishment of the New Zealand Forest Service and privatisation of the forest estate, erosion and land degradation and river sedimentation).
- c. These episodes have had impacts on the wellbeing of Ngāti Porou in the Catchment and have had a contributing role in the current low socio-economic profile for the area.
- d. The social, economic and cultural impacts of environmental degradation associated with deforestation and unsustainable land management practices in the Catchment has seriously damaged natural resources (water, soil, biodiversity, productive capacity).
- e. In defining future courses of action and interventions to reduce the erosion and its effects, it should be recognised that they may lead to undesirable as well as desirable socioeconomic and cultural impacts. Future catchment management policies and erosion control programmes must be co-developed with Ngāti Porou. They should be built on local knowledge and experience, and supported by relevant and up to date scientific knowledge.
- f. Alternative forestry strategies are likely to include native regeneration, indigenous forestry and the use of diverse species creating opportunities for niche markets and the restoration of ecosystems.<sup>4 5</sup>

2.2 The Study also highlighted the importance of direct and active involvement of Ngāti Porou, communities, landowners and hapū:

*"Any attempt to develop and implement interventions to address the erosion problem in the Waiapu catchment without the direct and active participation of Ngāti Porou and local communities is unlikely to be successful".*

### Programme timeframe

2.3 The Parties aspire to work in partnership to restore the Catchment over a 100 year period.

### Shared vision

2.4 The shared vision for the restoration of the Waiapu Catchment by 2113 is:

*"Ko te mana ko te hauora o te whenua; ko te hauora o nga awa; ko te hauora o te iwi – Healthy land, healthy rivers, healthy people."*

<sup>4</sup> Waiapu River Catchment Study, Final Report, Scion, 2012, Executive Summary

<sup>5</sup> Barnard, T, Sustainable Land Management and Climate Change Research Programme on Community Resilience in the Waiapu Catchment, 2012

### 3 Programme imperatives

- 3.1 **A holistic approach to planning and management:** Sustainable land management solutions need to achieve multiple and mutually supportive outcomes – environmental restoration, economic profitability, cultural revitalisation and social prosperity.
- a. Land management policies and practices should consider multiple objectives. For example, hill country management practices should aim to be productive and profitable, protect the downstream catchment, and support local communities.
  - b. Integrated solutions can save money and increase benefits. For example, infrastructure can be protected by a combination of engineering solutions and catchment management.
- 3.2 **Teamwork and commitment:** This programme will require the resources, skills and commitment of the three Parties – TRONPNui, Gisborne District Council, and the MPI – with support from other groups – science and tertiary education providers, sector associations and finance partners.
- 3.3 **A co-ordinated set of interventions:** To date the approach has been to provide incentives through the East Coast Forestry Project (ECFP) and sanctions through the District Plan. An aggressive and co-ordinated approach is required to:
- a. simplify, and remove barriers to, uptake of the ECFP;
  - b. present landowners with a wider range of treatment and land use options;
  - c. assist owners of land in Māori Title with land use planning and management and accessing finance;
  - d. help landowners to implement erosion control and follow through the treatment until tree cover is established;
  - e. encourage sustainable land use practices, and build innovative and profitable businesses;
  - f. maintain treated land, for example, with pest control management, or with subsequent forestry rotations.
- 3.4 **Urgent action:** Remediation is urgent.
- a. The Waiapu River has the highest suspended sediment yield of any river in New Zealand and one of the highest in the world. The suspended sediment yield of the Waiapu River is equivalent to an annual suspended sediment load of 35 million tonnes per year;<sup>6</sup>
  - b. Catchment modelling found that between 1957 and 2008, gully-derived sediment yield has increased by about 80 percent. These models indicate that if all gullies in the Catchment are afforested by 2020, sediment yield could be reduced by half by 2050;<sup>7</sup>
  - c. If nothing is done, erosion and sedimentation could double by 2050. The Catchment would experience even greater physical damage, the area's agricultural production would deteriorate, and social deprivation would be worse;
  - d. About 22,000 ha in the Catchment remains untreated. Much of this is in gullies that generate very high rates of soil loss and sedimentation.<sup>8</sup>

<sup>6</sup> <http://www.fao.org/nr/water/aquastat/sediment/index.asp>

<sup>7</sup> Herzig, A., Dymond, J.R., Marden, M., 2011. A gully-complex model for assessing gully stabilisation strategies. *Geomorphology*, 133: 23-33

<sup>8</sup> Provided by MPI, November 2013.



## 4 Wider benefits for Gisborne District and New Zealand

- 4.1 While this programme focuses on the restoration of the Catchment it will have synergies with, and benefits for, Gisborne District. Improvements made in the Catchment will provide benefits across the rohe of Ngāti Porou and the wider Gisborne District. The benefits for the District and the whole of New Zealand include:
- simpler processes between the District plan requirements and ECFP funding;
  - co-ordination of planning assistance, financial incentives, implementation support and compliance requirements for sustainable land management;
  - a wider range of sustainable land treatment options that foster innovative and profitable land-based businesses;
  - environmental restoration, improved employment and prosperity;
  - an enduring partnership between iwi, local government, the Crown, agricultural and forestry groups, and finance partners.

## 5 Programme outcomes

- 5.1 Table 1 summarises the programme outcomes, and the aspirational end state for 2113.

**Table 1: Programme outcomes**

Outcomes	Aspirational end state
<b>Healthy land</b>	
<ul style="list-style-type: none"> <li>Mana whenua</li> </ul>	<ul style="list-style-type: none"> <li>Nga hapu o Ngāti Porou have mana whenua.</li> <li>The inter-relationship of land and water is understood and practised.</li> </ul>
<ul style="list-style-type: none"> <li>Protection, restoration and sustainable management of eco-systems (includes land, springs, forests, wetlands, lowlands, streams) and ecological and social values and systems it supports</li> </ul>	<ul style="list-style-type: none"> <li>Recovery of the cultural and biodiversity values of eco-systems.</li> <li>An abundant and healthy source of food, water, rongoa, flora, fauna exists in the Catchment equivalent to its original state.</li> <li>Improved soil quality.</li> <li>Land use is appropriate (household, hapu, community, commercial).</li> <li>Wāhi tapu are identified, restored and protected.</li> </ul>
<ul style="list-style-type: none"> <li>Treatment prioritisation of erosion-prone land</li> </ul>	<ul style="list-style-type: none"> <li>Erosion prone land is treated (in a holistic way and with regard to up-to-date scientific and cultural knowledge), and sustainably managed thereafter.</li> <li>Land treatment is achieved quickly and with sufficient scale to arrest further damage through erosion and flooding.</li> </ul>
<ul style="list-style-type: none"> <li>Sustainable and profitable management of farms (including agriculture, horticulture activities) and production forests</li> </ul>	<ul style="list-style-type: none"> <li>Sustainable land use practices that are resilient to droughts and floods.</li> <li>Innovative land uses that maximise economic and social returns, and are resilient to commodity price changes.</li> <li>A local source of food and physical resources for the community is sustained.</li> </ul>
<ul style="list-style-type: none"> <li>Development and protection of infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Flood damage to roads and communities is minimised; rebuilding costs are reduced.</li> <li>Implementation of engineering initiatives to address land restoration (including roading, flood defence and new and improved technologies).</li> </ul>

Outcomes	Aspirational end state
<ul style="list-style-type: none"> <li>Protection of the productive capability of downstream land</li> </ul>	<ul style="list-style-type: none"> <li>There is no further deterioration to the cultural, social and economic value of downstream land.</li> </ul>
<b>Healthy rivers</b>	
<ul style="list-style-type: none"> <li>Mana tiaki</li> </ul>	<ul style="list-style-type: none"> <li>Nga hapū o Ngāti Porou have mana tiaki (custodianship).</li> </ul>
<ul style="list-style-type: none"> <li>Clean water</li> </ul>	<ul style="list-style-type: none"> <li>Life supporting water.</li> <li>Drinkable quality water.</li> </ul>
<ul style="list-style-type: none"> <li>Ever present water</li> </ul>	<ul style="list-style-type: none"> <li>Sufficient for eco-system and community needs.</li> <li>A respectful balance of protection and use exists, in a holistic sense, upstream and downstream.</li> </ul>
<ul style="list-style-type: none"> <li>An abundant source of quality food and water</li> </ul>	<ul style="list-style-type: none"> <li>Supports eco-systems and land use systems.</li> <li>A respectful balance of protection and use exists, in a holistic sense, upstream and downstream, social (residential, cultural, recreational) and commercial.</li> </ul>
<b>Healthy people</b>	
<ul style="list-style-type: none"> <li>Mana tangata</li> </ul>	<ul style="list-style-type: none"> <li>People are healthy and empowered.</li> </ul>
<ul style="list-style-type: none"> <li>The relationship between the community (all who use or benefit from) and the land and river is reinstated</li> </ul>	<ul style="list-style-type: none"> <li>Ngāti Porou tikanga and matauranga is understood and practiced by the community.</li> <li>The community respect the river.</li> <li>The community are conscious that our actions affect its wellbeing (how the river is used, what we take from it and what we place in it and around it).</li> <li>The community respect that what we do at one part of the river may have an effect in another part of the river.</li> <li>The community understand sustainable land use practices.</li> </ul>
<ul style="list-style-type: none"> <li>Economic independence and prosperity exists for Ngāti Porou and for the wider community</li> </ul>	<ul style="list-style-type: none"> <li>Local business opportunities develop; employment increases; people living in the Catchment remain and others return to it; socio-economic measures improve.</li> <li>Locally produced commodities are valued. They generate prosperity (including business and employment).</li> </ul>
<ul style="list-style-type: none"> <li>Local knowledge and aspirations are central to decision-making</li> </ul>	<ul style="list-style-type: none"> <li>Local people are actively engaged in and drive catchment management.</li> <li>Hapu and community are cohesive making the right decisions for the best local outcomes (social, environmental).</li> <li>Matauranga (knowledge), science and technology are equally valued and are central to local decisions and sustainable outcomes.</li> </ul>

5.2 Table 2 summarises the programme logic: the contributions of the Parties, the activities and services they will contribute together, and the outcomes they will collectively achieve (the "Programme").

Table 2: Programme logic

Parties' contributions

**Ministry for Primary Industries**

- represents the Crown in the fulfillment of commitments (Ngāti Porou Relationship Accord) for the restoration of the Waiapu catchment
- promotes success and innovation in New Zealand's primary industries
- administers national primary sector and land management policies
- administers a range of funds and initiatives including the East Coast Forestry Project
- brokers whole of government solutions to achieve programme outcomes
- advises the Minister and Associate Minister for Primary Industries

**TRONPNui**

- leads, represents and advocates for the people and rohe of Ngāti Porou
- protects and fosters mātauranga
- develops the natural, economic, social and cultural capital of its people
- manages farms and forests, develops a land management strategy, and builds the people's land management capabilities
- delivers education, health, housing and social services
- provides access to new funding partner
- operates a business incubation service

**Gisborne District Council**

- represents and advocates for the people of the District
- promotes social and economic development across the District
- regulates environmental management and sets the Combined Regional Land and District Plan
- sets statutory requirements for land management (including Works Plans and consents for earthworks, forest harvesting and vegetation clearance)
- controls and manages rivers including riverbank protection, flood control and water quality monitoring
- oversees pest management
- with NZTA, manages and maintains roading and infrastructure

Other parties involved:

- Farming and forestry sector groups** represent and advocate for their members, communicate information (from and to the programme) and provide education and technology transfer services
- Banks and finance partners** provide the capital to enable land use changes
- Science organisations and tertiary education providers** provide technology transfer, education services and technical advice
- Advisors** (farm advisors, accountants, etc) provide advice on land use and business planning.
- Other government agencies** (NZTA, DoC)

Themes

Specific services and interventions

Outcomes

Simplify processes and remove barriers	Remove barriers to the uptake of ECFP (MPI)	→
	Coordinate delivery of GDC and MPI services to landowners (MPI, GDC)	
	Facilitate decision making on Māori Land (TRONPNui)	
Incentives, grants and business innovation	Grants – East Coast Forestry Project (MPI)	→
	Co-funding development – Sustainable Farming Fund (MPI-Sector groups)	
	Incentives for afforestation through PFSI & ETS carbon credits (MPI)	
	Supporting economic development in the rohe (TRONPNui) and district (GDC)	
	Business incubator support (TRONPNui)	
	Land and financial planning advice (Advisors)	
Capability building and technology transfer	Technology transfer (Sector groups, GDC, science providers, MPI)	→
	Training, business development (TRONPNui)	
	'Model farm' (GDC)	
	Provide information on services available from MPI, GDC, DoC and others	
Advisory and support services	Assistance with Land Plans and ECFP applications (GDC)	→
	Provision of nursery stock	
	Supervision of planting and follow-up care of land treatment (GDC, Sector groups)	
	Support from Ngāti Porou Farm and Forests Ltd to other Māori landowners	
Land, water and infrastructure management	Environmental monitoring – Water quality/Ecology (GDC)	→
	Riparian management and flood management (GDC)	
	Building, maintaining and protecting infrastructure (GDC)	
	Monitoring and ongoing assessment of erosion risk (GDC, MPI, science organisations)	
Regulating and monitoring	Issue consents and monitor compliance (GDC)	→
	Monitor and report on land, water quality (GDC)	
	Monitoring compliance with LO3A, ECFP, carbon credits, etc (GDC, MPI)	
	Set rules and regulatory limits (GDC)	

**Healthy land**

- Erosion is managed
- Natural forests, biodiversity and cultural values are restored
- Wāhi tapu are protected
- Downstream infrastructure is protected, communications and transport are more secure.
- Damage to communities is reduced.
- The productive capacity of downstream land is maintained

**Healthy river**

- Sedimentation and aggradation from hill country erosion is reduced
- Erosion through riparian slips is reduced
- Water quality is improved
- The river is again an abundant source of food and drinking water, and for recreation

**Healthy people**

- The relationship between Ngāti Porou and the land and river is re-invigorated
- Local knowledge and aspirations are central to decision-making
- The catchment produces high value commodities, which generate high income jobs within the area, which in turn generate prosperity for all the people
- Economic independence and prosperity is restored for Ngāti Porou and all the people of the catchment

INTEGRATED CATCHMENT MANAGEMENT

## 6 Joint Governance Group

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6.1 A Joint Governance Group will lead and oversee the Programme.

### Membership

6.2 Members will be appointed by the Parties (TRONPNui appointing two people, and Gisborne District Council and MPI appointing one each).

6.3 Parties may appoint alternate members.

### Chair

6.4 The Joint Governance Group will be chaired by the one of the members appointed by the Parties.

6.5 Initially, the chair will be the representative of MPI.

### Quorum

6.6 To transact formal business, one representative from each Party must be present.

### Function

6.7 The Joint Governance Group will:

- a. set the Programme goals and mid-term objectives;
- b. oversee the Programme and in particular:
  - (i) approve the Programme work, Programme plans, budgets and key documents;
  - (ii) assess Programme progress reports;
  - (iii) monitor Programme forecasts for the achievement of objectives and expenditure of resources.
- c. agree the working relationships between the Programme and the Parties, including:
  - (i) the role, authority and accountability of the Programme Manager;
  - (ii) the Programme team seconded from the Parties;
  - (iii) touch points with iwi, Council and Ministry planning, budgeting and reporting processes;
  - (iv) escalation processes between the Programme and the Parties;
  - (v) sharing information (including landowner information).
- d. guide, support, challenge and monitor the performance of the Programme Manager;
- e. ensure the Programme is aligned with the Parties' priorities and that the respective roles of the Programme and Parties are understood;
- f. actively monitor Programme risks and issues, and gain support from the Parties (and other stakeholders) to resolve them;
- g. approve Programme work plans, budgets and timelines, and monitor multi-year forecasts;
- h. commit the resources from the Parties required to deliver a successful Programme outcome, promote the Programme within their respective organisations and with stakeholders, approve communication plans and actively support stakeholder engagement;

- i. assure itself and the Parties that:
  - (i) technical planning and implementation is in accordance with current best practice, including:
    - prioritisation and land treatment criteria;
    - land treatment options for specific blocks;
    - mid-term monitoring of erosion control measures, and their downstream impacts.
  - (ii) appropriate Programme assurance disciplines are in place;
  - (iii) the Programme is on track to deliver its objectives.
- j. report at least annually to the Parties on progress, opportunities, risks and projected outcomes;
- k. perform such other functions as the Parties agree will be performed by the Joint Governance Group.

6.8 The Parties will use their best endeavours to:

- a. achieve the Programme outcomes set out in Table 1;
- b. consider opportunities to progress these outcomes when undertaking other activities;
- c. work in a spirit of partnership.

#### **Meeting and business procedures**

6.9 The Joint Governance Group may determine its own meeting procedures. It may transact business by tele- or video- conference. Matters may be agreed by correspondence or email.

6.10 To remove uncertainty, the Joint Governance Group and the Programme will comply with the Official Information Act 1983, and the Local Government Official Information and Meetings Act 1987.

6.11 If an issue is unable to be resolved by the Governance Group, the issue will be escalated to their respective parties who will plan and implement a process for resolution. To remove uncertainty, the issue would be escalated to the Chairman of Te Runanga o Ngāti Porou, Mayor of the Gisborne District Council or Deputy Director-General, Resource Management and Programmes of the Ministry for Primary Industries.

## **7 Review of this Memorandum**


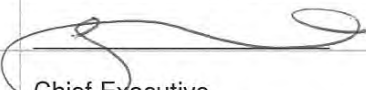


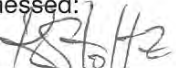
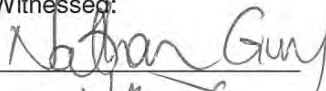
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- 7.1 The Parties will review this agreement within 10 years from the date this agreement is signed.
- 7.2 It may be continued or varied at any time by written agreement between the Parties.

8 Costs

8.1 Each Party will meet its own costs in carrying out the purposes of this Memorandum.

Signed for and on behalf of each of the named Parties by:

 Chief Executive, Te Runanganui O Ngāti Porou Trustee Limited Date: 23.4.14	 Chief Executive, Gisborne District Council Date: 23/4/14	 Director-General, Ministry for Primary Industries Date: 23-4-14
Witnessed:  Name: A. T. MATHUKA Occupation: CHAIRMAN	Witnessed:  Name: Rebekah Stoltz Occupation: Deputy Mayor	Witnessed:  Name: Nathan Guy Occupation: Minister for Primary Industries.

# JOINT MANAGEMENT AGREEMENT

Between **GISBORNE DISTRICT COUNCIL** a unitary council named in Part 2 of Schedule 2 of the Local Government Act 2002 ("the Council")

And **TE RUNANGANUI O NGĀTI POROU TRUSTEE LIMITED** as a trustee of TE RUNANGANUI O NGĀTI POROU ("Te Runanganui") on behalf of ngā hapū o Ngāti Porou

Pursuant to section 36B the Resource Management Act 1991

**PREAMBLE**

**TE WAIU - TE WAI MĀORI MO NGĀTI POROU**

Mauriora kia Ranginui  
Ko Io Matua Kore anake  
Tawhirimatea e muia nei i tona koka i te waiora,  
Mauriora kia Papatuanuku  
Ko Ngāti Porou tangata, Ko Ngāti Porou whenua, tona taiao, tona tūrangawaewae, tona  
papatipu.

I te hītanga ake o Maui Tikitiki a Taranga i te whenua nei  
Whakaeteteete mai Ko Hikurangi  
Ka tau tona waka a Nukutaimemeha ki te roto o Hinetakawhiti  
kei ngā fihī tapu o Hikurangi, ara, Te Tone o Houku me te Tipi o Taikehu,  
e rangona nei te whakatauaki,

**“Ko Hikurangi te maunga, Ko Waiapu te awa, Ko Ngāti Porou te iwi”**

Ko te waiutanga mai i Potikirua ki te Toka a Taiiau,  
atu i te Raukumara ki te uru,  
whakawhiti ki te hikumutu ki te rawhiti  
Ko te tuanui o tona kainga Ko Ranginui, a Ko Papatuanuku tona papa  
Ko te wai te toto o Papatuanuku i roto i tona tapu me tona noa.

He wai mou!, He wai mau!  
Hei whakaora i te ngakau o Porou.

*Nga hapu o Ngati Porou establish their authority, rights and interests in the Wai through descent from Ranginui, Papatuanuku and Tawhirimatea and their uninterrupted occupation of the Eastern seaboard lands between Potikirua and Te Toka a Taiiau since Maui fished up his great fish- Te Ika a Maui. The Wai is the life blood of the land with its ritual and sacred elements and its functional, daily elements. Our relationship and association with the Wai is recorded in our waiata, whakatauaki, the names of our children, rivers, streams, creeks and puna and in our everyday practice.*



**Councils Vision**  
**Tairāwhiti First!**  
**First to see the light**  
**First choice for people and lifestyle**  
**First choice for enterprise and innovation**  
**First place for the environment, culture and heritage**

Councils vision and values reflect what we value and aspire to achieve for the District. Our vision and values reflect a fresh approach to the way we work. Our vision speaks of our region of firsts; locally, nationally and globally. We are the first city in the world to see the rising sun. A place where people want to be and are proud to live. A place that is home to productive and innovative businesses and where our agriculture and natural resource strengths are leveraged into value added job rich opportunities. A place where we care for our environment as an integral part of our lifestyle. A place rich in history that celebrates and keeps alive its language, culture and traditions.

**Tairāwhiti Pirītahi - Fostering Māori Participation in Council Decision-making**

Tairāwhiti Pirītahi is Council's statement for *Fostering Māori Participation in Council Decision-Making*, Tairāwhiti Pirītahi translates as Together Tairāwhiti representing how we work with others including Māori.

Tairāwhiti Pirītahi is a framework for Council to ensure effective Māori participation in the Council's planning and decision-making processes. It is derived from Council's statutory obligations, understanding organisational capacity needs and recognises the post Treaty settlement environment.

The objectives of the policy are that Council will:

- a) Enable Te Tiriti o Waitangi – Support the spirit and implementation of Treaty settlements in the District;
- b) Be an empowered organisation that values te ao Māori – support staff to build their cultural knowledge base of tikanga and Māori worldview;
- c) Effect Māori participation in Council democracy – support collaborative approaches and processes to decision making;
- d) Strengthen relationships and share decision making with Māori – support of engagement that is co-designed with mutually beneficial outcomes.

The following diagram shows the Council's objectives and how the organisation gives effect to them through their policies, processes and people.



## PARTIES

1. Te Runanganui o Ngāti Porou Trustee Limited (**Te Runanganui**); and
2. The Gisborne District Council (the **Council**).

## BACKGROUND

3. Te Runanganui is the trustee company of Te Runanganui o Ngāti Porou, a trust established by trust deed dated 14 December 2010. Te Runanganui is the post Treaty of Waitangi 1840 settlement entity for Ngāti Porou.
4. The Gisborne District Council is a Unitary authority and manages both regional and district Council functions. The Council manages air, soil, water, the coastal environment as well as land use in our urban centres, rural land use, and open spaces on behalf of the district.
5. The traditional Ngāti Porou rohe stretches mai i Potikirua ki te Toka a Taiau (**Ngāti Porou rohe**).
6. Te Runanganui and the Council have been discussing ways in which Te Runanganui may, on behalf of Ngā Hapū o Ngāti Porou, more effectively exercise decision-making powers over decisions in the Ngāti Porou rohe.
7. Te Runanganui and the Council have agreed to enter into this Joint Management Agreement (**JMA**), which represents a first step with respect to joint decision-making powers in the Ngāti Porou rohe, specifically at this stage, in the Waiapu Catchment.
8. The Council acknowledges the current and future aspirations of Ngāti Porou hapū. Specifically, the Council acknowledges:
  - a. That Te Runanganui and Nga hapū o Ngāti Porou intend to continue a conversation, through the annual reviews of this JMA and the Joint Management Agreement Forum, with the Council about the application of this JMA to the entire Ngāti Porou Rohe.
  - b. The broader aspiration of Ngāti Porou hapū to move to a transfer of powers under the Resource Management Act 1991 (RMA), within five (5) years, however this future aspiration is outside the scope of this JMA.
9. This JMA is intended to positively enhance other mechanisms provided for in, for example, the Ngāti Porou Foreshore and Seabed Deed of Agreement and the Ngāti Porou Deed of Settlement.
10. The Ngāti Porou Deed of Settlement with the Crown, recognises the significance of the Waiapu River to Ngāti Porou and the various impacts of erosion to the Waiapu catchment. This is further established through the recognition of the Waiapu River and its tributaries as a statutory acknowledgement area. The Council supports the restoration and preservation of the mauri and wairua of the Waiapu catchment which are integral to enabling kaitiaki responsibilities.

**PURPOSE**

11. The purpose of this JMA is to provide a mechanism for Ngā Hapū o Ngāti Porou to share in RMA decision-making within the traditional Ngāti Porou rohe, mai i Potikirua ki te Toka a Taiau, specifically within the Waiapu Catchment.

**PRINCIPLES OF THE RELATIONSHIP**

12. The parties will uphold and work together under this JMA based on:
- a) The principles of good-faith and cooperation, and open, timely and transparent information sharing to enable good joint decision-making;
  - b) Recognition that both parties can contribute, for mutual benefit, in deciding the future of the District – working towards and achieving the parties visions;
  - c) The importance of recognising and providing for, as a matter of national importance, the relationship of Ngāti Porou hapū and their culture, traditions and mātauranga with and over their ancestral lands, water, sites, wahi tapū, and other taonga;
  - d) Recognise that this JMA operates within statutory frameworks and that complying with those statutory frameworks, meeting statutory timeframes, and minimising delays and costs are important;
  - e) The importance to the Council of:
    - i. a strong relationship with Ngā Hapū o Ngāti Porou, inclusive of Ngāti Porou landowners, that recognises the values and interests of Ngā Hapū o Ngāti Porou; and
    - ii. a strong relationship with Te Runanganui.
13. The Council shall ensure that Te Runanganui is kept informed of relevant aspects of the preparation, review and changes to all relevant RMA planning documents planning instruments, notified resource consent applications, and plan changes within or affecting the Waiapu Catchment.

**DECISION-MAKING**

14. The Council and Te Runanganui will make the following decisions jointly in accordance with this JMA:
- a) Decisions on notified resource consent applications under section 104 of the RMA within the Waiapu Catchment;
  - b) Decisions on RMA planning documents under clause 10(1) of Schedule 1 of the RMA that affect the Waiapu catchment, including the Waiapu Catchment Plan; and
  - c) Decisions on private plan changes under clause 10(1) of Schedule 1 of the RMA that affect the Waiapu catchment.
15. Joint decisions between the parties have the effect of a decision of the local authority according to section 36D of the RMA.

16. In accordance with section 36C of the RMA the Council may act by itself under this JMA when this JMA requires the parties to perform a duty together. However, the Council may only perform or exercise the duty by itself in the following circumstances:

- a) Where a decision is required in relation to a duty under this JMA and Te Runanganui has advised the Council that it is unable to meet any timeframe required to make the decision; or
- b) Where the JMA does not provide a method for making a decision of the kind required.

17. Nothing in this JMA is intended to limit, or negatively affect or derogate from, the Council's existing statutory and other obligations to Ngāti Porou.

#### **PROCESS FOR OTHER DECISIONS**

18. Te Runanganui and the Council will work together to:

- a) Develop and agree guidance for the Council's resource consents team in relation to how decisions should be made regarding notification of applications for resource consents in the Waiapu Catchment; and
- b) As part of the process referred to in clause [14], build the capacity of both Te Runanganui and the Council to allow the parties to work more closely together in the making of notification decisions;
- c) Develop and agree protocols with respect to the commissioning of environmental research (including but not limited to how research will be commissioned and who can access results of such research) conducted in the Ngāti Porou rohe; and
- d) Co-create and agree the Waiapu Catchment Plan.

#### **JOINT MANAGEMENT AGREEMENT FORUM**

19. Te Runanganui and the Council will meet every four months to discuss:

- a) The operation of this JMA;
- b) Other matters relating to the interests of Ngāti Porou in the Waiapu catchment;
- c) Capacity building as referred to in clause [20]; and
- d) Other matters relating to the functions of the Council, including operational matters and the exercise of functions under statutes such as the RMA and Local Government Act 2002 (**LGA**) in the Waiapu catchment.

#### **CAPACITY BUILDING**

20. Te Runanganui and the Council will work together under this JMA to increase the capacity of the Council, Ngā Hapū o Ngāti Porou (inclusive of landowners) and Te Runanganui in relation to the matters covered by this JMA.

21. The approaches to capacity building could include:

- a) Training for Councillors and Council staff on Ngāti Porou tikanga, interests and values in relation to the Waiapu catchment, and how those matters should form part of the Council's processes;
- b) Training for Council staff on sites of significance to Ngāti Porou in the Waiapu catchment;
- c) Training for Te Runanganui staff and Ngā Hapū o Ngāti Porou on Council processes and other matters (including, but not limited to, consenting processes, monitoring and health and safety);
- d) Reciprocal secondments; and
- e) Reciprocal seminars and workshops on specific topics of interest.

### **PROCESS AND REPRESENTATION**

22. The Council and Te Runanganui will select hearing panel members to act as the decision-makers pursuant to clause 14 on the following basis:
- a) The default will be three panel members, made up of one member appointed by each party, and a chairperson appointed in accordance with clause [23];
  - b) The parties may agree that for a particular decision there will be one panel member, in which case the parties must agree on that member; and
  - c) The parties may agree that for a particular decision there will be five panel members, made up of two members appointed by each party, and a chairperson appointed in accordance with clause [23].
23. Following the appointment pursuant to clause [22], the selected members shall then meet and identify an additional member and chairperson for that panel. If consensus is not reached on this appointment the standard Council list of independent commissioners will be used for selection purposes and the third or fifth member and chairperson will be appointed by Council.
24. The full panel and chairperson, appointed pursuant to clauses [22 and 23] (the **Panel**) will need to be identified a minimum of 20 working days prior to the hearing.

### **TECHNICAL CAPABILITY OR EXPERTISE**

25. Te Runanganui and the Council will only appoint panel members where they have the technical or special capability or expertise to perform or exercise the function, power, or duty under this JMA, pursuant to section 36B(1)(b)(i)(B) of the RMA.

### **VOTING RIGHTS**

26. All members of the Panel will have equal voting rights at the hearing, and the Chairperson has the casting vote in the case of a split vote.
27. If, 10 days before the commencement of the hearing, any members withdraw from the Panel, the remaining panel shall continue to hear the matter provided there is at least three Panel members present.

28. In the case of four Panel members, at least three Panel members must vote in favour of a vote for such a vote to pass.

#### **OTHER MECHANISMS**

29. This JMA will operate in a manner that enhances, and does not negatively affect or derogate from, relevant redress mechanisms provided for in the:
- a) The Ngāti Porou Deed of Settlement;
  - b) The Ngāti Porou Foreshore and Seabed Deed of Agreement;
  - c) The Waiapu Accord; and
  - d) Any other agreements that exist at the time of this JMA, or may be entered into, that may affect the matters provided for in this JMA.

#### **CONFLICTS OF INTEREST**

30. Conflicts of Interest shall be considered and identified at the earliest possible moment and brought to the attention of the Panel at the earliest possible time, and in accordance with the Controllers and Auditor Generals Guidelines: Managing conflicts of interest: Guidance for public entities.
31. A panel member is not precluded by the Local Authorities (Members' Interests) Act 1968, or any other regulatory mechanism, from discussing or voting on a matter merely because the member has Ngāti Porou whakapapa. The conflict would have to be direct e.g. ownership of land that is subject to a consent application.

#### **REMUNERATION OF PANEL MEMBERS**

32. Te Runanganui appointed members of any panel selected according to this JMA will be charged at the same rate as the Council Commissioners pursuant to clause 7.1, schedule 7 of the Local Government Act 2002 and section 19 of the Remuneration Authority Act 1977.
33. The additional or fifth panel member will be charged at their standard charge out rate.

#### **RESOURCING**

34. Te Runanganui and the Council will share resources (including, but not limited to, expertise, staff and funding) to ensure:
- a) Ngāti Porou hapū representatives are prepared to undertake the Making Good Decisions course (for example, through the development of a precursor to the Making Good Decisions course that could be jointly run by the Council and Te Runanganui); and
  - b) Ngāti Porou representatives have the necessary skills and resources to undertake the Making Good Decisions course.

**FINANCIAL IMPLICATIONS FOR THE PURPOSES OF THE RMA**

35. The Parties agree that the matters provided for in clause [34] comply with section 36B(c) of the RMA in relation to:
- a) The resources that will be required for the administration of this JMA; and
  - b) How the administrative costs of this JMA will be met.

**CONFLICT RESOLUTION**

36. The Parties acknowledge the requirement for effectiveness and efficiency in delivering resource management decisions. Accordingly, any conflict or conflict resolution process shall not be incompatible with the Council's duty to efficiently process resource management decisions and shall follow the dispute resolution process in clause 37.
37. In the event of a dispute between the Parties, the Parties will use best efforts to informally resolve the dispute in good faith through dialogue and negotiation at the management level (CE to CE in the first instance). If a dispute cannot be resolved by direct discussion and negotiation, either party may appoint a suitably qualified mediator from LEADR NZ (Leading Edge Alternative Dispute Resolvers) or AMINZ (Arbitrators & Mediators Institute of New Zealand) to facilitate the resolution of conflict.
38. If the parties do not reach agreement over the appointment of a mediator, the mediator shall be appointed by the President (or equivalent) of LEADR or AMINZ.

**REVIEW PROCESS**

39. This JMA will be formally reviewed every 12 months after the adoption date.
40. The Review will be undertaken jointly by Te Runanganui officers and the Council and findings of the review will be formally presented to Te Runanganui and the Council.
41. The Review shall include:
- a) A summary of the joint hearings for that 12 month period including the number of hearings, decisions made and appeals received;
  - b) Any identified issues that have arisen at any step in the process as identified by Te Runanganui officers and the Council, and all the decision makers involved;
  - c) Any issues that have been identified by applicants or submitters as a result of a post hearing survey;
  - d) Any additional functions, powers or duties which apply under this JMA; and
  - e) A recommendation to either:
    - i. continue the JMA with no changes;
    - ii. amend the JMA; or
    - iii. terminate the JMA according to clause [44].
42. Any changes deemed necessary from the Review following a recommendation shall be formally ratified by Te Runanganui and full Council respectively.
43. The Review will be resourced jointly by Te Runanganui and the Council.

## **TERMINATION**

44. Subject to the Review process pursuant to clauses [39 to 43], any Party to this JMA may terminate the JMA by giving the other party 20 working days' notice, in accordance with section 36E of the RMA.
45. Without limiting the effect of section 36E of the RMA, if either Party intends to terminate the JMA, a discussion between the Authorised Representatives will occur at least 20 working days prior to any notice to discuss the reasons for such termination, whether there are alternatives to termination and whether there are other matters that will need to be resolved on termination.

## **ATTESTATION**

46. This JMA is:
  - a) Freely entered into by all parties in the spirit of good faith with the intention of creating a meaningful long-term partnership; and
  - b) The entire JMA and includes all prior agreements both written and verbal.
47. Authorised Representatives of Te Runanganui and the Council sign this document as verification of their Party's commitment to this JMA.



**DEFINITIONS****'Adoption Date'** means:

[To be determined]

**'Authorised Representatives'** means:

[To be determined]

**Hearing Panel Member'** means:

Any person pursuant to sections 39A and 39B, including councillors and independent commissioners who hold appropriate qualifications and training that have completed the Approval of accreditation Making Good Decisions Programme for RMA decision-makers.

**'Joint Management Agreement'** means:

As defined in Section 2 of the RMA and means an agreement that –

1. is made by a local authority with one or more –
  - a. public authorities, as defined in paragraph (b) of the definition of “public authority”;
  - b. Iwi authorities or groups that represent hapū; and
- ii. provides for the parties to the joint management agreement jointly to perform or exercise any of the local authority's functions, powers, or duties under this Act relating to a natural or physical resource; and
- iii. specifies the functions, powers, or duties; and
- iv. specifies the natural or physical resource; and
- v. specifies whether the natural or physical resource is in the whole of the region or district or part of the region or district; and
- vi. may require the parties to the joint management agreement to perform or exercise a specified function, power, or duty together; and
- vii. if paragraph (f) applies, specifies how the parties to the joint management agreement are to make decisions; and
- viii. may specify any other terms or conditions relevant to the performance or exercise of the functions, powers, or duties, including but not limited to terms or conditions for liability and funding.

**'LEADR'** means:

Leading Edge Alternative Dispute Resolvers Address: PO Box 10991, Level 8, Terrace Legal House, The Terrace, Wellington Telephone: 04 470 0110.

**'LGA'** means:

Local Government Act 2002,

**'Ngāti Porou Foreshore and Seabed Deed of Agreement'** means:

Ngāti Porou Foreshore and Seabed Deed of Agreement between the Crown and Ngāti Porou (dated 7 August 2008, pursuant to the Foreshore and Seabed Act 2004) and any subsequent Deed of Agreement pursuant to the Marine and Coastal Area Act 2011.

**'Ngāti Porou Deed of Settlement'** means:

Ngāti Porou Deed of Settlement between the Crown and Ngāti Porou in relation to the settlement of the historical Treaty of Waitangi grievances (dated 22 December 2010).

**'Ngāti Porou rohe'** means:

For the purposes of this JMA, the Ngāti Porou rohe is the area of interest contained in the Ngāti Porou Deed of Settlement (attached to this JMA as **Appendix 1**); mai i Potikirua ki te Toka a Taiāu, to the extent that the appended area of interest is within the Gisborne Unitary Authority's boundaries.

**'Relevant RMA planning documents planning instruments'** means:

RMA planning documents as set out in Appendix 3 to this JMA.

**'RMA'** means:

Resource Management Act 1991.

**'Waiapu Accord'** means:

Partnership between Ministry of Primary Industries, Gisborne District Council and Te Runanganui o Ngati Porou Trustee Limited to restore the Waiapu Catchment.

**'Waiapu Catchment'** means:

For the purposes of this JMA, the Waiapu Catchment is depicted in the map attached to this JMA as **Appendix 2**. The catchment area aggregates the actual watersheds and sub catchments within the Catchment (as defined in the *proposed Freshwater Plan for the Gisborne District*).

Appendix 1 – Ngāti Porou rohe





### Appendix 3 – RMA Planning documents administered by the Gisborne District Council

*Note : This list is non-exclusive and will be added to, as additional plans are notified, on a regular basis*

1. Gisborne District Council Regional Policy Statement 2002;
2. Part Operative Combined Regional Land and District Plan for the Gisborne District;
3. Regional Air Quality Plan for the Gisborne District;
4. Regional Plan for Discharges to land and water, waste management and hazardous substances;
5. Regional Coastal Environment Plan; and
6. Transitional Regional Plan.

**Note:**

The *proposed Freshwater Plan for the Gisborne Region* will be notified on 8 Oct 2015. The proposed plan applies to this Joint Management Agreement upon notification, alongside the plans noted above.

Signed for and on behalf of each of the named Parties by:

\_\_\_\_\_  
 Chairman  
 Te Runanganui o Ngati Porou  
 Trustee Limited

\_\_\_\_\_  
 His Worship the Mayor  
 Gisborne District Council

\_\_\_\_\_  
 Chief Executive,  
 Te Runanganui o Ngati Porou  
 Trustee Limited

\_\_\_\_\_  
 Chief Executive  
 Gisborne District Council

