

AGENDA/KAUPAPA



P O Box 747, Gisborne, Ph 06 867 2049 Fax 06 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Colin Alder, Larry Foster, Rawinia Parata, Aubrey Ria, Josh Wharehinga, Independent Commissioners Alan Matheson and Sarah Stevenson and six Iwi appointees (yet to be nominated)

TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee

DATE: Tuesday 3 September 2024

TIME: 1:00PM

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

AGENDA – OPEN SECTION

1. Apologies.....	4
2. Declarations of Interest.....	4
3. Confirmation of non-confidential Minutes	5
3.1. Confirmation of non-confidential Minutes 13 June 2024	5
3.2. Action Register	10
3.3. Governance Work Plan	13
4. Leave of Absence	13
5. Acknowledgements and Tributes.....	13
6. Public Input and Petitions	13
7. Extraordinary Business.....	13
8. Notices of Motion	13
9. Adjourned Business.....	13

10. Reports of the Chief Executive and Staff for DECISION	14
10.1. 24-234 Prioritisation for Flood Modelling.....	14
10.2. 24-245 Review of Regional Policy Statement Provisions	33
10.3. 24-229 Te Mana o te Wai Review	53
11. Reports of the Chief Executive and Staff for INFORMATION	99
11.1. 24-226 Tairāwhiti Resource Management Plan Review - Progress Update	99
11.2. 24-230 Review of the Tairāwhiti Resource Management Plan Urban Spatial Layers	137
11.3. 24-236 Technical Reports Commissioned to Inform Regional Policy Statement and Future Regional and District Plan Provisions.....	159
12. Public Excluded Business.....	180

Tairāwhiti Resource Management Plan

Reports to:	Council
Chairperson:	Mayor Rehette Stoltz (or nominee)
Membership:	Mayor Rehette Stoltz (or nominee), Deputy Mayor Josh Wharehinga, Cr Colin Alder, Cr Larry Foster, Cr Rawinia Parata, Cr Aubrey Ria, two independent commissioners and up to six iwi appointees
Quorum:	Half of the members when the number is even and a majority when the membership is uneven
Meeting frequency:	Quarterly or as required in order to achieve the TRMP review work programme.

Purpose

- A committee to support the Tairāwhiti Resource Management Plan (TRMP) review process.
- To promote the sustainable management of Tairāwhiti's natural and physical resources by overseeing the review and development of plans, changes and variations as required under the Resource Management Act 1991 (RMA).
- To apply a Te Tiriti articles-based approach to governance direction when undertaking the future planning and decision making on how Tairāwhiti's, natural and physical resources are managed within the Tairāwhiti under the RMA.

Terms of Reference

- Provide governance oversight and guidance on policy directions presented by staff ahead of whole of Council recommendations.
- Approve for recommendation to Council:
 - draft catchment plans and regional freshwater planning provisions for notification prepared under the RMA and the National Policy Statement for Freshwater Management 2020 (NPS-FWM)
 - draft Regional Policy Statement provisions for notification
 - draft urban growth and development provisions for notification to achieve the purpose of the RMA and to give effect to the National Policy Statement for Urban Development
 - draft and proposed regional and district plan provisions and changes
 - plan evaluation reports supporting proposed changes to the TRMP
 - hearing committees or hearings panels, composed of accredited persons, to hear and decide upon submissions on proposed regional plans, proposed variations and proposed plan changes (such hearing committees or panels may include members of the committee and/or other persons chosen for their particular skills, attributes or knowledge that will assist the hearing committee or panel). This includes the ability to approve draft versions for consultation and make recommendations to Council following consultation.

- Ensure that legislative obligations for plan making, including pre-consultation engagement and giving effect to national directions relating to the TRMP review are considered and complied with.
- Make recommendations to Council to approve or change a proposed policy statement or plan under Schedule 1 of the Resource Management Act 1991 (RMA).

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish working parties as required.
- To appoint non-voting members (such as tangata whenua representatives) to assist the Committee.

Delegations

- The Council delegates all the functions and powers of the Council that are capable of delegation under the Resource Management Act 1991 to the Tairāwhiti Resource Management Plan Review Committee which are necessary for it to carry out the specific responsibilities listed above relating to the review and development of regional plans, changes, and variations.

Power to Recommend

- To Council and/or any Council committee as it deems appropriate through a report on an agenda to the appropriate meeting of Council or committee.

Review of Terms of Reference

- A review of the Committee's Terms of Reference will be undertaken:
 - When an iwi appointee joins the committee.
 - When the Proposed Tairāwhiti Resource Management Plan becomes operative.
 - At any time at the Council's discretion.

3.1. Confirmation of non-confidential Minutes 13 June 2024

MINUTES

Draft & Unconfirmed



P O Box 747, Gisborne, Ph 867 2049 Fax 867 8076
Email service@gdc.govt.nz Web www.gdc.govt.nz

MEMBERSHIP: Her Worship the Mayor Rehette Stoltz (Chair), Colin Alder, Larry Foster, Rawinia Parata, Aubrey Ria, Josh Wharehinga and Independent Commissioners Alan Matheson and Sarah Stevenson.

MINUTES of the TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee

Held in Te Ruma Kaunihera (Council Meeting Room), Awarua, Fitzherbert Street, Gisborne on Thursday 13 June 2024 at 9:00AM.

PRESENT:

Her Worship the Mayor Rehette Stoltz, Colin Alder, Larry Foster, Rawinia Parata, Aubrey Ria, Rob Telfer, Josh Wharehinga, Independent Commissioners Alan Matheson, and Sarah Stevenson.

IN ATTENDANCE:

Chief Executive Nedine Thatcher Swann, Director Lifelines Tim Barry, Director Liveable Communities Michele Frey, Director Sustainable Futures Jo Noble, Strategic Planning Manager Charlotte Knight, Principal Policy Advisor Janic Slupski, Chief Advisor - Māori Gene Takurua, TRMP Programme Delivery Lead Desire du Plooy, Senior Policy Planner - Resource Management Planning Paula Hansen, Communications Manager Melanie Thornton, Principal Policy Planner Drew Williams, Contractor - Strategic Planning Yvonne Legarth, Policy Planner Kelsey Goldsmith, Intermediate Policy Planner Te Ao Mihiata Paenga-Morgan, Democracy & Support Services Manager Heather Kohn and Committee Secretary Jessica Taylor.

The meeting commenced with a prayer/karakia.

Secretarial note: Cr Parata, Chief Executive Nedine Thatcher Swann, Chief Advisor - Māori Gene Takurua, Principal Policy Planner Drew Williams and Contractor - Strategic Planning Yvonne Legarth attended via audio/visual link.

Secretarial Note: Items were heard out of the order described in the agenda. For ease of reference the Minutes have been recorded in agenda order.

1. Apologies

There were no apologies.

2. Declarations of Interest

Cr Alder declared an interest in report 24-141 as he is a Te Arai dweller.

Cr Foster declared an interest in report 24-141 as he has an invested interest in the CBD as a building owner.

3. Leave of Absence

There were no leaves of absence.

4. Acknowledgements and Tributes

There were no acknowledgements or tributes.

5. Public Input and Petitions

There were no public input or petitions.

6. Extraordinary Business

There was no extraordinary business.

7. Notices of Motion

There were no notices of motion.

8. Adjourned Business

There was no adjourned business.

9. Reports of the Chief Executive and Staff for DECISION

9.1 24-166 Regional Policy Statement Provisions - Overarching Policy Framework

- Chief Executive Nedine Thatcher Swann proposed scheduling a separate facilitated meeting to discuss ensuring the right cultural context and framing is used for the Tairāwhiti Resource Management Plan (TRMP).
- Chief Executive Nedine Thatcher Swann proposed amending the recommendation by removing the Reo Māori words until the separate meeting to confirm the correct cultural context.
- Independent Commissioner Alan Matheson proposed including the objectives and policies in the TRMP and clearly defining their significance to Te Tairāwhiti as a region for easy reference, eliminating the need to constantly refer to other documents. He recommended maintaining a focus on the environment as the core value, as it supports both the people and the economy, and reciprocally, the people and economy support the environment.
- Alan Matheson also pointed out the absence of a Coastal and Air Plan.
- Cr Alder suggests including additional content in the Plan regarding agricultural and horticultural aspirations.

MOVED by Cr Ria, seconded by Cr Wharehinga

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Adopts option 1 that recognises the interconnections from mountains to sea as the overarching policy framework for the draft Regional Policy Statement provisions.

CARRIED

9.2 24-179 Land Overlay 3B Mapping

MOVED by Cr Wharehinga, seconded by Cr Foster

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Approves to verify the landslide susceptibility and morphometric connectivity layer by preparing a verification report for:
 - a. The development of Land Overlay 3B, and
 - b. Any external use and distribution purposes.

CARRIED

9.3 24-180 Establishing a Water Quality Expert Panel

- Staff will arrange three to four intensive and separate workshops expected to occupy a major portion of the day. These actions need to occur promptly to influence and guide the plan development.
- The experts are selected through an open tender process, with the expectation that some of them will possess a thorough understanding of the region Te Tairāwhiti, particularly in terms of mātauranga Māori.
- Staff are looking to have 6 experts on the panel.

MOVED by Cr Ria, seconded by Cr Foster

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Approves the approach and establishment of the Water Quality Expert Panel as outlined in Table 2.
2. Approves the procurement of experts to be a part of the panel to cover the following areas of expertise:
 - a. erosion and sediment processes
 - b. freshwater ecosystems
 - c. periphyton and macroinvertebrates
 - d. mātauranga Māori
 - e. groundwater
 - f. estuarine, and E. Coli.

CARRIED

9.4 24-181 Proposed Plan Change 6 - Upper Mōtū Catchment Plan

- Cr Ria addressed the absence of mana whenua perspective and mātauranga Māori in the Upper Mōtū Catchment Plan. She expressed willingness to propose and endorse the recommendation in the report under the condition that mana whenua knowledge is integrated into the proposed plan change.
- Staff indicated there is time to finesse this document with guidance from Cr Ria and is open to engagement in that space for improvements.
- There is also an avenue for issues that have been raised in this subsection following consultation.
- Cr Telfer recommended monitoring the costs for landowners, such as fencing.

MOVED by Cr Ria, seconded by Cr Alder that the recommendation be amended as follows:

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Endorses the Proposed Plan Change 6 with the incorporation of mana whenua knowledge – Upper Mōtū Catchment Plan for Council approval at the 4 September 2024 Sustainable Tairāwhiti Committee meeting.

CARRIED

10. Reports of the Chief Executive and Staff for INFORMATION

10.1 24-139 Overview of the Review of the Tairāwhiti Resource Management Plan

- Cr Ria requested consistency in incorporating Te Ao Māori and Te Reo Māori throughout the TRMP.
- Director Sustainable Futures Jo Noble informed the Committee that she and her staff closely monitor national developments. Regardless of the overarching legislation, managing the physical and natural environment is essential, with persistent challenges. Engaging with the community and collaborating with tangata whenua are crucial, irrespective of the legislative framework. Her staff aim to conduct evidence-based work that aligns with community preferences and tangata whenua aspirations, while also adapting to the prevailing legislation.
- The public consultation process was discussed but is also noted in the report.
- Councillors that are on this Committee will not be conflicted if they are on the Hearings Panel for these Hearings.
- Cr Parata proposed listing the rivers in brackets next to or near the corresponding catchment plans.
- Staff aim to complete the majority of Council's freshwater plans by mid-2026, with an extension available until 2027 for the remaining work.
- There is a programme plan for the TRMP that includes workstreams and leads spread throughout the Council. TRMP Programme Delivery Lead Desiré du Plooy is responsible for ensuring alignment among all three components.

MOVED by Cr Parata, seconded by Cr Stoltz

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Notes the contents of this report.

CARRIED

10.2 24-141 Tairāwhiti Resource Management Plan Review - Progress Update

- Councillors can stay informed about the TRMP by accessing agenda's online, attending meetings in person, or watching them on YouTube. They can also inquire with Directors and the Chief Executive about relevant matters. It is important that staff provide input for high-level Chief Executive reports to Council and there may be references to other Committee meetings in the reports. Councillors must stay updated on the TRMP as there will be reports requiring action in the future.
- Chief Advisor - Māori Gene Takurua stated that Council is working to establish collaborative spaces for co-designing and co-creating with iwi relationships whenever feasible.
- Council has established an evidence base for monitoring freshwater data in the plan. However, tracking other aspects is more challenging. As we develop this new plan, it is essential to monitor and document the evidence and data gathered.

Secretarial note: Meeting adjourned for morning tea at 10:15am and reconvened at 10:30am.

MOVED by Cr Ria, seconded by Cr Wharehinga

That the Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Notes the contents of this report.

CARRIED

11. Close of Meeting

There being no further business, the meeting concluded at 12:35 pm.

Rehette Stoltz

MAYOR

3.2. Action Register

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
13/06/24	9.1	24-166 Regional Policy Statement Provisions - Overarching Policy Framework	In progress	Staff to schedule with Councillors and relevant staff a separate facilitated meeting to discuss ensuring the right cultural context and framing is used for the Tairāwhiti Resource Management Plan. Notes of adjustments have been sent to report writers.	Desiré du Plooy, Paula Hansen, Yvonne Legarth	13/08/2024 Desiré du Plooy In progress - workstreams are in the planning phase with the Māori Partnership team, developing an approach that will integrate across all TRMP workstreams.	13/08/24
13/06/24	9.3	24-180 Establishing a Water Quality Expert Panel	Completed	Staff to establish 3-4 workshops with experts.	Ariel Yann le Chew, Desiré du Plooy, Janic Slupski	30/07/2024 Ariel Yann le Chew Staff has included an update to Report 24-180 Establishing a Water Quality Expert Panel in Report 24-226 Tairāwhiti Resource Management Plan Review Progress Update.	13/08/24
13/06/24	9.4	24-181 Proposed Plan Change 6 - Upper Mōtū Catchment Plan	Completed	Attend separate facilitated meeting to discuss ensuring the right cultural context and framing is used for the Tairāwhiti Resource Management Plan. Notes of adjustments have been sent to report writers.	Ariel Yann le Chew, Desiré du Plooy, Janic Slupski	02/08/2024 Ariel Yann le Chew This to take place following completion of hapu engagement at Matawai and amendments to the proposed catchment plan.	13/08/24

13/06/24	9.4	24-181 Proposed Plan Change 6 - Upper Mōtū Catchment Plan	In progress	Integrate mana whenua knowledge in the proposed plan change.	Ariel Yann le Chew, Desiré du Plooy, Janic Slupski	30/07/2024 Ariel Yann le Chew Councillor Ria currently leading engagement with hapu at Matawai. Once engagement is completed, amendments will be made to the Proposed Catchment Plan and the accompanying section 32 report. The public notification date for this plan change has now been postponed to 2025 to reflect time needed for the engagement and amendments.	04/09/24
13/06/24	10.1	24-139 Overview of the Review of the Tairāwhiti Resource Management Plan	Completed	Share the programme plan with the committee in a monthly format.	Desiré du Plooy	13/08/2024 Desiré du Plooy The current TRMP programme plan will be attached to the next 3 September TRMP Committee meeting Progress Update Information Report	13/08/24
13/06/24	10.1	24-139 Overview of the Review of the Tairāwhiti Resource Management Plan	In progress	Attend separate facilitated meeting to discuss ensuring the right cultural context and framing is used for the Tairāwhiti Resource Management Plan.	Desiré du Plooy, Janic Slupski	13/08/2024 Desiré du Plooy In progress - workstreams are in the planning phase with the Māori Partnership team to discuss how engagement can be undertaken with tangata whenua to grow our understanding of the application of ki uta ki tai in Tairāwhiti and to seek guidance on how it should be applied in the TRMP. Feedback will be brought to the Committee. More context to this action is also covered in Report 24-246.	04/09/24

13/06/24	10.2	24-141 Tairāwhiti Resource Management Plan Review - Progress Update	Completed	Send the names of personnel in the four advisory groups and Regional group to the committee. The four advisory groups being the Waimatā, Pakarāe, Ūawa and Waipaoa Catchment's.	Desiré du Plooy, Janic Slupski	13/08/2024 Desiré du Plooy Advisory Group membership has been published on Council's website. Additionally, Information Report 24-226, presented to the 3 September TRMP Committee meeting, includes hyperlinks to the various catchment plans.	13/08/24
13/06/24	10.2	24-141 Tairāwhiti Resource Management Plan Review - Progress Update	Completed	Provide a report to the Tairāwhiti Resource Management Plan Committee regarding the Te Mana o te Wai review.	Ariel Yann le Chew, Desiré du Plooy, Janic Slupski	30/07/2024 Ariel Yann le Chew Report 24-229 Te Mana o te Wai Review will be taken to the 3 September TRMP Review Committee.	13/08/24

3.3. Governance Work Plan

Tairāwhiti Resource Management Plan Review Committee						Meeting Dates	
HUB	Activity	Name of agenda item	Purpose	Report type	Owner	3-Sep	28-Nov
Sustainable Futures	Strategic Planning	Council agreement to seek public feedback on RPS draft and issues	Report to Council to publicly notify draft RPS for feedback	Decision (D)	Paula Hansen		
Sustainable Futures	Strategic Planning	24-241 Forestry Plan Notification	Report to publicly notify Forestry Plan change – withdrawn from agenda	Decision (D)	Janic Slupski		
Sustainable Futures	Strategic Planning	24-229 Te Mana o te Wai Review		Information (I)	Ariel Yann le Chew		
Sustainable Futures	Strategic Planning	24-226 Tairāwhiti Resource Management Plan Review	To provide a progress update	Information (I)	Desire Du Plooy		
Sustainable Futures	Strategic Planning	24-230 Review of the TRMP Spatial Layers	To provide information on spatial layers	Information (I)	Desire Du Plooy		
Sustainable Futures	Strategic Planning	24-245 Review of Regional Policy Statement provisions		Decision (D)	Desire Du Plooy		
Sustainable Futures	Strategic Planning	24-237 Potential Highly Productive Land Areas in the Draft Regional Policy Statement Provisions	PUBLIC EXCLUDED report discussion to decide on the areas of productive land.	Decision (D)	Desire Du Plooy		
Sustainable Futures	Strategic Planning	24-236 Technical reports commissioned to inform the Regional Policy Statement and Future Regional and District Plan Provisions		Information (I)	Desire Du Plooy		
Sustainable Futures	Strategic Planning	24-234 Prioritisation for flood modelling		Decision (D)	Desire Du Plooy		

10. Reports of the Chief Executive and Staff for DECISION



24-234

Title: 24-234 Prioritisation for Flood Modelling
Section: Sustainable Futures
Prepared by: Paula Hansen - Senior Policy Planner - Resource Management Planning
Meeting Date: Tuesday 3 September 2024

Legal: Yes

Financial: No

Significance: **Medium**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to seek direction for prioritisation of flood inundation modelling to support policy decisions in the Tairāwhiti Resource Management Plan review.

SUMMARY – HE WHAKARĀPOPOTOTANGA

As part of the Tairāwhiti Resource Management Plan (TRMP) review, Council is required to look at a number of different natural hazards, their risks and mitigations.

Flooding has always been a key issue in Tairāwhiti, particularly the impact flood events can have on communities. Plans made under the Resource Management Act can support and guide where development can be established appropriately and under what conditions.

An understanding of where and under what circumstances flooding is likely to occur, and how communities are likely to be affected is required, along with associated potential longer-term impacts and implications on the affected parties and the wider community. This will contribute to the informing of decision on what management tools Council will utilise to manage these impacts, as well as determine where and how conditions may be applied.

Funding was made available for flood resilience as part of Cyclone Gabrielle recovery to obtain flood modelling for Category 2 properties. This requires modelling the catchments in which these properties reside. The TRMP team and Regional Rivers Team are working closely to ensure any modelling undertaken as part of the flood resilience work for the region is consistent and that there is no duplication of effort in obtaining flood hazard maps.

There have been approximately 30 areas identified as potentially in need of detailed flood modelling to inform flood hazard maps. These are listed in **Attachment A**. Experience from other councils has suggested that it will take significant time and budget to provide detailed modelling for these identified areas. This has also been experienced by our Regional Rivers Team when undertaking modelling of the Taruheru and Waimata, which has experienced significant time delays and required additional budget.

One of the key learnings that is being taken on board with future flood modelling Council-wide, is the need to have a peer reviewer engaged early in the process and identifying stop points to ensure that the output meets requirements and can be effectively calibrated and validated. The Regional Rivers Team is currently developing a procurement plan to complete the modelling for which they have secured funding. This plan will be reviewed to assess any alignment with the TRMP requirements. The intent is to assess whether the Regional Rivers Teams' scope of works:

- a. Includes the detail required to inform flood inundation layers and flood hazard maps required under the TRMP; or
- b. Can be amended to include requirements that would ensure that this modelling will provide required flood inundation map layers to inform flood hazard maps for the identified areas covered by the funding and any required co-funding required by the TRMP to enable this; or
- c. Indicates that due to funding restrictions, the flood modelling being conducted by the Rivers Team will be insufficient either in part or in full to fulfil the requirements of flood inundation modelling for flood layers and hazard maps within the TRMP. This could be due to funding requirements that limit the scope of works even if we co-invest, or in the event the external funding becomes unavailable.

Where there are gaps identified, it is proposed to progressively model the identified areas with a preference for high resolution, pending budget constraints and indications based on a weighting system outlined below. It is proposed that assessment is undertaken to determine the order in which detailed hydrological flood inundation modelling will occur. The proposed prioritisation criteria and associated suggested weightings are:

- Population base (number of potential people affected)
Weighting: based on population size with higher weighting for more populated areas
- Infrastructure – in particular significant infrastructure that keeps communities connected, healthy and safe
Weighting: based on the type and multitude of infrastructure
- Recommendations from subject matter experts
Weighting based on, of those areas known to be prone to or at risk of flooding, which areas have required data and information to be completed sooner (higher), and areas where significant additional data is required in order to produce mapping that can be calibrated, validated and relied upon (lower).

Areas within the region that do not meet the minimum threshold according to the proposed weightings are proposed to be mapped utilising imagery captured immediately following Cyclone Gabrielle, with input from Subject Matter Experts, as another flood hazard layer in lieu of flood inundation modelling. This may also be required as a temporary measure for some areas if budgetary or time constraints are identified.

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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

- 1. Agrees with the prioritisation criteria and weightings to be applied to identified areas in need of detailed flood inundation modelling to produce updated flood layers for the TRMP. The higher the number, the higher the priority. The criteria and weighting being:**
 - a. Population base (number of potential people affected)**

Weighting: more than 500 people = 10
between 250 – 500 people = 7.5
Less than 250 people = 5
 - b. Infrastructure – in particular, significant infrastructure that keeps communities connected, healthy and safe.**

Weighting: Roothing =5
Water = 10
Network connections = 5
 - c. Recommendations from subject matter experts, including utilising evidence from past flood events.**

Weighting: High risk = 10
Medium Risk = 5
Unknown = 2.5
- 2. Agrees the resolution of mapping uses a combination of Options 2 being high resolution for areas specifically identified in Attachment A to this report as flood hazard layers, and option 4 the use of wider imagery obtained following Cyclone Gabrielle to inform another flood hazard layer at low resolution for the remainder of the region and as required as an interim approach pending the outcome of more detailed flood modelling.**
- 3. Agrees that the areas identified in Attachment A are appropriate for more detailed modelling. Noting that the following areas will be funded through the Tairāwhiti Resource Management Plan review budget at this stage:**
 - Anaura Bay**
 - Ruatoria**
 - Te Araroa**
 - Wharekahika/Hicks Bay**
 - Motu**
 - Muriwai**

- 4. Agrees that, if the flood resilience flood modelling is unable to meet the needs of the TRMP that all other areas identified in Attachment A will be prioritised using the same criteria in recommendation 1 and added to the list in recommendation 3 above.**

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: flood modelling, natural hazards, Tairāwhiti Resource Management Plan, TRMP, flood resilience

BACKGROUND - HE WHAKAMĀRAMA

1. The TRMP needs to consider natural hazards. Flooding has always been a key hazard of concern for Tairāwhiti, particularly the impact it can have on communities. This was highlighted recently by significant weather events in 2023 including Cyclone Gabrielle. During Cyclone Gabrielle there was significant flooding experienced in many parts of the region, including several areas not identified in the current flood hazard layers.
2. The current TRMP identifies various hazards and includes mapping and provisions to manage activities in identified areas. The operative TRMP outlines flood hazards being of significance across Tairāwhiti. The TRMP currently has ten (10) flood hazard layers:
 - River and Floodway
 - High Hazard Areas
 - Moderate/High Areas
 - Flood Ponding Areas
 - Areas Liable to Flooding
 - Flood Fringe Areas
 - Old River Loops
 - Urban Stormwater Flood Hazard Areas
 - Urban Ponding Areas
 - Urban Floodways.
3. Within these overlays the effects of natural hazards on people, property and infrastructure are managed through objectives, policies and rules. Key directions (objectives and policies) of the operative TRMP approach collectively seek to:
 - Provide a high level of personal safety.
 - Avoid or mitigate risk to property and infrastructure.
 - Not accelerate or worsen effects of natural hazards.
 - Recognise natural systems may be a defence against natural hazards – these should be protected/enhanced.
 - Research, record and publicise information about natural hazards.
 - Inform the community about potential natural hazards', restrict new development from occurring in extreme hazard areas where the natural hazard cannot be avoided or mitigated.
 - Avoid or minimise risk of loss of life, injury or other environmental damage.
 - Consider minimum floor levels and whether buildings should be relocatable in assessment of proposals in hazard prone areas.
 - Ensure development does not worsen or accelerate the risk of natural hazards.
 - Adopt a precautionary approach where effects are unknown or difficult to assess.

4. The current natural hazards mapping used to underpin the TRMP flood hazard layers is out of date and not fit for purpose. Much of the information used to determine the current TRMP natural hazard provisions is also outdated. Most of the maps were produced prior to GIS programmes and mapping issues have been identified where hazard lines do not correspond to actual features. Current mapping of river flooding does not include any allowance for impacts of climate change.
5. Resource Management Act plans can support and guide where development can be established appropriately and under what conditions. With regards to flooding, Council needs to understand where, and under what circumstances, flooding is likely to occur, and how different parts of the community are likely to be affected, including associated potential implications on the community.
6. Once potential flood areas are known, informed assessments and decisions can be made on what management tools Council may utilise to manage these impacts as well as determine where and how they are applied.
7. The TRMP Team have met with Council's Regional Rivers Team and Council's Principal Scientist to identify where flood modelling should be undertaken and what resolution it should be modelled at. The Regional Rivers Team have also indicated where funding obtained through Crown Infrastructure Projects for Flood Resilience as part of recovery from Cyclone Gabrielle will be spent on flood modelling and investigations into projects for future flood mitigation and resilience. **Attachment A** contains a list of the areas identified as requiring flood modelling and current understanding of any modelling planned by the Regional Rivers Team.
8. The TRMP team and Regional Rivers Team remain connected to:
 - ensure any modelling undertaken is consistent across the region,
 - identify areas that are cross-beneficial, and
 - to avoid duplication of effort.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

9. Current flood maps were developed based on past events, with the current layers predominantly based on flooding experienced during Cyclone Bola in 1988. It is widely understood that individual flood events affect different areas to differing degrees. As land use and development occurs this can change the conditions and landscape for where flooding is most likely to occur in high rainfall events. Recent events have shown the need for updated flood inundation mapping to improve the existing flood layer. Past flood and significant weather events can be utilised to assist with calibration and validation of updated modelling.
10. Information obtained from other councils on the cost and time to undertake modelling suggests that there is a significant amount of variables due to the type of modelling required, the size of the region and accuracy and availability of data for the areas to be modelled.

11. We have developed understanding through the Regional Rivers Teams modelling of Taruheru and Waimata that several of the delays experienced could have been mitigated by engaging a peer reviewer throughout the process, rather than near completion. The former has been evidenced to provide significant benefits in both time and cost saving by identifying gaps or areas of concern and having stop points where these can be addressed prior to completion of modelling. This ensures the output is a model which can be calibrated and validated without significant adjustment or rebuilding at the tail end of the project.
12. The Taruheru and Waimata modelling started in early 2021 and is still ongoing. Costs to date have been approximately \$165,000. Part of this cost has also been attributed to the number of climate change scenarios and the timeframes we require information (30 years, 50 years, 100 years). The more scenarios that are run the more it will cost.
13. Underlying assumptions and availability of information and data, or gaps and/or lack of reliability of information and data are a contributing factor that adds to cost, time, and reliability of any model. This will have effect on some areas more than others due to some having little to no data, other data being old and unreliable, versus more up to date data with proven reliability.
14. There is currently a lack of internal capacity to project manage a large body of modelling work which will also influence how much can be effectively undertaken at any one time. This could also negatively affect how well the TRMP team can integrate and communicate progress and learnings with other internal teams.
15. Two types of maps are proposed to be used to inform flood hazard layers within the Tairāwhiti Resource Management Plan (TRMP). The first are flood hazard maps that are developed utilising high resolution flood modelling, targeted at specific areas. These maps will be of sufficient detail and robustness to inform the appropriateness of plan provisions. The second type is a flood hazard layer being a low-resolution map utilising imagery captured immediately following Cyclone Gabrielle, with additional input from Subject Matter Experts. These maps will be less certain and will likely be used to trigger the need for further investigations for certain types of activities within these areas.
16. There is significant imagery from flooding events in 2023 showing the extent of flooding is well outside the current mapped flood layers. This imagery may assist in wider flood mapping outside of population areas, to reduce the costs of full-scale regional modelling. This additional mapping may act to provide a trigger for further investigation should development or a new activity be applied for or established.
17. External funding has been secured in two other areas of Council.
 - As part of a Flood Resilience Project to undertake modelling and investigate the impact of hydraulic interventions in certain areas. It is likely that some of this work will be undertaken concurrently with the inundation modelling being proposed as part of the TRMP review.

- Through Crown Infrastructure Projects for Tairāwhiti Enhance Flood Intelligence and Resilience where flood forecasting modelling is being procured in five catchment areas to replace our current flood warning system ARROWS. This first phase of the project is currently underway with future phases including updating the current flood warning manual. This work is focussed on flood forecasting, warning and alerts as an operational piece of work and would not fulfil the purposes required under the TRMP as it is not flood inundation modelling and is not intended to produce flood hazard layers or maps.
18. Whilst the wider purpose and goals of flood modelling align, the differing types of modelling (hydraulic modelling for flood mitigation, hydrological modelling for flood forecasting and hydrological modelling for flood inundation to inform TRMP flood hazard layers) have distinct required outputs and in the case of the funded work, specific parameters to work within. There may be some cross over and opportunities for further detail to be involved in the TRMP mapping as the flood resilience work progresses and the teams will remain in communication to ensure these are identified and investigated.
 19. Modelling is a widely used approach to inform inundation layers in Resource Management Act (RMA) plans and is a common practice among many other councils including Northland Regional Council and Tauranga City Council.
 20. The flood inundation modelling will support work also being done in other areas of Council. For example, the modelling will help inform the potential location of new or upgraded infrastructure.
 21. Direction is being sought on a recommended approach to prioritise areas for flood inundation modelling. This includes the resolution and how we can progressively procure flood inundation modelling to develop maps that will be placed into the TRMP. This could also potentially trigger new or altered rules in particular areas to mitigate flood risk, requiring changes to the TRMP. Direction on the level detail/accuracy of flood modelling throughout the region is also being sought.
 22. The key issues are around time, cost, and scope of obtaining flood modelling to produce maps suitable to inform the regional plan. All current flood inundation maps need to be reviewed and updated or replaced with modelled flood layers to better predict areas subject to flooding and the extent and frequency of that flooding. Ideally this exercise would encompass the whole region in high resolution, however that is not practical or cost efficient and would take years to complete.
 23. The information gained will support policy and methods within the TRMP and where they are applied. Modelling can also run multiple scenarios to consider climate change impacts, and rainfall events (AEP). Modelling will support knowledge around policy impacts under different scenarios in terms of costs, risks and damage to property, infrastructure and life.
 24. Once modelling has been completed, inclusive of peer review, calibration and validation, Council can then make decisions on what rules around development may need to be amended or created.

25. It is proposed to use the following criteria and associated weighting to determine prioritisation of areas to gain flood modelling throughout the region in areas identified in **Attachment A:**

a. Population base (number of potential people affected)

Weighting: more than 500 people = 10
 between 250 – 500 people = 7.5
 Less than 250 people = 5

b. Infrastructure – in particular, significant infrastructure that keeps communities connected, healthy and safe.

Weighting: Roading =5
 Water = 10
 Network connections = 5

c. Recommendations from subject matter experts, including utilising evidence from past flood events.

Weighting: High risk = 10
 Medium Risk = 5
 Unknown = 2.5

26. A higher number per area indicates higher priority. Network connections is considered broadly and could encompass more than roads, electricity, and pipes in the ground.

Modelling Resolution

27. There are four options for the level of detail (resolution) that should be obtained. Key consideration has been given to the safety of people. There is also a recognition that the output of a model will not be 100% accurate in terms of what happens in an event due to the number of factors involved.

28. Option:1

Obtain flood inundation modelling at a high resolution across the entire region.	
<p>Pros</p> <p>Gives more certainty on policy impacts across the entire region as all areas are modelled at a high resolution.</p> <p>Would be suitable to support and inform infrastructure planning as well as assist informing Resource Consents and Building Consent Officers in making decisions.</p>	<p>Cons</p> <p>There is a large part of the region where the impacts on the safety of people and infrastructure is close to zero.</p> <p>Significant cost and time required to produce modelling for the entire region. This would not be cost efficient and would include areas where low resolution would suffice in terms of supporting a policy approach to manage flood issues.</p> <p>Quantity and quality of data to support a good quality model output varies across the entire region.</p>

29. **Option 2:**

Obtain high resolution modelling in river catchments that affect populated areas such as the city, areas of development and smaller townships.	
<p>Pro's</p> <p>The modelling can inform the appropriateness of new development around and within urban areas or areas where there is a population base.</p> <p>Reduced area of detailed modelling – reduced cost and time.</p> <p>This will target areas to help inform land use decisions where people and property will be most impacted, and the safety of people could be significantly compromised.</p>	<p>Con's</p> <p>Whilst we can consider identified areas for growth as outlined in the FDS, there would be gaps in areas currently not significantly populated or zoned residential but may experience growth in future in terms of population and potential infrastructure.</p> <p>Quantity and quality of data to support a good quality model output varies across the entire region.</p>

30. **Option 3:**

Retain existing flood layers as they are and only model areas that have no flood layers in the plan but were flooded during Cyclone Gabrielle.	
<p>Pros</p> <p>This will extend what we currently know and allow for provisions within the plan to be applied wider.</p> <p>Minimal cost and time due to reduced area of modelling.</p>	<p>Cons</p> <p>Existing flood layers are based on past flood events. Flood events can and have been shown to affect different areas inconsistently, including in those currently shown in flood layers. This makes the current flood layers unpredictable as a planning tool as evidenced in Cyclone Gabrielle.</p> <p>The current layers are predominantly mapped from one event (Cyclone Bola) which has proven to be insufficient. Using a singular event is likely to produce a similar outcome where the layers are not reflective of events that have more prolonged intensity and volume over a period of time than Cyclone Gabrielle.</p>

31. **Option 4:**

Undertake no modelling and use mapping of flood extents obtained from Cyclone Gabrielle, and other events across the region, with support of Subject Matter Experts to undertake any refinement.	
<p>Pros</p> <p>Provides a quick fix to filling gaps within our region.</p> <p>Could be suitable to identify and use in areas of the region that are less populated or less prone to flooding as a low-resolution flood hazard layer.</p> <p>Mapping work would be done internally so no budget allocation needed for modelling and external resource and expertise.</p> <p>Subject Matter Experts would be able to provide comment and advice on areas where events other than Cyclone Gabrielle may have better indication of areas prone to flooding.</p>	<p>Cons</p> <p>Rainfall did not fall evenly across the region, so may not be an accurate representation across the region. Rainfall was also relatively contained in most areas to a limited period, whereas less significant rainfall over a longer period has been evidenced in other flood events e.g., Cyclone Bola.</p> <p>This relies heavily on evidence gathered from a singular event where it is known that a variety of rainfall and flooding events will have differing effects in different areas of the region. This would pose a similar problem to the current flood layer which has proven to be insufficient. It is also unlikely that this would be supported by Subject Matter Experts who commonly recommend flood modelling as a tool to support the production of flood hazard layers.</p> <p>There could be conflict that occurs with other modelling being obtained, regardless of if the other modelling is sufficient for TRMP purposes.</p>

32. The recommended option is a combination of Option 2 with high resolution flood hazard layers around areas identified and Option 4 to use mapping obtained from Cyclone Gabrielle and other identified relevant events, with input from subject matter experts, as a low-resolution flood hazard layer. The areas identified for high resolution will allow for appropriate policy responses to be made in the TRMP. This includes identifying areas where no development should occur and where certain development under particular requirements may occur.
33. The low resolution flood hazard layer under option 4 will be appropriate to cover the wider region which is sparsely populated and will take a precautionary approach to development in these areas. That is risk is intended to be assessed at the time certain development occurs with validation of potential flood levels at that time.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

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

Overall Process: Medium Significance

This Report: Low Significance

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

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

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

Overall Process: High Significance

This Report: High Significance

The effects on individuals or specific communities

Overall Process: High Significance

This Report: High Significance

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

Overall Process: High Significance

This Report: High Significance

34. The decisions or matters in this report are considered to be of **Medium** significance in accordance with Council's Significance and Engagement Policy.
35. Each community may have certain expectations on what should be undertaken and when. Those who experienced significant impacts due to Cyclone Gabrielle and other heavy rainfall events are likely to have significant interest in this work.

TREATY COMPASS ANALYSIS

Kāwanatanga

36. The areas identified are those currently indicated in the TRMP flood overlays with new areas informed by Councils Principal Scientist and Regional Rivers Team. Generally new areas identified were areas that flooded during Cyclone Gabrielle and affected several dwellings in close proximity. This information came through several sources including Civil Defence hubs both centrally and rurally and Council's community links who engaged with Operations and Intelligence routinely throughout the event on affected properties and members of their relevant rohe.

37. As part of the engagement and transparency process, mana whenua will be asked to identify any areas they have identified as potentially being at risk of flooding, not currently identified in Attachment A, to be included in the weighting process. There will also be an opportunity for mana whenua to suggest any amended weightings as subject matter experts in their relevant rohe and to ensure we are working together towards the best outcome for our region. The flood modelling will help inform mana whenua where flooding will be expected under certain conditions and storm events. The resulting maps will act as an additional tool that mana whenua may choose to consider informing and influence decisions on future development, use and subdivisions in their relevant rohe. They can also be used to assist with communicating options and decisions on policy outcomes through the reviewed TRMP process.

Tino Rangatiratanga

38. It is expected that some Māori owned land will be captured by the flood maps. The flood modelling will help inform mana whenua where flooding will be expected under certain conditions and storm events. Mana whenua's world view can help shape and inform how we move forward.

39. Flood maps will help mana whenua understand where they want to influence objectives, policies and methods, including rules in the TRMP. This will help mana whenua make informed decisions on future development, use and subdivisions in their relevant rohe, as well as develop their own systems for mitigation and response (ie. Evacuation or relocation).

Oritetanga

40. The engagement approach aims to enable a shared understanding of what we are doing and how mana whenua can feed contribute to and be part of the process. Shared understanding of the response and decision-making outcomes is also of importance. Where weighting is placed on infrastructure required to keep people healthy, connected and safe, this will include areas of cultural significance that keep mana whenua connected such as Marae. The term infrastructure is considered quite broadly and not limited to roading and pipes in the ground.

41. Network connections in the weighting is to be encompassing and include, electricity, telecommunications as well as social networks such as through marae, evacuation centres and medical facilities.

Whakapono

42. The flood modelling will help inform mana whenua where flooding will be expected under certain conditions and storm events. This will help mana whenua make informed decisions on future development, use and subdivisions and where they may wish to carry out customary practices.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

43. The flood inundation maps will help support discussions with Ngāi Tāmanuhiri, Te Aitanga –a-Māhaki, Rongowhaakata, and Ngāti Porou, on the impacts flood events will have on mana whenua, including land and sites of cultural significance. This will support future engagement on what options for policy response or alternate support is appropriate either within the TRMP or through alternate non-regulatory avenues. These will be signalled within the RPS methods where certain actions such as education, resources, or funding for mitigation efforts that are not connected to resource consent decisions are important to undertake with appropriate funding provided through councils Long Term Plan. This could include flood protection or flood mitigation works including identification of any further studies that need to be undertaken.
44. The modelling approach and resulting flood hazard maps, alongside conversations with mana whenua will seek to better understand how we can provide for kawanatanga, Tino Rangatiratanga, Whakaponi and Oritetanga within the policy response for flood hazards within the TRMP.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

45. Once we have undertaken the modelling, we can then assess where and to what degree impacts will likely be felt, and the implications on infrastructure and land development. Engagement will need to occur with the community, in particular property and landowners who will be directly affected by the new flood hazard layers as well as with mana whenua, particularly with regards to Māori owned land and areas of cultural significance. It is of importance that both directly affected parties and the wider community understand the reasons the flood inundation modelling was required and how the areas and criteria were determined to inform where full modelling was undertaken or in areas where mapping was created using imagery. The focus needs to be on utilising the new flood hazard layers to support the safety, wellbeing and longevity of our community.
46. A full and detailed communication and engagement plan will be written prior to the release of flood hazard mapping for community engagement. This is likely to encompass the TRMP as a whole but highlight specific related subject matters including flood modelling and natural hazards and options for communicating options for Regional and District Plan provisions in an easily digestible format to encourage participation. Included in this plan will be closing the loop by engaging directly with Civil Defence hubs and Community Links both for feedback as well as enablement to support their communities understanding of the process.
47. The engagement approach will include notifying property and landowners and communicating how they are affected and what it could mean for them both immediately and in the future. Part of this engagement could also seek information on what property owners might think plan provisions could look like. This engagement could be in the form of community meetings, online webinar or other forum where property owners can talk about the information provided to them.

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

48. The contents of this report will not have any climate change implications. The flood modelling when being undertaken will consider different climate change scenarios. This will then support the determination of the best approach to manage use, development, and subdivisions within Tairāwhiti communities.
49. NIWAs report on Climate change projections and impacts for Tairāwhiti and Hawkes Bay November 2020 provides information on predicted climate change. The report outlines that Tairāwhiti can expect extreme, rare rainfall events that are projected to become more severe in the future. Short duration rainfall events have the largest relative increases compared with longer duration rainfall events. So, less days with rain, with the days we do get rain being more intense. The annual rainfall is expected to only decrease by a small amount.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

50. Budget is available from the TRMP review budget to undertake flood modelling. However, this budget is not unlimited and needs to support all of the TRMP review not just flood modelling. Therefore, the recommended approach reflects the need to target areas for detailed flood modelling with the wider region having a precautionary layer with less detail based on flood mapping undertaken after Cyclone Gabrielle and other events.
51. It is currently unclear what total budget will be required and is of note that calibration and validation of any procured flood model will incur additional cost and will be of most benefit with a peer reviewer engaged throughout the project. Further costs may be required to inform further technical reports to support our direction within the TRMP policy framework. This may include determining appropriate minimum floor levels.

Legal

52. A function of Council under the RMA is to consider the use of land for the avoidance or mitigation of natural hazards, which includes flooding. Both the RMA and LGA require council to consider the cultural, social, economic and environmental and health and safety of our communities. Flood events can have a huge impact on community wellbeing.
53. The RMA addresses climate change adaptation and natural hazard risk management in several ways, some explicit and some implicit. The purpose and principles of the RMA include the management of significant risks from natural hazards as a matter of national importance that must be recognised and provided for (s6(h), introduced in 2017).
54. Pursuant to sections 30 and 31 through policy statements and plans, regional councils set objectives, policies and methods for controlling the use of land to avoid or mitigate natural hazards. In district plans, territorial authorities control the effects of land use to avoid or mitigate natural hazards through zones or overlays, rules and performance standards for land use and subdivision.

55. The LGA has a core service for Council being the avoidance or mitigation of natural hazards and are required to consider resilience to natural hazard risks and ensure that appropriate funding is allocated for those risks.
56. The purpose of the Civil Defence Emergency Management Act 2002 is to improve and promote the sustainable management of hazards in a way that contributes to the social, economic, cultural and environmental wellbeing and safety of the public and the protection of property. This Act primarily focuses on the management of hazards when they occur, however also includes some planning related functions including the identification, assessment and management of risks; and monitoring and reviewing the process.
57. The Building Act 2004 manages natural hazards in relation to construction and modification of buildings, and contains provisions relating to building on land subject to natural hazards. The Building Act sets standards for minimum floor heights for flooding that are relevant to adapting to climate change and natural hazard risk management. In developing the policy level response for natural hazards in the TRMP, the overlap/interactions with the Building Act need to be considered. It is understood that the planning and building departments at Council already work well together in addressing natural hazards responsibilities.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

58. Obtaining new flood maps will support Council policy within the TRMP and will also support direction within the Infrastructure Strategy, and Te Tairāwhiti Regional Land Transport Plan.
59. The Infrastructure Strategy seeks to build resilience within Councils infrastructure networks. To support this goal an understanding where flooding will likely occur will help avoid the placement of infrastructure in certain places or build infrastructure in certain situations under certain standards. At the next review of the Infrastructure Strategy will need to be reviewed in light of any new flood maps.
60. The Te Tairāwhiti Regional Land Transport Plan refers to Community resilience and asset management includes as a priority community resilience and Asset Management. The flood mapping will support this priority by informing where roading infrastructure will likely be affected by flooding during storm events of a particular intensity.
61. As part of Te Tairāwhiti Regional Land Transport Plan investment strategy has an emphasis on investing in the whole high transport system to support movement of freight and commercial travel by the most appropriate mode, better alignment assets on local, regional and inter-regional corridors, and thereby increasing resilience to severe weather and climate change. This will require an understanding of where flooding is likely to occur, so investment is appropriately targeted.
62. Tairāwhiti 2050 – Regional spatial plan – Flood modelling will support the outcome of resilient communities as it will help Council with its understanding of where subdivision, use and development should occur or should not occur or could occur within certain requirements. This includes planning of infrastructure and transport networks to ensure during weather events communities remain connected and communities are able to respond and bounce back from weather events quickly.

RISKS - NGĀ TŪRARU

63. **Reputational:** There may be a reputational risk and perception that Council is picking “winners and losers” and prioritising certain communities or areas over others. Using a criterion and weighting based approach means that this is minimised as we do not know the outcome until the criteria and associated weighting has been applied and calculated.
64. There are other risks associated with the wider project in terms of what we do with the flood modelling and this then gets addressed through the TRMP. These wider risks include:
- Public perception, safety, and adverse effects on communities if we do not undertake modelling in time and new development occurs in the meantime or an event occurs that has a significant impact.
 - Effects on existing properties or infrastructure that may now lie in areas where those types of dwellings are no longer permitted as they fall into the FOSAL category 3 area or have additional rules associated with new areas identified on the updated flood maps.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
TBC	Once guidance is obtained Council officers can then approach mana whenua for comments and input into the process.	
TBC	Once mana whenua engagement has occurred Council officers can then apply the criteria and prioritise areas to be modelled to inform a scope of works to put out for tender.	
Ongoing	Updates on flood modelling progress will be provided through the TRMP progress report.	

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - TRMP Areas for Flood Modelling [**24-234.1** - 2 pages]

TRMP Areas for Flood Modelling

	Where	Funding through Flood Resilience programme Yes/no (High resolution)	comments
	Urban areas		
	Anaura Bay	No	
	Ruatoria	No	
	Te Araroa	No	
	Wharekahika/ Hicks Bay	No	Regional rivers have a limited extent flood model for Hicks Bay near the new playground/shop. May be of use if this area is not included in the TRMP mapping project.
	Motu	No	Regional Rivers have a flood scheme at Motu township, high priority to include in TRMP mapping project.
	Muriwai	No	Tauwhatinui flood detention dam Regional Rivers asset. Tauwhatinui catchment should be modelled if possible to confirm LoS. Likely able to be included in Stage 2 Waipaoa Flood Modelling
	Wherowhero stream	Yes	Likely able to be included in Stage 2 Waipaoa Flood Modelling
	Manutuke (Te Arai)	Yes	In-scope Flood Resilience Programme
	Makarika	Yes	In-scope Flood Resilience Programme
	Ormond	Yes	In-scope Flood Resilience Programme
	Patutahi	Yes	In-scope Flood Resilience Programme
	Te Karaka	Yes	In-scope Flood Resilience Programme
	Tolaga Bay	Yes	In-scope Flood Resilience Programme
	Tokomaru Bay	Yes	In-scope Flood Resilience Programme
	Tikitiki	Yes	In-scope Flood Resilience Programme
	Gisborne city – Taruheru river (Mangapapa)	Yes	In-scope Flood Resilience Programme
	Gisborne city – Waimatā/Turanganui rivers (CBD/Te Hapara)	Yes	In-scope Flood Resilience Programme
	Gisborne city North (Whataupoko/Kaiti)	Yes	In-scope Flood Resilience Programme
	Te Arai/Waingake	Yes	In-scope Flood Resilience Programme
	Uawa catchment	Yes	In-scope Flood Resilience Programme – Mangahaea (from willowbank), Mangatokerau (from Gorge), Hikuwai (from willowflat, maybe as far as 3 bridges)
	Waipaoa River	Yes	In-scope Flood Resilience Programme

	Where	Funding through Flood Resilience programme Yes/no (High resolution)	comments
	Urban areas		
	Tauwhareparae	Yes	Mangahaea catchment below WillowBank is In-scope Flood Resilience Programme. Is this what is meant by Tauwhareparae?
	Mangahauini River	Yes	In-scope Flood Resilience Programme
	Waiotu stream	Yes	In-scope Flood Resilience Programme
	Waipapu	Yes	Possible that this will be In-scope Flood Resilience Programme. Need to confirm scope for Tikitiki community.
	Taruheru river	Yes	In-scope Flood Resilience Programme
	Hikuwai River	Yes	<u>From Willow Flat, or maybe 3 Bridges, included in UAWA.</u> In-scope Flood Resilience Programme
	Waikohu River	Yes	From Waikohu #3 Bridge, In-scope Flood Resilience Programme
	Waihora River	Yes	
	Waimata River	Yes	From Goodwin Road, In-scope Flood Resilience Programme
	All other rural areas/river/streams	Low resolution	

Title: 24-245 Review of Regional Policy Statement Provisions

Section: Sustainable Futures

Prepared by: Yvonne Legarth - Contractor: Strategic Planning
Paula Hansen – Senior Policy Planner

Meeting Date: Tuesday 3 September 2024

Legal: Yes

Financial: No

Significance: **Medium**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to:

- Provide a summary of key policy changes that staff are recommending be introduced into the Tairāwhiti Resource Management Plan (TRMP) through the Regional Policy Statement (RPS) workstream.
- Provide an update on the overarching policy framework (ki uta ki tai/ mountains to the sea).
- Seek guidance on:
 - Timing of engagement with iwi authorities, iwi and hapū, and seeking feedback from the public.
- Seek endorsement for:
 - The approach to take in the RPS plan change regarding assessment and consideration of significant and outstanding values of the region.

SUMMARY – HE WHAKARĀPOPOTOTANGA

This report provides some updates and seeks direction on process for consultation, and for the land and freshwater RPS provisions, and endorsement on drafting approach.

Direction on Key Policy Shifts Recommended for Inclusion in the TRMP via the RPS Plan Change

Through the technical work undertaken to date, reviews of national direction and regional strategy and policy documents, internal feedback, review of state of the environment monitoring, feedback from tangata whenua and previous community engagement, staff have identified several key resource management policy shifts that are needed to reflect the aspirations of the community as articulated in the community outcomes and strategic direction contained in the Three Year Plan.

The key policy shifts identified are:

Protecting what we Value and our Cultural Identify – Te Taiao is Thriving

- Adoption of a 'ki uta ki tai/mountains to sea' as an overarching resource management framework – this is discussed as a separate section in this report.
- Improving and achieving regional outcomes for soil conservation, water, biodiversity, and heritage.
- Articulation and application of Te Mana o Te Wai at a local level in both the Regional Freshwater Plan and the RPS provisions – this is being progressed via the freshwater planning process, and a discussion on timing and integration is included in this report.
- Updated criteria to assess significance of natural, cultural, and historic heritage values and places, and policy direction on how to manage these whilst more detailed mapping, overlays and rule frameworks are developed.

Prosperous Tairāwhiti – Enabling Sustainable Economic Development

- Water security – Reviewing freshwater allocation frameworks (in part to promote the efficient allocation of the freshwater resource and reduce over allocation), historic inequities and provide a policy framework for decisions on infrastructure, such as water supply projects.
- Identifying and providing for the maintenance, resilience, and development of Regionally Significant Infrastructure, while recognising and managing any natural hazards and environmental constraints.
- Enabling sustainable economic growth in Tairāwhiti that encourages the transition toward a circular economy and supports communities and te taiao environment – examples of this recognise the benefits of use and development, that is supported by:
 - an enabling policy and designation or consent pathways for new regional waste facilities to facilitate re-use of materials and enhanced waste minimisation systems
 - recognition of the benefits of continuous cover forests and wood waste technologies that create value from waste products and create value-add processing
 - enabling high-quality tourism activities, particularly those that support locally led tourism projects and support iwi, hapū and marae to weave their stories into the cultural narrative of projects
 - enabling policy to support unlocking of whenua Māori.

Resilient Communities

- Taking a risk-based approach to natural hazard management that ensures use and development is designed and located where that will not increase the risk to people from those hazards, and controls land use activities on our most vulnerable land.
- Promoting regional energy security by enabling renewable energy generation at regional and community scale – solar and wind.
- Transition land-use on our most vulnerable land to permanent vegetative cover that also supports biodiversity and Te Mana o te Wai outcomes.

Urban Growth and Development

- Enabling Māori led housing development, including papakāinga.
- Supporting city centre vibrancy and revitalisation while also retaining the scale, character and values of importance to the community.
- Enabling intensification tailored to place and supported by infrastructure and other services.

Ki uta ki tai /Mountains to Sea Update and Tangata Whenua Engagement Approach

On 13 June 2024, the Tairāwhiti Resource Management Plan Review (TRMP) Committee decided to adopt 'ki uta ki tai / mountains to sea' as the overarching policy framework for the TRMP, with the initial public feedback on this being sought through the draft RPS provisions (see [Decision Report 24-166](#)). Following this decision, research has been undertaken and the concept has been explored further to explore how it can be expressed in the regional context and reflected throughout the provisions in the chapters.

There are ongoing internal discussions with the Māori Partnerships team to discuss how engagement with tangata whenua on ki uta ki tai / mountains to sea as well as engagement on the wider RPS might occur.

Two chapters remain outstanding that require further engagement with tangata whenua to progress - "Resource Management Issues of Significance to Iwi Authorities" and "Tangata whenua". This report sets out five options regarding the timing of engagement with tangata whenua and the potential implications for each option on the RPS content and RPS review process. Consideration being given to Council's relationship with tangata whenua, outcomes, and timing.

Direction on Drafting Approach

Feedback from Council's Resource Consents team on the draft chapters has highlighted the need for more detailed policies and 'consideration' policies to fill potential gaps in the current TRMP while the rest of the TRMP is being progressed toward a review. These policies, and decisions on consent applications, can be supported by significance criteria to provide a more up to date and robust framework. Direction on this approach is sought by the Committee.

Further feedback from both of Council's Resource Consent and Building Consents teams also highlighted where existing policies need strengthening and identified policy gaps. The Consents team have highlighted the need for more prescriptive policies in some parts of the TRMP to support decisions now, rather than when the regional and District Plan provisions get reviewed. Direction on this approach is sought by the Committee.

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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Provides direction on whether to extend timeframes to allow additional time for planning for, and engagement with iwi and hapū, or to progress the draft Regional Policy Statement to seek public feedback at the same time as feedback is sought from iwi and hapū.
2. Provides endorsement for including the significance criteria and the addition of consideration policies in the Regional Policy Statement to assist with consent decisions.

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: RPS, Regional Policy Statement, TRMP, mountains to sea, ki uta ki tai, freshwater, tangata whenua engagement

BACKGROUND - HE WHAKAMĀRAMA

1. The Tairāwhiti Resource Management Plan (TRMP) review includes a review of the Regional Policy Statement (RPS) provisions. A review of the freshwater and urban form and development provisions is occurring at the same time.

Issues and Options Reports and Issues of Regional Significance

2. An analysis of regional significance of the issues was undertaken in 2021. The draft regionally significant issue statements centred around four overarching topics – the four big resource management challenges (or alternatively opportunities) facing Tairāwhiti:
 - Protecting what we value and our cultural identity – te taiao is thriving.
 - Prosperous Tairāwhiti – enabling sustainable economic development.
 - Resilient communities.
 - Growth and development.
3. In 2022, a series of issues and options reports were prepared. The purpose of those reports was to more fully articulate the issues, identify gaps in knowledge and further research required, and provide an analysis of options to address those issues.
4. Since that time, technical work was commissioned to support development of the draft RPS provisions and provide details for the Regional and District Plan provisions in phase two of the TRMP review. **Report 24-236** outlines reports commissioned to date.
5. Staff intend to release a summary of the issues and options reports with the draft RPS to assist with understanding the context for the draft RPS provisions.
6. The evaluation reports required by s32 of the RMA will assess the options (including objectives and policies) in more detail. This process, along with the feedback received from engagement, will help identify any remaining gaps and how they can be filled or managed.

Protecting What we Value

7. Tairāwhiti's natural features and landscapes, natural character and historic heritage are valued by the community. The values are a source of cultural and social identity, providing a unique 'sense of place' and a source of intrinsic public value. They can also provide tangible economic benefits and contribute to the attractiveness of this region as a place to live and visit.
8. Tairāwhiti's natural heritage has been degraded over recent decades. For example: less than 2% of wetlands remain and there is only 23% of the region's original native vegetation left. Over half of the region's native bird species and 17% of the native plant species are threatened.
9. The legacy of activities, previous policy settings and decisions about the management of the natural environment has contributed to ongoing degradation of the natural environment. The effects of activities are evident through declining freshwater quality and availability, soil damage and erosion, the loss of indigenous biodiversity, ecosystems, and habitats, and impacts on the coastal environment.

10. In previous engagement on Council strategies and plans, tangata whenua have reiterated the importance of restoring and maintaining the values within the environment through kaitiakitanga - the responsibility tangata whenua have as guardians of the environment. Implementing traditional kaitiakitanga within a contemporary setting remains a major challenge for tangata whenua.

Prosperous Tairāwhiti

11. Addressing deprivation is one of the most important factors influencing the wellbeing of our communities. Overall Tairāwhiti has the highest level of deprivation of any district in New Zealand.
12. Tairāwhiti has not been effective in managing the natural and physical resources of the region to fully realise its economic potential and social well-being.
13. Primary production (based around agriculture, horticulture, and forestry) is an important part of our regional economy. The availability and quality of water constrains development, and this is a particular issue for whānau wishing to further develop whenua Māori.

Resilient Communities

14. Tairāwhiti is susceptible to many natural hazards which can damage our natural and built environment and our well-being. Climate change is predicted to exacerbate natural hazard risks.

Growth and development

15. Tairāwhiti has seen a significant change in population growth trends since 2017. The increase in growth that was reflected in the 2018 census is forecast to continue until at least 2031. Unless managed well, there is potential for urban growth and development to negatively impact highly productive land and rural amenity, treasured natural assets, infrastructure, and community well-being. The growth of industry in our rural areas must also be managed appropriately.
16. The policy approach is to enable growth and development, while at the same time achieving good environmental, economic, social, and cultural outcomes. The location and form of regional development to recognise local character and scale, and to be well designed and planned.

Tangata Whenua Engagement

17. In 2021, iwi leaders and the Councillors worked together to identify the 'Significant Resource Management Issues' for the region at a high level. In addition, Council has engaged with tangata whenua and received feedback on resource management issues during development of several plans and strategies and through consenting processes, as well as undertaking more targeted engagement on specific TRMP kaupapa. As such, Council has an understanding of tangata whenua aspirations, values and concerns. A summary of previous submissions and feedback was collated as part of the work to prepare the draft chapters, and this valuable information will inform a gap assessment before the draft chapters are released for feedback.

18. The Iwi Technical Trial (ITT) provided iwi authorities with an opportunity to participate directly in procurement, review of technical reports and development of the draft RPS provisions. The ITT included contracted representatives of Ngāti Porou, Ngāi Tāmanuhiri, Te Aitanga a Māhaki and Rongowhakaata.
19. Recently Council has been approached by Ngā Hapū o Ngāti Porou Takutai Kaitiaki Trusts. This is a collective of seven hapū of Ngāti Porou who are looking to develop their Environmental Covenant pursuant to their legislation. This follows on from a presentation to elected members in March 2024. When developed, the Environmental Covenant will require Council to undertake certain actions and considerations when developing the new TRMP provisions. They are also working with staff to exercise their right to engage with Council directly on resource management matters. The first step will be to develop a Memorandum of Understanding (MOU) on how we will work together. We are aiming to have an MOU in place in October 2024.

Ki Uta Ki Tai/Mountains to Sea Progress to Date

20. The TRMP Review Committee considered [Decision Report 24-166](#) on 13 June 2024. This report:
 - Provided background on the previous report to Council in 2021 that identified 'Significant resource management issues' for the region.
 - Identified and discussed six potential overarching policy frameworks that might be applied to the provisions contained in the draft Integrated Management and Strategic Direction chapters; and then threaded through into the remaining content of the draft RPS. The decision of the Committee was to explore ki uta ki tai/ mountains to sea as a holistic concept to guide writing of the RPS objectives, policies, and methods.
 - Provided working drafts of two of the draft RPS chapters (the Strategic Direction and Integrated Management chapters) that are in the introduction portion of the TRMP.
21. Following the decision [**Report 24-166**] on 13 June 2024 further research on the use of ki uta ki tai/ mountains to the sea has been undertaken, including how it is described in other documents, including other region's RMA plans, the Ngai Tahu iwi management plan, and other research reports.
22. The advice in the research report is that ki uta ki tai framework is similar to integrated management; however, it is distinct in that integrated management is a component of ki uta ki tai. The ki uta ki tai concept is rooted in Te Ao Māori structures and mātauranga Māori, encompassing and extending beyond integrated management principles.
23. Ki uta ki tai does not prioritise one environmental element over another but rather seeks to recognise connections and to integrate and balance all aspects of the environment, in the context of intergenerational responsibility. This approach acknowledges that the health of one part of the environment influences the whole system. By focusing on the interconnectedness of these elements, ki uta ki tai aims to maintain and enhance the overall integrity and harmony of the environment, no single component is disproportionately favoured or neglected.

24. Whilst promoting integrated management, the RMA also singles out certain matters as being of national importance, that must be recognised and provided for in the TRMP. This includes direction for the management and protection of natural character, significant habitats of indigenous species, cultural and heritage values and the relationship of Māori with wāhi tapu and other taonga.
25. Ki uta ki tai could be reflected in the TRMP by using an approach that:
- Ensures that the values, natural processes and well-being of the environment are maintained, or improved where the environmental values are degraded. The well-being of the environment is necessary for the well-being of people, now and for the future generations.
 - Identifies and protects significant values and respects natural processes and connections, so that objectives policies, methods and criteria work together to promote community resilience and retain regionally significant values.
 - Enable use and development that supports strategic outcomes within environmental constraints so that important natural, and cultural values are retained.
26. What this looks like for Tairāwhiti will require local narrative to be explored, understood, and agreed upon with tangata whenua and our communities.
27. An internal staff workshop involving TRMP, and Māori Partnerships staff will plan how engagement will be undertaken with tangata whenua to grow our understanding of the application of ki uta ki tai in Tairāwhiti and seek guidance on how it should be applied in the TRMP. Feedback will be brought to the Committee together with options and recommendations on the policy approach for the TRMP.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Strategic direction – key policy shifts for resource management in Tairāwhiti

28. The draft recommended response to the four key resource management challenges (or opportunities) for Tairāwhiti and its communities is set out below. This will frame engagement with tangata whenua and the community, and the remainder of the TRMP provisions.

Protecting what we Value and our Cultural Identity

29. The overarching policy framework ki uta ki tai. This is a policy approach that is not expressly reflected in the operative TRMP; however, it is consistent with the sustainable management purpose of the RMA. This will include recognition of the relationships between, and interconnectedness of, all environmental domains, and how to protect and restore the natural environment in a Tairāwhiti context, including indigenous ecosystems and biodiversity.
30. Other recommended steps under this heading are:
- Updating the objectives and policies that deal with the coastal marine area and coastal environment to meet the requirements of the NZ Coastal Policy Statement. This includes identification, preservation, and protection of areas of outstanding natural features and outstanding natural landscapes in the coastal environment and areas of the coastal environment with outstanding natural character.

- Articulation and application of Te Mana o Te Wai at a local level in both the regional freshwater plan and the RPS provisions – this is being progressed via the freshwater planning process, and a discussion on timing and integration is included in this report.
- Updated criteria to assess significance of natural, cultural, and historic heritage values and places, and policy direction on how to manage these whilst more detailed mapping, overlays and rule frameworks are developed.

Prosperous Tairāwhiti – Enabling Sustainable Economic Development

31. The policy approach is to recognise the benefits of economic development that occurs within environmental constraints, and to ensure efficient allocation of limited resources. Areas of focus are:

- Water security – Reviewing freshwater allocation frameworks (in part to promote the efficient allocation of the freshwater resource and reduce over allocation), historic inequities and provide a policy framework for decisions on infrastructure, such as water supply projects.
- Identifying and providing for the maintenance, resilience, and development of Regionally Significant Infrastructure, while recognising and managing any natural hazards and environmental constraints.
- Enabling sustainable economic growth in Tairāwhiti that encourages the transition toward a circular economy and supports communities and te taiao environment – examples of this recognise the benefits of use and development, that is supported by:
 - an enabling policy and designation or consent pathways for new regional waste facilities to facilitate re-use of materials and enhanced waste minimisation systems
 - recognition of the benefits of continuous cover forests and wood waste technologies that create value from waste products and create value-add processing
 - enabling high-quality tourism activities, particularly those that support locally led tourism projects and support iwi, hapū and marae to weave their stories into the cultural narrative of projects
 - enabling policy to support unlocking of whenua Māori.

Resilient Communities

32. The recommended policy approach is a risk-based approach that is responsive to the effects of climate change and natural hazards and reduces risks and impacts for present and future generations. Examples of this are:

- Taking a risk-based approach to reduce risk from natural hazards that avoids new development in high hazard risk areas.
- Taking a risk-based approach to natural hazard management that ensures use and development is designed and located where that will not increase the risk to people from those hazards, and controls land use activities on our most vulnerable land.
- Promoting regional energy security by enabling renewable energy generation at regional and community scale – solar and wind.
- Transition land-use on our most vulnerable land to permanent vegetative cover that also supports biodiversity and Te Mana o te Wai outcomes.

Urban Growth and Development

33. The recommended policy approach includes:

- Enabling policy to ensure that there is sufficient development capacity in relation to housing and business land to meet the housing and business growth projections for the region, where there is adequate infrastructure and community services, while also retaining the local character and values that are important to the community.
- Enabling Māori led housing development, including papakāinga.
- Supporting city centre vibrancy and revitalisation while also retaining the scale, character and values of importance to the community.
- Enabling intensification tailored to place and supported by infrastructure and other services.

Timing of Engagement with Tangata Whenua

34. Further engagement with tangata whenua is needed to finalise the content of key chapters 'Resource management issues of significance to iwi authorities in the region' and 'Tangata whenua.

35. Iwi technicians were invited to provide statements about resource management issues of significance to their iwi. Some responses were received but advice from the iwi technicians was that they preferred to have a draft they could comment on.

36. Early working drafts of the TRMP provisions provided to iwi technicians were:

- Part 1 – Introduction and general provisions.
- Part 2 - Resource management overview.
- Significant resource management issues for the region.
- Resource management issues of significance to iwi authorities.
- Tangata whenua/mana whenua chapter (provided copy of operative TRMP chapter for initial feedback).

37. Not all iwi technicians had the time to respond. The working drafts were amended in response to the comments provided; however, the contracts for the iwi technicians ended before copies of the revised drafts responding to their advice could be sent back to check that the responses had been correctly understood and that the revised drafts achieved what was being sought. Two iwi authorities have since decided to develop iwi management plans. These will be useful to help guide policy decisions for the TRMP review.

38. The drafting to date has drawn on previous engagement and submissions received through many different forums, including the Long Term Plan processes, the feedback on the Future Development Strategy, and the development of Council's strategic plans including Tairāwhiti 2050.

39. The Māori Partnerships team and RPS team are continually looking at ways that will result in meaningful engagement with tangata whenua to gain direction and input on the wider RPS provisions.

- 40. There are statutory requirements within the RMA that specifically refer to involvement of iwi authorities. Valuable direction and input on the development of the TRMP could potentially be provided by the Local Leadership Body (noting that members were appointed by Iwi in April 2024); however, iwi are still working through logistical arrangements with Council, and the Terms of reference and first meeting date has not been finalised. We do not know whether resource management will be a priority for the initial work programme of the LLB.
- 41. Direction is being sought from the Committee on whether to progress the work programme and work toward seeking public feedback on the draft RPS provisions in 2025 whilst we are still confirming a programme of specific engagement with iwi and hapū to discuss the policy approach and text of the draft RPS provisions. Direction is also sought on the timing for seeking public feedback on a draft.
- 42. The following options consider Councils relationship with tangata whenua, engagement, developing good outcomes and timeframes.

Options:

Option 1: Defer RPS work programme in its entirety until tangata whenua (including iwi) are ready to engage

To engage with iwi and hapū on the current working draft with the aim of jointly revising the working draft chapters, then to revise any policy settings and bring to the committee for their agreement to seek feedback on that revised draft RPS from iwi, hapū and the community.

Risks and Opportunities

This option prioritises tangata whenua relationship with Council, engagement and developing good outcomes over timeframes. This option means time delays and pausing work on the draft RPS provisions indefinitely.

Risks

There is a concern the progress on the draft RPS will stall if there is no response, or that there is no capacity to be involved for a long period of time. Perhaps unsurprisingly, tangata whenua engagement efforts have been targeted to more place-based and tangible processes such as freshwater catchment planning and masterplanning in the urban area.

There are provisions in the current plan that are not working well. Delaying the review will mean decisions will continue to be made using out of date provisions with irreversible consequences. Hapū seem more responsive to engaging on resource management matters and may be frustrated by continual delays. It is hard to progress changes to forestry and urban growth and development without also updating the RPS.

There is a risk that tangata whenua may not have the capacity to undertake this work on TRMP or RPS provisions at this time. There are hapū-iwi mandate issues and relationship dynamics that need to be resolved before engagement is likely to progress. This means capacity of some tangata whenua in some areas is likely to be limited.

Opportunities

There is an opportunity to develop a stronger relationship between iwi, hapū and the Council through the development of a plan that reflects the values and interests of mana whenua. A partnership approach is the preferred way of working but attempts over the last 2-3 years have demonstrated that capacity is a real constraint.

Feedback received via other engagement processes can still be valuable and used within the RPS context (in other words a specific 'RPS' engagement may not be required or the most appropriate approach).

Option 2: Work toward wider public engagement alongside tangata whenua engagement

To seek public, iwi and hapū feedback on the full draft RPS provisions at the same time. This meets the statutory requirement to consult iwi authorities while drafting the plan but is not considered to be best practice for developing plan provisions. There could still be another step after wide engagement and prior to notification, where iwi authorities are asked to provide feedback on an updated draft RPS - iwi authorities are specifically referred to in the legislation on this matter.

Risks and Opportunities**Opportunities**

This option maintains momentum and allows staff to receive wider community feedback on draft provisions in a timely manner, meaning that changes can be made because of feedback. There is a wealth of information provided to council by tangata whenua in response to other engagement and submissions on Council strategies and plans that can be used to inform the initial draft RPS.

Risks

This may be viewed by some tangata whenua groups as rushing ahead and not giving sufficient priority to tangata whenua relationship with Council.

Relying on past information and submissions will mean a targeted engagement step is needed to check that Council 'got it right' in the drafts.

Option 3:

To leave the review of the 'Resource management issues of significance to iwi authorities in the region' and 'Tangata whenua' chapters for a later time. This would mean isolating the two chapters out of the scope of the draft RPS provisions under review, and retaining the version in the operative TRMP, keeping the current matters of significance to iwi in place. Then seeking public, iwi and hapū feedback on the rest of the draft RPS provisions at the same time.

Risks and Opportunities

Currently Council has feedback from some iwi on the two chapters, but that may not reflect the views of all iwi and hapū of the region. While this option would allow parts of the draft RPS to be tested and feedback sought sooner, the review would still need to involve engagement on a review of those two missing chapters at a later date. The risks are similar to those in Option 2.

Option 4:

To seek feedback from tangata whenua on some targeted changes to the RPS provisions. Engaging on Strategic direction, and aligning with Urban Growth and Development, and freshwater/land use consultation and engagement programme.

Risks and Opportunities

The primary interest of Council is around management of water and provisions that enable housing capacity needs to be met over the next 30 years. A key issue for the region is also the management of natural hazards. Packaging the draft RPS provisions up with freshwater and urban form provisions would reduce the amount of reading and scope of feedback being sought on a wide range of topics.

There is already a working draft of all chapters for the RPS, and this option does not resolve the need to consult with iwi while developing the draft plan, it will also mean waiting until the iwi engagement approach is solidified, and will extend the timeframe before public, iwi and hapū engagement occurs.

Approach to Inclusion of Significance Assessment Criteria and Consideration Policies

43. The TRMP needs to address the requirements of s 6 of the RMA that deal with significant and outstanding values, and significant natural hazard risks, and should also identify values of importance to the community. There are schedules to the current TRMP that need to be updated, and some new provisions need to be added, together with relevant objectives and policies to assist decision-makers.
44. Technical reports have been commissioned that identify and apply assessment criteria used to determine whether a matter meets a test of being significant, or outstanding values, or significant hazard risks. The criteria differ depending on the topic of the technical report.
45. It is proposed that these criteria be included in the draft RPS. Any overlays, or property specific or spatial layers would be included in the Regional and District Plan layers of the TRMP through a subsequent plan change process that also includes the associated rules and a more refined policy framework.
46. Feedback from the Resource Consents team suggests it would be beneficial to have 'Consideration' policies to fill potential or actual gaps within the current TRMP while the rest of the TRMP is being developed.
47. For example, this approach has been used by the Greater Wellington Regional Council in their RPS to address the 'lag' in implementation between the RPS and the regional and district plan provisions that follow:

Policy 51: Minimising the risks and consequences of natural hazards – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review to a district or regional plan, the risk and consequences of natural hazards on people, communities, their property and infrastructure shall be minimised, and/or in determining whether an activity is inappropriate particular regard shall be given to:

- (a) the frequency and magnitude of the range of natural hazards that may adversely affect the proposal or development, including residual risk;*
- (b) the potential for climate change and sea level rise to increase the frequency or magnitude of a hazard event;*
- (c) whether the location of the development will foreseeably require hazard mitigation works in the future;*
- (d) the potential for injury or loss of life, social disruption and emergency management and civil defence implications – such as access routes to and from the site;*
- (e) any risks and consequences beyond the development site;*
- (f) the impact of the proposed development on any natural features that act as a buffer, and where development should not interfere with their ability to reduce the risks of natural hazards;*
- (g) avoiding inappropriate subdivision and development in areas at high risk from natural hazards;*
- (h) the potential need for hazard adaptation and mitigation measures in moderate risk areas; and*
- (i) the need to locate habitable floor areas and access routes above the 1:100 year flood level, in identified flood hazard areas.*

48. The RMA (refer s104) enables Council to consider provisions in the RPS when making decisions on consent applications. 'Consideration' policies would support consent decisions in the interim period between the RPS and the review of regional and district plan provisions. Staff have identified the following topics as potential candidates for this approach:

- Areas with high natural hazard risk (e.g. significant flood prone and erosion / slip areas).
- Significant habitats of indigenous species.
- Outstanding waterbodies.
- Places and areas with historic heritage significance.

49. As an example, this approach might lead to the inclusion of a policy to protect versatile land for rural land use purposes in a rural zone, and a policy to support identification and protection of significant values that may not be specifically identified in the TRMP for some time.

50. Agreement is sought from the Committee that:

- The draft RPS should contain the criteria, including those used for identifying significant values, significant hazard risks, and outstanding values of the region.
- The RPS provisions include interim 'consideration' policies. Report 24 – 236 on RPS technical reports assumes that this is the approach we will be taking.

51. There are five options to consider:

<p>Option 1:</p> <p>Include the significance assessment criteria in the RPS and associated consideration policies.</p>
<p>Risks and Opportunities</p> <p>This approach will allow the resource consents team to use the criteria when assessing resource consents in the absence of any new mapping or provisions in the regional and district plan parts of the TRMP. The consents team can consider the criteria once the proposed RPS is notified.¹</p> <p>There are provisions in the current plan that are not working well. The inclusion of the criteria alongside associated policy direction on their application will provide more certainty to plan users, support good decision-making and reduce the risk of decisions being made that have irreversible consequences.</p>

<p>Option 2:</p> <p>Include the criteria with the RPS provisions and have no associated consideration policies.</p>
<p>Risks and Opportunities</p> <p>This approach will allow the resource consent decision makers to consider the criteria once the RPS is notified, but there will be no objectives and policy provisions to support decisions. Any objectives and policies and rules would be introduced later once the remaining regional and district plan parts of the TRMP are notified. This will cause a 'lag' and resource consents will continue to make decisions as they currently do and in the absence of criteria and policy support some decisions on applications may not be in keeping with more up to date approaches and information where gaps exist.</p>

¹ RMA s104(1)(b)(v) <https://www.legislation.govt.nz/oct/public/1991/0069/latest/DLM234355.html>

Option 3:

Exclude the criteria with the RPS provisions and have associated consideration policies.

Risks and Opportunities

Consideration policies are more effective when supported by up-to-date information and clear criteria. Including criteria provides more certainty for resource consent decisions.

Option 4:

Not include the criteria in the RPS or the TRMP, and the plan remains silent on these. Only include any resulting maps or schedules (description of findings) through the regional and/or District plan layers and have no consideration policies.

Risks and Opportunities

This means that any gaps we have in existing policies will not be filled until the regional and district plan parts of the TRMP are reviewed and new provisions are notified. This provides a significant delay in filling gaps within the current TRMP. Decisions will continue to be made using out of date provisions with potential for irreversible consequences.

Option 5:

Incorporate criteria by reference and have consideration policies.

Risks and Opportunities

This will have a similar effect as option 1. Although it will require a plan change where the technical reports need to be updated in the future. The type of technical report differs, and some types may not be appropriate for incorporation by reference. Not including reference to appropriate technical reports may result in the information being overlooked.

Option 6:

Incorporate criteria by reference and have no consideration policies.

Risks and Opportunities

This will have a similar effect as option 2. Plan changes may be needed where reports are replaced or updated, so only some technical reports will be appropriately incorporated into the TRMP.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

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

Overall Process: **Medium** Significance

This Report: **Medium** Significance

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

Overall Process: **Low** Significance

This Report: **Low** Significance

Inconsistency with Council's current strategy and policy

Overall Process: **Low** Significance

This Report: **Low** Significance

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

Overall Process: **High** Significance

This Report: **Medium** Significance

The effects on individuals or specific communities

Overall Process: **Medium** Significance

This Report: **Medium** Significance

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

Overall Process: **Medium** Significance

This Report: **Medium** Significance

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

TREATY COMPASS ANALYSIS

53. Consideration to how Council's Te Tiriti Compass has been applied to the programme of work to review the TRMP RPS provisions is outlined below.

Kāwanatanga: We Share Decision-making for our Region with Tāngata Whenua

54. In addition to the possibility of iwi involvement at the governance table, the intention is to seek the views of iwi and hapū when making decisions on the TRMP. The key chapters in the RPS for decision-making that will have an influence throughout the rest of the TRMP are the strategic direction and integrated management chapters. If iwi authorities and Māori have limited time and capacity, the intention is to identify the key chapters that they may wish to consider. Discussion on the preferred framework will need to be had with tangata whenua. By understanding the framework, and with the Council's agreement in principle, we can better articulate how decisions under the TRMP will be made.

Tino Rangatiratanga: Mana Whenua Aspirations are Council Priorities

55. Past feedback from iwi, hapū and other Māori groupings from other council processes have been collated and considered. The documents that the previous submission and comments feed into have also been considered in the drafting of the RPS. Two of the most recent engagements are the Future Development Strategy and the Three-Year Plan.
56. To date the key advice received on co drafting the direction in the RPS has been through the iwi technicians. Iwi technicians had asked for drafts to be written for them to respond to, and some have provided comments on early drafts of the 'front sections' of the draft. Discussions had indicated that the environment is to be at the centre of decisions on the management of resources.
57. The preferred framework for the TRMP promotes this alongside Ki Uta Ki Tai, which acknowledges the environment is the priority and that everything is interconnected. This is yet to be tested with the iwi authorities themselves. The intention is to discuss further with iwi authorities once the TRMP Committee endorses the approach.

Ōritetanga: Council Understands, Acknowledges, and Redresses Inequity

58. The bare minimum required under the RMA is to consult with iwi authorities when preparing the draft plan provisions. Council has already determined that this is not sufficient to meet the needs of our treaty partners. One of the preferred approaches was to co-draft or revise the draft RPS provisions together with tangata whenua. To facilitate this approach budget is available to support iwi and hapū to engage and contribute meaningfully to the drafting process. The extent that they wish to be involved is up to iwi and hapū. To date, capacity has remained a challenge, and the appetite to engage appears to be in the more place-based work such as catchment planning or urban masterplanning.
59. Inequities can exist where whenua Māori is less developed than freehold land. This can mean land that has higher natural values and thereby assessed as significant for various heritage characteristics that are to be protected may result in further constraints on the use of that land.
60. Other inequities exist around water allocation where allocation decisions made in the past have allocated resources on a first come first served basis. The term for consent expiry and the presumption of renewing existing consents has resulted in Māori whenua not having access to the water resource and not being able to develop land as they would like to. Common consent expiry dates, water conservation requirements, reducing allocation over time and a new allocation system is an area of policy that needs to be explored through the RPS and Regional Freshwater Plan review.

Whakapono: We Empower and Value Te Ao Māori

61. The intention is to seek the views of mana whenua on how the environment will be managed through the TRMP as part of the review and drafting of the RPS chapters, to the extent iwi and hapū wish to contribute and be involved in drafting prior to seeking public feedback.
62. The RPS provisions must recognise and provide for tangata whenua values, the relationship of Māori with natural resources and wāhi tapu and other taonga, and customs and practices. These are best developed with tangata whenua in the room to guide how this can be provided for appropriately.
63. There is also an opportunity to work with tangata whenua to incorporate mātauranga Māori in the assessment of Māori cultural values and attributes of the natural environment. This could extend to developing a framework to assess the effects on cultural values and attributes, and how these can be monitored.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

64. For this report no iwi engagement has been undertaken to date. Discussions on some working drafts occurred with the iwi technicians. Engagement with iwi authorities is required throughout the TRMP review process.
65. There is an intention and desire to engage with iwi and hapū to provide an opportunity for their views to be incorporated directly into the drafting. The extent of iwi engagement will be determined by iwi in terms of what they want to be involved in.
66. The RPS Team are working with the Māori Partnership Team on ways to help facilitate this engagement and how this can be done in a meaningful way.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

67. No community engagement has been undertaken in relation to this report. Community engagement will be undertaken as part of the plan making process.
68. Internal engagement has been occurring with Council staff to further develop the draft RPS provisions. The internal feedback will be used to refine current drafting.
69. Following the meeting of the TRMP Committee on 13 June, a working draft of the RPS provisions is with an editor and will be revised to address advice before any external consultation.
70. The process of preparing the RPS is to include a non-statutory step to seek public feedback on a working draft of the RPS provisions. This will further refine the draft RPS and should identify if any other reports need to be commissioned. Prior to this step there are some drafting decisions that are to be put to the Committee for guidance and decision of approaches.
71. A scan of the working draft RPS provisions has been completed to ensure Māori terms are identified and used consistently in the working draft. A review of the list of Māori terms from the operative TRMP is on the programme of work for the RPS team in collaboration with the Māori Partnerships team.

72. The ePlan (electronic version of the TRMP) has been commissioned, and Council staff are exploring the possibility of using the feedback process on the draft RPS provisions to test the recording, submissions and reporting functions. An ePlan is an electronic plan that enables the TRMP to be viewed electronically.

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

73. There are no climate change implications arising from this report.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

74. There are no financial implications arising from this report.

Legal

75. There are no legal implications arising from this report, rather this report is seeking preferences that the TRMP committee may have when drafting the RPS provisions.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

76. The information in this report is consistent with the Council's strategies and policies, and Council's Te Tiriti compass and Piritahi Policy.

77. Tairāwhiti 2050 – Tairāwhiti Regional Spatial Plan has our communities' challenges, outcomes and aspirations. Outcomes associated with strategic directions are centred around the following headings:

- A driven and enabled community
- Resilient communities
- Vibrant city and townships
- Connected and safe communities
- We take sustainability seriously
- We celebrate our heritage
- A drive economy
- Delivering for and with Māori.

78. The matters dealt with in this report have considered the outcomes in Tairāwhiti 2050 and are consistent with it. The policy approach in the draft RPS will assist the Council to respond to these challenges and to realise the community aspirations within these strategic directions.

RISKS - NGĀ TŪRARU

79. There are no major strategic risks associated with the decisions or matters in this report.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
Date to be confirmed	Develop and undertake engagement with iwi and hapū, followed by seeking feedback from the community.	Post receiving direction from the Committee on the framework, the aim is to report to the next Committee meeting on progress and issues arising. Report back to the committee alongside other RPS policy questions.
Dec 2024 – Feb 2025	Workshops on the working drafts of the RPS for Committee feedback.	This is a check in to ensure the committee understands the direction the RPS is heading in and provides an opportunity to raise any concerns.

Title: 24-229 Te Mana o te Wai Review
Section: Strategic Planning
Prepared by: Ariel Yann le Chew - Policy Planner
Meeting Date: Tuesday 3 September 2024

Legal: No

Financial: No

Significance: **Medium**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee for decision

PURPOSE - TE TAKE

The purpose of this report is to seek this Committee's endorsement for Council staff to further investigate the proposed recommendations provided in the final Te Mana o Te Wai review report and present options for implementation for approval at the 4 December committee meeting.

SUMMARY – HE WHAKARĀPOPOTOTANGA

All councils are required to develop new freshwater plans that give effect to the National Policy Statement for Freshwater Management (NPS-FM) 2020 by 31 December 2027 (extension from the former deadline of 31 December 2024). This includes giving effect to Te Mana o Te Wai, the central concept which recognises the importance of water by prioritising the health of water above the health needs of people and other uses. While Te Mana o Te Wai was introduced in the NPS-FM 2014, further guidance in the form of the hierarchy of obligations and the six principles that define the roles of tangata whenua and other New Zealanders were only introduced in the NPS-FM 2020.

To date, Gisborne District Council (Council) has given effect to the NPS-FM 2014 through the development of the Regional Freshwater Plan and Waipaoa Catchment Plan. These plans were jointly developed and publicly notified in 2015 and made fully operative on 30 August 2023. As part of reviewing these Plans through the Tairāwhiti Resource Management (TRMP) Review Programme, Council engaged Poipoia Ltd to undertake a desktop review of the Regional Freshwater Plan and Waipaoa Catchment Plan against Te Mana o Te Wai as defined in the NPS-FM 2020.

The review found that the Regional Freshwater Plan and Waipaoa Catchment Plan did not align with the hierarchy of obligations, where policies and rules were developed to manage the adverse effects of activities – instead of managing activities for the health of freshwater. Māori kupu and concepts were used in the plans but no guidance on how to interpret and/or apply these concepts in freshwater management. The Regional Freshwater Plan and Waipaoa Catchment Plan reflect the statutory direction (i.e. NPS-FM 2014) of which these plans had been developed.

The final report provided a series of recommendations, which have been categorised into three groups:

- **Plan policy drafting** for the new Regional Freshwater and Waipaoa Catchment plans, which can also be applied to the other six catchment plans. The recommendations include aligning the policies and rules with the hierarchy of obligations; engaging whānau, hapū and iwi by acknowledging the six principles which define the roles of tangata whenua and other New Zealanders; include mechanisms in the plan(s) that enable tangata whenua to exercise their roles as kaitiaki.
- **Upskilling Council and staff**, where recommendations include:
 - Council staff and elected representatives are provided training on Te Mana o Te Wai and Te Tiriti o Waitangi
 - understand the cultural context of the region
 - develop a communication strategy for wider community on Te Mana o Te Wai.
- **Working with iwi and hapū**, which includes reviewing formal relationships with iwi and hapū, resourcing iwi and hapū to build their capacity and capability in meeting their roles as kaitiaki.

This report evaluates how adopting the recommendations will give effect to current Council policies and frameworks:

- **Te Tiriti Compass**, a framework built on the four articles of Te Tiriti o Waitangi.
- **Tairāwhiti Piritahi**, a policy that aims to foster Māori participation in Council decision making through four approaches.
- **Tairāwhiti 2050**, the region's Spatial Plan that captures the aspired outcomes for the region.

This report seeks the endorsement from this Committee for the Freshwater Planning workstream (under the TRMP review programme) and the Māori Partnerships team to further investigate the proposed recommendations and present options for implementing the recommendations for this Committee's approval at the 4 December committee meeting.

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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. **Endorses staff to further investigate the proposed recommendations as summarised in paragraph 14 and develop options for implementation for this Committee's approval at the 4 December committee meeting.**

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: Te Mana o Te Wai Review, Regional Freshwater Plan, Waipaoa Catchment Plan, Freshwater Planning workstream, Tairāwhiti Resource Management Plan Review

BACKGROUND - HE WHAKAMĀRAMA

Giving effect to national legislation for freshwater management

1. The National Policy Statement for Freshwater Management 2020 (NPS-FM) is an important legislative tool to achieve national goals for freshwater. The NPS-FM provides direction on how local authorities should manage freshwater under the Resource Management Act 1991 (RMA). Requirements include:
 - Managing freshwater in a way that gives effect to Te Mana o Te Wai.
 - Improve degraded water bodies, and maintain or improve all others using bottom lines defined in the NPS-FM.
 - Applying a National Objectives Framework (NOF) to help manage freshwater.
 - Avoid any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration.
 - Identify and work towards target outcomes for fish abundance, diversity and passage and address in-stream barriers to fish passage over time.
2. Council has given effect to an earlier version of the NPS-FM (2014) through the development of the Regional Freshwater Plan and Waipaoa Catchment Plan. These plans were jointly publicly notified in 2015 and made fully operative on 30 August 2023 ([Report 23-79](#)).
3. All councils were originally required to publicly notify their freshwater plans by the end of 2024. Following the impacts of Cyclone Gabrielle on the region, the Ministry for the Environment (MfE) approved Council's request for a time extension to 31 December 2026². The Coalition Government has since extended the deadline for all councils to 31 December 2027.
4. As part of the Tairāwhiti Resource Management Plan (TRMP) Review Programme, the Freshwater Planning workstream is currently reviewing the Regional Freshwater Plan and the Waipaoa Catchment Plan, and developing catchment plans for six other catchments. Our intention is to have all freshwater provisions aligned to the NPS-FM 2020. **Report 24-226** (also to this Committee meeting) provides an update on the progress made by the Freshwater Planning workstream since the last report on 13 June ([Report 24-141](#)).

Te Mana o Te Wai review – purpose and scope of work

5. Under the NPS-FM 2020, Te Mana o Te Wai recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment – including people. The NPS-FM 2020 introduced the hierarchy of obligations, which sets out three priorities:
 - **1st priority:** put the health and wellbeing of water first.
 - **2nd priority:** health needs of people (such as drinking water).
 - **3rd priority:** ability of people and communities to provide for their social, economic and cultural wellbeing.

² [Clause 6\(a\), the Severe Weather Emergency Recovery \(Resource Management – Time Extensions\) Order 2023.](#)

6. The NPS-FM 2020 also introduced six principles of Te Mana o Te Wai, which relate to the roles of tangata whenua and other New Zealanders in freshwater management and implementation of the NPS-FM 2020. They are outlined in the NPS-FM 2020.

Mana whakahaere	Power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater
Kaitiakitanga	Obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations
Manaakitanga	Process by which tangata whenua show respect, generosity, and care for freshwater and for others
Governance	Responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future
Stewardship	Obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations
Care and respect	Responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

Figure 1: Six principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater.

7. In collaboration with iwi representatives³, Council engaged Poipoia Ltd to review the alignment of the Regional Freshwater Plan and Waipaoa Catchment Plan with Te Mana o Te Wai.
8. The scope of the review included:
- reviewing the degree the two plans recognise and give effect to Te Mana o Te Wai under the NPS-FM 2014 and 2020, and identifying the components of the plans that are or are not well aligned with Te Mana o Te Wai.
 - providing recommendations on improvements that can be made through the freshwater plan review to better recognise and give effect to Te Mana o Te Wai.
 - providing recommendations on how to support mana-enhancing partnerships with iwi and hapū where appropriate.
 - providing recommendations on how the National Objectives Framework (NOF) can be applied through early engagement with iwi/hapū.
9. The review provided a series of recommendations on giving effect to Te Mana o Te Wai. Key recommendations that:
- Te Tiriti o Waitangi needs greater recognition within planning documents to remind decision-makers and water users of their Tiriti obligations.
 - A Tiriti lens should be applied across all workstreams that give effect to Te Mana o Te Wai.
10. Poipoia Ltd completed the review in October 2023, and the final report is attached as **Attachment 1** to this report. This report summarises the findings and the recommendations in the next section.

³ [The Iwi Technical Trial \(ITT\)](#) was a 12-month trial, consisting of 5 iwi technicians appointed by 4 iwi: Te Runanganui o Ngāti Porou, Rongowhakaata Iwi Trust, Tāmanuhiri Tūtū Poroporo Trust and Te Aitanga a Māhaki Trust.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

Findings from the review

11. The review found that the regulations in the Regional Freshwater and Waipaoa Catchment plans were developed to manage the adverse effects of activities on freshwater – rather than managing the activities for the health and wellbeing of freshwater. Māori kupu and concepts were used in the plans, but the plans did not provide guidance on how to interpret and/or apply these concepts in freshwater management.
12. The Regional Freshwater Plan and Waipaoa Catchment Plan reflect the statutory direction (i.e. NPS-FM 2014) of which these plans had been developed under. While Te Mana o te Wai was first introduced in the NPS-FM 2014, there was no guidance for Council on how to implement Te Mana o Te Wai in the development of the Regional Freshwater and Waipaoa Catchment plans.
13. Guidance has since been provided through the hierarchy of obligation and the six principles of Te Mana o Te Wai in the NPS-FM 2020. The NPS-FM 2020 also requires Council to actively involve tangata whenua (to the extent they wish to be involved) in all levels of freshwater management.
14. Following the assessment and workshops with iwi technicians, the Te Mana o Te Wai review report grouped its recommendations under three categories:
 - **Plan policy drafting** for the new Regional Freshwater and Waipaoa Catchment plans (which can also be applied to the other six catchment plans).
 - **Upskilling Council work culture.**
 - **Working with iwi and hapū.**

Recommendations for plan policy drafting

1. Council works with whānau, hapū, iwi (including Māori landowners) to:
 - i. define and articulate their interpretation of Te Mana o Te Wai in their rohe and reflect these through the freshwater plans
 - ii. define the use of terms describing iwi Māori groupings (e.g. tangata whenua, mana whenua)
 - iii. understand the use of Māori kupu and concepts in a consistent and culturally appropriate manner in the plans.
2. Develop freshwater plan provisions that align with the hierarchy of obligations of Te Mana o Te Wai and Māori concepts, such as exploring the appropriate use of rāhui in managing water quantity and discharges.

3. Provide for multiple mechanisms for whānau, hapū and iwi (including Māori landowners) to participate (to the extent they wish) in freshwater management. This includes (but not limited to):
 - i. co-developing case studies and guidance for best practice
 - ii. direct inclusion within the plan provisions (requires discussion with whānau, hapū and iwi on their level of involvement)
 - iii. Hapū and iwi planning documents
 - iv. Cultural Values Assessments and Cultural Impact Assessments
 - v. identifying the role of tangata whenua in assessing and monitoring impacts on the relationship, values and use of water
 - vi. develop process for hapū and iwi to identify wāhi tapu and appropriate management approach for these sites
 - vii. develop process for management of activities within or adjacent to statutory acknowledgement areas.

Recommendations for Upskilling Council Work Culture

- a. Provide Te Mana o Te Wai training for Council staff, where the training programme is designed and/or delivered in collaboration with hapū and iwi to cover Te Mana o Te Wai within the NPS-FM context.
- b. Develop internal guidance for staff on Te Mana o Te Wai, including:
 - i. the statutory requirements regarding Te Mana o Te Wai
 - ii. Te Mana o Te Wai in Tairāwhiti context (i.e. hapū and iwi interpretation of Te Mana o Te Wai)
 - iii. Te Tiriti o Waitangi and the role of Council's Māori Partnership team in supporting Council to give effect to Te Mana o Te Wai.
- c. Develop and deliver Te Tiriti o Waitangi training for staff and elected representatives, focusing on requirements and examples of good and honourable Te Tiriti partnership at all levels of the freshwater management system.
- d. Upskilling staff and elected representatives on the region's cultural context – Te Tiriti Settlements, Nga Rohe Moana o Nga Hapu o Ngāti Porou, Iwi Management plans and other existing agreements (e.g. Ngāti Porou Joint Management Agreement).
- e. Develop a communications strategy for the wider community on Te Mana o Te Wai and the role of hapū and iwi on articulating and giving effect to Te Mana o Te Wai.
- f. Consider an agreed approach to monitor the relationship and the direction of workplan(s) developed between hapū, iwi and Council.

Recommendations for Working with Iwi and Hapū

- a. Review formal relationships and/or agreements between Council and hapū and iwi, considering if these relationships or agreements (in its current state) can give effect to the principles of Te Mana o Te Wai (see **Figure 1**).
 - b. Council enables and resource hapū and iwi to:
 - i. determine culturally safe engagement practices within their rohe or takiwā
 - ii. engage with Council, such as in the NOF process
 - iii. build capacity and capability of hapū and iwi to participate (and eventually lead) Te Mana o Te Wai driven Kaupapa
 - iv. support projects that aim to contribute to the body of mātauranga-a-whānau, mātauranga-a-hapū and mātauranga-a-iwi.
15. At the time when Poipoia Ltd undertook the review, the Natural and Built Environment Act (NBEA) 2023 had just come into force on 23 August 2023. The report recommended incorporating the concept of Te Oranga o te Taiao, derived from the NBEA, in the new freshwater plans.
16. While the NBEA had since been repealed, the recommendation of incorporating Te Oranga o te Taiao highlights the importance of considering the health and wellbeing of the wider environment in a holistic management approach, recognising the interconnectivity between land, freshwater and people.
17. This Committee adopted ki uta ki tai as the overarching concept to the Regional Policy Statement (RPS) on 13 June 2024 (see [Report 24-166](#)). Similar to Te Oranga o te Taiao, ki uta ki tai recognises the connections between and across environments and takes a holistic approach to managing the effects of the use, development, and protection of natural and physical resources. The accompanying **Report 24-245** to this Committee meeting provides an update to this overarching concept since the meeting on 13 June.

Next Steps

18. Te Mana o Te Wai is a paradigm shift that promotes the health of the environment as a way to support other wellbeing – that is social, cultural and economic. The six principles of Te Mana o Te Wai (**Figure 1**) need to be reflected in the local expression of Te Mana o Te Wai, including planning and ongoing implementation in the management of freshwater.
19. The recommendations align with this Council's resolution to retain Te Mana o Te Wai in its current form (i.e. the hierarchy of obligation and the six principles) at the 20 March Extraordinary Council meeting (pages 4 – 6 of the [official meeting minutes](#)).
20. The Freshwater Planning workstream have been implementing the recommendations of the Poipoia report during plan policy drafting (see **Table 1**). The workstream will continue engaging with tangata whenua through the development of the new Regional Freshwater Plan and six other catchment plans for the region. Application of Te Tiriti Compass and the associated guidelines provides staff with a mechanism to more meaningfully assess how far our current engagement approach goes towards meeting the Poipoia recommendations.

Table 1: Recommendations for plan policy drafting from paragraph 14 that have been partially implemented through the Freshwater Planning workstream are highlighted in **bold**.

Recommendations for plan policy drafting	Comments on implementation
<p>a. Council work with whānau, hapū, iwi (including Māori landowners) to:</p> <ul style="list-style-type: none"> i. define and articulate their interpretation of Te Mana o Te Wai in their rohe and reflect these through the freshwater plans ii. define the use of terms describing iwi Māori groupings (e.g. tangata whenua, mana whenua) iii. understand the use of Māori kupu and concepts in a consistent and culturally appropriate manner in the plans. 	<p>The Freshwater Planning workstream held a series of Te Mana o Te Wai wānanga at Ohako marae to understand hapū interpretation of Te Mana o Te Wai for incorporation into the Waipaoa Catchment Plan. Additional projects to support place-based articulation Te Mana o te Wai are underway or being scoped.</p> <p>Tangata whenua are actively participating in catchment advisory groups and have clarified the meaning of concepts such as mauri, that is often poorly understood in the current plans.</p> <p>The use of terms describing iwi Māori groupings (e.g. tangata whenua, mana whenua) is currently a work-in-progress by the Regional Policy Statement (RPS) workstream.</p>
<p>b. Develop freshwater plan provisions that align with the hierarchy of obligations of Te Mana o Te Wai and Māori concepts, such as exploring the appropriate use of rāhui in managing water quantity and discharges.</p>	<p>The Freshwater Planning workstream is currently engaging tangata whenua to ensure hapū and iwi interpretation of Te Mana o Te Wai and Māori concepts are taken into account in the new freshwater plan provisions.</p> <p>The Proposed Upper Mōtū Catchment Plan (see Report 24-181) includes the values and aspirations of tangata whenua that have been determined through the catchment advisory group, where the tangata whenua representative presented to the group on behalf of their iwi.</p>
<p>c. Provide for multiple mechanisms for whānau, hapū and iwi (including Māori landowners) to participate (to the extent they wish) in freshwater management. This includes (but not limited to):</p> <ul style="list-style-type: none"> i. co-developing case studies and guidance for best practice ii. direct inclusion within the plan provisions (requires discussion with whānau, hapū and iwi on their level of involvement) iii. Hapū and iwi planning documents iv. Cultural Values Assessments and Cultural Impact Assessments v. identifying the role of tangata whenua in assessing and monitoring impacts on the relationship, values and use of water vi. develop process for hapū and iwi to identify wāhi tapu and appropriate management approach for these sites vii. develop process for management of activities within or adjacent to statutory acknowledgement areas. 	<p>The Freshwater Planning workstream anticipates that the level of involvement throughout the freshwater management will differ between hapū and iwi. This is largely due to a lack of capacity and/or capability.</p> <p>The workstream will continue engaging with tangata whenua to better understand their preference of involvement.</p>

21. As a next step, this report seeks this Committee's endorsement for staff to further investigate the proposed recommendations and present options for implementing the recommendations for this Committee's approval at the 4 December committee meeting.

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: High Significance

This Report: High Significance

The effects on individuals or specific communities

Overall Process: High Significance

This Report: High Significance

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

Overall Process: Medium Significance

This Report: Medium Significance

22. The decisions or matters in this report are considered to be of **Medium** significance in accordance with Council's Significance and Engagement Policy.
23. Te Mana o Te Wai is a te ao Māori concept introduced in a national-level legislation that requires tangata whenua participation and input (to the extent they wish to be involved) within the regional context. While Te Mana o Te Wai applies to freshwater, giving effect to it will require consideration of how land is used and managed.
24. The hierarchy of obligations in the NPS-FM challenges our communities to focus on providing for the wellbeing of freshwater first, as a means of achieving sustainable outcomes for all other wellbeings (social, cultural, economic).
25. The recommendations are a step towards meeting the hierarchy of obligations and the six principles of Te Mana o Te Wai. Staff anticipate that there will be high level of public interest in the recommendations, with the expectation that the impacts of this thinking on our region and our people will be of high significance.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

26. Poipoia Ltd facilitated three workshops with iwi technicians from the Iwi Technical Trial to wānanga Te Mana o Te Wai and the freshwater planning process to date. [The Iwi Technical Trial \(ITT\)](#) was a 12-month trial, consisting of five iwi technicians appointed by four iwi: Te Runanganui o Ngāti Porou, Rongowhakaata Iwi Trust, Tāmanuhiri Tūtū Poroporo Trust and Te Aitanga a Māhaki Trust. The Trial was established as a mechanism for iwi to actively participate in the TRMP review and plan-making process.
27. The three workshops were held from September to October 2023 and focused on how Te Mana o Te Wai could be applied to each iwi. The iwi technicians also provided feedback on their participation in the freshwater planning process to date. These workshops informed the proposed recommendations in the final report.
28. The review also took into account past whānau, hapū and iwi submissions to Council on the Regional Freshwater and Waipaoa Catchment plans and freshwater resource consents.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

29. No wider community engagement was undertaken by Poipoia Ltd in preparing the report (**Attachment 1**).
30. While it is important for Council staff and elected representatives to understand Te Mana o Te Wai, it is also equally important for our wider communities to understand Te Mana o Te Wai. This is one of the recommendations under 'upskilling Council work culture'.

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

31. Te Mana o Te Wai changes the way we think about water and how we use water. Protecting and prioritising the health of freshwater bodies will become a challenge when the balance of source and demand of freshwater is weighed against the context of climate change. [The 2020 NIWA report](#) projected the following effects of climate change for Tairāwhiti:
 - The availability of freshwater (i.e. source of freshwater) will be affected by higher temperatures, more 'hot' days, changing rainfall patterns and intensity.
 - Demand of freshwater for various activities are similarly impacted by the same pressures on the availability of freshwater, but with different effects, for example:
 - **Horticulture** – increased temperature may lead to changes to plant development stages and some crop types becoming unsuitable for the region in the future; rainfall reductions and more severe droughts leading to the need of more irrigation.
 - **Ecosystems** – Higher water temperatures increase the risk of invasive species spreading and subsequently threatening indigenous species.
 - **Human health** – Harmful algal blooms in areas of aquatic recreational hotspots due to change in water temperature can lead to human health issues.
 - **Infrastructure and built environment** – Risk to potable water supplies due to changes to rainfall, temperature, drought, extreme weather events and sea-level rise.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

32. The Te Mana o Te Wai Review of the Regional Freshwater and Waipaoa Catchment plans were completed through the TRMP Review Programme budget allocated in the [2021 – 2031 Long Term Plan](#).
33. Staff will need to consider how to raise staff capability to engage in culturally mana enhancing ways with tangata whenua beyond the life of the freshwater programme. The financial implications will be further investigated through the business case.

Legal

34. Council has the statutory requirement to uphold Te Tiriti o Waitangi. Evaluation of the proposed recommendations against Te Tiriti o Waitangi is done through Te Tiriti Compass Framework. [Te Tiriti Compass](#), adopted by Council on 29 September 2022, is an internal Council framework that guides organisational understanding and application of Te Tiriti o Waitangi across Council mahi. The Compass uses the four articles of Te Tiriti and outlines the intended outcomes for each article.
35. **Kāwanatanga: We share decision-making for our region with tangata whenua.** The recommendation to review and assess current formal relationships and/or agreements between Council and hapū and iwi, such as Treaty Settlements and Joint Management Agreements (JMAs), against the principles of Te Mana o Te Wai is a step towards meeting kāwanatanga in our region.
36. **Tino Rangatiratanga: Tangata whenua aspirations are Council priorities.** The recommendations that aim to enable and resource whānau, hapū and iwi acknowledges tangata whenua aspirations by ensuring they are supported will meet tino rangatiratanga in our region. Support such as financial support in projects relating to mātauranga, building the capacity and capability of hapū and iwi to eventually lead Te Mana o Te Wai driven Kaupapa.
37. **Ōritetanga: Council understands, acknowledges, and redresses inequity.** Recommendations for internal Council work culture ensures that staff and elected representatives understand the cultural context of the region and the steps that Council needs to take towards meeting ōritetanga.
38. **Whakapono: We empower and value te ao Māori.** Te Mana o Te Wai is a concept derived from te ao Māori – representing a paradigm shift of priorities from economic drivers to environmental drivers, where local expressions of Te Mana o Te Wai (the hierarchy of obligations and the six principles) of whānau, hapū and iwi are enabled through the recommendations that also meet tino rangatiratanga.

39. Council's [Tairāwhiti Pirihati: Fostering Māori Participation in Council Decision-Making](#) policy sets out four key approaches to meet Council's statutory requirements in section 81⁴ of the Local Government Act (LGA) 2002. Section 81 requires Council to consider and enable opportunities for Māori to contribute to Council's decision-making process, including building Māori capacity and capability for participating in the decision-making process. Achieving the four approaches set out in Tairāwhiti Pirihati intends to meet the statutory requirements in section 81.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

40. The proposed recommendations are also expected to meet the following outcomes identified in Tairāwhiti's Spatial Plan ([Tairāwhiti 2050](#)):
- **Outcome 1: A driven and enabled Tairāwhiti**, where Council works with and provides support for iwi, hapū and local stakeholders to promote and enable change in the region.
 - **Outcome 2: Resilient communities**, where Council secures and protects long-term water availability for all our communities, including the use of surface water storage.
 - **Outcome 5: We take sustainability seriously**, where Council recognises the threat of climate change on the future of our region and ensures planning will enhance Tairāwhiti's natural and built environment for our future generations.
 - **Outcome 6: We celebrate our heritage**, where Council supports mana whenua in the exercise of kaitiakitanga over the environment and showcasing the multiple benefits of the Tairāwhiti's rich dual heritage.
 - **Outcome 8: Delivering for and with Māori**, where Council and iwi build and maintain strong partnerships that ensure our region's taonga are restored and protected for generations to come.

RISKS - NGĀ TŪRARU

41. **Reputational risk** – the NPS-FM 2020 requires Council to give effect to Te Mana o Te Wai. It also requires Council to engage with and actively involve tangata whenua in all levels of freshwater management, including decision-making processes. The risk of not further investigating the proposed recommendations and subsequently implementing the recommendations, is the lost opportunity of building meaningful relationships with tangata whenua that continue beyond the plan review and forming a unified commitment to managing taonga sustainably.

⁴ [Local Government Act 2002 No 84 \(as at 01 July 2024\), Public Act 81 Contributions to decision-making processes by Māori – New Zealand Legislation](#)

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
4 December 2024	Present options for implementing the proposed recommendations for this Committee's approval	

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - 2023 Poipoia Tairāwhiti Te Mana o te Wai Review of Regional Freshwater Plan and Waipaoa Catchment PI [24-229.1 - 33 pages]

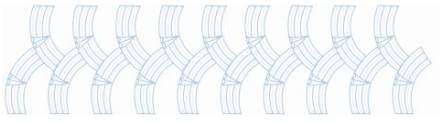


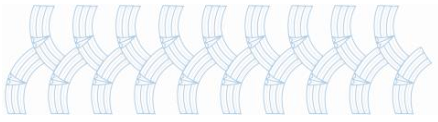
Poipioa

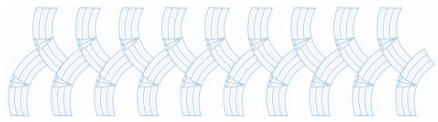
Tairāwhiti Te Mana o te Wai Review of Regional Freshwater Plan and Waipaoa Catchment Plan



Report prepared by Poipioa Ltd for Gisborne District Council



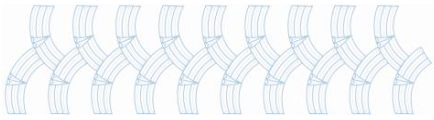




Disclaimer

The information in this publication is, according to the best efforts of Poipoia, accurate at the time of publication. However, users of this publication are advised that:

- The information provided has no official status and so does not alter the laws of New Zealand, other official guidelines, or requirements.
- It does not constitute legal advice, and users should take specific advice from qualified professionals before taking any action as a result of information obtained from this publication.
- Poipoia does not accept any responsibility or liability whatsoever whether in contract, tort, equity or otherwise for any action taken as a result of reading, or reliance placed on this publication because of having read any part, or all, of the information in this publication or for any error, or inadequacy, deficiency, flaw in or omission from the information provided in this publication.
- All references to websites, organisations or people are provided for convenience only and should not be taken as endorsement of those websites or information contained in those websites nor of organisations or people referred to.



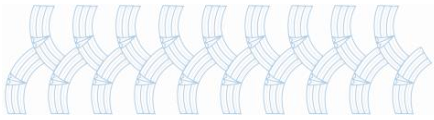
Executive Summary

Poipoia Ltd has undertaken a review of the Gisborne Regional Freshwater Plan and the Waipaoa Catchment Plan to provide Gisborne District Council (GDC) and Tairāwhiti iwi as assessment on how the Plans can give effect to Te Mana o te Wai. Te Mana o te Wai is the fundamental concept of the National Policy Statement for Freshwater Management 2020 (NPS-FW 2020). The review was completed through a desktop review of the current plans as well as workshops with iwi representatives to discuss their experiences navigating the freshwater planning process to date. This report provides recommendations on how the Plans can be aligned to give effect to Te Mana o te Wai which is now a requirement for all freshwater management. Whilst the report provides detailed recommendations on giving effect to Te Mana o te Wai, the nature of the recommendations have been summarised as follows:

- Greater recognition of Te Tiriti of Waitangi within planning documents to remind decision-makers and water users of Tiriti obligations. A Tiriti lens should be applied across all workstreams that give effect to Te Mana o te Wai.
- Alignment with provisions with the Natural and Built Environment Act 2023 (NBA) and explore opportunities to transition and transform plan content that is consistent with Natural and Built Environment Plans, particularly as Tairāwhiti has been identified as a potential Tranche 1 region for NBA implementation.

Defining Te Mana o te Wai

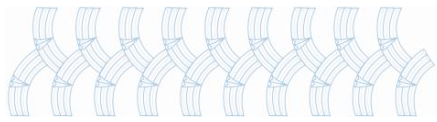
- Council enable and resource hapū and iwi to define and articulate their interpretation of Te Mana o te Wai within their rohe. This will include working within each iwi to determine their preferred internal process to achieve this, the agreed engagement protocols and outcomes. In particular ensuring that there are bespoke processes and where there is agreement for collaborative processes amongst hapū and iwi. This process should not be rushed, and it is recommended that Council work with hapū and iwi to develop a 6-month work programme for defining and articulating Te Mana o te Wai within their respective rohe or takiwā.
- Council work with hapū and iwi to determine culturally safe engagement practices within their respective rohe or takiwā.



- Sustainably resourcing hapū and iwi to engage with Council. Most engagement is carried out on a voluntary basis which restricts meaningful engagement due to the limited capacity within whānau, hapū and iwi.
- Council invests in building capacity and capability of hapū and iwi to participate (and eventually lead) Te Mana o te Wai driven kaupapa. This will be required across all levels of participation.
- Resourcing or supporting projects that aim to contribute to the body of mātauranga-a-whānau, mātauranga-a-hapū and mātauranga-a-iwi. This should be prioritised as local definitions of Te Mana o te Wai should be driven by mātauranga at place.

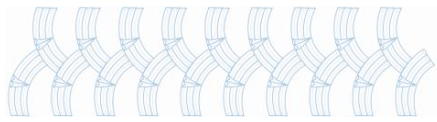
Council Approach to Te Mana o te Wai

- Council provide Te Mana o te Wai training for their staff. Training programmes could be designed and/or delivered in collaboration with hapū and iwi. Such training programmes should cover Te Mana o te Wai within the NPS-FM and the context in which it applies to the Water Services Reform and any other relevant workstreams. Develop internal guidance for staff on Te Mana o te Wai.
- Council develop and deliver Tiriti o Waitangi training for operational staff and governance. Such training should focus on requirements and examples of good and honourable Tiriti partnership at all levels of the freshwater management system.
- Upskilling operational staff and governance on cultural context within the region, including Te Tiriti o Waitangi, Tiriti Settlements, Nga Rohe Moana o Nga Hapu o Ngati Porou, Iwi Management plans and other existing agreements (e.g. Ngati Porou Joint Management Agreement).
- Council develop communications strategy for wider community on Te Mana o te Wai and the role of hapū and iwi on articulating and giving effect to Te Mana o te Wai.
- Review formal relationships and/or agreements between GDC and hapū and iwi. Consider whether in their current state they can give effect to the Principles of Te Mana o te Wai where relevant.
- Consider an agreed process to monitor the relationship and the direction of workplan(s) developed between hapū, iwi and Council.



Planning Documents – Regional Policy Statement, Regional Freshwater Plan and Waipaoa Catchment Plan

- Council work with whānau, hapū, iwi (including Māori Landowners) to determine consistent use of terms describing iwi Māori groupings e.g. tangata whenua, mana whenua, whānau, hapū and iwi etc. Inappropriate and/or inconsistent use of the above terms has led to confusion amongst iwi Māori. Once determined appropriate wording, keep consistency throughout all planning documents.
- The use of Māori kupu and concepts are done through working with hapū and iwi to ensure its incorporation is culturally appropriate. Definitions of Māori kupu that are included in the interpretation section should enable whānau, hapū and iwi to articulate such concepts in accordance with their local tikanga and kawa. Ensure alignment of definitions with the principles of Te Mana o te Wai where they are included in the interpretation chapter.
- Re-align policy and standards with the hierarchy of obligations of Te Mana o te Wai. This will include recognizing and providing for whānau, hapū and iwi relationships, values and uses of wai.
- Water bodies should be managed in their entirety and in a manner that maintains and improves mauri.
- Actively involve tangata whenua (to the extent they wish) across all levels of freshwater management. This will include recognising and providing for current barriers to tangata whenua participation.
- Work with whānau, hapū and iwi (including Māori Landowners) to develop cases studies and guidance for best practice.
- Provide for multiple mechanisms for whānau, hapū and iwi (including Māori Landowners) participation in freshwater management. Including (but not limited to):
 - Direct inclusion within policies, standards and rules.
 - Hapū and Iwi Planning Documents.
 - Cultural Values Assessments (CVA's) and Cultural Impact Assessments.
- Identify the role of tangata whenua in assessing and monitoring impacts on the relationship, values and use of water, particularly where mauri or other Māori concepts are included within the plan.
- Confirm review process for existing consents to align with Te Mana o te Wai, including hapū and iwi involvement.
- Explore the appropriate use of rāhui in managing water quantity and discharges.



- Develop process for hapū and iwi to identify wāhi tapu and appropriate management of sites when considering activities.
- Develop process for management of activities within or adjacent to statutory acknowledgment areas.
- Engage hapū and iwi endorsed technicians to participate in the freshwater planning process including the NOF. This could include direct participation with Council or resourcing technicians to advise and support hapū and iwi in parallel engagement processes.
- Council enable, support and resource hapū and iwi to meaningfully engage in the NOF process. Including providing hapū and iwi the opportunity to develop positions prior to engaging with Council and other stakeholders.

The review of the Regional Freshwater Plan and Waipaoa Catchment Plan is a significant workstream that impacts all whānau, hapū and iwi (including Māori Landowners) within Tairāwhiti. Hapū and iwi will require significant support to facilitate engagement on this kaupapa. It is essential that engagement is carried out in a meaningful way, which will most likely require multiple parallel processes to achieve the outcomes sought by all. Hapū and iwi will need to determine how they engage internally and externally. It is essential that hapū and iwi have the opportunity to develop their positions amongst themselves before entering collaborative groups. Council must recognise that hapū and iwi will engage where their capacity and priorities align. Pragmatic approaches will need to be considered to ensure meaningful engagement. Iwi and hapū may not have the capacity to engage on all Council workstreams due to competing interests. Where Council engages technicians or advisory groups to inform the regional freshwater plan and related catchment plans, iwi and hapū should have the opportunity to review recommendations and provide input into final recommendations to Councillors.

This report expands further on the recommendations provided above. Our final recommendation is that Council, hapū and iwi consider these recommendations and meet to determine how they would like to implement recommendations going forward.

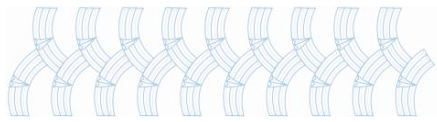
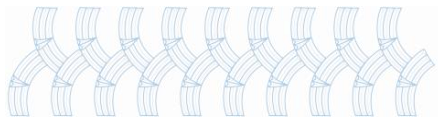


Table of Contents

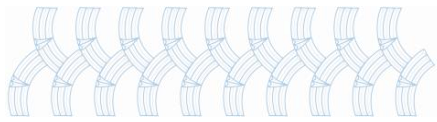
1	Introduction.....	1
1.1	Scope.....	1
2	Methodology.....	1
3	Te Mana o te Wai.....	2
3.1	Principles of Te Mana o te Wai	3
3.2	Hierarchy of Obligations	3
3.3	Mauri.....	4
3.4	NPS-FM 2020 Policies.....	4
3.5	NPS-FM 2020 Implementation.....	6
3.6	Recommendations	8
3.6.1	Tiriti o Waitangi.....	8
3.6.2	Natural and Built Environment Act 2023	8
3.6.3	Hapū and Iwi Interpretation of Te Mana o te Wai.....	9
3.6.4	Council Approach to Te Mana o te Wai	11
3.6.5	Iwi/hapū/Council Relationship:.....	12
3.6.6	Decision-Making:.....	13
4	Regional Policy Statement	13
4.1.1	Hapū and Iwi Cultural Requirements for Freshwater	13
4.1.2	Significant Resource Management Issues for Freshwater.....	14
4.1.3	Freshwater Objectives	14
4.2	Recommendations	14
4.2.1	Te Mana o te Wai	14
4.2.2	Significant Resource Management Issues for Freshwater Management	15
4.2.3	Freshwater Objectives	15
4.2.4	Policies and Methods.....	16
5	Regional Freshwater Plan	17



5.1	Recommendations	17
5.1.1	Policies and General Standards.....	17
5.1.2	Water Quantity and Allocation	18
5.1.3	Water Quality and Discharges to Land and Water	19
5.1.4	Activity in the Beds of Rivers and Lakes.....	20
6	Waipaoa Catchment Plan.....	21
6.1	Recommendations	22
7	Other Recommendations.....	23
8	Conclusion.....	23

Table of Figures

Figure 1 - Providing for Active Tangata Whenua Involvement.....	5
Figure 2 - NPS-FM Implementation: Te Mana o te Wai.....	6
Figure 3 - NPS-FM Implementation: Tangata Whenua Involvement.....	7
Figure 4 - NOF Engagement Process	22



1 Introduction

The Gisborne District Council (GDC) and the Iwi representatives who are a part of an Iwi Technical Trial – Ngāi Tāmanuhiri, Rongowhakaata, Te Aitanga ā Māhaki, and Ngati Porou have engaged Poipoia Ltd (Poipoia) to undertake a Te Mana o te Wai review of the Gisborne Regional Freshwater Plan and Waipaoa Catchment Plan. This review has been prepared by Poipoia to provide information to tangata whenua on ways in which they may want to consider applying Te Mana o te Wai within the Gisborne Regional Freshwater Plan and Waipaoa Catchment Plan. Whilst the focus of the report is on these two plans, the information will be useful for the other Catchment Plans that are under development.

1.1 Scope

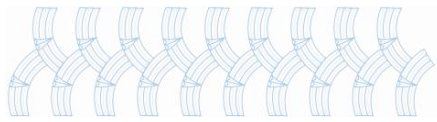
The scope of this report includes the following:

1. Review the two plans in terms of the degree to which they recognize and give effect to Te Mana o te Wai under the NPS-FM 2014 and 2020. This includes:
 - a. Identifying components of the plans that are not well aligned with Te Mana o te Wai and outlining why there is misalignment.
 - b. Recognising components of the plans that are more successfully aligned with Te Mana o te Wai, that could potentially be retained or amended.
2. Provide constructive and practical recommendations as to how Council's freshwater plans can be improved through the plan review to better recognize and give effect to the fundamental concept of Te Mana o te Wai.
3. Provide recommendations on how to support mana-enhancing partnerships with iwi and hapū where appropriate.
4. Review the Waipaoa Catchment plan and provide recommendations on how the NOF may be applied through early engagement with hapū and iwi.

A review of current iwi participation agreements is out of scope for this particular report.

2 Methodology

Te Mana o te Wai represents a paradigm shift. It speaks to the need to re-balance and approach freshwater management from first principles as articulated by the hierarchy of obligations which puts te mauri o te wai at the heart of all decision-making.



We have conducted a desktop review of the Gisborne Regional Freshwater Plan and Waipaoa Catchment Plan to assess alignment or misalignment with the Principles of Te Mana o te Wai and the Hierarchy of Obligations as set out in the NPS-FM 2020.

The National Objectives Framework (NOF) is essential to the implementation of the NPSFW as it sets the necessary values, outcomes, and specific attributes required to meet the hierarchy of obligations and local definitions of Te Mana o te Wai and enable long-term visions to be realised. Hapū and iwi involvement in working through the NOF will be crucial to achieving the paradigm shift required to give effect to Te Mana o te Wai. We have reviewed the Waipaoa Catchment plan and provided recommendations on how the NOF may be applied through meaningful engagement with hapū and iwi.

Alongside the desktop review, we facilitated three workshops with iwi representatives to wananga Te Mana o te Wai and the Gisborne Regional Freshwater Planning process to date. These workshops were carried out over the following dates:

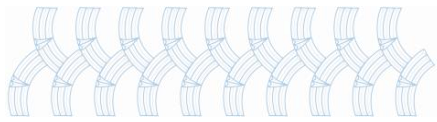
- 17 August 2023.
- 21 September 2023.
- 24 October 2023.

These workshops were attended by iwi technicians from Rongowhakaata, Te Aitanga ā Māhaki, and Ngāi Tāmanuhiri. The workshops focused on Te Mana o te Wai and how it could be applied within the respective iwi. The iwi technicians provided insightful feedback on their participation in the freshwater planning process to date, which has informed many of the recommendations provided in this report.

The review and recommendations also take into account past whanau, hapū and iwi submissions received by GDC regarding the Gisborne Regional Freshwater Plan and freshwater consents.

3 Te Mana o te Wai

At its simplest, the principle of Te Mana o te Wai reflects the paramountcy of the health and wellbeing of wai, this concept comes from Te Ao Māori. Te Mana o te Wai was included in the National Policy Statement on Freshwater (NPS-FW) in 2014 and advanced in 2017. The latest version of the NPS-FW (2020) includes Te Mana o te Wai as the fundamental concept, which is relevant to all freshwater management and not just the specific aspects of freshwater management referred to within the NPS-FW. As the fundamental concept of the NPS-FM 2020, it must apply to everyone who participates in the system, and there is an expectation that there should be a trickle-down effect to all those who are participants in water use and management.



3.1 Principles of Te Mana o te Wai

The principles of Te Mana o te Wai provide an important platform for building strong and effective partnerships between hapū, iwi and councils in order to work together to give effect to Te Mana o te Wai.

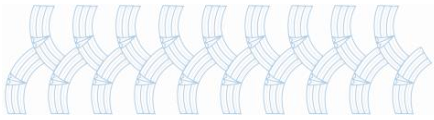
The six principles are:

- a. **Mana whakahaere:** the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater.
- b. **Kaitiakitanga:** the obligations of tangata whenua to preserve, restore, enhance and sustainably use freshwater for the benefit of present and future generations.
- c. **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
- d. **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.
- e. **Stewardship:** the obligations of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
- f. **Care and respect:** the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

These principles must inform the NPS-FM 2020 and its implementation. Whilst definitions are included of principles a-c, whānau, hapū and iwi will have their own definitions and applications of those principles in respect to their waterbodies within their rohe. These rights and obligations have been established through whakapapa. The definition of the principles above should be considered as guidelines only, and implementation must allow for local expression of these principles at the whānau, hapū and iwi levels.

3.2 Hierarchy of Obligations

Te Mana o Te Wai represents a paradigm shift. It speaks to the need to re-balance and approach freshwater management from first principles – what does the water need to be healthy and well; what does the water need to sustain itself? Once that is provided for, then we are able to determine what is available (both in terms of quality and quantity) for essential human health needs (the second right) and the social, economic, and cultural well-being of people and communities (the third right). This is reflected in the hierarchy of obligations of Te Mana o te Wai.



In practice, the application of the hierarchy of obligations would shift priority of economic drivers to environmental drivers when it comes to decision-making. This will require transformation of existing decision-making frameworks and plans to progress and achieve Te Mana o te Wai outcomes.

3.3 Mauri

The fundamental concept of Te Mana o te Wai includes the protection of mauri. Mauri is a concept that comes from Te Ao Māori. Mauri is not a concept that can be used or defined by those who do not have whakapapa to the particular waterbody. The use of Mauri within planning documents should be done in collaboration with hapū and iwi that it is used appropriately and to ensure the implementation and monitoring of mauri can be carried out in accordance with the local tikanga and kawa.

As mauri is a central part of Te Mana o te Wai, local and central government will need to provide adequate resourcing to enable hapū and iwi to develop Mauri tools appropriately.

3.4 NPS-FM 2020 Policies

As the fundamental concept, Te Mana o te Wai must be applied to all policies within the NPS-FM 2020. However, for the purposes of this report, we have particularly focused on the following:

- **Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.** Further to this, the National Objectives Framework (NOF) must have Te Mana o te Wai imbedded into its fabric and throughout its implementation. The entire concept of Te Mana o te Wai, including the hierarchy of obligations, the six principles, and the interpretation and application of these as defined by whānau, hapū and iwi regarding the waterbodies within their rohe, must also be given effect to in all freshwater management.
- **Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making process), and Māori freshwater values are identified and provided for.** Tangata whenua are expected to be at all levels of water management. This policy requires that Māori freshwater values are identified and provided for. It is important for hapū and iwi to define how this occurs. This will require resourcing from the councils to enable hapū and iwi to hold their own wānanga with their own experts to determine and articulate their values in a way that is most appropriate for them. Figure 1 provides an overview of how to provide for active tangata whenua involvement.

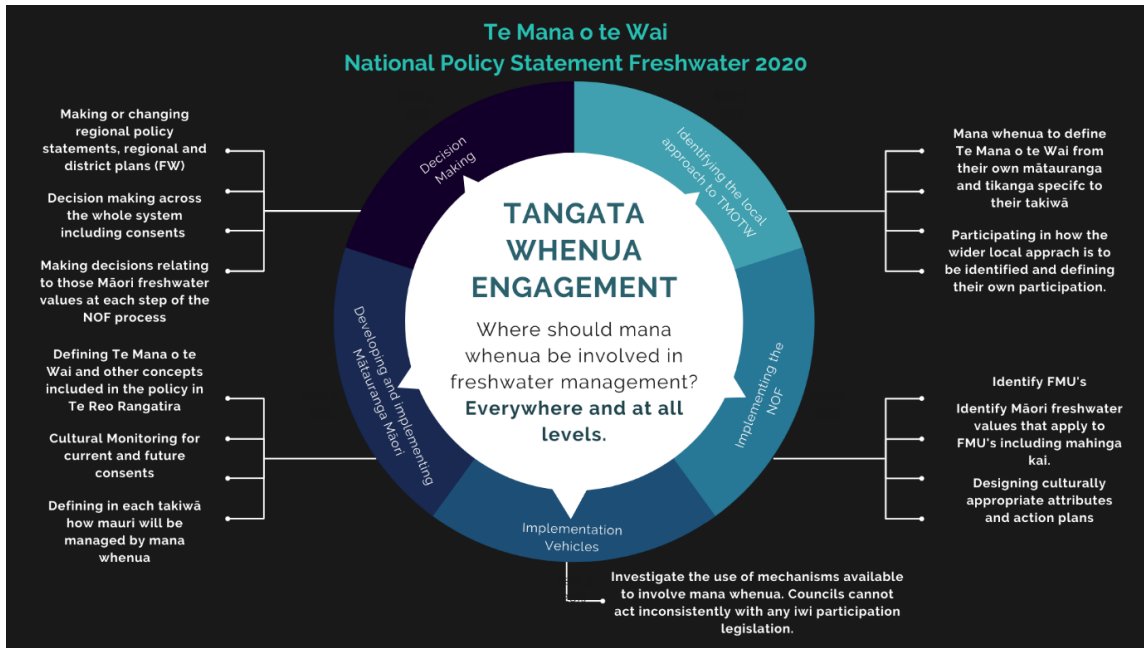
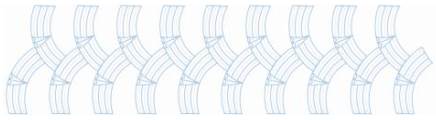
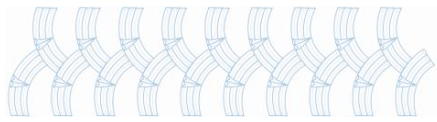


Figure 1 - Providing for Active Tangata Whenua Involvement



3.5 NPS-FM 2020 Implementation



Part 3: Implementation

Part 3 of the NPSFM 2020 sets out how local authorities are to implement the NPSFM 2020 and breaks this down into three subparts.

SUBPART 1 APPROACHES TO IMPLEMENTING THE NATIONAL POLICY STATEMENT

3.2 TE MANA O TE WAI

(1) Every regional council must engage with communities and mana whenua to determine how Te Mana o te Wai applies to water bodies and freshwater ecosystems in the region.

(2) Every regional council must give effect to Te Mana o te Wai, and in doing so must:

- actively involve tangata whenua in freshwater management (including decision making processes), as required by clause 3.4; and
- engage with communities and tangata whenua to identify long-term visions, environmental outcomes, and other elements of the NOF; and
- apply the hierarchy of obligations, as set out in clause 1.3(5): (i) when developing long-term visions under clause 3.3; and (ii) when implementing the NOF under subpart 2; and (iii) when developing objectives, policies, methods, and criteria for any purpose under subpart 3 relating to natural inland wetlands, rivers, fish passage, primary contact sites, and water allocation; and
- enable the application of a diversity of systems of values and knowledge, such as mātauranga Māori, to the management of freshwater; and 12 National Policy Statement for Freshwater Management 2020; and
- adopt an integrated approach, ki uta ki tai, to the management of freshwater

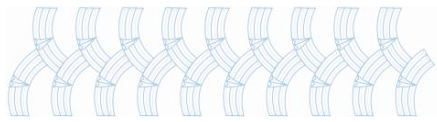
(3) Every regional council must include an objective in its regional policy statement that describes how the management of freshwater in the region will give effect to Te Mana o te Wai.

(4) In addition to subclauses (1) and (3), Te Mana o te Wai must inform the interpretation of:

- this National policy statement; and
- the provisions required by this National Policy Statement to be included in regional policy statements and regional and district plans.

Figure 2 - NPS-FM Implementation: Te Mana o te Wai

Figures 2 and 3 outline provisions within the NPS-FM regarding implementation, particularly focusing on Te Mana o te Wai and Tangata Whenua involvement.



Part 3: Implementation

Part 3 of the NPSFM 2020 sets out how local authorities are to implement the NPSFM 2020 and breaks this down into three subparts.

SUBPART 1 APPROACHES TO IMPLEMENTING THE NATIONAL POLICY STATEMENT

3.4 TANGATA WHENUA INVOLVEMENT

(1) Every local authority must actively involve tangata whenua (to the extent they wish to be involved) in freshwater management (including decision-making processes), including in all the following:

- identifying the local approach to giving effect to Te Mana o te Wai
- making or changing regional policy statements and regional and district plans so far as they relate to freshwater management
- implementing the NOF (see subclause (2))
- developing and implementing mātauranga Māori and other monitoring

(2) In particular, and without limiting subclause (1), for the purpose of implementing the NOF, every regional council must work collaboratively with, and enable, tangata whenua to:

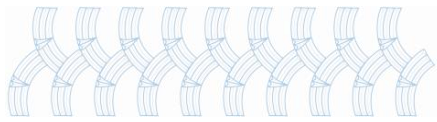
- identify any Māori freshwater values (in addition to mahinga kai) that apply to any FMU or part of an FMU in the region; and
- be actively involved (to the extent they wish to be involved) in decision-making processes relating to Māori freshwater values at each subsequent step of the NOF process.

(3) Every regional council must work with tangata whenua to investigate the use of mechanisms available under the Act, to involve tangata whenua in freshwater management, such as:

- transfers of delegations of power under section 33 of the Act
- joint management agreements under section 36B of the Act
- mana whakahono a rohe (iwi participation arrangements) under subpart 2 of Part 6 of the Act

Figure 3 - NPS-FM Implementation: Tangata Whenua Involvement

Council support for hapū and iwi to define and articulate their interpretation and implementation of Te Mana o te Wai is essential. As the fundamental concept of the NPS-FM, Te Mana o te Wai should guide the planning process rather than being done at the end. As the review of the Regional Freshwater Plan and Waipaoa Catchment Plan has already begun, this will have to be completed alongside the review process.



This will require Council to transform their partnership approach in order to correctly implement the NPS-FM. This may include resourcing hapū and iwi to engage amongst themselves initially to determine preferred engagement style, outcomes and information management. It is likely that hapū and iwi would require a series of wānanga to define and articulate their interpretation of Te Mana o te Wai. Council will need to work with hapū and iwi to determine what support they require and realistic timelines to achieve this.

3.6 Recommendations

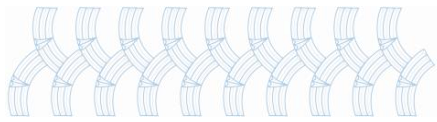
3.6.1 Tiriti o Waitangi

- Uphold the principles of Te Tiriti o Waitangi. This should include a direct korero with the iwi as to what their principles are and how best these can be shared and agreed. A Tiriti lens should be applied across all workstreams that give effect to Te Mana o te Wai. Greater recognition of Te Tiriti o Waitangi within the Regional Policy Statement and Freshwater Regional Plan to remind decision-makers and water users of Tiriti obligations. In effect, this exercise will provide greater certainty, deeper understanding of how to uphold existing Te Tiriti settlements and explore how the Natural and Built Environment Act 2023 (NBA) provides a higher level of expectation with the Te Tiriti clause being strengthened. Te Mana o te Wai will require early engagement, deeper collaboration and an understanding of sharing decision-making to better protect wai and enabling hapu kaitiakitanga. This is ultimately important for the waters, but also the decision-makers and water users understanding the important role of Te Tiriti in all activities around water.

3.6.2 Natural and Built Environment Act 2023

- Tairāwhiti Iwi continue to advocate to be included as a Tranche 1 Region for implementation of the NBA. As this has also been included as a recommendation within the Outrage to Optimism Report¹, it is recommended that the review of the Gisborne Regional Freshwater Plan and associated Catchment Plans consider alignment with provisions set out within the NBA and the transition into a Natural and Built Environment Plan.

¹ <https://environment.govt.nz/assets/Outrage-to-Optimism-CORRECTED-17.05.pdf>



- The following be explored within the review of the Gisborne Regional Freshwater Plan and Catchment Plans:
 - Give effect to the principles of te Tiriti o Waitangi.²
 - Uphold Te Oranga o te Taiao³
 - System Outcomes – particularly the relationship of iwi and hapū, and the exercise of their kawa, tikanga Māori (including kaitiakitanga), and mātauranga Māori in respect of their ancestral lands, water, sites, wāhi tapu, wāhi tupuna, and other taonga, are recognized and provided for.⁴
 - Decision-making principles – particularly the responsibility and mana of each iwi and hapū to protect and sustain the health and well-being of te Taiao in accordance with the kawa, tikanga Māori (including kaitiakitanga), and mātauranga Māori in their rohe or takiwā.⁵
 - Freshwater Allocation Matters.⁶ – Considering how hapu and iwi will co-design allocation plans and how they link with the current legislation to enable conversations on freshwater allocation with iwi.

3.6.3 Hapū and Iwi Interpretation of Te Mana o te Wai

- Council enable and resource hapū and iwi to define and articulate their interpretation of Te Mana o te Wai within their rohe. This will include working within each iwi to determine their preferred internal process to achieve this, the agreed engagement protocols and outcomes. In particular, ensuring that there are bespoke processes and where there is agreement for collaborative processes amongst hapū and iwi. These should not be determined by Council, but by hapū and iwi. Part of this process will be to collectively agree with the rest of the community how the 'joined up approach' can be progressed that puts water at the heart of the discussion needed for Te Mana o te Wai to be achieved.
- Council work with hapū and iwi to determine culturally safe engagement practices within their respective rohe.

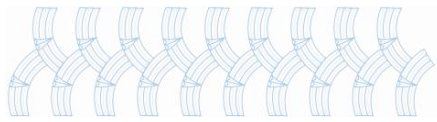
² Section 5 of Natural and Built Environment Act 2023.

³ Section 3 of Natural and Built Environment Act 2023.

⁴ Section 6, Clause 12 of Natural and Built Environment Act 2023.

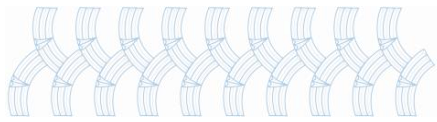
⁵ Section 8, Clause 2 of Natural and Built Environment Act 2023.

⁶ Section 100 of Natural and Built Environment Act 2023.



- Sustainably resourcing hapū and iwi to engage with Council. Most engagement is carried out on a voluntary basis which restricts meaningful engagement due to the limited capacity within whānau, hapū and iwi.
- Council invests in building capacity and capability of hapū and iwi to participate (and eventually lead) Te Mana o te Wai driven kaupapa. This could include training, information sharing e.g. monitoring data, or resourcing appointed hapū or iwi representatives to participate in freshwater management. Active tangata whenua involvement should cover all sectors of the water management system not just planning or strategy setting. This will require Council support to build hapū and iwi capacity and capability across all levels of all participation.
- Resourcing or supporting projects that aim to contribute to the body of mātauranga-a-whānau, mātauranga-a-hapū and mātauranga-a-iwi. This should be prioritised as local definitions of Te Mana o te Wai should be driven by mātauranga at place. Projects could include (but not limited to):
 - Literature reviews or collating existing information/archives.
 - Kaumatua interviews.
 - Cultural mapping wānanga.
 - Mahinga kai wānanga.
- Support hapū and iwi to determine requirements to establish the appropriate place and use of mātauranga Māori across the system and how it will be unique to each hapū/iwi. Common values and concepts may be identified and included in these plans, however the interpretation and implementation of that mātauranga will most likely be different across the rohe.
- Support hapū and iwi to have space to develop their own positions before being required to enter into wider collaborative groups.
- Resourcing specialist independent advice to support whānau, hapū and iwi to participate in areas where they may not have specialist skills i.e. technical or legal advice.
- Council work with hapū and iwi to determine their preference (and required support/resourcing) for the preparation of hapū or iwi planning documents articulating their interpretation of Te Mana o te Wai. Hapū and iwi could consider the following tools:
 - Value statements.
 - Position statements.
 - Hapū and Iwi Management Plans or Te Mana o te Wai Statements.

The final product may differ for each hapū and iwi depending on how much work they have done to date. These documents should be treated as living documents that are further



developed with time. This will most likely be the case due to the pace at which the Regional Freshwater Plan review is progressing.

- For iwi/hapū with existing iwi management plans, consider support for amending iwi management plans or developing a clear position statement on the particular expectation of the hapū and iwi in regard to Te Mana o te Wai. This could include specific sections on:
 - How hapū and iwi understand Te Mana o te Wai.
 - How to best engage with hapū and/or iwi.
- The process of defining and articulating Te Mana o te Wai should not be rushed. We recommend that Council work with hapū and iwi to develop 6-month work programme for defining Te Mana o te Wai. This work should be initiated immediately if Te Mana o te Wai is to be integrated across all levels of the system.

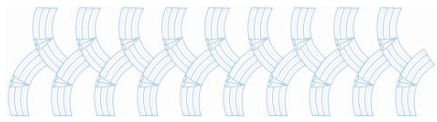
3.6.4 Council Approach to Te Mana o te Wai

Organisational culture change will be required to implement Te Mana o te Wai. The following recommendations have been provided for GDC to consider implementing within the organisation to support transformative change.

- Council provide Te Mana o te Wai training for their staff. Training programmes could be designed and/or delivered in collaboration with hapū and iwi. Such training programmes should cover Te Mana o te Wai within the NPS-FM and the context in which it applies to the Water Services Reform and any other relevant workstreams. Consider existing tools and guidance on Te Mana o te Wai, including the following prepared by Poipoia:
 - Te Mana o te Wai Training Programme.⁷
 - Te Mana o te Wai Audit Tool.⁸
- Council to develop and deliver Tiriti o Waitangi training to their staff. Such training would focus on requirements or examples of good and honourable treaty partnership at all levels of the freshwater management system. Training should be provided at both governance and operational levels. Council should consider developing and/delivering such training in collaboration with iwi.
- Council upskilling themselves on cultural context within the region. This would include an understanding of Te Tiriti o Waitangi, reviewing Tairāwhiti Iwi Treaty Settlements, Nga Rohe Moana o Nga Hapu o Ngati Porou, Iwi management plans, and other agreements (e.g. Ngati

⁷ <https://ourlandandwater.nz/wp-content/uploads/2022/11/TMOTW-Training-Programme-Councils.pdf>

⁸ <https://ourlandandwater.nz/wp-content/uploads/2022/11/TMOTW-Audit-Tool.pdf>



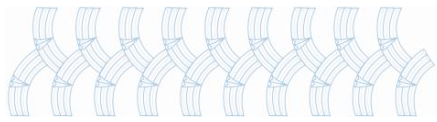
Porou Joint Management Agreement). This could be carried out as a training programme developed and delivered in collaboration with iwi and hapū. Iwi and hapū inductions could be an option for Council Governance and operational staff.

- Council develop internal guidance for staff on Te Mana o te Wai, including the statutory requirements regarding Te Mana o te Wai and any learnings from the local context. This guidance should also cover Te Tiriti o Waitangi and confirm the role of the GDC Māori Responsiveness Team in supporting Council to give effect to Te Mana o te Wai.
- Council communications strategy for wider community on Te Mana o te Wai and the role of hapū and iwi on articulating and giving effect to Te Mana o te Wai.

3.6.5 Iwi/hapū/Council Relationship:

- Review formal relationships and/or agreements between GDC and hapū and iwi. Consider whether in their current state they can give effect to the Principles of Te Mana o te Wai where relevant.
- Consideration of implementation plans developed in partnership with hapū and iwi for giving effect to Te Mana o te Wai and greater NPS-FM requirements.
- Consider an agreed process to monitor the relationship and the direction of workplan(s) developed between hapū, iwi and Council.
- Council work with hapū and iwi to develop guidance for determining roles and responsibilities for respective iwi Māori groupings (e.g. hapū, iwi, Māori Landowners etc) across the freshwater management system. This should include both governance and operational roles.
- Council work with whānau, hapū, iwi (including Māori Landowners) to determine consistent use of terms describing iwi Māori groupings. For example, there is currently inconsistent use of the following terms within legislation, policy and plans:
 - Tangata whenua.
 - Mana whenua.
 - Whanau, hapū and iwi.
 - Māori Landowners.

Inappropriate and/or inconsistent use of the above terms has led to confusion amongst iwi Māori. Once determined appropriate wording, keep consistency throughout all planning documents (e.g. Regional Policy Statement, Regional Freshwater Plan and Catchment Plans).



3.6.6 Decision-Making

- Review existing Treaty Settlements and other arrangements to ensure these are given effect to when developing partnership models for decision-making.
- Access to the Making Good Decisions course to encourage more Tairāwhiti iwi members to participate in shared decision-making.

4 Regional Policy Statement

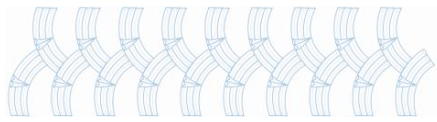
Te Mana o te Wai must inform all freshwater management, including the Regional Policy Statement (RPS). The RPS will require a reframing to align with Te Mana o te Wai, including the principles and hierarchy of obligations.

4.1.1 Hapū and Iwi Cultural Requirements for Freshwater

Currently, Section B6.1 of the RPS covers Hapū and Iwi Cultural Requirements for Freshwater. This section refers to requirements for sustaining the mauri of a water body. This section focusses more on impacts to ecosystem health and lacks both wairua and whakapapa aspects of mauri. When Māori concepts are included in policy, they often lose the cultural richness of those concepts. Often decision-makers lack cultural context and are left unguided to interpret, incorporate and apply Māori concepts. The inclusion of Māori kupu and concepts (e.g. Mauri) must be included with the consideration of how such concepts are implemented and monitored on the ground. Only whānau, hapū and iwi (including Māori Landowners) can assess mauri of their wai. The assessment of mauri and requirements to maintain and restore mauri will differ for each water body. The use of Māori kupu and concepts within planning documents must enable whānau, hapū and iwi articulation and application of such concepts within their takiwa.

Sustaining mauri is mentioned in Section B6.1, however this should be strengthened to focus on protecting mauri to align with Te Mana o te Wai as the fundamental concept of the NPS-FW. The protection of mauri would mean that freshwater is managed so that there is no further decline in mauri. This means activities must occur in a manner that protects, maintains or restores the mauri of wai. Mauri can only be assessed by whānau, hapū and iwi at place, the use of mauri in policy in plans must be done so in a manner that enables this. It is not the Councils role to assess mauri.

Overall, it is important to highlight hapū and iwi cultural requirements for freshwater in the RPS. However there seems to be a lack of follow through in how these are provided for in the objectives, policies and methods within the RPS.



4.1.2 Significant Resource Management Issues for Freshwater

Section B6.2 of the RPS outlines the Significant Resource Management Issues for Freshwater. Overall, the environmental issues are well summarised within this section. A review of these issues should be carried out to assess how they align with the principles of Te Mana o te Wai, with a particular focus on how each of these issues impact the relationship between whānau, hapū and iwi (including Māori Landowners) and their relationship and interaction with wai within their takiwā.

Issue 6: Recognising Tangata Whenua Values – will need reviewing to align with Te Mana o te Wai. The NPS-FW now requires active tangata whenua involvement and the identification of Māori Freshwater Values. This section should therefore be strengthened to focus on providing for active tangata whenua involvement and giving effect to values identified by whānau, hapū and iwi (including Māori Landowners). An assessment of current barriers to tangata whenua involvement in freshwater management should also inform the review of this section.

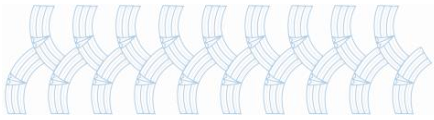
4.1.3 Freshwater Objectives

Every regional council must include an objective in its regional policy statement that describes how the management of freshwater in the region will give effect to Te Mana o te Wai (clause 3.2(3)). This clause is integral to the implementation of the NPS-2020. This objective should be drafted in collaboration with hapū and iwi and should take into account their local articulation and application of Te Mana o te Wai.

4.2 Recommendations

4.2.1 Te Mana o te Wai

- A new “Te Mana o te Wai” section be added as the first section of the RPS as the fundamental concept for freshwater management to guide the interpretation and implementation of the RPS must be carried out in a way that gives effect to Te Mana o te Wai. This section should be drafted in collaboration with hapū and iwi. This section should include the following:
 - Interpretation of Te Mana o te Wai as articulated by hapū and iwi.
 - Working with whānau, hapū and iwi (including Māori Landowners) on how to give effect to Te Mana o te Wai.
- Review Section B6.1 – Hapū and Iwi Cultural Requirements for Freshwater, in collaboration with hapū and iwi. Seek feedback from on whether this section remains relevant, or if this could feed into the recommended Te Mana o te Wai section above. Further points for consideration when reviewing this section could include:



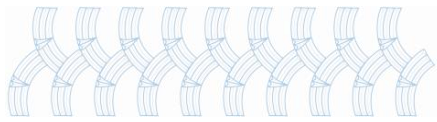
- Does this section accurately capture the cultural and geographic contexts of the entire region?
- Are there specific requirements within the different hapū and iwi boundaries?
- How would these requirements be provided for?
- The use of Māori kupu and concepts are done through working with hapū and iwi to ensure its incorporation is culturally appropriate.
- Council to confirm with hapū and iwi which Māori kupu are included in the interpretation section and how they are defined. Definitions of Māori kupu that are included in the interpretation section enable whānau, hapū and iwi to articulate such concepts in accordance with their local tikanga and kawa. Ensure alignment of definitions with the principles of Te Mana o te Wai where they are included in the interpretation chapter.
- Where Māori kupu are included in the RPS or plans consider using a glossary as guidance for decision-makers and water users only, with the premise that local interpretation and application would be determined by whānau, hapū or iwi locally.

4.2.2 Significant Resource Management Issues for Freshwater Management

- Review the current issues identified to determine if they need updating to reflect the cultural and geographic contexts within the region.
- Engage with whānau, hapū and iwi (including Māori Landowners) to determine how these issues can be articulated in a manner that also addresses the impact of these issues on the relationship and interaction they have with their wai. This will create better alignment with the principles of Te Mana o te Wai.
- Update Issue 6 – Recognising Tangata Whenua values to provide for active tangata whenua involvement (including decision-making) and values identified by whānau, hapū and iwi (including Māori Landowners). Include current barriers to tangata whenua involvement in freshwater management and how these will be addressed.

4.2.3 Freshwater Objectives

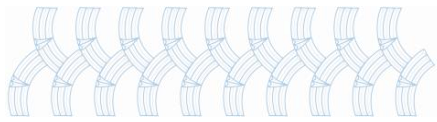
- Include objective on how to give effect to Te Mana o te Wai and how it will inform freshwater management within the region. This objective should be drafted in collaboration with hapū and iwi.



- Review and update all existing freshwater objectives to align with the principles of Te Mana o te Wai and hierarchy of obligation, particularly objectives 5 and 6. Reframing the objectives to provide for the health and wellbeing of the waterbodies before enabling use.
- Freshwater bodies should be recognized and managed in their entirety to provide for their interconnectedness. This could be recognized in objective 3.
- Te Mana o te Wai recognizes the importance of protecting the health and mauri of wai. This applies to all wai, therefore scheduled waterbodies should not be prioritised above others. Objective 4 should be amended accordingly.
- Te Mana o te Wai protects mauri, therefore freshwater objectives should ensure that water is managed in a manner that does not result in a decline in mauri. Activities must be managed to maintain, protect and restore mauri.
- Freshwater objectives referring to tangata whenua values should be updated to provide for Māori freshwater values and environmental outcomes determined by whānau, hapū and iwi (including Māori Landowners).

4.2.4 Policies and Methods

- Review and update all policies to reframe with a Te Mana o te Wai lens. This will include the following:
 - “Actively involve tangata whenua (to the extent that they wish)” rather than “engage and collaborate”. Distinguish the specific involvement and engagement requirements for tangata whenua, rather than being categorized as “all relevant stakeholders”.
 - Give effect to the relationship of iwi and hapū with freshwater. Te Mana o te Wai already recognizes that hapū and iwi have a relationship with freshwater, therefore the RPS needs to be strengthened to maintain, protect and sustain such relationships.
 - Giving effect to Kaitiakitanga as a principle of Te Mana o te Wai is integral to give effect to Te Mana o te Wai. Policies can be strengthened to provide for this.
 - Providing mechanisms for iwi and hapū to exercise kaitiaki roles and obligations would be a minimum requirement for enabling Te Mana o te Wai. Policies and methods should address current barriers to tangata whenua involvement and be strengthened to support capacity and capability building for hapū and iwi to participate in freshwater management.
 - Policies and methods should provide for whānau, hapū and iwi (including Māori Landowners) to articulate, apply and assess Māori values at place e.g. assessing mauri, and carry out their kaitiaki obligations in accordance with local tikanga and kawa.



- Work with hapū and iwi to develop case studies to inform best practice.
- Update monitoring policies and methods to enable the application of mātauranga a whānau, mātauranga a hapū or mātauranga a iwi at place.

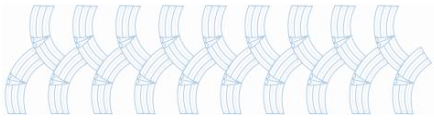
5 Regional Freshwater Plan

Reframing regional wide freshwater provisions with a Te Mana o te Wai lens will require redefining the narrative of how freshwater is managed within the region. This will require a fresh outlook on restoring and preserving the balance between water, the wider environment and the community. It is an opportunity to redefine the current narratives around cultural, social and economic interactions with water.

5.1 Recommendations

5.1.1 Policies and General Standards

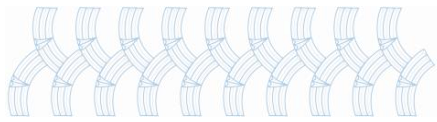
- Update to align with the hierarchy of obligations. Many of the policies have regard to the extent to which the change or activity would adversely affect safeguarding the life-supporting capacity of freshwater and associated ecosystems (or of a similar nature). These policies should be reframed to put the health of the water first. Focus should move away from avoiding adverse effects and enabling activities that provide for ecosystem health and mauri.
- Update to align with the principles of Te Mana o te Wai. The first three principles of Te Mana o te Wai provide for tangata whenua rights and obligations to protect and sustain the health of freshwater as well as their relationship and interaction with freshwater. To provide for this within the policy, Council should address the following:
 - Policies should consider environmental effects and the impact of such effects on whānau, hapū and iwi (including Māori Landowners) relationship, values and use of the particular waterbody and associated ecosystems.
 - The impact of an activity on whānau, hapū and iwi (including Māori Landowners) should be considered for all activities.
- Actively involve tangata whenua to determine how the principles of Te Mana o te Wai are provided for within policy and standards. This will include consideration on how they are worded directly into policy, standards and rules, but also confirming the appropriate use or reference to the following:
 - Hapū and Iwi Planning Documents.
 - Cultural Values Assessments (CVA) and/or Cultural Impact Assessments (CIA).



- Confirm which activities require CVA's or CIA's and provide guidance to both decision-makers and applicants through the process. Where this cannot be done within the review process, include a reference to planning documents as a place holder once hapū and iwi have confirmed positions.
- Identify the role of tangata whenua in assessing and monitoring impacts on the relationship, values and use of water, particularly where mauri or other Māori concepts are included within the plan.
- Confirm review process for existing consents to align with Te Mana o te Wai, including hapū and iwi involvement.

5.1.2 Water Quantity and Allocation

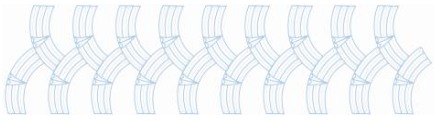
- Water Quantity and Allocation policies currently do not align with the hierarchy of obligations. To align with the hierarchy of obligations, water permits should only be considered where the ecosystem health of the water body and associated ecosystems is maintained or improved.
- To give effect to Te Mana o te Wai, water permits must be managed in a manner that maintains or improves mauri.
- The allocation of water should also align with the principles of Te Mana o te Wai. This will include hapū and iwi interpretation and application of these principles.
- The Gisborne Municipal Water Supply now falls within the second tier of hierarchy obligations, therefore it must be managed in a manner that protects the health and well-being of freshwater and associated ecosystems. Operating the Gisborne Municipal Water Supply without minimum flows directly conflicts with Te Mana o te Wai. The following recommendations have been provided to align with Te Mana o te Wai:
 - Introduce minimum flow levels within the Te Arai that protects the health and well-being and mauri of Te Arai.
 - Collaborate with iwi and hapū to review hydrological, cultural and ecological monitoring required from 2017 to set minimum flows for Te Arai.
- All minimum flows must be determined to maintain and/or improve ecosystem health rather than avoiding adverse impacts.
- When setting minimum flows, waterbodies should be considered in their entirety including interconnected ecosystems.



- Enable, support and resource whānau, hapū and iwi (including Māori Landowners) to determine positions and expectations on reasonable and efficient water use. Explore how such positions and expectations are realised through:
 - Policies and standards included within the Regional Plan.
 - CVA's and CIA's.
 - Resource Consent Conditions.
 - Hapū and Iwi Planning Documents.
- Provide for whānau, hapū and iwi (including Māori Landowners) relationships, values and uses of water when determining water allocation policies and standards, particularly relating to:
 - Over allocated water bodies.
 - Water restrictions.
 - Transfers of water.
 - Assessment criteria.
 - Auditing.
 - Reasonable use.
- Explore the use of cultural flows and cultural allocation to provide for whānau, hapū and iwi (including Māori Landowners) relationships, values and uses of water within their rohe or takiwā.
- Work with hapū and iwi (including Māori Landowners) to develop case studies to inform water quantity and allocation matters. This could explore the following:
 - Cultural flows and allocation.
 - Reasonable and efficient use practices.
 - Setting minimum flows and limits.
- Enable, support and resource hapū and iwi to monitor water quantity and allocation matters that align with their local tikanga, kawa and mātauranga Māori.
- Consider the application of rāhui in managing water quantity and allocation matters for the protection of the well-being and mauri of wai.
- Include provisions to audit and monitor Council commitments to work with hapū and iwi in managing water quantity and allocation.

5.1.3 Water Quality and Discharges to Land and Water

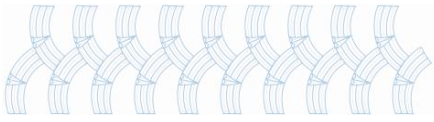
- Re-align water quality and discharges policies and standards with the hierarchy of obligations. Discharges must be managed in a manner that protects the health, well-being and mauri of water.



- Assess and provide for the impact of discharges on drinking water sources, particularly non-municipal drinking water sources.
- Re-align policies and standards with principles of Te Mana o te Wai. Particular focus should be on providing for whānau, hapū and iwi (including Māori Landowners) relationships, values and use of water.
- Promote water sensitive design for discharges to provide for health, well-being and mauri of water bodies.
- Discharges must be managed in a manner that maintains or protects the mauri of water.
- Work with whānau, hapū and iwi (including Māori Landowners) to determine culturally abhorrent practices and identify methods to manage, mitigate or phase out such activities in alignment with the hierarchy of obligations and principles of Te Mana o te Wai.
- Work with hapū and iwi (including Māori Landowners) to develop case studies to inform water quality and discharge matters. This could include:
 - Water sensitive design.
 - Setting limits and targets.
 - Mātauranga Māori informed monitoring methods.
 - Best practices that align with Te Mana o te Wai for the various land uses within the region that result in discharges.
- Develop stronger provisions for the management of diffuse discharges, exploring best practices that align with Te Mana o te Wai to be adhered to.
- Explore the appropriate use of rāhui in managing discharges.
- Include provisions to audit and monitor Council commitments to work with hapū and iwi in managing water quality and discharges.
- To provide for integrated management, explore how the Regional Freshwater Management Plan links with other land provisions that impact water quality.
- Confirm review process for existing consents to align with Te Mana o te Wai, including hapū and iwi involvement.

5.1.4 Activity in the Beds of Rivers and Lakes

- Waterbodies are managed in their entirety when considering activities in the beds of rivers and lakes.
- Re-align policies and standards with hierarchy of obligations and principles of Te Mana o te Wai. Fish-passage, habitat protection should be provided for before enabling activities within the beds of rivers and lakes.



- Activities in the beds of rivers and lakes consider whānau, hapū and iwi (including Māori Landowners) relationship, values and use of respective waterbodies.
- Develop process for hapū and iwi to identify wāhi tapu and appropriate management of sites when considering activities in the beds of rivers and lakes.
- Develop process for management of activities in the beds of rivers and lakes in statutory acknowledgement areas.
- Provide greater management for values and environmental outcomes identified by tangata whenua and community through the NOF. This may include enabling catchment specific provisions within catchment plans to greater align with the cultural and geographic contexts within the region.
- Council enable, support and resource hapū and iwi to develop best practice standards for activities within the beds of rivers and lakes.
- Confirm review process for existing consents to align with Te Mana o te Wai, including hapū and iwi involvement.

6 Waipaoa Catchment Plan

The NOF will be largely implemented through various catchment plans. The Waipaoa Catchment Plan was developed under a previous version of the NPS-FW and will require updating to align with updated provisions in the NPS-FM 2020, including giving effect to Te Mana o te Wai. It is expected that hapū and iwi will be actively involved (to the extent that they wish) throughout every step of the NOF. Figure 4 outlines a suggested engagement process between Council and hapū and iwi throughout the NOF. This should be considered alongside previous recommendations, noting that hapū and iwi should be provided with appropriate time and resources to meaningfully engage in the NOF. This will most likely require hapū and iwi having the opportunity to determine how they engage and having the opportunity to determine internal positions before collaborating with others.

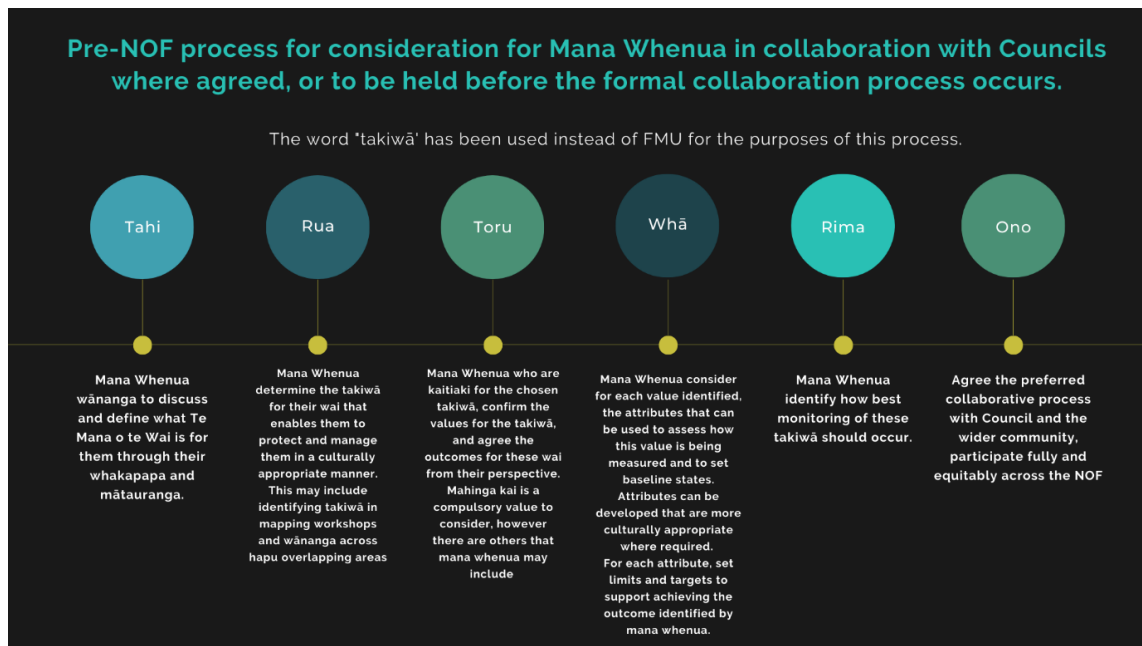
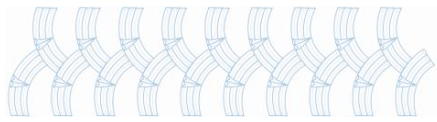
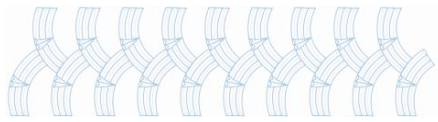


Figure 4 - NOF Engagement Process

6.1 Recommendations

- Council enable, support and resource hapū and iwi to meaningfully engage in the NOF process, using the process in Figure 4 as a guide – however noting that hapū and iwi may determine their preferred process for engagement.
- Although FMU's have been identified in the current Waipaoa Catchment Plan, Council will need to work with hapū and iwi to confirm whether these FMU's are appropriate as the NPS-FM 2020 has been strengthened since the development of the current Waipaoa Catchment Plan.
- FMU identification will require a process where hapū and iwi can determine what the characteristics of an FMU would look like. This should take into account whakapapa and relationships with overlapping hapū and iwi.
- Hapū and iwi are actively involved (to the extent that they wish) in identifying FMUs, long term visions, values and environmental objectives, limits and targets.
- Council enable, support and resource hapū and iwi to participate in monitoring including mātauranga Māori monitoring methods.
- Engage hapū and iwi endorsed technicians to participate in the NOF. This could include direct participation with Council or resourcing technicians to advise and support hapū and iwi in parallel engagement processes.



7 Other Recommendations

- Where Council is working with advisory groups for the regional freshwater plan and catchment plans, such as the Freshwater Advisory Group (FWAG), iwi and hapū have the opportunity to review recommendations and provide input into final recommendations to Councilors.
- Iwi and hapū meet with Council to wānanga the recommendations provided in this report and determine how they would like to implement recommendations going forward.

8 Conclusion

Te Mana o te Wai requires Councils to transform traditional frameworks of managing freshwater. Without an effective Te Tiriti Partnership between hapū, iwi and Councils, Te Mana o te Wai will falter. Significant investment in building strong relationships with hapū and iwi, identifying barriers to hapū and iwi participation and increasing capacity and capability across the system is essential to ensuring water is managed in a manner that gives effect to Te Mana o te Wai. This will require significant time and resources to ensure engagement is carried out in a meaningful way.

11. Reports of the Chief Executive and Staff for INFORMATION



Te Kaunihera o Te Tairāwhiti
GISBORNE
DISTRICT COUNCIL

24-226

Title: 24-226 Tairāwhiti Resource Management Plan Review - Progress Update

Section: Sustainable Futures

Prepared by: Desiré du Plooy - Programme Delivery Lead - TRMP

Meeting Date: Tuesday 3 September 2024

Legal: No

Financial: No

Significance: **Low**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee for information

PURPOSE - TE TAKE



The purpose of this report is to update the Committee on the progress made on the review of 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 (TRMP)

The TRMP is Council's combined planning document that represents all our resource management plans – the District Plan, Regional Policy Statement (RPS), Regional Freshwater Plan and Regional Coastal Plan.

Overall TRMP programme status

Scope		<ul style="list-style-type: none">• Phase 1: Focuses on the RPS, urban growth and development, freshwater planning, and now forestry (brought forward from Phase 2).• Phase 2: Will include the Regional Coastal Plan, remaining Regional Plan provisions and the rest of District Plan sections.
Time schedule		<ul style="list-style-type: none">• Phase 1 began in 2020, with an original end date of 2024, followed by Phase 2.• The review is 18 months behind schedule mainly due to COVID-19 and weather events in 2022/23.• The status is amber, not red, as workstreams have made progress despite the delays.• The programme has been adjusted to meet the 2028 deadline, incorporating forestry into Phase 1.• The updated timeline is detailed in Attachment A, with the linear approach being reset for better workstream integration to ensure completion by 2028 deadline.

Budget		<ul style="list-style-type: none"> The overall TRMP budget remains stable, with new financial year roll-overs completed as part of the 2024-2027 Three Year Plan process.
Resources		<ul style="list-style-type: none"> Ongoing recruitment efforts to fill vacancies.
Risks		<ul style="list-style-type: none"> Newly identified significant risks, their impacts, mitigation measures, and rating assessments are detailed in the risk section of this report.
Quality		<ul style="list-style-type: none"> The TRMP Committee will add value by sharing ideas, offering strategic guidance, and enhancing our policy process, which will improve the overall quality and credibility of the programme. A more detailed programme roadmap is being developed to allow for better integration across the workstreams, with the aim of ensuring a cohesive TRMP team with a clear path to the 2028 end date.

Ngā Whakaritenga o Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS) provisions

This workstream is in the process of reviewing the interconnectedness of draft RPS provisions to apply the 'mountains to sea' concept as the overarching framework for the TRMP review, and how to describe the concept in the context of the Tairāwhiti region.

The team is also gathering evidence and has commissioned technical reports to guide updates of the RPS provisions. As a result, timing for consulting on the draft RPS is being re-assessed to ensure alignment with the other workstreams and to deliver clear, consistent messages to tangata whenua and the community.

To date, the drafting approach has relied on feedback from iwi technicians. Some feedback was provided for the 'resource management issues of significance to iwi authorities⁵ and the review of the 'Tangata Whenua' chapter. There remains a need to clarify how we approach tangata whenua engagement through the drafting process. This matter is discussed in more detail in Decision Report 24-245.

Te Whakamahere Wai Māori / Regional Freshwater Plan and Catchment Planning

The Freshwater workstream continues to focus on freshwater-related engagements throughout 2024. The freshwater package is planned to be publicly notified by mid-2026.

The Regional Freshwater and Waipaoa Catchment advisory groups are nearing the end of their engagements, set to wrap up by November 2024. The Waimatā-Pakarae Advisory Group is also on track, with engagement expected to wrap up by the end of 2024. A combined Ūawa Catchment Working Group has been established to address both forestry and freshwater issues, with a first draft plan expected by May 2025. The Mōtū Catchment Plan is being amended to incorporate feedback from the previous TRMP Committee hui. No substantial progress has been made in the Waiapu, Southern, and Northern catchments since the last meeting.

⁵ Pursuant to RMA s62(1)(b) Contents of an RPS

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

The team is advancing implementation of the Future Development Strategy (FDS) by developing master plans for Kaiti, Awapuni, Elgin, and the City Centre.

Contracts have been secured for an Urban Residential Design Guide. With these resources in place, the team is now setting engagement requirements and delivery timelines for urban development projects. Further procurement for changes to the District Plan, spatial layers, and residential and urban policies and rules will also continue.

Ngahere / Forestry

Forestry management and freshwater catchment planning are closely linked due to the significant impact that forestry management practices have on our waterways. Originally set for Phase 2 of the wider TRMP review, forestry was brought forward to Phase 1 in response to the 2022/23 severe weather events.

Consequently, forestry has been added as a fourth workstream to ensure it receives the necessary attention and resources within a tight timeframe. The Ūawa catchment was chosen as a pilot to bring forestry and freshwater together within a catchment context.

A separate report to this same meeting provides a full update on forestry (refer to Decision **Report 24-241** Forestry Harvest Plan Change).

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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

1. Notes the contents of this report.

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: TRMP, Tairāwhiti Resource Management Plan review, Housing, Urban Policy, Freshwater, Urban growth and development, Regional Policy Statement, engagement, governance, tangata whenua, partnerships, catchment planning

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 planning) to support a review of the TRMP and deliver Council's freshwater planning programme ([Report 21-120](#)).
2. The TRMP has been under review since 2021. This review is intended to be completed in two phases, with the transition to Phase 2 planned for 2025 and final completion in 2028.
3. The TRMP is written in accordance with the requirements of the Resource Management Act 1991 (RMA). Several amendments have been made to the RMA, National Direction, Council strategies and the Regional Transport Plan since the current (operative) TRMP was prepared.
4. The Tairāwhiti Regional 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 the Spatial Plan and the feedback we received during its development to also inform the TRMP review.

Regional Policy Statement

5. The RMA s59 to s62 identifies the purpose, contents, and matters to be considered when preparing or changing Regional Policy Statement provisions. The format of the TRMP follows Table 5 in the National Planning Standards, with the addition of a Strategic Direction chapter.

Urban Growth and Development

6. The FDS was adopted on 14 March 2024 (refer to Decision Report 24-26). The FDS is an important document for strategically managing growth in the rohe and is aimed at addressing the anticipated growth in Tairāwhiti's population and urban development needs for the next 30 years.
7. The implementation of the FDS and the related urban sections of the TRMP (largely the District Plan element) will be informed by the [Spatial Plan](#), the [Gisborne Urban Development Strategy 2015](#), and the CBD Spatial Framework 2019.

Freshwater

8. The Freshwater Planning framework is divided into two parts:
 - a. The Regional Freshwater Plan containing provisions that apply to freshwater-related activities that occur anywhere in the region.
 - b. Seven catchment plans that focus on managing freshwater quality and quantity issues that are catchment specific.

Forestry

- 9. A Ministerial Inquiry into Land Use (MILU) was launched on 23 February 2023 to investigate past and current land-use practices and the impact of woody debris including forestry slash and sediment on communities, livestock, buildings, and the environment. The inquiry, which produced the report "Outrage to Optimism," was first published on 12 May 2023, with an updated version released 17 May 2023. Council subsequently established a Policy Team focused on addressing erosion issues linked to rural land use, including forestry. The team has since been focused on progressing a programme of work focusing on how to manage the mobilisation of sediment and forestry slash.
- 10. Staff presented the scope of the forestry work programme in **Report 24-31** to the Sustainable Tairāwhiti Committee on 28 February 2024:
 - a. **Plan Change 1:** Forestry Harvest Plan Change. This is now integrated into the first phase of the TRMP Review Programme.
 - b. **Plan Change 2:** Land Overlay mapping and wider TRMP provisions. We expect to address this plan change as part of Phase 2 in the TRMP review programme.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

- 11. Despite being behind in schedule, significant progress has been made in key areas. Overall, progress is tracking satisfactory as staff remain committed and focused. Refer to Figure 1 below for a summary of key accomplishments:

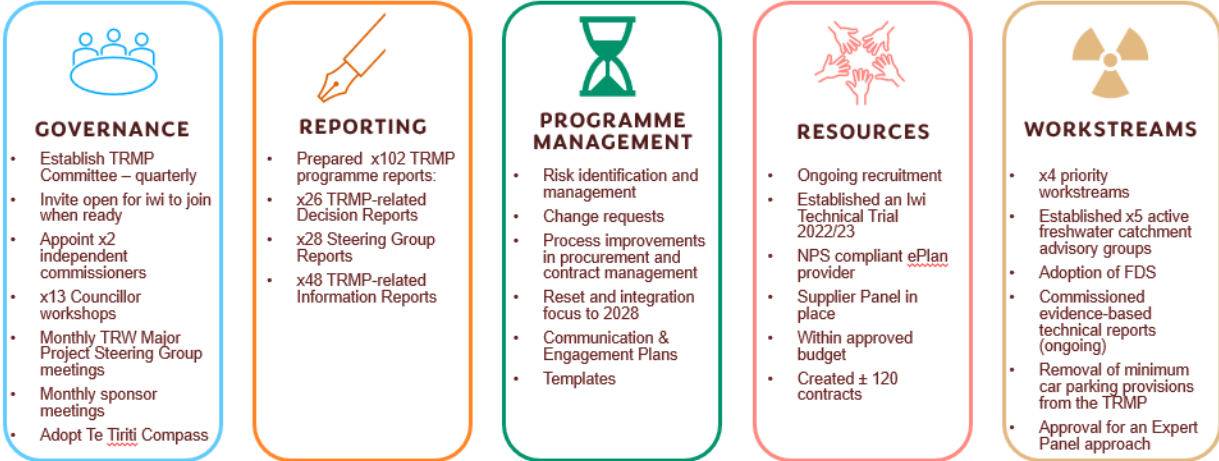


Fig 1: TRMP-related key achievements

- 12. Council has adopted an approach to interpretation and delivery of Council's Te Tiriti o Waitangi (Te Tiriti) responsibilities through Te Tiriti Compass and writing guide, which is in the process of being rolled out to staff. This has necessitated a review of the engagement approach taken by the TRMP team.

13. An updated TRMP time schedule is included as **Attachment 1**. The current approach is being reviewed to improve workstream integration and ensure completion by the 2028 deadline. This reset will address the scheduling delay, forestry plan change, optimise workflows, and foster a cohesive team environment. The objective is to provide assurance to both Council's leadership team and the TRMP Committee that all critical deliverables will be met within the agreed timeframe.



Ngā Whakaritenga o Te Kaupapa Tauāki ā-Rohe / Regional Policy Statement (RPS) provisions

14. This workstream is responsible for updating the RPS provisions. Four resource management challenges were identified (**Report 21-216.1**): building resilient communities, protecting what we value, growth and development and lastly, a prosperous Tairāwhiti.
15. More background information on the RPS can be read [here](#).

Progress against milestones

Table 1 – RPS progress against milestones	
Identification of significant resource management issues for iwi authorities	On hold pending further engagement Iwi technicians have provided some initial advice. These are still being developed.
Procurement of technical reports and inputs	
Technical reports	Technical work completed
	<ul style="list-style-type: none"> Understanding monitoring requirements and needs under the NPS-IB. Review of Air Councils Monitoring strategy – to ensure Council is meeting its obligations and to suggest any changes.
	Technical work at a final draft stage
	<ul style="list-style-type: none"> Coastal environment mapping review. Region-wide assessment of Outstanding Landscapes, Features and Seascapes and Natural Character. Natural hazards risk assessment tool.
	Technical work underway
	<ul style="list-style-type: none"> Historic Heritage Assessment.
	Tangata whenua engagement process is being confirmed.
	<ul style="list-style-type: none"> Understanding and determining what 'significance' looks like under s6(c) RMA – significant indigenous biodiversity and significant habitats of indigenous fauna for the Tairāwhiti region.
	This contract is just starting.

	<p>Technical work being scoped</p> <ul style="list-style-type: none"> • Natural hazards – aligning with mahi in the recovery programme, especially flood resilience: <ul style="list-style-type: none"> - Flooding - Slope stability - Liquefaction - Coastal hazards - Understanding what climate change scenarios to use when seeking reports on natural hazards. • Biodiversity - Approach to giving effect to the NPS-IB. • Scoping for coastal marine area and information requirements for the Regional Coastal Plan – understanding gaps in knowledge we might have and how these could be filled. 	<p>Procurement is expected to be completed by December 2024.</p>
<p>Research and options analysis</p>		
<p>Issues and Options papers to inform the development of the RPS</p>	<ul style="list-style-type: none"> • A Housing and Business Capacity Assessment report. • Issues and options reports on: <ul style="list-style-type: none"> - Urban growth and development. - Coastal environment. - Energy, Infrastructure and Transport. - Historic and cultural values. - Natural features and landscapes. - Contaminated sites and hazardous substances. - Natural hazards. - Air management issues. - Ecosystems and Indigenous Biodiversity. - Land and freshwater. - Development on whenua Māori. 	<p>Issues and options reports were largely complete prior to Cyclone Gabrielle. These are being reviewed and updated before the December TRMP committee meeting.</p> <p>It is intended that summary issue and options reports will be released alongside the draft RPS provisions.</p>
<p>RPS provisions</p>		
<p>Drafting provisions for the RPS</p>	<p>Testing working drafts with internal teams.</p> <p>External review of draft RPS provisions.</p>	<p>Testing current drafting with internal teams has started and is still being rolled out.</p> <p>Several authors contributed to the draft RPS provisions. It is being reviewed for consistency, to avoid duplication and to ensure a unified voice.</p>

Partnering with tangata whenua

16. The RPS team is working closely with the Māori Partnership team to establish a new strategy for engaging appropriately with tangata whenua that reflects Te Tiriti Compass, this mahi includes development of a comprehensive engagement plan with tangata whenua for the region.
17. How this engagement fits with the wider TRMP review is a key consideration as the topics captured by the RPS will also be covered by other aspects of the TRMP review.

What are the challenges?

18. Engaging tangata whenua throughout the TRMP review process is essential to incorporate their views directly into the drafting. The extent of engagement will be determined by iwi themselves, based on their preferences and capacity, once an agreed engagement pathway can be established.
19. Identifying significant resource management issues for iwi is still in progress. Some input has been provided by iwi technicians, and further discussions with tangata whenua will help finalise these issues. Additionally, some issues may emerge from the two iwi management plans currently being developed.

What is next?

20. Further testing of draft provisions with the TRMP Committee on 4 December 2024 (workshop), including ki uta ki tai.
21. Once input from iwi and TRMP Committee have been received, a refined version of the RPS provisions can be released as a set of draft RPS provisions for engaging with the community in early 2025.
22. Following community feedback, further refinement will be undertaken before a set of draft RPS provisions are presented to the TRMP Committee to be adopted as proposed and approved to be released for formal community consultation mid-2025.



Te Whakamahere Wai Māori / Freshwater Planning provisions

23. The Freshwater work programme has been reset to enable more meaningful engagement in 2024 for plan development. Additional background information on the Freshwater catchments, including advisory group memberships, can be found here. For further context on the relationship between the Regional Freshwater Plan and the seven catchments, please refer to Attachment B.

Progress against milestones

Table 2 – Freshwater progress against milestones		
Review of Regional Freshwater Planning provisions	Review underway - staff working with the Advisory Group since July 2023 - hui #10 on 21 August 2024.	Engagement to be completed by Dec 2024, with further advisory group hui in 2025 being considered to socialise draft plans.
Catchment plans		
Review of Waipaoa Catchment Plan (CP)	Review underway - staff working with the Advisory Group since July 2023 - hui #10 on 21 August 2024.	Engagement to be completed by Dec 2024, with further advisory group hui in 2025 being considered to socialise draft plans.
Mōtū CP	Proposed Catchment Plan and s32 report presented to 13 June TRMP Review Committee. Feedback incorporated - plan recirculated to the catchment community. Output from the engagement will feed into amendment of the proposed CP.	Public notification date postponed until feedback on plan content finalised.
Waimatā – Pakarae CP	Underway – working with the Advisory Group since February 2024. Fifth round of Advisory Group meetings on 13 August.	Engagement to be completed by Dec 2024.
Ūawa CP	Underway – second combined Working Group hui was held on 24 July, where the Group discussed the freshwater catchment planning in the morning and the Forestry Plan change component in the afternoon (<i>refer to Workstream updates for further information</i>). Next combined hui on 20 August.	The Group will address both forestry and freshwater issues in the first four meetings to ensure an integrated approach to catchment management planning. The remaining five meetings will focus on wrapping up the freshwater planning process, aiming for a first draft by May 2025

Waiapū CP, in partnership with Ngāti Porou	Plan development is currently on hold until a new engagement approach is in place between TRONPnui and Council	Engagement approach to be confirmed
Southern Tairāwhiti CP (Hangaroa – Ruakituri)	Plan development is currently on hold until iwi and hapū engagement can take place	Engagement planned to be completed late 2025
Northern CP (Wharekahika – Waikura)	With the completion of the bore drilling work, discussions are in place for hapū engagements in the sub-catchments before forming an Advisory Group for this catchment.	Engagement planned to be completed late 2025.
Evidence-based research		
Research and technical work	Technical work is still underway, which includes the Water Quality Expert Panel (see Report 24-180 for more information)	Expected to be completed by mid-2025 to feed into plan development.

Partnering with tangata whenua

24. Tangata whenua engagement is being progressed by staff in conjunction with advice and support from our Māori Partnership team.
25. We've progressed a Te Mana o Te Wai review of the Regional Freshwater Plan and Waipaoa Catchment Plan (also refer to **Report 24-229** Te Mana o Te Wai Review to this same meeting). The review provides information to Council and tangata whenua on ways in which we may want to consider applying Te Mana o Te Wai within the Gisborne Regional Freshwater Plan and Waipaoa Catchment Plan.
26. All Advisory/Working Groups have tangata whenua representatives. Separate engagements with iwi/hapū have occurred where they have expressed to Council their interest in separate NOF freshwater planning within their rohe. An example is the Te Mana o Te Wai wānanga series with tangata whenua at Te Arai River at Ohako marae.
27. The Waiapu Catchment is developed as a partnership between Council and Ngāti Porou, giving effect to the Joint Management Agreement (JMA) in place between Council and Te Runanganui o Ngāti Porou (TRONPnui).

What are the challenges?

28. Internal capacity to address engagement, policy development, and technical work remains an ongoing challenge. Despite recruitment of additional staff, the workload across policy development, technical work and engagement is broad.
29. Technical gaps identified early on prompted the procurement of the research, and additional gaps have emerged as the workstream has progressed.

What is next?

30. **Regional Freshwater, Waipaoa and Waimatā-Pakarae Catchment Advisory Groups:** Engagement meetings to continue and to wrap up by the end of 2024. Technical work needs to be completed to inform the development of policy. The groups may be briefly re-convened in 2025 to review draft plans once they are completed.
31. **Ūawa Catchment:** Engagement to continue through to April 2025.
32. **Mōtū Catchment:** The proposed Catchment Plan and s32 report will be refined after the final community engagement round, with public notification expected in early 2025.
33. **Waiapū Catchment, Southern Tairāwhiti and Northern:** Different options for this engagement are being explored with Council's Māori Partnership team to decide on the best approach to proceed.
34. **Water Quality Expert Panel:** Following the TRMP Committee's approval to procure the Water Quality Expert Panel on 13 June 2024 (refer to [Decision Report 24-180](#)), the first of four sessions is scheduled for early September 2024.
35. **Research and technical work:** Expected to be completed by mid-2025.



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

36. The team has made significant progress in securing external technical experts, establishing engagement requirements, and planning delivery timeframes for the urban-related changes to the TRMP.
37. More information on the FDS can be read [here](#).

Progress against milestones

Table 3 – Urban Growth progress against milestones

Draft urban high-level objectives for the RPS	Additional objectives are provided by the NPS-UD, and others are being refined now that the FDS is adopted.	Draft objectives are being circulated internally for feedback - to be completed by Aug 2024.
Residential Urban Design Guide		
Urban Design Guide for Residential Development, inclusive of limited RMA Schedule 1 process planning	<p>Consultancy is on board.</p> <p>Progressing the Engagement Plan, including identifying key stakeholders and engagement methods.</p> <p>Focus is on collaborating with Council's teams: Consents (to find the best process and capacity alignment approach), and 3-Waters and Rooding teams (to address issues related to tree roots affecting pipes and footpaths).</p>	Adoption for consenting purposes later to form part of formal plan change to include in TRMP appendices.

Notable Trees		
Project 1: Identification and evaluation of notable trees	Contract in place, GIS-based survey done in July and STEM assessments in August.	If the TRMP Committee decides to include Notable Trees in the TRMP, this report will form the basis of new provisions in the TRMP. The trees will be plotted on GIS.
Project 2: Preparation of notable trees chapter to protect them	Draft ready in August with refinement made to notable tree provisions.	
Four master plans required for Kaiti, City Centre, Elgin, Awapuni		
Develop four urban master plans towards well-functioning urban environments to aid implementation of the FDS	Procurement documents were released in July, and the preferred supplier selected in August.	Focus is on delivering four master plans early 2025.
Urban-related plan changes to the District Plan		
Review of the urban provisions of the District Plan within the TRMP which covers the region, with a strong focus on the implementation of the FDS	Procurement scoping documents were released in July, and the preferred supplier selected in August.	Scope includes revision of spatial layers (such as zones, overlay, precincts, special controls, development areas, designations).
Research and technical work	After developing plan change scenarios, the economic analysis report on Urban Policy options in the TRMP will be completed by late 2024.	Short contract assistance from economists.

Partnering with tangata whenua

38. Council developed a shared values framework with tangata whenua during development of the FDS that will guide development of this workstream.
39. The tangata whenua engagement approach is being developed by internal staff in conjunction with advice and support from our Māori Partnership team and the consultant(s).
40. All contracted suppliers are expected to follow Te Tiriti Compass articles in preparation of this workstreams' key areas of work i.e. preparation of plan changes, master plans etc and all supporting material to be aligned to the requirements under the RMA.

What are the challenges?

41. Council must coordinate engagement across the TRMP programme in a way that is responsive to significant iwi and hapū interest, especially in relation to master plans and place-based planning. Early engagement is essential, and a plan is being developed to unify efforts across the various components of this workstream, aligning with Māori Partnership team advice.
42. Additionally, upcoming RMA reforms and potential changes to the National Policy Statement on Urban Development (NPS-UD) may impact recent policies like the FDS, though details are still uncertain.

What is next?

43. **Urban Design Guide for Residential Development:** The draft guide will be ready by 30 September to help improve the quality of consent applications. The final guide is scheduled for completion by 30 October. It will be included in the Urban Plan changes planned for mid-2025.
44. **Notable trees:** From September to October 2024, efforts will be focused on finalising STEM assessments, the methodology report, the Schedule of Notable Trees, and the GIS data. The draft Notable Trees Chapter will also be completed in the same period.
45. **Master plans:** By 30 September, the Project Plan and Communications & Engagement Plan for the master plans will be finalised. An early draft of the master plans is expected by December 2024, with the TRMP Committee scheduled to finalise the approaches on 4 December 2024. The final master plans will be prepared for RMA notification by February/March 2025.
46. **Urban Plan changes:** The detailed Project Plan and Communications & Engagement Plan will be approved by 30 September. Key required technical work will be identified by 15 October. The draft Plan Change will be reviewed internally by December, with a TRMP Committee workshop planned for February 2025. Another internal review will occur in March 2025, followed by the draft s32 review in April 2025. The final Plan Change and s32 will be ready by May 2025, and the Plan Change will be notified under Schedule 1 of the RMA by 1 June 2025.

Ngahere / Forestry

47. The full work programme was first presented to the 28 February Sustainable Tairāwhiti Committee in [Report 24-31](#). Forestry Harvest Plan Change is the first workstream of the programme that focuses on the better management of forestry harvest on risky land – which are land identified as orange (high erosion susceptibility classification) and red (very high erosion susceptibility classification) in Tairāwhiti⁶.
48. The Catchment Forestry Plan adopts a holistic management approach, considering the entire forestry lifecycle within a forestry block and its broader catchment context, due to the interconnectedness of land and receiving environments (freshwater and coastal).
49. Although the development of Land Overlay 3B forms the second workstream of the Forestry Harvest Plan change, its development timeframe extends from the beginning of the Forestry Harvest Plan Change programme.

⁶ The Erosion Susceptibility Classification (ESC) was introduced through the National Environmental Standards for Plantation Forestry (now called National Environmental Standards for Commercial Forestry) and is used to identify the susceptibility of land to erosion.

Progress against milestones

Table 4 – Forestry progress against milestones		
Review of forestry harvest provisions	Underway – currently engaging through the Ūawa Catchment Working Group. Undertaking background research.	Engagement through the Ūawa Catchment Working Group is expected to be completed by September 2024.
Economic modelling and analysis of plan change options (Quadruple Bottomline Assessment)	Underway – the survey that will inform the Quadruple Bottomline Assessment is being prepared.	To be completed by October 2024.
Catchment Forestry Plan	Underway – currently engaging through the Ūawa Catchment Working Group.	Engagement through the Ūawa Catchment Working Group is expected to be completed by September 2024.
Land Overlay 3B mapping	Underway – independent peer review on the landslide susceptibility and morphometric connectivity layer has been completed since Report 24-179 Land Overlay 3B Mapping Next step is internal Council peer review process.	To be completed and notified in mid-2026.

Partnering with tangata whenua

50. The tangata whenua engagement approach will be developed by staff in conjunction with advice and support from our Māori Partnership team.
51. Council had co-established the Ūawa Catchment Working Group with Te Aitanga a Hauiti. The Working Group includes representatives from Te Aitanga a Hauiti and Te Ākau o Tokomaru.
52. Staff have informed the tangata whenua representatives on the Group that Council has the capacity to explore separate engagements outside of this Working Group forum.

What are the challenges?

53. **National direction:** Under the Coalition Government (National, ACT, and NZ First), there may be a shift from focusing on environmental protection to prioritising economic development and commercial activities. Despite this, Council is committed to advancing this work as part of its response to the MILU report and in alignment with the community's aspirations for the region.

What is next?

54. **Review of forestry harvest provisions:** Once background research and engagement are completed, the team will then develop proposed forestry harvest provisions for public notification in November 2024.
55. **Economic modelling:** Survey to be sent out once the questions on the survey have been finalised.
56. **Catchment Forestry Plan:** Continued discussions through the Ūawa Catchment Working Group. Public notification is expected mid-2025.
57. **Land Overlay 3B:** Once the internal Council peer review of the landslide susceptibility and morphometric connectivity layer is completed, staff will develop a series of options on what Land Overlay 3B will be.

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

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

59. Freshwater is essential to our people (social and cultural values) and our economy, while also part of the intrinsic values of waterbodies and their ecosystems. The historic approach to water allocation has led to an inequity between those who have and those who don't have access to water. This has been particularly the case for tangata whenua where whenua Māori has not been developed and now is prevented from accessing water despite often being located adjacent to waterbodies.
60. Council remains committed to meaningfully engage with our Treaty partners and our community to reduce the gap of inequity through the freshwater planning process.

TREATY COMPASS ANALYSIS

Kāwanatanga

61. Kāwanatanga requires Council to understand the diverse roles and functions tangata whenua hold, but also enabling tangata whenua to be involved in Council projects and processes according to their preferred level of involvement. The Iwi Technical Trial (ITT) was established as an attempt in involving the representatives on the Trial to contribute to the TRMP process on behalf of their iwi.
62. Although the ITT concluded in 2023, other forms of tangata whenua engagement have continued alongside it. Progress since the ITT's completion includes Te Mana o Te Wai wānanga, which is a statutory requirement under the NPS-FM 2020, as well as early engagement on the Urban Residential Guide to map out the process and determining the involvement of iwi and hapū in its development.
63. The RPS includes the identification of resource management issues that are of significance to iwi authorities. It establishes the framework for involving and engaging with tangata whenua/mana whenua as set out in the RPS, which notes:
 - a. Any specific involvement or participation as required by the RMA through relationship agreements or in iwi/hapū planning documents.
 - b. Description of best practice involvement or participation with iwi/hapū – as agreed with the specific iwi/hapū.
 - c. An explanation of the purpose of the involvement or participation, and how these processes are given effect to.

Rangatiratanga

64. At the start of the TRMP review, staff reviewed the consultation done for Tairāwhiti 2050, past iwi/hapū submissions on the Freshwater Plan, and iwi/hapū management plans to understand the aspirations of tangata whenua in our region.
 - a. For example – Urban Residential Guide: Understand and explore mana whenua visions for rangatiratanga and determine how iwi/hapū can contribute to implementation of good design and planning outcomes.

65. In 2023, Poipoia Ltd completed a Te Mana o Te Wai review of the Regional Freshwater and Waipaoa Catchment plans. The review report outlined a series of recommendations that, should they be adopted, will give effect to rangatiratanga. This is discussed in more detail in **Report 24-229**.

Oritetanga

66. The TRMP review intends to identify and remove barriers to tangata whenua involvement, which is mainly addressed through the Tangata Whenua chapter in the RPS. The Programme team are currently developing an integrated engagement approach to ensure concerns of tangata whenua raised through the hui or wānanga are captured and actioned through the new TRMP. This includes considering the concept of reciprocity. Including the need to be accountable; report back to iwi, hapu; and receive input from iwi, hapu in a collaborative and meaningful way.

Whakapono

67. At the 13 June TRMP Review Committee meeting, this Committee adopted the mountains to sea / ki uta ki tai concept (Refer to [Decision Report 24-161](#)), which derives from te ao Māori and acknowledges the need for managing the environment holistically. The freshwater components of the TRMP are required to give effect to Te Mana o Te Wai, which is also another te ao Māori concept that seeks to prioritise the health of water above other uses.
68. Staff expect that te ao Māori will be acknowledged and empowered throughout the TRMP.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

69. Each individual workstream has addressed this section as part of their updates.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

70. Ongoing community engagement is fundamental to the plan changes under review.
71. There is growing recognition that feedback from various Council avenues, beyond formal TRMP-related engagements, can significantly improve the quality of community feedback and how it is incorporated. The TRMP team is working on refining our current TRMP engagement register to more effectively capture and integrate community feedback received across various Council channels, to help refine our approach and align the TRMP more closely with community needs and aspirations.
72. Community groups and industry representatives have a keen interest in the changes within the TRMP. Our engagement approach is reflecting this interest.
73. 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.
74. Communications & Engagement plans have been developed for each of the individual workstreams and plans under review. These are reviewed and updated regularly to ensure consistent, clear narrative and fit-for-Tairāwhiti plans.

75. Communities are kept up to date through various communication channels, of which the Council website is the main method. The TRMP programme has two dedicated communications advisors as part of the wider TRMP team.
76. All projects that fall under the TRMP are communicated as such and all email communications comes through a single TRMP@ email address.

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

77. This report has no direct climate change impacts or implications.
78. Councillors, however, 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).
79. Climate change is a priority issue within the RPS and is integrated within the TRMP work programme. The effects of climate change are recognised to be linked to the increased frequency and intensity of natural hazards such as rainfall events and drought events. These are considerations when providing direction on how the region manages natural resources and develops the built environment.
80. 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.
81. Climate change is a key focus in the Urban Growth and Development workstream, aligning with the objectives of the NPS-UD. By planning for a compact, intensified and well-connected urban form, the aim is to reduce greenhouse gas emissions by reducing the reliance on private motor vehicles. The planning will also incorporate climate change adaptation, ensuring that existing urban areas, subject to hazards affected by climate change, are thoroughly assessed and that development in high-risk areas is avoided entirely.
82. The [Tairāwhiti 2050 Spatial Plan](#) and CBD Framework aim to activate our Central Business District (CBD) by promoting walking and cycling, public realm improvements, inner city living, re-purposing heritage buildings, creating multi-use public spaces for events and placemaking and developing a hospitality precinct.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

83. There are no financial implications from the progress updates in this report.
84. Resourcing for the wider TRMP review is included as part of the adopted [2024 - 2027 Three Year Plan](#).

Legal

85. 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 provisions if they have not done so for 10 years.
86. Council is required to prepare and change the TRMP in accordance with National Policy Statements, the New Zealand Coastal Policy Statement, National Planning Standards and any other resource management regulations.⁷
87. The TRMP will need to give effect to other national direction.⁸
88. 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.
89. 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.

Freshwater-related legislative context

90. Council has legal requirements regarding Freshwater Planning. This includes direction for consultation and engagement, National 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.
91. The RMA requires all regional councils to prepare freshwater plans that give effect to the NPS-FM 2020. Council has given effect to an earlier version of the NPS-FM 2014 through the operative Regional Freshwater Plan and Waipaoa Catchment Plan. These plans were publicly notified together in 2015 and made fully operative on 30 August 2023 (refer to Council Decision [Report 23-79](#) held on 10 August 2023 for full details).

⁷ s61(1)(da) and (e), s66(1)(ea) and (f), s74(1)(ea) and (f) of the RMA 1991

⁸ <https://environment.govt.nz/acts-and-regulations/national-direction/>

92. Initially, under the National Policy Statement on Freshwater 2020 (NPS-FM) Council had to publicly notify its statutory freshwater planning instruments by the end of 2024. However, severe weather in 2023 have challenged Council's ability to meet these timeframes. The Government recognised this challenge and granted a two-year extension to the deadlines. Then, in December 2023, the Government announced their intention to replace the National Policy Statement for Freshwater Management and gave all councils a three-year extension to 31 December 2027 to publicly notify their freshwater planning instruments. The Freshwater team is working towards this new December 2027 deadline.
93. Central Government has repealed the RMA replacements to replace it with their own. The first Bill to amend the RMA was introduced in May 2024. This will be narrowly focused to clarify the hierarchy of obligations in the National Policy Statement (NPS) for Freshwater Management to resource consent, extend the duration of marine farm consents, and cease the implementation of new Significant Natural Areas for three years to enable a review of their operation. Other targeted amendments may also be included.

Urban growth-related legislative context

94. A requirement of the NPS-UD that the Council has opted to produce is a 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.
95. An initial review of the draft FDS was carried out by an external law firm. This was followed by another legal review post consultation and prior to adoption.
96. 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.
97. Central Government has repealed the RMA replacements to replace it with their own. The second Bill, to amend the RMA by the end of 2024, will focus on housing and renewable energy, and will focus on the following changes:
 - housing growth, including making the Medium Density Residential Standards optional for councils
 - speed up consenting timeframes for renewable energy and wood processing
 - support our Infrastructure for the Future plan
 - speed up the process for making national direction under the RMA
 - amend national direction on highly productive land to allow more productive activities including housing
 - introduce emergency response regulations to enable effective responses to emergencies and contribute to long-term recover.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

98. To date we have been working under the RMA and will continue to do so until directed otherwise. The TRMP work programme has been developed in such a way that it aligns with the current legislation, and we are monitoring the progress of potential changes.
99. The structure, appearance and electronic functionality of plans as mandated by the National Planning Standards is likely to transition into the new system. As such, our work to date has been compliant with this structure and appearance and will be accessed via a new ePlan. Although there is uncertainty with the replacement of the RMA there is no indication that these Standards will be dropped.
100. The new system will likely continue to have a spatial element. Spatial documents such as the FDS, CBD Spatial Framework and the 2050 Spatial Plan should be able to feed directly into any future strategic planning tool. The progress to ePlan and its interactive maps will help plan users to understand these policies along with the TRMP.
101. To help increase greenfield land availability if required for infrastructure and some energy generation projects, the National Policy Statement for Highly Productive Land is being reviewed by the Ministry for the Environment and the Ministry for Primary Industries. It has not been amended yet.
102. The Government has also suggested alternations to the NPS-UD to encourage density. Our adopted FDS encourages a compact city form and avoids sprawl and as such is in accordance with this direction.
103. Shifting timeframes for completion of freshwater planning instruments: All councils now have extended deadlines for freshwater planning. Initially set for 31 December 2024, the deadline has been pushed to 31 December 2027. This extension allows more time to implement the new National Policy Statement for Freshwater Management and to address impacts from recent severe weather events. Refer to [Report 24-141](#), paragraphs 78 – 81, for full details of extensions.
104. First RMA Amendment Bill: Refer to [Report 24-141](#), paragraphs 82 - 83, for full announcement details.
105. Amending the Building Act and proposing National Direction to the Resource Management system to make it easier to build *Minor residential units* (colloquially referred to as granny flats) or other small structures up to 60 square metres, requiring only an engineer's report. This well-intended Government proposal aims to address housing shortages but requires careful integration into existing planning frameworks and infrastructure systems.

RISKS - NGĀ TŪRARU

106. Refer to Table 4 below for a summary of risks with potential significant impact and associated rating assessments.

Risk	Impact	Mitigation	Rating assessment
Significant time delay	The project is approximately 18 months behind schedule due to the impact of COVID-19 and severe weather events in 2022/23. This delay challenges the ability to play catch up while maintaining quality. The added complexity of incorporating forestry into Phase 1 created additional pressure on resources and timelines overall.	Continue with reset planning, reprioritise tasks, workstreams to work closer together to ensure integration, revisit and update programme schedule.	High, and ongoing – mitigation efforts are underway. Too early to assess effectiveness, and continues to require close monitoring
Expanded scope	Bringing forestry forward has increased the workload and complexity of Phase 1, particularly for the Freshwater workstream. The Freshwater lead is also responsible for forestry, increasing the risk of overload, burnout, reduced focus, and quality of outputs. Time management challenges could create bottlenecks, delaying progress in other workstreams that depend on input from Freshwater.	Continue with reset planning to reassess priorities, appointment of forestry policy advisor to support policy development relating to this plan change, enhance communication and coordination between Freshwater and specifically RPS workstreams to prevent bottlenecks, monitor the wellbeing and quality of outputs to ensure consistent performance.	High, but stable over the short term – no immediate signs of deterioration, positive impact of recent policy advisor appointment from June to December 2024. However, need to step up planning for resource allocation once the plan change is notified
Multiple Council teams are engaging and consulting with the community and tangata whenua	Multiple Council teams are engaging with the community and tangata whenua, risking consultation fatigue and confusion. Add to this the fact that the overall TRMP Communication Strategy is still being refined, which may impact timelines and outcomes if not resolved promptly.	Implement a planned, coordinated approach across Council hubs based on topic. Workstreams are partnering with both the Communications and Māori Partnership teams to develop fit-for-purpose plans to streamline engagement efforts across the region.	High, yet improving - initial mitigation efforts are showing positive results, suggesting a cross-functional team approach could reduce the risk level

Table 4: Summary of 'high' risks			
Risk	Impact	Mitigation	Rating assessment
	A coordinated approach is essential, particularly for the upcoming draft RPS provisions.		
Use of incorrect cultural context and framing for Tairāwhiti in the TRMP	Using incorrect cultural context and framing for Tairāwhiti in the TRMP could lead to misunderstandings, lack of tangata whenua and community support, and potential conflicts. It risks undermining the TRMP programme's credibility.	Ensure a coordinated approach by consulting with regional mātauranga cultural experts, councillors, and tangata whenua. Staff were tasked to organise a facilitated meeting to discuss and clarify cultural concepts, definitions etc. Staff are taking the advice from the Māori Partnership team in developing a comprehensive cultural framing strategy with support from a bilingual and bi-cultural resource.	High, and escalating – efforts to integrate the correct cultural context are underway. Additional focus is needed to advance facilitated discussions with the key stakeholders to effectively address this risk

Table 4: Summary of 'high' risks

NEXT STEPS - NGĀ MAHI E WHAI AKE

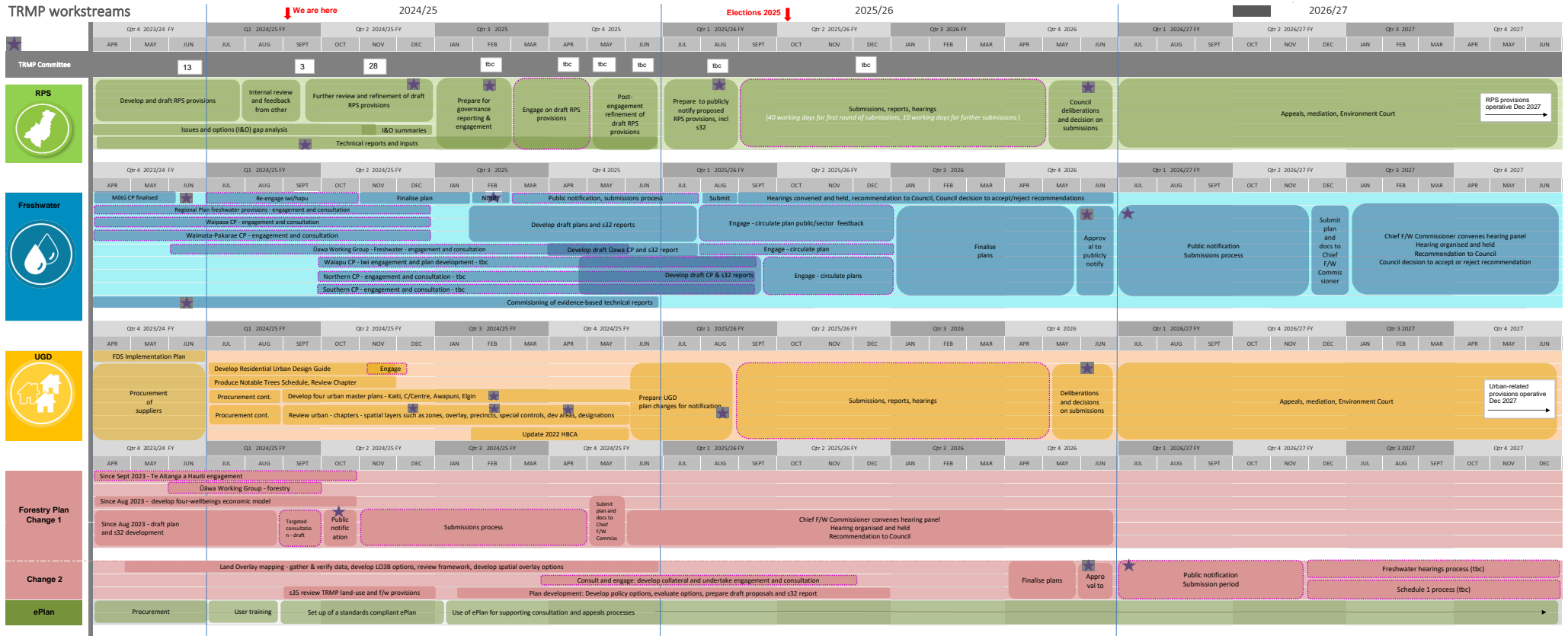
107. Details for each workstream's next steps are covered in the updates above. The key next steps for the TRMP at programme level are:

- continue monitoring the progress of individual workstreams
- address and resolve emerging risks and issues
- transition to a more integrative approach
- outline an approach for ensuring the TRMP incorporates the appropriate cultural context and framing
- plan a coordinated approach to community and tangata whenua engagement.

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - TRMP Programme Schedule [24-226.1 - 1 page]
2. Attachment 2 - Freshwater Planning Workstream - Context for the Regional Freshwater Plan and seven catchment plans [24-226.2 - 14 pages]

TRMP workstreams



Background context to Freshwater Planning workstream

The workstream has two components:

- A Regional Freshwater Plan containing provisions managing freshwater-related activities that apply anywhere within the region.
- Seven catchment plans containing provisions managing freshwater quality and quantity issues specific to catchment areas (see **Figure 1** for the areas). These catchments are:
 - Waipaoa
 - Mōtū
 - Southern Tairāwhiti (Hangaroa – Ruakituri)
 - Waimatā – Pakarae
 - Ūawa
 - Waiapu
 - Northern (Wharekahika – Waikura).

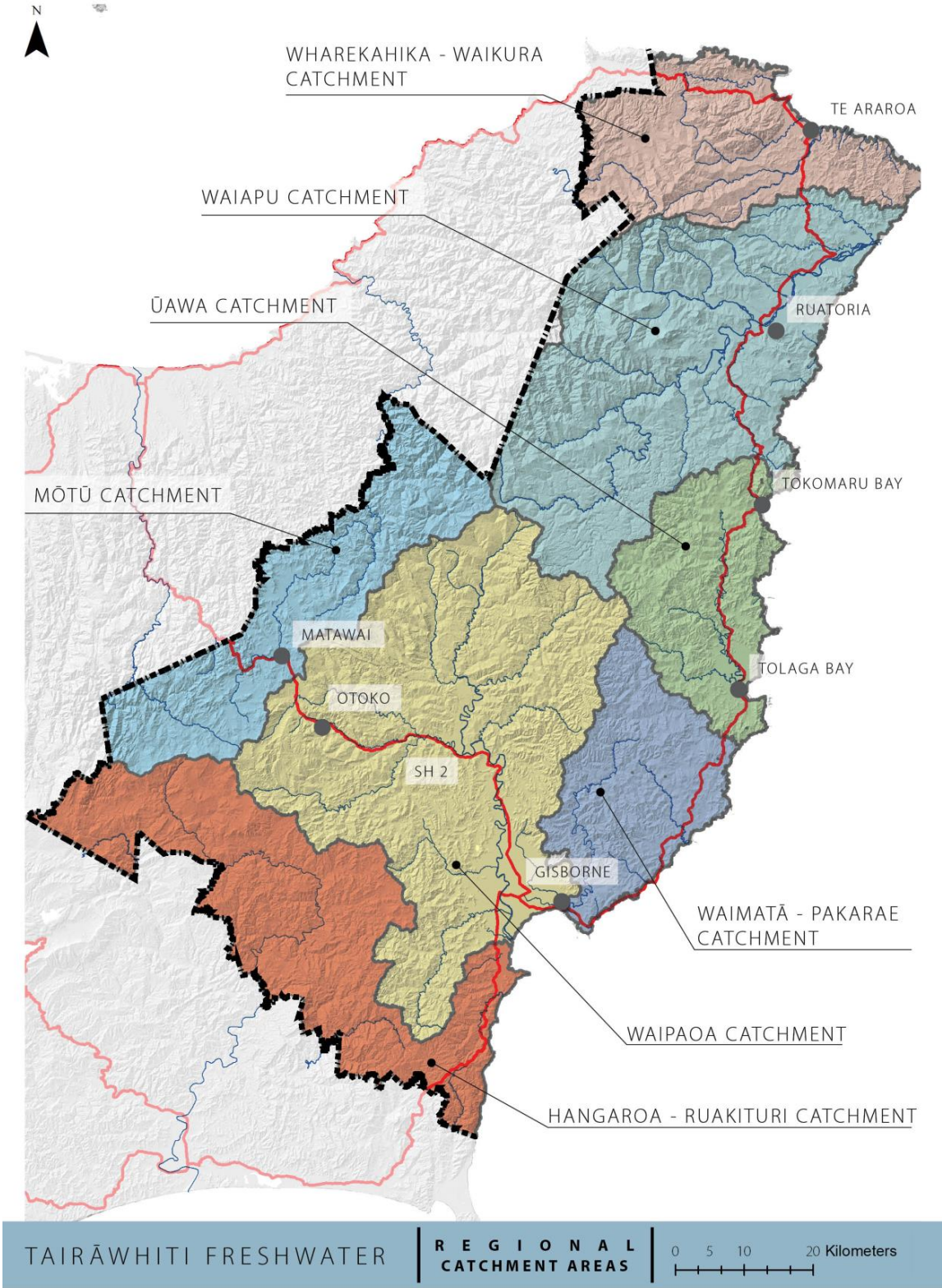


Figure 1: Map of the seven catchments in Tairāwhiti and their catchment area boundaries.

Review of the Regional Freshwater Plan and the Waipaoa Catchment Plan

[Regional Freshwater Plan Review | Gisborne District Council \(gdc.govt.nz\)](http://gdc.govt.nz)

[Waipaoa Catchment Plan Review | Gisborne District Council \(gdc.govt.nz\)](https://www.gdc.govt.nz/Information/Reports-and-Plans/Waipaoa-Catchment-Plan-Review)

The Regional Freshwater Plan and Waipaoa Catchment Plan were developed together from 2013 and publicly notified in 2015. These plans need to be reviewed to meet the National Policy Statement for Freshwater Management (NPS-FM) 2020. We plan to jointly review these two plans at the same time.

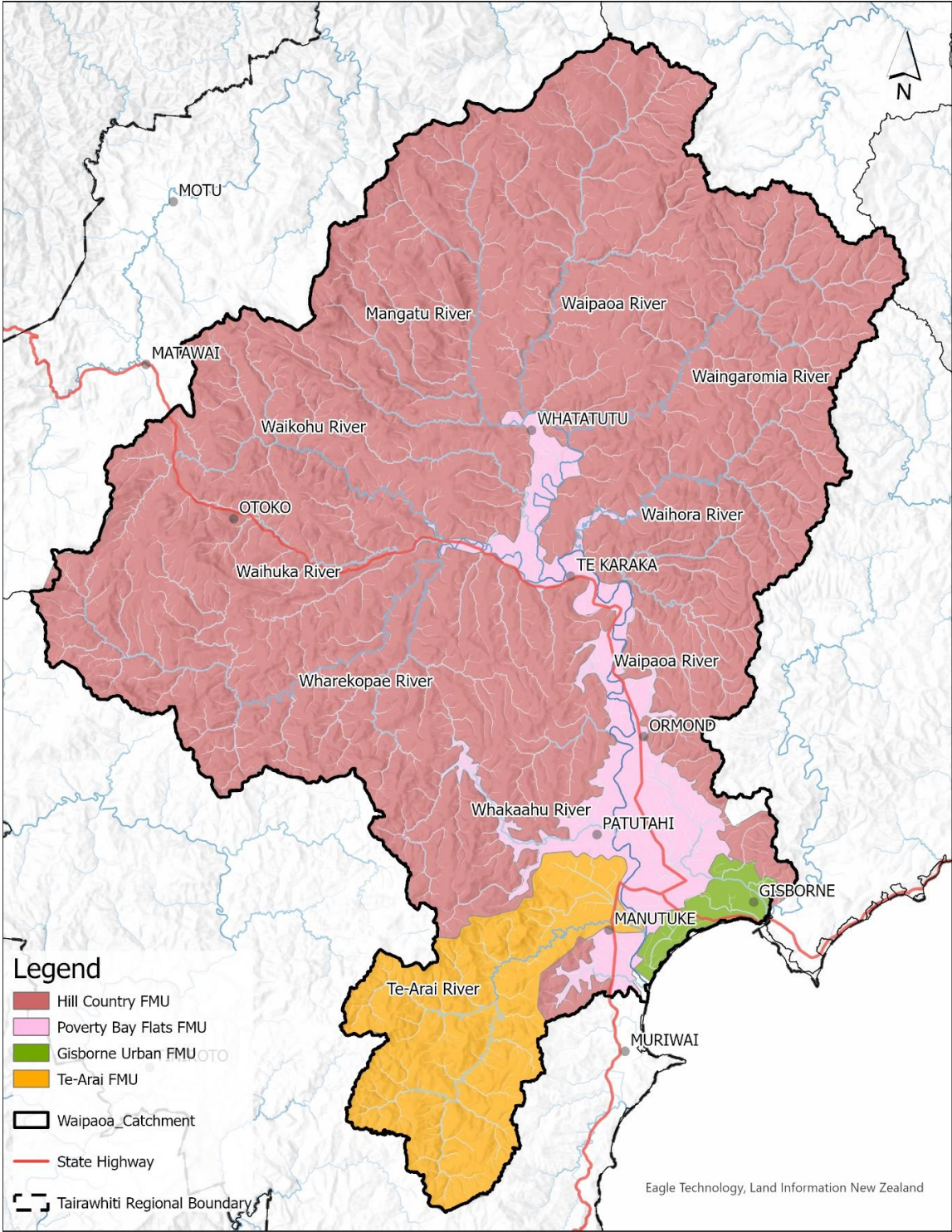
The Regional Freshwater Plan objectives, policies and rules for the management of freshwater quantity and quality, and activities that impact on freshwater across Tairāwhiti. There are four main sections within this plan:

- Water quantity and allocation
- Water quality and discharges to land and water
- Activities in the beds of rivers and lakes
- Riparian margins and wetlands.

The Waipaoa Catchment incorporates 12 major sub-catchment areas with a combined land area of 2,200 km². The catchment is an important source of water for irrigation, a back-up source of water for Gisborne City, and the major recharge source for extensively used aquifers. The plan grouped the sub-catchments into four Freshwater Management Units (FMUs) in **Figure 2**:

- Waipaoa Hill Country
- Te Arai
- Poverty Bay Flats
- Gisborne Urban.

An FMU is defined as a water body, multiple water bodies or any part of a water body determined by the regional council as the appropriate spatial scale for setting freshwater objectives and limits and for freshwater accounting and management.



Waipaoa Catchment Fresh Water Management Units

Figure 2: Freshwater Management Units of the Waipaoa Catchment.

Mōtū

[Mōtū Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](http://gdc.govt.nz)

The Mōtū Catchment represents two freshwater catchments that straddle the Tairāwhiti and Bay of Plenty regions. The catchments are:

- The Waioeka – Otara Catchment, including the Koranga River on the Gisborne side
- The Mōtū Catchment.

The combined area is 886 km² and includes the only upland streams and rivers in the Tairāwhiti region.

Through the catchment planning process, two FMUs have been identified for this catchment (see **Figure 3**):

- Te Wai o Ngahere
- Farmlands and Settlements.

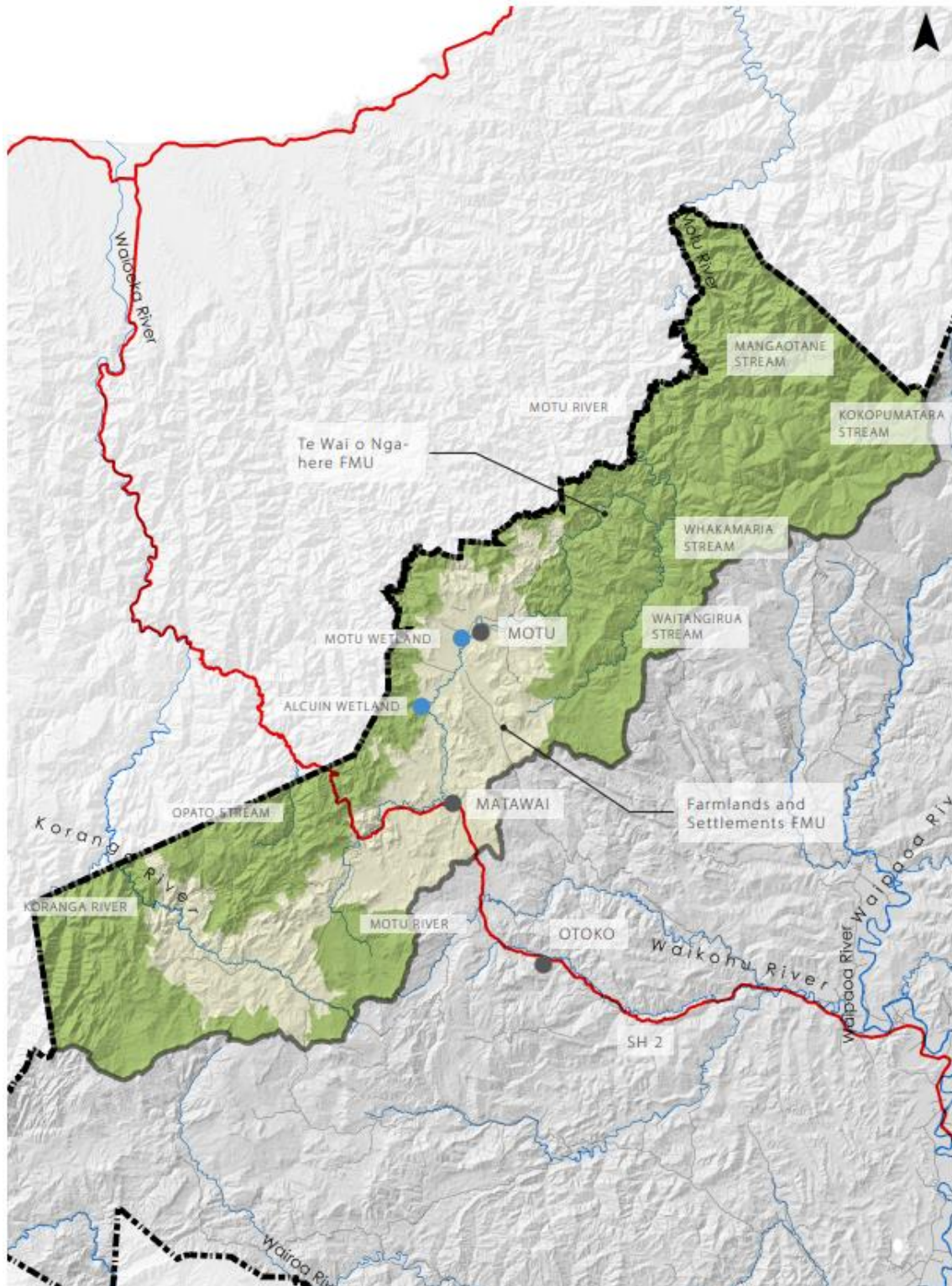


Figure 3: The two FMUs identified in the proposed Mōtū catchment plan.

Southern Tairāwhiti (Hangaroa – Ruakituri)

[Southern \(Hangaroa-Ruakituri\) Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](#)

The Southern Tairāwhiti Catchment represents five freshwater catchments that flow towards Hawke's Bay in the south and four catchments that flow into Tairāwhiti's eastern coastline from the boundary with Wairoa up to the Wherowhero Lagoon. **Figure 4** identifies the sub-catchments include:

- The Ruakituri, Hangaroa, Mangapoike, and Nuhaka River, and Kopuawhara Streams – which all form the south-western boundary of our region and flow into Hawke's Bay
- The Maraetaha River beside State Highway 2 before flowing to the coast
- The Pakowhai Stream that flows into Wherowhero Lagoon
- Several smaller sub-catchments located along the coastal margin between the Maraetaha catchment, State Highway 2, and the end of Mahanga Road (in Wairoa).

The combined total area is 650 km².

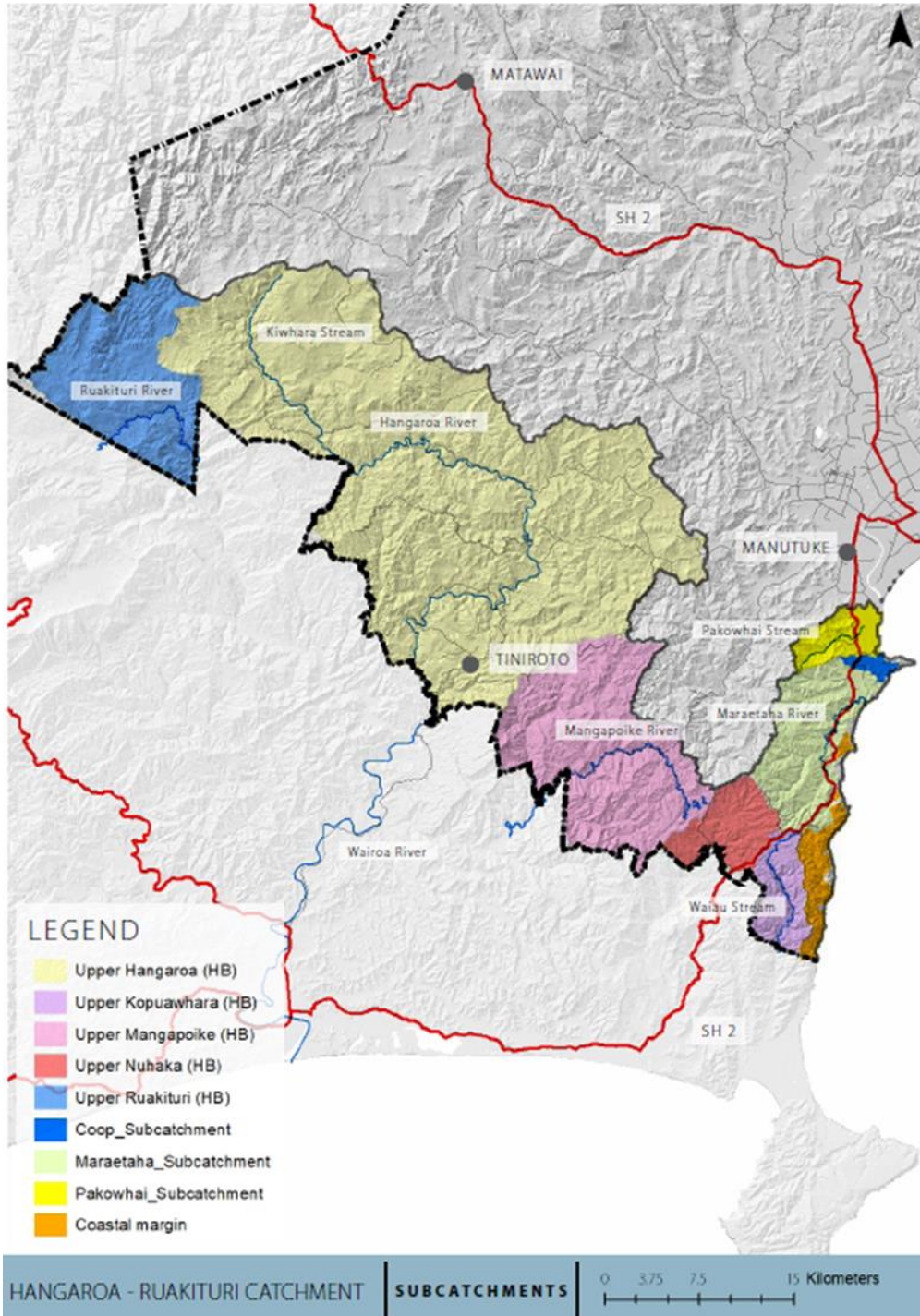


Figure 4: Sub-catchments in the Southern Tairāwhiti catchment area.

Waimatā – Pakarae

[Waimatā-Pakarae Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](#)

The Waimatā – Pakarae Catchment represents eight freshwater catchments that flow to the eastern coastline from Gisborne City at its southern extent to Waihou Bay just south of Tolaga Bay. This catchment include:

- The Waimatā River, located directly north of Gisborne City
- The Pakarae River, located south of Tolaga Bay
- Several smaller sub-catchments located along the coastal margin between the Pakarae River and Gisborne City. These catchments include the Waiomoko River, Pouawa River, Hamanatua Stream, Wainui Stream and Kopuawhakapata Stream.

The combined total area is 650 km². **Figure 5** outlines the sub-catchments within the catchment.

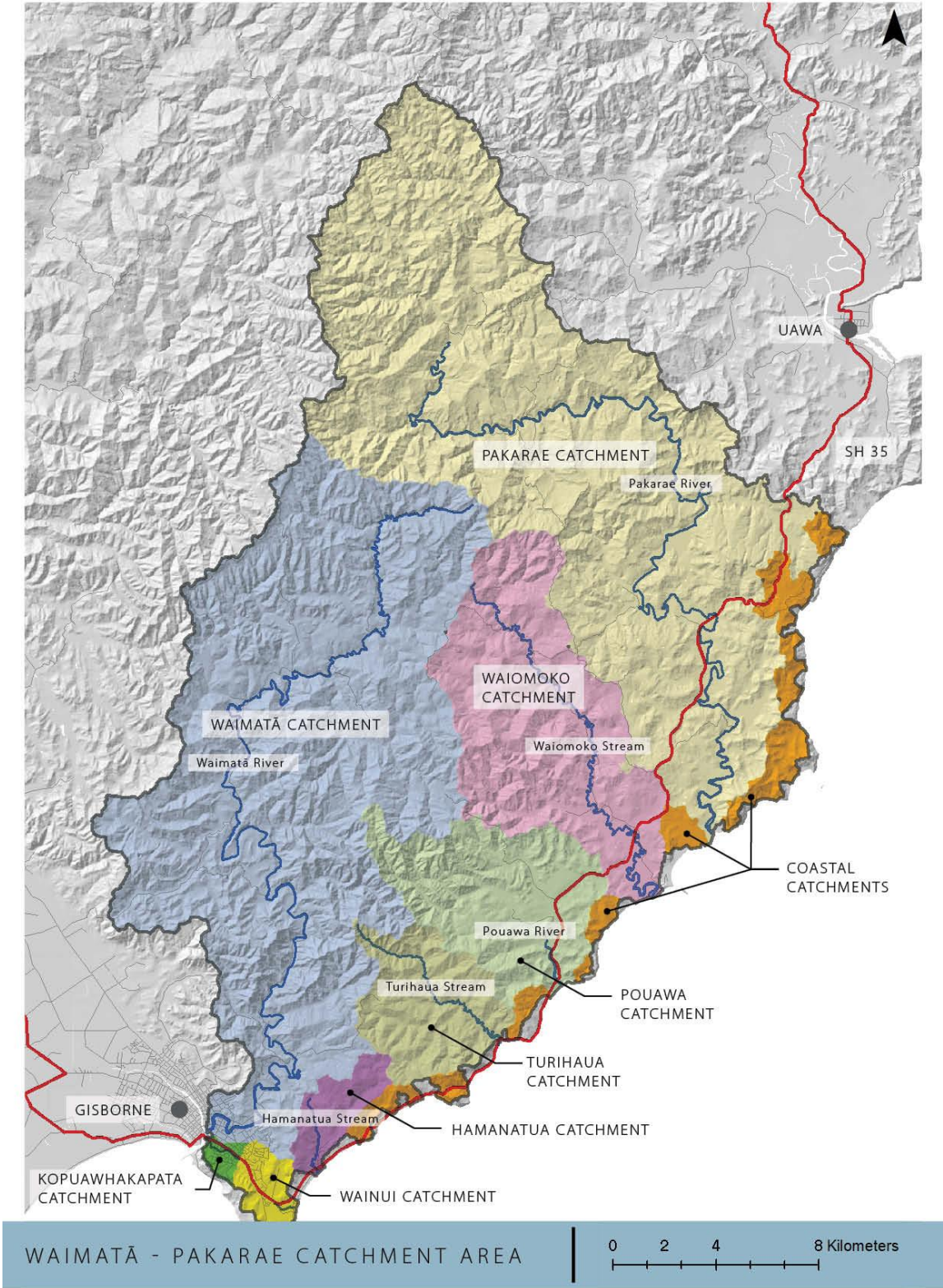


Figure 5: Sub-catchments in the Waimatā-Pakarae Catchment area

Ūawa

[Ūawa Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](http://gdc.govt.nz)

The Ūawa Catchment incorporates the stream and river systems in and around Tolaga Bay and Tokomaru Bay. It includes the small coastal sub-catchments from Waihau Bay to Koutunui Head – including stream systems flowing into Karaka Bay and Anaura Bay, as well as the two main sub-catchments – the Ūawa and the Mangahauini River sub-catchments (see **Figure 6**).

The catchment has a combined land area of 699 km².

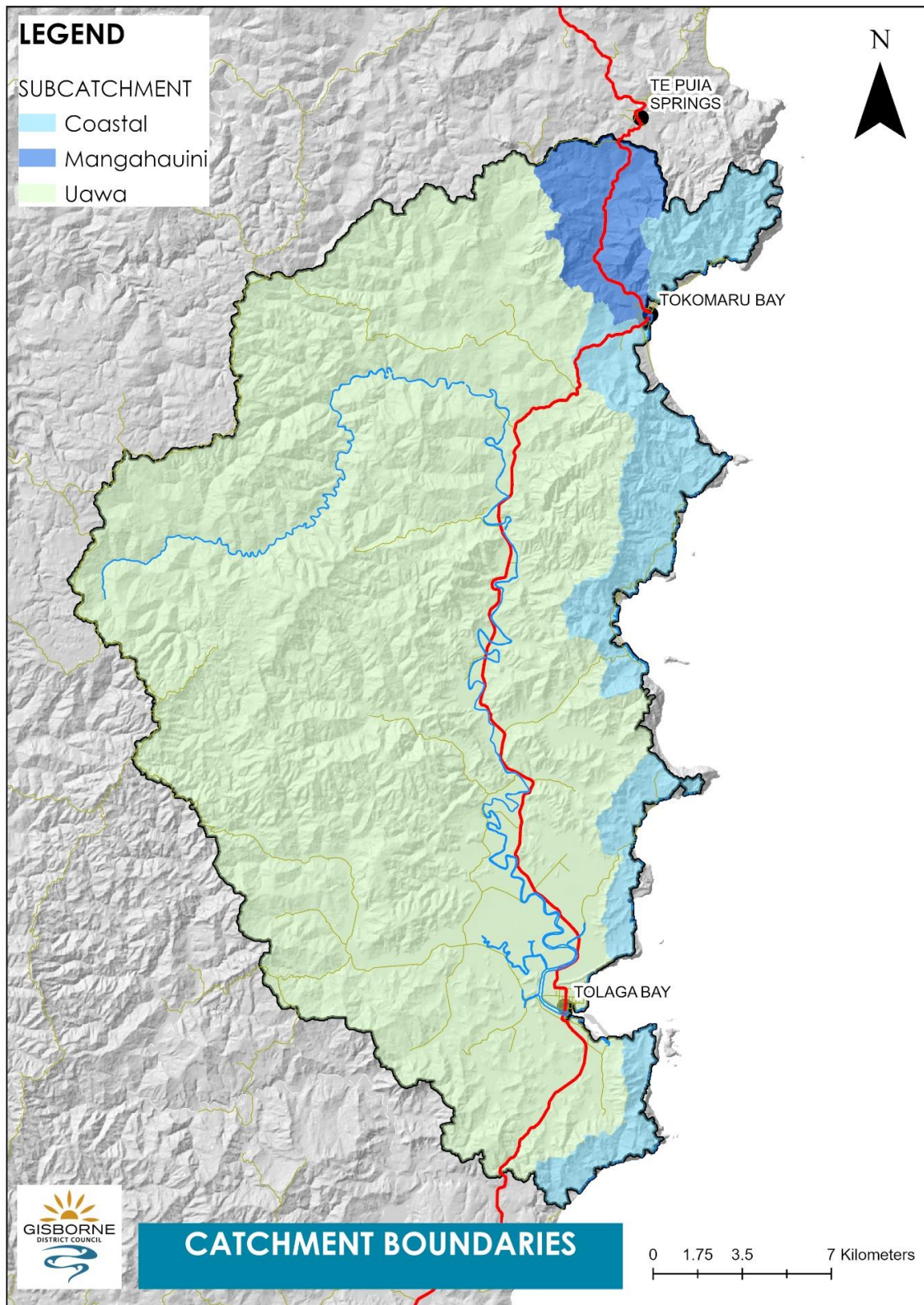


Figure 6: Ūawa Catchment and its sub-catchments.

Waiapu

[Waiapu Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](https://www.gdc.govt.nz/Information/Environment/Waiapu-Catchment-Plan)

The Waiapu Catchment is the second largest catchment in Tairāwhiti with a catchment area of 1,730 km². The Waiapu River rises in the eastern part of the Raukumara Range and drains northwards to Ruatoria and meets the coast at Port Awanui.

Including the Waiapu River, there are a total of 16 sub-catchments and several coastal sub-catchments (**Figure 7**).

The Waiapu Catchment Plan is being developed as a partnership between Council and Te Runanganui o Ngāti Porou (TRONPnui). This partnership gives effect to the Joint Management Agreement (JMA) in place between Council and TRONPnui for the Waiapu Catchment.

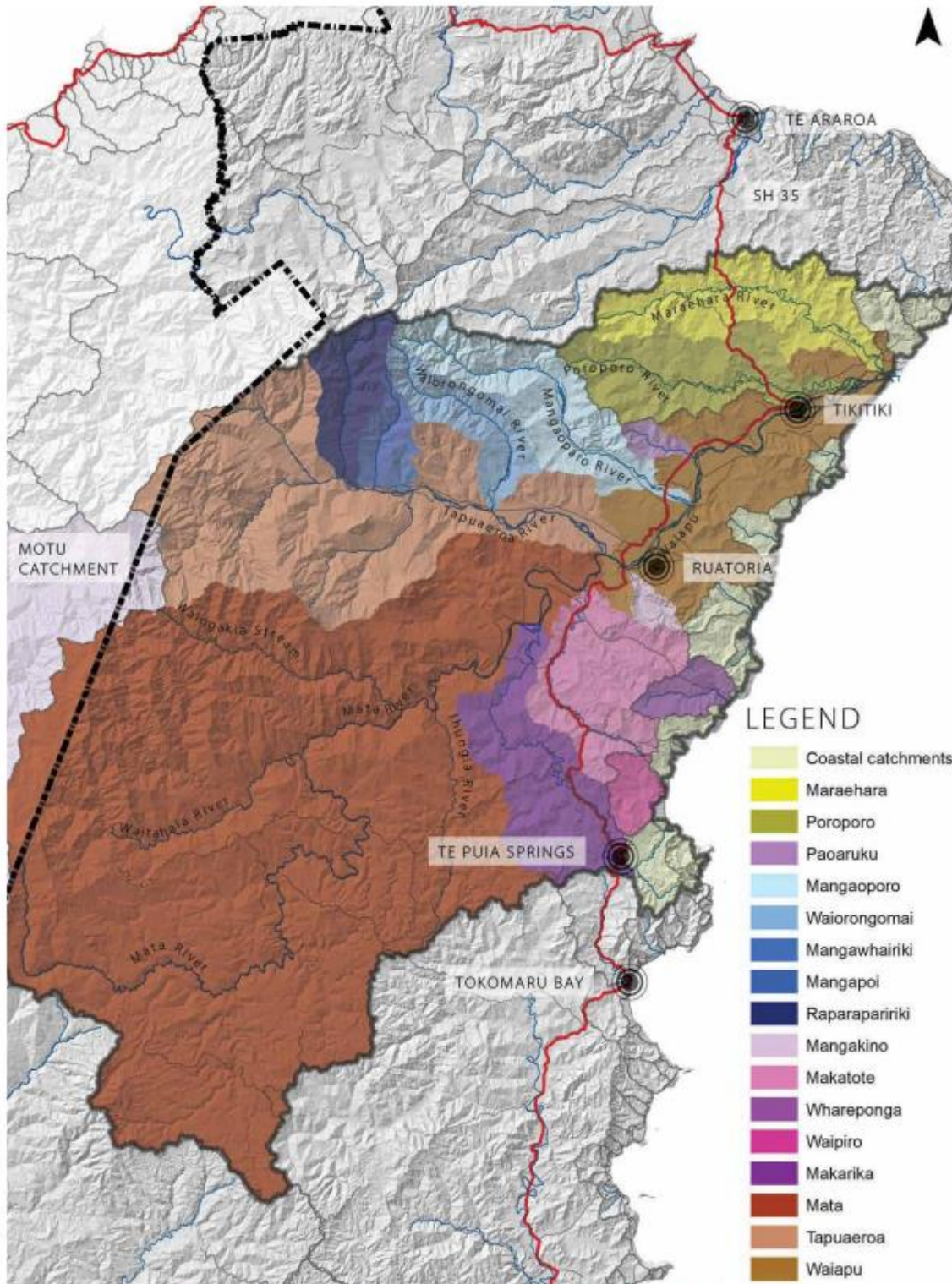


Figure 7: Sub-catchments in the Waiapu catchment.

Northern (Wharekahika – Waikura)

[Northern Catchment Plan | Gisborne District Council \(gdc.govt.nz\)](#)

The Northern catchment incorporates eight sub-catchments in a combined catchment area of 859 km², and is located northernmost of Gisborne City. Figure 8 shows this catchment includes:

- Waikura
- Whangaparaoa
- Wharekahika
- Karakatuwhero
- Awatere
- Orutua
- Waipapa
- Several small sub-catchments along the coastal margin.

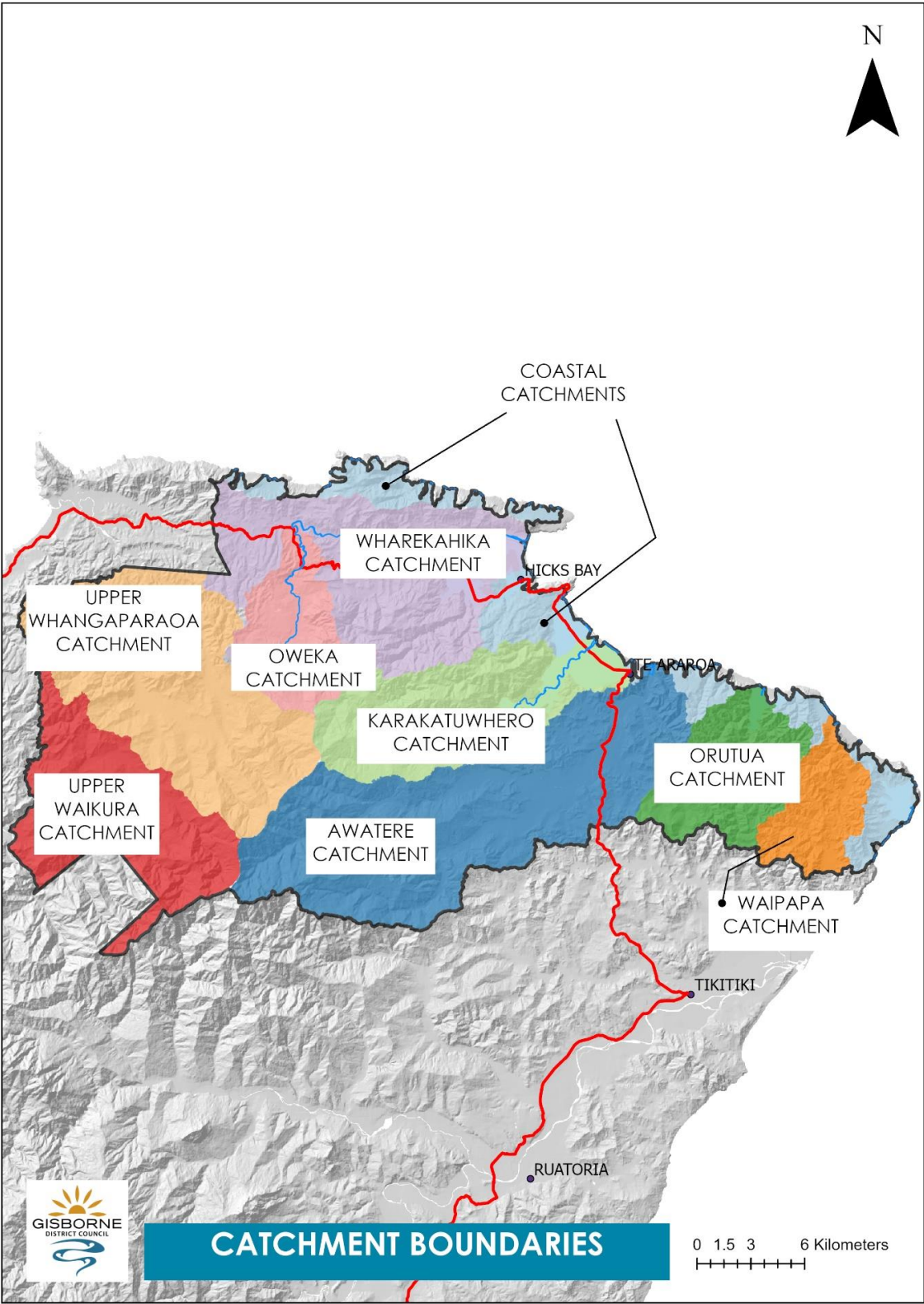


Figure 8: Sub-catchments in the Northern Catchment.

Title: 24-230 Review of the Tairāwhiti Resource Management Plan Urban Spatial Layers

Section: Sustainable Futures

Prepared by: Drew Williams, Principal Policy Planner

Meeting Date: Tuesday 3 September 2024

Legal: No

Financial: No

Significance: **Low**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TAI AO O TE TAIRĀWHITI Committee for information

PURPOSE - TE TAKE

The purpose of this report is to provide:

- An update on the initial approach to incorporate the Future Development Strategy (FDS)⁹ into policy, primarily via District Plan components of the revised Tairāwhiti Resource Management Plan (TRMP).
- Background information on the spatial layers we currently have in the TRMP, the options we have through the National Planning Standards (the Standards), and some early thoughts on how to approach next steps.

SUMMARY – HE WHAKARĀPOPOTOTANGA

Tairāwhiti 2050 and the FDS set the direction for the changes required to the TRMP for future growth and development and the necessary outcomes required.

As part of the full review of the TRMP, Phase 1 (2020 to 2025) - Urban Growth and Development has focused on the development and adoption of the FDS. Staff are now moving into the implementation of the FDS through the development and integration of the urban chapters of the District Plan part of the TRMP.

The FDS identified broad spatial areas that can accommodate the projected growth of homes, and the TRMP will need to be changed to reflect this policy intent. This will likely require additional and/or amended existing spatial layers and changes to the plan provisions that support the new policy intent and address the issues that have been identified in the current plan.

⁹ [Adopted by Council on 14 March 2024](#)

The priority for this work is the development of the four Master Plans for Kaiti, the Central City, Elgin and Awapuni, a Residential Design Guide, and the specific changes required to the District Plan parts of the TRMP. This phase is on track for public notification in 2025.

The FDS identified the most suitable places to accommodate projected growth at a broad spatial level. The suite of spatial layer options provided by the National Planning Standards will be used as a mandatory lens to specify growth areas at a more granular level, following refinement through the development of the growth area Master Plans. New TRMP GIS maps will then be developed by combining several spatial layers, such as zones and overlays, that will enable the form of development desired for that particular FDS growth area.

Throughout the development of the four Master Plans, Design guide, spatial layers and draft Urban Chapters, updates will be brought to this Committee. It is anticipated that the draft Residential Design Guide, direction of travel for the master plans and Urban Chapter, including spatial layers, will be presented to this committee for endorsement.

The 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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

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

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: Future Development Strategy, FDS, Urban, Spatial Layers, Zones, TRMP, RMA, Zones, Spatial layers.

BACKGROUND - HE WHAKAMĀRAMA

1. Council has already adopted several key strategies and plans which are key informants to the review of the TRMP. In particular, Tairāwhiti 2050¹⁰ and the Tairāwhiti Future Development Strategy 2024-2054¹¹ set the direction for the changes required to the TRMP for future growth and development and the necessary outcomes required.

Tairāwhiti 2050

2. Tairāwhiti 2050 (Spatial Plan), adopted in 2020, represents a regional vision and remains a key document to guide the Council on its path to realising this vision. The Spatial Plan:
 - Identifies our region's major challenges and how these challenges can be addressed.
 - reflects shared aspirations for the region's future wellbeing and sets realistic expectations on what we as a region could achieve by 2050.
 - Is a key document that aligns cross-organisational strategies and plans which enable collaboration.
 - Sets direction for regional planning and development, decision-making and investments necessary to realise our shared aspirations.
 - Maps out where critical infrastructure, transport connections and development will occur and where there are known constraints.
3. The Spatial Plan was consulted on extensively during 2019 and the outcomes, whilst not all new, reset our direction towards 2050. These outcomes are also adopted as the community outcomes for the 2021 Long term Plan and the Three Year Plan 2024-2027¹².

Tairāwhiti Future Development Strategy 2024-2054

4. The Tairāwhiti Future Development Strategy 2024-2054 (FDS) was prepared under the National Policy Statement on Urban Development 2020 (NPSUD).
5. A key objective of the NPSUD is to enable well-functioning urban environments, which has the potential to provide wider outcomes in urban communities.
6. The FDS identifies the best places to enable 5,400 new homes over the next 30 years in Gisborne city and coastal settlements¹³, to meet the projected demand. It spatially identifies:
 - A range of growth areas provided through intensification of existing urban areas, comprising about 75% of the total demand. The remainder will be provided in lower density greenfield residential activity on the outer fringe of the urban area. This will enable a range of housing opportunities. It includes capacity for rural and coastal settlements.
 - The necessary development infrastructure required to enable the growth areas has been identified over the short, medium and long term and will inform Council's Infrastructure Strategy and Long-Term Plans, including any constraints on development.

¹⁰ [tairawhiti-2050-spatial-plan-shaping-the-future-of-our-region.pdf \(gdc.govt.nz\)](#)

¹¹ [2024-Final-Master-FDS.pdf \(gdc.govt.nz\)](#)

¹² [2024-2027-Three-Year-Plan-Volume-1-of-2.pdf \(gdc.govt.nz\)](#)

¹³ The coastal settlements are considered to have sufficient available land to accommodate any future growth, with all projected demand being in and around Gisborne city.

7. The FDS includes a tangata whenua values framework which is informed by engagement with whanau in marae, wānanga, and with iwi trust chief executives. The values framework was prepared by the iwi technicians.

DISCUSSION - WHAKAWHITINGA KŌRERO

Changes to the TRMP are needed to deliver on the aspirations of Tairāwhiti 2050, and to implement the framework identified in the FDS

8. As part of the full review of the TRMP, Urban Growth and Development has focused on the development and adoption of the FDS. Staff are now moving into the implementation of the FDS through the development and integration of the urban chapters of the District Plan part of the TRMP. The remainder of the District Plan components are scheduled for Phase 2 (2026-2028).

An integral part of a District Plan is the spatial layers, including zoning

9. Under the current operative TRMP, Council utilises a variety of spatial layers such as zones, overlays and designations. Overlays generally include matters such as natural hazards, historic and cultural heritage, and significant infrastructure such as the roading hierarchy and airport control areas (full layers are set out in **Attachment 1**).

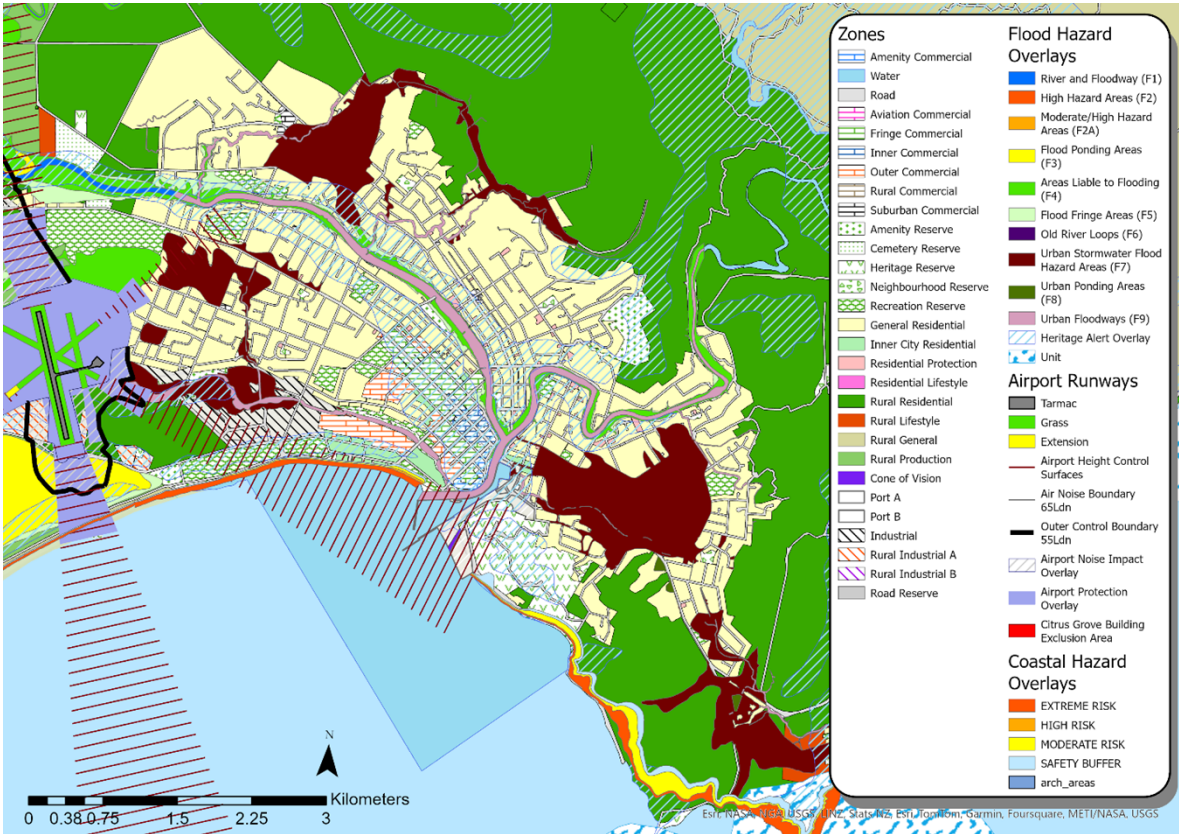


Figure 2 Selection of our current operative Plan spatial layers

10. Figure 1 is an example of spatial layers used in the operative TRMP, and shows a combination of zones, and overlays identifying Historic and Cultural Heritage, Flood Hazards, and Airport runways, Airport height controls, Airport noise impact, and Airport protection. This combination of zones and overlays identifies where more general rules apply (zones), and where more specific rules and other provisions apply because activities require additional provisions (such as airport activity), or where information specific to a site, for example flood hazard, require additional controls.

The FDS directs us towards a compact city by providing for most of the projected demand for homes within the existing urban area

11. The FDS identifies broad spatial areas that can accommodate the projected growth of homes, and the TRMP will need to be changed to reflect this policy intent. This will likely require additional and/or amended existing spatial layers and changes to the plan provisions that support the new policy intent and address numerous deficiencies that have been identified in the current plan.



Figure 3 FDS Growth Areas

12. The FDS outlined a high-level principles-based approach to guide how intensification can be implemented to deliver the outcomes outlined in the strategy:
 - a. Higher density and mixed-use developments within the inner city and surrounds that supports the revitalisation of the city centre.
 - b. Strengthen neighbourhood commercial centres through improved density and a mix of land uses.
 - c. Encouraging density along primary public transport corridors linking the inner city and highly accessible neighbourhoods.
 - d. Recognising current growth constraints with potential for growth.
13. One of the most significant factors the FDS used to identify areas where intensification would be most appropriate was the accessibility for people between housing, jobs, community services and open spaces, including by public and active transport. The FDS included a heat map of accessibility (Figure 3).
14. Areas with the highest accessibility are best placed to accommodate housing growth. Growth outlined in broad spatial representations in the FDS will be translated to a more granular level using the spatial layer options available in Attachment 3.

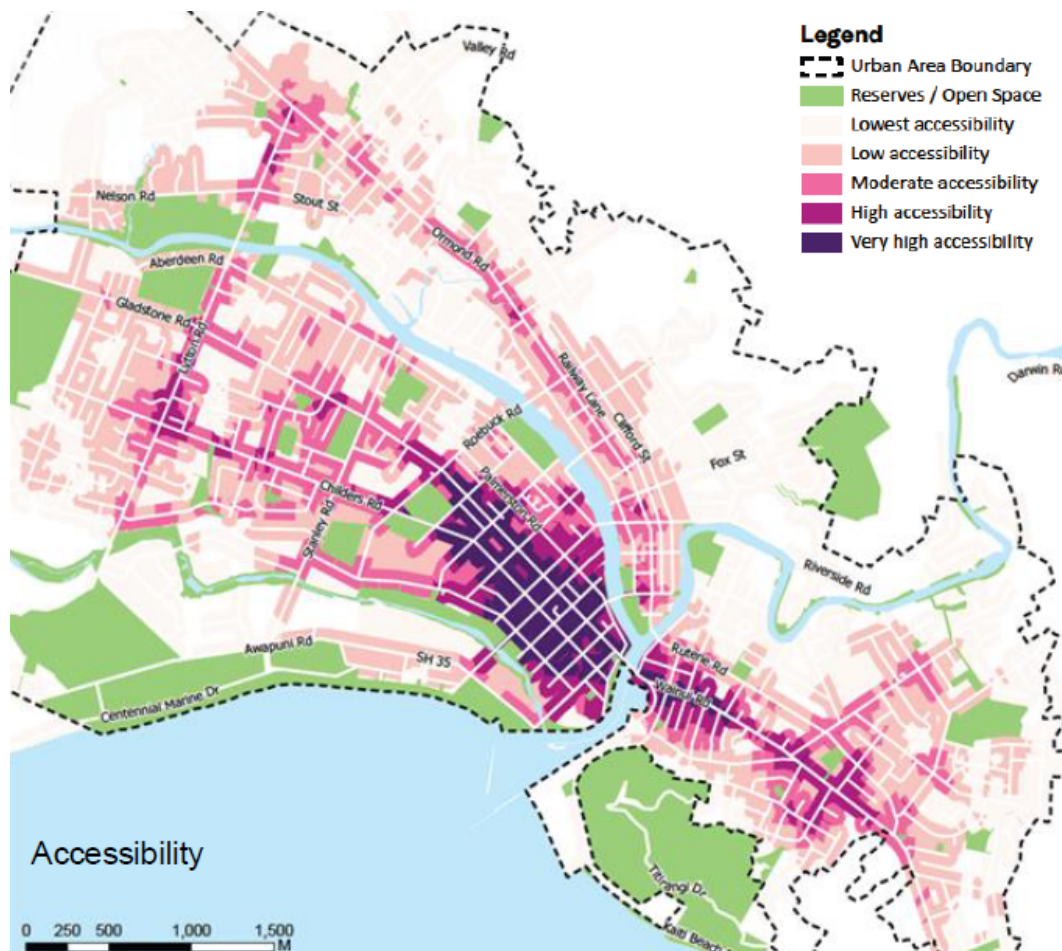


Figure 3 FDS Accessibility Heat Map

Taking a masterplan approach to enable improved intensification outcomes

- 15. Four masterplans (Kaiti, CBD, Elgin and Awapuni) will be prepared to support a place-based approach to growth and development and assist in refining how intensification is enabled in each of the growth areas.
- 16. The masterplan preparation initially considered beginning with the CBD, with other suburbs to follow. However, as part of the FDS adoption, Council prioritised a draft of the Kaiti masterplan to be prepared by March 2025. With Kaiti and the CBD being a priority, staff are considering how all four masterplans can be delivered within the first phase of the plan change in order for elements to be carried over into the TRMP itself.

The next stage is refining the FDS through Master Plan development through to the draft District Plan maps

- 17. An example of a plan change influenced by an FDS, is proposed Plan change 29 to the Nelson Resource Management Plan (NRMP). The Nelson Tasman FDS 2022-2052, was prepared jointly by Nelson City and Tasman District Councils. The figures below show how the FDS broad growth areas were refined for inclusion in the proposed change to the NRMP.
- 18. Figure 4 is an extract for the Nelson/Tasman FDS of an area of Nelson city identified for intensification. Of particular interest here is the intensification area (up to 3 storeys) identified in the image as N-289.

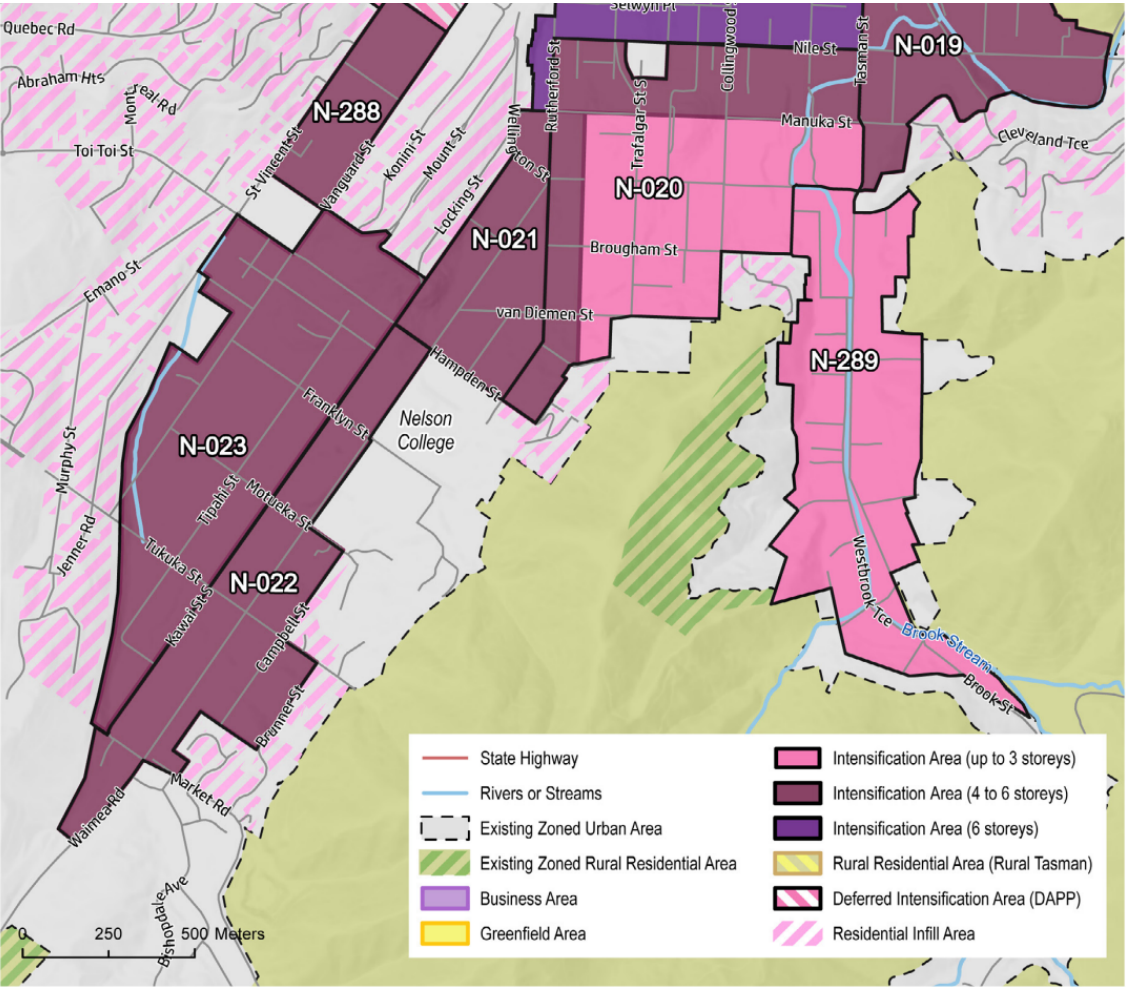


Figure 4 Nelson Tasman FDS extract

19. Figure 5 is an extract of the same area from the Operative NRMP. The light-yellow area represents the General Residential zoning which comprises a minimum lot size of 400sqm.



Figure 5 Nelson Resource Management Plan Extract

20. Figure 6 is an extract of the same area from proposed plan change 29 to the Operative NRMP. Whilst the FDS identified most of the existing Residential zone in N-289 for Intensification up to 3 storey, proposed Plan change 29 identifies a much smaller area for intensification, with the remainder of the growth area retaining a General Residential zoning.

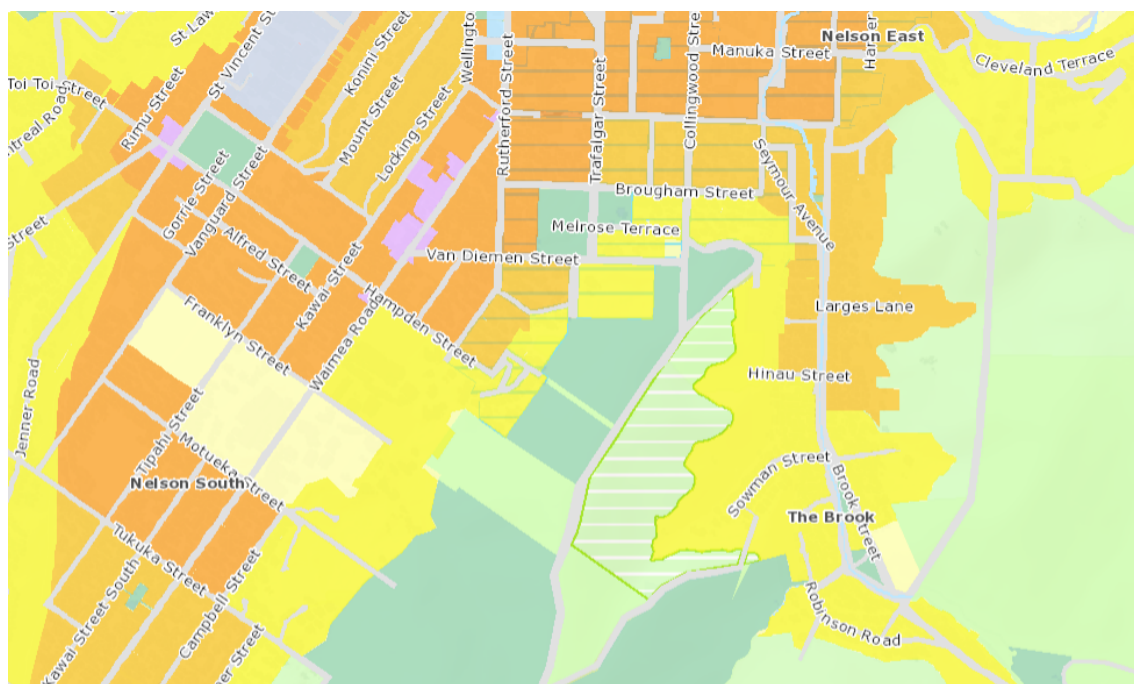


Figure 6 Nelson Proposed Plan Change 29 Extract

21. We anticipate similar outcomes where some areas that are identified in the Tairāwhiti FDS as an intensification growth area may not be suitable for up zoning and will remain largely unchanged. This nuanced approach will be informed by the FDS, masterplans, residential urban design guide, engagement and other related technical studies.
22. Master plans, similar to what are generally known as structure plans, will identify which spatial layers are appropriate for each of the areas being considered. These plans will be developed alongside the communities of interest, and build on work already completed, to provide a more detailed picture of what form of intensification is appropriate for each of the growth areas. The form and location of spatial layers will then be developed to form the basis for the proposed TRMP urban maps, alongside the objectives, policies and rules required to implement the FDS.
23. The outcome of the master plans for the identified growth areas is to identify which parts of each growth area should be zoned for differing levels of intensification, and where overlays that control height may be needed to protect or maintain parts of the neighbourhood the community identifies as important enough to protect.
24. Council is also developing a Residential Design Guide, with the intention that the guide will sit in an appendix in the proposed TRMP through this plan change. This will provide best practice design guidance for residential developments that supports the spatial layer, rules, and development standards. It will use principles and guidelines (rather than rules and standards) to support the delivery of quality homes and urban environments that are compact, attractive, functional and inclusive. The Hastings Residential Intensification Urban Design Guide is a good example of such design guidelines.

The Residential Design Guide, master plans, and the draft Urban Chapter Plan changes are the priority

25. The Residential Design Guide work is underway and is programmed to be completed by the end of the year. In addition, the four master plans are at the early stage of development and are programmed for completion in mid-2025. The illustration below highlights some of the broad aspects of the 2025 Urban Plan change. All aspects of the plan need to be addressed, however, areas outlined in red are the early priority or required to inform later work.

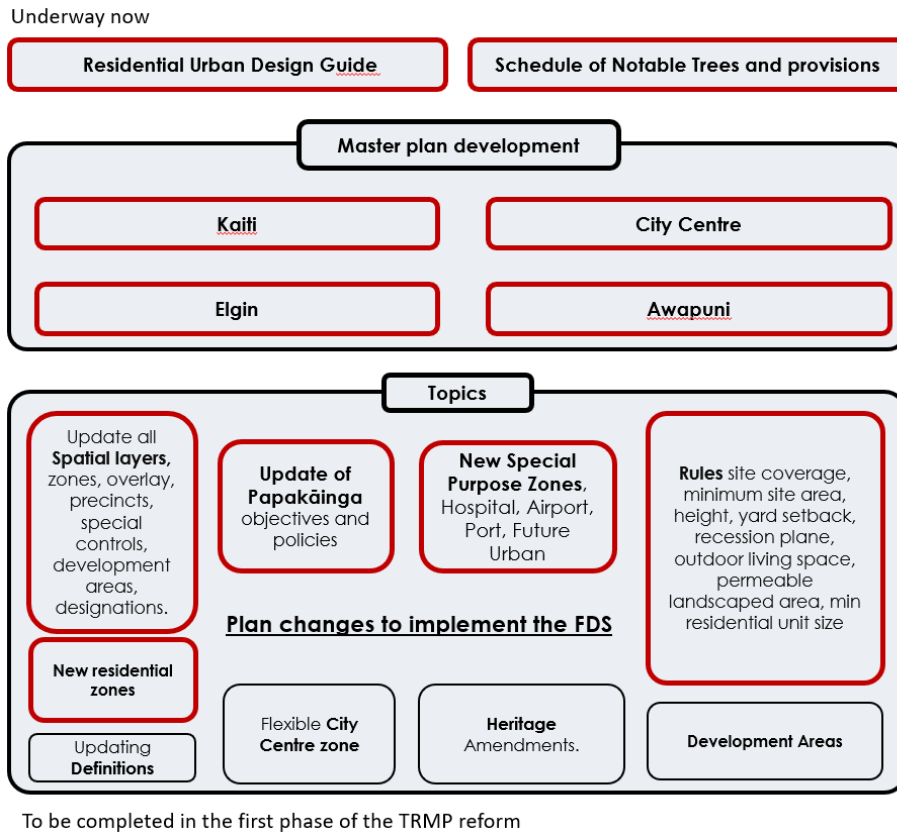


Figure 7 Priority Areas

The National Planning Standards provide spatial layer options

26. The National Planning Standards 2019¹⁴ purpose is to make Council plans more consistent, and easier to prepare, understand and comply with. This means that developers that work across New Zealand can understand RMA plans more easily because they have the same layout and use the same terms. There are 17 Standards, 14 of which apply to Gisborne District. They cover a variety of topics from how the structure of the new plan must be set out, how the plan is accessed by users, to the appearance of maps displayed in the GIS component to the move to an ePlan.
27. Fundamental to this element of the TRMP review is the zone framework standard which sets out the zones Council can use when drafting a Combined Plan, (**Attachment 2**). The function of each of the different spatial layers are set out in **Attachment 3**. Some of the zones and spatial layers that could be used in the TRMP are shown in Table 1. The standard does not include specific content for these spatial layers, and it is not intended to affect the planning outcomes or legal effect of existing plan provisions. The Government Standards are there to establish a common understanding, terminology and function for how map layers and associated plan provisions apply not to dictate the rules that apply to them.

¹⁴ [National Planning Standards 2019 \(as amended\)](#)

Table 2 Some of the Spatial layers that will likely form the Proposed TRMP Plan change

Zone name	Description
General residential	Areas used predominantly for <u>residential activities with a mix of building types</u> , and other compatible activities.
Large lot residential	Areas used predominantly for residential activities and buildings such as detached houses <u>on lots larger than those of the Low density residential and General residential zones</u> , and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.
Low density residential	Areas used predominantly for residential activities and buildings consistent with a suburban scale and subdivision pattern, <u>such as one to two storey houses with yards</u> and landscaping, and other compatible activities.
Rural lifestyle	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, <u>while still enabling primary production to occur</u> .
Special purpose zones	
Airport zone	Areas used predominantly for the operation and development of airports and other aerodromes as well as operational areas and facilities, administrative, commercial and industrial activities associated with airports and other aerodromes.
Hospital zone	Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
Port zone	Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.
Spatial layer name	
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible. In regional plans, zones can only be applied to the coastal marine area. In combined plans with district plan and regional plan components, a zone can be both seaward and landward of mean high water springs.
Overlays	An overlay spatially identifies distinctive values, risks or other factors that require management
Specific control	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or region-wide provisions that apply to that site or area.
Precinct	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s). I
Development Areas	A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.
Designation	A designation is a form of 'spot zoning' over a site, area or route in a district plan.

28. All land across our region will have a zone layer that identifies the anticipated land-use of (the underlying zone) as occurs in the current plan. In addition to the underlying land-use zone, there are areas that will also be subject to overlays. For example, precincts are a form of overlay that generally apply to a smaller area within a zone(s) where some different rules for certain activities may apply.
29. Overlays are applied to areas which have specific values or risks that need to be managed carefully. The rules that apply in overlay areas are in addition to those of the underlying zone rules and relate to the specific value or risk that is being managed. As the FDS sets out, national direction¹⁵ requires us to support an urban environment that has good accessibility for all people between housing, jobs, community services and open spaces, including by public and active transport.
30. Throughout the development of the master plans, design guides, spatial layers and draft Urban Chapters, reports will be brought to this committee, to ensure that the direction of travel is confirmed. It is anticipated that the draft Residential Design Guide, directions of travel for the master plans and Urban Chapters, including spatial layers, will be presented to this committee for endorsement.

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: **Medium** Significance

This Report: **Low** Significance

¹⁵ Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, MFE 2020
<https://environment.govt.nz/assets/Publications/Files/Understanding-and-implementing-intensification-provisions-for-NPS-UD.pdf>

31. 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

32. FDS engagements have set the scene for engaging with tangata whenua on the plan change. The development of the FDS has been informed by tangata whenua. Engagement included hui with whanau at marae, wananga with iwi trust Chief Executive's and representatives on the TRMP and on-going collaboration with the iwi technicians.
33. Te Rūnanganui o Ngāti Porou and Rongowhakaata Iwi Trust had provided submissions on the draft FDS. The intention through the initial phase of review is to close the loop with the respective iwi and work towards addressing relevant matters in the development of the plan review.

Proposed approach to future engagement on the work outlined in this report

34. The Urban Growth and Development (UGD) workstream and the Māori Partnership team are developing an engagement approach for the work outlined in this report. Through developing the approach, we will identify how active involvement can be enabled and take direction from tangata whenua on the extent they wished to be involved in the different components.
35. For the masterplans, staff are likely to use place-based discussions to initiate engagement with urban based iwi and hapū
36. For the remainder of the District Plan topics, staff will engage iwi and hapū where the relevant scopes extend into known areas of interest.

Gisborne District Council Te Tiriti Compass Analysis

Kawanatanga – Governance

37. The FDS provided for a tangata whenua overarching aspirations and values framework. This is represented by the overarching aspiration - "Te Oranga o Te Taiao is at the centre of decision-making regarding the urban environment. As a community we are committed to prioritising the wellbeing of our natural surroundings in all urban related choices, striving for a harmonious co-existence of vibrant communities and a thriving environment."
38. It is important for this framework to guide how we consider tangata whenua aspirations and values particularly relating to urban development which can guide our approach to try present this work in a te ao Māori worldview. This can support tangata whenua determining the relevance of the topics and how they can participate in a meaningful manner.
39. MAIHI Ka Ora - the National Māori Housing Strategy, will be a key informing strategy to supporting improved housing outcomes for Māori through intensification and potential changes of papakāinga rules.
40. The TRMP Committee is the governance committee for this work which includes Her Worship the Mayor (or nominee), five elected members, and up to six iwi appointees. Iwi have not yet taken up the invitation to be part of the Committee.

Tino Rangatiratanga – Self-determination

41. The FDS highlights that Māori-led developments are key to delivering the aspirations of tangata whenua, which supports developments based on the needs of iwi and hapū. Whilst iwi and hapū have wider interests and land holdings in the urban area, outlined below are three large Māori-led growth areas identified in the FDS:
- a. Te Runanganui o Ngāti Porou (TRONPnui) are planning for a mixed housing development on the 75 Huxley Road site in Kaiti, which is at the resource consenting stage at present.
 - b. TRONPnui are also leading the development of the ex-Rifle Range site in Sponge Bay. The site did not meet conditions to facilitate growth at present, however TRONPnui remain committed to providing a Māori-led solution through further detailed site assessment to determine how effects, such as natural hazards, can be mitigated on site and deliver a suitable housing outcome.
 - c. Toitū Tairāwhiti Housing Limited are assisting the development of the Tūranga Tangata Rite papakāinga development on land owned by Te Aitanga a Māhaki, which is adjacent the Gisborne Hospital. This development is currently at a master planning level, and Toitū has recently started pre-application discussions with the consenting teams.

Oritetanga – Equality

42. Through further engagement to support the development of the masterplans, we will work with the urban iwi and hapū to better understand the outcomes necessary to support improved housing and community outcomes. There are multiple iwi interests and land holdings in the urban area represented by Ngāti Porou iwi and Ngāti Oneone hapū focussed to the east of the city, whilst Rongowhakaata iwi and hapū and Te Aitanga a Māhaki iwi and hapū hold interests across the urban area.
43. Under Oritetanga, the FDS sought to address inequity by providing improved development capacity in areas that support Māori landowners and social housing providers within the urban area. We will continue discussions with Council's treaty partners to obtain a better understanding of their interest in the urban topic development and masterplans and how engagement can be considered.

Whakapono – Customs & Faith

44. The FDS was able to incorporate iwi and hapū values towards urban development. We will continue to work with tangata whenua to ensure whakapono is appropriately acknowledged and incorporated into the work and plan change.
45. This can relate to identifying areas of significance, including cultural sites, and identifying suitable mechanisms through the use of the relevant spatial layers identified in **Attachment 3**. Overlays, such as Heritage Alert Layer in the current TRMP require resource consent applicants to engage the relevant iwi to consider how the proposal may affect a particular site of significance.

46. This is one of many spatial layer mechanisms that can be used to protect whakapono and to ensure as the urban area experiences growth and development, these areas of value area protected and are not negatively impacted.
47. Cultural value assessments, reviewing the historic heritage information in the TRMP and further iwi and hapū engagement will be key informants to the spatial layers. A Historic Heritage Review (HHR) is currently in progress, and upon completion, can inform the review of relevant district related heritage spatial layers.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

48. The wider community and stakeholders had been engaged regularly at key points in the development of the FDS, as part of the Communications and Engagement plan. This included:
 - early nominations of growth areas
 - selecting preference of growth scenarios
 - engaging the public during the ‘Have your say’ events at the council, Gisborne Farmers Market and a walk through the CBD during the draft FDS consultation period.
49. We learned via feedback on the Statement of Proposal (SOP) of the Draft FDS, that 61% of submitters supported the Framework of Objectives, 52% agreed with the preferred growth strategy and the 62% supported the high-level intensification principles. These principles continue to guide the approach as outlined earlier in this paper.
50. Having recently engaged on the FDS and receiving constructive feedback, future engagement with the community and stakeholders will be targeted towards place-based discussions necessary to support how intensification can be delivered.
51. Recent engagements and feedback
 - a. Tairāwhiti Regional Housing Steering Group – 31 July 2024
 - i. An update on the urban-related plan change progress was provided to the group including an opportunity to reflect on their late FDS submission.
 - ii. The group were appreciative of the opportunity to discuss this and only re-iterated their concern for ensuring we are guided by the most accurate growth projections as this has a bearing on how infrastructure is enabled.
 - iii. The UGD workstream will continue to engage this group through the development of the plan change.

- b. Wainui community engagement – 1 August 2024
 - i. TRMP teams with current projects in the Wainui area grouped together, in response to 3 Year Plan feedback wanting to connect more with Council. The teams updated the residents on their relevant projects and provided an opportunity for residents to engage with the respective teams.
 - ii. A review of the rural lifestyle zone provisions for Lloyd George Rd was the topic the UGD workstream focused on at this meeting. This is not FDS related but initiated to consider plan integrity issues with the rules relating to protecting the character, ensure future development is not contributing to wider community effects and providing certainty on minimum lot sizes.
- c. City Centre Masterplan
 - i. We have been engaged with Rongowhakaata Iwi Trust (RIT) and Trust Tairāwhiti in conversations relating to the revitalisation of the City Centre.
 - ii. The reason for coming together revolved around the shared interest in the City Centre as RIT have cultural and property interests, Trust Tairāwhiti are exploring an urban revitalisation project and the council progressing the City Centre masterplan.
 - iii. Whilst still in the early stages, key members of each organisation went to Hawke's Bay and met with the District Council to look at their city centre revitalisation. The CBD and housing developments were visited, and the team came back with many good ideas on policies and initiatives that could support our CBD revitalisation.

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

- 52. The NPS UD requires that planning for urban environments supports reductions in Greenhouse Gas (GHG) emissions. To ensure future development is located in areas of lower risk to the impacts of climate change as well as supporting reductions in GHG emissions, the FDS has evaluated the growth areas against climate change criteria. The FDS growth areas have also taken into account the known urban impacts of Cyclone Gabrielle in 2023,
- 53. Further detail on the multi-criteria assessment of growth areas is included in the FDS Technical report ([FDS-Technical-Report-.pdf \(gdc.govt.nz\)](#)).
- 54. As we progress the urban chapter review, we will be informed by more recent studies into the effects of climate change. NIWA, the National Institute of Water and Atmospheric Research, has recently developed updated national climate change projections for the country. NIWA are expected to release insights and map-based tools to display these projections in the months ahead which will need to be considered.
- 55. As we focus on reviewing the spatial layers in the TRMP, this will include revising the now outdated natural hazard overlays. Technical studies are being developed which will inform a renewed set of hazard overlays.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

56. There are no direct financial implications of this report as the costs of this review are part of the approved TRMP review budget.

Legal

57. There are no legal implications for this report. The eventual plan change next year will be subject to various legal reviews to make sure it meets various legal requirements.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

58. This report is consistent with recent and long-standing Council policies and plans.

RISKS - NGĀ TŪRARU

59. Timing to achieve the scheduled plan change is tight. There are several statutory steps that are required under the RMA to enable the plan change to be completed and notified in line with the desired date. To mitigate this Council is in the process of procuring consultancy support to help prepare the plan – this is in line with the TRMP budget and expected support needed when the budget was developed.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
September 2024	Secure some consultancy support for assistance with plan change.	The UGD workstream, supported by consultant capacity, will progress the work identified in this report. The intended outcome is to support the necessary technical studies required to deliver the 4 December 2024 Decision report.
4 December 2024	Decision report on options for spatial layers.	A Decision Report will be presented to the TRMP Committee with the purpose of obtaining endorsement on option development in preparation for the July consultation on the proposed plan change.
July/Aug 2025 (pending 2025 TRMP meeting dates)	Notification of spatial layers as part of the wider Urban Plan change.	Extensive consultation public consultation on the proposed plan change.

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Existing TRMP spatial layers [24-230.1 - 1 page]
2. Attachment 2 - National Planning Standards Zones and Descriptions [24-230.2 - 2 pages]
3. Attachment 3 - National Planning Standards Spatial Layers [24-230.3 - 1 page]

Attachment 1: Existing TRMP spatial layers

TAIRAWHITI RESOURCE MANAGEMENT PLAN LEGEND

Built Environment, Energy and Infrastructure

- Airport Runways - Tarmac
- Airport Runways - Grass
- Airport Runways - Extension
- Airport Height Control Surfaces
- Air Noise Boundary 65Ldn
- Outer Control Boundary 55Ldn
- Airport Noise Impact Overlay
- Airport Protection Overlay
- Citrus Grove Building Exclusion Area
- Port Noise 55Ldn Boundary
- Port Noise 65Ldn Boundary
- Port Inner Control Boundary
- Port Outer Control Boundary
- Eastland Network 50kV
- Eastland Network 110kV
- Roadway Concept - Restricted access
- Citrus Grove Development Area
- Taruheru Block Structure Plan Area
- Continuous Street Facade
- Natural Gas Pipeline
- Reticulated Services Boundary
- Road Hierarchy - Principal
- Road Hierarchy - Arterial
- Road Hierarchy - Collector
- Road Hierarchy - Local
- Road Hierarchy - Other
- Road Hierarchy - Outside

Coastal Management

- Coastal Marine Area Boundary
- Coastal Environment Overlay (Land)
- Marine Outfall
- Specific Activity Area - Jet Ski
- General Management Area
- Port Management Area
- Significant Values Management Area
- Marine Areas of Significant Conservation Value
- Terrestrial Areas of Significant Conservation
- Outstanding Landscapes
- Water Classification Zone -SA
- Water Classification Zone -SB
- Water Classification Zone -SC
- Water Classification Zone -SD

Environmental Risks

- Contaminated Sites
- Stability Alert - Site Caution
- Stability Alert - Makorori Land Instability Hazard
- Stability Alert - Waimata Riverbank Erosion Hazard Area
- Stability Alert - Waimata Riverbank Fringe Area
- Coastal Hazard Overlays - Extreme Risk
- Coastal Hazard Overlays - High Risk
- Coastal Hazard Overlays - Moderate Risk
- Coastal Hazard Overlays - Safety Buffer
- Flood Hazard Overlay - River and Floodway (F1)
- Flood Hazard Overlay - High Hazard Areas (F2)
- Flood Hazard Overlay - Moderate/High Hazard Areas (F2A)
- Flood Hazard Overlay - Flood Ponding Areas (F3)
- Flood Hazard Overlay - Areas Liable to Flooding (F4)
- Flood Hazard Overlay - Flood Fringe Areas (F5)
- Flood Hazard Overlay - Old River Loops (F6)
- Flood Hazard Overlay - Urban Stormwater Flood Hazard Areas (F7)
- Flood Hazard Overlay - Urban Ponding Areas (F8)
- Flood Hazard Overlay - Urban Floodways (F9)
- Areas Sensitive to Coastal Hazards (ASCH)

Freshwater

- Significant Recreation Areas (Schedule 5)
- Protected Watercourses (Schedule 7)
- Scheduled Rivers and Streams (Schedules 1, 4 & 6)
- Scheduled Water Bodies (Schedules 1,3,4 & 6)

Historic and Cultural Heritage

- Archaeological Site
- Archaeological/Waahi Tapu Site
- Waahi Tapu Site
- Archaeological Buffer - 10
- Archaeological Buffer - 15
- Archaeological Buffer - 20
- Archaeological Buffer - 30
- Archaeological Buffer - 50
- Archaeological Buffer - 70
- Archaeological Buffer - 100
- Archaeological Areas
- CBD Schedule - Historical Buildings
- Post European Contact Schedule - Historic Sites
- Heritage Precinct
- Waahi Tapu Areas
- Heritage Alert Overlay

Natural Resources

- Geological Sites
- Urban Ridgelines
- Protection Management Areas
- Outstanding Landscapes

Land Management

- Land Overlay 1
- Land Overlay 2
- Land Overlay 3
- Land Overlay 3A

District Zones

- Amenity Commercial
- Aviation Commercial
- Fringe Commercial
- Inner Commercial
- Outer Commercial
- Rural Commercial
- Suburban Commercial
- Amenity Reserve
- Cemetery Reserve
- Heritage Reserve
- Neighbourhood Reserve
- Recreation Reserve
- General Residential
- Inner City Residential
- Residential Protection
- Residential Lifestyle
- Rural Residential
- Rural Lifestyle
- Rural General
- Rural Production
- Cone of Vision
- Port A
- Port B
- Industrial
- Rural Industrial A
- Rural Industrial B
- Road Reserve
- Road
- Water

Other Information

- Designations
- Archaeological Supervision



Attachment 2: National Planning Standards, Zones and Descriptions

Zone name	Description
Large lot residential zone	Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low density residential and General residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.
Low density residential zone	Areas used predominantly for residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses with yards and landscaping, and other compatible activities.
General residential zone	Areas used predominantly for residential activities with a mix of building types, and other compatible activities.
Medium density residential zone	Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.
High density residential zone	Areas used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.
General rural zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural production zone	Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used
	for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural lifestyle zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.
Settlement zone	Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.
Neighbourhood centre zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local centre zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Commercial zone	Areas used predominantly for a range of commercial and community activities.
Large format retail zone	Areas used predominantly for commercial activities which require large floor or yard areas.
Mixed use zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town centre zone	Areas used predominantly for: <ul style="list-style-type: none"> in smaller urban areas, a range of commercial, community, recreational and residential activities. in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.

Metropolitan centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.
City centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.
Light industrial zone	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.
General industrial zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.
Heavy industrial zone	Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.
Natural open space zone	Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.
Open space zone	Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.
Sport and active recreation zone	Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.
	may also be used for new and changing approaches to prisoner reintegration and rehabilitation.
Future urban zone	Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.
Hospital zone	Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
Māori purpose zone	Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.
Port zone	Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.
Stadium zone	Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities.
Tertiary education zone	Areas used predominantly for the operation and development of tertiary education facilities and associated activities.

Attachment 3: National Planning Standards. Spatial layers for combined plans table

Spatial layer name	Function	Location of spatial layer provisions
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.	Zone chapters or sections
Overlays	An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.	District-wide matters chapters for district plans Domain and topic chapters for combined plans with a district component
Precincts	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	If apply to only one zone, in the associated zone chapter or section If apply to multiple zones, in the multi-zone precincts chapters
Specific controls	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or district-wide provisions that apply to that site or area (for example where verandah requirements apply, or where a different maximum height on a particular site applies).	Relevant chapters or sections
Development areas	A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.	Development area chapters
Designations	Spatially identifies where a designation is included in a plan under section 168 or section 168A or clause 4 of Schedule 1 of the RMA.	Designations chapters
Heritage orders	Spatially identifies heritage orders enabled under section 189 of the RMA.	<i>Historic heritage</i> chapter
Freshwater management unit	A freshwater management unit's function and requirements are set in the National Policy Statement for Freshwater Management 2014 (amended 2017).	Freshwater management unit chapters
Airshed	An airshed spatially identifies where the Minister for the Environment has specified an airshed under the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.	Air chapter
Area	An area spatially identifies an area, which is not a zone, overlay, specific control, freshwater management unit or airshed, where activities or classes of activities are managed in a certain way.	Area chapters

Title: 24-236 Technical Reports Commissioned to Inform Regional Policy Statement and Future Regional and District Plan Provisions

Section: Sustainable Futures

Prepared by: Paula Hansen - Senior Policy Planner - Resource Management Planning

Meeting Date: Tuesday 3 September 2024

Legal: No

Financial: No

Significance: **Medium**

Report to TAIRAWHITI RESOURCE MANAGEMENT PLAN REVIEW/AROTAKENGA MAHERE WHAKAHAERE RAWA TIAO O TE TAIRĀWHITI Committee for information

PURPOSE - TE TAKE

The purpose of this report is to inform the Tairāwhiti Resource Management Plan (TRMP) Committee of the technical reports being commissioned to inform the TRMP review.

SUMMARY – HE WHAKARĀPOPOTOTANGA

The TRMP review is informed by an evidence base. This evidence base can come from Council's internal institutional knowledge, existing plans, strategies, mātauranga Māori, monitoring and specifically commissioned technical reports.

This report identifies the technical reports that are being commissioned through the Regional Policy Statement (RPS) workstream. These will inform the direction of provisions within the RPS, and subsequent objectives, policies and methods, including, rules captured in the Regional and District Plan provisions and the detail being captured in associated plan schedules, maps, and attachments.

The information within these reports will need to be consulted on especially with tangata whenua, and affected landowners where something has been identified on land. These include outstanding natural landscapes and coastal environment line.

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 Tairāwhiti Resource Management Plan Review/Arotakenga Mahere Whakahaere Rawa Taiao o Te Tairāwhiti Committee:

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

Authorised by:

Joanna Noble - Director Sustainable Futures

Keywords: Technical reports, consultation, RPS provisions, Regional Policy Statement, heritage, outstanding natural landscapes, ONL, Outstanding natural features, ONF, natural character, natural hazards, Air, seascapes, coastal environment line, Biodiversity.

BACKGROUND - HE WHAKAMĀRAMA

1. The review of TRMP provisions needs to be supported by evidence. This evidence can come from Council's internal institutional knowledge, mātauranga Māori, monitoring and specifically commissioned technical reports.
2. Several technical reports have been commissioned, and others have been identified as required.
3. What technical advice is commissioned is influenced by Council's functions under s30 and s31 of the Resource Management Act (RMA), the matters of national importance identified in s6 of the RMA, national direction, and what we need to consider in the RPS provisions and plan layers. Most of these subject matters are already reflected in the operative TRMP.
4. Staff intend to workshop the content of some of the technical reports with the TRMP Committee to support their understanding of what has been identified, how it has been identified, and what is new. This will support the committee's understanding prior to any consultation occurring and enable the committee to answer any questions that may come their way.
5. Technical reports form the evidence base for plan development and will require tangata whenua and community consultation. Engagement is important to build understanding and awareness, verify information and identify potential challenges or support for the findings. This feedback will be used in the RMA s32 evaluation.
6. Attachment A contains a list of reports that are either in the process of being written (working draft), or are at a completed draft stage, or have been finalised. Those that are in a completed draft stage, are generally ready to be released and engaged on before being finalised. Once engagement has occurred, the reports can be finalised. Further consultation will take place through the RMA first schedule plan-making process.
7. The current approach is to test the criteria and methodology contained in the technical reports through the RPS review process, as outlined in Report 24-245. The next step is to release the results of applying these criteria and methodologies, which may lead to areas being mapped in the proposed TRMP. An alternative approach is to incorporate information by reference. This approach will also require consultation on the draft reports.

DISCUSSION and OPTIONS - WHAKAWHITINGA KŌRERO me ngā KŌWHIRINGA

8. The current TRMP has varying levels of information contained in overlays, schedule and appendices depending on the topic, which can be viewed on Council's website: [Tairāwhiti Resource Management Plan \(TRMP\) | Gisborne District Council \(gdc.govt.nz\)](https://www.gdc.govt.nz/Resource-Management-Plan-TRMP)
9. The technical reports consider current best practice, case law and any national direction. This report provides information on technical reports that have been commissioned externally to Council and those that have been identified as needing to be commissioned.

Air Quality

Current Situation

10. The National Environmental Standards for Air Quality (NES-AQ) came into effect in 2004 and were updated in 2011. The intent of these standards is to provide a minimum level of health protection for all New Zealanders.
11. The current TRMP seeks to maintain and enhance air quality where necessary to protect human health, fauna, flora and aesthetic values. The provisions predate the 2011 amendments to the (NES-AQ) and do not adequately serve the aspirations of the community. Nor do the current provisions address the cultural importance of the air resource to iwi.
12. There are fourteen standards listed in the NES-AQ. Where ambient air quality standards are breached, an airshed is deemed 'polluted'.
13. Monitoring has shown air quality in Gisborne city deteriorates during the winter months May-August, when wood fires/multi-fuel burners are used. The air quality standards for particulate matter are commonly exceeded at least once during the winter.
14. The Gisborne City Airshed was [gazetted](#) as separate airshed on 31 March 2022 (refer Report 21-67). This enables Council to manage the polluted area separately to the rest of the region. The provisions of the TRMP require updating in accordance with the NES-AQ and to provide for different management of the polluted airshed. In the interim, no new air discharge consents may be granted in the city airshed unless appropriate offsets are put in place.

Scope of Commissioned Report(s)

13. An Air Quality monitoring report has been commissioned which outlines Council's responsibilities to manage and monitor air quality for a polluted airshed. This includes technical recommendations on:
 - methods to identify key exposure locations
 - the type and number of air quality monitoring equipment to be deployed
 - equipment maintenance and calibration.
14. No further reports will be commissioned at this stage.

Next Steps

15. Actions being undertaken as a result of the Air Quality monitoring report include:
 - The type and number of air quality monitoring equipment to be deployed: Gisborne District Council (Council) has purchased an additional T640X optical monitoring device. This is currently being co-located with the existing device for quality data purposes. We are in the early stages of developing a project to install a reference device (volumetric) – this is required by the NESAQ for data quality purposes every 10 years.
 - Identify key exposure locations: Once the co-location project has been completed (which requires 1 year of monitoring data) we will look for an additional site.

- Equipment maintenance and calibration: Further advice has been sought from an air quality consultancy familiar with our air monitoring equipment to develop robust calibration and maintenance standard operating procedures. We are also waiting on the NESAQ revision to determine if we need to undertake nitrogen oxides (NOx) monitoring as it requires quite expensive equipment and has high consumable costs.
16. Tangata whenua and community engagement on the air provisions in the draft RPS will occur in early 2025. If feedback indicates additional technical reports are needed, we will seek to obtain them at that stage.
 17. Most of the detail of the Air provisions (such as new rules) will be captured in the Regional Air plan provisions during Phase 2 of the TRMP review, including whether any specific policies, rules or other methods are required to manage the Gisborne city airshed.

Cultural and Historic Heritage

Current Situation

18. Protection of historic heritage from inappropriate use and development is a matter of national importance under s6 of the RMA. The current TRMP has criteria in the RPS section to determine if a heritage value is considered significant. The current rules and schedules that manage heritage values are contained in the District Plan part of the operative TRMP. The TRMP includes several schedules relating to historic heritage:
 - G2A: Archaeological Sites¹⁶
 - G2B: Archaeological Areas¹⁷
 - G3: Waahi Tapu¹⁸
 - G4: Central Business District – Heritage¹⁹
 - G5: Post European Contact²⁰
 - G6: Heritage orders²¹
19. Attachment H5²² contains a "List of Residential Protection Zone Sites", which contains sites registered by Heritage New Zealand (formerly Historic Places Trust) and sites of local significance. A Heritage Alert Overlay is also included in the TRMP.

Scope of Commissioned Report(s)

20. A heritage technical report has been commissioned to review the assessment criteria, methodology and identification of sites, areas, and places. This includes reviewing current best practice and the relevant schedules, appendix, and Heritage Alert Overlay. A review of the existing historic heritage framework within the plan forms part of this work.

¹⁶ https://www.gdc.govt.nz/_data/assets/pdf_file/0019/8047/g2a-schedule.pdf

¹⁷ https://www.gdc.govt.nz/_data/assets/pdf_file/0012/8022/G2B-schedule.pdf

¹⁸ https://www.gdc.govt.nz/_data/assets/pdf_file/0029/7598/g3-schedule.pdf

¹⁹ https://www.gdc.govt.nz/_data/assets/pdf_file/0029/8993/G4-schedule-24oct18.pdf

²⁰ https://www.gdc.govt.nz/_data/assets/pdf_file/0018/9063/g5-schedule-24oct18.pdf

²¹ https://www.gdc.govt.nz/_data/assets/pdf_file/0023/7592/g6-schedule.pdf

²² https://www.gdc.govt.nz/_data/assets/pdf_file/0013/8005/H5-appendix.pdf

Next Steps

21. The heritage review has started and now requires engagement and direct input and direction from tangata whenua on how heritage sites, areas and places with cultural values and relationships are identified. Tangata whenua will guide whether wāhi tapu are identified in the TRMP and how these are depicted, either in a list form or on a map or as a 'silent' layer, which is not accessible to the public. The report can be finalised once tangata whenua engagement has occurred.
22. Any new sites, areas or places that are identified through this process will require landowner engagement.

Outstanding Natural Landscapes/Features/Seascapes

Current Situation

23. The protection of outstanding natural features and landscapes from inappropriate use and development is a matter of national importance under s6 of the RMA. Further direction on management of natural features and natural landscapes in the coastal environment is provided in the New Zealand Coastal Policy Statement 2010.
24. The operative TRMP seeks to protect outstanding landscapes, outstanding natural features and seascapes. The coastal provisions include assessment criteria to be used when identifying features, landscapes and areas and identifies landscape character areas in schedule G7C²³. However, these were last assessed over 20 years ago and are not consistent with national direction or current best practice.
25. The TRMP also has Schedule G8: Important Geological Sites and Schedule G1: Areas of Significant Conservation Value in the Coastal Marine Area of the East Coast, with maps showing outstanding natural landscapes, geological areas, and value in the coastal marine area of the East Coast.
26. The TRMP currently does not have any seascapes recognised and the marine environment is not provided for. Outstanding natural areas and features have only been identified for the coastal environment (the coastal margin).

Scope of Commissioned Report(s)

27. A landscape stocktake was undertaken that looked at outstanding natural features, highly valued landscapes and cultural landscapes. This determined that the areas identified in the TRMP need to be reviewed in line with current best practice and to also assess landscapes outside of the landward coastal environment. This included identification of seascapes.
28. A technical report was commissioned that includes developing assessment criteria and methodology, and the application of those to identify outstanding natural landscapes, features and seascapes across the region.
29. Cultural landscapes have not been identified as this will require support from iwi and hapū as it is not Council's place to say what these are, but we can facilitate if desired.

²³ [G7C-Schedule-Outstanding-Natural-Landscapes-in-the-Coastal-Environment.pdf \(gdc.govt.nz\)](#)

Next steps

30. A draft report has been completed and will be finalised once consultation has occurred with tangata whenua and community on the criteria, methodology and the areas identified. The initial step is to engage on the criteria and methodology with some sample maps. This will occur when the draft RPS is released.
31. After engagement, if no changes are needed, the maps can be released, and engagement with affected landowners and tangata whenua can occur. If changes are required, the draft maps will need to be revised before proceeding. Engagement with tangata whenua can happen concurrently alongside both stages.

Natural Character of the Coastal Environment

Current Situation

32. The preservation of the natural character of the coastal environment from inappropriate use and development is a matter of national importance under s6 of the RMA. Further direction is provided in the New Zealand Coastal Policy Statement 2010.
33. The operative TRMP has not mapped high or outstanding natural character as required by the NZ Coastal Policy Statement. Instead, the operative TRMP includes examples of what forms part of the region's natural character, namely significant natural terrestrial, freshwater and marine areas. There are also criteria that can be used to determine significant natural areas.

Scope of Commissioned Report(s)

34. The commissioned report includes developing assessment criteria and an assessment methodology and using these to identify high and outstanding natural areas of the coastal environment (which includes the coastal marine area).

Next Steps

35. The natural character of wetlands, lakes, rivers and their margins will be addressed through the freshwater catchment planning process.
36. A draft report has been completed and will be finalised once consultation has occurred with tangata whenua and community on the criteria, methodology and the areas identified. The initial step is to engage on the criteria and methodology with some sample maps. This will occur when the draft RPS is released.
37. After engagement, if no changes are needed, the maps can be released, and engagement with affected landowners and tangata whenua can occur. If changes are required, the draft maps will need to be revised before proceeding. Engagement with tangata whenua can happen concurrently alongside both stages.

Coastal Environment Line and Coastal Marine Area

Current Situation

38. The New Zealand Coastal Policy Statement 2010 (NZCPS) requires the coastal environment to be identified and provides direction on how to do this. The operative TRMP has identified the coastal environment on a map. However, this is not consistent with the NZCPS direction.

Scope of Commissioned Report(s)

39. The coastal environment line has been reviewed and a draft report is ready for engagement with tangata whenua and the community. The draft report includes the methodology used to identify the inland extent of the coastal environment and maps showing where this line is situated geographically.

Next Steps

40. Internal scoping of potential gaps in knowledge on the natural heritage within the coastal environment and coastal marine area is currently being undertaken. This also considers any information gaps in coastal water quality. A key gap noted is around our understanding of our dune systems, including the fauna and flora on the dunes.
41. The coastal environment line is to be consulted on including with affected landowners and tangata whenua.

Natural Hazards

Current Situation

42. The management of significant risks from natural hazards is a matter of national importance under s6 of the RMA. Further direction is provided in the New Zealand Coastal Policy Statement 2010 for the coastal environment and new national direction(policy) that is specific to natural hazards is under development.
43. The operative TRMP contains maps for land stability, and coastal hazard overlays, nine flood hazard overlays and identifies areas sensitive to coastal hazards. These maps are overlays that indicate when specific natural hazard management provisions apply or when mitigation for certain hazards is required.
44. There is commentary within the TRMP on how the nine flood overlays were developed. To support the coastal hazard overlays, the Plan has Schedule G13: Coastal Hazard Overlay Standards and Assessment Criteria²⁴.
45. The Wainui Coastal Adaptation Plan is part of the TRMP review and will inform the regional and District Plan layers. Technical reports for coastal hazard overlays will also consider the Wainui Coastal Adaptation Plan and to recommend other areas of the region that should undertake a similar process.

²⁴ https://www.gdc.govt.nz/_data/assets/pdf_file/0016/8026/g13-schedule.pdf

Scope of Commissioned Report(s)

46. Council previously commissioned an external review of the current natural hazards research. This report undertook a stocktake and gap analysis that fed into research prioritisation for further technical work needed to inform the TRMP review.
47. Council directed early on that the review of the TRMP should explore taking a risk-based approach to natural hazards. To support this, work was commissioned to develop a risk matrix to manage natural hazards. This is currently in draft form and will form the basis for how we consider natural hazard risks. This is ready for community engagement.

Next Steps

48. Staff are taking stock of what Council's needs are in terms of climate change scenarios. These will help inform what scenarios are considered when commissioning technical reports for the different natural hazards. Different scenarios are used so Council can see the implications of different climate change scenarios and can make informed decisions. These reports are due to be commissioned prior to December 2024.
49. A series of technical reports will be required to develop a methodology for specific hazards, being for flooding, coastal hazards, slope stability and liquefaction. Areas will then be identified and classified as being either high, medium or low hazard risk. A key consideration when identifying natural hazards and what they mean for the region is climate change. When commissioning natural hazards reports, a range of climate change scenarios will be considered, including time horizons. This should support informed decisions on the impact of the maps and associated rules that will be included within the TRMP.
50. For flooding, the RPS team is working with Council's Regional Rivers Team to identify areas that would benefit from flood mapping and to identify any synergies between the flood resilience mapping the Regional Rivers team are undertaking and what is required to inform flood maps within the TRMP. The areas that are mapped through the TRMP will be determined on the scope of the flood resilience work, which are looking to gain mapping for a different purpose.
51. All hazards mapping will be subject to engagement with community, landowners and tangata whenua.

Biodiversity

Current Situation

52. The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance under s6 of the RMA. The National Policy Statement for Indigenous Biodiversity and NZCPS provide further direction. Both pieces of national direction contain requirements Council needs to address (more information can be found in **Report 23-180**).
53. The operative TRMP contains a list of criteria assessment criteria for significance that can be used to identify biodiversity significance. Maps contain information on the location of protected management areas.

54. The plan also contains the following schedules:
- G1: Areas of Significant Conservation Value Site Sheets and Location Maps.
 - G7A: Protection management area overlay.
 - G7B: Regionally and nationally rare or threatened species found in the Gisborne District.
 - G11: Protection management area values.

Scope of Commissioned Report(s)

55. To support our understanding of indigenous biodiversity in the Gisborne City urban area, and to support the Future Development Strategy (FDS) a report was commissioned that outlined the extent of indigenous vegetation in the urban area and the information available on biodiversity. A pathway for how we may go about identifying projects to increase indigenous vegetation within the Gisborne City area was also developed. This sits outside the TRMP and was provided to Liveable Communities to consider within their work programme and long term planning.
56. A high-level monitoring plan to meet the requirements of the National Policy Statement for Indigenous Biodiversity (NPS-IB) was developed. This report indicated gaps in our current knowledge base that means further work we may need to commission and provides information on what we should be monitoring. Most of these gaps are ones that have come through new requirements within the NPS-IB.
57. A report is being commissioned on options to protect indigenous vegetation and significant habitats of fauna in the absence of significant natural areas being identified in accordance with the NPS-IB. This has just started and will help inform future work.

Next Steps

58. Commissioning of further biodiversity report(s) will happen before December 2024. Staff are maintaining a watching brief on potential changes to the NPS-IB, but note the Council still has a duty to maintain indigenous biodiversity under sections 30 and 31 of the RMA, and to protect significant areas and habitats under s6 RMA.
59. Biodiversity reports still to be commissioned include:
- Review of current Protected Management Areas, including their geographical extent.
 - Identification of significant indigenous vegetation and significant habits of indigenous fauna, this includes reviewing the regionally and nationally rare and threatened species schedule.
 - Identification of indigenous vegetation cover and assessment to determine regional and catchment coverage.
 - Identification of areas where highly mobile fauna across the region and catchments.
60. These reports can then also help inform a biodiversity strategy which in turn can help with the refinement of the TRMP ecosystems and biodiversity provisions. A pathway forward is being developed and will be communicated once drafted. A key part of this work will be engagement and input from tangata whenua.

ASSESSMENT of SIGNIFICANCE - AROTAKENGA o NGĀ HIRANGA

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

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

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

Overall Process: High Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: High Significance

This Report: Low Significance

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

Overall Process: Low Significance

This Report: Medium Significance

61. This report is part of a process to arrive at a decision that will/may be of **Medium** level in accordance with the Council's Significance and Engagement Policy
62. The findings within technical reports that show the location of a significant value associated with features, landscapes, natural character, and heritage will be of interest to landowners who have these identified on their property.

TREATY COMPASS ANALYSIS

Kāwanatanga

63. The reports described in this report have been commissioned to support Council in understanding primarily matters of national significance under section 6 the RMA. These only form part of the picture. There is an opportunity to work with tangata whenua to ensure cultural narrative, historic relationships with place are understood and appropriately reflected in the TRMP. This will allow for the development of a TRMP framework that enables use and development while protecting what is important to tangata whenua.
64. Where sites, areas or places of cultural importance are identified tangata whenua can indicate what is shown in the plan and what stays out.
65. Some topics will also need direct input from tangata whenua such as the heritage report, and others to be engaged to validate and test cultural appropriateness for Tairāwhiti. When this happens there might be a need for additional work, for example if tangata whenua indicate a preference to include cultural landscapes, Council can work with tangata whenua to do this work, or if they think something is missing from our information.

Rangatiratanga

66. The reports mentioned largely identify parts of the environment that are not confined to boundaries or land tenure they are based on best practices and case law and written to meet legal tests. However, there is an opportunity for tangata whenua to include mātauranga Māori with māori expertise and input to influence the 'how' through the plan provisions. This includes how something is articulated in the TRMP and how something should be managed.
67. As TRMP provisions are developed direction and intent from tangata whenua can be included within the limitations of the RMA. Where these fall outside of the RMA, alternative pathways can be considered by Council. These can also be recorded within other methods of the TRMP. These may also need agreement of any resources and /or of associated budget within a long term plan of councils.

Oritetanga

68. Inequities can exist where whenua māori is less developed than freehold land. This means land that has higher natural values (in a western sense) and thereby assessed as significant for various natural heritage characteristics that are to be protected will result in further constraints on the use of that land.
69. The RPS team are open to how plan provisions may reduce inequities. The plan drafting and testing phases of the review are the best time to work with tangata whenua to address these.

Whakapono

70. The TRMP is to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, and the protection of customary rights, under section 6 of the RMA. This can include providing for traditional Māori uses, practices and customary activities relating to natural and physical resources of the coastal environment such as mahinga kai, exercising kaitiakitanga in accordance with tikanga māori and protecting wāhi tapu.
71. There is flexibility within drafting the TRMP provisions to recognise and provide for tangata whenua values, customs and practices. These are best developed with tangata whenua in the room. Engagement on the criteria within reports can draw out any additional cultural aspects that should be included or provided for.
72. There is an opportunity to work with tangata whenua to incorporate mātauranga Māori in the assessment of Māori cultural values and attributes comprising the elements of Natural Character, Natural Features, Natural Landscapes, and Indigenous Biodiversity. This can also extend to developing a framework for assessment of effects on cultural values and attributes, and how cultural values can be monitored.

TANGATA WHENUA/MĀORI ENGAGEMENT - TŪTAKITANGA TANGATA WHENUA

73. The technical reports provide information to support provisions within the TRMP. They will also aid discussions with tangata whenua on what appropriate provisions could look like, including how mātauranga māori and māori values are captured and articulated within the TRMP. Discussions with Māori Partnerships Team are being had on how engagement could occur on the topics mentioned in this report as part of the wider TRMP review engagement process.

COMMUNITY ENGAGEMENT - TŪTAKITANGA HAPORI

74. Community engagement and specific landowner engagement will be required. The current process is looking to engage on the criteria and methodology through the draft RPS. Once this has been undertaken then further engagement will be had with affected landowners on the application of the criteria and methodology.

75. Part of this engagement could include exploration on what potential provisions might look like at the Regional and District Plan layers.

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

76. There are no climate change implications as a result of this report although climate change will be a consideration within the commissioning of some reports outlined that support the TRMP review.

CONSIDERATIONS - HEI WHAKAARO

Financial/Budget

77. Budgets for technical reports are part of the TRMP review budget which was reconfirmed in Council's [2024-2027 Three Year Plan](#).

Legal

78. Technical reports will provide the evidence base to support policy positions in the TRMP and support robust decision-making processes that will stand up in the Environment Court.

POLICY and PLANNING IMPLICATIONS - KAUPAPA HERE me ngā RITENGA WHAKAMAHERE

79. The technical reports will support the policy positions within the TRMP provisions and provide robust mapping layers. Most of the current map layers are over 20 years old and need to be reviewed to reflect current best practice, case law and knowledge. Some of these technical reports will inform future reserve management planning, asset management planning (for example, for street trees and open spaces) and consenting and compliance processes.

RISKS - NGĀ TŪRARU

80. Key risk around not obtaining supporting technical reports is leaving Council open to challenge through the plan making process. The implications are that the plan may not stand up in the environment court adding to cost and time to reach an operative plan.
81. There is likely to be a perception around infringement of property rights where certain sites, or features are mapped on private property. This will require good communication to be in place prior to engagement occurring. This should outline, what it is, how it was identified and why it is important.

NEXT STEPS - NGĀ MAHI E WHAI AKE

Date	Action/Milestone	Comments
Early-mid 2025	Engage on criteria through the draft RPS engagement process	
Mid -late 2025	Confirm criteria and start engagement on any map layers, or site, areas, places that will be captured in a schedule	

ATTACHMENTS - NGĀ TĀPIRITANGA

1. Attachment 1 - Key Documents used to Inform RPS Review [24-236.1 - 7 pages]

Name of report	status	Brief description	Where information will it fit within the TRMP
		<p>This report is not a proposal to undertake full assessments but rather, a review and catalogue of information, technical assessments, and planning provisions supporting Council's identification and management of:</p> <ul style="list-style-type: none"> • Natural Character areas • Outstanding Natural Features and Landscapes (including seascapes) • Highly Valued Landscapes; and • Cultural Landscapes 	
Biodiversity stocktake - gap analysis and pressures	Working draft	This was to understand what information we had available and what we needed to commission to support giving effect to the National Policy Statement for Indigenous Biodiversity and planning for Biodiversity in the TRMP.	Support procurement planning to ensure an evidence base is robust to support the review and development of provisions under the TRMP.
Regionally significant infrastructure - assessment criteria, identification, mapping	Working draft	To gain an understanding of how we defined regionally significant infrastructure.	There will be a definition included with RPS definitions and will have implications on what infrastructure is promoted as being important to the functioning of the region.
Air quality monitoring strategy review 22-1	completed	This report was to review how we monitor air quality and how air monitoring is undertaken. This also seeks to understand how we can improve information and knowledge available regarding air quality and its management and identify the air quality monitoring and provide a framework for monitoring of PM10, PM2.5, and NO2 within the District. This is to support council to meet its requirements under the National Environmental Standard for Air Quality.	Support council to understand and plan for monitoring of air quality. This will help support the evidence base we have to progress air quality provisions in the TRMP.
Region wide assessment of ONL, ONF and seascapes 22-79	Draft complete	This project updated information on outstanding natural landscapes, outstanding natural features and identify seascapes in the Tairāwhiti region. This includes applying new criteria that is informed by best practice and case law and inform.	Methodology may be notified as a schedule or appendix alongside the RPS provisions. Maps of the coastal environment will be included to support regional and district the provisions within the TRMP.

Name of report	status	Brief description	Where information will it fit within the TRMP
Region-wide assessment of coastal natural character areas 22-78	Draft complete	This project was to identify natural character in the coastal environment in order to meet requirements under the New Zealand coastal policy statement 2010.	Methodology may be notified as a schedule or appendix alongside the RPS provisions. Maps of the coastal environment will be included to support regional and district the provisions within the TRMP.
RPS Historic Heritage and Historic sites review 22-80	Working draft	This project is to review the existing framework within the TRMP around heritage and to review a number of the TRMP schedules (GA, G2B, G3, G4, G5 and G6).	Methodology may be notified as a schedule or appendix alongside the RPS provisions. Maps of the coastal environment will be included to support regional and district the provisions within the TRMP.
Natural hazards risk assessment criteria for RPS 23-62	Draft completed	This contract was to provide a draft natural hazards risk assessment tool to be placed into the RPS provision to support a risk-based approach to managing natural hazards.	This will be in an appendix or schedule of the TRMP and will be used to support the RPS provisions.
Highly productive land (HPL) mapping	Working draft	This is to provide a methodology on how we apply the criteria within the National Policy Statement for Highly Productive Land.	A map is to be included in the RPS, with provisions on HPL to give effect top the National Policy Statement for Highly Productive Land within the District provisions of the TRMP.
Preliminary Issues and options Natural Hazards SP02	completed	Preliminary issues and options report that explores the legal framework and assesses councils current natural hazard management under the RMA and the options available to council to support a risk-based approach to natural hazard management throughout the TRMP.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.

Name of report	status	Brief description	Where information will it fit within the TRMP
Urban Biodiversity Action Plan SP03	completed	<p>The action plan is a high-level document designed to guide and inform future actions towards strategic biodiversity enhancement and protection in the urban area in a long-term perspective, linking urban habitats with high biodiversity areas in the wider Tairāwhiti region. It considers a range of options and how these can be implemented through the TRMP, the Future Development Strategy, the urban biodiversity action plan and a wider regional biodiversity strategy.</p> <p>This work is intended to support council in how it will give effect to the National Policy Statement for Indigenous vegetation.</p> <p>A background report formed part of this project and provided an understanding of the legislative framework, and an assessment of indigenous vegetation, and their risks, threats, pressures.</p>	<p>This work outlines the actions and a pathway for council to give effect to the National Policy Statement for indigenous Biodiversity. The background report will support plan changes and to support urban biodiversity actions that could be put in the TRMP.</p>
Options for plan structure SP04	completed	<p>This was to discuss how we might want to structure the TRMP under the Planning standards.</p>	<p>Decision made to use table 5 of the National Planning Standards.</p>
preliminary Issues and options Air SP05 Also have a summary available.	completed	<p>Preliminary issues and options report identifies the planning framework for air and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.</p>	<p>This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.</p>
Preliminary Issues and Options Historic and cultural values SP06 Also have a summary available.	completed	<p>Preliminary issues and options for historical and cultural values (including notable trees) under the RPS. This includes legislative framework, review in existing information and identifying gaps, identifying key issues and potential outcomes (objectives) and options to achieve the outcomes.</p>	<p>This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.</p>
Preliminary Issues and options Energy, Infrastructure, transport and waste, SP07 Also have a summary available.	completed	<p>Preliminary issues and options for the management of energy, infrastructure, transport and waste under the RPS. This includes legislative framework, review in existing information and identifying gaps, identifying key issues and potential outcomes (objectives) and options to achieve the outcomes.</p>	<p>This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.</p>

Name of report	status	Brief description	Where information will it fit within the TRMP
Preliminary issues and options for the Coastal Environment Also have a summary available.	completed	Preliminary issues and options report identifies the planning framework for the coastal environment and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.
Preliminary issues and options for Natural Features and landscapes Also have a summary available.	completed	Preliminary issues and options report identifies the planning framework for outstanding natural landscapes and features and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.
Preliminary issues and options for Ecosystems and biodiversity Also have a summary available.	completed	Preliminary issues and options report identifies the planning framework for ecosystems and biodiversity and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.
Preliminary issues and options for Contaminated land and hazardous substances Also have a summary available.	completed	Preliminary issues and options report identifies the planning framework for contaminated land and hazardous substances and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.
Preliminary issues and options for Urban Growth and Development Also have a summary available.	completed	Preliminary issues and options report identifies the planning framework for Urban growth and development, and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.

Name of report	status	Brief description	Where information will it fit within the TRMP
Preliminary issues and options for Land and Freshwater Also have a summary available.	Draft completed	Preliminary issues and options report identifies the planning framework for land and freshwater, and a review of existing evidence base, research and analysis. This report identifies key issues around air quality and identifies potential outcome (objectives) statements and the options to achieve those outcomes.	This report is to better understand the changes required within the TRMP to meet legislative requirements and any gaps in evidence/information to address those requirements.
Natural hazards Research programme coordinator SP15	completed	This contract was to provide some draft scopes to aid natural hazard procurement that will inform the TRMP review.	Support procurement planning to ensure an evidence base is robust to support the review and development of provisions under the TRMP.
Wainui coastal adaptation plan SP19	Working draft	Key objectives for this work include: <ol style="list-style-type: none"> 1. Coastal hazard risks are assessed and mapped using scenarios sufficient for future planning purposes – communities have a better understanding of how their coasts are changing. 2. Community vulnerability and risk tolerability is assessed - communities understand that changing coastal hazards impacts different people and things in uneven ways. 3. Adaptation options are assessed against community values and objectives -communities understand options, their limitations and opportunities and identify a strategy to respond to changing coastal risks. 4. An adaptive planning strategy, including signals and triggers and an implementation plan is developed. Communities and agencies are empowered to appropriately deal with changing coastal risks. 	This isn't necessarily a RPS project however it is in the area of interest for Ngāti Oneone. It is intended that this is a pilot as to how we may address future coastal adaptation plans that council may develop. This may provide information on how we respond to coastal hazards and potential issues associated as a result of climate change in the Wainui area.
Monitoring plan to meet NPSIB SP20	completed	This project sought to provide an analysis of the monitoring requirements within the NPSIB and undertake a gaps analysis between current Gisborne District Council practice and the National Policy Statement for Indigenous Biodiversity requirements for monitoring indigenous biodiversity and to develop a high level monitoring plan.	This project will help determine what we need in place in the TRMP to support monitoring under the National Policy statement for Indigenous Biodiversity and recognise current gaps in or information base that will support the provisions in the TRMP.

Name of report	status	Brief description	Where information will it fit within the TRMP
		This included providing recommendations on implementation, including commentary on current biodiversity management systems and further requirements.	

In addition to the above we are in the planning stages for the following procurement

Procurement purpose	Brief description	Where will it sit within the TRMP
Review of flood maps	Review of modelling and flood maps to reflect current knowledge.	Planning maps – will help inform where TRMP provisions will be applied.
Liquefaction assessment for TRMP	Review current maps and update as required.	Planning maps – will help inform where TRMP provisions will be applied.
Review of slope stability maps	Review current maps and information and update accordingly.	Planning maps – will help inform where TRMP provisions will be applied.
Coastal Hazard assessment (coastal inundation and coastal erosion) for TRMP	Identify coastal hazards and map them. Part of this will likely result in identifying and prioritising areas for adaptation plans similar to the Wainui coastal adaptation plan.	Planning maps – will help inform where TRMP provisions will be applied and where any adaptation plans should progress.
Protecting Indigenous vegetation and habitats – options in the absence of SNAs	This is to better understand what councils options are to give effect to section 6(c) of the RMA in the absence of significant natural areas (SNAs).	Support procurement planning to ensure an evidence base is robust to support the review and development of provisions under the TRMP.

Other work in the pipeline include:

1. Biodiversity work required to give effect to the National Policy statement for Indigenous Biodiversity – including Biodiversity strategy – currently looking at the approach we could stake to address requirements for both the TRMP and the Strategy.
2. Issues and options for the coastal marine area – while this will be undertaken in phase two, we are reviewing to understand our evidence base and to identify the information gaps so these can be filled prior to work commencing on the regional coastal plan.

12. Public Excluded Business

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

That:

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

Public Excluded Business

Item 12.1 24-237 Potential Highly Productive Land Areas in the Draft Regional Policy Statement Provisions

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

Item 12.1	7(2)(e)	Avoid prejudice to measures that prevent or mitigate material loss to members of the public.
	7(2)(j)	Prevent the disclosure or use of official information for improper gain or improper advantage.