

In Confidence

Office of the Minister of Forestry

Office of the Minister for the Environment

Chair, Cabinet Economic Policy Committee

Cabinet Report Back: Next steps for the Government Response to the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa

Proposal

- 1 This paper reports back on the government response to the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa (the Inquiry).
- 2 We are seeking Cabinet agreement to transition from an all-of-government governance arrangement. As the Minister of Forestry and the Minister for the Environment, we will retain our leadership of ongoing efforts in Tairāwhiti/Gisborne through our respective portfolios, and continue to ensure central government support for regionally-led initiatives.

Relation to Government priorities

- 3 The Inquiry was initiated by the previous Government. Its recommendations will see longer term actions to strengthen resilience for Tairāwhiti/Gisborne and Wairoa.

Background

Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa

- 4 In February 2023, the previous Government initiated the Inquiry and appointed an independent panel (the Panel) to recommend actions to address the impacts of land use and severe weather events in the Tairāwhiti/Gisborne and Wairoa regions [DEV-23-MIN-0015 refers].
- 5 On 12 May 2023, the Panel made 49 recommendations. The Government response to those recommendations was led by the Minister of Forestry and Minister for the Environment, with actions falling across 20 Ministerial portfolios [EWR-23-MIN-0040 refers].
- 6 On 26 July 2023, Cabinet agreed to a two-phased response to the Inquiry's recommendations:
 - 6.1 Phase One: actions that focus on immediate needs and near-term actions to 'reduce risk'; and
 - 6.2 Phase Two: local-led, centrally-supported actions to 'strengthen resilience' in Tairāwhiti/Gisborne and Wairoa.

- 7 Cabinet also agreed that the lead Ministers, in consultation with the Minister for Cyclone Recovery, would determine the ongoing governance arrangements to monitor and drive progress in responding to the Inquiry's recommendations [EWR-23-MIN-0059 refers].

Report back on the government response to the Inquiry

Phase One actions to 'reduce risk'

- 8 Phase One is well advanced in delivery of the four actions agreed by Cabinet:

- 8.1 **Effective and efficient clean-up of woody debris to manage the risks it presents:** over 446,500 tonnes of debris has been removed from Tairāwhiti catchments and beaches to date, with further funding committed through Budget 24 for ongoing removals. The Minister of Forestry established the Tairāwhiti Forestry Action Group to accelerate this work, improving our understanding of the remaining debris in the region and developing a plan to address the issue (**Appendix One**);¹
- 8.2 **Strengthening partnerships for future resilience:** a key part of the previous Government's response to the Inquiry was appointing two independent Ministerial advisors. The facilitator was appointed to provide insights on regional leadership, recovery, efforts to remove woody debris, partnerships and engagement. The facilitator highlighted challenges between the GDC, the forestry sector and iwi, that were creating a fragmented approach to recovery and the clean-up of woody debris. Subsequent recommendations outlined the need to improve relationships in region and there are pieces of work underway that are better supporting collaboration between the council, primary sector, community, and iwi;
- 8.3 **Strengthening resource management functions and decision-making:** a Resource Management Act 1991 (RMA) Advisor was appointed to assess and strengthen Gisborne District Council's (GDC's) resource management functions. The Ministry for the Environment (MfE) is supporting GDC through the provision of funding for planning and engagement professionals, as well as maintaining a watching brief on the resource management plan change process;
- 8.4 **Reducing risks of new woody debris flows and sedimentation:** the GDC is working through a proposed Regional Plan change and looking at ways to address soil erosion. Actions underway in support of GDC's review of their regional plan include:
- 8.4.1 identification of gully erosion in Tairāwhiti and development of a mapping layer identifying the most at-risk land; and
- 8.4.2 the establishment of a Transition Advisory Group to inform efforts to transition land-use in erosion-prone areas.

¹ As at 31 December 2023, the Gisborne District Council estimated a further 1.7 million tonnes of debris remained to be removed from the Tairāwhiti region

Phase Two actions to 'strengthen resilience'

- 9 The momentum of Phase One has carried into Phase Two. Actions to strengthen resilience have been developed collaboratively within the regions, and all actions in response to the 49 recommendations are underway, completed, or have had a decision to not progress as they are not on this Government's work programme.
- 10 Phase Two actions underway through central and local government work programmes include:
 - 10.1 Reviewing settings in the National Environmental Standards for Commercial Forestry (NES-CF) to improve slash management standards;
 - 10.2 The GDC exploring the classification of land that is likely to erode in the short term and compromise downstream infrastructure;
 - 10.3 Supporting the GDC to build their capability and support their current plan change workstreams relating to forestry;
 - 10.4 The \$1.2 billion Regional Infrastructure Fund (RIF) investing in projects that boost regional growth, resilience, and productivity [CAB-24-MIN-0168.02 refers];²
 - 10.5 Te Puni Kōkiri supporting whānua Māori with clean-up of their land, for example, through the exploration of co-investment opportunities;
 - 10.6 Health New Zealand – Te Whatu Ora supporting mental health and wellbeing in the regions and increasing access to primary care for isolated and rural whānau; and
 - 10.7 New Zealand Transport Agency and GDC delivering the Connecting Tairāwhiti programme of construction projects to make the regions' roads more resilient and safer for drivers.

Maintaining central government support alongside regionally-led initiatives

- 11 Having engaged with the regions, we can see that the Inquiry has created momentum in the region and across local and central government agencies for sustainable land use and addressing the impacts of the cyclone. It has also brought a level of coordination to this work.
- 12 We are proposing a transition away from an all-of-government governance arrangement. As the Minister of Forestry and the Minister for the Environment, we will retain our leadership of ongoing efforts in Tairāwhiti/Gisborne and Wairoa to strengthen their resilience over the longer term, through our respective portfolios.

² The RIF is administered by the Ministry of Business, Innovation, and Employment (MBIE) – Kānoa – Regional Economic Development & Investment Unit.

- 13 While relationships have improved in the Tairāwhiti region, challenges still remain, particularly about how to chart a pathway for forestry which better balances environment risk while ensuring that it continues to contribute to the regional economy. The council, community, primary sectors, and iwi need to continue to work together to establish this pathway.
- 14 Central government will stay closely involved in regionally-led initiatives through their existing work programmes. This will ensure regional efforts align with Government priorities and support the Crown's Treaty responsibilities.³ The Ministry for Primary Industries (MPI) will continue to work actively in the region on sustainable land use and further supporting changes in forestry practices. MfE will maintain a strong monitoring role with GDC's plan change.
- 15 If agreed, this paper will be the final planned report back to Cabinet on the government response to the Inquiry.

Financial Implications

- 16 Actions progressed as part of Phase Two are expected to be funded from existing agency and North Island Weather Event funding sources where practical, including funding allocated through Budget 2024 for FY24/25. Any further funding required will be sought through Budget 2025.

Legislative Implications

- 17 This paper does not have any immediate legislative or regulatory implications.

Impact Analysis

Regulatory Impact Statement

- 18 The requirements of an impact analysis do not apply to this paper, and a Regulatory Impact Statement (RIS) has not been prepared. This is because the paper recommends the continuation of efforts that have already been agreed by Cabinet.

Climate Implications of Policy Assessment

- 19 The Climate Implications of Policy Assessment do not apply to this proposal as it not expected to result in any significant, direct emissions impacts [EWR-23-MIN-0059 refers].

Population Implications

- 20 This paper does not summarise the impact the proposals are likely to have on population groups, as it does not propose new actions.⁴

³ More than 23 percent of all land in the Tairāwhiti Māori Land Court district is Māori freehold land. Additionally, in this region there are significant Treaty settlement assets, other Māori assets (particularly in the primary sector) and significant Māori communities.

⁴ Note that EWR-23-SUB-0059 provides a summary of the impacts the original proposals were likely to have on population groups.

Human Rights

- 21 Proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 22 The following agencies have been consulted in the development of this paper: The Treasury; Ministry of Justice; Ministry of Business, Innovation and Employment; Department of Conservation; Ministry of Transport; Ministry of Social Development; Public Service Commission; Ministry for Primary Industries; Ministry for the Environment; Kāinga Ora; The Office for Māori Crown Relations – Te Arawhiti; Te Puni Kōkiri; Department of Internal Affairs; Land Information New Zealand; Health New Zealand and Ministry of Health. The Department of the Prime Minister and Cabinet was informed.

Communications

- 23 We will make a joint announcement on the transition to regionally-led initiatives once confirmed by Cabinet. The announcement will set out government's progress in responding to the Inquiry's recommendations, transition to central-government support of regionally-led initiatives, and commitment to ongoing action in Tairāwhiti/Gisborne and Wairoa. It will include clarification of our role as Ministers of Forestry and for the Environment, and which agencies will be leading actions.

Proactive Release

- 24 We intend to proactively release this paper within 30 business days of decisions being taken by Cabinet and public announcements have been made, subject to redactions as appropriate equivalent to those under the Official Information Act 1982.

Recommendations

The Minister of Forestry and the Minister for the Environment recommend that the Committee:

- 1 **Note** that in February 2023, the previous Government initiated the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa (the Inquiry);
- 2 **Note** that on 26 July 2023, Cabinet agreed to a two-phased response to the Inquiry's recommendations [EWR-23-MIN-0059 refers]:
 - 2.1 Phase One: actions that focus on immediate needs and near-term actions to 'reduce risk'; and
 - 2.2 Phase Two: local-led, centrally-supported actions to strengthen resilience in Tairāwhiti/Gisborne and Wairoa;
- 3 **Note** that actions under Phase One of the Government's response to the Inquiry's recommendations to reduce risk are well advanced;
- 4 **Note** that Phase Two actions have been developed by agencies collaboratively with the regions and all actions in response to the 49 recommendations are underway, completed, or have had a decision to not progress;
- 5 **Agree** to transitioning from an all-of-government governance arrangement whilst ensuring support for regionally-led initiatives, including:
 - 5.1 the Minister of Forestry and the Minister for the Environment retaining leadership of efforts in Tairāwhiti/Gisborne and Wairoa to strengthen resilience over the longer term; and
 - 5.2 continuation of central government's close involvement in regional efforts through their existing work programmes;
- 6 **Note** that this will be the final planned report back to Cabinet on the government response to the Inquiry;
- 7 **Agree** that we will make a joint announcement on progress in responding to the Inquiry's recommendations and transition to regionally-led initiatives, including clarification of which agencies will be leading actions;
- 8 **Agree** that the Minister of Forestry will be invited to submit a Budget 2025 initiative for ongoing work in Tairāwhiti/Gisborne and Wairoa.

Authorised for Lodgement

Hon Todd McClay
Minister of Forestry

Hon Penny Simmonds
Minister for the Environment