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Office of the Minister for the Environment

Office of the Minister of Forestry

Chair, Extreme Weather Recovery Committee

Next steps following the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa

Proposal

- 1 This paper outlines the next steps following the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa (the Inquiry). The purpose of the Inquiry was to describe the history of land uses associated with the mobilisation of woody debris (including forestry slash) and sediment in the Tairāwhiti/Gisborne and Wairoa Districts, and to make recommendations on further work needed to address land use impacts of severe weather events.
- 2 This paper identifies the relevant Minister or Ministers who will consider the recommendations that have been made by the Panel and outlines the timing of when a further report back will be provided to Cabinet.

Relation to government priorities

- 3 The Inquiry responds to recent widespread damage from the mobilisation of woody debris (including forestry slash) and sediment during Cyclones Hale and Gabrielle. The Inquiry's recommendations have implications for the Government's ongoing recovery to this year's North Island severe weather events.
- 4 The Inquiry also relates to one of the Government's stated priorities, of taking further action on climate change. This includes adaptation to climate change and building community resilience to severe weather events.

Background

- 5 Cyclones Hale and Gabrielle caused significant damage to people, land, property and infrastructure in the Tairāwhiti/Gisborne and Wairoa Districts earlier this year.
- 6 Following public calls for an inquiry, the Ministerial Inquiry into land uses associated with the mobilisation of woody debris (including forestry slash) and sediment in Tairāwhiti/Gisborne District and Wairoa District was announced on 23 February 2023, sponsored by the Environment and Forestry Ministers.
- 7 The purpose of the Inquiry was to describe the history of land uses associated with the mobilisation of woody debris (including forestry slash) and sediment in the Tairāwhiti and Wairoa Districts, and to make recommendations about the further work needed to address impacts of land use and storms.

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- 8 The Ministerial Inquiry into Land Use panel (the Panel) comprised Hon Hekia Parata (Chair), Matthew McCloy, and Dave Brash (who replaced original appointee Bill Bayfield).
- 9 The Panel received 318 submissions, many of them substantial. The report was delivered on time, after we agreed a short extension to properly consider the high volume of submissions.
- 10 We have received the report and it was publicly released on 12 May 2023.¹ A summary of the report's findings and recommendations is provided in **Appendix One**.

Analysis

- 11 The report summarises the Panel's findings and sets out their recommendations across nine key sections, including woody debris; sediment and waterways; infrastructure; land use; forestry; whenua Māori; economic incentives and financial constraints; people and transition; leadership and governance; and alignment of vision.
- 12 We will now promptly and carefully consider the report's findings and recommendations and whether and how these should be taken forward. Given the breadth of recommendations in the report, to do this effectively we will need advice from the relevant portfolio Ministers to support us.
- 13 Rather than creating new structure, our intention is to use the existing national cyclone governance and coordination mechanisms (including the Cabinet Extreme Weather Recovery Committee and Cyclone Recovery Chief Executives Board), and where appropriate leverage the Hawke's Bay and Tairāwhiti/Gisborne Regional Recovery Structures to progress the work. This will support Ministers who have already begun meeting with local government and officials to progress actions associated with the recovery.
- 14 There are a number of the Panel's recommendations which fall within our portfolio responsibilities of Environment and Forestry that we have asked officials for immediate advice on, or which are already being investigated. These include:
 - 14.1 what further action may be needed to continue the clean-up of woody debris alongside the support and funding the Government has already provided and what role there might be for the forestry industry;
 - 14.2 further advice on erosion prone land and what action may need to be required; and
 - 14.3 taking action on resource management matters under Severe Weather Emergency Recovery Legislation Act 2023, Resource Management Act 1991 and/or the Spatial Planning and Natural and Built Environment Bills (currently before the House).

¹ Appendices 1–4 of the report (including expansion and evidence, background, and the summary of submissions) were published on 19 May 2023. Appendix 5 of the report (engagement file notes,

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and public submissions) will be published at a later date.

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Existing workstreams

- 15 There are some existing Government work programmes that could help enable or progress the Panel's recommendations. For example, the Government is currently progressing work across:
- 15.1 the New Zealand Emissions Trading Scheme;
 - 15.2 implementation of freshwater farm plans and regional council plan changes under the National Policy Statement for Freshwater 2020 (part of the Essential Freshwater package); and
 - 15.3 amending the National Environmental Standards for Plantation Forestry to improve the management of plantation and permanent exotic forests –
s 9(2)(f)(iv)
- 16 We have asked officials to consider how the Panel's recommendations can be considered through these existing processes.

Other workstreams

- 17 The Minister for the Environment and Minister of Forestry are the lead Ministers for the overall response to the Panel's recommendations. The Ministry for Primary Industries and the Ministry for the Environment are the lead agencies. However, it is evident that there are numerous cross portfolio / agency interests and overlaps within many of the recommendations and cross agency opportunities and synergies that will need to be identified and acted upon in order to effectively consider the report.
- 18 We have considered how to best consider the broad range of recommendations provided by the Panel, particularly those that fall outside of our portfolio responsibilities.
- 19 Where the Panel's recommendations are related to local delivery, we expect the responsible Local Recovery Minister will work alongside local government to ensure these are addressed as part of the Regional Recovery Plans or other appropriate forms of action.
- 20 There are also some recommendations that can be enabled or progressed through other work programmes outside of our portfolios or the cyclone recovery. In those circumstances, we have proposed lead Ministries and lead Ministers as identified in **Appendix Two**. In many cases, there are a number of Ministers who will have interests in recommendations for which they are not the lead and we expect that officials from Ministries will work together where interests are identified and overlap, including with respect to population impacts.
- 21 In taking forward the recommendations we understand it will be important that iwi, hapū and Māori landowners continue to be engaged regularly and appropriately as part of the Government's response. We anticipate this work will be undertaken at the Ministerial level where relevant and between officials from Te Puni Kōkiri and all other Ministries as they develop policy responses to recommendations, to deliver this efficiently as possible.

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- 22 As lead Ministers we will convene a discussion of all responsible Ministers within two weeks of Cabinet. To support this Ministerial discussion, we intend to direct officials to provide advice on whether there are any quick wins available, drawing on the recommendations of the report. We do not wish to lose momentum.
- 23 The table below summarises the Ministers who will be responsible for taking forward the consideration of the recommendations, where they fall outside the Forestry or Environment portfolios.

Minister	Recommendations
Minister of Local Government	Lead: R10-11 Joint with Minister for the Environment: R3.1, R42.1-42.3
Minister of Transport	Joint with Associate Minister of Transport: R5.1-8
Minister of Energy and Resources	Lead: R12, R39.1-R40
Minister of Justice	Joint with Minister of Courts and Minister for Māori Development: R34
Minister of Conservation	Joint with Minister for the Environment and Minister for Regional Development: R9 Joint with Minister for the Environment: R20 Joint with Minister of Agriculture and Associate Minister for the Environment (Biodiversity): R35
Associate Minister of Finance (Hon Parker)	Joint with Minister for Land Information and Minister of Forestry: R29
Minister for Land Information	Lead: R30 Joint with Associate Minister of Finance (Hon Parker) and Minister of Forestry: R29
Minister of Agriculture	Lead: R38 Joint with Minister for Economic Development, Minister for Regional Development, and Minister of Māori Development: R33 Joint with Minister for the Environment and Minister of Forestry: R16
	Joint with Minister for the Environment: R17 Joint with Minister for Conservation and Associate Minister for the Environment (Biodiversity): R35

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Minister for Māori Development	<p>Joint with Minister for Economic Development and Minister for Regional Development: R31–32</p> <p>Joint with Minister for Economic Development, Minister for Regional Development, and Minister of Agriculture: R33</p> <p>Joint with Minister of Justice and Minister of Courts: R34</p>
Minister for Economic Development	<p>Joint with Minister for Māori Development and Minister for Regional Development: R31–R32</p> <p>Joint with Minister for Regional Development, Minister for Māori Development, and Minister of Agriculture: R33</p>
Minster of Health	Lead: R41.1–41.2
Minister for Māori Crown Relations	Joint with Minister for the Environment: R4, R44
Minister of Courts	Joint with Minister of Justice and Minister for Māori Development: R34
Minister of Climate Change	Joint with Minister for the Environment and Minister of Forestry: R36
Minister for Regional Development	<p>Joint with Minister for the Environment and Minister of Conservation: R9</p> <p>Joint with Minister for Māori Development and Minister for Economic Development: R31–R32</p> <p>Joint with Minister for Regional Development, Minister for Māori Development, and Minister of Agriculture: R33</p>
Minister for Rural Communities	Supporting Minister: R41.1–41.2
Associate Minister of Transport	Joint with Minister of Transport: R5.1–8
Associate Minister for the Environment (Biodiversity)	Joint with Minister for Conservation and Minister of Agriculture: R35

- 24 Given the Panel has made wide-ranging recommendations that cut across multiple portfolios and work programmes, we propose to report back again to Cabinet on progress responding to the Panel's recommendations by the end of July 2023.
- 25 As part of this report back, we recommend Ministries responsible for consideration of recommendations in **Appendix Two** provide Cabinet with an indication of intent for how they will approach each of the recommendations as part of the report back.

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Financial Implications

- 26 There are no financial implications as the proposals outlined in this paper that are already underway will be funded by our respective portfolio Votes (Environment and Forestry) and recent Budget 2023 decisions on funding to clean up slash and debris in Tairāwhiti and Hawke's Bay.
- 27 Some recommendations, if accepted, may require funding to implement. This would be subject to future policy decisions.

Consultation

- 28 The following agencies have been consulted in the development of this Cabinet paper: Department of the Prime Minister and Cabinet, Department of Conservation, Ministry of Business, Innovation and Employment, Ministry of Transport, Office for Māori Crown Relations – Te Arawhiti, Ministry of Justice, Toitū Te Whenua Land Information New Zealand, Te Puni Kōkiri, Ministry of Health, and Department of Internal Affairs.

- 29 s 9(2)(g)(i)



Proactive Release

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

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Recommendations

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

- 1 **note** that in February 2023, Cabinet agreed to initiate the Ministerial Inquiry into land uses associated with the mobilisation of woody debris (including forestry slash) and sediment in Tairāwhiti/Gisborne and Wairoa District, including during Cyclones Hale and Gabrielle [DEV-23-MIN-0015 refers];
- 2 **note** that the Panel appointed to conduct the Inquiry submitted its report and recommendations to Hon David Parker, Minister for the Environment, and Hon Peeni Henare, Minister of Forestry, on 12 May 2023;
- 3 **note** that work is already under way to progress some recommendations under the Environment and Forestry portfolios including seeking advice about them;
- 4 **note** that responsible Ministers for responding to the Panel's recommendations are identified in Appendix Two;
- 5 **invite** responsible Ministers to consider relevant recommendations through their existing work programmes;
- 6 **note** that the lead Ministers will convene a Ministerial hui to check on progress and next steps two weeks after Cabinet makes decisions on this paper;
- 7 **invite** responsible and lead Ministers to report back to Cabinet by the end of July 2023 on progress in responding to relevant Panel recommendations and whether they are considering further work to do so; and
- 8 **note** that responsible portfolio Ministers will engage with iwi and Māori as they progress responding to the Panel's recommendations.

Authorised for lodgement

Hon David Parker

Minister for the Environment

Hon Peeni Henare

Minister of Forestry

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Appendix One: Summary of findings and recommendations from the Ministerial Inquiry into Land Use in Tairāwhiti/Gisborne and Wairoa

1. Cyclones Hale and Gabrielle caused significant damage to people, land, property and infrastructure in the Tairāwhiti/Gisborne and Wairoa Districts earlier this year.
2. A Ministerial Inquiry (the Inquiry) was announced on 23 February, sponsored by the Environment and Forestry Ministers.
3. The Inquiry has delivered its report to Ministers and the report has been publicly released.

The Panel's findings

4. The Panel's report summarises their findings and sets out their recommendations across nine key themes:
 1. Woody debris, sediment and waterways;
 2. Infrastructure;
 3. Land use;
 4. Forestry;
 5. Whenua Māori;
 6. Economic incentives and financial constraints;
 7. People and transition;
 8. Leadership and governance; and
 9. Alignment of vision.
5. A summary of the key findings and recommendations is provided below.

Woody debris, sediment and waterways

6. The Panel found that woody debris and sediment, mobilised by cyclonic winds and weather bombs, caused destructive debris flows and resulted in widespread damage to properties, infrastructure and ecosystems.
7. The Panel recommends:
 - a. That the Government establish a Woody Debris Taskforce to coordinate the clean-up, to de-risk catchment debris accumulations, and to plan for and respond to future events. This taskforce should prioritise employing the local workforce for clean-up work.
 - b. Noted that most of the funding for the taskforce needs to come from the forest owners (possibly as much as 80 per cent)¹, with the remaining contribution split between central government and councils.

Infrastructure

8. The Panel found that Tairāwhiti and Wairoa, due to their isolation, are heavily dependent on two state highway corridors. They found the districts also have inadequate water infrastructure and vulnerable energy and communication networks.
9. The Panel recommends:

¹ Due to the high proportion of debris that originated from production forests

- a. The Government support the development of resilient roading and infrastructure in Tairāwhiti and Wairoa, and ensure sufficient funding is made available for these projects.

Land use

10. The Panel found that much of the current land use in the districts is unsustainable. They consider that catchment-based planning should be restored, incorporating mosaics of activities that reflect the specific characteristics of the catchment.
11. The Panel recommends:
 - a. The development of high-resolution soil erosion susceptibility map for Tairāwhiti and Wairoa to identify land with extreme erosion risk.
 - b. The Government should require land with extreme erosion risk to be transitioned from current uses to permanent canopy cover, such as native forest.
 - c. The roll-out of the Freshwater Farm Plans should be prioritised in Tairāwhiti, focusing on reducing sediment loss from pastoral land.
 - d. The Government should provide an equitable natural resource allocation mechanism for ground and surface water, to support the transition to higher-value land use in the region.

Forestry

12. The Panel found that the forest industry has lost its social licence to operate in Tairāwhiti and this has been facilitated by the Gisborne District Council's interpretation of the regulatory regime.
13. The Panel recommends:
 - a. Large-scale clear-felling of plantation forests in Tairāwhiti and Wairoa should be restricted, in favour of staged coupe harvesting.
 - b. A commissioner should be appointed and initiate a review of existing and prospective forestry-related resource consents issued by the Gisborne District Council under the Resource Management Act 1991.
 - c. Forest Stewardship Council (FSC)² certification should be reviewed for forestry companies that have been convicted of environmental offences.
 - d. The Overseas Investment Act 2005 should be reviewed to ensure that both benefits and costs of forestry investments are considered.

Whenua Māori

14. The Panel found that Māori had a longer-term view and a more sustainable relationship with the environment. They found that whenua Māori is generally located on the most marginal land zones with poor accessibility. They also found that attracting capital for development is difficult.
15. The Panel recommends:
 - a. The Government should provide capital for co-investment for development projects on whenua Māori in Tairāwhiti and Wairoa.

² FSC is an international, non-governmental organisation that promotes responsible management of forests through a certification scheme. FSC certification can improve market access by providing evidence to customers that products are sourced from well-managed forests.

- b. The Government should provide grants to develop whenua Māori to high-value and biodiverse land uses.
- c. The Government urgently resource the Māori Land Court to enable them to deliver on their service to Māori landowners.

Economic incentives and financial constraints

- 16. The Panel found that the transition to a diverse mosaic of high-value land uses would be enabled by infrastructure and investment, especially for whenua Māori.
- 17. The Panel recommends:
 - a. The Government should establish a biodiversity credit scheme to incentivise permanent indigenous forests, and the scheme should be piloted in the region.
 - b. The ETS review should be expanded to improve the incentive for indigenous and slower-growing exotics forests.
 - c. The implementation of the Forestry and Wood Processing Industry Transformation Plan should be prioritised in Tairāwhiti and Wairoa.

People and transition

- 18. The Panel found that the current and former land use in the region has put food on the tables of many Tairāwhiti and Wairoa whanau across multiple generations. However, the mismatch of land use with land type has had negative impacts on local communities.
- 19. The Panel recommends:
 - a. The Government support research and development into alternative industries and land uses for the region.
 - b. The Government direct investment toward new industries that will support the vision for the region.
 - c. The Government ensures the existing local workforce is well equipped and well supported to transition to new industries.

Leadership and governance

- 20. The Panel found that the small size and capability, slim rating base and isolation of both the Gisborne and Wairoa District Councils make it impossible for them to deliver on their full purpose. In these circumstances, trade-offs are inevitable.
- 21. The Panel recommends:
 - a. The Government appoint an RMA Commissioner to exercise the RMA functions, powers and duties of the Gisborne District Council.
 - b. Central government direction to the regional councils to commence reviewing RMA regional plans to reflect the recommendations in the report.
 - c. Appoint a Commissioner to oversee the government resourcing related to the recovery and inquiry.

Other findings and recommendations

- 22. The *alignment of vision* section provides a vision for the region of flourishing biodiversity; healthy catchments, waterways, and coastlines; and resilient infrastructure and diversified economy, although the recommendations overlap with other sections.

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Leadership and governance

- 20. The Panel found that the small size and capability, slim rating base and isolation of both the Gisborne and Wairoa District Councils make it impossible for them to deliver on their full purpose. In these circumstances, trade-offs are inevitable.
- 21. The Panel recommends:
 - a. The Government appoint an RMA Commissioner to exercise the RMA functions, powers and duties of the Gisborne District Council.
 - b. Central government direction to the regional councils to commence reviewing RMA regional plans to reflect the recommendations in the report.
 - c. Appoint a Commissioner to oversee the government resourcing related to the recovery and Inquiry.

Other findings and recommendations

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Appendix 2: The Panel's recommendations and the responsible agencies to advise on the government response

#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R1	Establish a Woody Debris Taskforce to coordinate the clean-up, to de-risk catchment debris accumulations, and to plan for and respond to future events in Wairoa and Tairāwhiti. This taskforce should prioritise employing the local workforce for clean-up work.	MPI ¹	Minister of Forestry
R2	Investigate funding approaches for the Woody Debris Taskforce that share the clean-up costs equitably between contributors, councils and central government.	MPI	Minister of Forestry
R3.1	Provide funding assistance to Gisborne District Council (GDC) and Hawke's Bay Regional Council (HBRC) (for Wairoa) to undertake a flood-capacity assessment to identify and fix critical risks to river flood-flow capacity.	DIA ² /MfE ³	Minister of Local Government/Minister for the Environment
R3.2	Provide funding assistance to Gisborne District Council (GDC) and Hawke's Bay Regional Council (HBRC) (for Wairoa) to support the work necessary to agree a long-term sustainable funding model for ongoing waterway management.	MfE/DIA	Minister for the Environment / Minister of Local Government
R4	Introduce legislation that provides tailor-made legal frameworks for the restoration and maintenance of the environmental health of the Waipuu and Waipaoa Rivers, including conferring legal personality on the rivers, in conjunction with the establishment of a governance entity empowered and resourced to act and speak on their behalf.	Te Arawhiti / MfE	Minister for Māori Crown Relations / Minister for the Environment
R5.1	Consider in developing the next GPS and National Land Transport Programme (NLTP) to enable provision for adequate maintenance and renewals of SH35 and SH2	MoT ⁴ / Waka Kotahi ⁵	Minister of Transport / Associate Minister of Transport
R5.2	Consider in developing the next GPS and National Land Transport Programme (NLTP) to enable alignment with the infrastructure outcomes of the RSS, its implementation plan (refer R42 were GDC and HBRC become Tranche 1 regions under the SPA) and the resilience plan for SH35 and SH2 (refer rec 7 below).	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport

¹ Ministry for Primary Industries

² Department of Internal Affairs

³ Ministry for the Environment

⁴ Ministry of Transport

⁵ Waka Kotahi NZ Transport Agency

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#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R5.3	Consider in developing the next GPS and National Land Transport Programme (NLTP) to enable greater flexibility to move money between activity classes when faced with emergency and recovery situations.	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport
R5.4	Consider in developing the next GPS and National Land Transport Programme (NLTP) to enable prioritise the use of local infrastructure providers that deliver value for money, to work around challenging government procurement processes.	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport
R6	Enable Tairāwhiti-specific policy criteria to address connectivity and resilience, and to support transition to high-value production.	MoT	Minister of Transport / Associate Minister of Transport
R7.1	Ensure the development of a full resilience plan for SH35 and SH2 in the region, and fully fund the plan in its entirety, separate from the National Land Transport Programme by the end of 2024. The plan must integrate with the following resilience projects: Te Ara Tipuna, a partnership project between the Crown and Ngāti Porou through the Ngāti Porou Crown Accord (Taumata)	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport
R7.2	Ensure the development of a full resilience plan for SH35 and SH2 in the region, and fully fund the plan in its entirety, separate from the National Land Transport Programme by the end of 2024. The plan must integrate with the following resilience projects: E Tipu E Rea – Ngāti Porou Food & Fibre Hub, as committed to by the Crown and Ngāti Porou through the Ngāti Porou Crown Accord (Taumata 2022).	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport
R7.3	Ensure the development of a full resilience plan for SH35 and SH2 in the region, and fully fund the plan in its entirety, separate from the National Land Transport Programme by the end of 2024. The plan must integrate with the following resilience projects: the establishment of Te Ararua Kahui Kupenga Marine Facility and barging facilities.	MoT / Waka Kotahi	Minister of Transport / Associate Minister of Transport
R8	Ensure sufficient funding is made available for the projects in para R7.1-7.3.	MoT	Minister of Transport / Associate Minister of Transport
R9	Consider a referral for fast-track consent of Te Ararua Kahui Kupenga Marine Facility proposal by the Minister for the Environment and the Minister of Conservation.	MfE/DOC ⁶ / MBIE ⁷	Minister for the Environment / Minister of Conservation / Minister for Regional

⁶ Department of Conservation
⁷ Ministry of Business, Innovation and Employment

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#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R10	Request the Gisborne District Council and the Wairoa District Council (WDC) prioritise the reinstatement of their drinking supplies and build back better where practical.	DIA/ Taumata Arowai	Minister of Local Government
R11	Ensure a clean drinking water scheme is provided within Tairāwhiti and Wairoa to back up the municipal water supply, as a matter of urgency. This could take the form of a tank (and filter) subsidy for all residents.	DIA/ Taumata Arowai	Minister of Local Government
R12	Support the further investigation, and implementation, of self-sufficient electricity supply systems for the small, isolated communities in Tairāwhiti.	MBIE	Minister of Energy and Resources
R13	Direct the GDC to include land-use policy in its regional planning instruments to support a mosaic of sustainable land uses which reflect the characteristics of individual catchments.	MfE	Minister for the Environment
R14	Direct officials to procure from Crown research agencies, a high-resolution soil erosion susceptibility map for Tairāwhiti and Wairoa, that includes the identification of land with an extreme erosion susceptibility to create a new classification – a 'purple zone'.	MfE/MPI	Minister for the Environment / Minister of Forestry
R15	Require land with an extreme erosion susceptibility to be transitioned from current uses to permanent canopy cover such as native forest.	MfE/MPI	Minister for the Environment / Minister of Forestry
R16	Urgently focus land management policy and funding on stabilising existing gully erosion in all land uses in Tairāwhiti.	MfE/MPI	Minister for the Environment / Minister of Forestry / Minister of Agriculture
R17	Prioritise the roll-out of the freshwater farm plans in Tairāwhiti and Wairoa, to focus on reducing sediment loss from pastoral land, which should include stabilising hill slopes and improving riparian management.	MfE/MPI	Minister for the Environment / Minister of Agriculture
R18	Direct that (via s 25B of the RMA) the regional plan for Tairāwhiti be reviewed (and, where applicable, that the Hawke's Bay Regional Council (HBRC) review its regional plan)	MfE	Minister for the Environment
R18.1	Direct that (via s 25B of the RMA) the regional plan for Tairāwhiti be reviewed (and, where applicable, that the Hawke's Bay Regional Council (HBRC) review its regional plan), with a focus on: <i>reflecting the Inquiry recommendations.</i>	MfE	Minister for the Environment

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#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R18.2	Direct that (via s 25B of the RMA) the regional plan for Tairāwhiti be reviewed (and, where applicable, that the Hawke's Bay Regional Council (HBRC) review its regional plan), with a focus on: <i>introducing land-use rules that control land use activities on land with extreme erosion susceptibility.</i>	MfE	Minister for the Environment
R18.3	Direct that (via s 25B of the RMA) the regional plan for Tairāwhiti be reviewed (and, where applicable, that the Hawke's Bay Regional Council (HBRC) review its regional plan), with a focus on: <i>introducing increased requirements for riparian management on farms and in plantation forests.</i>	MfE	Minister for the Environment
R18.4	Direct that (via s 25B of the RMA) the regional plan for Tairāwhiti be reviewed (and, where applicable, that the Hawke's Bay Regional Council (HBRC) review its regional plan), with a focus on: <i>introducing land-use rules that control the location of permanent exotic monoculture forests established for carbon farming under the Emissions Trading Scheme (ETS).</i>	MfE	Minister for the Environment
R19	Provide an equitable natural resource allocation mechanism for ground and surface water, to support the transition to higher-value land use in the region.	MfE	Minister for the Environment
R20	Baseline funding for, and consider the expansion of the Mahi me te Taiao (Jobs for Nature) and Raukumara Pae Maunga programmes to match the size of the challenge in the region.	MfE/DOC	Minister for the Environment / Minister of Conservation
R21	Immediately restrict large-scale clear-felling of plantation forests in Tairāwhiti and Wairoa, in favour of staged coupe harvesting.	MfE/MPI	Minister for the Environment / Minister of Forestry
R22	Make an Order in Council under s 7 of the Severe Weather Emergency Recovery Legislation Act 2023 (SWERLA) providing that, in respect of the areas covered by the Tairāwhiti Resource Management Plan, plantation forestry is a restricted discretionary activity when taking place in any red zone or orange zone (as defined in the NES-PF) with discretion restricted to the matters listed in reg 71(2) of the NES-PF. Such status to apply despite anything in any regulations, plan, or proposed plan.	MfE/MPI	Minister for the Environment / Minister of Forestry
R23	Make an Order in Council pursuant to s 7 of the Severe Weather Emergency Recovery Legislation Act 2023 modifying the RMA in the areas covered by the Tairāwhiti Resource Management Plan providing that a review of existing and live resource consent conditions, and lodged but unimplemented harvest plans, can be undertaken without using the prescriptive process set out in ss 128–130 RMA.	MfE/MPI	Minister for the Environment
R24	Request that Hawke's Bay Regional Council consider and advise the Minister whether s 7 of the Severe Weather Emergency Recovery Legislation Act 2023 should be invoked to make additional Orders-in-Council equivalent to Recommendations R22-23 above in respect of the Wairoa District using the	MfE/MPI	Minister for the Environment / Minister of Forestry

IN CONFIDENCE

#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
	process set out in R23, direct that the regional authority initiate a review over the next six months of the conditions of existing and prospective forestry-related resource consents issued by the GDC, to ensure the conditions are appropriate to manage actual and potential adverse effects.		
R25	Direct that the regional authority initiate a review over the next six months of the conditions of existing and prospective forestry-related resource consents issued by the GDC, to ensure the conditions are appropriate to manage actual and potential adverse effects.	MfE/MPI	Minister for the Environment / Minister of Forestry
R26.1	Direct the regional authority initiate a review of the GDC's compliance monitoring and enforcement approaches to ensure: they are fit for purpose and appropriately resourced	MfE/MPI	Minister for the Environment / Minister of Forestry
R26.2	Direct the regional authority initiate a review of the GDC's compliance monitoring and enforcement approaches to ensure: the GDC has both a strategy and an implementation plan for its compliance activities related to forestry.	MfE/MPI	Minister for the Environment / Minister of Forestry
R27	Direct that the current review of the NES-PF, and the review of the regional plan (refer recommendation R18) consider the principles in set out in paragraphs 28 – 31 in order that in the longer term there is a coherent set of national and regional rules.	MPI/MfE	Minister of Forestry / Minister for the Environment
R28	Write to the Forest Stewardship Council (FSC) seeking explanation for why forestry companies have retained their FSC certification after they have been convicted of environmental offences, failed to meet their environmental stewardship responsibilities and lost their social licence in Tairāwhiti.	MPI	Minister of Forestry
R29	Review approval criteria in the Overseas Investment Act 2005, to ensure that both benefits and costs of forestry investments are considered, and that priority is given to investments with a minimum of 30 years or rotation length of the forest purchase subject to practicing the forestry management recommendations included within this report.	Treasury/ LINZ ⁸ / MPI	Associate Minister of Finance / Minister for Land Information / Minister of Forestry
R30	Review the decision of the Overseas Investment Office not to carry over the condition that required a processing plant to be built as a condition of the purchase of Hikurangi Forest Farms.	LINZ	Minister for Land Information
R31	Agree to provide capital for a proof-of-concept co-investment arrangement in the next 12 months.	MBIE/TPK ⁹	Minister for Economic Development / Minister for Regional

⁸ Toitū Te Whenua Land Information New Zealand

⁹ Te Puni Kōkiri

#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R32	Agree to partner in this proof of concept with the East Coast Exchange to find co-investment funding to leverage the Government's capital funding.	MBIE/TPK	Minister for Economic Development / Minister for Regional Development / Minister for Māori Development
R33	Agree to partner with whenua Māori landowners in Tairāwhiti and Wairoa in this proof of concept for a suite of investment-ready development projects, with co-investment sought through the East Coast Exchange, to transition to a mosaic of high value land use and biodiversity.	MBIE/MPI /TPK	Minister for Economic Development / Minister of Agriculture / Minister for Māori Development / Minister for Regional Development
R34	Agree to provide urgent resourcing to the Māori Land Court to enable the Court to deliver their full purpose to provide service to owners of Māori land as set out in Te Ture Whenua Māori Act 1993, and prioritising the processing of governance applications so that all land blocks can be properly governed.	MOJ ¹⁰ /TPK	Minister of Justice / Minister of Courts / Minister for Māori Development
R35	Direct the establishment of a world-leading biodiversity credit scheme to incentivise permanent indigenous forests, and the scheme should be piloted in the region.	DOC/MFE/MPI	Minister of Conservation / Associate Minister for the Environment (Biodiversity) / Minister of Agriculture
R36	Expand the current review of the Emissions Trading Scheme to include consideration of the matters in Paragraph 54, which includes: <ul style="list-style-type: none"> ensuring the RMA planning system (and the incoming Spatial Planning Act and Natural and Built Environments Act (NBEA)) and ETS are better integrated, such as by excluding non-compliant forests from ETS registration or by the loss of credits gained¹⁵ incentivising indigenous and slower-growing exotics (such as through front-loading the earning of credits – effectively a loan, and not a fake credit) 	MFE/MPI	Minister for the Environment / Minister of Climate Change / Minister of Forestry

¹⁰ Ministry of Justice

IN CONFIDENCE

#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
	<ul style="list-style-type: none"> reviewing ETS look-up tables to better reflect the sequestration of carbon in indigenous forests extending the option for averaging to forests planted and registered in the ETS, which will provide more simplicity and security for forest owners including in the ETS pre-1990 natural forest that is still transitioning to permanent indigenous forests so that carbon sequestered post-1990 can gain credits. 		
R37.1	Prioritise the implementation of the Forestry and Wood Processing Industry Transformation Plan in Tairāwhiti and Wairoa by: prioritising funding for Tairāwhiti and Wairoa from the recently announced Wood Processing Growth Fund.	MPI	Minister of Forestry
R37.2	Prioritise the implementation of the Forestry and Wood Processing Industry Transformation Plan in Tairāwhiti and Wairoa by: identifying local opportunities for large-scale processing, biomass and cogeneration.	MPI	Minister of Forestry
R38	Promote strategies for co-investment in environmental and economic resilience to support landowners (especially Māori) toward sustainable land-use outcomes (eg, through the issuing of green bonds).	MPI/ Treasury	Minister of Agriculture
R39.1	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: engaging in research and development to support alternative industry growth and land uses.	MBIE	Minister of Energy and Resources / Minister for Regional Development
R39.2	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: ensuring investment is directed toward new industries that will support the vision for the region.	MBIE	Minister of Energy and Resources / Minister for Regional Development
R39.3	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: ensuring the existing local workforce is well equipped and well supported to transition to new industries.	MBIE	Minister of Energy and Resources / Minister for Regional Development
R39.4	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: ensuring existing industries that are capable of supporting the vision for the region are well equipped and well supported to make the necessary changes to their practices and investment.	MBIE	Minister of Energy and Resources / Minister for Regional Development
R39.5	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: engaging in research and development to support alternative industry growth and land uses.	MBIE	Minister of Energy and Resources
R39.6	Approve a Just Transition process for Tairāwhiti, incorporating the following areas of focus: ensuring that sustainable employment opportunities are available 'close to home' for East Coast residents	MBIE	Minister of Energy and Resources / Minister for

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#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
R40	In consultation with the Hawke's Bay Regional Council and Wairoa District Council, consider whether a Just Transition process may be required for Wairoa, in their circumstances.	MBIE	Regional Development Minister of Energy and Resources / Minister for Regional Development
R41.1	Support regional recovery efforts, and ensure funding is available for: social, emotional and mental health support for all affected people.	MOH ¹¹	Minister of Health / Minister for Rural Communities (support)
R41.2	Support regional recovery efforts, and ensure funding is available for: better access to 'in-community' primary healthcare on the East Coast.	MOH	Minister of Health / Minister for Rural Communities (support)
R41.3	Support regional recovery efforts, and ensure funding is available for: process navigation support (such as for insurance claims).	TBC	
R42.1.1	Submit an Order in Council made pursuant to s 7 of the Severe Weather Emergency Recovery Legislation Act 2023), modifying s 25 of the Resource Management Act 1991 in respect of the Gisborne District Council. The modification, disapplying the procedural requirements in s25(2) of the RMA, should allow the Minister to urgently appoint one or more persons under s25 (1) as an RMA Commissioner to exercise the RMA functions, powers and duties of the Gisborne District Council until: 31 March 2028.	MfE	Minister for the Environment
R42.1.2	Submit an Order in Council made pursuant to s 7 of the Severe Weather Emergency Recovery Legislation Act 2023), modifying s 25 of the Resource Management Act 1991 in respect of the Gisborne District Council. The modification, disapplying the procedural requirements in s25(2) of the RMA, should allow the Minister to urgently appoint one or more persons under s25 (1) as an RMA Commissioner to exercise the RMA functions, powers and duties of the Gisborne District Council until: such time as the Regional Planning Committees under the new resource management regime have developed and made operative new Regional Spatial Strategies and Natural and Built Environment Plans.	MfE	Minister for the Environment
R42.1.3	Submit an Order in Council made pursuant to s 7 of the Severe Weather Emergency Recovery Legislation Act 2023), modifying s 25 of the Resource Management Act 1991 in respect of the Gisborne District Council. The modification, disapplying the procedural requirements in s25(2) of the RMA, should allow the Minister to urgently appoint one or more persons under s25 (1) as an RMA Commissioner to exercise the RMA functions, powers and duties of the Gisborne District Council until: resourcing to be	MfE	Minister for the Environment

¹¹ Ministry of Health

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#	Recommendation	Lead Ministry or co-lead	Lead Minister or co-lead
	supported by central government and the Gisborne District Council.		
R43	Prioritise the establishment of the Tairāwhiti regional planning committee in Tranche 1 under the new Spatial Planning Act legislation. In developing the Regional Spatial Strategy, the regional planning committee should set out the mosaic of land uses on the basis of best land use and appropriate infrastructure investment.	MfE	Minister for the Environment
R44	Appoint a Crown facilitator with in-depth local Tairāwhiti knowledge to support the Resource Management Act Commissioner in the speedy transition of Tairāwhiti Post-settlement Governance Entity Treaty settlements into the Tranche 1 programme.	MfE/Te Arawhiti	Minister for the Environment / Minister for Māori Crown Relations
R45	Appoint a commissioner for delivery and establish a delivery and governance model to oversee all of the government resourcing related to this Inquiry (and potentially the wider recovery) based in Tairāwhiti.	MfE	Minister for the Environment
R46	Ensure ongoing accountability to the public by putting in place a monitoring regime that reports on progress implementing all actions and programmes established following this Inquiry, and on whether it is adequately addressing the problems identified. It should report 12 months, 24 months, and 2 yearly after that.	MfE/MPI	Minister for the Environment / Minister of Forestry
R47	Submit an Order in Council to the Severe Weather Emergency Response legislation to provide for a statutory vision for Tairāwhiti. The Order will have legal weighting in government and regional policy, including the development and review of legislation, national direction, government strategies, and regional planning documents.	MfE	Minister for the Environment
R48	Consider whether the first iteration of the statutory vision for Tairāwhiti, as it could be applied to Wairoa, should have legal status in relation to the Hawke's Bay Regional Spatial Strategy process	MfE	Minister for the Environment
R49	Submit an Order in Council to the Severe Weather Emergency Response legislation to provide for a long-term, multi-sectoral, regional co-investment model for Tairāwhiti, to achieve the statutory vision.	MfE	Minister for the Environment

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