



**Mana Kāwanatanga  
ā Rohe**

Local Government Commission

**REORGANISATION IMPLEMENTATION SCHEME  
FOR BOUNDARY ALTERATIONS BETWEEN  
WHAKATANE DISTRICT AND KAWERAU DISTRICT**

**TE KAUPAPA WHAKAHAERE WHAKAWHITI ANŌ I NGĀ PANONITANGA  
ROHENGĀ I WAENGA I TE ROHE O WHAKATĀNE ME TE ROHE O KAWERAU**

## **INTRODUCTION / KŌRERO WHAKATAKI**

On 9 April 2024 the Local Government Commission adopted a reorganisation plan under clause 12 , Schedule 3 of the Local Government Act 2002 for the transfer of the following areas at its boundary from Whakatane District to Kawerau District:

- an area adjacent to Putauaki Industrial Park (divided into two by an intervening land parcel)
- land housing Tohia o te Rangi marae and surrounds
- a part of Tuwharetoa Otarahanga Farm

The reorganisation plan was given effect to by an Order in Council made on 27 May 2024.

Clause 41, Schedule 3 provides that where a reorganisation plan has been given effect to by Order in Council the Commission must prepare and issue a reorganisation implementation scheme. The reorganisation implementation scheme sets out the detail of the reorganisation described in the reorganisation plan, in particular the transitional arrangements.

The Commission has, therefore, prepared and issued the following reorganisation implementation scheme.

**The Local Government Commission**  
**Mana Kāwanatanga ā Rohe**

20 June 2024

## **KAWERAU AND WHAKATANE DISTRICTS REORGANISATION IMPLEMENTATION SCHEME**

Pursuant to clause 41(2) of Schedule 3 of the Local Government Act 2002, the Local Government Commission has prepared a reorganisation implementation scheme as follows:

### **Preliminary provisions / Ngā whakaritenga hukihuki**

#### **1. Purpose / Take**

The purpose of this scheme is to:

- a. Set out the detail of the reorganisation described in the reorganisation plan for the transfer of areas adjacent to Putauaki Industrial Park, Tohia o te Rangi Marae and surrounds, and Tuwharetoa Otarahanga Farm from Whakatane District to Kawerau District adopted by the Local Government Commission on 9 April 2024 and describe how it is to be implemented; and
- b. Promote good local government in a way that meets the needs and preferences of affected communities.

#### **2. Commencement / Kōkiritanga**

It is proposed that this scheme comes into force on 1 September 2024.

#### **3. Interpretation / Whakamāoritanga**

The following terms have their meaning in this scheme as follows:

**Act** means the Local Government Act 2002.

**Area 1-North** means the area defined on plan LG-025\_026-2024-Boundary-2 deposited with the Local Government Commission and attached to this plan.

**Area 1-South** means the area defined on plan LG-025\_026-2024-Boundary-1 deposited with the Local Government Commission and attached to this plan.

**Area 2** means the area defined on plan LG-025\_026-2024-Boundary-3 deposited with the Local Government Commission and attached to this plan.

**Area 3** means the area defined on plan LG-025\_026-2024-Boundary-4 deposited with the Local Government Commission and attached to this plan.

### **Boundary alteration / Panonitanga rohenga**

#### **4. Boundary alteration / Panonitanga rohenga**

- (1) The boundaries of Kawerau District and Whakatane District are altered by excluding Areas 1-North, 1-South, 2, and 3 from Whakatane District and including them in Kawerau District.
- (2) From the commencement date the boundaries of Kawerau District will be as defined on plan LG-025\_026-2024-Boundary 5 deposited with the Local Government Commission.

## **Representation / Whakaahuahanga**

### **5. Territorial authority wards / Ngā wāra mana whenua**

Areas 1-South, 1-North, 2, and 3 are excluded from the Rangitāiki General Ward, and the Rangitāiki Māori Ward of Whakatane District.

### **6. Rangitāiki Community**

Areas 1-South, 1-North, 2, and 3 are excluded from the Rangitāiki Community of Whakatane District.

### **7. Regional constituencies / Ngā pōti ā-rohe**

Areas 1-South, 1-North, 2, and 3 remain within the Kōhi Māori Constituency and Eastern Bay of Plenty General Constituency of Bay of Plenty Region.

### **8. Representation reviews / Ngā Arotake Whakaahuahanga**

Clauses 5, 6 and 7 are subject to any review of representation arrangements undertaken under Part 1A of the Local Electoral Act 2001 prior to the triennial elections of local authorities to be held on 11 October 2025.

## **Effect on other matters / Pānga ki ngā kaupapa anō**

### **9. Affected local authorities continue in existence / Ka noho tonu ngā kāwanatanga ā-rohe kua pāngia**

(3) The Whakatane District Council and the Kawerau District Council, being territorial authorities, continue in existence.

(4) The districts for those local authorities are the Whakatane District and the Kawerau District.

### **10. Affected iwi and hapū / Ngā iwi me ngā hapū kua pāngia**

For the purposes of clause 14(2) of the Schedule 3 of the Act it is noted that Areas 1-South, 1-North, 2, and 3 all fall within the areas of interest of Ngāti Awa, Ngāti Tuwharetoa (Bay of Plenty), and Ngāti Rangitihī iwi.

## **Transitional matters / Ngā kaupapa whakawhiti**

### **11. General / Whānui**

Except as provided by clauses 12 and 13, Clause 45 of Schedule 3 of the Act applies to this scheme in respect of Areas 1-South, 1-North, 2, and 3.

### **12. Long term plans/enhanced annual plans / Ngā mahere pae tawhiti/ngā mahere whakangako ā-tau**

The Annual Plan adopted by the Kawerau District Council for the period 2024-2025 shall apply to Areas 1-South, 1-North, 2, and 3 from 1 September 2024 and the Long Term Plan adopted by the Whakatane District Council for the period 2024-2034 ceases to apply from 1 September 2024.

### **13. Rates / Ngā reiti**

- (1) All rates and charges payable to or owing to the Whakatane District Council in respect of Areas 1-South, 1-North, 2, and 3 for the year ended 30 June 2025 continue to be collected by and payable to that council until 30 June 2025.
- (2) At the close of the financial year ending 30 June 2025 all rates and charges payable to or owing to the Whakatane District Council in respect of Areas 1-South, 1-North, 2, and 3 for the year ended 30 June 2025 shall be reimbursed to the Kawerau District Council on a pro rata basis.
- (3) From 1 July 2025 all rates and charges assessed for Areas 1-South, 1-North, 2, and 3 shall be collected by and payable to the Kawerau District Council.

### **14. Resource management plan / Mahere whakahaere rauemi**

- (1) In accordance with section 81 of the Resource Management Act 1991, the Whakatane District Council's operative district plan as it relates to Areas 1-South, 1-North, 2, and 3 continues to apply to those areas until 31 August 2026 and until that time is deemed to be part of the Kawerau District Council's district plan.
- (2) Despite subclause (1), the Kawerau District Council may at any time before the 31 August 2026 change, vary or replace the Whakatane District Council's operative district plan as it relates to Areas 1-South, 1-North, 2, and 3.
- (3) All matters under the Resource Management Act 1991 relating to Areas 1-South, 1-North, 2, and 3 become the responsibility of the Kawerau District Council from 1 September 2024.

### **15. Policies / Ngā kaupapa here**

From 1 September 2024 the Whakatane District Council's policies cease to apply to Areas 1-South, 1-North, 2, and 3 and the policies of the Kawerau District Council will apply from that date.

### **16. Bylaws / Ngā ture ā-rohe**

- (1) From 1 September 2024, the Whakatane District Council's existing bylaws cease to apply to Areas 1-South, 1-North, 2, and 3 and the existing bylaws of the Kawerau District Council will apply to Areas 1-South, 1-North, 2, and 3 from that date.
- (2) Clause 46 of Schedule 3 of the Act does not apply to this scheme.

### **17. Election signs / Ngā tohu pōti**

For the purpose of regulating election signs at any poll or election:

- a. The Whakatane District Council's Local Election Signage Rules and any applicable clauses of the Whakatane District Plan and/or signage bylaws cease to apply to Areas 1-South, 1-North, 2, and 3; and
- b. The Kawerau District Council Election Sign Policy and General Bylaw Part 5: Advertising Signs (2009) apply to Areas 1-South, 1-North, 2, and 3.

## **18. Services and Infrastructure / Ngā Ratonga me te Tūāhanga**

- (1) From 1 September 2024, services, assets and infrastructure in the Areas 1-South, 1-North, 2, and 3 will cease to be provided by the Whakatane District Council and are provided by the Kawerau District Council.
- (2) Notwithstanding subclause 18(1), any delivery of water services to Areas 1-South, 1-North, 2, and 3 provided by the Whakatane District Council water schemes will continue to be provided by the Whakatane District Council with costs to be recovered by way of user fees and charges.