



Local Government Commission
Mana Kāwanatanga ā Rohe

**REORGANISATION IMPLEMENTATION SCHEME
FOR BOUNDARY ALTERATIONS BETWEEN
WESTERN BAY OF PLENTY DISTRICT AND TAURANGA CITY**

INTRODUCTION

In November 2020 and February 2021, the Commission issued two reorganisation implementation schemes for the transfer of four areas from Western Bay of Plenty District to Tauranga City (as well as one area from the city to the district).

The Tauranga City Council has requested an amendment to the two schemes as they relate to the areas transferred to Tauranga City. Amendments to schemes are permitted by section 26 of the Local Government Act.

The two schemes provided that the Western Bay of Plenty District Council's bylaws and policies continue to apply to the areas transferred to Tauranga City until they are revoked, amended or replaced by the Tauranga City Council.

The Tauranga City Council has requested that the two reorganisation implementation schemes be amended so that all Tauranga City Council bylaws and policies, to the extent applicable, apply automatically to the areas transferred to the city. Its main arguments are that:

- revoking, amending or replacing each individual policy and bylaw will be inefficient and onerous
- it will be less confusing to property owners and residents who have been advised that they are now within Tauranga City.

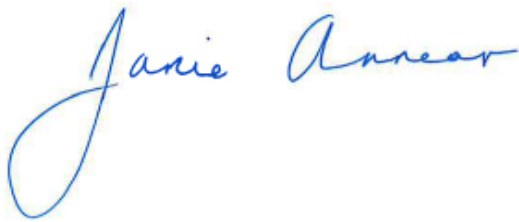
In considering this request we noted the following:

- Either approach is permitted by Schedule 3 of the Local Government Act
- The point made by the Tauranga City Council that property owners and residents have been advised that they are part of Tauranga City is reasonable, and the change sought would no doubt assist their integration into the City
- The Commission's consultation documents stated, at a high level, that "landowners and residents ... will be subject to Tauranga City bylaws and plans". The change sought by the Council would therefore not be inconsistent with the consultation document
- The very detailed transitional provisions in the reorganisation implementation schemes were not subject to consultation with the community, only with the affected councils. The changes sought would not therefore cut across public consultation undertaken during the reorganisation process
- Submissions received by the Commission did not raise issues relating to bylaws or policies, other than the application of the rates postponement policy to properties transferred to the City. Rates postponement is dealt with in the Tauranga City Council's 2021/2031 Long Term Plan which already applies to the transferred areas

On this basis we consider that the Tauranga City Council's request should be agreed to. The Commission has, therefore, prepared and issued the following reorganisation implementation scheme.



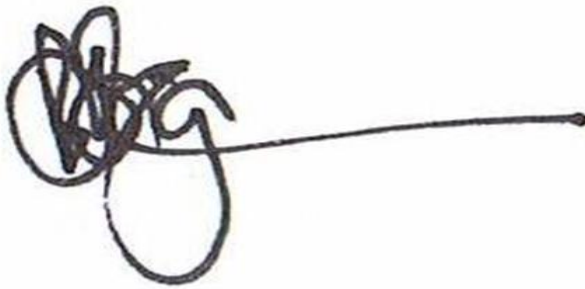
Brendan Duffy
Chairperson



Janie Annear
Commissioner



Sue Piper
Commissioner



Bonita Bigham
Commissioner

27 April 2022

REORGANISATION IMPLEMENTATION SCHEME

Pursuant to section 26(2,) and clause 41(2) of Schedule 3 of the Local Government Act 2002, the Local Government Commission has prepared a reorganisation implementation scheme as follows:

1. Purpose

The purpose of this scheme is to:

(a) amend:

- (i) The Tauriko West Reorganisation Implementation Scheme issued on 1 November 2020; and
- (ii) The Belk, Keenan and Tara Roads Reorganisation Implementation Scheme issued on 15 February 2021; and

(b) promote good local government in a way that meets the needs of affected communities.

2. Commencement

It is proposed that this scheme come into force on the day after the date on which the Order in Council giving effect to this scheme is made.

3. Interpretation

In this scheme:

(a) terms used in the schemes listed in clause 1(a) have the meaning provided for in those schemes:

(b) **[date]** means the date of the commencement of the Order in Council implementing this scheme.

Amendments to Tauriko West Reorganisation Implementation Scheme

4. Transitional matters

Clause 10(2) of the Tauriko West Reorganisation Implementation Scheme is revoked and the following inserted in its place:

- (3) *From [date], the Western Bay of Plenty District Council's existing bylaws cease to apply to Area A and the existing bylaws of the Tauranga City Council will apply to Area A from that date.*

5. Policies

Clause 15 of the Tauriko West Reorganisation Implementation Scheme is revoked and the following inserted in its place:

- (1) Subject to subclauses (2)), all policies of the Tauranga City Council apply to Area A from [date].*
- (2) The Western Bay of Plenty District Council's financial contributions policy continues to apply to Area A until that policy is, in relation to its application to that area, revoked, amended or replaced by the Tauranga City Council.*

Amendments to Belk, Keenan and Tara Roads Reorganisation Implementation Scheme

6. Policies

Clause 16 of the Belk, Keenan and Tara Roads Reorganisation Implementation Scheme is revoked and the following inserted in its place:

- (1) Subject to subclauses (2), all policies of the Tauranga City Council apply to Areas B, C and D from [date].*
- (2) The Western Bay of Plenty District Council's financial contributions policy continues to apply to Area B, C and D until that policy is, in relation to its application to that area, revoked, amended or replaced by the Tauranga City Council.*

5. Bylaws

Clause 17 of the Belk, Keenan and Tara Roads Reorganisation Implementation Scheme is revoked and the following inserted in its place:

- (1) Clause 46 of Schedule 3 of the Act does not apply.*
- (2) From [date], the Western Bay of Plenty District Council's existing bylaws cease to apply to Areas B, C and D on [date] and the existing bylaws of the Tauranga City Council will apply to Areas B, C and D from that date.*