



KAWERAU DISTRICT COUNCIL/WHAKATANE DISTRICT COUNCIL

DRAFT REORGANISATION SCHEME FOR A BOUNDARY ALTERATION BETWEEN KAWERAU DISTRICT AND WHAKATANE DISTRICT (PUTAUAKI INDUSTRIAL ZONE)

1.0 Background

Kawerau District Council (KDC) and Whakatane District Council (WDC) have been exploring the rezoning of land for future industrial land supply to service demands in the Kawerau industrial hub. A suitable site straddling the north-eastern boundary between the Districts has been identified.

Cross-boundary issues related to provision of infrastructural services, rating and application of development contribution fees need to be resolved in managing rezoning and subsequent land development. In the interests of good local government, the Councils have agreed that these issues are best resolved by including the land within the Kawerau District as all servicing of the industrial zone would be from Kawerau.

The Putauaki Trust as the single landowner involved will support this approach. A draft reorganisation scheme to alter the boundary is therefore proposed.

2.0 Draft Reorganisation Scheme

Pursuant to clause 12(1) of Schedule 3 of the Local Government Act 2002, the Joint Committee established by KDC and WDC has approved a draft reorganisation scheme as follows:

3.0 Commencement

The Scheme shall come into force on the date fixed by the Order in Council giving effect to this Scheme. Note that this will be a date after 8 March 2011.¹

4.0 Boundary Alteration

The boundary between Kawerau District and Whakatane District is altered to exclude an Affected Area from Whakatane District and to include the Affected Area within the Kawerau District as shown on the plan contained in the Schedule.

¹ Due to requirements of Statistics NZ, the boundary change cannot be implemented until after the 2011 Census.

5.0 Wards

The Affected Area shall be excluded from the Rangitaiki Ward of Whakatane and included in the Kawerau District.

6.0 Resource Management Act 1991

6.1 In accordance with section 81 of the Resource Management Act 1991, the proposed district plan in respect of the affected Area shall continue to apply as the proposed district plan of the Affected Area, in force until such time as KDC adopts an operative district plan for the Affected Area.

6.2 Any other matters under the Resource Management Act 1991, including proceedings before, or initiated by or against WDC shall have effect as matters before, or initiated by or against, KDC.

7.0 Long-Term Council Community Plan and Annual Plan

The following provisions of WDC's Long-Term Council Community Plan and Annual Plan prepared under the Local Government Act 2002 shall continue in force in respect of the Affected Area until such time as KDC amends or adopts a Long-Term Council Community Plan and Annual Plan to provide for the Affected Area and KDC may act in respect of the Affected Area in reliance on the following provisions of these plans as if they form part of KDC's Long-Term Council Community Plan and Annual Plan:

- a) No capital works are planned for the Affected Area.
- b) The WDC development contributions policy will cease to apply to the Affected Area.

8.0 Functions and Responsibilities

In respect of the Affected Area, KDC may, from the commencement date, exercise and shall be responsible for all the powers, liabilities, responsibilities etc contained in clause 67(a) and (b) of Schedule 3 of the Local Government Act 2002.

9.0 Rates, Levies and other Monies Payable

9.1 All rates or levies and other monies payable set and assessed or owing to WDC in respect of the Affected Area prior to the commencement date shall continue to be payable to WDC.

9.2 All rates or levies and other monies payable set and assessed from the commencement date to the following 30 June shall be paid by WDC to KDC as soon as practicable after receipt.

9.3 KDC and WDC shall, if necessary, enter into an agreement for the delivery of services within the Affected Area over a transitional period.

10.0 Bylaws

From the commencement date:

- The Bylaws of KDC will apply to the Affected Area
- The Bylaws of WDC will cease to apply to the Affected Area

11.0 Assets and Liabilities

There are no assets or liabilities subject to an agreement for apportionment in accordance with clause 69 of Schedule 3 of the Local Government Act 2002.

12.0 Provisions that apply to all Reorganisation Schemes

Except as provided for in this Scheme, clause 67 of Schedule 3 of the Local Government Act 2002 shall apply in respect of this Scheme.

Councillor Russell Orr
Chairperson
Kawerau District Council/Whakatane District Joint Committee
(Putauaki Industrial Zone)