

Meeting: Council

Meeting Date: 25 March 2026

Subject: **Draft Plan Change 5 (Boundary Re-organisation) approval for community feedback**

File No.: 301014

1 Purpose

This report seeks approval to adopt the draft Plan Change 5 for community feedback.

2 Background

Plan Change 5 relates to the boundary re-organisation between Whakatāne District Council and Kawerau District Council. In April 2024 the Local Government Commission approved the boundary re-organisation transferring from 4 Areas (some with multiple land blocks) into the Kawerau District.

This Plan Change 5 commenced as a full District Plan review back in 2021. However, with the changing resource management environment Council has had to change its approach over the years:

- November 2021 – District Plan review placed on hold with new bills (Natural and Built Environment and Spatial Planning) indicated for early 2022
- February 2023 – Adopted Proposed Plan Change 4 (Stoneham Park Residential Growth Precinct) for public consultation
- June 2023 – Hearing for Proposed Plan Change 4
- August 2023 - Natural and Built Environment Act and Spatial Planning Act received royal assent
- September 2023 - Re-commenced the full District Plan Review (10 year implementation timeframe for new Acts) with a reduced focus and needed to update our District Plan).
 - Regional wide plan not expected to seek to completely overhaul district plans where plan rules are fit for purpose, so reduced scope to address key provisions and enable to plan to meet changing needs:
 - the housing crisis;
 - the national direction to provide for increased urban development; and
 - the need to consider how Kawerau will manage increasing demand for additional residential density.
- October 2023 – Approved Plan Change 4 (Stoneham Park Residential Growth Precinct) to become operative on 6 November 2023
- December 2023 – Natural and Built Environment Act and Spatial Planning Act was repealed, and new Government indicated a further review.
- December 2023 – Continued full review again as required under the Resource Management Act 1991

- April 2024 – Local Government Commission approved the Government Re-organisation Implementation Scheme for the boundary re-organisation transferring land into the Kawerau District effective from 1 September 2024.
- March 2025 – Government announced plans to replace the Resource Management Act 1991 with a Planning Act and Natural Environment Act.
- July 2025 - Government announced the 'Stop Plan' legislation which required all work to cease on District Plans unless under an exception.
- September 2025 – Application submitted for an exemption to continue the boundary re-organisation.
- December 2025 – Exemption approved by the Minister responsible for RMA Reform (Hon Chris Bishop) noting this would rectify inaccuracies and align with government priorities.
- December 2025 - Planning Bill and Natural Environment Bill introduced and put out for public consultation.

The scope of the District Plan Change is limited to re-zoning land transferred in the boundary re-organisation, a new Māori purpose zone and recognising the significant nature areas that came into the District from Whakatāne.

3 Current Situation

The new zoning maps have been drafted to align with their landowners' preferences. Where the landowners are uncertain on preference, the land will be zoned Rural Lifestyle being the most like zone compared to their current zone. All affected landowners have been notified and are aware of the process. Engagement with affected landowners will continue throughout this process.

Council is looking to introducing a new Māori Purpose Zone for applicable landowners to use their land in a manner that supports their aspirations. A draft has been prepared through reviewing other District Māori Purpose zones and also through getting an understanding of the landholders' aspirations for their land now and into the future.

The Māori Purpose Zone, while set out differently, is in line with national planning standards setting out the objectives, policies, rules and standards. This zone provides for the use and development of Māori land which can support the social, cultural and economic aspirations of tangata whenua and enable a range of cultural and economic activities to be undertaken. The zone permits a wide range of activities including:

- Māori Purpose Activities
- Commercial
- Agriculture, horticulture, greenhouses
- Conservation and recreation
- Small scale renewable electricity generation activities

This does not provide endless scope as activities are governed by the rules of the zone which include but are not limited to:

- Maximum Building heights

- Height in relation to boundary (daylighting)
- Setbacks – from road and side/rear boundaries
- Greater distances where adjoining Residential Zones
- Site coverage – 50%
- Noise levels

Consents are also required for activities that may have a large impact on the environment for example:

- Offensive trades (Health Act)
- Intensive indoor primary production (mushroom, poultry farms)
- Larger scale renewable electricity generation activities
- Industrial activities (new definition)

The government is developing National Environmental Standards for Papakainga (NES-P) which are signalled to apply to Māori Purpose Zones, so the zone does not directly speak to Papakainga, but it is intended to be covered through the NES-P. The NES-P is signalled to be released later in 2026, and we are watching this, for any changes.

A draft replacement for Appendix C:A of the District Plan has also been prepared to list the Significant Natural Areas previously referred to as Natural Heritage Sites. This is to recognise the areas already in the Kawerau District and incorporate the four areas that have been transferred with land from Whakatāne District Council. A map has been prepared to show the location of all significant nature areas.

The draft zoning maps have been prepared to represent the proposed zoning of the new areas within Kawerau District.

4 **Options**

There are three options available:

Option one (preferred option): Approve the draft for community feedback.

This option will provide the community with an opportunity to feedback on the draft Plan Change 5.

Option two: Approve the draft for community feedback with amendments.

This option enables you to make minor changes to the proposed draft. With the proposed consultation period commencing soon after the decision, any significant changes will delay commencement of the community feedback period.

5 **Risks**

There are no considered risks in obtaining community feedback on the draft Plan Change 5.

6 Legal Considerations

The proposed Plan Change 5 is required under the Local Government Re-organisation Implementation Scheme.

The draft Plan Change 5 meets Council's legal obligations to zone all land within the Kawerau District.

Once community feedback has been received, the plan change will follow the consultation and notification requirements in accordance with schedule 1 of the Resource Management Act 1991.

6 Financial Considerations

There is an existing budget for the district plan review, so no new budget is required.

7 Significance and Engagement

Consultation has been undertaken with the registered landowners of all land parcels which were part of the boundary re-organisation between Whakatāne and Kawerau District Council. This includes consultation with Ngāti Tūwharetoa (BOP) Settlement Trust on the Māori Purpose Zone.

Engagement has been undertaken since January 2025 with some earlier conversations during the initial boundary re-organisation process. Each of the Landowners have had an opportunity to meet with Council and discuss the options available.

Initial conversations proposed the option of developing a Māori Purpose Zone. Those involved in the boundary re-organisation provided their goals and aspirations for their land, and this information was used to help develop the draft Māori Purpose Zone for the Kawerau District.

Further consultation was held with the landowners to enable early feedback of the draft Māori Purpose Zone and provide an opportunity to select their preferred zone for the individual land blocks.

Consultation with all landowners is ongoing and will continue throughout this process to enable them to make an informed decision in regard to the zoning for their individual blocks.

Council has confirmed the initial preference for most land blocks, and we will continue to speak with landowners to provide some certainty moving forward.

Community consultation will provide the community with the opportunity to provide feedback into the draft Plan Change prior to formal consultation being undertaken.

8 **Next Steps**

The next steps are set out below to provide an overview of the process.

- 27 March 2026 - Commence community consultation
- April/May - Review and consider feedback
- 27 May 2026 - Council adopts Section 32 report adopting Plan Change 5 for notification
- 29 May 2026 - Commence public notification (minimum 20 working days)
- Mid July - Public notification of Submission Summary and enable further submissions (10 working days)
- August 2026 - Prepare section 42A report for hearing
- September 2026 - Provide section 42A report to submitters and Notify hearing
- October 2026 - RMA Hearing
- November 2026 - Adopt Hearing Commissioner recommendations and publicly notify District Plan Change
- November/December 2026 - Appeals period
- 16 December 2026 - If no appeals – Council accept any final amendments and make Plan Change 5 Operative

9 **RECOMMENDATIONS**

1. That the report “Draft Plan Change 5 (Boundary Re-organisation) approval for community feedback” be received.
2. That Council approve one of the following options:

Option 1 - Approve the draft for community feedback (preferred option)
Option 2 - Approve the draft for community feedback with amendments.
3. That Council approves the engagement period being 27 March 2026 to 30 April 2026.
4. That Council authorises the Group Manager Regulatory and Planning to make any necessary minor drafting changes to the draft District Plan Change 5 to correct errors or omissions, or to reflect decisions made by Council, prior to final printing and publication.



Michaela Glaspey
Group Manager, Regulatory & Planning

Attachments

1. Appendix 1 – Draft Zoning Maps
2. Appendix 2 – Draft Māori Purpose Zone
3. Appendix 3 – Draft Appendix C:A Significant Natural Area Section
4. Appendix 4 – Plan Change Overview
5. Appendix 5 – Feedback Form