

Local Government Reorganisation (Belk, Keenan and Tara Roads) Order 2021

Order in Council

At Wellington this 19th day of February 2021

Present:

THE RT HON PATSY REDDY, GNZM, QSO, Governor-General

Presiding in Council

Pursuant to section 25 and Part 4 of Schedule 3 of the Local Government Act 2002, the Governor-General, acting by and with the advice of the Executive Council and at the request of the Local Government Commission, makes the following Order.

Order

1. Title and Purpose

(1) This Order is the Local Government Reorganisation (Belk, Keenan and Tara Roads) Order 2021.

(2) This order:

- a. gives effect to the reorganisation plan approved by the Local Government Commission on 3 December 2020 under clause 22C of Schedule 3 of the Local Government Act 2002;
- b. is prepared under Schedule 3 of the Local Government Act 2002; and
- c. is prepared to promote good local government in a way that meets the needs and preferences of affected communities.

2. Commencement

(1) Clauses 4–10 come into force on **1 March 2021**.

(2) Clauses 1–3, and 11–14 come into force on the day after the date of the notification of this Order in the *New Zealand Gazette*.

3. Interpretation

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

Area B means the area defined on map LG-022/023-2020-Boundary-2 deposited with the Local Government Commission, available on the Local Government Commission's website.

Area C means the area defined on map LG-022/023-2020-Boundary-3 deposited with the Local Government Commission, available on the Local Government Commission's website.

Area D means the area defined on map LG-022/023-2020-Boundary-4 deposited with the Local Government Commission, available on the Local Government Commission's website.

Area E means the area defined on map LG-022/023-2020-Boundary-5 deposited with the Local Government Commission, available on the Local Government Commission's website.

Transition body means one or both of the transition bodies established by clauses 11 and 12 of this Order.

Boundary Alterations

4. Boundary Alterations

The boundaries of Western Bay of Plenty District and Tauranga City are altered by:

- a. excluding Areas B, C and D from Western Bay of Plenty District and including them in Tauranga City; and
- b. excluding Area E from Tauranga City and including it in Western Bay of Plenty District.

Representation

5. Territorial Authority Wards

(1) Areas B and C are excluded from the Kaimai Ward of Western Bay of Plenty District and included in the Otumoetai-Pyes Pa Ward of Tauranga City.

(2) Area D is excluded from the Maketu-Te Puke Ward of Western Bay of Plenty District and included in the Mount Maunganui-Papamoa Ward of Tauranga City.

(3) Area E is excluded from the Mount Maunganui-Papamoa Ward of Tauranga City and included in the Maketu-Te Puke Ward of Western Bay of Plenty District.

6. Te Puke Community

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(1) Area D is excluded from the Te Puke Community, constituted by the Local Government (Bay of Plenty Region) Reorganisation Order 1989.

(2) Area E is included in the Te Puke Community, constituted by the Local Government (Bay of Plenty Region) Reorganisation Order 1989.

7. Regional Constituencies

(1) Areas B, C and D are excluded from the Western Bay of Plenty Constituency of Bay of Plenty Region and included in the Tauranga Constituency of Bay of Plenty Region.

(2) Area E is excluded from the Tauranga Constituency of Bay of Plenty Region and included in the Western Bay of Plenty Constituency of Bay of Plenty Region.

8. Representation Reviews

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 8 October 2022.

Effect on Other Matters

9. Affected Local Authorities Continue in Existence

(1) The Western Bay of Plenty District Council and the Tauranga City Council, as presently constituted, continue in existence.

(2) The councils referred to in subclause (1) continue to have all their current roles, powers and responsibilities by or under law.

10. Affected Iwi and Hapū

For the purposes of clause 14(2) of the Schedule 3 of the Act it is noted that:

- a. Areas B and C fall within the areas of interest of hapu Ngāti Kahu, Ngāti Rangī, Ngāti Pango, Pirirakau, Ngāti Hangarau, and Ngāi Tamarawaho, which whakapapa to Ngāti Ranginui iwi of Tauranga Moana.
- b. Areas D and E fall with the area of interest of Ngā Pōtiki, which whakapapa to Ngāi Te Rangī iwi of Tauranga Moana.

Transition Bodies

11. Belk Road, Keenan Road and Tara Road Transition Body

(1) The Belk Road, Keenan Road and Tara Road Transition Body is established to make arrangements for the exclusion of Areas B, C and D from Western Bay of Plenty District and their inclusion in Tauranga City.

(2) The transition body:

- a. will comprise an implementation team; and
- b. will not include a transition board.

(3) The role of transition body will be to:

- a. generally, make such arrangements as are necessary for the exclusion of Areas B, C and D from Western Bay of Plenty District and their inclusion in Tauranga City;
- b. meet the purposes of a transition body provided for by clause 34(2) of Schedule 3 of the Act; and
- c. undertake the responsibilities of a transition body provide for by clause 36 of Schedule 3 of the Act.

12. Hurst Property Transition Body

(1) The Hurst Property Transition Body will be established to make arrangements for the exclusion of Area E from Tauranga City and its inclusion in Western Bay of Plenty District.

(2) The transition body:

- a. will comprise an implementation team; and
- b. will not include a transition board.

(3) The role of transition body will be to:

- a. generally, make such arrangements as are necessary for the exclusion of Area E from Tauranga City and its inclusion in Western Bay of Plenty District;
- b. meet the purposes of a transition body provided for by clause 34(2) of Schedule 3 of the Act; and
- c. undertake the responsibilities of a transition body provide for by clause 36 of Schedule 3 of the Act.

13. Membership

The Local Government Commission will appoint the members of the transition bodies, including a manager of each implementation team, from nominations from the Western Bay of Plenty District Council and the Tauranga City Council.

14. Miscellaneous

Nothing in this plan requires the appointment of an interim chief executive under clause 38 of Schedule 3 of the Act.

MICHAEL WEBSTER, Clerk of the Executive Council.