



Strategy and Policy Committee

Te Komiti Rautaki me ngā Kaupapa Here

Thursday, 5 February 2026

Tāite, 5 Huitanguru 2026

Tōtara Room, Whakatāne District Council
14 Commerce Street, Whakatāne
Commencing at 9:00 am

Chief Executive: Steven Perdia | Publication Date: 29 January 2026

whakatane.govt.nz



Live Streaming the Meeting - *Ka whakapāho mataora te hui*

Live Streaming the Meeting - *Ka whakapāho mataora te hui*

PLEASE NOTE

The **public section** of this meeting will be Live Streamed via YouTube in real time.
The live stream link will be available via Council's website.

All care will be taken to maintain your privacy however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

The opinions or statements expressed during a meeting by individuals are their own, and they do not necessarily reflect the views of the Whakatāne District Council. Council thus disclaims any liability with regard to said opinions or statements.

A Membership - *Mematanga*

A Membership - *Mematanga*

Mayor Nándor Tánczos

Deputy Mayor Julie Jukes

Councillor Toni Boynton - Chairperson

Councillor Lesley Immink - Deputy Chairperson

Councillor Gavin Dennis

Councillor Carolyn Hamill

Councillor Andrew Iles

Councillor Wilson James

Councillor Jesse Morgan-Ranui

Councillor Tu O'Brien

Councillor Malcolm Whitaker

B Delegations to the Strategy and Policy Committee - *Tuku Mahi ki te Komiti*

B Delegations to the Strategy and Policy Committee - *Tuku Mahi ki te Komiti*

1. Purpose

To oversee development of strategies and plans that reflect and implement the Council's vision.

To monitor and advise on the strategy, policies, bylaws and direction of the District.

2. General Delegations

1. Approve the transfer of expenditure to other estimates within the same activity;
2. Receive correspondence and reports;
3. Make decisions that have the effect of furthering investigations or obtaining information that will assist or enable the Committee to decide on a substantive course of action at a later date;
4. Appoint a sub-committee.

3. Specific functions and delegations

- a. Monitor the development of associated Central Government Reform programmes including the transition programme for Three Waters reform.
- b. Develop and review associated policies and bylaws (only Council has the power to make a bylaw).
- c. To develop and recommend to the Council the adoption of the Annual Plan.
- d. Develop, review and approve Council strategies, policies and plans (noting only Council has the power to adopt policies associated with the LTP).
- e. Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements.
- f. Consider and approve changes to service delivery arrangements arising from the service delivery reviews required under section 17A LGA 2002 that are referred to the Committee by the Chief Executive.
- g. Progress the sale of properties as approved in the Long-term Plan and Annual Plan.
- h. Approve all new road names in accordance with the Road Naming and Property Addressing Policy.
- i. Develop a proposed plan or a change to a district plan under the Resource Management Act 1991.
- j. Receive minutes of the Whakatāne District Youth Council and, Community Boards.
- k. Monitor the implementation of Te Toi Waka Whakareī – Council's Māori Relationship Strategy.
- l. To foster and promote strengthening civic engagement.
- m. The authority to provide instructions on appeals lodged to the Environment Court or a Judicial Review relating to a decision made under the RMA to the High Court or any other Court.
- n. The authority to settle an appeal or part of an appeal to any Plan Change to the Whakatāne District Plan, but not to approve the Proposed Plan under Clause 17 of Schedule 1 to the RMA.

B Delegations to the Strategy and Policy Committee - *Tuku Mahi ki te Komiti*(Cont.)

- o. The authority to delegate, pursuant to Section 32 of Schedule 7 of the Local Government Act 2002, to the Chairperson of the Hearings Panel, the General Manager Infrastructure, or the Manager Resource Consents to enable these tasks to be completed expeditiously and within statutory timeframes, the following:
 - the power to provide instructions on appeals lodged to the Environment Court,
 - the power to lodge submissions on applications made under the RMA, including to other planning documents (such as Regional Plans) or to relevant legislative changes due to time constraints.

TABLE OF CONTENTS

1	Prayer - <i>Karakia</i>	8
2	Meeting Notices - <i>Ngā Pānui o te hui</i>	8
3	Apologies - <i>Te hunga kāore i tae</i>	8
4	Acknowledgements / Tributes - <i>Ngā mihi mihi</i>	8
5	Conflicts of Interest - <i>Ngākau kōnatunatu</i>	9
6	Public Participation - <i>Wānanga Tūmatanui</i>	10
6.1	Public Forum - <i>Wānanga Tūmatanui</i>	10
6.2	Deputations - <i>Ngā Whakapuaki Whaitake</i>	10
7	Reports - <i>Ngā Pūrongo</i>	11
7.1	Council Policies and Bylaws: Work Programme Update Report for 2025-26	11
7.2	Review of Acceptance of Late Submission Policy	19
7.2.1	Appendix A - Draft Submission Policy	23
7.3	Six-Monthly Climate Pathway and Resilience Update	33
7.3.1	Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25	45
7.4	Submission on the Planning Bill and Natural Environment Bill	73
7.4.1	Appendix A - Draft Submission - Planning Bill and Natural Environment Bill	81

1 Prayer - *Karakia*

1 Prayer - *Karakia*

2 Meeting Notices - *Ngā Pānui o te hui*

1. Live Streaming

The Whakatāne District Council livestreams Council and Standing Committee meetings held in Tōtara Room, within the Council building. The webcast will live stream directly to Council's YouTube channel in real time. The purpose of streaming meetings live is to encourage transparency of Council meetings.

Welcome to members of the public who have joined online and to those within the public gallery.

By remaining in the public gallery, it is understood your consent has been given if your presence is inadvertently broadcast. Please be aware the microphones in Tōtara Room are sensitive to noise, so please remain quiet throughout the meeting unless asked to speak.

2. Health and Safety

In case of an emergency, please follow the building wardens or make your way to the nearest exit. The meeting point is located at Peace Park on Boon Street.

Bathroom facilities are located opposite the Chambers Foyer entrance (the entrance off Margaret Mahy Court).

3. Other

3 Apologies - *Te hunga kāore i tae*

No apologies were recorded at the time of compiling the agenda.

4 Acknowledgements / Tributes - *Ngā mihi mihi*

An opportunity for members to recognise achievements, to notify of events, or to pay tribute to an occasion of importance.

5 Conflicts of Interest - *Ngākau kōnatunatu***5 Conflicts of Interest - *Ngākau kōnatunatu***

Members are reminded of the need to stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interests they might have. Elected Members are also reminded to update their register of interests when changes occur.

The register of interest is available on the Council website.

1. Financial Conflict

- Members present must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.
- Members cannot take part in the discussion, nor can they vote on any matter in which they have a direct or indirect financial interest, unless with an approved exception.
- Members with a financial interest should physically withdraw themselves from the table. If the meeting is public excluded, members should leave the room.

2. Non-Financial Conflict

- If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.
- Members with a non-financial interest must leave the table when the matter is considered but are not required to leave the room.

6 Public Participation - *Wānanga Tūmatanui*

6 Public Participation - *Wānanga Tūmatanui*

6.1 Public Forum - *Wānanga Tūmatanui*

The Council has set aside time for members of the public to speak in the public forum at the commencement of each meeting. Each speaker during the forum may speak for five minutes. Permission of the Chairperson is required for any person wishing to speak during the public forum.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

6.2 Deputations - *Ngā Whakapuaki Whaitake*

A deputation enables a person, group or organisation to make a presentation to Community Board on a matter or matters covered by their terms of reference. Deputations should be approved by the Chairperson, or an official with delegated authority, five working days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered. No more than two speakers can speak on behalf of an organisation's deputation. Speakers can speak for up to 5 minutes, or with the permission of the Chairperson, a longer timeframe may be allocated.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

7 Reports - *Ngā Pūrongo*

7 Reports - *Ngā Pūrongo*

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26



To: **Strategy and Policy Committee**

Date: **Thursday, 05 February 2026**

Author: **H Madden / Strategic Policy Analyst**

Authoriser: **L Woolsey / GM Strategy and Growth**

Reference: **A2871567**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to provide the Strategy and Policy Standing Committee with an update on our policy and bylaw work programme for the remainder of the 2025/26 year.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Strategy and Policy Committee **receives** the Policies and Bylaws: Work Programme Update Report; and
2. THAT the Strategy and Policy Committee **notes** the Chief Executive exercised delegated authority during the interregnum period to accept a late submission to the Dangerous, Affected and Insanitary Buildings Policy and approved minor changes to the policy as a result; and
3. THAT the Strategy and Policy Standing Committee **notes** that a schedule of the policy and bylaw review timetable will be published on the Council website.

3. Background - *He tirohanga whakamuri*

Every six months the Council receives an update report on the policy and bylaw work programme for the next year.

Policies are reviewed as legislatively required or typically on a five yearly basis.

Bylaws that are made under the Local Government Act 2002 are required to be reviewed five years after they are first created (section 158), and 10 years after that (section 159). All of Council's existing bylaws are required to be reviewed every 10 years and most bylaws in the work programme are not required to be reviewed until 2028. Staff have brought forward the review of some bylaws to spread the workload more evenly (noting that 2027 will be busy with the development of the next Long-Term Plan).

The Council website provides a full list of all external policies and bylaws for public reference.

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

4. Discussion – Kaupapa

Overall, good progress has been made on the policy and bylaw work programme with the following policies adopted in the last 12 months:

- Gambling Policy and Procurement Policy (May 2025).
- Dangerous, Affected and Insanitary Buildings Policy (August 2025).

Staff reviewed the Dangerous, Affected and Insanitary Buildings Policy following public consultation. A late submission from Te Whatu Ora was accepted and informed minor amendments. These changes improve clarity and alignment with public health legislation but do not alter the policy’s intent or scope.

Further work continues on the following policies:

- Review of the Acceptance of Late Submission Policy and widening of the policy scope to include other aspects of submissions.
- Working through the appeal process for the Eastern Bay of Plenty Local Alcohol Policy.

Legislative Update – Local Government (Water Services) Act 2025

Staff note that the combined Water Bylaw will require review to reflect new legislation under the Local Government (Water Services) Act 2025. The review is due by October 2027. A new bylaw does not need to be adopted by this date, but it must be completed before 2030.

4.1. Policy work programme for the year 2025/26

The tables below set out the review schedule for policies and bylaws for 2025/26.

Table one: Policy review schedule

Name of Policy	Description	Policy last reviewed/ adopted	Date policy due for review	Consultation required (indicative indication)	Comments	Completed
Policies adopted						
Gambling Policy (Class 4 Venues and Board Venues)	The Gambling Act 2003 requires the Council to adopt a Class 4 Venue Policy for the District.	08/05/2025	08/05/2028	Yes	Adopted May 2025.	Review complete.
Dangerous, Affected and Insanitary Buildings Policy	Statutory policy. Sets out the intended practice for the Council regarding dangerous, affected and insanitary buildings.	14/08/2025	14/08/2030	Yes	Adopted August 2025.	Review complete.
Procurement Policy	Covers activities associated with the purchasing of all goods and services by or on behalf of the Whakatāne District Council.	22/09/2012	26/10/2021	Yes	Adopted May 2025.	Review complete

Strategy and Policy Committee - AGENDA

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

Name of Policy	Description	Policy last reviewed/ adopted	Date policy due for review	Consultation required (indicative indication)	Comments	Completed
Policies under review						
Acceptance of Late Submissions Policy	This policy sets out the Council's intended practice with regard to the acceptance of late submissions under the Local Government Act 2002.	26/11/2015	01/12/2020	No	Council adoption is planned for February 2026.	Review is currently underway.
Museum and Arts Collections Policy	Guides the responsible care, management and enhancement of, and access to, the collections held by the museum in its role as an arts, culture, and heritage kaitiaki (guardian).	05/04/2018	04/05/2023	Yes	Council adoption is planned for mid-2026.	Review is underway.
Use of Funds from the Gordon Ellis Trust policy	To provide for the long-term care and preservation of The Gordon Ellis Collection.	22/09/2012	02/10/2016	Yes- Only with the Gordon Ellis Trust	Council adoption is planned for mid-2026	Review is underway.
Dog Control Policy	Required under section 10(1) of the Dog Control Act 1996. Council must adopt, in accordance with the special consultative procedure, a policy in respect of dogs in the district of the territorial authority.	25/08/2022	25/08/2027	Yes	The policy will be updated alongside the Dog Control Bylaw in mid-2026.	Review is underway.
Electronic Surveillance (CCTV) Policy	Sets out the intended practice for the Council regarding Electronic Closed-Circuit Television (CCTV).	29/06/2017	01/06/2022	Yes		Review is underway.
Eastern Bay of Plenty Joint Local Alcohol Policy	Applies to the sale, supply and consumption of alcohol in the Eastern Bay of Plenty region. It provides a policy framework for licensing decisions to meet the object of the Sale and Supply of Alcohol Act 2012.	Review process started November 2021	18/03/2022	Yes - completed	Provisional policy has been adopted. Current work is being undertaken through the appeal process. The outcomes will determine the next steps.	Review is underway.
Asset Management Policy	Sets out policy objectives and principles to guide asset management, ensuring consistency	12/02/2021	12/02/2021	No		Review is underway.

Strategy and Policy Committee - AGENDA

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

Name of Policy	Description	Policy last reviewed/ adopted	Date policy due for review	Consultation required (indicative indication)	Comments	Completed
	with the Long-Term Plan. It provides for regular internal reviews.					
Property Policy	Sets out principles for the management of property and process for buying and selling. It includes a property stocktake of all Council owned or managed property and its categorisation.	22/06/2023	22/12/2024	Yes	Council briefing is planned for February 2026.	Review is underway.
Elected Member Renumeration Policy	This policy outlines the eligible expenditure that may be reimbursed to elected members of Whakatāne District Council in performing their duties as prescribed in the Local Government Act 2002	14/03/2024	01/02/2027	No	Revised version will be presented to Council for adoption in April 2026.	Review is underway.
Seal Extension Policy	This policy was developed as a decision making and management tool to assist in the prioritisation of seal extensions.	07/07/2022	07/07/2026	No		Review beginning Mid-2026
Policies deferred						
Smoke and Vape Free Public Spaces Policy	This policy provides for smoke-free and vape-free public places by educating the public and promoting awareness through signage in Council.	07/07/2022	07/07/2025	No		Review deferred until mid-2026
Community Hall Policy	This policy sets out the framework for the provision, management and development of Community Halls in the Whakatāne District	07/07/2022	07/07/2025			Review deferred until mid-2026

Note: The proposed dates in the table are indicative and may change.

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)**Table two: Bylaw review schedule**

Name of Bylaw	Summary	Bylaw last reviewed /adopted	Date Bylaw due for review	Consultation required (indicative indication)	Comments
Dog Control Bylaw	The purpose of this bylaw is to give effect to the Whakatāne District Council's Policy on Dogs which regulates the control of dogs, so they do not cause danger, distress or nuisance to the community.	2018	2028	Yes	This bylaw is currently being reviewed and will be updated alongside Dog Policy in mid-2026
Control of Animals (excluding dogs) Bees and Poultry Bylaw	To outline the requirements for the keeping of animals, poultry and bees. These requirements are necessary to ensure the keeping of animals, poultry and bees does not become a nuisance to people in the community.	2018	2028	Yes	Legal review was completed in December 2025. Council adoption is planned for mid-2026.
Ports and Wharves Bylaw 2018 and Ports and Wharves Maps	To regulate and control the use of all port structures owned by the Council, generally within the Whakatāne Port Zone, Rangitaiki River mouth, and the Ōhiwa Harbour.	2018	2028	Yes	Legal review was completed in December 2025. Council adoption is planned for mid-2026.
Beaches Bylaw 2018 and Beaches Bylaw Maps	To protect the beach environment and control activities that may impact adversely on public use and safety.	2018	2028	Yes	Legal review was completed in December 2025. Council adoption is planned for mid-2026.
Alcohol Control Bylaw and Alcohol Control Maps	To promote a safe environment for the use and enjoyment of the public by reducing the incidence of alcohol related offences, particularly those of a violent and/or destructive nature, by providing for liquor control in specified public areas of the Whakatāne District.	2018	2028	Yes	Legal review was completed in December 2025. Council adoption is planned for mid-2026.

4.2. New policies or bylaws to be developed or considered

There is one new policy and one new bylaw being considered for development. These are in the exploration stages of development and therefore do not yet have indicative dates.

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

Table 3: New Policies or Bylaws to be added to the current work programme

Name of Policy or Bylaw	
Mobile Traders Bylaw	This bylaw aims to regulate trading activities in public spaces to ensure safety, fairness, and order. The bylaw will help manage the use of public land, protect local businesses, maintain cleanliness, and provide clear licensing rules for mobile traders.
Public Arts Policy	This policy, part of the Arts Strategy 2023, aims to make sure that both residents and visitors can enjoy public spaces filled with creative, inspiring, and culturally rich art that feels unique and memorable.

4.3. Bylaw work programme for the year 2025/26

Bylaws in the work programme are not due for review but have been brought forward to ensure sufficient staff capacity.

The bylaws that have been brought forward from 2028 to 2025-26:

- Control of Animals (excluding dogs), Bees and Poultry Bylaw
- Ports and Wharves Bylaw
- Beaches Bylaw and Beaches Bylaw Maps
- Alcohol Control Bylaw and Alcohol Control Maps
- Dog Control Bylaw

4.4. Overview of the policy and bylaw work programme for the next three years

The following table sets out an overview of the policy and bylaw work programme over the next three years.

	2025/26	2026/27	2027/28
Policies	<p>COMPLETE</p> <ul style="list-style-type: none"> • Procurement Policy • Dangerous, Affected Insanitary Buildings Policy • Gambling Policy 	<ul style="list-style-type: none"> • Community Hall Policy • Smoke and Vape Free Public Spaces Policy • Backflow Prevention Policy • Corporate Risk Management Policy • Development Contributions Policy • Revenue and Financing Policy • Financial Contributions for Roads and Public Reserves • Treasury Policy • Protected Disclosures Policy • Rates Remission and Postponement Policy 	<ul style="list-style-type: none"> • Community Grants and Funding Policy • Easter Sunday Trading Policy
	<p>UNDER REVIEW</p> <ul style="list-style-type: none"> • Property Policy • Dog Policy • Museum and Arts Collection Policy • Use of Funds from the Gordon Ellis Trust Policy • Elected Member Remuneration Policy • Late Submission Policy • Asset Management Policy 		

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

	2025/26	2026/27	2027/28
Bylaws	<ul style="list-style-type: none"> ● Beaches Bylaw ● Control of Animals (excl. dogs), Bees and Poultry Bylaw ● Ports and Wharves Bylaw ● Alcohol Control Bylaw ● Dog Control Bylaw 	<ul style="list-style-type: none"> ● Combined Waters Bylaw 	<ul style="list-style-type: none"> ● Cemeteries and Crematorium Bylaw ● Traffic and Speed Limit Bylaw ● Parks and Reserves Bylaw

5. Options analysis - *Ngā Kōwhiringa*

There are no options as this is an information report.

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council’s Significance and Engagement Policy.

The significance of each individual policy and bylaw will be assessed on an individual basis and therefore inform the need to consult or not.

6.2. Engagement and community views

Consultation on the matters in this report is not required in accordance with section 6.1(a) of the Council’s Significance and Engagement Policy. This states that the Council will not consult when the matter is not of a nature or significance that requires consultation.

However, engagement will occur as needed during the review of policies and bylaws. A schedule of the policy/bylaw review timetable as set out in this report will be published on the Council website for the community to access. Iwi will be specifically notified of the policy/ bylaw schedule to make resourcing decisions about the policy reviews they would like to be involved in.

Staff will also look for opportunities (where appropriate) to conduct group consultation on policies and bylaws with similar timing to minimise consultation fatigue for the community and to achieve cost efficiencies.

For the review of bylaws, the special consultative procedure is required as per section 82 and 86 of the Local Government Act 2002 – unless there are minor changes as described in section 156(2) of the Local Government Act 2002 (whereby public notification will suffice).

7.1 Council Policies and Bylaws: Work Programme Update Report for 2025-26(Cont.)

7. Considerations - *Whai Whakaaro*

7.1. Financial/budget considerations

Financial considerations will be identified for each individual policy and bylaw review. If operational budgets are altered significantly from original forecasts for the 26/27 year this may affect our ability to carry out the reviews.

7.2. Strategic Alignment

The work programme will ensure that policies and bylaws are fit for purpose and aligned with our strategic direction set out in our Long-Term Plan 2024-34.

7.3. Climate change assessment

The decisions and matters of this report are assessed to have low climate change implications and considerations, in accordance with the Council's Climate Change Principles. At the time of each individual policy and bylaw review, an assessment of potential climate change impacts and considerations will be undertaken.

7.4. Risks

There are no major risks associated with the decisions recommended in this report.

7.2 Review of Acceptance of Late Submission Policy

7.2 Review of Acceptance of Late Submission Policy



To: **Strategy and Policy Committee**
Date: **Thursday, 5 February 2026**
Author: **H Keravel / Senior Strategic Policy Analyst**
Authoriser: **L Woolsey / GM Strategy & Growth**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The reason for this report is to provide to the Strategy and Policy Committee key findings relating to the review of the 'Acceptance of Late Submission Policy' and to approve a "Draft Submission Policy" to replace the acceptance of late submissions policy.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Strategy and Policy Committee **receive** the Review of Acceptance of Late Submission Policy report; and
2. THAT the Strategy and Policy Committee **note** that the 'Acceptance of Late Submission Policy' is no longer fit for purpose; and
3. THAT the Strategy and Policy Committee **revoke** the 'Acceptance of Late Submission Policy'; and
4. THAT the Strategy and Policy Committee **approve** and **adopt** the 'Draft Submission Policy'.

3. Background - *He tirohanga whakamuri*

The [Acceptance of Late Submissions Policy](#) is overdue for review. The review date for this policy published on the website is 2020.

The policy review will ensure Council has a fit for purpose policy before the next Long Term Plan 27/37 consultation and for any other upcoming public consultation processes.

The Acceptance of Late Submissions Policy is related to the Significance and Engagement Policy (SEP) that will be reviewed during the LTP process.

4. Discussion – *Kōrerorero*

4.1. Key findings from the review – narrow scope

While most of the aspects of the existing policy remain largely valid, the review indicated that the current policy is very narrow in scope (only dealing with late submissions) and did not address other important aspects of a submission. It did not align with Council's need to have a policy that provides clarity relating to the receiving and processing of submissions through a Council consultation process.

7.2 Review of Acceptance of Late Submission Policy(Cont.)

A wider submission policy would help provide assurance to submitters that their feedback and submissions are treated consistently and fairly by Council.

4.2. Staff propose replacing the current policy with a wider submission policy

The Strategy team worked with Governance, Communication and the Privacy teams to inform the development of a wider submissions policy. We looked at other councils’ policies such as Waikato District Council and Masterton District Council who appear to have a more fit for purpose policy.

Staff propose to replace the current policy with a wider submission policy to provide clarification on several key points that regularly come up during consultation. These include:

- What is a submission (e.g. does it include comments from social media platforms)
- Accepted submission format and languages
- Submission content conditions (what to do about defamatory or discriminatory language)
- Submission minimum criteria
- Submitters wishing to be heard

The proposed new policy will still provide clarity on how to consider late submissions.

This wider policy would apply to submissions received under the Local Government Act 2002. It does not cover the Resource Management Act 1991 where a separate process is required by legislation.

5. Options Analysis - Ngā Kōwhiringa

5.1. Option 1 – Revoke the ‘Acceptance of Late Submission Policy’ and approve the Draft ‘Submission Policy’ - Staff recommended option

Advantages	Disadvantages
<ul style="list-style-type: none"> • Ensure transparency and provide assurance to submitters that their feedback and submissions are treated consistently and fairly. • Address gaps from the existing policy (social media, defamatory language). • Formalise current practices and provide consistency across the organisation 	<ul style="list-style-type: none"> • No disadvantages identified.

7.2 Review of Acceptance of Late Submission Policy(Cont.)

5.2. Option 2 – Retain the ‘Acceptance of Late Submission Policy’

Advantages	Disadvantages
<ul style="list-style-type: none"> No advantages identified. 	<ul style="list-style-type: none"> Policy does not provide clarity relating to the receiving and processing of submissions. Does not address gaps from the existing policy (social media, defamatory language).

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council’s Significance and Engagement Policy. No inconsistencies with any of the Council’s policies or plans have been identified in relation to this report.

The criteria in the table are of relevance in determining the level of significance.

Significance Criteria	Comments	Impact Assessment
Level of community interest: Expected level of community interest, opposition or controversy involved.	Provided assurance to submitters that submissions and feedback are treated consistently and fairly	Low to moderate
Level of impact on current and future wellbeing: Expected level of adverse impact on the current and future wellbeing of our communities or District.		Low
Rating impact: Expected costs to the community, or sectors of the community, in terms of rates.		Low
Financial impact: Expected financial impact on the Council, including on budgets, reserves, debt levels, overall rates, and limits in the Financial Strategy.		Low
Consistency: Extent to which a proposal or decision is consistent with the Council’s strategic direction, policies and significant decisions already made.	Policy is consistent with current practices	Low
Reversibility: Expected level of difficulty to reverse the proposal or decision, once committed to.	Policy can be reviewed	Low difficulty

7.2 Review of Acceptance of Late Submission Policy(Cont.)

Significance Criteria	Comments	Impact Assessment
Impact on Māori: Expected level of impact on Māori, considering the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.		Low
Impact on levels of service: Expected degree to which the Council's levels of service will be impacted.		Low
Impact on strategic assets: Expected impact on the performance or intended performance of the Council's Strategic Assets, for the purpose for which they are held.		Low

6.2. Engagement and Community Views

While the policy deals with how Council is interacting with the community during consultation carried out in accordance with the Local Government Act 2002, it is mostly formalising current practices and providing further transparency to our community.

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council's Significance and Engagement Policy. This states that the Council will not consult when:

- the matter is not of a nature or significance that requires public engagement (low significance).
- The costs of public engagement outweigh the benefits of it.

The updated policy will be communicated to the public via council's website and social media.

7. Considerations - *Whai Whakaaro*

7.1. Legal

There is no legal considerations associated with the recommendations of this report.

7.2. Financial/Budget Considerations

There is no budget considerations associated with the recommendations of this report.

7.3. Strategic alignment

This report aligns with our Long Term Plan democracy activity plan by providing further clarity regarding opportunities for public participation in decisions making.

7.4. Climate Change Assessment

There are no significant or notable impact associated with the matters of this report.

7.2.1 Appendix A - Draft Submission Policy

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

8. Next Steps – *E whai ake nei*

Once approved by Council, the policy will be published on Council's website and communicated via social media.

Attached to this Report:

- Appendix A - Draft Submission Policy

7.2.1 Appendix A - Draft Submission Policy

Submission Policy

Te Kaupapa Here Tāpaetanga

Date made:	5 February 2026
Commencement:	This is the date the policy came into force (if required)
Amendments:	N/A
Next review date:	2031
Review frequency:	5 years

7.2.1 Appendix A - Draft Submission Policy(Cont.)

Contents – Rārangi upoko

Contents – Rārangi upoko	2
1.0 Introduction - <i>Kupu Arataki</i>	2
2.0 Background - <i>He tirohanga whakamuri</i>	2
3.0 Objective - <i>Ngā whāinga</i>	3
4.0 Definitions – Ngā tikanga o ngā kupu	3
5.0 Policy - Te kaupapa here	4
6.0 Accountability - <i>Ngā haepapa</i>	9
7.0 Review - <i>Te arotake</i>	9

1.0 Introduction - *Kupu Arataki*

Submissions made by the community to Whakatāne District Council (the Council) are an important part of the Council's decision-making processes.

The Council frequently engages and consults with the public on proposals or matters affecting the community, particularly if those decisions are significant.

2.0 Background - *He tirohanga whakamuri*

Submissions are one of the main ways the Council can be better informed of community views on an issue and consider them as part of their decision-making.

The policy provides clarity around the process for receiving submissions/feedback on engagements and consultations carried out in accordance with the Local Government Act 2002 and outlines the Council's process for acceptance of late submissions/feedback (if accepted at all).

This policy helps provide assurance to submitters that their feedback and submissions are treated consistently and fairly.

7.2.1 Appendix A - Draft Submission Policy(Cont.)

3.0 Objective - *Ngā whāinga*

The objectives of this policy are:

- a) Meeting the requirements and principles of consultation within the Local Government Act 2002
- b) Facilitating public participation
- c) Supporting transparent and inclusive decision-making
- d) Ensuring consistency and fairness
- e) Protecting ethical standards and privacy
- f) Improving policy quality

4.0 Definitions – *Ngā tikanga o ngā kupu*

Consultation means the process generally required by statute or triggered by the Significance and Engagement Policy. This process is generally timebound, transactional and asking for feedback on a Council proposal, to enable public participation. This process aids and informs decision-making.

Council means the Whakatāne District Council.

Defamatory language/ content means a term used to describe statements or content that are untrue, slanderous, or libelous, and that can cause real damage to a person's reputation.

Discriminatory language/ content means words, phrases or content that tends to stereotype individuals, groups, races, or nationalities. Words to treat someone unfairly or put them at a disadvantage based on their race, age, gender, sexual orientation, or disability.

Engagement means a term used to describe the process of listening to inform decision making and is often informal and built on relationships. This process involves seeking input from or involving the community, particularly those affected by or interested in a decision to inform and assist in the process of developing proposals.

Formal feedback means a structured, planned, and documented way of communication. Council usually refers to this as a submission.

Informal feedback means casual, spontaneous, or unscheduled forms of communication.

Late submissions means any submissions, or modifications to a previous submission, received after the closing date specified in the consultation process.

7.2.1 Appendix A - Draft Submission Policy(Cont.)

Offensive language/ content refers to language that is intended to upset or embarrass people, or that is harmful, hurtful, or discriminatory. Offensive language could include swearing, vulgarisms, discriminatory language, sexual expletives and be based on factors like race, ethnicity, gender, religion, or sexual orientation.

Redacted means to obscure, censor or edit (confidential/sensitive parts of text) before publication or distribution.

Submission means formal feedback to the Council from an individual or an organisation/group in response to a proposal or matter, upon which a decision is required by the Council.

Threatening language/ content means language/content that expresses a sense of danger, harm, or aggression towards a person or group. It could be verbal or written, and could include intimidation, force, or an attempt to manipulate.

5.0 Policy - *Te kaupapa here*

5.1 Scope

The policy applies to any organisation, member of the public, councillors and council employees making a submission on a consultation carried out in accordance with the Local Government Act 2002. The policy may also be used for other areas of legislation. It does not cover submissions under the Resource Management Act 1991, where a separate process is required by legislation.

This policy relates to the receiving and processing of submissions through the Council's consultation process, including submissions received under the Local Government Act 2002 (including Annual Plans and Long Term Plans). The principles in this policy may also be used for other areas of legislation.

This policy also does not apply to submissions that the Council, or staff, make to consultations not undertaken by Whakatāne District Council.

5.2 What is a submission

A submission is formal feedback to the Council from an individual or an organisation/group in response to a proposal or matter upon which a decision is required by the Council. It is one of the main ways the Council can be better informed by community views on an issue and consider them in their decision making.

7.2.1 Appendix A - Draft Submission Policy(Cont.)

A submission does not include ad hoc or informal feedback provided to the Council. This includes comments received on the Council's social media platforms or comments made in the wider media or non-council social media platforms.

However, copies of comments made on the Council's social media posts that directly relate to a submission may be provided to decision-makers for wider context during deliberations. Councillors can choose to have some regard for these comments during deliberations.

5.3 Who can make a submission?

Anyone can make a submission regardless of their age or place of residence. You don't need to be a ratepayer to make a submission. Submissions can be made by individuals or representatives of an organisation, group, or agency.

5.4 Public documents

Submissions received by the Council are public documents. Whilst personal contact details and demographic information will be redacted from any publicly available copy, the submitter's name will be published, unless the submitter requests otherwise. Relevant Council employees will have access to unredacted versions of submissions. Submissions will be kept in accordance with the Public Records Act 2005.

The Council reserves the right to withhold or redact information from submissions under Section 7 of the Local Government Official Information and Meetings Act 1987 (LGOIMA). Furthermore, under Section 48 of LGOIMA, the public may be excluded from meetings where the disclosure of information would be contrary to the provisions of Section 7.

5.5 Privacy considerations

All information is held by the Council in accordance with the Privacy Act, 2020. Submitters have the right to access and correct personal information.

5.6 Accepted submission methods

The Council provides submission forms in a range of formats which are available online or in hardcopy.

Submissions can be received:

- online via our website
- by email
- by post to Whakatāne District Council, Civic Centre, 14 Commerce Street, Whakatāne;

Strategy and Policy Committee - AGENDA

7.2.1 Appendix A - Draft Submission Policy(Cont.)

- hand delivered to
 - Whakatāne District Council, Civic Centre, Commerce Street, Whakatāne
 - Murupara Service Centre, Pine Drive, Murupara
- orally at a hearing

5.7 Accepted submission formats and languages

Whakatāne District Council will accept submissions that are:

- Written or spoken in English.
- Written or spoken in te reo Māori.
- Presented in New Zealand Sign Language (NZSL).
- Recorded as video or audio files.

If you are planning to speak to your submission in te reo Māori or NZSL at a hearing, please inform the Council at least **ten working days** prior to the hearing. This notice period enables the Council to arrange for a professional interpreter with appropriate qualifications, ensuring that communication is accurate, respectful and inclusive.

The Council can provide assistance to people who need help to make a submission. However, guidance on the content of a submission cannot be provided by the Council's staff or councillors.

5.8 Other ways to have your say

We encourage our community to make formal submissions when the Council is consulting on an issue or matter.

Where relevant and appropriate during the consultation period, the Council may provide additional opportunities for the community to have their say. This may include community drop-in sessions, workshops, or suggestion boxes. These opportunities are dependent on the type of consultation and engagement required as outlined in the Significance and Engagement Policy.

5.9 Submission content conditions

The Council reserves the right to remove from consideration any submission, in part or in full, that contains content that is determined to be of the following nature:

- Contains offensive language including profanity.
- Discriminatory, or defamatory.
- Personal threats or harassment of the Council or staff members.

7.2.1 Appendix A - Draft Submission Policy(Cont.)

Additionally:

- Anonymous submissions will not be accepted.
- All submissions must be legible (staff are not responsible for misinterpreting a semi-legible submission).
- If the submission does not make specific reference to the topic(s) outlined in the consultation document or statement of proposal, or if they are not relevant to the topic(s) being consulted on, they may be considered 'out of scope.'
- Pro-forma submissions (e.g. multiple submissions with identical content) will likely be presented to decision-makers as a single submission with all submitters' names and a tally of total numbers.
- Feedback that includes very lengthy and/or large attachments may not have the attachments included in the final feedback report for decision makers. However, decision makers will be provided with alternative access to the attachment.

If there is information that is confidential or sensitive and included in a submission, we recommend this to be specified in the submission.

5.10 Submission minimum criteria

To be considered and valid, all submissions must include:

- First and last names.
- Organisation name, if the submission is on behalf of a business or organisation.

We ask for this information to ensure that it is a fair and transparent process. For example:

- We need to know if someone is trying to have more than one opportunity to have their say to ensure the results can be presented as accurately as possible.
- It would be considered a conflict of interest if a councillor (or their organisation/business) was to submit on a proposal then participate in the decision on the proposal.

The Council encourages all submitters to provide contact details so that you can be contacted if we have a question about your submission.

5.11 Submitters who wish to be heard

If you want to participate in a Council hearing process (offered as an opportunity to be heard by the Council or to speak to your submission in some consultation processes) you will need to at least provide an:

- email address.
- and/or telephone number.

7.2.1 Appendix A - Draft Submission Policy(Cont.)

This will enable us to contact you to schedule a hearing time and provide you will a copy of our hearing procedure.

In the case of consultations with hearings, submitters who have stated they wish to be heard will be notified of the start date, time and locations of the hearing as early as practically possible before the hearing commences.

Speakers will be given the opportunity to present in person or online.

Hearings will be open to the public and will be livestreamed via a relevant platform.

Submitters may be allocated a speaking time and a set length of time to cover the main points of their submission. Before the hearing starts, the chairperson will outline how the hearing will be conducted. This may include who may speak, at what time, and for how long.

Speaking times:

- Individual submitters will generally be allocated less than 10 minutes to present to councillors, which includes time for questions and answers.
- Community Boards/Organisations will generally be allocated 15 minutes to present to councillors, which includes time for questions and answers.
- Additional time may be granted, at the discretion of the chairperson of the Hearings Committee/Panel.
- Where an individual has made a submission as part of a group or organisation and as an individual, they may be able to speak to their individual submission at a separately allocated time.

5.12 Late submissions

All publicly notified engagements and/or consultations will specify a period for receiving feedback with a clear closing date.

Any submissions, or modifications to a previous submission, received after the date specified will be considered "late."

Acceptance of late submissions will be at the Council's discretion. Submissions which are received after the close-off date may be accepted subject to a Council resolution at the beginning of the hearing or deliberations process.

In deciding whether to accept late submissions, the Council will consider these points:

- The submission is received at a point in the process where the Council deems it not practical to consider the submission (e.g. if it's received too late for staff to summarise

7.2.1 Appendix A - Draft Submission Policy(Cont.)

the matters raised before hearings begin, and it would therefore cause unreasonable delay in adopting any plan or policy or in making any Council decision).

- The submitter will have an unfair advantage over others (e.g. by having substantially more time or more information than other submitters).
- The late submission has already been covered by another submission.
- The late submission is considered out of scope (e.g. not relevant to the topic consulted on).

5.13 Withdrawing submissions

If submitters wish to withdraw their submission, they should do so within the consultation period. This can be done by submitting a written request instructing the withdrawal of the submission.

6.0 Accountability - *Ngā haepapa*

The Whakatāne District Council is responsible for the application of this policy.

7.0 Review - *Te arotake*

This policy will be reviewed every five years.

7.3 Six-Monthly Climate Pathway and Resilience Update

7.3 Six-Monthly Climate Pathway and Resilience Update



To: **Strategy and Policy Committee**

Date: **Thursday, 5 February 2026**

Author: **L Hunt / Manager Climate Change and Resilience**

Authoriser: **L Woolsey / GM Strategy and Growth**

Reference: **A3053045**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to provide the Strategy and Policy Committee with an update on:

- The progress toward achieving the targets and implementing the actions set out in Our Climate Pathway, the Council's 2024–2027 climate change strategy.
- An update on related resilience work from the Emergency Management programme.
- An updated set of priority actions proposed for the final 18 months (January 2026 – June 2027) of Our Climate Pathway.
- The audited and verified Whakatāne District Council Greenhouse Gas Emissions Inventory for July 2024 to June 2025.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Strategy and Policy Committee **receive** the Six-Monthly Climate Pathway and Resilience update July 2025 to December 2025; and
2. THAT the Strategy and Policy Committee **note** the prioritised actions for January 2026 to June 2027 of Our Climate Pathway; and
3. THAT the Strategy and Policy Committee **receive** the Whakatāne District Council Greenhouse Gas Emissions Inventory for July 2024 to June 2025 (Appendix 1).

3. Background - *He tirohanga whakamuri*

Responding to climate change is a strategic priority for the Council. In June 2024, the Council adopted 'Our Climate Pathway,' the climate change strategy to cover the period 2024-2027. Our Climate Pathway represents the Council's proactive approach to addressing climate change with and on behalf of the district and is the strategy in which both Council and community commit to decarbonisation and adaptation.

In November 2024, the Council received the first round of priority actions under Our Climate Pathway, to be delivered between June 2024 and December 2025. This report provides an update of those actions at the midway point of Our Climate Pathway, with 18 months remaining before an updated strategy is approved in June 2027. It also includes a refreshed set of proposed priority actions identified for the remaining 18 months of the strategy.

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

One of the completed actions was establishing a new Climate Change and Resilience team to integrate our resilience work across emergency management preparedness and climate adaptation. This six-month update also reports on key resilience activities.

4. Discussion – *Kōrerorero*

4.1. Our Climate Pathway Highlights

Since establishing the Climate Change and Resilience team in late 2024, we have delivered over one third of our ambitious 3-year strategy; Our Climate Pathway. We have installed Solar on five Council sites which are outperforming modelled energy production and cost savings. The solar installs are on track to reduce our energy emissions by 60tCO₂e (5%) and exceed cost savings modelled of \$640k over 10 years. We have prioritised a low-emissions vehicle fleet, reduced the total fleet by 9 fossil fuel vehicles, and purchased 4 EV's, 2 plug-in hybrid, and 2 hybrid vehicles. We have invested Central Government Better Off Funding to build district resilience with; three 20ft containers of emergency kit storage positioned on high ground, a mobile trailer communications unit, six mobile Starlink satellite units and installation including the Civic Centre.

4.2. Our Climate Pathway Detailed Update

Our Climate Pathway Vision: Working together towards sustainable, low emission, climate resilient communities.

Our Climate Pathway contained a very ambitious list of 229 actions. The first phase of Our Climate Pathway focused on organisational actions that were achievable within the Council's operational boundary and expected to have a lasting impact. In November 2024, a first round of actions were prioritised. The table below provides a summary of the current status of the original 229 actions.

Our Climate Pathway Update	Number of actions	Notes
BAU	43	Now part of Council's ongoing business as usual (BAU).
Climate Change Risk Assessment (CCRA)	6	Completed, contributing to the next stage of the Adaptation Project.
Changed scope	3	Completed, although the scope of the actions changed.
Climate Fund	11	Actions which are encouraged for applicants in the climate fund (implemented) and/or part of the criteria.
Done	17	Additional actions completed in the first half of Our Climate Pathway.
Total Complete	80	35% of actions completed, BAU, within the CCRA or had the scope changed.
Priority Actions	47	These are the actions proposed as priority (see 4.1.2) for the next half of Our Climate Pathway.

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

Our Climate Pathway Update	Number of actions	Notes
Climate Change Risk Assessment	26	These are the adaptation actions being scoped and presented in the Adaptation Project Management Plan at a future Council meeting.
District Planning	6	Part of the District Planning functions and are reported on as such.
Total Future Actions	79	34% further actions to be scoped and prioritised.
Not being completed	51	These actions have been identified a likely low impact considering the resources involved.
Out of scope	19	Not within Councils operational control or role.
Total not to be done	70	31% of actions won't be prioritised.
Total Actions in Our Climate Pathway	229	

4.2.1. Our Climate Pathway June 2024 -December 2025 Completed Actions

The following actions were either completed in the first half of Our Climate Pathway or are now part of ongoing practices.

Action	Action Number
Updated procurement policy.	4
Developed an internal Council climate change policy. Updated climate change assessment in Council Report template.	12
Quarterly and annually, monitors, reports on, and audits the Council's organisational carbon emissions. Developed an organisational emissions reduction plan.	16, 23
Restructured to create a Climate Change and Resilience team.	17, 39, 172
Annually monitor the Whakatane District's carbon emissions within the Bay of Plenty Regional Council monitoring.	18, 26
Six month and annual updates provided to Council on 'Our Climate Pathway'.	19
Education <ul style="list-style-type: none"> ● Onboarding module in Jemini for new staff. ● Workshops held for 50% of staff. 	20

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

Action	Action Number
<ul style="list-style-type: none"> Whooogle page updated. Induction delivered to Elected Members. Workshop delivered to ELT. 	
Celebrated success and achievements through Kūmara Vine, Better Together, Wednesday WIP (Work in Progress) and an internal climate change group.	30
Climate risk assessment (CCRA) completed and received by Council.	6
Community fund established in partnership with Trust Horizon. <ul style="list-style-type: none"> \$20,370 granted in the first funding round. 	36
Energy <ul style="list-style-type: none"> Solar Panel Tranche 1 completed: <ol style="list-style-type: none"> Dog Pound, Resource Recovery, Civic Centre and Water Treatment Plant funded through a 10-year loan with a 5-year fixed 3.5% interest rate from Trust Horizon. The Whakatāne Aquatics solar installed via a Power-Purchase 6Agreement with COG. Energy Action Group meets bi-monthly to monitor high energy use facilities. Energy efficiency included in the new cremator's procurement plan. Upgrades to Taketake and Te Kōputu Heating, Ventilation, and Air Conditioning systems. Pool cover installed at both Murupara and Whakatāne Aquatic centres. Switched to a new energy provider for the non-half hourly energy use sites. Continued free building consents for installation of solar hot water. 	35, 42, 43, 44, 46, 49, 50, 51, 66, 67, 71, 73, 81
Waste <ul style="list-style-type: none"> Home composting workshops, bins and worm farms provided to community. Supported schools to set up compost collection. Introduced #5 plastic recycling. Community education campaign regarding correct recycling. Waste Management and Minimisation Plan consider improved/expanded recycling infrastructure and waste reduction initiatives. 	87, 89, 90, 91, 92, 104, 109, 110
Bikes <ul style="list-style-type: none"> Secured 2 Council-managed e-bikes for the fleet. Work ride has 7 participants. The Whakatāne E-Bike Library transitioned to being managed by CReW. Several cycling related events to promote cycling and upskill staff and community members on safe cycling tips and skills. E-bike charging stations provided in town. 	115, 118, 130, 136
Transport <ul style="list-style-type: none"> Vehicle Policy updated. 	116, 121, 140, 141

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

Action	Action Number
<ul style="list-style-type: none"> ● Fleet Optimisation Group established with the aim to increase fleet efficiency and safety. ● New fleet specific procurement process established for the purchase of replacement or new vehicles with an emphasis on low emission or Electric vehicles. i. Of the 8 new vehicles replaced in 2025, 4 were Electric Vehicles, 2 Plug-in Hybrid Electric Vehicle and 2 Hybrid. ● Total fleet vehicle numbers reduced by 9 vehicles (11% of overall fleet). 	
<p>Community Plans established for Piripai Coastlands, Matatā, Edgecumbe, Otamakaokao Awatapu, and are underway for Murupara.</p>	163
<p>Engaged and consulted with Iwi as part of the Spatial Plan and Adaptation Risk Assessment to ensure that land use decisions create no further disconnect for local Iwi to their traditional sites and practices and consider ki uta ki tai in all land use decisions and pathways planning.</p>	173
<p>Just transitions are built into all actions; direct examples include the climate risk assessment and solar installations on community hubs.</p>	175
<p>Environment</p> <ul style="list-style-type: none"> ● Forestry Block Plan approved: <ul style="list-style-type: none"> i. Planned conversion to indigenous forest for Valley Road, Managmate and Eagle Hill. ii. Onepū’s future will be decided in 2040. ● Open Spaces Strategy approved. ● Tree Strategy approved: <ul style="list-style-type: none"> i. Goals for increased canopy cover, tree identification, protection, inventory and priority areas for planting. ● Tree Policy written to assist staff with Council’s protocol when managing trees. ● Kanuka Block at the Airport identified to be protected in partnership with BOPRC. 	183, 184, 190, 191, 192
<p>Hosted the Wild Food Festival and Wharfside Harvest Market to support local producers and encourage increased consumption of locally sourced food.</p>	195
<p>Waters</p> <ul style="list-style-type: none"> ● Continuing to install water meters, with Matatā occurring this financial year, to help community manage their water use and identify leaks. ● Johnson Road Pumpstation upgraded to a more efficient pump. ● New telemetry communications installed district wide. ● Preliminary investigations underway to improve Council water demand management by implementing water reduction initiatives at Council facilities such as, low-flow rate appliances on water filling stations which will eliminate random use of hydrants by contractors and recoup supply charges. 	199, 201, 202, 204, 205, 208, 209

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

Action	Action Number
<p>Resilience Update</p> <p>Emergency resilience updates were previously not included. Following the restructure of the Climate Change and Resilience team, emergency management resilience is added into these reports.</p> <p>Reduction</p> <ul style="list-style-type: none"> Reported above as mitigation activities within Our Climate Pathway. <p>Readiness</p> <ul style="list-style-type: none"> Updated Emergency Operations Centre (EOC) On-Call Roster, improving role clarity, capacity planning, and training pathway. CE approved District Tsunami Evacuation Maps. Installed Mobile Starlink at the Civic Centre for reliable connectivity to support future potential emergency operation events. NZ ShakeOut “Drop, Cover, Hold” drill 2025 conducted at the Civic Centre. i. Matatā Public School was presented a CDEM wheely bin full of emergency preparedness supplies. Three shipping containers of Tsunami evacuation-related emergency preparedness supplies positioned between Ōhope and Whakatāne with Better Off Funding. Trailer communications unit with alternate power options acquired. Organised the Emergency Services Open Day hosted at Whakatāne High School in November 2025 with significant turnout. Built relationships with CERT teams and community hub groups across Edgecumbe, Matatā, Minginui, Murupara, Galatea, and Piripai. Five mobile Starlink units deployed across District to be managed by their respective CERT team. <p>Response</p> <ul style="list-style-type: none"> September regional EOC exercise involving 50 staff. July EOC was stood up for the localised flooding and isolation of Ōpōtiki. Deployed to Southland in support of emergency event. <p>Recovery</p> <ul style="list-style-type: none"> Drafted a local WDC Recovery Framework. 	<p>177, 178, 179, 180, 181</p>

4.2.2. Our Climate Pathway January 2026-June 2027 Prioritised Actions

To prioritise which remaining actions to complete from Our Climate Pathway between January 2026 and June 2027, the following criteria was used:

- Achievable with current resources.
- Within the Council’s operational boundary.

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

- Expected to have a lasting impact.
- Visible and measurable.

The following table outlines the actions from Our Climate Pathway to prioritise from January 2026 through to June 2027.

What	Description	Action Number in Our Climate Pathway
District Actions		
Bus service improvements	Advocate for improvement to the public transport services.	131, 134, 171
Electric Vehicle District Wide Charging Infrastructure	Assess optimal locations for Electric Vehicle chargers across the district and explore partnerships or incentives for industry to install them.	137, 138
Eco-advisory service	Scope customised household assessment that supports a plan with practical energy, food or waste actions that can deliver resilience and cost savings.	54, 56, 59, 60, 101
Climate Workshops for Business	Support businesses and work with partners (such as Rewiring Aotearoa) to develop customised sustainability plans focused on emissions reduction, emergency response, and climate adaptation, actions that can deliver resilience and cost savings.	9, 10, 34, 52, 53, 55, 72, 150, 185, 227
Community Solar Facilitation	Facilitate solar installations on community hubs for use during emergencies, with 75% funded by EECA.	77
Local Growth Strategy	As the local growth strategy develops the integration of mitigation and adaptation actions will be explored.	To be scoped.
Incentivise low carbon energy generation	Through development of the local growth strategy, renewable energy has been identified as a growth industry in the district and Council is supportive of efforts to expand renewable generation.	74
Adaptation Project	Implement the Adaptation Project Management Plan, with actions being scoped and presented at a future Council meeting for approval.	216, 166, 168, 169, 174, 186, 220
Emergency Response	Reduction <ul style="list-style-type: none"> • Actions in this table, as Our Climate Pathway priorities. Readiness <ul style="list-style-type: none"> • Strengthen and maintain relationships with CERT teams and community emergency hubs, via engagement in community events and local emergency planning. 	177, 178, 179, 180, 181

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

What	Description	Action Number in Our Climate Pathway
	<ul style="list-style-type: none"> • Existing tsunami evacuation signage updated, with additional potential sites recommended to EMBOP to ensure equitable access and address identified gaps. • Deliver Whakatāne Flood Evacuation Planning project. • Prepare for HPAI response for high-risk sites in the event of avian influenza spread. <p>Response</p> <ul style="list-style-type: none"> • Increase EOC functional and cross-training participation and maintain the number of staff and function managers on the EOC On-Call Roster. <p>Recovery</p> <ul style="list-style-type: none"> • Internal signoff of WDC Local Recovery Framework. • Working alongside Eastern Bay Community Foundation to develop an Eastern Bay of Plenty Regional Disaster Relief Fund Proposal to come to Council for approval. 	
Council Organisation Actions		
Enterprise Project Management Office (ePMO)	Explore how to apply climate change assumptions and risk assessments to all new projects.	13, 14, 112, 226
Adaptation Explorer	Embed the Adaptation Explorer.	32, 83, 113, 114, 156, 157, 182, 215, 218, 219, 221, 224, 228, 82, 158, 159, 162, 217, 153
Procurement	Assess scope 3 procurement related emissions calculation. Ensure Procurement Policy and Assessment Panel are giving effect to broader outcomes considerations.	5, 6, 41, 62, 63, 64, 106, 203
Waters Entity	Assess how emissions and climate considerations are incorporated into new waters entity.	206, 223
Emissions Reduction Target Actions		
Transport: Electric Vehicle infrastructure	Evaluate Electric Vehicle infrastructure needs to meet the future charging demands of the Council’s fleet.	142
Energy: Natural Gas Elimination	Work towards eliminating natural gas:	50, 68, 70

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

What	Description	Action Number in Our Climate Pathway
	<ul style="list-style-type: none"> Eliminate natural gas from Taketake and Te Kōputu. Assess the elimination of Natural Gas at the Whakatāne War Memorial Hall as part of the Rex Morpeth development. 	
Energy: Solar	Second tranche of solar installations to come to Council March 2026 for approval.	66, 67
Energy: Whakatāne Aquatic Centre Energy Upgrades	Scope a project to upgrade the energy systems including Natural Gas elimination.	50

4.2.3. Uncompleted Actions

Seventy actions from Our Climate Pathway will not be delivered in the 3-year period of the strategy. Many of these actions sit outside the mandate of the Council or would have a low benefit to cost of investment ratio.

Of the 41 actions initially prioritised by councillors, only five will not be completed. The following table details those five key actions which were initially scoped as priority actions within Our Climate pathway by the Councillors but are not on track for completion:

Action	Reason	Action Number in Our Climate Pathway
Internal Waste Audits	This included waste audits and an internal waste campaign, however the resource required is high and impact likely to be low as waste is 0.4% of WDC total emissions.	86, 105
Social media climate change education campaigns	Spearheading educational campaigns through Council's social media is likely to have low impact, as social media is already crowded. There are many dedicated organisations running campaigns in this space which we actively support such as Rewiring Aotearoa.	31, 76
Support and explore agricultural emission reduction initiatives	Initiating and driving this action sits within industry bodies and Ministry of Primary Industry. Council would support if requested to do so.	28

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

4.2.4. Strategy 2027 to 2030

In the next 18 months, we will also develop a refreshed strategy to present to Council in June 2027. Building on the extensive work undertaken through Our Climate Pathway, the 2027–2030 strategy will update and refine the existing framework. Key elements will include:

- Clearly identifying actions that have become business as usual.
- Reviewing emissions targets to better align with actions and planned step-change investments.
- Integrating resilience and emergency preparedness considerations into the strategy.

Further information and proposed timelines will be brought to a future meeting or briefing for discussion and feedback.

4.3. Whakatāne District Council Greenhouse Gas Emissions Inventory July 2024 to June 25 Summary

The emissions inventory was verified by the Auditor, Toitū Envirocare on the 9th of September 2025. The audit was completed with zero non-conformances, reflecting the effectiveness of the new carbon accounting system, Generate Zero, implemented in mid-2025, which enables more accurate record-keeping and data calculation.

4.3.1. Targets and Baseline

The 2022/23 base year has limitations and issues, as staff were not located in the main Council building (Civic Centre, 14 Commerce Street) due to renovations, which resulted in lower electricity consumption. In addition, only one refrigerant leak was recorded across all HVAC systems that year, which is considered a low anomaly. These factors make the baseline emissions low for year-on-year comparisons. We will reassess this base year and the targets in the new strategy for 2027-2030.

The targets set in Our Climate Pathway were aligned with the national Intergovernmental Panel on Climate Change (IPCC) benchmarks and based on the 2022/23 base year. IPCC targets provide science-backed guidance on the emissions reductions needed to limit climate change. As a result, our short-term (2024-2027) targets, which we are currently reporting against, remain aspirational and are currently unachievable without significant investment into concrete emissions reduction plans.

While our short-term targets are currently unachievable, our long-term targets through to 2050 remain realistic, particularly in the areas of energy and transport. Practical solutions, such as solar energy, converting natural gas systems to electric, and alternative vehicle options, already exist and are being implemented at the Council. By prioritising progress in energy and transport, we can achieve meaningful emissions reductions while also generating cost savings for the Council.

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

4.3.2. Summary table of emissions against base year, previous year and targets

Source	Share of Emissions (excl Forestry)	Change vs Last Year (23/24)	Change vs Base Year (22/23)	Reason	Tracking to 2027 Target	Actions
Forestry	Excluded	No harvest	No harvest	Valley Road Harvest (one-off).	No target	Forestry Block Plan.
Wastewater Treatment	58%	+1%	-1%	Rainfall variations	-4%	Assess with new entity.
Energy	25%	+22%	+32%	Actual usage (kWh) remained consistent. National electricity emission factor increased.	-16%	Already completed solar installations will see a potential 60tCOe reduction (5% of energy emissions) & planned gas phase-out at Te Kōputu and Taketake will be seen in 2025/26 reporting.
Transport	12%	+1%	+12%	Minor changes.	-5%	Increases to EV usage and reduced the total fleet numbers by 11% in 2025.
Refrigerant	4%	-19%	+293%	Base year had only one leak.	-1%	Installation of anti-vibrating and lower GWP Gases.
Waste	0.4%	-93%	+42%	Previous year miscalculated	-11%	Minor source.
Total Council Emissions (Excl WWTP and Forestry)		-3%	+34%		-14%	Emission reductions occur in step changes with investments. The changes occurring in Fleet and Energy, should see reductions in coming years.
Total Council Emissions (Excluding Forestry)		-1%	+11%		-7%	

5. Options Analysis - Ngā Kōwhiringa

No options have been identified relating to the matters of this report.

7.3 Six-Monthly Climate Pathway and Resilience Update(Cont.)

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council’s Significance and Engagement Policy.

6.2. Engagement and Community Views

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council’s Significance and Engagement Policy. This states that the Council will not consult when the matter is not of a nature or significance that requires public engagement (low significance).

7. Considerations - *Whai Whakaaro*

7.1. Strategic Alignment

This report aligns with Our Climate Pathway.

No inconsistencies with any of the Council’s policies or plans have been identified in relation to this report.

7.2. Legal

There is no legal considerations associated with the recommendations of this report.

7.3. Financial/Budget Considerations

There are no budget considerations associated with the recommendations of this report.

7.4. Climate Change Assessment

The actions reported on throughout this report, each contribute to the matters to consider.

Goal	Matters to consider	Comments	Impact Assessment
1	The likely impacts (flood, drought, storms, sea level rise, etc.) of climate change in the Eastern Bay of Plenty on the matters of this report.	No direct risks are associated with this report. Risks will be considered in each action.	High
	The matters of this report’s reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	This CCRA is an action to reduce the effects of climate change for the Council and District.	High
2	Options for lowering greenhouse gas emissions have been specifically considered in relation to the matters of the report, including: <ul style="list-style-type: none"> ● Energy efficiency / renewable energy, ● Resource usage, 	The projects to lower the Councils greenhouse gasses have been detailed in this report.	High

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25

Goal	Matters to consider	Comments	Impact Assessment
	<ul style="list-style-type: none"> Waste/Whole of Life, and Fossil fuel usage. 		
	Key emission sources, and (if possible) calculation of the greenhouse gas emissions for matters of report/project.	The emission sources for the whole organisation are detailed in this report.	High
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.	Staff try to embed equity within all climate related actions. Many of the prioritised actions will aim to address inequities.	High
3	Impacts upon the district’s biodiversity.	No direct impact on the district’s biodiversity. The biodiversity impacts will be considered in each action.	High
	Matters that increase resilience to climate change for Council and/or our communities.	Resilience update has been included in this report, and the resilience prioritised actions have been added.	High
<p>Summary:</p> <p>This entire report relates to Climate Change.</p> <p>Overall Analysis:</p> <p>The decisions and matters in this report are assessed for their impact on greenhouse gas emissions and climate change effects, which are categorised as high.</p>			

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

Attached to this Report:

- Appendix 1 - Whakatāne District Council Greenhouse Gas Emissions Inventory July 2024 to June 25

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Greenhouse Gas Emissions Inventory

Whakatāne District Council

Prepared by: Georgia Mischefski-Gray

Dated: 1 September 2025

Verification Status: Reasonable for all emission sources, excluding Treatment of Wastewater, and Land Use Change and Forestry. Limited for Treatment of Wastewater, and Land Use Change and Forestry.

Measurement Period: July 1, 2024 -June 30, 2025

Base year Period: July 1, 2022 – June 30, 2023



7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Contents

1	Introduction	3
1.1	Assurance of Inventory	3
2	Inventory Summary	4
3	Organisational Context	6
3.1	Organisation Description	6
3.2	Purposes and Objectives of GHG Reporting	6
3.3	Relevant Policies and Strategy Programmes	7
3.4	People Responsible	7
3.5	Council Commitment	7
3.6	Management Commitment	7
4	Reporting Period	7
4.1	Base Year Measurement Period	7
4.2	Measurement Period of this Report	7
4.3	Recalculated Base Year	7
4.4	Limitations to Comparing a Recalculated Base Year	8
5	Organisational Structure and Reporting Boundaries	8
5.1	Consolidation Approach used to Account for Emissions	8
5.2	Excluded Organisational Boundaries	10
5.3	Justification of Consolidation Approach	10
6	Emissions Reduction Strategy	11
6.1	Description of Main Trends in GHG Emissions Between Years	11
6.2	Emission Reduction Targets	15
6.1	Contextual Information on Reduction Targets	16
6.2	Commentary on Emission Reduction Progress	16
6.3	GHG Emissions Reduction Plan	17
6.4	Potential Co-Benefits or Unintended Consequences of Projects	18
6.5	GHG Emissions Intensity Metrics	19
6.6	Projects to Improve Data Quality	19
7	GHG Emission Liabilities	20
8	Appendix	21
8.1	Summary of the Significance Criteria used to Identify the Scope of the Inventory	21
8.2	GHG Emission Source Inclusions and Activity Data Collection	21
8.3	GHG Emission Exclusions	24
8.4	GHG Emissions and Removals Quantified by Gas	25
8.5	Calculation Methodology	25
8.6	Market Based Methodology	26
8.7	Emission Factors and Global Warming Potential	26

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

1 Introduction

The inventory has been prepared in accordance with the requirements of ISO 14064-1: 2018 Specification with Guidance at the Organisation Level for Quantification and Reporting of Greenhouse Gas Emissions and Removals. This report is the annual greenhouse gas (GHG) emissions inventory report for Whakatāne District Council. The inventory is a complete and accurate quantification of the amount of GHG emissions that can be directly attributed to the entity's operations within the declared boundary and scope for the specified reporting period.

The emissions inventory supports the Council's aim to ensure public transparency, contributes to long-term planning, and aligns with national climate commitments. This report demonstrates Whakatāne District Council's commitment to understanding and reducing its carbon footprint.

The key results include total net emissions for FY25 of 6,698.39 tCO₂e. Although this is a 97% increase on the 2022/23 base year, the increase is largely due to the harvesting of the Valley Road pine trees, a one-off event contributing 2,917.92 tCO₂e. Excluding forestry, the Council's emissions increased by 12% from the baseline year (2022/23) and decreased by 1% from last years (2023/24) results.

This report excludes many scope 3 emission sources such as procurement, staff travel to work, airport landings, Council lease land and waste collected in the district.

Although this data has some limitations, the measures in this report have been audited and completed against an international standard. Whakatāne District Council is continuously working to improve reporting practices to ensure that emissions are measured to a high standard.

1.1 Assurance of Inventory

An assurance of inventory is an independent check of the Council's greenhouse gas emissions report. It confirms that our emissions have been measured and reported accurately, consistently, and in line with recognised standards. This process builds trust in the results and helps identify areas for improving our data in future years

The Whakatāne District Council's greenhouse gas emissions inventory was independently verified by Auditor Toitū Envirocare in September 2025.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

2 Inventory Summary

Table 1. Inventory Summary and FY25, FY24 and FY23 GHG Emissions Comparison by GHG Protocol Scope and Category (tCO₂e)

Category	Scope	Base Year (FY 2023) ¹	Previous Year (FY 2024)	Current Year (FY 2025)
Category 1: Direct emissions	Scope 1	2864.61	3072.55	2,967.23
Category 1: Direct emissions - LULUCF	Scope 1	0	0	2,917.92 ²
Category 2: Indirect GHG emissions from imported energy	Scope 2	420.94	463.07	687.11
Category 3: Indirect GHG emissions from transportation	Scope 3	39.91	24.94	56.58
Category 4: Indirect GHG emissions from products used by organisation	Scope 3	76.70	240.29	69.55
Category 5: Indirect emissions associated with the use of products from the organisation	Scope 3	0	0	0
Category 6: Indirect GHG emissions from other sources	Scope 3	0	0	0
Total direct emissions (tCO₂e)		2864.61	3072.55	5885.15
Total indirect emissions (tCO₂e)		537.55	728.30	813.24
Total gross emissions (tCO₂e)		3402.16	3800.85	6698.39
Category 1 direct removals ³		0	0	0
Purchased emission reductions		0	0	0
Total net emissions (tCO₂e)		3402.16	3800.85	6698.39

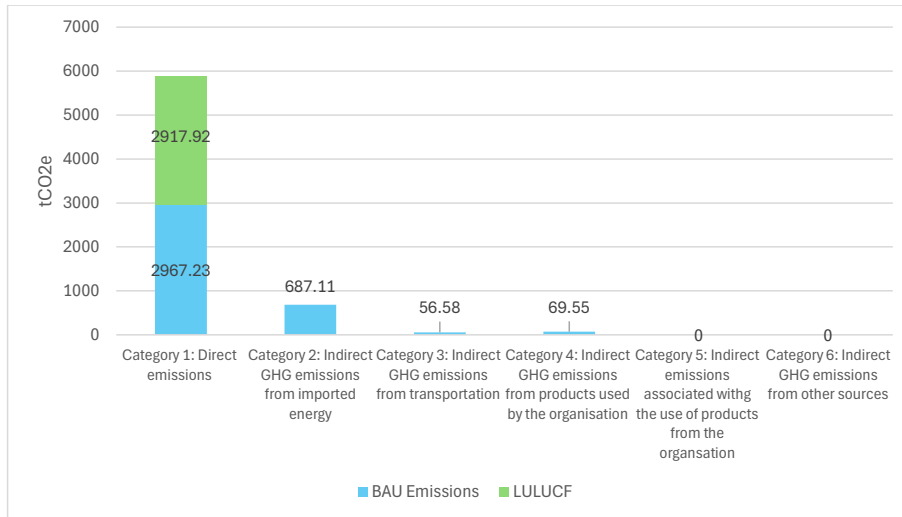
¹ An explanation for the limitations of this base year is included in [4.4](#).

² This is the emissions from the Land Use and Land Use Change-Forestry harvesting. ISO standards require this emission source to be part of the Direct Category 1 emissions. This was a significant one-off emission source due to the Valley Road pine trees being harvested. This is detailed further in [6.1](#).

³ The Council does not include any of its forestry or indigenous forests as removals. Refer to [7.1.2](#) for more details.

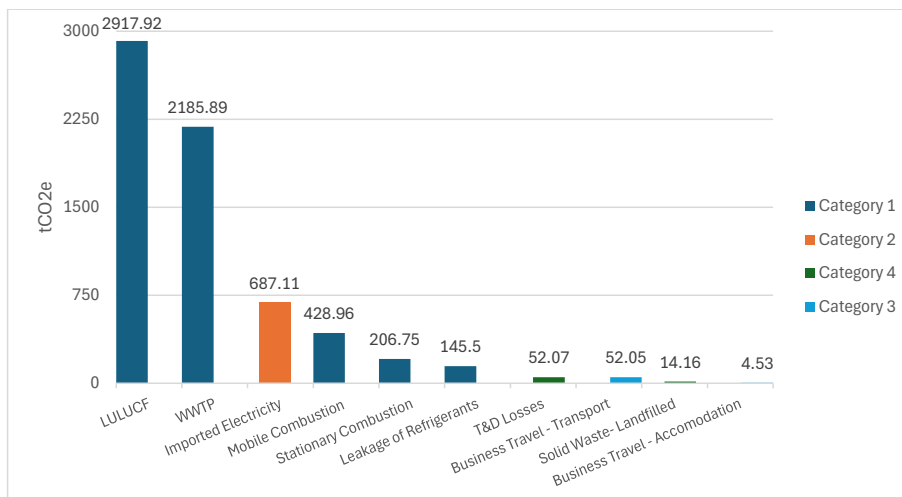
7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Figure 1. Net GHG emissions (tCO₂e) by ISO Category for FY25



The Council’s total net emissions are 6,698.39tCO₂e. LULUCF refers to Land Use and Land Use Change - Forestry. When trees under the Council’s control are harvested, the associated carbon losses are as part of ISO standards are reported as part of the Council’s direct (Scope 1, Category 1) emissions. The Valley Road Pines were harvested in January 2024 and therefore are recorded in this reporting period.

Figure 2. Net GHG emissions (tCO₂e) of the top 10 emission sources for FY25



The top emission sources for 2025 have been detailed further in [6.1](#).

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)**3 Organisational Context****3.1 Organisation Description**

The Whakatāne District Council's activities make an important contribution to the community, providing essential services and recreational opportunities that are used every day. Many Council functions are guided by legislation, including the Local Government Act 2002, the Resource Management Act 1991 and the Local Government (Rating) Act 2002. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out.

The elected Council representatives (Councillors) are responsible for making key policy decisions that guide activities and provide direction for the district's future.

The Council carries out several functions, responsibilities and activities which include:

- Constructing, managing and maintaining local infrastructure on behalf of the community. This infrastructure includes roads, water supply, sewage disposal, refuse collection and disposal, and storm water drainage.
- Providing and maintaining recreational facilities and community amenities which include parks, gardens, reserves, libraries, community halls, museum, cemeteries, crematorium, swimming pools, public conveniences, airport and harbours.
- Undertaking a regulatory role to ensure that residents have a safe, desirable and healthy environment in which to live.
- Advocacy on behalf of the local community with central government, other local authorities and other agencies.
- Promoting and facilitating development of the district that will benefit residents and providing a comprehensive information service.

The Council recognises that their activities have a direct impact on the environment. The Council is working to understand this impact and take steps to reduce it, particularly in the context of climate change. The Council aspires to show leadership by actively considering climate change in all decisions and working to mitigate and adapt to climate change throughout their activities across the district. This includes emission reduction projects, monitoring energy usage, improving procurement processes and completing risk assessments. The Council aspires to support the community by ensuring that the infrastructure and services provided are resilient in the future.

Over the past year, the Council has implemented Our Climate Pathway. This strategy sets achievable yet ambitious actions and targets. These include releasing our district Climate Change Risk Assessment, solar installation, the fleet review project, updating the current procurement policy, creating staff learning modules and incorporating climate considerations into asset upgrade decisions. This report uses the targets adopted within Our Climate Pathway.

3.2 Purposes and Objectives of GHG Reporting

This Inventory Report will be made publicly available annually on the Council's website. The high-level results will also be included in the Council's Annual report which is published publicly on the website.

This inventory forms part of Whakatāne District Council's commitment to measure and manage our emissions. The intended uses of this inventory are:

1. To inform the Council in its decision making due to being able to understand the Council's climate impacts.
2. The Council is committed to publicly reporting its emissions on the Whakatāne District Council website, through the six-monthly climate change report and in the Annual report.
3. To ensure the emissions inventory is third party verified for reporting against the Long-Term Plan targets.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

3.3 Relevant Policies and Strategy Programmes

The Council has the guiding strategy of Our Climate Change Pathway 2024-27. Within this is our climate change vision: Working together towards sustainable, low emission, climate resilient communities.

The Council has an internal Climate Change Policy which sets out how our climate change goals and principles will be embedded across Council operations. The policy clarifies the Council's role, defines each of the goals within Our Climate Pathway, and outlines how these goals will be implemented.

This inventory aligns with the Councils climate change goals from Our Pathway, including:

1. We all understand and are able to act on climate change and its impacts.
2. We have prioritised a just transition to low emissions.
3. We will continue to adapt, to reduce the effects of climate change.

3.4 People Responsible

This GHG Inventory Report has been primarily prepared by Whakatāne District Councils Climate Change and Resilience Team.

3.5 Council Commitment

The Council is the governing body of the Whakatāne District Council. The Environment, Energy and Resilience Committee as a subcommittee of the Council oversees the targets, goals and actions outlined in Our Climate Pathway actions and receives six monthly updates on progress.

The Mayor of Whakatāne District Council signed the 2017 New Zealand Local Government Leaders' Climate Change Declaration. The Council adopted the first Climate Change Strategy (2020-2023) in 2019. In June 2024, the Council adopted the second strategy known as Our Climate Pathway (2024-2027).

3.6 Management Commitment

The General Manager Strategy & Growth, Leny Woolsey, is responsible for overall emission inventory measurement and reduction performance, as well as reporting results to top management.

4 Reporting Period

4.1 Base Year Measurement Period

July 1, 2022 - June 30, 2023

This year was selected to align with Our Climate Pathway. The Pathway includes the Councils emission targets based off the year 2022/23.

4.2 Measurement Period of this Report

July 1, 2024 - June 30, 2025.

4.3 Recalculated Base Year

The baseline was recalculated to the 2022/23 from the 2017/18 base year due to improvements in our reporting and calculating methodology. The Council now has better calculation and inventory management which includes additional emission sources to our original baseline. The new base year also aligns with Our Climate Pathway.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

4.4 Limitations to Comparing a Recalculated Base Year

The limitations to comparability of data as the base year was changed include:

- Year-to-year comparison of results are different from earlier reports, making it harder to show a continuous trend.
- Re-explaining why numbers have changed can create confusion for stakeholders and readers who expect stability in reported data.
- If recalculations cannot be applied consistently across all years (e.g., due to missing historical data), comparisons may only be valid from a certain point forward.

The 2022/23 base year has some limitations, as staff were not located in the main Council building (Civic Centre, 14 Commerce Street) due to renovations, which resulted in lower electricity consumption. In addition, only one refrigerant leak was recorded across all HVAC systems that year, which is considered a low anomaly. These factors make the baseline emissions low for year-on-year comparisons.

5 Organisational Structure and Reporting Boundaries

5.1 Consolidation Approach used to Account for Emissions

An operational control consolidation approach was used to account for emissions. This means that the Council has consolidated its GHG emissions from all sites and assets over which it has the authority to introduce and implement its operating policies.

Table 2. Sites and locations included in the reporting boundary of this reporting period

Organisational Facility	Address
Civic Centre	14 Commerce Street
Three Waters Depot	0 Tāneatua Road
Whakatāne Oxidation Pond	100 Shaw Road
Ōhope Oxidation Pond	Wainui Road
Edgecumbe Oxidation Pond	Soldiers Road
Tāneatua Oxidation Pond	Old Road
Murupara Oxidation Pond	0 Ngatimanawa Road
Aniwhenua/Te Mahoe Oxidation Pond	16 Te Mahoe School Road
Waters Reservoir	Multiple
Water Supply	Multiple
Sewer Pumps	Multiple
Waste Water Pumping Station	Multiple

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Stormwater Pump Station	Multiple
Transport Fleet	65a Keepa Road
E-Bike Chargers	Multiple
Lights	Multiple
Taketake Museum	51 Boon Street
Te Koputu, Whakatāne Library	49 Kakahoroa Drive
Ōhope Library	4 Harbour Road
Edgecumbe Library	38 College Road
Murupara Library	48 Pine Drive
Open Spaces	65a Keepa Road
Crematorium	79 Ōhope Road
Parks and Reserves	Multiple
Forestry	Multiple
Sports fields and Buildings	Multiple
Whakatāne War Memorial Hall	Short Street
Public Toilets	Multiple
Community Halls	Multiple
Holiday Park	1 McGarvey Road
Whakatāne Dog Pound	52 Te Tahi Street
Tourism and Events	14 Commerce Street
Information Centre	144 The Strand
Murupara Transfer Station	0 Harakeke Road
Whakatāne Resource Recovery Centre	52 Te Tahi Street
Harbours	Multiple
Airport	216 Aerodrome Road
Whakatāne Aquatic Centre	28 Short Street
Murupara Aquatic Centre	132 Pine Drive

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

5.2 Excluded Organisational Boundaries

The following has been excluded from the inventory in this reporting period:

- Whakatāne Airport flight landing data
- District waste collection
- Council leases
- Procurement including roading
- Staff commuting and staff work from home days.

For a detailed explanation of the excluded GHG emission sources and sinks, please refer to Table 11 in [Appendix 8.2](#).

5.3 Justification of Consolidation Approach

The Council is involved in a broad range of services within the district. To facilitate best practice and efficiency, it is not always practical to have full authority over operational policies and procedures; rather it is best to have relevant industry experts to control these. In these circumstances, facilities may be provided while the services are contracted out to relevant experts. These experts are also best placed to reduce emissions themselves, as they have in-depth knowledge of their industry. As such, an operational control consolidation approach has been used to account for emissions.

Refer to [Appendix 8.5](#) for more details on input data, emission factors and methodology.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

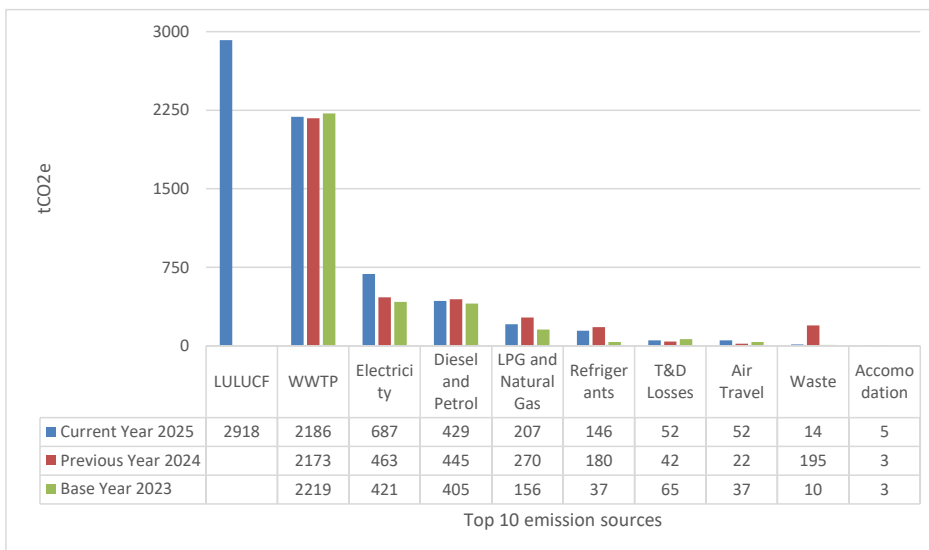
6 Emissions Reduction Strategy

The Council's emission reduction strategy is guided by Our Climate Pathway 2024-27.

6.1 Description of Main Trends in GHG Emissions Between Years

Whakatāne District Council total net emissions from the baseline (2022/23) in this reporting period has increased by 97% due to the one-off event of harvesting the Valley Road pine trees. The emissions increase without the tree harvest was 12% from the baseline (2022/23) and a -1% decrease from the previous year's gross emissions (2023/24).

Figure 3. Net emissions by source with the baseline (2023) compared to current year (2025)



Overall Total Emissions

Our net total emissions have increased by 76% compared to the previous year (2023/24). However, when excluding the Land Use and Land Use Change-Forestry, the emissions result in a 1% decrease from the previous year. While there were notable increases in emissions from electricity, LPG, and air travel, these were offset by reductions in natural gas use and refrigerant losses.

Land Use and Land Use Change - Forestry

- The Valley Road pine trees were harvested which resulted in a significant emissions increase of 2,917tCO₂e. This is a one-off emission source, as the block is now being converted into indigenous forest. Due to the one-off nature, this is separated for the analysis below.

Wastewater Treatment Plant

- The Wastewater Treatment Plant remains the Council's largest source of emissions (58% of gross emissions). This year's emissions rose slightly by 1%, staying largely consistent with the previous year. As no major infrastructure changes were made, annual variation is primarily influenced by rainfall patterns.

Energy (Electricity, Natural Gas and LPG)

- Electricity emissions increased by 48% from the previous year, though this reflects changes in national grid emission factors rather than usage as the national grid relied more on fossil

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

fuels in the previous year. The Council's electricity consumption remained steady at approximately 7 million kWh.

- Natural gas usage dropped significantly by 36% from the previous year, largely due to reduced reliance at the Whakatāne Aquatic Centre.
- LPG usage rose by 48% from last year due to a small increase in cremations.

Transport (Diesel, Petrol and Air Travel)

- The Diesel and Petrol emissions changes have decreased from the baseline by 5%. From the previous year, the emissions decreased 4%.
- Air Travel increased by 143% from the previous year due to a 7% increase in flights being taken and including international flights.

Refrigerants

- Refrigerant emissions decreased by 19% from the previous year, due to less Heating Ventilation and Air Conditioning (HVAC) system leaks. The Council has ongoing system upgrades and installing anti-vibration measures. The Council is also transitioning to lower-emission refrigerant gases.

Waste

- Waste is only reported on from the internal Council waste streams. Secondly, not all facilities are included due to data collection difficulties refer to [Appendix 8.3](#) for more detail.
- Reported emissions from waste has decreased from last year due to a date inaccuracy in the last reporting period. However, the Council is aiming to continue to improve our processes to ensure consistency and accuracy in waste data recording across reporting years.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25 (Cont.)

Table 3. Comparison of historical GHG inventories in tCO2e for last 5 years and the % comparison of current year to base year and previous year.

ISO Category and Emission Source	2020/2021 (tCO2e)	2021/2022 (tCO2e)	Base Year 2022/2023 (tCO2e)	2023/2024 (tCO2e)	Current Year 2024/25 (tCO2e)	% change from Base Year	% change 2023/24
WWTP sewage (tCO2e)	1,970.88	1,993.50	2,219.00	2,173.00	2,185.89	-1%	1%
Refrigerants	0	198.37	36.71	179.71	145.48	296%	-19%
Fertiliser use Nitrogen	0	0.11	0.13	4.84	0.1	-23%	-98%
Fertiliser use Lime	0	0	0	0.07	0.03	NA	-57%
LULUCF	0	745	0	0	2917.92	NA	NA
Mobile Combustion (Diesel, Petrol)	443.79	436.46	452.46	444.92	428.96	-5%	-4%
Stationary Combustion (LPG and Natural Gas)	121.95	166.28	156.32	270.02	206.75	32%	-23%
Total Category 1: Direct Emissions	2,536.62	3,539.72	2,864.62	3,072.56	5,885.13	105%	92%
Imported Electricity	977.59	626.74	420.94	463.07	687.11	63%	48%
Total Category 2: Indirect GHG emissions from imported energy	977.59	626.74	420.94	463.07	687.11	63%	48%
Business Travel - Transport	42.19	25.63	36.89	21.5	52.03	41%	142%
Business Travel - Accommodation	2.97	1.78	3.02	3.43	4.53	50%	32%
Total Category 3: Indirect GHG emissions from Transport	45.16	27.41	39.91	24.93	56.56	42%	127%
Disposal of solid waste - Landfilled	0.01	5.42	9.65	195.25	14.16	47%	-93%
Transmission of Energy (T&D losses)	81.16	73.65	65.07	42.35	52.07	-20%	23%

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Purchased Goods and services (Paper)	3.89	1.96	1.97	2.69	3.32	69%	23%
Total Category 4: Indirect GHG emissions from products used by the organisation	85.06	81.03	76.69	240.29	69.55	-9%	-71%
Category 5: Indirect emissions associated with the use of products from the organisation	0	0	0	0	0	NA	NA
Category 6: Indirect GHG emissions from other sources	0	0	0	0	0	NA	NA
Total Direct Emission	2,536.62	3,539.72	2,864.62	3,072.56	5,885.13	105%	92%
Total Indirect Emissions	1107.81	735.18	537.54	728.29	813.22	51%	12%
Total emissions	3,644.43	4,274.90	3,402.16	3,800.85	6,698.35	97%	76%
Category 1 Direct Removals	0	0	0	0	0	NA	NA
Purchased emissions reductions	0	0	0	0	0	NA	NA
Total Net Emissions	3,644.43	4,274.90⁴	3,402.16	3,800.85	6,698.35	97%	76%
Total Emissions (LULUCF removed)	3,644.43	3,529.90	3,402.16	3,800.85	3,780.43	11%	-1%

⁴ This includes the pine tree harvest at Eagle hill (0.8ha).

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

6.2 Emission Reduction Targets

The reduction targets were set by Council in June 2024 as part of Our Climate Pathway.

Table 4. The GHG Emission reduction targets as set in Our Climate Pathway 24-27.

Target name	Base year	Target date	Type of target (intensity or absolute)	ISO Category	Target (% / tCO ₂ e)	Expected Reduction (tCO ₂ e)	KPI (if intensity)	Responsibility	How the target contributes to limit global warming to 1.5 degC
Transport	2022/23	2027	Absolute	Petrol, Diesel, Rental Car, Air Travel.	5%	21	10,000 Litres	Donna Sparrow, Georgia Mischefski-Gray	Reduction in fleet and transition to lower tCO ₂ e/km vehicles.
Stationary/ NonTransport Energy	2022/23	2027	Absolute	Electricity, Natural Gas, LPG, Accommodation, Paper	16%	114.7	1,573,900 kWh	Energy Action Group, Paul Check, Ian Molony, Georgia Mischefski-Gray	Reduction in total energy consumption through continued delivery of energy management programme.
Industrial Process and Product Use (IPPU)	2022/23	2027	Absolute	Refrigerants	1%	0.4	0.5 kgs HFC 32	Paul Check	Reduction based on asset changes to lower GWP refrigerants.
Waste Reduction	2022/23	2027	Absolute	Waste	11%	21.5	90 kgs	Nigel Clarke, Georgia Mischefski-Gray	Reduction in the waste sent to landfill which results in a decrease in emissions.
Wastewater Treatment Plant (WWTP)	2022/23	2027	Absolute	Wastewater Treatment Plant	4%	88.76		Jim Finlay, Michael Van Tilburg	WWTP emission source is slow to change and requires step change investments. The Council targets allow a focussed approach on emissions which can be reduced.
Total Council Emissions	2022/23	2027	Absolute	All categories	7%	238.21		Whole Council, ELT	Overall reduction in tCO ₂ e.
Total Council Excluding WWTP	2022/23	2027	Absolute	Waste, Refrigerants, Energy, Transport	7%	82.88		Whole Council, ELT	Overall reduction in tCO ₂ e.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

6.1 Contextual Information on Reduction Targets

The targets outlined above were established in Our Climate Pathway, aligned with the National Emissions Reduction Plan. This is the first report to assess progress against these targets.

6.2 Commentary on Emission Reduction Progress

As part of Our Climate Pathway, the Council has established measurable emission reduction targets across transport, energy, waste, refrigerants, and wastewater. These targets include a 7% reduction in total emissions by 2027, current progress indicates the Council is not yet on track to meet the 2027 targets. Targets need to be approached with a long-term view. With the investments and projects currently underway, emissions reductions are expected to occur through significant step changes rather than a gradual year-on-year decline over the coming years.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

6.3 GHG Emissions Reduction Plan

Table 5. Key GHG Emission Reduction Projects which are being progressed over the next FY26.

Emission source	Reduction initiative	Target it supports	Target (%)	Target completion	Commentary on progress	Responsibility
Reduce fleet emissions	This includes reduction in fleet numbers, EV replacement programme, lower co2e/km vehicle procurement	Transport	5% of Fleet Emissions	1 July 2026	The first phase of the Fleet Project is completed. This involves assessing the right size fleet numbers, creating a new procurement processes and decreasing the fleet size.	Fleet Manager
Reduce energy emissions	Installing solar on five different sites. A second tranche of sites will begin after the initial five are complete.	Stationary/Non-Transport Energy	10% of energy emissions	1 September 2025	Sites have been selected and solar suppliers have been contracted, completed the designs and are nearing the installation completion.	Strategic Policy Analyst - Climate Change
Decrease LPG and Natural Gas usage	Gas Boiler Replacements or replace usage with renewable energy generation.	Stationary/Non-Transport Energy	50% of LPG usage	Ongoing	Library and Museum have gas boiler replacements underway. They will be moving to HVAC systems. The Whakatane aquatics centre is planned to be assessed in 2026.	Properties and Facilities Manager
Indigenous plant conversions	Convert key forestry blocks into indigenous forests.	Total Council Emissions	No offsetting is currently done.	1 June 2027	The plan has been approved and is a long term plan.	Open Spaces Manager
Electricity Monitoring	Monitor key sites for electricity usage. In spikes, evaluate reasoning and resolve it. Select lower electricity usage options.	Stationary/Non-Transport Energy	10%	Ongoing	Continual assessment of energy usage across all sites, reductions and changes are continually occurring.	Properties and Facilities Manager

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

6.4 Potential Co-Benefits or Unintended Consequences of Projects

The potential unintended consequences of the emissions reduction plan are:

- The end of life of the solar panels can have negative consequences, the procurement of solar panels included this as a consideration.
- Changing LPG and Natural Gas to heat pumps could increase refrigerant leakages and therefore still have an impact on emissions. This is being minimised through procurement and anti-vibration requirements.
- Increasing the electrification of the fleet, will result in an increase in electricity demand. This could increase electricity related costs and emissions, however, the reduction in diesel fuel costs and emissions will outweigh those costs increases. To minimise these consequences, it may mean investing in more renewable energy generation.

The potential co-benefits of the emissions reduction plan are:

- Converting the forestry blocks into indigenous species has the co-benefits of increased resilience in weather events and biodiversity gains.
- Solar panel renewable energy usage, natural gas and LPG conversion and energy monitoring can decrease the Councils energy costs and increase resilience.

6.4.1 *Extent of Reliance on Carbon Offsets*

Offsets have not been purchased by the Whakatāne District Council this year.

6.4.2 *Extent of Reliance on Market-Based Instruments*

Whakatāne District Council does not purchase Renewable Energy Certificates.

6.4.3 *Staff Engagement Initiatives*

The Executive Leadership Team has adopted an internal Climate Change Policy, setting out how climate change goals and principles will be embedded across Council operations. The policy clarifies the Council's role, defines each of the goals within Our Climate Pathway, and outlines how these goals will be implemented.

The Council has an internal Climate Change and Resilience Team to ensure that climate change considerations are embedded into all Council activities. Council has an analyst whose role includes climate change to specifically complete emissions reduction projects, reporting and support staff.

For staff awareness and training, Council has created a Climate Change Toolbox on the internal hub. This provides information and resources on a range of climate topics. In addition, targeted climate change workshops are run with teams to explain what climate change is, what it means for Council, and our goals. Teams also discuss their own impacts and ways to reduce them.

Since April 2021, all Council reports now include a climate change assessment, the assessment was updated in 2025.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

6.5 GHG Emissions Intensity Metrics

Emissions intensity shows how much greenhouse gas (GHG) the Council emits relative to a unit of activity or output.

Table 6. GHG Emissions Intensity for FY 2025 compared to FY2024 and FY2025.

Emissions Intensity (tCO ₂ e)	Base Year (FY2023)	Previous Year (FY 2024)	Net Emissions Current Year (FY 2025)	Current Year (FY25) with LULUCF removed
FTE – Whakatāne District Council (tCO ₂ e / head)	10.40	11.25	18.35	10.95
Rating Units (Millions) – Whakatāne District Council (tCO ₂ e / Rating Units \$ Millions)	35.44	34.87	96.91	54.69
Operating Revenue – Whakatāne District Council (tCO ₂ e / Operating Revenue \$ Millions)	38.70	46.20	63.27	35.71

The Council uses annual revenue and FTEs as key performance indicators (KPIs) to compare emissions intensity over time.

Rating units for the district is rates collected by the Council while operating revenue includes all income sources. Since the emissions report focuses on the Council as an organisation, the total revenue is more appropriate as an emissions intensity measure.

6.6 Projects to Improve Data Quality

Table 7 highlights the emission sources that have been identified for improving the data quality in future inventories.

Table 7. Data quality improvement initiatives for the next reporting period (FY26)

Emission Source	Actions to Improve Data Quality	Responsibility	Completion date
Waste	Determine a format to record the waste data.	Solid Waste Manager	30 June 2026
Petrol and Diesel Stationary	Determine a way which the purchases for stationary diesel and petrol can be separated from the mobile combustion purchases.	Strategic Policy Analyst – Climate Change and Fleet Manager	30 June 2026
Electricity	Receive the annual electricity figures at the year end to compare against the monthly inputted data in Generate Zero.	Strategic Policy Analyst – Climate Change	30 June 2026

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Petrol, Diesel, Fertiliser, Travel, Electricity, Gas, LPG and Refrigerants	Complete a Generate Zero platform upload every quarter.	Strategic Policy Analyst – Climate Change	Ongoing
--	---	---	---------

7 GHG Emission Liabilities

GHG emission liabilities are potential sources. They consist of refrigerants in HVAC systems and fuels stored in generators on sites and forestry. Their accidental leakage, burn or release could result in a large increase in emissions for that period. Refrigerants such as HFCs, PFCs and SF6 are GHGs with high global warming potentials, so material volumes of these or fuel are reported as potential liabilities.

Table 8. GHG liabilities held at year end June 30, 2025.

GHG Gas Stock Held	Quantity	Unit	Potential Liability (tCO2e)
410A -R32	181.45	Kg	349.02
HFC-32	33.24	Kg	22.50
Diesel	1760	L	4.72
Petrol	60	L	0.14

7.1.1 Liability: Petrol and Diesel

Petrol and diesel have already been included in the emissions reported for this period, as they are captured through mobile combustion due to the format of the supplier data used in the calculations. They are shown in Table 8 for transparency only and are not additional emissions. As outlined in Table 7, improving the separation and accuracy of this data is a key quality improvement goal for next year.

7.1.2 Liability: Land Use and Land Use Change - Forestry

The Council manages 471.3 hectares of indigenous forest, all classified as pre-1990 and over 50 years old.⁵ These forests are permanently protected and will never be harvested. From an emissions reporting perspective, the forests are considered carbon-equilibrium and therefore do not generate annual sequestration or emission entries in the Council’s GHG inventory.

The two blocks which no longer contain any forestry liabilities are:

- Valley Road (2.8ha) This block was harvested in January-February 2024 and has been accounted for as a direct emission source for this reporting period. This block is now being converted to indigenous forests.
- Eagle Hill (0.8ha): This block was harvested in 2022 and has been accounted for as a direct emission source for in the 2021/22 reporting period. This block is going to be converted to indigenous forest.

The blocks which still have liabilities are:

⁵ Source Forest Removals Report prepared by Quantum Project Services Limited, May 2023 for the Whakatāne District Council.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Table 9. Forestry Blocks with emission liabilities

Block Name	Hectares	Tree Age	Carbon stock per ha (tCO ₂ e)	Total Liability	Notes
Managamate	11	25	631	6,941	Due to be harvested in 2028.
Onepū	30	8	237	1,896	Due to be harvested in 2044.

Source: Climate Change (Forestry) Regulations 2022, Schedule 2. P90: Tables of carbon stock per hectare for pre-1990 forest land. Table 1: Carbon stock per hectare for Pinus radiata by region.

8 Appendix

Additional inventory details are disclosed in this Appendix.

8.1 Summary of the Significance Criteria used to Identify the Scope of the Inventory

A review of emission sources was completed in 2017/18 by Council staff when the baseline was completed. Additional sources such as refrigerants were added when the new baseline was calculated.

Significance of emissions sources within the organisational boundaries has been considered in the design of this inventory. The significance criteria used comprise of all direct emissions sources that contribute more than 1% of total Category 1 and 2 emissions.

8.2 GHG Emission Source Inclusions and Activity Data Collection

The GHG emissions sources included in this inventory were identified with reference to the methodology in the ISO14064-1:2018 standard. These emissions were classified under the following categories:

- Direct GHG emissions (Category 1): emissions from sources that are owned or controlled by the company.
- Indirect GHG emissions (Category 2): emissions from the generation of purchased electricity, heat and steam consumed by the company.
- Indirect GHG emissions (Category 3-6): GHG emissions that occur as a consequence of the activities of the company but occur from sources not owned or controlled by the company.

The emissions sources in Table 10 below provides detail on emissions sources included in the GHG emissions inventory, an overview of how activity data were collected for each emissions source, and an explanation of any uncertainties or assumptions made.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Table 10. GHG Emissions source data and uncertainties or assumptions in the GHG inventory

GHG emissions ISO Category	GHG emissions source or sink	Data Source	Data Collection Unit	Assessment of assumptions and uncertainties	Explanation of uncertainties or assumptions of your data, evidence and, emission factors
Category 1: Direct emissions	Addition of lime to soils	Fertiliser	kg	Moderate	Lime application volumes are based on purchase records rather than exact field application rates. Lime emissions calculated using default emission factors from MFE guidance. Uncertainties around the actual application rates and timing, as well as soil type and climatic conditions, can significantly influence emissions. National default emission factors may not fully capture site-specific variability.
Category 1: Direct emissions	Emissions - Land use, land-use change and forestry	Land Use Change	ha	High	Hectares felled data is based on internal records of land management practices and mapped against MFE land use categories. Uncertainties around the carbon release rates which can vary widely depending on soil characteristics, vegetation type, and management history. Data is sufficient for indicative reporting but does not capture site-specific measurement.
Category 1: Direct emissions	Fertiliser use	Fertiliser	kg	Moderate	Fertiliser application volumes are based on purchase records rather than exact field application rates. Nitrogen emissions calculated using default emission factors from MFE guidance. Nitrogen amounts are calculated from product specifications internally (based on: kg product*N%). Uncertainties around the actual application rates and timing, as well as soil type and climatic conditions, can significantly influence emissions. National default emission factors may not fully capture site-specific variability.
Category 1: Direct emissions	Leakage of refrigerants	Refrigerants	kg	Moderate	Emissions are estimated based on recorded top-ups of refrigerant gases a mix of invoices and recorded HVAC system capability are used. Uncertainties exist where full servicing records are not available, top-up data may under-report actual leakage.
Category 1: Direct emissions	Mobile combustion (incl. company owned or leased vehicles)	Z Energy	L	Low	All mobile Combustion data is taken from invoices and accurately reflects site usage. Data comes from primary sources therefore risk of error is low. The stationary combustion from generators is captured within the mobile combustion, as this source is minimal it is captured within the mobile combustion emission factors.
Category 1: Direct emissions	Stationary combustion	Nova	kWh	Low	All gas consumption data is taken from invoices and accurately reflects site usage. Data comes from primary sources therefore risk of error is low.
Category 1: Direct emissions	Stationary combustion	Rockgas - LPG	Bottle	Moderate	All LPG consumption data is taken from invoices and accurately reflects site usage. While data does come from primary sources, it is assumed all LPG is used before being replaced therefore there is a risk of moderate error as the bottles may be switched before being entirely used.
Category 1: Direct emissions	Treatment of wastewater	Wastewater	CO ₂ e	Moderate	Volumes are estimated from water use data and standard wastewater emission factors for biological treatment processes. There are site-specific methane and nitrous oxide emissions differences depending on the treatment technology, retention times, and operational practices. Each pond is calculated separately based on this. Use of national averages for introduces variability but is consistent with reortine protocols. Changes in rainfall in a year can also cause differences in data as the calculations are based on water volumes.
Category 2: Indirect GHG emissions from imported energy	Imported electricity	Genesis	kWh	Low	All electricity consumption data is taken from invoices and accurately reflects site usage. Data comes from primary sources.
Category 2: Indirect GHG emissions from imported energy	Imported electricity	Mercury	kWh	Low	All electricity consumption data is taken from invoices and accurately reflects site usage. Data comes from primary sources.
Category 3: Indirect GHG emissions from transportation	Business travel - Accommodation	Orbit	Room per night	Moderate	Accommodation had the averaging emission factors applied. Data was collected from booking agent.
Category 3: Indirect GHG emissions from transportation	Business travel - Transport (non-company owned vehicles)	Orbit	km	Moderate	Short-haul vs long-haul flights were allocated based on destination, with standard emission factors applied. Data was collected from the booking agent.
Category 3: Indirect GHG emissions from transportation	Business travel - Transport (non-company owned vehicles)	Orbit	pkm	Moderate	Short-haul vs long-haul flights were allocated based on destination, with standard emission factors applied. Data was collected from the booking agent.
Category 4: Indirect GHG emissions from products used by organisation	Disposal of solid waste - Landfilled	Waste	kg	High	Waste composition is based on national averages. Actual site-specific waste streams could differ significantly, potentially affecting reported emissions. Some sites have not been included due to reporting difficulty and operational controls.
Category 4: Indirect GHG emissions from products used by organisation	Purchased goods and services	Paper	kg	Moderate	Emissions are calculated from purchase records (reams ordered) and converted using MFE emission factors for office paper production. End-of-life treatment assumed to follow national waste disposal pathways. While purchase data is reliable, the kgs are not provided, these are then internally recorded and calculated. Some variability in actual paper composition (recycled vs virgin fibre) is not captured, but the use of national factors is considered appropriate for reporting.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Category 4: Indirect GHG emissions from products used by organisation	Transmission of energy (T&D losses)	Genesis	kWh	Low	All electricity consumption data is taken from invoices and the national averaging of the T&D losses is used to calculate the emission factors. Data comes from primary sources.
Category 4: Indirect GHG emissions from products used by organisation	Transmission of energy (T&D losses)	Mercury	kWh	Low	All electricity consumption data is taken from invoices and accurately reflects site usage. Data comes from primary sources.
Category 4: Indirect GHG emissions from products used by organisation	Transmission of energy (T&D losses)	Nova	kWh	Low	All gas consumption data is taken from invoices and accurately reflects site usage. Data comes from primary sources.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

8.3 GHG Emission Exclusions

Table 11. GHG emission exclusions from the current year (2025) inventory report and the reason for exclusion

Business Unit	GHG emissions source or sink	GHG emissions category	Reason for exclusion
Procurement	Emission source	Category 3	The Council does not collect data on this emission source. This data is outside of operational control. Some of the products purchased particularly roading materials will be significant emission sources.
Staff travel to work and work from home days	Emission source	Category 3	The Council does not collect data on this emission source. A survey was completed in 2025 to estimate this data. Many assumptions were used within it. The data collected will be able to inform decision making.
Airport Landings	Emission source	Category 3	Whakatāne District Council provides facilities for flights, including maintenance of the runway and terminal building. Council also ensures that the airport is compliant with Civil Aviation Authority of New Zealand requirements. The scheduling of flights is determined solely by airline operators and is not influenced by Council. As such, Council does not have operational control over the emissions created from airport-flight activities.
Council Lease Land	Emission source	Category 3	Council currently owns several leasehold titles within the district. These titles are leased to various stakeholders, which are used for different purposes (commercial shops, farm/grazing land etc.). As such, Council does not have authority to control what tenants do with the land or property.
Waste (District)	Emission source		The waste management services are contracted to Waste Management - who collect waste and recycling material on behalf of Council for processing. Waste Management are experts, and they are part of Toitū's Carbonreduce certification programme; as such, emissions from Waste Management's services in our district are not included by the Council. To avoid double counting of emissions, the council excludes waste management services for the district from this inventory.
Forest - Indigenous	Emission sink	Category 1	The forestry is pre-1990 and therefore cannot be included due to current guidelines
Waste - Landfilled	Emission source	Category 1	Some facilities waste is excluded from this inventory such as the holiday parks or reserves. These are too hard to collect data on or used by the public and therefore it is outside of the organisations boundary.

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

8.4 GHG Emissions and Removals Quantified by Gas

Table 12. Direct GHG emissions and removals, quantified separately for each applicable gas

Emission or removal source	CO ₂ (tCO ₂ e)	CH ₄ (tCO ₂ e)	N ₂ O (tCO ₂ e)	NF ₃ (tCO ₂ e)	SF ₆ (tCO ₂ e)	HFC (tCO ₂ e)	PFC (tCO ₂ e)	Desflurane (tCO ₂ e)	Isoflurane (tCO ₂ e)	Sevoflurane (tCO ₂ e)	Emissions Total (tCO ₂ e)
Addition of crop residue to soils	0	0	0	0	0	0	0	0	0	0	0
Addition of lime to soils	0.03	0	0	0	0	0	0	0	0	0	0.03
Addition of livestock waste to soils	0	0	0	0	0	0	0	0	0	0	0
Electricity generated and consumed onsite	0	0	0	0	0	0	0	0	0	0	0
Emissions - Land use, land-use change and forestry	2917.92	0	0	0	0	0	0	0	0	0	2917.92
Enteric Fermentation	0	0	0	0	0	0	0	0	0	0	0
Exported electricity	0	0	0	0	0	0	0	0	0	0	0
Fertiliser use	0	0	0.1	0	0	0	0	0	0	0	0.1
Leakage of refrigerants	0	0	0	0	0	0	0	0	0	0	145.5
Medical gases	0	0	0	0	0	0	0	0	0	0	0
Mobile combustion (incl. company owned or leased vehicles)	420.43	1.44	7.09	0	0	0	0	0	0	0	428.96
Open burning of organic matter	0	0	0	0	0	0	0	0	0	0	0
Removals - Industrial processes	0	0	0	0	0	0	0	0	0	0	0
Removals - Land use, land-use change and forestry	0	0	0	0	0	0	0	0	0	0	0
Stationary combustion	206.18	0.48	0.09	0	0	0	0	0	0	0	206.75
Treatment of waste	0	0	0	0	0	0	0	0	0	0	0
Treatment of wastewater	0	0	0	0	0	0	0	0	0	0	2185.89
Total net emissions	3544.56	1.92	7.28	0	0	0	0	0	0	0	5885.15

No biogenic anthropogenic and biogenic non-anthropogenic emissions are reported.

8.5 Calculation Methodology

The calculation methodology used for quantifying the emissions inventory is based on the following calculation approach (unless otherwise stated): GHG Emissions = activity data x GHG emission factor

The Generate Zero Platform is now being used for the reporting and emission calculation.

All emissions were calculated using emission factors and Global Warming Potentials from the emissions calculation guide released by the Ministry for the Environment. GWP's from IPCC's Fifth Assessment Report (AR5) have also been used as a preferred approach where available. Where

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

applicable unit conversion methods were also applied when processing activity data. There are systems and procedures in place that will ensure applied quantification methodologies will continue in future GHG emissions inventories. Generate Zero software, called 'Footprint', was used to calculate this GHG emissions inventory. Full details of the reporters GHG inventory quality management procedures may be found in a dedicated document. This is available on request.

8.6 Market Based Methodology

All purchased and generated energy emissions are dual reported using both the location-based method and the market-based method in accordance with ISO 14064-1. This form of dual reporting shows the role of supplier choice, onsite renewable energy generation and contractual instruments in managing indirect emissions from energy alongside any ongoing energy efficiency reduction efforts.

8.7 Emission Factors and Global Warming Potential

Table 13. List of emission factors used in this inventory

Activity	Emission factor name	Unit	Emission factor (tCO ₂ e)	Publisher	Date
Addition of lime to soils - Fertiliser use Lime	Fertiliser use - Limestone	kg	0.0003608	MIE NZ 2025	2025
Business Travel - Accommodation - Accommodation - Australia	Hotel stay - Australia	Room per night	0.03411941583	MIE NZ 2025	2025
Business Travel - Accommodation - Accommodation - Japan	Hotel stay - Japan	Room per night	0.03739716278	MIE NZ 2025	2025
Business Travel - Accommodation - Accommodation - New Zealand	Hotel stay - New Zealand	Room per night	0.01030784912	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - Domestic Large Aircraft	With Radiative Forcing factors - Domestic flight (2023) - Large aircraft	pkm	0.00017664076	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - Domestic Medium Aircraft	With radiative forcing factors - Individual aircraft - Aerospatale/Alenia ATR 72	pkm	0.00019240138	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - Domestic Small Aircraft	With Radiative Forcing factors - Domestic flight (2023) - Small aircraft	pkm	0.0005908381	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - Domestic Small Aircraft	With radiative forcing factors - Individual aircraft - Saab SF-340	pkm	0.0001576257	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - International Long Haul Economy	With Radiative Forcing factors - Long-haul (>3700km) - Economy class	pkm	0.00014779036	MIE NZ 2025	2025
Business Travel - Transport - Air travel - Air travel - International Short Haul Economy	With Radiative Forcing factors - Short-haul (<3700km) - Economy class	pkm	0.00015093815	MIE NZ 2025	2025
Business Travel - Transport - Rental Car - Petrol	Rental car default - Petrol	km	0.00018386887	MIE NZ 2025	2025
Emissions - Land use, land-use change and forestry	Planted forests: Approach two - Averaging accounting - Pinus radiata - Deforestation	ha	1023.831924	MIE NZ 2025	2025
Fertiliser use - Nitrogen	Fertiliser use - Non-urea nitrogen fertiliser	kg	0.00483681786	MIE NZ 2025	2025
Imported electricity - Electricity	Electricity used - Dec-2024	kWh	0.00004000472	MIE NZ 2025	2025
Imported electricity - Electricity	Electricity used - Jun-2024	kWh	0.00013652818	MIE NZ 2025	2025
Imported electricity - Electricity	Electricity used - Mar-2024	kWh	0.00008930415	MIE NZ 2025	2025
Imported electricity - Electricity	Electricity used - Sept-2024	kWh	0.00013248508	MIE NZ 2025	2025
Leakage of refrigerants - HFC - HFC-134a	HFC-134a (R-134a) - CH ₂ FCF ₃	kg	1.3	MIE NZ 2025	2025
Leakage of refrigerants - HFC - R-407C	407C - R-32/125/134a (23.0/25.0/52.0)	kg	1.62421	MIE NZ 2025	2025
Leakage of refrigerants - HFC - R-410A	410A - R-32/125 (50.0/50.0)	kg	1.9235	MIE NZ 2025	2025
Mobile combustion (incl. company owned or leased vehicles) - Diesel	Transport fuels - Diesel	L	0.00268068061	MIE NZ 2025	2025
Mobile combustion (incl. company owned or leased vehicles) - Petrol - Premium	Transport fuels - Premium Petrol	L	0.00242269731	MIE NZ 2025	2025

7.3.1 Appendix 1 - WDC Greenhouse Gas Emissions Inventory July 2024 to June 25(Cont.)

Mobile combustion (incl. company owned or leased vehicles) - Petrol - Regular	Transport fuels - Regular Petrol	L	0.00238312692	MfE NZ 2025	2025
Purchased Goods and Services - Material use (Paper)	Paper and board: paper - Primary material production	kg	0.0013450779	DEFRA 2025	2025
Solid waste - Landfilled - Landfill with gas recovery (LFGR) - Mixed waste	Waste to landfill with gas recovery emission factors - Waste (unknown composition) - General waste	kg	0.00020330838	MfE NZ 2025	2025
Stationary combustion - LPG stationary	Commercial use - LPG	kg	0.0029716351	MfE NZ 2025	2025
Stationary combustion - Natural gas	Commercial use - Natural Gas - kWh	kWh	0.00019514793	MfE NZ 2025	2025
T&D Losses - Electricity - Electricity distributed	Calendar years - Transmission and distribution losses - 2024 - Electricity used	kWh	0.0000076903	MfE NZ 2025	2025
T&D Losses - Electricity - Electricity distributed	Electricity used - Dec-2024	kWh	0.00004000472	MfE NZ 2025	2025
T&D Losses - Electricity - Electricity distributed	Electricity used - Jun-2024	kWh	0.00013652818	MfE NZ 2025	2025
T&D Losses - Electricity - Electricity distributed	Electricity used - Mar-2024	kWh	0.00008930415	MfE NZ 2025	2025
T&D Losses - Electricity - Electricity distributed	Electricity used - Sept-2024	kWh	0.00013248508	MfE NZ 2025	2025
T&D Losses - Natural gas	Transmission and distribution losses - Natural gas used - kWh	kWh	0.00000621218	MfE NZ 2025	2025
Treatment of wastewater	Pre-calculated emission factor	TCO-e	1	Source not applicable	Unknown

Table 14. Reference to global warming potential used

Gas	Source / Publisher	Date / year of issue	Global Warming Potential value
CO2	MfE NZ 2025	2025	1
CH4	MfE NZ 2025	2025	28
N2O	MfE NZ 2025	2025	265

7.4 Submission on the Planning Bill and Natural Environment Bill

7.4 Submission on the Planning Bill and Natural Environment Bill



To: **Strategy and Policy Committee**

Date: **Thursday, 5 February 2026**

Author: **N Woodley / Manager Policy, Planning and Consents Compliance**

Authoriser: **D Bewley / GM Planning, Regulatory and Transportation**

Reference: **A3053815**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to present the draft submission on the Planning Bill and Natural Environment Bill for the Strategy and Policy Committee's consideration and approval.

The submission addresses the key matters relevant to Council's consenting and policy responsibilities and the matters discussed with Councillors during briefings. The full submission is appended to this report.

Subject to approval, the submission will be updated to incorporate feedback provided by Councillors prior to lodgement. The submission period closes on Friday, 13 February 2026.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Submission on the Planning Bill and Natural Environment Bill Report be **received**; and
2. THAT the Strategy and Policy Committee **approve** the appended submission on the Planning Bill and Natural Environment Bill, subject to the incorporation of feedback provided by the Council.
3. THAT the Mayor and Chief Executive be **authorised** to finalise the submission prior to the close of submissions on the 13 February 2026.

3. Background - *He tirohanga whakamuri*

The Government has committed to a phased programme of reform to New Zealand's resource management system. Phase one, completed in December 2023, repealed the National Built Environment Act (NBA) and the Spatial Planning Act (SPA), both enacted by the previous government. Phase two introduced a fast-track consenting regime and, in 2024, made targeted amendments to the Resource Management Act 1991 (RMA).

Phase three, which is the focus of this report, proposes legislation to replace the RMA. This phase centres on two Bills currently before Parliament: the Planning Bill, which regulates land use and development, and the Natural Environment Bill, which provides for the management and protection of the natural environment.

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

Together, the Bills establish a new legislative framework that will significantly change how New Zealand’s planning system operates, including how planning decisions are made and implemented. The proposed framework is more directive and standardised than the RMA. It shifts away from the RMA’s purpose of sustainable management and instead structures the system around defined statutory goals, including recognition of the enjoyment of private property rights.

As illustrated in Figure 1, the system operates hierarchically. Each Bill sets statutory goals, which are supported by national policy direction and standards. These, in turn, guide regional spatial plans and combined plans. The goals shape what the system is intended to achieve and narrow the range of matters that may be regulated or considered in plan-making and consenting.

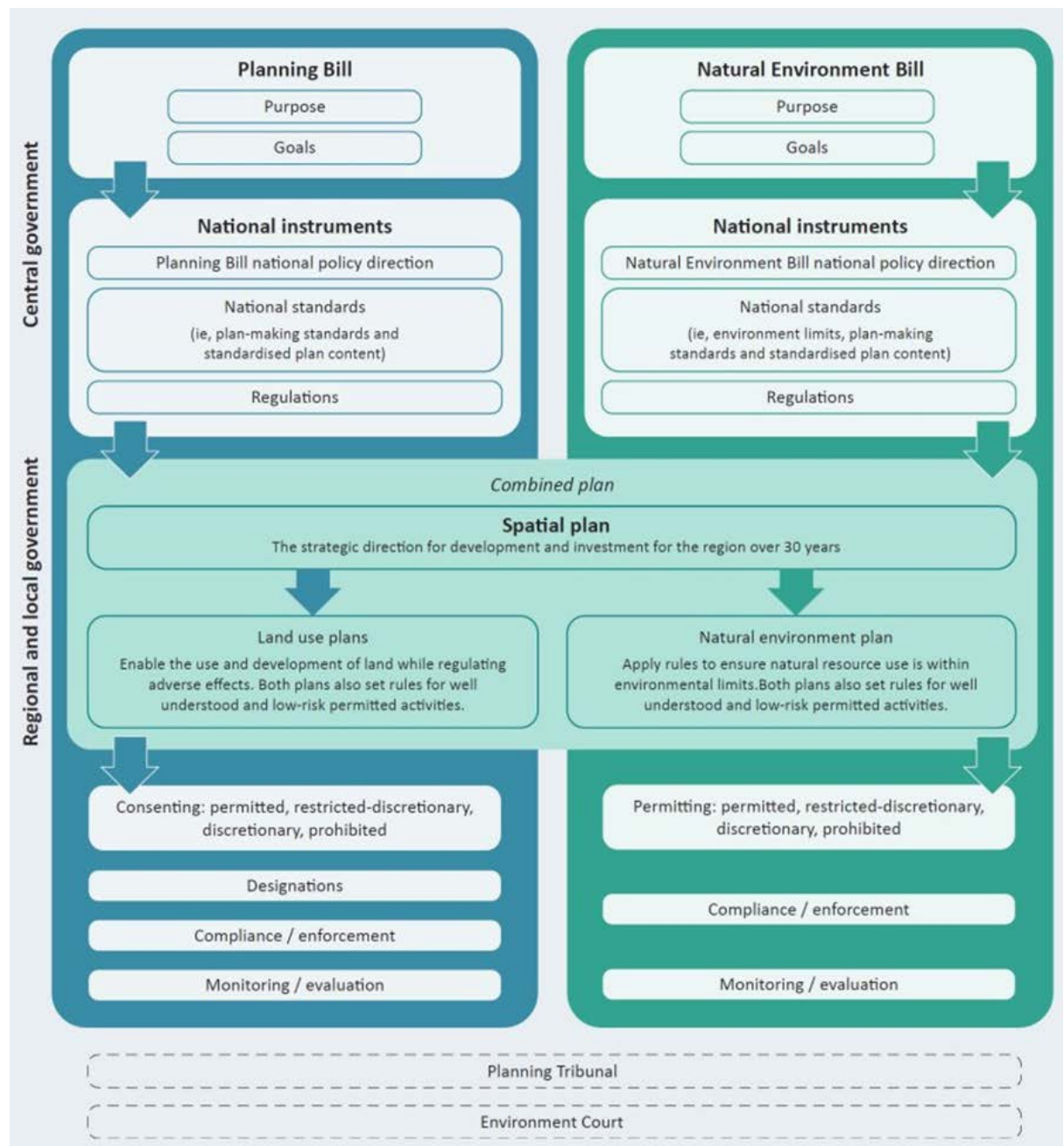


Figure 1: Structure of the Proposed Planning and Natural Environment Framework.

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

Under the Planning Bill, the proposed goals focus on enabling land use and development, supporting infrastructure and competitive land markets, creating well-functioning urban and rural areas, safeguarding communities from natural hazards, protecting identified environmental and heritage values, and providing for Māori interests in a specified way. Under the Natural Environment Bill, the goals focus on enabling resource use within environmental limits, safeguarding ecosystem and human health, achieving no net loss of indigenous biodiversity, managing natural hazard risks associated with natural resources, and providing for Māori interests through defined participation mechanisms.

Matters identified as particularly relevant to Council include timeframes for plan making, Māori rights and interests, the clarity of key statutory terms and procedural principles, the proposed regulatory relief framework, the establishment of a Planning Tribunal, and the management of natural hazards.

The Select Committee process provides an opportunity for local authorities to formally submit on the proposed legislation.

4. Discussion – *Kōrerorero*

The submission focuses on a small number of priority issues that are most relevant to how the new planning system will operate in practice and to the Whakatāne District. Given the scale of reform and the limited submission timeframe, it addresses those matters that will have the greatest practical impact on implementation.

The proposed areas of focus, together with the Council's response and proposed amendments, are set out below.

4.1. Regional Spatial Planning Timeframes

The proposed legislation sets statutory timeframes for preparing regional spatial plans, followed by land-use and natural environment plans. These plans will form the core framework guiding land use, infrastructure sequencing, hazard management and development outcomes across the district for at least a 10-year period.

The timing of national direction releases will impact the quality of the plans significantly. With many national directions not due for release until after plans have been notified or decisions made, there is a major risk of plans being misaligned or unintended development impacts. For example, national direction on standardised zones and provisions for specified topics are not due for release until after the regional spatial plans have been notified but are important development constraints.

The timeframes are tight, given the scale of reform. Councils will be required to develop new plans alongside new system goals, national direction, standardised zones and provisions, specified rules and justification reporting requirements. In a constrained funding environment, including under rate capping, there is a real risk that quality will suffer.

If issues only become apparent once plans are operative, councils may be forced into early reviews to fix them. That would be inefficient and inconsistent with the intention of creating durable planning instruments.

The submission seeks more realistic and phased plan-making timeframes and better sequencing between national direction and plan preparation to support high-quality and enduring outcomes.

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

4.2. Māori Rights and Interests

The current RMA system ensures Māori have broad participation rights across the resource management system.

The Bills propose narrowing Māori participation to specific aspects of resource management, namely through engagement and consultation during the preparation of national instruments, regional spatial plans, and land use and natural environment plans.

Although Te Tiriti settlements are intended to retain equivalent effect, the removal of a general requirement to apply Te Tiriti principles and the lack of clarity around how settlement rights will translate into the new system create risks of reduced Māori rights and influence.

The Bills also remove the ability to create new Mana Whakahono a rohe agreements (post-enactment), limit references to hapū, and allow private plan changes to bypass early consultation with mana whenua.

Concerns include the potential erosion of settlement rights, uncertainty about whether councils can continue broader partnership practices, and the risk that requiring sites of significance to be “identified” will force disclosure of sensitive cultural information or leave undisclosed sites unprotected. Identified Māori land is acknowledged as culturally significant, but the requirement to merely “consider” owners’ rights is seen as insufficient to support their aspirations.

Overall, there is concern that the changes may constrain Māori participation and weaken existing protections and relationships.

The submission seeks to strengthen the recognition and protection of Māori rights and interests within the new planning framework by expressly recognising Te Tiriti o Waitangi and its principles as a goal of the system, providing for Mana Whakahono a Rohe arrangements, ensuring sites of significance and Māori land are appropriately recognised and provided for, and requiring consultation with mana whenua prior to the lodging of private plan change requests.

4.3. Clarity of Statutory Terms and Procedural Principles

The Bills rely on a number of broadly framed statutory terms and procedural principles, including concepts such as “significant”, “enabling”, “enough information”, “acceptable”, and “anticipated”. These terms are used throughout plan-making, consenting, and regulatory relief provisions.

The lack of clarity around these terms creates a high risk of inconsistent interpretation and increased dispute. For a council of Whakatāne’s scale, increased litigation or procedural challenge has significant cost and resourcing implications. In particular, the requirement to act in an “enabling manner” is poorly defined and risks being interpreted as an obligation to approve development, rather than to apply balanced and evidence-based decision-making.

There is a real risk that ambiguity in these provisions will result in more time spent in court clarifying meaning, rather than delivering outcomes on the ground.

The submission seeks clearer statutory guidance or definitions to improve certainty, reduce litigation risk, and support consistent decision-making across the planning system.

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

4.4. Regulatory Relief Framework and Specified Rules

The Bills introduce a regulatory relief framework linked to specified rules, allowing relief from regulatory requirements in certain circumstances. This represents a significant change from existing approaches and introduces new affordability and funding considerations for local government.

In a constrained funding environment, there is concern that the framework will operate as an unfunded mandate, exposing councils to financial risk while undermining the effectiveness of protections for matters such as heritage, indigenous biodiversity, and sites of significance to Māori. The inclusion of land value impacts in assessing materiality further complicates the framework and increases uncertainty.

There is also a risk that the framework will generate additional process and dispute, rather than providing genuine regulatory relief, particularly where responsibilities are split between territorial and regional councils. There is also overlap between the specified topics and no clarity in the Bills on how regulatory relief is to be applied in these situations. For example, significant natural areas and areas of high natural character along the coast.

The submission should express a preference for removal of the regulatory relief framework. If it is retained, refinements should be sought to improve workability, including removal of retrospective application, clearer materiality thresholds, and removal of land value impacts from assessments.

4.5. Planning Tribunal and Dispute Resolution

The Bills propose the establishment of a Planning Tribunal to resolve certain procedural and technical disputes, with the intent of improving efficiency and accessibility.

While a Tribunal could deliver benefits if designed and resourced appropriately, there is a risk that it will add an additional layer of process, increasing time and cost rather than reducing it. For smaller councils such as the Whakatāne district, this risk is particularly relevant given limited resourcing and the potential for disputes to move through multiple forums.

If the Tribunal does not materially reduce complexity or cost, it may have the opposite effect to that intended by the reforms.

The submission supports the concept of a Planning Tribunal in principle, while seeking safeguards to ensure it is tightly scoped, efficient, accessible, and does not introduce unnecessary procedural burden.

4.6. Natural Hazard Management

Natural hazard management remains a core responsibility for territorial authorities under the Planning Bill. However, hazard risk is now more tightly structured and integrated into land use planning decisions.

Under the RMA, councils are required to consider natural hazards, but the framework was fragmented, effects-focused, and often reactive. In contrast, the Planning Bill expects territorial authorities to proactively manage natural-hazard risk through land-use planning, supported by clearer roles, stronger national direction, and a more structured risk-based approach.

The role of regional authorities in natural hazard management also changes under the new system. Under the RMA, regional authorities had a direct role to avoid and mitigate natural hazards as a defined part of their resource management functions, primarily implemented through planning

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

instruments and consent processes. Under the Natural Environment Bill, regional authorities continue to address natural hazard risks, but only to the extent they affect natural resources and environmental outcomes. Hazard risk now influences limits, rules, monitoring, and permits where it intersects with resource protection, rather than constituting a standalone land-use avoidance duty.

This submission seeks a clear delineation of responsibilities between regional and territorial authorities regarding natural hazards, as well as consistent definitions and risk thresholds across planning and emergency management legislation.

5. Options Analysis - *Ngā Kōwhiringa*

There are two options available to Whakatāne District Council.

5.1. Option 1: Provide a submission to the Select (Environment) Committee on the Planning Bill and Natural Environment Bill – Recommended Option.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows the Council to formally provide feedback and engage in democratic decision-making on behalf of the community on proposed legislative changes that will directly affect local planning and environmental management. • Ensures local perspectives and district-specific considerations are reflected in the legislative process. • Provides an opportunity to identify unintended consequences, implementation risks, and transition issues from a local authority perspective. 	<ul style="list-style-type: none"> • Preparing a submission requires staff time and resources within existing work programmes. • Timeframes for submissions may be tight, requiring prioritisation of key issues rather than comprehensive commentary.

5.2. Option 2: Do not provide a submission to the Select (Environment) Committee on the Planning Bill and Natural Environment Bill.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Avoids the use of staff time and resources in finalising the draft submission. 	<ul style="list-style-type: none"> • Missed opportunity to represent community views on a significant change. • Reduced ability to influence the content, implementation, or transitional arrangements of the proposed legislation. • Risk that district-specific issues, operational challenges, or unintended consequences are not identified or addressed.

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

The decisions and matters of this report are assessed to be of moderate significance, in accordance with the Council’s Significance and Engagement Policy.

Significance Criteria	Comments	Impact Assessment
Level of community interest: Expected level of community interest, opposition or controversy involved.	The proposed legislation represents a major reform of the planning system and is likely to attract interest from sectors of the community, including iwi, landowners, developers, environmental groups, and infrastructure providers. While making a submission is unlikely to be controversial in itself, the subject matter is of broad public interest.	Moderate
Level of impact on current and future wellbeing: Expected level of adverse impact on the current and future wellbeing of our communities or District.	The decision to provide a submission does not directly affect community wellbeing. Any impacts on wellbeing would arise from the legislation itself rather than the act of making a submission.	Moderate
Rating impact: Expected costs to the community, or sectors of the community, in terms of rates.	There is no rating impact associated with the decision to make a submission, notwithstanding that there are key submission points that will directly affect this, such as regulatory relief.	Moderate
Financial impact: Expected financial impact on the Council, including on budgets, reserves, debt levels, overall rates, and limits in the Financial Strategy.	The preparation of a submission will be undertaken within existing staff resources and budgets. No additional funding is required.	Low
Consistency: The extent to which a proposal or decision is consistent with the Council’s strategic direction, policies and significant decisions already made.	Making a submission is consistent with Council’s practice of engaging in statutory consultation processes where Council functions may be affected. Each of Councils five strategic priorities could be affected by the Bills.	Moderate
Reversibility: Expected level of difficulty to reverse the proposal or decision, once committed to.	The decision is procedural and does not commit the Council to any ongoing or irreversible course of action.	Low
Impact on Māori:	The decision to make a submission does not directly impact Māori. However, providing a submission allows Council to	Moderate

7.4 Submission on the Planning Bill and Natural Environment Bill(Cont.)

Significance Criteria	Comments	Impact Assessment
Expected level of impact on Māori, considering the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.	acknowledge Māori interests and perspectives within the submission content.	
Impact on levels of service: Expected degree to which the Council's levels of service will be impacted.	The decision to make a submission will not affect Council's levels of service.	Low
Impact on strategic assets: Expected impact on the performance or intended performance of the Council's Strategic Assets, for the purpose for which they are held.	There is no impact on Council's strategic assets arising from the decision to make a submission.	Low

6.2. Engagement and Community Views

Engagement on this matter has not been undertaken, in accordance with section 6.1 of the Council's Significance and Engagement Policy.

The Planning Bill and Natural Environment Bill represent significant national reform and are of broad public interest. However, the decision addressed in this report is limited to whether Council makes a submission to the Select (Environment) Committee and approves the submission subject to incorporation of feedback. The preparation of a Council submission must occur within statutory timeframes set by Parliament, which limits the ability to undertake additional local public engagement within the available timeframe.

Council already has a sound understanding of the views and preferences of persons likely to be affected by, or interested in, planning and environmental reform through previous engagement, adopted policies and plans, and ongoing relationships with iwi and the wider community (section 6.1(b)).

In accordance with section 6.2 of the Policy and section 78 of the Local Government Act 2002, Council has had regard to these existing views and preferences in preparing its submission. The public will continue to be kept appropriately informed through Council's reporting processes, consistent with section 6.3 of the Policy.

The Select Committee process provides a formal national engagement mechanism through which individuals, organisations, iwi, hapū and whānau may make submissions directly.

No further engagement is proposed in relation to this decision.

7. Considerations - *Whai Whakaaro*

7.1. Strategic Alignment

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill

7.2. Legal

There are no statutory obligations requiring Council to make a submission.

7.3. Financial/Budget Considerations

There are no budget considerations associated with the recommendations of this report.

The preparation of the submission will be undertaken within existing staff resources and approved budgets.

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

8. Next Steps – *E whai ake nei*

Subject to approval, the submission will be submitted on 13 February 2026.

Attached to this Report:

- Appendix A - Draft Submission - Planning Bill and Natural Environment Bill

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

13 February 2026



Submission on the Planning and Natural Environment Bills

To the Environment Select Committee

Submitter: Whakatāne District Council
Commerce Street, Private Bag 1002, Whakatāne 3158, New Zealand

Contact details: David Bewley
General Manager Planning, Regulatory and Infrastructure
P: 027 613 6244
E: David.Bewley@whakatane.govt.nz

Introduction

1. The Whakatāne District Council (**"the Council"**) welcomes the opportunity to submit on the Planning and Natural Environment Bills (**"the Bills"**) and engage in the reforms of the Resource Management Act 1991 (**"the RMA"**).
2. The Whakatāne District has a rich history, a strong cultural identity, and beautiful natural landscapes, including Te Urewera which makes up nearly half of the District. Extending from Ōtamarākau and Matatā in the west, to Ōhiwa Harbour in the east, and inland to Te Urewera and communities including Murupara, Minginui and Ruatāhuna, the District is a place of great diversity covering a land area of around 4,450 km². Significant Natural Areas cover around half of the District, including Te Urewera.
3. The Whakatāne District is home to around 37,150 people (2023 Census), and that population is growing. Nearly half of our community identify as Māori, who have a very strong local presence and identity. Eight Iwi are represented in the district: Ngāti Awa, Ngāi Tūhoe, Ngāti Manawa, Ngāti Whare, Ngāti Tūwharetoa ki Kawerau, Ngāti Rangitīhi, Ngāti Mākinō and Whakatōhea. The Whakatāne, Ōhope, and Coastlands areas make up just less than half of the district's population, with the remainder shared between rural areas and several smaller towns and settlements.
4. Our submission covers key topics of particular interest and concern to the Council with each topic outlining the specific issues and decisions sought. Technical and/or minor matters are included in Appendix 1.
5. We do not seek to make an oral submission.

P +64 7 306 0500
F +64 7 307 0718

E info@whakatane.govt.nz
W whakatane.govt.nz

Commerce St, Private Bag 1002
Whakatāne 3158, New Zealand

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)**Māori rights and interests***Current situation and proposed changes*

6. It is noted that the current RMA system, provides clear recognition of Māori rights and interests at the highest level requiring those exercising functions, in all resource management decisions, to:
 - recognise and provide for the relationship of Māori to their land, water, wāhi tapu and taonga, and protected customary rights;
 - have particular regard to kaitiakitanga;
 - take into account the principles of Te Tiriti o Waitangi (“**Te Tiriti**”).
7. There are explicit participation rights for mana whenua at all levels of the system. There are opportunities for voluntary power-sharing agreements with local authorities through direct transfer of resource management powers, Joint Management Agreements (“**JMAs**”), and more recently, Mana Whakahono a Rohe (“**MWAR**”) agreements. Te Tiriti settlements (including statutory acknowledgements) and customary rights are referenced throughout.
8. Several bespoke voluntary and/or agreed practices have evolved to ensure participation by Māori in decision-making. There is an expectation and ethical responsibility to maintain these practices in good faith.
9. The changes proposed are to constrain and “particularise” Māori participation in the system through:
 - participation in developing national instruments, spatial plans, land use and natural environment plans;
 - identifying and protecting sites of significance to Māori;
 - enabling the development and protection of identified Māori land.
10. Te Tiriti settlements are proposed to be given the same or equivalent effect under the new system with mana whenua able to negotiate with the Crown to determine how rights and interests under the RMA framework will work in practice under the new system.
11. Power-sharing agreements through transfer of powers and JMAs are retained in the new system, but there will be no new MWAR agreements allowed to be negotiated once the Bills are enacted. It is recognised that existing agreements will be honoured.
12. References to the principles of Te Tiriti are absent from the Bills – there is now no general requirement to apply Te Tiriti principles across the board in resource management decision-making.
13. There are some other more general but important changes in the Bills that affect Māori rights and interests.
 - a noticeable absence of references to hapū in the Bills, with references to iwi authorities, post settlement governance entities and customary rights groups, instead:
 - no requirements for developers to consult with mana whenua when preparing private plan changes and no requirement for them to be prepared in accordance with MWAR;

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

- a new regulatory relief system (see below) that lists as specified topics “sites of significance to Māori” and “significant historic heritage sites or structures”.

General comments

14. In general, the Council wishes to maintain existing practices and agreements with iwi and hapū and not be constrained from developing these relationships as we see fit.
15. We disagree that the provisions of Clause 8 of the Bills will be sufficient to discharge the Crown’s obligations under Te Tiriti.
16. We have several specific concerns related to Māori rights and interests within the proposed new system.

Te Tiriti settlements

17. Clause 10 of both Bills requires Te Tiriti settlement arrangements to be given the same or equivalent effect as under the RMA to the greatest extent possible.
18. Te Tiriti settlements are focused on redress for historical grievances. Most settlements do not include participation rights of mana whenua within the resource management system, particularly older settlements. Instead, there is a reliance on specific provisions in the RMA and, most importantly, a reliance on the general requirements in Section 8 RMA. The particularisation of Māori rights and interests and the absence of a similar Section 8 RMA provision in the Bills will result in a significant reduction in Māori rights and interests.
19. It is not clear what “the same of equivalent effect” or “to the greatest extent possible” means in practice. Where rights and interests in settlements do not map directly into the new system, there is a risk of significant erosion of those rights and interests.
20. It is also unclear whether a Council could be legally challenged if it chooses to give greater participation rights than those provided for in the Bills because of previous practices, agreements and being significant with Significant and Engagement Policies developed under the Local Government Act 2002.

Power-sharing agreements

21. We acknowledge that RMA provisions related to transfer of powers (Section 33) and JMAs (Section 36B) are retained in the new system, and existing agreements, including MWAR agreements, will be honoured.
22. We are disappointed that new MWAR agreements will not be provided for in the new system. The nature of Section 33 and Section 36B requirements (for capacity and resourcing) have put these mechanisms beyond many iwi and hapū. MWAR agreements provide opportunities for all iwi and hapū to participate in the system and assert their rights in bespoke ways. Their removal is considered unnecessary and a backward step.

Sites of significance

23. We are concerned about the requirement that sites of significance to Māori be “identified”. There appears to be a requirement that for these sites to be considered they need to be listed and possibly even mapped in plans. This likely becomes necessary because the system architecture proposes reduced participation for mana whenua during consenting and permitting.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

24. It is critical to consider that many sites of significance are not publicly disclosed, for a raft of well-argued reasons including:

- to maintain rangatiratanga over cultural knowledge and taonga
- to protect the sites from desecration
- to ensure sites are managed in accordance with tikanga Māori.

25. Also, raupatu has resulted in a disconnection from whenua for many iwi and hapū and, because of this, in some cases, a loss of knowledge of and connection to some wāhi tapu.

26. Under the Bills, 'undisclosed' or 'lost' sites would not be eligible for protection. Given these sites cannot be restored once physically lost, there is a need to recognise that there are circumstances where the public disclosure of some sites is inappropriate but protection mechanisms still need to be available to prevent destruction. This can occur respectfully between landowners and iwi/hapū (and Council if appropriate).

Identified Māori land

27. Around half of the Whakatāne District could be classed as "identified Māori land" as defined in the Bills. Many whānau are involved in the management and use of that land and caring for it as kaitiaki.

28. The goals in Clause 11 provide for Māori interests in a range of ways including: enabling the development and protection of identified Māori land. The definition of identified Māori land is appropriately encompassing as is reference to the benefits to current and future generations.

29. Identified Māori land appears in reference to considering infrastructure corridors and sites when preparing spatial plan and when designating land. While there is a requirement to recognise that identified Māori land is "he taonga tuku iho" (a treasure handed down), the subsequent requirement to merely "consider" the rights and interests of owners is insufficient to ensure land owners are afforded the full use and enjoyment of that land in line with their aspirations, needs, and cultural practices.

Private plan changes

30. Changes to land use plans must be prepared in accordance with MWAR agreements. However, private plan changes to a land use or natural environment plan can skip the pre-notification consultation requirements with iwi authorities and customary marine title groups, and do not need to be prepared in accordance with MWAR agreements.

31. It is not in the interests of plan change applicants to skip this pre-consultation in many cases. By the time a request gets to the point of public notification, there has been significant financial outlay in consultancy and technical expertise. Mana whenua can still assert their rights and interests through the public consultation process, at which point applicants may need to make significant changes to proposals, resulting in duplication of effort, extension of timeframes, and additional costs. It makes more sense for an applicant to work with mana whenua from the outset.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

DECISIONS SOUGHT

- a) Include a requirement to honour Te Tiriti o Waitangi and its principles as a goal in the new system (Clause 11, both Bills).
- (1) All persons exercising ... functions ... under this Act must seek to achieve the following goals ...*
- (i) to recognise and provide for the principles of Te Tiriti o Waitangi including providing for Māori interests through*
- b) Include provisions in Part 5 of both Bills that provide for new Mana Whakahono a Rohe to be developed and implemented as per Sections 58L to 58U of the RMA.
- c) Remove requirements around “identification” of sites of significance from the goals (Clause 11, both Bills) and spatial plan processes (Schedule 2, Planning Bill).
- d) Amend Clause 10(2)(b) of Schedule 2 and Clause 2(b) of Schedule 5, of the Planning Bill to strengthen requirements to protect identified Māori land:
- (b) ~~consider~~ recognise and provide for the rights and interests of owners of identified Māori land to retain, control, utilise, and occupy the land for the benefit of present and future generations of owners, their whānau, and their hapū and for their use and enjoyment to be unhindered by adjacent activities.*
- e) Include explicit requirements to consult with mana whenua before submitting a private plan change request (Clause 49 of Schedule 3).

Regulatory relief for rules on specified topics

Compensation, cost and central government support

32. Providing compensation for the protection of matters considered in the public interest is not a feature of the RMA - compensation is generally not payable for provisions in plans that might reduce land use or value. Instead, Section 85 states that where a provision in a plan renders a property “incapable of reasonable use” or “places an unfair and unreasonable burden” on the owner, the Environment Court can direct the local authority to either change the provision or acquire all or part of the property. This is quite a high test to meet.
33. In comparison, the Bills propose lowering the bar and providing a broader array of options for relief. This is likely to stimulate further applications.
34. Many local authorities already choose to have voluntary policies and programmes to incentivise protections e.g. rates relief for QEII Covenants, and restoration funding programmes. This allows local authorities flexibility in how they respond to the level of community interest and their own resourcing constraints.
35. The list of specified topics appears to be arbitrary. Clause 11 of both Bills includes the goals of protecting natural character, outstanding natural features and landscapes, significant historic heritage and sites of significance to Māori. Yet each of these values is included as a specified topic and potentially subject to compensation. This imposes another unfunded mandated onto local government, in an environment of budget reduction and proposed rates capping.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

36. It places a higher burden on districts and regions that have more of these valued features, without additional support or consideration of value.
37. The matters selected for protection also help implement other legislation and matters of importance to government. For example, the Conservation Act 1987 and Heritage New Zealand Pouhere Taonga Act 2014 and provisions in Te Tiriti settlements.
38. The Government has also indicated that regulatory relief costs would be expected to fit within rates capping. With the type of relief available to a landowner (e.g. cash payment or development rights) potentially being mandated through national regulation, local authorities and their communities may be limited to options they have limited capacity to resource, and may choose not to apply a protection, even if it is wanted. This is counter-intuitive to the goals of the Bills (Clause 11) which require protection of the specified topics.
39. Significant Natural Areas (SNA) are of great importance to the Whakatāne District due to their abundance, including Te Urewera. It is very important that with regional councils assuming responsibility for regulating and managing indigenous biodiversity, the SNAs with importance locally continue to be valued and prioritised.
40. Due to the costs of servicing a regulatory relief framework, there may be disincentives to protect larger SNAs due to the potential costs of relief. As they are identified for their ecological importance and health, the larger an SNA the more significant it potentially is and the more benefit it offers to the wider community e.g. erosion and stormwater control, a food source refuge for birds that live in neighbouring areas, more possibility of recreation for the community. Large sites also become more significant regionally and nationally, and funding options should reflect that level of significance.

Definition of significant impact

41. The Planning Bill does not define significant impact and states that regulations may provide methodologies to define impact levels. If the regulations do not provide clear guidance on what a significant impact level is, this decision will be made by each local authority which seems to be contrary to the consistency being sought by the Bills through national instruments.

Assessment of materiality

42. When developing a regulatory relief regime, Clause 66(2)(b)(iii) of Schedule 3 requires local authorities to consider "land value" in assessing the materiality of effects on reasonable use of land.
43. There are multiple complex and intertwined matters that impact on land values. The new resource management planning framework anticipates that it will release large amounts of land for development very quickly and make development easier. This increase in supply and a more enabling environment is likely to have a significant impact on land values. Other contextual factors may impact on the demand for land and have impacts on land values, including changes to:
 - population and socio-demographic characteristics
 - the regional economy and specific economic sectors
 - the provision of services and infrastructure

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

- information about natural hazard and climate change risks.
44. It is our contention that these factors will have a far greater impact on land values in our District than the imposition of specified rules.
45. More importantly, it will be difficult, if not near impossible, to ascribe specifically a change in land value to the imposition of a specified rule rather than one of many other contextual factors, particularly when some of these factors can be a positive for land value. For example, the protection of an SNA can support eco-based and luxury housing developments, as we have in our district
46. The inclusion of land value into the assessment of materiality of impacts will lead to litigation, with the associated cost to all parties.

Double-dipping

47. There is the potential for “double-dipping” of regulatory relief. In practice, many areas that are protected for their biodiversity values are also protected for their outstanding natural and/or landscape values. The Bills do not preclude landowners from receiving regulatory relief for the same piece of land under different topics and across local authorities, even when the impact of the regulatory constraints is essentially the same. This would create unnecessary and undesired costs, and potentially litigation costs as landowners test the application of the framework.
48. Both district and regional councils are responsible for sites of significance to Māori. There is also likely to be considerable overlap between:
- Regional council responsibilities for significant natural areas and terrestrial indigenous biodiversity; and
 - District council responsibilities for areas of high natural character and outstanding natural landscapes and features.

Transferable tools

49. If a regulatory relief framework is required, transferability of tools between regional and local territorial authorities should be enabled.
50. Granting of additional development rights (e.g. for tourism accommodation, or additional building height) is a powerful tool that enables development and reduces the material resourcing cost on local authorities. Regional councils are limited in what development rights they can offer (e.g. cannot offer subdivision or extra tourist accommodation rights) but are assuming responsibility for all indigenous biodiversity and Significant Natural Areas (SNA) under the new framework. These often cover far greater areas than a heritage site and therefore much more regulatory relief would be required. Over half the Whakatāne District is protected as an SNA, including Te Urewera.
51. Transferability of tools would:
- enable a greater suite of tools to be used
 - provide more relief and development options for the landowner – possibly more useful options

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

- relieve some resourcing and financial pressure on local authorities from providing regulatory relief
- help to ensure that protections at a local level of importance, especially for ecosystems, are maintained and do not become disincentivised or deprioritised when trying to manage multiple districts needs and the potentially limited resourcing available.

Retrospective relief

52. The Bills propose eligibility for regulatory relief for landowners who had similar rules placed on their property under the last Operative RMA plan. It does not apply to landowners who purchased the land after those rules were notified.
53. We do not agree that regulatory relief should apply retrospectively to these properties. These landowners were involved in the RMA consultation processes that applied the provisions, and the protections are matters required to be imposed by national legislation. The RMA provides pathways for properties unreasonably affected to seek compensation and the Council provides relief such as rates rebates as well. The Operative Whakatāne District Plan was notified in 2013 and made Operative in 2017. These properties have had ample time to seek relief from the Council and the Environment Court if they felt they were unduly affected.

DECISIONS SOUGHT

It is our strong preference that requirements in the Bills to provide regulatory relief for specified topics are removed. If Ministers chooses to retain these provisions, we seek the following decisions:

- a) Provide central government funding, recognising the public benefit to New Zealand overall.
- b) Enable transferability of tools between regional and local territorial authorities.
- c) Limit eligibility to new provisions that are additional to existing regulatory frameworks: remove eligibility for landowners with a similar provision under the last Operative District Plan (Clause 68(7)).
- d) Remove land value from the assessment of materiality of effects (Clause 66 Schedule 3) OR clarify in the Bills that the impact of a rule on a specified topic on land value must be able to be clearly differentiated from other factors and provide central government guidance on determining the impact on land value due to specified rules.
- e) Ensure that the protection of larger Significant Natural Areas is not disincentivised due to their size. Consider this for the regulatory relief regulations being developed.
- f) Provide clear guidance on how to determine what is considered significant impact.
- g) Allow flexibility in the relief option used to allow adaption to local conditions (e.g. budget constraints).
- h) Clarify in the Bills how regulatory relief is to be provided when matters overlap, for example SNA and areas of high natural character.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

Timeframes for development of key instruments

Quality and national direction timing

54. The timeframes for development of key planning documents risk compromising the quality of the plans. The impact will be on the end user – landowners and developers. While standardisation is the theme for plan provisions, the quality of plans and outcomes in this system is defined by the quality of the thinking and the information used to inform and locate development appropriately.
55. The timing of national instruments is of concern in this regard. Several parts of the national instruments, including the content of standardised zone provisions, are not to be released until after the regional spatial plans are notified. This means they cannot be considered during the regional spatial plan development. Their content would help guide spatial planning due to how they enable and constrain land (e.g. this zone will allow quarrying but not mining) or how a specified topic might impose development constraints.
56. The specified topics especially are matters that can significantly constrain development and where it can be located, but they are matters considered further down the funnel at the land use and natural environment plan stage. It is unclear how these matters for protection are to interact with the regional spatial plan, but their consideration is necessary to providing a clear and effective path for development.

Audit timeframe

57. The requirement to provide the draft plan and reports to the chief executive for auditing three months prior to the draft plan being notified when the plan proposes bespoke rules or rules on specified topics is of a concern (Clause 13, Schedule 3). This reduces the land use and natural environment plan development timeframe by a third, a major reduction in the time available for development. There are also no stipulations on when the chief executive must return the plan documents with feedback. This risks:
 - Disincentivising the use of rules on specified topics, despite protection of the specified topics being goals in Section 11 of the Bills
 - Rushing the regulatory relief frameworks, a big piece of system architecture that requires extensive assessments by local authorities, and is of significance and interest to landowners, with the ability to affect them heavily
 - Delaying notification of the plan in order to respond to the feedback from the audit. The provisions as written do not state that the audit must be returned to the local authority before notification. As written, this would allow the audit to be returned the day before notification or even after it.

Potential perverse outcome

58. A perverse outcome of the timeframe difficulties may be that once these plans are completed local authorities immediately initiate a review to correct deficiencies over a longer timeframe. Local government's focus is on providing quality outcomes for the community, and to do so must recognise the impact of limited timeframes on quality planning policy. Rushed plans have the real risk of causing issues for landowners, and the subsequent adjustment of plans causing more cost and delay than the current system.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

DECISIONS SOUGHT

- a) Extend plan development timeframes.
- b) Extend or phase spatial planning governance structure establishment requirements.
- c) Allow flexibility or extensions where necessary, as with the transitional provisions.
- d) Provide national direction earlier or at least some guidance, so that matters that affect development constraints can be properly accounted for.
- e) Include in clause 13 of Schedule 3 a requirement for the chief executive to return the audit before notification, and stipulate a minimum timeframe for this return.

System goals

Current situation

59. It is noted that Part 2 of the RMA framework has sustainable management of resources as its purpose, providing a strategic direction for the system. Immediately under that sits a trinity of “principles” with differing degrees of importance in resource management decisions. Part 2 is broad in scope and aims to produce decisions that balance values across social, cultural, ecological and economic domains in an integrated manner. All resource management decisions have to give effect to the purpose and principles, right down to resource consents.
60. The Bills propose narrower functional purpose statements and 11 goals, shared between the Bills, that describe the priorities and scope of the system and that will be “particularised” (interpreted and implemented) through national instruments.
61. The matters that would not be within the scope of the new system (that is they are not in the Bills or in any existing national instrument) are:
 - efficient use of resources
 - amenity values (expressly disallowed)
 - intrinsic values of ecosystems
 - quality of the environment (expressly disallowed)
 - finite characteristics of resources
 - habitat of trout and salmon.
62. However, while other values remain within scope of the system, several have been diluted and only “significant” and “identified” values are afforded protection.
63. We note further that the matters new to the scope of the system are to:
 - ensure land use does not unreasonably affect others
 - support and enable economic growth by enabling land development
 - create well-functioning urban and rural areas
 - enable competitive urban land markets

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

- plan and provide for infrastructure to meet demand
 - protect human health from harm from contaminants.
64. A scan of the Whakatāne District Plan provisions against the goals of the Bills indicates that several matters currently regulated may be out of scope for a land use plan:
- significant amenity landscapes¹
 - natural features and landscapes²
 - notable trees
 - signs
 - odour
 - dust (where it is nuisance but not human health concern).
65. While it is acknowledged that visual and amenity impacts can be subjective, it is the incremental (cumulative) change or devaluing of existing environments that will occur from not being able to consider these values. One alternative option to removing them as considerations is to allow the visual and amenity impacts assessment criteria for discretionary activities

Conflict between goals

66. Several of the goals in Clause 11 will conflict with each other, and it is recognised that the same occurs in the RMA system. However, under the new system, this is likely to be amplified as there is no hierarchy between the goals. The intention is that national instruments will provide clarity.
67. Under Clause 45 of the Planning Bill, when preparing a national instrument, the Minister only has to “have regard to” resolving conflicts between goals, with achieving compatibility being “preferred”.
68. These national instruments will have a key role in the new system and drive the key instruments that sit underneath. We seek clarity, ideally through the Bills, to avoid unnecessary litigation and attempting to resolve conflicts through regional spatial plans and land use plans.

Removal of amenity

69. Amenity refers to the desirable qualities, characteristics, and features of a place that contribute to its pleasantness and enjoyment, and includes sensory factors (such as noise, light, smells), natural elements (such as open space, trees), and built features (such as building design, heritage, infrastructure). These things affect the quality of life for residents and visitors.

¹ Whakatāne Urban Escarpment, Lake Matahina, Lake Aniwanui, Pōhutukawa Coastal Forest Edge Above Ōhope, Thornton Dunelands, Ohakana Island

² Including: maintaining the character and diversity of rural landscapes, visual values of Ōhiwa harbour and Rural Ōhiwa Zone

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

70. We are concerned at the removal of “amenity” from the scope of the new resource management system. Not only is amenity not referenced in the goals of the system, but some aspects of it are proposed to be expressly disallowed under Clause 14:

(1) A person exercising ... a function ... who is considering the effects of an activity must disregard ...

(e) the visual amenity of a use, development, or building in relation to its character, appearance, aesthetic qualities, or other physical feature ...

71. Amenity is crucial for creating desirable, functional, and vibrant places. Removing consideration of amenity from the system will incrementally reduce the liveability and desirability of urban spaces across the board.

72. The quality and characteristics of our built environment influences human health. The potential impact on future human health in our urban spaces could be significant, along with the costs to address it.

DECISIONS SOUGHT

a) Strengthen requirements in clause 45 so that:

The Minister must take all practicable steps to:

- (a) achieve compatibility between the goals so that one goal is not achieved at the expense of another*
- (b) not all goals need to be achieved in all places at all times:*
- (c) ensure any conflicts within the proposed national instrument are resolved in that document.*

b) Remove clause 14(1)(e).

Procedural principles

73. As a whole, the Council supports the new procedural principles. In general, they formalise existing practices and should work together to make the processes operate more smoothly.

74. While the new combination of “enough information” and “acting in an enabling manner” will enable local authorities to be less risk-averse in their decision making, the terms are too vague in their description, and it is anticipated they will be the focus of challenges and litigations. The new framework rightly seeks to reduce the number of disputes and unnecessary litigation that cause delays and community costs; additional clarity on these principles in the Bills or other national direction or guidance could avoid this outcome.

75. The procedural principle relating to promoting collaboration between local authorities on shared resource management issues has been removed from the new framework. The new framework requires greater collaboration between local authorities on matters where functions overlap including regional spatial planning, and managing natural hazard risks and contaminated land. The Council seeks to have this principle retained in the new framework.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

DECISIONS SOUGHT

- a) Provide further clarity on the interpretation of “enough information” and “acting in an enabling manner” directly in the Bills (Clause 13), or provide additional central government guidance on these terms, to pre-empt and avoid unnecessary litigation on interpretation.
- b) Include procedural principle 18A(c) of the RMA as a procedural principle in both Bills:
promote collaboration between or among local authorities on their common resource management issues.

Planning Tribunal

Current situation

76. The Environment Court has broad and extensive powers in relation to resource management decisions. Its current scope includes national level matters of importance down to matters at a property level such as resolving disputes about procedural decisions during resource consent processes.
77. There are some key issues with this because:
 - it constitutes a heavy workload and there is a significant backlog in the Court that results in delays in decision-making even on minor matters.
 - it is a formal and complex process that is challenging for anyone other than those with legal expertise to navigate, even on minor matters.
 - it is costly to take part in as legal representation is required.
78. We support the establishment of a Planning Tribunal to address lower-level resource management matters provided it delivers on reducing costs and delays for parties and provides a less formal and more accessible setting so that everyday people can participate.
79. A Planning Tribunal would remove some of the minor matters and procedural disputes from the Court’s schedule and speed up decision-making on both minor and significant matters.
80. However, we think another important benefit may be its potential to reduce costs for those engaging with the planning system. It could offer an accessible way for landowners and developers to get decisions on minor disputes without the need for legal representation and the associated costs.
81. If the Planning Tribunal is established with the right mandate and procedures (ie that it is not formal, bureaucratic or needing legal representation to participate), it has the potential to save time and money for many. If it is not, it may result in adding another layer of bureaucracy and further costs to the system.
82. We are concerned that the current provisions in the Bill may not allow the potential to be fully expressed, and that regulations developed subsequently, may exacerbate this.
83. We request that:
 - applications for review need to be able to be made directly by everyday people without needing to consult a lawyer.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

- any alternative dispute resolution process needs to enable people to participate directly without legal representation.
- the power to require legal representation at a hearing or at an alternative dispute resolution needs to be limited
- the power to seek further information or expert advice needs to be limited in line with procedural principles in the Bills especially where those costs fall on the parties.

DECISIONS SOUGHT

- a) Amend Clause 13 of Schedule 10 to include a requirement of the Planning Tribunal to enable everyday people to participate directly in resolving disputes without unnecessary formality and cost.
- b) Extend the powers of the Tribunal in Clause 14 of Schedule 10 to determining matters related to the application of procedural principles in Clause 13 of both Bills.
- c) Clarify that the procedural principles in Clause 13 of both Bills apply to the operation of this body to ensure proportionate wielding of powers:

Clause 13 (schedule 10) Functions and powers of Planning Tribunal ...

(4) When carrying out their functions, all persons acting under the authority of the Planning Tribunal, must take all practicable steps to act in accordance with the procedural principles in section 13 of this Act.

- d) That the power to seek further information or expert advice (Clause 25) is limited to necessity and agreed with the parties who will bear the cost.
- e) That there are limits placed on requiring legal representation (Clause 29) to ensure this does not become the default and impose costs unnecessarily.
- f) That where the Tribunal deems a hearing is required (Clause 28), it takes place within that planning jurisdiction.
- g) Require the Planning Tribunal to publish their decisions with reasons (in simple language) on an accessible platform e.g. website. Clause 26 includes "publish" in the heading, but this is not explained in the body of the clause.
- h) Require in regulations that the Tribunal publish user-friendly public guidance about the Tribunal and its processes to enable everyday people to participate and to ensure review applicants understand the implications of participating (particularly re Clauses 31-32).
- i) Ensure that all of the powers of the Tribunal are listed within Clause 14 to avoid confusion.
- j) Clarification sought: Clarify who bears the cost of a decision by an adjudicator to seek further information or expert evidence (Clause 25 of Schedule 10).

Natural hazards

84. Natural hazards are a key development constraint and infrastructure challenge for the Whakatāne District community. We are concerned that there is a lack of alignment between enactments and with existing national instruments.

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

Alignment between enactments

85. There are several pieces of legislation that ascribe roles and responsibilities to local authorities for the management of natural hazard risks:
 - Civil Defence Emergency Management Act 2002 – proposed to be replaced by the Emergency Management Bill (No.2) 2025 (“EM Bill”)
 - Resource Management Act 1991 – proposed to be replaced by the Planning and Natural Environment Bills (2025) (“the Bills”)
 - Local Government Act 2002 – proposed amendment bill to introduce civil defence emergency management as a core service (“LGA”)
 - Climate Change Response Act 2002 – proposed amendment bill to be introduced early 2026 to embed local authority responsibilities for adaptation planning (“CCRA”).
86. All four of these enactments are undergoing reform or amendment currently, with proposed changes to hazard risk management within the scope of each.
87. Each of these enactments has a different purpose and scope, but there is considerable potential for overlap in local authority functions between the enactments. That in itself is not concerning and could be managed by councils with internal streamlining. However, each enactment has a series of subordinate national standards, regulations and guidelines that prescribe how those functions are to be carried out and the national instruments developed under different enactments are not consistent with each other. Opportunities for local authorities to streamline activities and resources to deliver across multiple enactments is lost - separate processes are required.
88. Risk assessment is a prime example. Local authorities are required to complete risk assessments under the Bills using a standard mandatory process. There is a different risk assessment method prescribed under the EM Bill (through Director-General Guidelines).
89. Each of these processes differs in key factors including:
 - Requirements for hazard information, including frequency, magnitude, and climate change scenarios
 - The scope and characteristics of impacts to be assessed
 - How vulnerability or sensitivity to hazard risks is identified and evaluated
 - The level of detail required - regional versus local assessments
 - Governance arrangements for the assessment process
 - The parties involved in undertaking the assessment.
90. Consequently, local authorities complete separate risk assessments to meet the obligations of each enactment. A unified risk assessment approach is needed.
91. Whakatāne District Council recently completed a climate change risk assessments process – this was resource-intensive and costly but produced a thorough result. The Bills are proposing to introduce a new mandatory natural hazards risk assessment process to inform the constraints mapping in spatial plans and developing land use regulations under land use

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

plans. The process to be used has different requirements and there will be duplication of effort. Likewise, the EM Bill is proposing to make the identification and assessment of hazard risks a function of all local authorities (it is currently a CDEM Group who does this through an emergency management team), and the method to use here is different again.

92. We ask that the Bill ensure alignment and integration between the functions of local authorities under the different enactments. This may be best achieved through central government ensuring that secondary legislation integrates the functions, processes, methods, requirements and standards across enactments.

National Policy Statement for Natural Hazards

93. Improve the assessment for determining the consequence level and corresponding descriptions through using both quantitative and qualitative descriptions rather than just qualitative. Using both quantitative and qualitative descriptions (like the RPS) would remove ambiguity and bring more certainty as to which consequence description should be used.

Definition of "significant risk"

94. "Significant risk" has always been a term with ambiguity that is subject to dispute. As it is specifically used in clause 146 which allows consents to be refused/granted if there is significant natural hazard risk, it would help greatly to have a stronger definition of "significant risk".

DECISIONS SOUGHT

- a) Ensure there is alignment and integration of the functions of local authorities (and others) across the different enactments that regulate hazard risk management.
- b) Improve the assessment for determining the consequence level and corresponding descriptions by using both quantitative and qualitative descriptions rather than just qualitative. Using both quantitative and qualitative descriptions (like the Bay of Plenty Regional Policy Statement) would remove ambiguity and bring more certainty as to which consequence description should be used.
- c) Define 'significant risk'.

Concluding Remarks

The Council generally supports the issues raised by the Local Government sector in their respective submissions, and in particular those submissions from Local Government New Zealand (LGNZ), the New Zealand Planning Institute (NZPI) and Taituara (Local Government Professionals Aotearoa).

The Council emphasises that good relationships with Māori and iwi are important for effective development, effective resource management, giving effect to Te Tiriti o Waitangi and vibrant, happy communities. This is especially important for a district that is around half Māori in population and in land, where Māori are some of the largest developers of land and housing, and where there is a tenuous history between government and Māori than other parts of the country. Engaging with Māori effectively requires responding to their needs and worldview, including in person conflict resolution and discussions, prioritising relationships and trust building, and recognising the legacy of the past in creating the situations we have today. Effective local governance and the local relationships that affect

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

it go beyond individual projects. The impacts from one project's damage to relationships and trust spills over to other projects or aspects of local governance.

Māori relationships with the land are collective and enduring, and the land will be here long after we are gone. Whenua is not treated as a disposable commodity subject to the preferences of successive individual owners, but as a taonga held in perpetuity for present and future generations. Decision-making about land use is guided by obligations that extend beyond individual lifetimes, individual motivations and changing governments. It assumes there may be different options and resourcing in available in the future and that decisions can wait until development conditions are more favourable. Prioritising the maintenance of land health over time means ensuring the land remains resilient, productive, and capable of supporting future development. Māori relationships with the land and the intergenerational nature of these connections provide a stable foundation for both environmental sustainability and sustained development potential, and should be respected and valued for this.

The Council also emphasises that good quality and effective plans that reduce delay and ambiguity require good quality input. Adequate time should be provided to ensure that good quality plans are produced. Good quality plans reduce the litigation risks and costs the new system is seeking to avoid. they reduce the costs involved in correcting/updating poor quality plans and they enable landowners to undertake development more smoothly.

The Council strongly supports mechanisms that facilitate emergency responses for natural hazards. The Council encourages central government to continue prioritising natural hazards and climate change work. This is vital for a country and district that have high natural hazard risks and hazard prone patterns of development (e.g. abutting a river) that are likely to be exacerbated and strained by climate change.

The Council supports the intention to make infrastructure delivery easier, however the critical barrier to developing infrastructure is funding. Local authorities struggle to fund infrastructure with the funding mechanisms available to them (e.g. rates), especially smaller local authorities. Without improved funding mechanisms and increased funding provided from central government, infrastructure delivery is likely to continue struggling, particularly as costs continue to increase and upgrades are required to meet new, improved standards.

We look forward to seeing the final results of this Bill and more opportunities to work together with central government to make improvements to our resource management systems.

Nāku noa, nā

Nándor Tánczos
MAYOR

Steven Perdia
CHIEF EXECUTIVE

For the Whakatāne District Council

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

Appendix 1: Submission points on technical and minor matters

Clause	Issue	Requested amendments
Heritage	<p>We note the following:</p> <ul style="list-style-type: none"> the Bill only provides for protection of “significant” and “identified” historic heritage the Bill does not provide an explicit role for Heritage NZ or for heritage requiring authorities or protection orders “significant historic heritage sites or significant historic heritage structures” and “sites of significance to Māori” are specified topics and subject to regulatory relief regimes. <p>There is some ambiguity in the provisions and the potential for different interpretation and application. A consistent framework needs to be developed by subject matter experts including Heritage NZ and iwi and hapū that provides direction on some matters including:</p> <ul style="list-style-type: none"> the term “significant” is not defined and needs to be to prevent it being determined by the judiciary while an individual building may not have significant historic heritage value independently, when considered within the context of a heritage precinct, the collective value may be classed as significant. <p>We are not clear on how the protection of archaeological sites will work and how provisions in spatial plans and land use plans will intersect with the role of Heritage NZ in managing archaeological values.</p> <p>Is it correct to assume that the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 will continue and that Heritage NZ will remain responsible for overseeing the archaeological authority permit system in the case of accidental discovery of human remains and archaeological material?</p>	<p>Provide national policy direction that, at least, covers the following:</p> <ul style="list-style-type: none"> definition of significant historic heritage method for assessing the significance of historic heritage treatment of areas of historic heritage (cumulative significance) application of provisions to archaeological sites and the intersection with the roles and functions of Heritage NZ treatment of sites listed or protected under Te Tiriti settlements roles of others in the identification, assessment, and management of historic heritage including Heritage NZ, iwi, hapū, and whānau.
Clause 4 and clause 66 “enjoyment of land”	<p>“Enjoyment” of land is very subjective. It also often comes with amenity assumptions, like the absence of offensive odours, which have been removed from consideration under the new framework. The term “enjoyment of land” is likely to result in litigation (possibly for matters considered unreasonable under the new framework) if not adequately defined.</p>	<p>Remove the term “enjoyment of land” from the Bills.</p> <p>If not, provide clear guidance on its meaning and application to avoid costly, unnecessary litigation.</p>
Clause 14 Effects outside the scope of this Act	<p>There is concern that some of the effect now outside the scope of Bills will lead to poor urban development outcomes. In particular the internal and external layout of a site has a large impact on the liveability, quality and property value of developments and housing. They also compound over areas to impact the liveability, quality and property value of neighbourhoods and suburbs.</p> <p>There also seems to be some aspects of visual amenity and landscaping being out of scope that may have been overlooked:</p> <ul style="list-style-type: none"> Visual amenity considerations for out of zone activities: These activities and their effects are generally not anticipated or planned for the zone. The current RMA framework provides flexibility when assessing these applications, while the new framework relies on standard provisions based on anticipated activities and anticipated effects. The standardised provisions may not cover the unanticipated effects and therefore lead to undesired outcomes. Landscaping for reverse sensitivity. The effect on landscape has been excluded entirely. Landscaping for reverse sensitivity directly relates to the ability of people to have reasonable 	<p>Remove clause 14(1)(a) and allow internal and external building layouts on a site to be considered.</p> <p>Allow visual amenity to be considered for out of zone activities.</p> <p>Allow effects of landscape to be considered in the scope of reverse sensitivity.</p>

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

	use and enjoyment of land eg screening the dumpsters from view, or installing an acoustic fence to block the noise of a loud business.	
Clause 28 Objectives, policies, rules, and methods	<p>There is inconsistency between clauses 28 and 29.</p> <p>Clause 28(4) states “The key instruments that may contain rules are national standards and land use plans”.</p> <p>Clause 29 lists rules as applying to regional spatial plans.</p>	<p>We request that you remove “rule” from clause 29(1), and add a new clause: 29(2)(c) “<i>all or part of – (c) all or part of -</i></p> <p><i>(i) a district, in the case of a land use plan; or</i></p> <p><i>(ii) New Zealand, in the case of a national instrument.</i></p>
Clause 31 Principles for classifying activities	<p>In relation to the principles for classifying an activity as permitted, there are two issues.</p> <p>Lack of specificity</p> <p>The principles are too broad and appear open to interpretation. If aiming for consistency with system architecture, when making a rule in a land use or natural environment plan, local authorities are constrained inherently by the hierarchy in the system. In determining if an activity is “acceptable” or “anticipated”, local authorities should need to consider the regional spatial plan and any national instrument that expressly applies. There is limited scope for interpreting this in another way if acting consistently with the rest of the system architecture. To allow an alternative definition would undermine the role of national instruments and regional spatial plans.</p> <p>Insufficiency of tests</p> <p>There is a related issue around the use of “or” rather than “and”.</p> <p>Potentially any activity could be interpreted as permitted. The issue lies in the use of “or” in (i) and between (i), (ii), and (iii). The way this clause is currently written, an activity would only have to meet one of the following tests:</p> <ul style="list-style-type: none"> • be acceptable • be anticipated • achieve the desired level of use/development • adverse effects are known and can be managed • a specific assessment is not required. <p>Each of these are insufficient tests on their own and could result in poor outcomes and inability to achieve the goals in the Bills.</p>	<p>We request that you clarify the scope of the principles in relation to classifying activities in land use and natural environment plans and the role of higher order instruments. The current clause is ambiguous and open to interpretation.</p> <p>Suggested rewording (for land use rules) would be:</p> <p><i>(a) an activity should be classified as a permitted activity if –</i></p> <p><i>(i) in a national instrument and/or regional spatial plan, the activity is acceptable, is anticipated, and achieves the desired level of use and development; or</i></p> <p><i>(ii) any adverse effects of the activity are no more than minor and can be managed</i></p>
Clause 46 Process for making national instrument	<p>The Bills would require engagement with iwi authorities during the preparation of a national instrument before it is publicly notified.</p> <p>There is no reference to a requirement to engage with local authorities during the preparation of a national instrument.</p>	<p>We acknowledge and support the proposed new requirements under clause 46 to consult with iwi authorities during the development of a national instrument.</p> <p>Given the role of local authorities in implementing national instruments, there is benefit in engaging with the relevant (implementing) local authorities during this time as well to ensure workability of provisions. While clause 46(4) states the Minister may establish technical advisory groups, these are at the Minister’s discretion and there is no specified role for local authorities.</p> <p>We request rewording:</p> <p><i>(1) Before the Minister publicly notifies a national instrument, the Minister must—</i></p> <p><i>(a) provide iwi authorities and relevant local authorities ...</i></p>

7.4.1 Appendix A - Draft Submission - Planning Bill and Natural Environment Bill(Cont.)

<p>Clause 5 of Schedule 1 Transitional provisions First key instruments</p>	<p>There is a drafting error in cl.5(3)(a), (b), (c). We cannot find the sections referred to within either Bill: (3) After the first national policy direction is issued under the Natural Environment Act 2025—</p> <ul style="list-style-type: none"> a. national standards required by section 6.5(a), (b), and (d) of that Act must be issued within 9 months after Royal assent; and b. national standards required by section 6.5(c) of that Act must be issued within 18 months after Royal assent; and c. national standards required by section 6.8(1)(b) of that Act must be issued within 9 months after Royal assent. <p>We have also been unable to identify within the Bills the correct clauses.</p> <p>This type of clause numbering (i.e. 6.5) is not typical of primary legislation in Aotearoa. We have assumed that the references are to sections in secondary legislation that is yet to be released. This uncertainty is unfortunate as it impacts on our ability to make an informed and helpful comment re the feasibility of timeframes. This is a significant concern of ours.</p>	<p>We request that you either include references that accurately locate the sections referred to, or you replace the references to sections with a description of the standards in question.</p>
<p>Clause 3 of Schedule 2 Contents of regional spatial plans (2) A regional spatial plan must be consistent with ... (a) environmental limits ...</p>	<p>There are two types of environmental limits: human health (set by the Minister in national standards) and ecosystem health (set by regional council in natural environment plans). A regional spatial plan must be consistent with environmental limits. However, the order of preparation of key instruments specified in the Bills requires spatial plans to be notified within six months of the first set of national policy direction being issued, and then natural environment plans nine months after that, including any ecosystem health limits. Spatial plan committees will not be able to be consistent with ecosystem health environmental limits in first generation spatial plans.</p>	<p>We request an amendment to the transitional provisions related to first generation spatial plans stating that first generation spatial plans are not required to be consistent with ecosystem health limits in natural environment plans.</p>
<p>Schedule 2 Spatial plans Schedule 3 Further provisions relating to plans</p>	<p>The Bill often refers to “in the prescribed manner”. These prescribed manners impact how local authorities are able to undertake their activities and knowledge of these prescribed manners is necessary to ensure plans are being developed effectively.</p>	<p>Define the prescribed manners and other procedural requirements before implementation of the Bills.</p>