



AGENDA

Ordinary Council meeting Tuesday, 20 October 2026

I hereby give notice that an Ordinary meeting of Council will be held on:

Date: Tuesday, 20 October 2026

Time: 9:00 am

**Location: Tauranga City Council Chambers
L1, 90 Devonport Road
Tauranga**

**Gareth Green
Acting Chief Executive**

Terms of reference – Council

Membership

Chair	Mayor Mahé Drysdale
Deputy Chair	Deputy Mayor Jen Scoular
Members	Cr Hautapu Baker Cr Glen Crowther Cr Rick Curach Cr Steve Morris Cr Marten Rozeboom Cr Kevin Schuler Cr Rod Taylor Cr Hēmi Rolleston
Quorum	<u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Three weekly or as required

Role

- To ensure the effective and efficient governance of the City.
- To enable leadership of the City including advocacy and facilitation on behalf of the community.
- To review and monitor the performance of the Chief Executive.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.

- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the council-controlled organisation Boards of Directors/Trustees and representatives of Council to external organisations.
- Undertake statutory duties in regard to Council-controlled organisations, including reviewing statements of intent, with the exception of the Local Government Funding Agency where such roles are delegated to the City Delivery Committee. (Note that monitoring of all Council-controlled organisations' performance is undertaken by the City Delivery Committee. This also includes Priority One reporting.)
- Consider all matters related to Local Water Done Well.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.
- Review and monitor the Chief Executive's performance.
- Develop Long Term Plans and Annual Plans including hearings, deliberations and adoption.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

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- 1 OPENING KARAKIA**
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7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 1 September 2026

File Number: A21189957

Author: Caroline Irvin, Governance Advisor

Authoriser: Sarah Holmes, Team Leader: Governance & CCO Support Services

RECOMMENDATIONS

That the Minutes of the Council meeting held on 1 September 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Council meeting held on 1 September 2026



DRAFT MINUTES

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Tuesday, 1 September 2026**

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UNCONFIRMED

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, L1, 90 DEVONPORT ROAD,
TAURANGA
ON TUESDAY, 1 SEPTEMBER 2026 AT 9:30 AM**

MEMBERS PRESENT: Mayor Mahé Drysdale (Chair), Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor, Cr Hēmi Rolleston, Cr Steve Morris (online/late)

IN ATTENDANCE: Marty Grenfell (Chief Executive), Christine Jones (General Manager: Strategy, Partnerships & Growth), Reneke van Soest (General Manager: Operations & Infrastructure), Sarah Omundsen (General Manager: Regulatory & Community Services), Jane Small (Major Projects Director) (online), Charlie Rahiri (Recovery Manager), Susan Davidson (Head of Communications & Engagement), Kathryn Sharplyn (Head of Finance), Andrew Hough (General Counsel), Nick Chester (Recovery Project Manager), Emily McLean (Recovery Business & Community Manager), Amanda Davies (Portfolio Manager: Community Projects), Charles Lane (Team Leader: Commercial Legal), Tyler Buckley (Commercial Solicitor), Kevin Lavery, Chief Executive – Water Organisation), Sarah Holmes (Team Leader: Governance & CCO Support Services), Anahera Dinsdale (Governance Advisor), Caroline Irvin (Governance Advisor), Quinn Tawaka (Governance Advisor)

Timestamps are included at the start of each item and signal where the agenda item can be found in the recording of the Council meeting held on 1 September 2026 at [Council's YouTube Channel](#).

1 OPENING KARAKIA

Cr Hēmi Rolleston opened the meeting with a karakia.

2 APOLOGIES

RESOLUTION CO/26/16/1

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Glen Crowther

That apologies from Cr Steve Morris for lateness be received and accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

RESOLUTION CO/26/16/2

Moved: Cr Rick Curach

Seconded: Deputy Mayor Jen Scoular

That the following item be included in the public excluded agenda:

- Item 13.5: Davison Report Implications

CARRIED

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

The Chair advised there would be some changes to the order of business.

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 1 July 2026

RESOLUTION CO/26/16/3

Moved: Cr Marten Rozeboom

Seconded: Cr Kevin Schuler

That the Minutes of the Council meeting held on 1 July 2026 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Council meeting held on 21 July 2026

RESOLUTION CO/26/16/4

Moved: Cr Rod Taylor

Seconded: Cr Kevin Schuler

That the Minutes of the Council meeting held on 21 July 2026 be confirmed as a true and correct record.

CARRIED

7.3 Minutes of the Council meeting held on 6 August 2026

RESOLUTION CO/26/16/5

Moved: Cr Hautapu Baker

Seconded: Cr Marten Rozeboom

That the Minutes of the Council meeting held on 6 August 2026 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

9.1 Jocelyn Mikaere - Director Ahurea - Tangata Whenua Relationship Review - Update

The Chair advised that this item had been deferred to a later meeting.

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

MAYOR MAHÉ DRYSDALE - OPENING REMARKS

- Mayor Mahé Drysdale acknowledged the recent public release of the Hon Paul Davidson KC external review into the Mount Maunganui Beachside Holiday Park landslide, accepting the review and paying tribute to the six people who lost their lives, acknowledging the ongoing grief experienced by their families, friends and loved ones.
- He emphasised that, despite discussion of review findings and council shortcomings, the focus must remain on the people at the centre of the tragedy whose loss was profoundly felt.
- Council had a responsibility to honour those affected through meaningful action, and its commitment to responding to the review and implementing improvements was unwavering.
- The significance of Mauao and the role of iwi as kaitiaki, recognising the mountain's cultural and spiritual importance to the community was acknowledged.
- He noted that today's discussions and decisions would be undertaken with the victims and their families firmly in mind, and with a commitment to doing the best possible for them.

11 BUSINESS

Timestamp: 15 minutes and 20 seconds

11.1 External Review Report into the Mount Maunganui Beachside Holiday Park Landslide on 22 January 2026 (Hon Paul Davison KSO KC) — Receipt of Redacted Report

Staff Andrew Hough, General Counsel

The Chief Executive introduced item 11.1 with the following remarks:

- The Chief Executive acknowledged the tragic landslide at Mount Maunganui Beachside Holiday Park on 22 January 2026, which claimed six lives, and expressed condolences to the families, friends, witnesses, first responders, community members and council staff affected by the event. The tragedy had a significant human impact.
- The four related reports before Council today were: the independent external review, the organisational response to the landslide and review findings, the quantitative landslide risk assessment, and the January weather event recovery update.
- The external review, conducted by the Honourable Paul Davison following a Council decision in February 2026, formally placed the review on the public record and provided elected members with an opportunity to discuss the findings.
- Council accepted the review's findings without qualification and committed to implementing all recommendations, while outlining the processes followed to support and complete the review.

Mr Andrew Hough, General Counsel, then provided Elected Members with an overview of the report and answered questions.

MOTION

Moved: Mayor Mahé Drysdale

Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "External Review Report into the Mount Maunganui Beachside Holiday Park landslide on 22 January 2026 (Hon Paul Davison KSO KC) - Receipt of Redacted Report".
- (b) Formally receives the completed External Review report provided by the Hon Paul Davison KSO KC under his Terms of Reference (**External Review**).
- (c) Expresses deepest sympathy and condolences to the families, loved ones, and all those affected by the six lives tragically lost in the Mauao landslide event of 22 January 2026.
- (d) Acknowledges the impact of the event and its consequences on mana whenua as kaitiaki and owners of Mauao.
- (e) Acknowledges and thanks the emergency services, iwi, volunteers, community organisations, members of the community and our staff who responded to and supported those affected by the Mauao landslide event.
- (f) Recognises the significant impact of the Mauao landslide event on the Tauranga community, businesses and those directly affected.
- (g) Accepts the findings and recommendations of the External Review and commits to taking all reasonable steps necessary to implement the recommendations, recognising

the importance of accountability, continuous improvement and reducing the risk of future harm.

AN AMENDMENT WAS PROPOSED

Moved: Cr Rick Curach

Seconded: Cr Glen Crowther

That the wording to recommendation (g) be changed to read:

- (g) **Notes** the findings and recommendations of the External Review and commits to taking all reasonable steps necessary to implement the recommendations, recognising the importance of accountability, continuous improvement and reducing the risk of future harm.

For: Cr Glen Crowther and Cr Rick Curach

Against: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

LOST 2/7

The original motion was put to the Council as follows:

RESOLUTION CO/26/16/6

Moved: Mayor Mahé Drysdale

Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "External Review Report into the Mount Maunganui Beachside Holiday Park landslide on 22 January 2026 (Hon Paul Davison KSO KC) - Receipt of Redacted Report".
- (b) Formally receives the completed External Review report provided by the Hon Paul Davison KSO KC under his Terms of Reference (**External Review**).
- (c) Expresses deepest sympathy and condolences to the families, loved ones, and all those affected by the six lives tragically lost in the Mauao landslide event of 22 January 2026.
- (d) Acknowledges the impact of the event and its consequences on mana whenua as kaitiaki and owners of Mauao.
- (e) Acknowledges and thanks the emergency services, iwi, volunteers, community organisations, members of the community and our staff who responded to and supported those affected by the Mauao landslide event.
- (f) Recognises the significant impact of the Mauao landslide event on the Tauranga community, businesses and those directly affected.
- (g) Accepts the findings and recommendations of the External Review and commits to taking all reasonable steps necessary to implement the recommendations, recognising the importance of accountability, continuous improvement and reducing the risk of future harm.

CARRIED

At 11.10am the meeting adjourned.

At 11.32am the meeting resumed in open.

Timestamp: 2 hours and 5 minutes

11.2 Organisational Response to Landslide Event and External Review Report by Hon Paul Davison KSO KC

Staff Reneke van Soest, General Manager: Operations & Infrastructure
Christine Jones, General Manager: Strategy, Partnerships & Growth
Sarah Omundsen, General Manager: Regulatory & Community Services

Actions requested

Improvement Programme in general:

That staff:

- Provide target delivery dates, rather than general timeframes, or include both, so it is clear when actions will be delivered.
- Separate Executive and SLG responsibilities in the tracker and include a narrative statement noting that accountability will sit with an individual, without naming individuals in the OIP or tracker.
- Set out the purpose of each OIP workstream, including what each workstream is seeking to achieve and what good looks like.
- Hold a workshop, survey, or similar process for elected members to identify and document systemic organisational issues and concerns.
- Include the current work on Ngā Poutiriao terms of reference, administration, membership, roles and responsibilities in the Programme.

Cultural Considerations:

That staff:

- Identify how psychological safety will be supported across the organisation so people feel safe to escalate risks, and how the organisation will know that risks are being escalated.
- Provide training and equip staff to identify, assess, record and escalate risks, rather than only improving governance oversight arrangements.
- Establish a baseline by surveying the organisation to understand views on safety and risk, including whether staff feel supported, and identify how this will be measured over time.
- Include: strengthening risk assessment capability, staff training, risk register processes, and governance oversight to ensure significant risks are identified and escalated appropriately.
- Consider whether the current organisation Pulse survey needs to be amended to better capture safety, risk and support matters on an ongoing basis.
- Include questions on how governance impacts culture as part of any relevant survey.
- Include feedback on organisational and leadership performance, including how staff perceive Council's role in fostering culture and innovation.

Transparency and administration:

That staff:

- Review the EM request process to improve elected members' access to information and support.
- Review all cancelled agendas from the last five years to confirm whether agenda reports or other items in any committees were not transferred to a subsequent agenda.
- Improve consistency in the way committee action schedules are managed.
- Identify how agendas and minutes for co-governance committees can be made available online to support accountability and transparency.

At 1pm, Cr Steve Morris entered the meeting online.

The Chief Executive confirmed that all actions and concerns raised by elected members would be captured and incorporated into the organisational improvement programme.

At 1.39pm the meeting adjourned.

At 2.10pm the meeting resumed in open.

RESOLUTION CO/26/16/7

Moved: Cr Hautapu Baker

Seconded: Mayor Mahé Drysdale

That the Council:

- a) Receives the report "Organisational Response to Landslide Event and External Review Report by Hon Paul Davison KSO KC".
- b) Expresses deepest sympathy and condolences to the families, loved ones, and all those affected by the six lives tragically lost in the Mauao landslide event of 22 January 2026.
- c) Notes the actions already taken within the organisation in response to the Mauao landslide event (as per attachment 7).
- d) Endorses an Organisation Improvement Programme which has:
 - i) Purpose of transformational cultural change and risk management, with a priority focus on preventing loss of life and serious harm, resulting in stronger safety performance and better protection for people and communities.
 - ii) Draft objectives to:
 - Strengthen and embed a risk culture that promotes accountability, ownership of risk and the early escalation of concerns.
 - Ensure consistent organisation-wide systems and processes to identify, assess, escalate and manage risk.
 - Improve visibility, oversight and ownership of critical risks across the organisation.
 - Strengthen governance, assurance, reporting and partnership to support effective decision-making and accountability.
 - Enhance emergency management capability and preparedness to better protect people and communities
 - iii) Four initial workstreams being Culture, Change and Partnerships; Risk Framework; Systems and Reporting; and Emergency Management.
- e) Requires a report be presented to the 22 September 2026 Council meeting with Organisation Improvement Programme structure arrangements, refined scope and objectives, resourcing, budget and funding, measures of success, monitoring and reporting, for consideration and approval.
- f) Approves strengthening the Audit & Risk Committee governance arrangements by adding the following to the Committee's Terms of Reference Scope:

- i) Test whether controls for critical risks operate as intended;
- ii) Enquire and receive objective evidence of risk management and mitigation including verifying management and/or contractor assurances and undertaking site visits;
- iii) Conducting “deep dives” into topical risk issues.

CARRIED

RESOLUTION CO/26/16/8

Moved: Cr Hautapu Baker

Seconded: Mayor Mahé Drysdale

That the Council:

- h) Notes that the Culture, Change and Partnerships workstream is currently less developed than the other components of the proposed Organisation Improvement Programme, and therefore:

Directs staff to include as part of the report back to Council on 22 September 2026 plan, a distinct, comprehensive and appropriately resourced Culture Transformation Programme that:

- Includes an assessment of the current organisational culture and design of the desired future culture that:
 - I. Extends beyond risk-management culture to address the wider behaviours, values, relationships, leadership practices and organisational conditions that contributed to the systemic failures identified in the External Review.
 - II. Is developed through meaningful engagement with staff at all levels and, where appropriate, mana whenua, relevant partners and those directly affected by the organisation's systems and decisions.
 - III. Establishes clear culture outcomes, leadership expectations, responsibilities, implementation milestones and measurable indicators of behavioural and systemic change.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Nil

Abstained: Cr Kevin Schuler

CARRIED 9/0

RESOLUTION CO/26/16/9

Moved: Cr Hautapu Baker

Seconded: Mayor Mahé Drysdale

That the Council:

- g) Strengthens risk governance arrangements that are needed to be exercised as a result of the event and consequential findings by:
 - i) Appointing all elected members as members of the Audit and Risk Committee and increasing the meeting frequency to two-monthly.

- For:** Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom and Cr Rod Taylor
- Against:** Mayor Mahé Drysdale, Cr Kevin Schuler and Cr Hēmi Rolleston

CARRIED 7/3

At 3.32pm the meeting adjourned.

At 3.50pm the meeting resumed in open.

Timestamp: 6 hours and 24 minutes

11.3 January Weather Event - Recovery Progress Report

Staff Charlie Rahiri, Recovery Manager
Nick Chester, Recovery Project Manager
Emily McLean, Recovery Business & Community Manager
Amanda Davies, Portfolio Manager: Community Projects

MOTION

Moved: Cr Kevin Schuler
Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "January Weather Event - Recovery Progress Report".
- (b) Notes that of the \$7m risk reserve funding approved for Recovery in March 2026, \$1.8m remains. Further costings and funding information and options will be brought to council once known.
- (c) Notes a reset of the Recovery Office Programme and approves the re-establishment of the Mauao Recovery Working Group to support this next phase.
- (d) Agrees the Mauao Recovery Working Group comprise elected member representatives, technical advisers, Recovery Office representatives, Mauao Trust and iwi representatives to support the evaluation of future land use and risk management options.
- (e) Agrees the Working Group be structured into two workstreams:
 - i. Quantitative Landslide Risk Assessment (QLRA); and
 - ii. Mauao remediation and reopening.
- (f) Notes that a new Terms of Reference will be developed to establish the group's purpose, membership, governance, reporting, and decision-making arrangements; and
- (g) Notes that progress and recommendations will be reported through the Recovery team to elected members, Nga Poutiriao and Mauao Trust.

- (h) Notes the importance of communications to our community and commits to an (at least) fortnightly report including what is able to be shared.

AN AMENDMENT WAS PROPOSED

Moved: Cr Rick Curach
Seconded: Cr Glen Crowther

That the Council:

- (h) Requests staff investigate and report back informally to the Mayor and councillors regarding the petition recently presented to Council, proposing to establish a Mauao community panel.

For: Cr Glen Crowther and Cr Rick Curach

Against: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

LOST 2/8

The motion was put to the Council as follows:

RESOLUTION CO/26/16/10

Moved: Cr Kevin Schuler
Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "January Weather Event - Recovery Progress Report".
- (b) Notes that of the \$7m risk reserve funding approved for Recovery in March 2026, \$1.8m remains. Further costings and funding information and options will be brought to council once known.
- (g) Notes that progress and recommendations will be reported through the Recovery team to elected members, Nga Poutiriao and Mauao Trust.
- (h) Notes the importance of communications to our community and commits to an (at least) fortnightly report including what is able to be shared.
- (i) Commits to a table of each of the landslides and progress of them on the website, with a commitment to update at least fortnightly.

CARRIED

RESOLUTION CO/26/16/11

Moved: Cr Kevin Schuler
Seconded: Cr Hautapu Baker

That the Council:

- (c) Notes a reset of the Recovery Office Programme and approves the re-establishment of the Mauao Recovery Working Group to support this next phase.
- (d) Agrees the Mauao Recovery Working Group comprise elected member representatives, technical advisers, Recovery Office representatives, Mauao Trust and iwi representatives to support the evaluation of future land use and risk management options.

- (e) Agrees the Working Group be structured into two workstreams:
 - (i) Quantitative Landslide Risk Assessment (QLRA); and
 - (ii) Mauao remediation and reopening.
- (a) Notes that a new Terms of Reference will be developed to establish the group's purpose, membership, governance, reporting, and decision-making arrangements.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Cr Glen Crowther and Cr Rick Curach

CARRIED 8/2

EXTENSION OF MEETING TIME

RESOLUTION CO/26/16/12

Moved: Cr Rick Curach

Seconded: Mayor Mahé Drysdale

That the Council meeting extends beyond 6 hours.

CARRIED

The Chair advised that Item 11.5 would be taken as the next item of business. Item 11.4 would be taken as the first item of business at the continuation of the Council meeting at 1pm on Wednesday, 2 September 2026.

Timestamp: 7 hours and 58 minutes

11.5 LWDW: Water Organisation - Founding Documents

Staff Charles Lane, Team Leader: Commercial Legal
Tyler Buckley, Commercial Solicitor
Kevin Lavery, Chief Executive – Water Organisation

RESOLUTION CO/26/16/13

Moved: Mayor Mahé Drysdale

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "LWDW: Water Organisation - Founding Documents".
- (b) Constitution:

- (i) Approves the Constitution, in the form attached at Attachment 1.
- (c) Shareholders' Agreement:
 - (ii) Approves the Shareholders' Agreement, in the form attached at Attachment 2, with the following amendments:
 - Remove schedule 6
- (d) Delegates authority to the General Manager: Strategy, Partnerships and Growth to:
 - (i) approve and make any minor amendments or editorial changes to the Constitution and Shareholders' Agreement, in consultation with Western Bay of Plenty District Council, prior to execution; and
 - (ii) take all steps and execute all documents required to give effect to these resolutions and incorporate the Water Organisation.
- (e) Delegates authority to the Mayor and Chief Executive to execute the final Shareholders' Agreement on behalf of Council, subject to any agreed amendments and approval of those documents by Western Bay of Plenty District Council.
- (f) Resolves that the Joint Committee will not be discharged following local government elections and will instead continue as an enduring governance arrangement for so long as the Council, together with the other shareholders of the Water Organisation, considers it appropriate. The membership of the Joint Committee will be reviewed following each local government election, including the Council's appointments to the Committee.

CARRIED

Timestamp: 8 hours and 19 minutes

11.6 LWDW: Shareholder Statement of Expectations of Water Organisation

Staff Charles Lane, Team Leader: Commercial Legal
Tyler Buckley, Commercial Solicitor
Kevin Lavery, Chief Executive – Water Organisation

RESOLUTION CO/26/16/14

Moved: Cr Marten Rozeboom
Seconded: Cr Rod Taylor

- (a) Receives the report "LWDW: Shareholder Statement of Expectations of Water Organisation".
- (b) Notes that the draft Statement of Expectations at Attachment 1 complies with the Local Government (Water Services) Act 2025, the current draft Shareholders' Agreement and the Commercial Term Sheet adopted by Tauranga City Council and Western Bay of Plenty District Council in March 2026.
- (c) Approves the draft Statement of Expectations at Attachment 1 being provided to the Water Organisation for review and comment.
- (d) Notes that Tauranga City Council and Western Bay of Plenty District Council must consider any comments received from the Water Organisation on the draft Statement

of Expectations before the Statement of Expectations is finalised and issued.

- (e) Resolves that, at the same time the draft Statement of Expectations is provided to the Water Organisation for review and comment, it will also be made publicly available in draft form to enable public comment and feedback.
- (f) Notes that an additional item will be added to the Tangata Whenua work programme to identify and document the Treaty settlement obligations that will apply to the Water Organisation and its delivery of water services.
- (g) Notes that the detail to be included within paragraph 22 of the Statement of Expectations (regarding the approach to setting and collection of charges) is currently listed as "[TBC]" and will be drafted following input from the Water Organisation's Board of Directors. Such drafting will be included in a final version of the Statement of Expectations for the Council to approve.

CARRIED

At 5.56pm the meeting adjourned.

UNCONFIRMED

RESUMPTION OF COUNCIL MEETING IN OPEN ON WEDNESDAY, 2 SEPTEMBER 2026 AT 1PM

MEMBERS PRESENT: Mayor Mahé Drysdale (Chair), Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor, Cr Hēmi Rolleston, Cr Steve Morris (online).

IN ATTENDANCE: Marty Grenfell (Chief Executive), Christine Jones (General Manager: Strategy, Partnerships & Growth), Reneke van Soest (General Manager: Operations & Infrastructure), Sarah Omundsen (General Manager: Regulatory & Community Services), Kathryn Sharplyn (Head of Finance), Andrew Hough (General Counsel), Phil Kai Fong (Team Leader: Property Legal), Jeremy Boase (Head of Strategy, Governance & Climate Resilience), Emily McLean (Recovery Business & Community Manager), Amanda Davies (Portfolio Manager: Community Projects), Radlieh Cairns (Manager: Drainage Services), Jen Ross (Policy Analyst), Shawn Geard (Manager: Transport System Operations), Jenna Quay (Event Facilitation Manager), Sarah Holmes (Team Leader: Governance & CCO Support Services), Anahera Dinsdale (Governance Advisor), Caroline Irvin (Governance Advisor).

EXTERNAL: Attendees for item 11.4 as listed in the item.

Timestamps are included at the start of each item and signal where the agenda item can be found in the recording of the Council meeting held on 2 September 2026 at [Council's YouTube Channel](#).

The Chair advised that Cr Kevin Schuler would be late to the meeting.

Timestamp: 1 minute and 20 seconds

11.4 Quantitative Landslide Risk Assessment - Beachside Holiday Park, Mount Hot Pools, & Mount Maunganui Lifeguard Service building

Staff Phil Kai Fong, Team Leader: Property Legal

Externals Jeff Farrell, Director – Solvere Consulting Limited
Professor Tim Davies, Peer Reviewer - University of Canterbury
Dan Ngawhika, Senior Geotechnical Engineer – Tonkin & Taylor Limited

The Team Leader: Property Legal provided an overview of the report and then spoke to a PowerPoint presentation (attached).

At 1.35PM, Cr Kevin Schuler entered the meeting.

The motion was taken in parts as follows:

RESOLUTION CO/26/16/15

Moved: Cr Hautapu Baker

Seconded: Mayor Mahé Drysdale

That the Council:

- (a) Receives the report "Quantitative Landslide Risk Assessment - Beachside Holiday Park, Mount Hot Pools, & Mount Maunganui Lifeguard Service building" and associated reports.
- (b) Adopts an annual individual loss of life risk tolerance benchmark of 10^{-4} , consistent with the Bay of Plenty Regional Policy Statement, as the primary basis for evaluating future land use scenarios, risk management responses, mitigation measures and associated financial implications within the QLRA Study Area.
- (c) Acknowledges that the assessed societal risk to life is several orders of magnitude higher than annual individual loss of life risk but notes that difficulties exist around the determination and use of societal risk tolerance thresholds.
- (e) Notes that the illustrative land use and mitigation scenarios contained within the Concept Remedial Solutions Assessment are provided as decision-support tools only and do not represent an exhaustive list of future land use options available to Council.
- (f) Requests that staff report back to Council and the Mauao Trust with a recommended option, or preferred shortlist of options, including associated land use, mitigation, implementation and financial considerations.

CARRIED**RESOLUTION CO/26/16/16**

Moved: Cr Hautapu Baker

Seconded: Mayor Mahé Drysdale

That the Council:

- (d) Requests that the Mauao Recovery Working Group:
 - (i) consider future land use scenarios within the Study Area informed by engagement with the public on future land use ideas;
 - (ii) assesses potential mitigation and risk reduction measures;
 - (iii) consider cultural, environmental, social, operational and financial implications;
 - (iv) engage with key stakeholders, including Mauao Trust, iwi representatives, Bay Venues Limited and the Mount Maunganui Lifeguard Service, as appropriate; and
 - (v) refine the range of potential scenarios into a preferred option or shortlist of options for further consideration by Council.
- (vi) Include in fortnightly updates progress on i to v above.

For: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Cr Glen Crowther

CARRIED 9/1

- Cr Crowther noted his reason for not voting for (d) was that he did not support the Mauao Recovery Working Group, but he supported the sub-parts (i) to (vi).
- Cr Curach noted he voted for (d) but also did not support the Mauao Recovery Working Group.

Attachment

- 1 Presentation: Quantitative Landslide Risk Assessment Outcomes

At 3.03PM the meeting adjourned.

At 3.11PM the meeting resumed in open.

Timestamp: 2 hours and 9 minutes

11.7 Electoral system for 2028 Tauranga City Council election

Staff Jeremy Boase, Head of Strategy, Governance & Climate Resilience

RESOLUTION CO/26/16/17

Moved: Cr Kevin Schuler

Seconded: Cr Glen Crowther

That the Council:

- (a) Receives the report "Electoral system for 2028 Tauranga City Council election".
- (b) Adopts the following option:
 - (i) Option A – retain Single Transferrable Voting as the electoral system
- (c) Notes that the next step is to publicly notify the electoral system intended to be used for the 2028 election and the right of electors to demand a poll.

For: Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Kevin Schuler, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular and Cr Marten Rozeboom

CARRIED 7/3

Timestamp: 2 hours and 39 minutes

11.8 Draft 2027 Council and Committee Meetings Schedule

Staff Sarah Holmes, Team Leader: Governance & CCO Support Services

Actions Requested:

- That staff engage with Ngā Poutiriao ō Mauao regarding the proposed 2027 meeting schedule and confirm whether the planned frequency is appropriate.
- That a review of elected member committee allocations/workloads be undertaken, particularly in light of increased Audit and Risk meetings and proposed Ngā Poutiriao o Mauao meetings, to ensure workload balance across councillors.

RESOLUTION CO/26/16/18

Moved: Deputy Mayor Jen Scoular

Seconded: Cr Hēmi Rolleston

That the Council:

- (a) Receives the report "Draft 2027 Council and Committee Meetings Schedule".
- (b) Approves the Draft 2027 Council and Committee Meetings Schedule (Attachment 1) in principle and authorises its inclusion in calendar bookings:
 - (i) Pending input from Western Bay of Plenty District Council and Toi Moana Bay of Plenty Regional Council to confirm joint committees and meeting dates,
 - (ii) Subject to incorporation of feedback provided to staff at this meeting.
- (c) Notes that meetings may be rescheduled due to unforeseen conflicts.

CARRIED

At 3:50pm, Deputy Mayor Jen Scoular left the meeting.

Timestamp: 2 hours and 50 minutes

11.9 Deliberations - Proposed fireworks and real estate sign amendments to the Street Use and Public Places Bylaw 2026

Staff Sarah Omundsen, General Manager: Regulatory & Community Services

RESOLUTION CO/26/16/19

Moved: Cr Marten Rozeboom

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Deliberations - Proposed fireworks and real estate sign amendments to the Street Use and Public Places Bylaw 2026".

- (b) Approves the minor amendments to the proposed fireworks provisions in the draft Street Use and Public Places Bylaw 2026, as set out in **Attachment One**.
- (c) Determines that the maximum permitted size for real estate signs displayed in a public place be:
 - (ii) a maximum area of 2.2 m²
- (d) Determines, in accordance with section 155 of the Local Government Act 2002, that the amendments to the Street Use and Public Places Bylaw 2026 are the most appropriate way of addressing the perceived problems, are in the most appropriate form of the bylaw, and do not give rise to any implications under, or any inconsistencies with, the New Zealand Bill of Rights Act 1990 (**Attachment Two**).
- (e) Notes the Consistency Accountability Statement (**Attachment Three**).
- (f) Adopts the amendments to the Street Use and Public Places Bylaw 2026, incorporating the decisions made under recommendations (b) and (c).
- (g) Resolves that all amendments come into force on 1 October 2026, except that if recommendation (c)(i) is adopted, the amendments relating to real estate signs come into force on 1 September 2027.
- (h) Authorises the General Manager: Regulatory and Community Services to make minor or technical amendments prior to publication.

CARRIED

Timestamp: 2 hours and 59 minutes

11.10 Deliberations and Adoption Report for Stormwater Bylaw Review 2026

Staff Radlieh Cairns, Manager: Drainage Services
Jen Ross, Policy Analyst

RESOLUTION CO/26/16/20

Moved: Cr Glen Crowther

Seconded: Cr Marten Rozeboom

That the Council:

- (a) Receives the report "Deliberations and Adoption Report for Stormwater Bylaw Review 2026".
- (b) Approves the minor amendments made to the draft Stormwater Bylaw 2026 following the review of submissions (**Attachment 2**).
- (c) Notes the Consistency Accountability Statement (**Attachment 3**).
- (d) Revokes the Stormwater (Pollution Prevention) Bylaw 2015 and adopts the Stormwater Bylaw 2026 to replace it with effect on 1 December 2026.
- (e) Authorises the General Manager: Operations & Infrastructure to make any necessary minor final edits to the Stormwater Bylaw 2026, prior to publication.

CARRIED

Timestamp: 3 hours and 10 minutes

11.11 Deliberations and Adoption Report for Trade Waste Bylaw Review 2026

Staff Radleigh Cairns, Manager: Drainage Services
Jenn Ross, Policy Analyst

Action Requested:

- That staff investigate any opportunities to coordinate trade waste, environmental health, and other regulatory inspections so businesses can be visited once where practicable, reducing disruption and improving efficiency.

RESOLUTION CO/26/16/21

Moved: Cr Rod Taylor
Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "Deliberations and Adoption Report for Trade Waste Bylaw Review 2026".
- (b) Approves the minor amendments made to the draft Trade Waste Bylaw 2026 following the review of submissions (**Attachment 2**).
- (c) Notes the Consistency Accountability Statement (**Attachment 3**).
- (d) Revokes the Trade Waste Bylaw 2019 and adopts the Trade Waste Bylaw 2026 to replace it with effect on 1 December 2026.
- (e) Authorises the General Manager: Operations & Infrastructure to make any necessary minor final edits to the Trade Waste Bylaw 2026, prior to publication.

CARRIED

Timestamp: 3 hours and 20 minutes

11.12 Code of Conduct Policy Changes

Staff Sarah Holmes, Team Leader: Governance & CCO Support Services

RESOLUTION CO/26/16/22

Moved: Cr Steve Morris
Seconded: Cr Glen Crowther

That the Council:

- (a) Receives the report "Code of Conduct Policy Changes".
- (b) Approves the following amendments to the Code of Conduct, as shown in tracked changes in Attachment 1:

- (i) Update clause 9.1 to reference the digital interests register form completed by elected members and to link the website page where interests are summarised.
 - (ii) Remove 9.2 Regulatory Register, as this is incorporated in the publicly available interests register completed by elected members.
 - (iii) Amend clause 9.3 to align the gift and hospitality disclosure threshold with section 54F of the Local Government Act 2002 (\$500).
 - (iv) Remove Appendix C, as the example has been replaced with an online form.
 - (v) Update references to the contracting rule to replace the \$25,000 limit with the newly legislated \$100,000 limit.
 - (vi) Reflect that declarations of interest by elected members will be conducted six-monthly, as per Audit New Zealand recommendation.
- (c) Agrees that the Team Leader: Governance & CCO Support Services can make minor drafting amendments as discussed at the meeting.

CARRIED

Timestamp: 3 hours and 32 minutes

11.13 Temporary Road Closures for Events

Staff Shawn Geard, Manager: Transport System Operations
Jenna Quay, Event Facilitation Manager

RESOLUTION CO/26/16/23

Moved: Cr Hautapu Baker
Seconded: Cr Kevin Schuler

That the Council:

- (a) Receives the report "Temporary Road Closures for Events".
- (b) Pursuant to Clause 11(e) of the Tenth Schedule of the Local Government Act 1974, approves the temporary closure of the roads listed in Attachment A to ordinary vehicular traffic, on the dates and during the times specified, to facilitate the safe and effective delivery of the events identified.

CARRIED

Timestamp: 3 hours and 34 minutes

11.14 Status Updates on actions from prior Council meetings

Staff Sarah Holmes, Team Leader: Governance & CCO Support Services

Action Requested:

- That staff review the action entry for 16 December 2025, item 11.5, in terms of the name and correct action.

RESOLUTION CO/26/16/24

Moved: Cr Hautapu Baker

Seconded: Cr Rod Taylor

That the Council:

- (a) Receives the report "Status Updates on actions from prior Council meetings".
- (b) Attachment 2 is to remain in the public excluded section to avoid prejudice to measures protecting the health or safety of members of the public
- (c) **Attachment 2** can be transferred into the open not to be released

CARRIED

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public at 4.46pm

RESOLUTION CO/26/16/25

Moved: Cr Kevin Schuler

Seconded: Cr Marten Rozeboom

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
13.1 - Public Excluded Minutes of the Council meeting held on 21 July 2026	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good

	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	reason for withholding would exist under section 6 or section 7
13.2 - Public Excluded Minutes of the Council meeting held on 6 August 2026	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.3 - LWDW - Water Organisation Name and Identity	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Appointment of Hearings Panel for Proposed Private Plan Change 40 (Mount Maunganui Golf Club Incorporated Rezoning)	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
Confidential Attachment 2 - 11.14 - Status Updates on actions from prior Council meetings	s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

13.5 Paul Davison Implications	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
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CARRIED

At 4.47pm the meeting adjourned.

At 1pm on Thursday, 3 September 2026, the meeting resumed in public excluded.

At 5:02pm on Thursday, 3 September, the meeting resumed in open.

14 CLOSING KARAKIA

Cr Hautapu Baker closed the meeting with a karakia.

The meeting closed at 5:03pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 20 October 2026.

7.2 Minutes of the Council meeting held on 22 September 2026

File Number: A21189967

Author: Caroline Irvin, Governance Advisor

Authoriser: Sarah Holmes, Team Leader: Governance & CCO Support Services

RECOMMENDATIONS

That the Minutes of the Council meeting held on 22 September 2026 be confirmed as a true and correct record.

ATTACHMENTS

- 1. Minutes of the Council meeting held on 22 September 2026**



DRAFT MINUTES

**Ordinary Council meeting
Tuesday, 22 September 2026**

Order of Business

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2	Apologies	4
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7	Confirmation of minutes	4
7.1	Minutes of the Council meeting held on 11 August 2026	4
8	Declaration of conflicts of interest	4
9	Deputations, presentations, petitions	5
9.2	Petition: Jan Iles - Request to Council to establish a Residents Committee to facilitate community participation in the Memorial Pool decision making process	5
10	Recommendations from other committees	5
11	Business	5
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11.2	2027-2037 Long-term Plan - Outcome and Service Performance Measures	6
11.3	Annual Report 2025-26 - Rates Surplus and Options	7
11.4	Council-controlled organisations - Review of Director Fees July-August 2026	7
11.5	Consultation on Options for a New Governance and Delivery Model for Tauranga Airport	8
13.1	Consultation on Possible Future Governance and Delivery Options of Community Assets	9
12	Discussion of late items	10
13	Public excluded session	11
13.2	Litigation report	11
13.3	Bay of Plenty Housing Equity Fund	11
13.4	Local Water Done Well Digital Programme - Revised Approach for Phase Two	12
14	Closing karakia	12

**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS,
L1, 90 DEVONPORT ROAD, TAURANGA
ON TUESDAY, 22 SEPTEMBER 2026 AT 9:30 AM**

MEMBERS PRESENT: Mayor Mahé Drysdale (Chair), Deputy Mayor Jen Scoular, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach (online), Cr Steve Morris, Cr Kevin Schuler, Cr Rod Taylor, Cr Hemi Rolleston (online).

IN ATTENDANCE: Marty Grenfell (Chief Executive), Christine Jones (General Manager: Strategy, Partnerships & Growth), Gareth Green (Manager of the Mayoral Office), Reneke van Soest (General Manager: Operations & Infrastructure), Sarah Omundsen (General Manager: Regulatory & Community Services), Craig Rice (Chief Operating & Financial Officer), Kathryn Sharplin (Head of Finance), Susan Davidson (Head of Communications & Engagement), Tracey Hughes (Manager: Organisational Financial Performance and Corporate Planning), Sarah Holmes (Team Leader: Governance & CCO Support Services), Quinn Tawaka (Governance Advisor).

Timestamps are included at the start of each item and signal where the agenda item can be found in the recording of the Council meeting held on [22 September 2026 on Council's YouTube Channel](#).

1 OPENING KARAKIA

Cr Hautapu Baker opened the meeting with a karakia.

PRESENTATION

Frazer Smith - 30 Year Anniversary at Tauranga City Council

- The Mayor acknowledged Frazer Smith's 30 years of service to Tauranga City Council and thanked him for his significant contribution to the organisation and the city.
- Frazer's extensive knowledge and expertise across finance, insurance, growth levy modelling, financing, accounting and audit matters were recognised, along with the trusted and well-reasoned advice he provides across the organisation.
- His significant contribution to strategic financing initiatives was acknowledged.
- The Mayor recognised Frazer's commitment to supporting and developing others, including coaching staff and mentoring Finance team members through the practical requirements of their Chartered Accountant professional membership.
- Frazer was acknowledged for consistently demonstrating the organisation's values, particularly pono and integrity, as well as his commitment to seeing complex and detailed work through to completion.
- His positive contribution to the team, including his sense of humour and support for colleagues, was also recognised.
- The Mayor thanked Frazer for his dedicated service and contribution over the past 30 years.

2 APOLOGIES

RESOLUTION CO/26/17/1

Moved: Cr Rod Taylor

Seconded: Cr Kevin Schuler

That apologies from Cr Marten Rozeboom be received and accepted.

CARRIED

3 PUBLIC FORUM

Nil.

4 ACCEPTANCE OF LATE ITEMS

The Chair advised there were no late items, and noted there was one supplementary attachment to item 13.1.

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

The Chair advised that item 13.1 would be considered in the open section of the meeting, and the report would be made publicly available with the open agenda.

6 CHANGE TO THE ORDER OF BUSINESS

The Chair advised that item 13.4: 'Local Water Done Well Digital Programme - Revised Approach for Phase Two' would be taken at 4pm.

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Council meeting held on 11 August 2026

RESOLUTION CO/26/17/2

Moved: Cr Steve Morris

Seconded: Cr Kevin Schuler

That the Minutes of the Council meeting held on 11 August 2026 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

9.2 Petition: Jan Iles - Request to Council to establish a Residents Committee to facilitate community participation in the Memorial Pool decision making process

Ms Jan Iles and Mr Barry Scott spoke to the petition:

- The proposed residents committee would follow the Links Avenue Community Panel and Otumoetai Pool Working Group models, providing a focused bridge between Council and the community without replacing Council's decision-making authority. A smaller representative group would enable more detailed discussion and allow residents who may not speak in large public meetings to contribute.
- The proposed aquatic centre refurbishment was estimated at about \$100 million, while the existing pool shell may be refurbished for under \$5 million.
- Due to site risks, the proposed development would require substantial foundations and affect a flood-hazard area in Memorial Park.
- Ms Iles would contact Council to arrange a meeting with staff on technical issues and the meaning of project approval.
- The Mayor advised that Council had not decided to demolish the Memorial Pool. The decision to date had been to fund work that could enable a future redevelopment, and any demolition or decommissioning would require a further decision after a new aquatic centre proposal was developed and approved.

RESOLUTION CO/26/17/3

Moved: Cr Steve Morris
Seconded: Cr Glen Crowther

That the Council:

- (b) Receives the Petition: Jan Iles – Request to Council to establish a Residents Committee to facilitate community participation in the Memorial Pool decision-making process.

CARRIED

Attachments

- 1 9.2 Jan Iles Petition Poster - on screen display

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

Timestamp: 44 minutes and 31 seconds.

11.1 Organisational Response Programme to Mauao External Review Report

Staff Christine Jones, General Manager: Strategy, Partnerships & Growth
Sarah Omundsen, General Manager: Regulatory & Community Services
Reneke van Soest, General Manager: Operations & Infrastructure
Craig Rice, Chief Operating & Financial Officer

RESOLUTION CO/26/17/4

Moved: Mayor Mahé Drysdale

Seconded: Deputy Mayor Jen Scoular

That the Council:

- (a) Receives the report "Organisational Response Programme to Mauao External Review Report".
- (b) Approves Organisational Improvement Programme Plan structural arrangements of:
 - (i) A Programme Steering Group;
 - (ii) Programme Steering Group members of Executive Team Sponsors, Elected Member/s, and special experts if required, appointed by the Mayor in consultation with Elected Members and the Chief Executive;
 - (iii) An independent programme director with relevant skills and expertise appointed by the Chief Executive, in consultation with the Mayor.
 - (iv) Regular formal reporting to the Programme Steering Group and the Audit & Risk Committee, as well as informal regular reporting to all elected members.
- (c) Approves unbudgeted expenditure up to a maximum of \$500,000 to enable:
 - Recruitment and appointment of independent Organisational Improvement Programme Director
 - Resources to further refine the Organisational Improvement Programme Plan, with particular focus on budget review balancing cost efficiency with programme effectiveness.
 - Proceeding with the immediate actions under the risk framework workstream
 - Proceeding with the culture workstream actions to understand the current culture through interviews, focus groups and surveys.
- (d) Requests staff to report back to Council with a refined recommended Organisational Improvement Programme, including recommended budgets, resource requirements, implementation sequencing and measures of success for approval.

CARRIED

Attachments

- 1 Presentation - Organisational Response Programme

At 11:30 am, Deputy Mayor Jen Scoular left the meeting.

At 11.30am the meeting adjourned.

At 11.47am the meeting resumed in open.

Timestamp: 2 hours and 17 minutes.

11.2 2027-2037 Long-term Plan - Outcome and Service Performance Measures.

Staff Josh Logan, Team Leader: Policy & Corporate Planning
Jeremy Boase, Head of Strategy, Governance & Climate Resilience

RESOLUTION CO/26/17/5

Moved: Cr Rod Taylor
Seconded: Cr Kevin Schuler

That the Council:

- (a) Receives the report "2027-2037 Long-term Plan - Outcome and Service Performance Measures."
- (b) Approves the draft Outcome and Service Performance Measures for inclusion in the Groups of Activities section and supporting documentation of the 2027-2037 Draft Long-term Plan, as proposed in Attachments 1 and 2.

CARRIED

At 12:26 pm, Deputy Mayor Jen Scoular returned to the meeting.

Timestamp: 2 hours and 31 minutes

11.3 Annual Report 2025-26 - Rates Surplus and Options

Staff Tracey Hughes, Manager: Organisational Financial Performance & Corporate Planning
Kathryn Sharplin, Head of Finance
Craig Rice, Chief Operating and Financial Officer

RESOLUTION CO/26/17/6

Moved: Cr Glen Crowther
Seconded: Cr Rod Taylor

That Council:

- (a) Receives the report "Annual Report 2025-26 - Rates Surplus and Options".
- (b) Notes the rates surplus based on the draft financial results for 2025-26 is \$10.33m
- (c) Notes \$4.75m of expected 2025-26 surplus was allocated to offset rates requirement in the 2026-27 Annual Plan.

CARRIED

RESOLUTION CO/26/17/7

Moved: Cr Glen Crowther
Seconded: Cr Rod Taylor

- (d) Agrees to treat the remaining surplus of \$5.58m in the following way:
 - (i) Allocates \$5.58m of the rates surplus to retire debt, through the "unfunded liabilities" reserve for transparency.

For: Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Rod Taylor and Cr Hēmi Rolleston

Against: Mayor Mahé Drysdale, Deputy Mayor Jen Scoular, Cr Steve Morris and Cr Kevin Schuler

CARRIED 5/4

Timestamp: 2 hours and 56 minutes

11.4 Council-controlled organisations - Review of Director Fees July-August 2026

Staff Caroline Lim, CCO Specialist
Jeremy Boase, Head of Strategy, Governance & Climate Resilience

RESOLUTION CO/26/17/8

Moved: Mayor Mahé Drysdale
Seconded: Cr Hautapu Baker

That the Council:

- (a) Receives the report "Council-controlled organisations - Review of Director Fees July-August 2026".
- (b) Approves the following regarding the fee increase:
 - (iv) Option 1D – apply maximum fee levels equivalent to Option 1B: 5.2% for Bay Venues Limited, Tauranga Art Gallery Trust, and Tourism Bay of Plenty, and 3.45% for Te Manawataki o Te Papa Limited, while allowing boards discretion over whether and when to implement increases.
- (c) Approves the following regarding who is funding the fee increase:
 - (ii) Option 2B – Council-controlled organisations fund increase: the CCO funds increase from within the CCO operational budget.

CARRIED

At 1:10pm, Deputy Mayor Jen Scoular left the meeting.

Timestamp: 3 hours and 8 minutes

11.5 Consultation on Options for a New Governance and Delivery Model for Tauranga Airport

Staff Alastair McNeil, Head of Commercial
Charles Lane, Team Leader: Commercial Legal
Craig Rice, Chief Operating and Financial Officer

Actions Requested:

- That staff make the working group agendas and minutes publicly available where possible, noting redactions may be required.

RESOLUTION CO/26/17/9

Moved: Cr Rod Taylor

Seconded: Cr Kevin Schuler

That Council:

- (a) Receives the report "Consultation on options for governance and delivery model for Tauranga Airport".
- (b) Agrees to progress the proposed work programme to assess possible future ownership, governance and delivery arrangements for Tauranga Airport.
- (c) Notes that any formal public consultation would be undertaken through the Long-term Plan 2027-37 process, which would address the statutory requirements associated with establishing a Council-Controlled Organisation or Council-Controlled Trading Organisation and any proposed transfer of ownership or control of Airport assets and activities. The consultation material would present Council's preferred approach together with reasonably practicable alternatives.
- (d) Establishes an Airport Working Group in accordance with the Terms of Reference at **Attachment 2**.
- (e) Agrees to appoint the Mayor, two elected members, one Mana Whenua representative, and experts as required, as members of the Airport Working Group, with delegation for appointments to the Mayor.
- (f) Approves obtaining professional tax advice, including a binding ruling from Inland Revenue, to provide certainty on Council's tax position and inform the assessment of the available options.
- (g) Requests that staff report back to Council with the outcomes of the options analysis and due diligence, the proposed commercial term sheet, the outcomes of the tax advice and Inland Revenue ruling process, and any other supporting advice necessary to enable Council to determine whether a change to the current ownership, governance and delivery arrangements is warranted and, if so, a preferred ownership, governance and delivery model, together with reasonably practicable alternatives, for consultation through the draft Long-term Plan 2027-37.
- (h) Agrees that the commercially sensitive parts of this report and its attachments are to remain in the public excluded section on the grounds that release of that commercially sensitive information would be likely to prejudice or disadvantage Council's commercial activities and negotiating position in relation to the future ownership, governance and delivery arrangements for Tauranga Airport.

CARRIED

At 1.17pm the meeting adjourned.

At 1.50pm the meeting resumed in open.

At 2:03pm, Deputy Mayor Jen Scoular returned to the meeting.

PUBLIC EXCLUDED ITEM TRANSFERRED INTO OPEN

Timestamp: 4 hours and 20 minutes

13.1 Consultation on Possible Future Governance and Delivery Options of Community Assets

Staff Alastair McNeil, Head of Commercial
Charles Lane, Team Leader: Commercial Legal
Craig Rice, Chief Operating and Financial Officer

External Julie Hardaker, Deputy Chair, Bay Venues Limited
Chad Hooker, Chief Executive, Bay Venues

Actions Requested:

- That staff make the working group agendas and minutes publicly available where possible, noting redactions may be required.

RESOLUTION CO/26/17/10

Moved: Cr Hautapu Baker

Seconded: Cr Glen Crowther

That Council:

- (a) Receives the report "Consultation on Possible Future Governance and Delivery Options of Community Assets."
- (b) Agrees to progress the proposed work programme to assess possible future ownership, governance and delivery arrangements for BVL's assets and activities, including opportunities to improve community clarity about the relationship between BVL and Council-branded assets, and to explore shared services opportunities that could strengthen alignment and deliver improved value for money.
- (c) Notes that any formal public consultation would be undertaken through the draft Long-term Plan 2027–37 process and, if the preferred approach involves the transfer of ownership or control of a strategic asset, would address the requirements of section 97 of the Local Government Act 2002. The consultation material would present Council's preferred approach, together with reasonably practicable alternatives and the advantages, disadvantages and implications of each option.
- (d) Establishes a BVL Working Group in accordance with the Terms of Reference at **Attachment 3**.
- (e) Agrees to appoint the Mayor, two elected members, one Mana Whenua representative, and experts as required, as members of the BVL Working Group, with delegation for appointments to the Mayor.
- (f) Requests that staff report back to Council with the outcomes of any targeted engagement, the recommendations of the BVL Working Group, the business case, options analysis and due diligence, a recommended preferred approach together with reasonably practicable alternatives, a recommended decision and implementation pathway, and any other advice necessary to enable Council to determine whether a

change to the ownership, governance or delivery arrangements for BVL's assets and activities is warranted.

- (g) Notes that no final decision involving the transfer of ownership or control of a strategic asset will be made unless the proposal has first been expressly provided for in the Long-term Plan and Council has considered the consultation feedback.
- (i) Agrees that the commercially sensitive parts of this report and its attachments remain in public excluded on the grounds that their release would be likely to prejudice or disadvantage the commercial activities of Council or BVL, or Council's position in relation to any possible future ownership, governance and delivery arrangements for BVL's assets and activities.

CARRIED

Attachments

- 1 Bay Venues Discussion Document

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public at 2:33pm.

RESOLUTION CO/26/17/11

Moved: Cr Rod Taylor

Seconded: Cr Kevin Schuler

That the public be excluded from the following parts of the proceedings of this meeting at 2:33pm.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
13.2 - Litigation report	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members,	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	officers, employees, and persons from improper pressure or harassment s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s6(c) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial	
13.3 - Bay of Plenty Housing Equity Fund	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Local Water Done Well Digital Programme - Revised Approach for Phase Two	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

At 4.55pm the meeting resumed in open.

14 CLOSING KARAKIA

Cr Hautapu Baker closed the meeting with a karakia.

The meeting closed at 4:55pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 20 October 2026.

7.3 Minutes of the Council meeting held on 29 September 2026

File Number: A21211619

Author: Sarah Holmes, Team Leader: Governance & CCO Support Services

Authoriser: Sarah Holmes, Team Leader: Governance & CCO Support Services

RECOMMENDATIONS

That the Minutes of the Council meeting held on 29 September 2026 be confirmed as a true and correct record.

ATTACHMENTS

- 1. Minutes of the Council meeting held on 29 September 2026**



DRAFT MINUTES

**Emergency Council meeting
Tuesday, 29 September 2026**

Order of Business

1	Opening karakia	3
2	Apologies	3
3	Public forum.....	3
4	Acceptance of late items	3
5	Confidential business to be transferred into the open.....	3
6	Change to the order of business	3
7	Confirmation of minutes.....	3
8	Declaration of conflicts of interest	3
9	Deputations, presentations, petitions	4
10	Recommendations from other committees.....	4
11	Business.....	4
12	Discussion of late items	4
13	Public excluded session	4
	13.1 Davison Report Implications.....	4
14	Closing karakia	4

**MINUTES OF TAURANGA CITY COUNCIL
EMERGENCY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS,
L1, 90 DEVONPORT ROAD, TAURANGA
ON TUESDAY, 29 SEPTEMBER 2026 AT 3:30 PM**

MEMBERS PRESENT: Mayor Mahé Drysdale, Cr Hautapu Baker, Cr Glen Crowther, Cr Rick Curach, Cr Steve Morris, Cr Marten Rozeboom, Cr Kevin Schuler, Cr Rod Taylor, Cr Hēmi Rolleston

IN ATTENDANCE: Sarah Holmes (Team Leader: Governance & CCO Support Services)

1 OPENING KARAKIA

Cr Hēmi Rolleston opened the meeting with a karakia.

2 APOLOGIES

APOLOGY

RESOLUTION CO/26/18/1

Moved: Cr Steve Morris

Seconded: Cr Rick Curach

That the apology for absence received from Deputy Mayor Jen Scoular be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

Nil

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

Nil

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION**Resolution to exclude the public at 3:38pm****RESOLUTION CO/26/18/2**

Moved: Cr Kevin Schuler

Seconded: Cr Rod Taylor

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
13.1 - Davison Report Implications	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

At 4.25pm the meeting resumed in open.

14 CLOSING KARAKIA

Cr Hēmi Rolleston closed the meeting with a karakia.

The meeting closed at 4:26pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 20 October 2026.

8 DECLARATION OF CONFLICTS OF INTEREST

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Adoption of the Annual Report 2025/26

File Number: A20676043

Author: Marin Gabric, Team Leader - Financial Accounting and Compliance
Rachel Burt, Corporate Planner

Authoriser: Craig Rice, Chief Operating and Financial Officer

PURPOSE OF THE REPORT

1. The purpose of this report is for Council to formally adopt the audited Annual Report for the year ended 30 June 2026.

RECOMMENDATIONS

That Council:

- (a) Receives the report titled "Adoption of the Annual Report 2025/26".
- (b) Receives the Audit NZ report on Tauranga City Council's 2025/26 Annual Report.
- (c) Adopts the audited Tauranga City Council 2025/26 Annual Report, as required under the provisions of the Local Government Act 2002.
- (d) Authorises the Chief Executive to make any necessary minor numerical, wording or layout changes to the 2025/26 Annual Report before final publication.
- (e) Receives the audited 2025/26 Annual Report Summary, which uses approved content only and notes that no new content may be introduced in the Summary that is not already included in the full Annual Report.

EXECUTIVE SUMMARY

2. The 2025/26 Annual Report is presented for adoption by Council.
3. Audit NZ is currently auditing the Annual Report and will present its opinion at this meeting after which it is recommended that Council adopt the audited Annual Report.
4. The final Annual Report and Annual Report Summary will be tabled at the meeting as verbal clearance from Audit NZ is still pending at the time of writing this report.
5. Feedback from Elected Members at the workshop on 16 June 2026, the City Delivery Committee on 5 August 2026 and discussions with Audit NZ have shaped the final version of the attached Annual Report 2025/26 (**Attachment 1**). This report aims to be transparent, consistent, and easy to read for the community.

BACKGROUND

6. The 2025/26 Annual Report is being presented to Council for formal adoption.
7. A workshop was held on 16 June 2026 to gather feedback from the City Delivery Committee on the format for the 2025/26 Annual Report. Feedback from this session was then incorporated into the draft document presented to the Committee on 5 August 2026. The draft financial statements were presented to the Committee on 15 September 2026.
8. Audit New Zealand will complete its audit before adoption. The Audit Director will present the audit opinion at this meeting.

9. Following the presentation of the audit opinion, Council will be asked to adopt the audited Annual Report. The final version will then be made publicly available.
10. A draft Summary Annual Report will also be provided. This includes financial highlights and extracts from the front sections of the full report. The Summary will be audited and published within one month of adoption. For clarity, no new content may be introduced in the Summary that is not already included in the full Annual Report.

STATUTORY CONTEXT

11. The Annual Report is prepared each year in accordance with generally accepted accounting practice in New Zealand and complies with the requirements of section 98 of the Local Government Act 2002. Section 98 requires the Annual Report to be completed and adopted by Council within four months of the end of the financial year.
12. Council is also required to make publicly available, within one month of the adoption of the Annual Report, both the report and summary prepared under section 98(4)(b).

STRATEGIC ALIGNMENT

13. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	✓
We are a vibrant city that embraces events	✓

14. While adoption of the Annual Report itself does not directly contribute to the outcomes, the document does describe how Council contributes to achieving the strategic community outcomes. All outcomes are covered in this respect.

OPTIONS ANALYSIS

15. There are no options presented in this report.

FINANCIAL CONSIDERATIONS

16. The Annual Report provides a report to the community on Council's performance against the planned services and capital investment set out in the 2025/26 Annual Plan and the 2024-34 Long-term Plan. There are no direct financial implications from adopting the Annual Report.

RISKS AND LEGAL IMPLICATIONS

17. The Local Government Act 2002 requires the Annual Report to be adopted within four months of balance date. Councils that do not adopt an Annual Report within the legislative timeframe are required to make a disclosure in that Annual Report as to why the timeframe was not met, and this will be published in the Office of the Auditor-General's report on non-compliance.

CONSULTATION / ENGAGEMENT

18. The Annual Report will be made publicly available after adoption. The 2024-34 Long-term Plan, against which year's results are measured, was consulted on before adoption. There is no consultation on the Annual Report itself.

SIGNIFICANCE

19. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
20. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
21. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance.

ENGAGEMENT

22. Taking into consideration the above assessment, that the matter is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

23. The adopted Annual Report will be published on the Tauranga City Council website and copies of the Annual Report Summary will be distributed, within one month of adoption.

ATTACHMENTS

Nil

The attachment accompanying this item, 'Annual Report 2025/26', will be circulated separately prior to the meeting.

11.2 Taheke Bay Waters Limited Board - Recruitment of two further Directors to complete the Establishment Board

File Number: A21220870

Author: Caroline Lim, CCO Specialist

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

PURPOSE OF THE REPORT

1. To approve recruitment of two further Directors for the Tāheke Bay Waters Limited Board, commencing recruitment immediately and noting that equivalent decision will be requested from Western Bay of Plenty District Council.
2. There are no risks or legal implications associated with the recommendations of this report. This report follows the decisions by:
 - Tauranga City Council on 24 March 2026 to approve that the Establishment Board can comprise up to five directors.
 - Tauranga City Council on 21 April 2026 to approve the commencement of board recruitment and the board skills matrix.
 - The councils on 6 August 2026 to approve the appointments of the initial three board members consisting of a Chair and two Directors.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Taheke Bay Waters Limited Board - Recruitment of two further Directors to complete the Establishment Board".
- (b) Approves the immediate recruitment of two further directors, with a term of three years and six months each.
- (c) Notes, pursuant to section 80 of the Local Government Act 2002, that the recruitment of the further two directors of the Water Organisation to terms ending 30 June 2030 is for a term exceeding three years which is inconsistent with the Tauranga City Council Appointment of Directors to Council Organisations Policy. Council considers the decision is justified given the Water Organisation is a start-up entity, the full Board is not expected to be in place until early 2027, and operations of the Water Organisation will not commence until 1 July 2027. Council does not intend to amend the Policy as a result of this decision.

EXECUTIVE SUMMARY

3. Council is asked to approve the immediate recruitment of two further Directors for the Board of the new multi-council Water Organisation being established by Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBoPDC). WBoPDC will consider a parallel report.
4. The recruitment is an important step in completing the governance arrangements needed to support the transition to the new organisation, which will commence operations on 1 July 2027.
5. If approved, the recruitment process will be undertaken with support of an external recruitment agency. The recruitment of these two further Directors will enable the Board to

provide governance oversight during the establishment phase, including oversight of organisational readiness, transition planning, and the development of the Water Organisation's strategic direction via the Water Services Strategy.

6. The specific skillset being sought are:
 - (i) Finance and Risk (with audit committee chair capacity)
 - (ii) Te Ao Māori and understanding of Te Tiriti o Waitangi
 - (iii) Regulatory economics and/or Regulated industry
 - (iv) Legal, Contract Management, Project Management
 - (v) Media, Public Relations, Public Crisis management experience.
7. There are no additional financial risks associated with this recommendation. Board member fees are provided for within the CCO's establishment remuneration budget, and the level of remuneration has been previously approved by Council.
8. Section 80 of the Local Government Act 2002 specifies that:

If a decision of a local authority is significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with, any policy adopted by the local authority...the local authority must, when making the decision, clearly identify:

 - a) *the inconsistency; and*
 - b) *the reasons for the inconsistency; and*
 - c) *any intention of the local authority to amend the policy or plan to accommodate the decision.*

Council's resolution to recruit for these two positions for terms of three years and six months each includes resolution (c), detailing the matters in section 80(1), thus satisfying this requirement. There is no intention to amend the Appointment of Directors to Council Organisations Policy (the Appointment Policy) to accommodate this particular decision.
9. There are no other identified risks or legal implications associated with the recommendations in this report.
10. If approved by both TCC and WBoPDC, the proposed next steps are actioning the immediate recruitment to complete the Establishment Board, so that the full and complete Board will be present during the final stages of the organisation's establishment in March 2027, ready for full operation by 1 July 2027.

BACKGROUND

11. Both councils have confirmed support for establishing a five-member Board of Directors for the new Water Organisation. The initial recruitment process was focused on recruiting and appointing the first three Board members (a Chair and two Directors) during July-August 2026, with the remaining two appointments to be progressed later in 2026 or in early 2027.
12. The term for the incoming two further Directors is proposed to be three years and six months, with Directors' term ending on 30 June 2030.
13. To support the recruitment process and to keep cost low, it is proposed that the same external recruitment agency contracted for the initial recruitment, JacksonStone & Partners, will recruit for these two further Directors, subject to an acceptable fee being negotiated. If appointed, Jackson Stone & Partners will work closely with the Chair of the Joint Water Committee, Councillor Marten Rozeboom, and the Chair of Tāheke Bay Waters Limited, Keith Turner on this recruitment.
14. The proposed appointment panel is:
 - a) Councillor Marten Rozeboom (Joint Water Committee Chair and TCC representative)
 - b) WBoPDC elected member representative

- c) Independent industry expert
 - d) Tangata Whenua representative
 - e) Keith Turner (Tāheke Bay Waters Limited Chair)
 - f) Supported by recruitment advisor
15. The recruitment process will follow the same process as the previous recruitment, which will include a search and advertising phase, shortlisting, interviews and candidate assessment against the Board skills matrix.
16. The specific skills listed above that are being sought will complement the skills and expertise of the three appointed board members. The full Board skills matrix approved is for governance leaders with areas of expertise in asset and infrastructure management, commercial strategy, customer outcomes, diversity and inclusion, regulated environment, finance and risks, governance and leadership, health and safety, local knowledge, Te Ao Māori, sustainability and environmental wellbeing, and transitional change.

STATUTORY CONTEXT

17. Recruitment and appointment of board members to Tāheke Bay Waters Limited is one of the Council's core responsibilities.
18. The recruitment process will be undertaken in accordance with the Appointment Policy.

STRATEGIC ALIGNMENT

19. This further recruitment contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	☐
We value, protect and enhance the environment	☒
We are a well-planned city that is easy to move around	☒
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

OPTIONS ANALYSIS

20. **Option 1A (Recommended)** – Approve immediate recruitment of two further Directors to complete the Establishment Board:

1. Advantages	2. Disadvantages
- The market is rapidly establishing new water organisation boards, which is likely to increase competition for suitably qualified and experienced director candidates. - Early appointment of the full board would help minimise the risk of a perceived divide between existing directors and newly appointed directors, supporting the development of a cohesive governance team from the outset. - The recruitment process is expected to take several months to complete, including attracting, assessing, and securing high-calibre candidates. Following appointment, directors will also require sufficient time to undertake induction and familiarise themselves with the organisation's establishment programme.	NIL.

- | | |
|---|--|
| <ul style="list-style-type: none"> • It is important that all directors are actively engaged during the final stages of organisational establishment and sign-off, anticipated to occur in March 2027. This will enable the board to collectively shape the organisation's strategic direction and take shared ownership of its long-term sustainability ahead of operations commencing on 1 July 2027. • New directors should not be expected to assume responsibility for governing a newly established organisation without adequate opportunity for due diligence, induction, and participation in key establishment decisions. | |
|---|--|

21. **Option 1B:** Do not approve immediate recruitment of two further Directors to complete the Establishment Board.

3. Advantages	4. Disadvantages
• NIL.	• The Joint Water CCO Board might not be able to set clear direction and leadership, or optimise its establishment prior to the Water Organisation being operative on 1 July 2027. • Potentially could limit depth of decision making. • May be viewed negatively by the LWDW sector, Tangata Whenua and key stakeholders.

FINANCIAL CONSIDERATIONS

22. Board fees have been benchmarked and were approved by the councils on 6 August 2026.
23. The recommended remuneration level for a Director is currently set at \$57,000 per annum.
24. The budget for the remuneration of the Establishment Board, has been accounted for in the Establishment Project Budget that was presented to TCC and WBoDPC on 24 March 2026 respectively.

RISKS AND LEGAL IMPLICATIONS

25. The Local Government (Water Services) Act 2025 establishes water organisations as professionally governed entities with competency-based boards. Directors are appointed on the basis of skills, knowledge and experience required to govern the organisation, with governance separated from council ownership. The framework is designed to provide independent governance rather than direct governance by elected members or council employees.
26. Section 80 of the Local Government Act 2002 specifies that:
- If a decision of a local authority is significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with, any policy adopted by the local authority...the local authority must, when making the decision, clearly identify:*
- d) *the inconsistency; and*
 - e) *the reasons for the inconsistency; and*
 - f) *any intention of the local authority to amend the policy or plan to accommodate the decision.*

If Council resolves to recruit two further directors for a term of three years and six months each, it will exceed the normal appointment period of three years provided for under clause 4.5 of the Appointment of Directors to Council Organisation. Recommended resolution (c), detailing the matters in section 80(1), thus satisfying this requirement. There is no intention to amend the Appointment Policy to accommodate this decision.

27. There are no other risks or legal implications associated with this report or the recommendations.
28. Directors appointed by the Council will be required to follow the provisions of the New Zealand Institute of Directors' Code of Ethics and of Council's Code of Conduct for Directors Appointed by Council-to-Council Organisations.
29. The Council supports the payments by council-controlled organisations of directors' liability insurance and the indemnification of directors.

TE AO MĀORI APPROACH

30. The initial Board recruitment campaign stated that the councils were seeking a broad range of skills with particular focus on:
 - a) Strong cultural competency, together with an understanding of te ao Māori and Te Tiriti o Waitangi.
Additionally:
 - b) Strategic thinking, sound judgement, commercial acumen, and an in-depth understanding of governance best practice.
 - c) Expertise in infrastructure and asset governance, with experience of large investment decisions and subsequent overseeing of capital-intensive projects.
 - d) Capability to guide decision-making where there are multiple considerations balancing service levels, cost, risk and resilience.
 - e) Proven experience in large scale transitions, organisational reform or the establishment of a new entity and driving efficient and effective services.
 - f) Experience in building and maintaining stakeholder relationships through proficient communication and understanding of different drivers.
 - g) An understanding of the Tauranga/Western Bay region and the local government context with the region, experience and knowledge of communities and appreciation of public accountability.
31. This further recruitment will be actively seeking applicants with strong cultural competency, together with an understanding of te ao Māori and Te Tiriti o Waitangi.
32. Hākopa Tapiata participated in the initial interview process as the Tangata Whenua representative on the Appointment Panel, and it is recommended that a tangata whenua representative participate in the Appointment Panel for this further recruitment.

CLIMATE IMPACT

33. This report has no direct climate impacts, however the Water Organisation will enable an integrated sub-regional approach to the management and delivery of water, wastewater and stormwater services, providing opportunities for improved climate and environmental outcomes over time.

CONSULTATION / ENGAGEMENT

34. The establishment of a Water Organisation was previously consulted on with the community. It is considered that no further consultation or engagement is required prior to appointment of the Directors.

SIGNIFICANCE

35. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against the Council's Significance and Engagement Policy. The Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.

36. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
37. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance as it is a standard decision required of a governing body regarding its CCOs.

ENGAGEMENT

38. Taking into consideration the above assessment, the options analysis that has been undertaken, and that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

39. If approved, the recruitment of two further directors will commence immediately and approval of the preferred candidates will be sought from the councils in due course.

ATTACHMENTS

Nil

11.3 LWDW, Major Decisions Framework

File Number: A21102556

Author: Charles Lane, Team Leader: Commercial Legal
Tyler Buckley, Commercial Solicitor

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

PURPOSE OF THE REPORT

1. To seek Council's approval of the Major Decisions Framework for inclusion within the Establishment Phase Agreement.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "LWDW, Major Decisions Framework".
- (b) Approves the Major Decisions Framework for inclusion in the Establishment Phase Agreement to be executed by Council, Western Bay of Plenty District Council, and Tāheke - Bay Waters Limited.
- (c) Delegates to the General Manager: Strategy, Partnerships & Growth authority to finalise the Major Decisions Framework, incorporate the Major Decisions Framework within the Establishment Phase Agreement, and execute the Establishment Phase Agreement on behalf of Council.

EXECUTIVE SUMMARY

2. This report seeks Council approval of the proposed Major Decisions Framework at **Attachment 1** for inclusion within the Establishment Phase Agreement between Council, Western Bay of Plenty District Council (**WBOPDC**) and Tāheke - Bay Waters Limited (**Tāheke**).
3. The Major Decisions Framework applies to significant water services decisions before 1 July 2027. It requires Council to engage with Tāheke and consider its views before making those decisions, but does not delegate decision-making authority to Tāheke.

APPROVAL OF THE MAJOR DECISIONS FRAMEWORK

4. On 1 September 2025, Council and WBOPDC entered into a Commitment Agreement (amended on 22 December 2025) to support the establishment of a joint Water Organisation. As Tāheke had not yet been incorporated, it was not a party to the Commitment Agreement.
5. The proposed Establishment Phase Agreement will replace the Commitment Agreement and govern the relationship between Council, WBOPDC and Tāheke from Tāheke's incorporation until Tāheke becomes operational from 1 July 2027.¹ The Commitment Agreement has worked well to date, with no issues arising between the parties. Many aspects of the Commitment Agreement will continue under the Establishment Phase Agreement, with the Major Decisions Framework being the principal new element.

¹ We emphasise that the Establishment Phase Agreement will only apply from the date Tāheke is incorporated to 1 July 2027 when Tāheke becomes operational. Following 1 July 2027, the relationship between TCC and Tāheke will be governed by a different suite of other documents, including a transfer agreement, transitional services agreement and shared interests agreement.

6. The Major Decisions Framework applies to significant water services decisions prior to 1 July 2027, including decisions relating to pricing, policies and bylaws, strategic assets, major capital expenditure, legal proceedings, key communications and engagement, financing arrangements, and certain strategic projects. Where a Major Decision arises, Council must engage with Tāheke and consider its views before making a decision. The Major Decisions Framework does not itself delegate decision-making authority to Tāheke.
7. The Major Decisions Framework largely formalises a process that is already occurring informally at staff level. Tāheke's Establishment Chief Executive is already being kept informed of key water services matters and providing input where appropriate. The Major Decisions Framework is also consistent with the approach being taken by other councils establishing new water organisations around the country.
8. The Major Decisions Framework is based on the following principles:
 - (a) Council remains responsible for business-as-usual delivery before 1 July 2027.
 - (b) Investment decisions already made by Council will generally continue to be implemented and delivered by Council.
 - (c) Tāheke should be involved in decisions that either:
 - (i) affect significant future capital investment beyond 1 July 2027;
 - (ii) have wider network implications; or
 - (iii) could materially impact Tāheke's future operations.
 - (d) Tāheke's involvement will include providing advice and recommendations to Council's Chief Executive. If Council proposes not to follow that advice or recommendation, the parties may use an agreed escalation process in good faith before a final decision is made. If agreement is not reached, final decision-making authority remains with Council. In those circumstances, Council will advise Tāheke's Establishment Chief Executive of its decision and reasons.
9. In practice, where a proposed decision is identified as a Major Decision, Council's Chief Executive will engage with Tāheke's Establishment Chief Executive before formal decision-making begins. Council will provide sufficient information for Tāheke to understand the proposal and its potential impacts, and will have regard to any recommendations, mitigations or alternatives provided by Tāheke before making its decision.
10. For example, one topic relevant to the ongoing delivery of water services is the Te Tumu development discussions with landowners and servicing decisions, which will impact both water services and other services that will continue to be provided by Council. Tāheke should remain informed about relevant developments at Te Tumu. Where a Council or Chief Executive level decision relating to Te Tumu falls within the Major Decisions Framework before 1 July 2027, Tāheke's perspective will be sought and provided to the relevant Council decision-maker.
11. This report seeks Council approval to include the Major Decisions Framework within the Establishment Phase Agreement.

OPTIONS ANALYSIS: MAJOR DECISIONS FRAMEWORK

12. Council should take the following points into account when considering the two options:

Matter	Option A: Approve Major Decisions Framework	Option B: Do Not Approve Major Decisions Framework
Advantages	Gives Tāheke meaningful early input into significant decisions that may affect the services, assets and obligations it will inherit.	- Retains existing Council decision-making processes, without additional engagement requirements. - Avoids the additional

Matter	Option A: Approve Major Decisions Framework	Option B: Do Not Approve Major Decisions Framework
	• Supports Tāheke's operational readiness from 1 July 2027. • Reduces the risk of pre-transfer decisions adversely affecting Tāheke's future operations. • Formalises and provides clarity around engagement already occurring informally. • Preserves Council's ultimate decision-making authority.	administrative effort associated with consultation, responding to recommendations and escalation. • Maintains a clear, single line of accountability within Council during the establishment period.
Disadvantages	• Introduces additional engagement and information-sharing steps for Major Decisions. • May add time to decision-making, particularly where Council and Tāheke hold different views. • May duplicate some analysis and effort across Council and Tāheke. • Differences may require escalation and additional governance attention before Council makes its final decision.	• Increases the risk that decisions made before 1 July 2027 are not aligned with Tāheke's future operational needs or operating model. • Provides less assurance that potential impacts on Tāheke's operational readiness will be identified and addressed. • Weakens the formal "no surprises" and coordination arrangements between Council and Tāheke during establishment. • May result in greater handover, alignment or remedial work as operational responsibility transfers to Tāheke.

FINANCIAL CONSIDERATIONS

13. This report does not seek approval for additional project expenditure or changes to project budgets.

RISKS AND LEGAL IMPLICATIONS

14. If Council agrees to the Major Decisions Framework, it will ensure that Tāheke has a voice in key decisions that will impact its ongoing operations. The primary risk is that Tāheke and the Council are not aligned on a particular decision. However, as noted above, the Major Decisions Framework provides that:
 - (a) The parties may use an agreed escalation process to seek to resolve their differences.
 - (b) In all cases, final decision-making authority remains with the Council.

TE AO MĀORI APPROACH

15. The approach selected by Council will not remove existing obligations or commitments to engage with tangata whenua, iwi and hapū. Those obligations will continue to be addressed through Council's usual decision-making and engagement processes for the relevant water services matter.

CLIMATE IMPACT

16. The decision concerns project governance and does not itself change project scope or environmental outcomes. Climate and resilience implications should continue to be assessed through the individual project decision-making processes.

SIGNIFICANCE

17. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
18. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
19. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance.

ENGAGEMENT

20. Taking into consideration the above assessment, that the matter is of medium significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

21. If a decision is made to include the Major Decisions Framework within the Establishment Phase Agreement, then staff will finalise the Major Decisions Framework and incorporate it within the Establishment Phase Agreement. Once Tāheke is incorporated, the Establishment Phase Agreement will then be executed by TCC, WBOPDC and Tāheke.

ATTACHMENTS

1. **Attachment 1 - Major Decisions Framework - A21266258**  

SCHEDULE 3: MAJOR DECISIONS DURING THE ESTABLISHMENT PERIOD**1. Purpose**

- 1.1. To set out the framework that applies to Councils' decision-making during the Establishment Period (**Framework**).

2. Agency delegation

- 2.1. The parties acknowledge that, for the list of projects set out at 5.1(l) of this Schedule 3, each Council may during the Establishment Period appoint the Company as the Council's agent for some or all of the respective projects (including delegating the Company with decision-making authority relating to project scope, design, consenting, consenting, designations, land acquisition, procurement of physical works, and procurement of related professional services).
- 2.2. Should either of the Councils take the step of appointing the Company as agent in accordance with clause 2.1 above, then they must do so on terms agreed in writing in advance with the Company, and the Council(s) will then enter specific resolutions accordingly. Unless and until those resolutions take place, the remainder of this Framework shall apply.

3. Scope of this Framework

- 3.1. Each Shareholder must continue to operate its Water Services during the Establishment Period in a manner that ensures:
 - a) a no-harm approach to staff, customers, and other stakeholders; and
 - b) the future success and operational readiness of the Company.
- 3.2. Pragmatic steps need to be taken to ensure existing operations continue as seamlessly as possible and relationships are effectively managed and maintained as Shareholders prepare to transfer their Water Services business to the Company, and the Company prepares to receive that transfer.
- 3.3. This Major Decisions Framework applies to major decisions by each Shareholder during the Establishment Period. To the extent of any inconsistency between this Framework and the terms of an executed Transfer Agreement, the Transfer Agreement prevails.

4. Business-as-Usual Decisions (Not Major Decisions)

- 4.1. A proposed decision is not a Major Decision for the purpose of this Framework to the extent it relates to a Council's obligation to:
 - c) Operate and conduct its Water Services in the normal course consistent with established business practices in place as at the Incorporation Date;
 - d) Make payments and discharge obligations in a manner consistent with timing/methods used in the 12 months prior to the Shareholders' Agreement;

Schedule 2: Support Services

- e) Undertake all steps necessary to negotiate, finalise and enter into its Transfer Agreement with the Company prior to the Operational Date; and
- f) Complete an annual plan, long-term plan, or long-term plan amendment during the Establishment Period where the decision does not reduce the forecast price increases for charges for all Water Services set out in the Relevant Long-Term Plan (or in that Shareholder's Water Services Delivery Plan where that plan projects higher price increases than the Relevant Long-Term Plan).

5. Major Decisions

5.1. For the purposes of this Framework, a proposed decision by a Council is a "Major Decision" if it relates to any of the following:

- a) Water services rates/charges trajectory: a decision that would not align with the forecast price increases for charges for all Water Services set out in the Council's relevant Long-Term Plan (or applicable Water Services Delivery Plan where higher).
- b) Water services policy adoption/amendment: adoption or amendment of a policy required under the Local Government Act 2002 that relates to Water Services to be transferred to the Company.
- c) Water services by-laws: adoption or amendment of any by-law that relates to Water Services.
- d) Water services strategic assets and strategic network waters planning: any purchase or disposal of a strategic asset relevant to Water Services (including interests in land used for treatment, storage, reticulation, wastewater, or access to operational facilities), other than in accordance with the relevant Long-Term Plan.
- e) Water services capital works: undertaking any capital works programme or committing to material capital expenditure other than in accordance with the relevant Long-Term Plan.
- f) Water services employment cost changes: any material increase in employment costs for employees who primarily work in Water Services and are anticipated to transfer to the Company under a Transfer Agreement under the LG (WS) Act (excluding the Council Chief Executive and executive-level roles).
- g) Water services financing outside of the Long-Term Plan: entry into any loan or other financial arrangement in relation to Water Services other than in accordance with the relevant Long-Term Plan.
- h) Fast-track: Any application under the Fast-track Approvals Act 2024 that relates to Water Services for either Council's service area.
- i) Digital Phase 2 and Digital Phase 3.
- j) Legal proceedings and litigation processes relating to Water Services, including (but not limited to) legal proceedings under the Marine and

Schedule 2: Support Services

Coastal Area (Takutai Moana) Act 2011 and commercial disputes where the claim involved exceeds \$500,000, to the extent such proceedings relate to Water Services.

- k) Council engagement and communications with the community and stakeholders regarding the Company.
- l) Major water services contracts: entry into or renewal of any contract relating to the following projects:

WBOPDC:

- i. Waihi Beach WWTP.
- ii. Waihi Beach Dam.
- iii. Katikati Outfall Project.
- iv. Pongakawa WTP.

6. Process for Major Decisions

6.1. Where a proposed decision is a Major Decision:

- g) The Chief Executive of each Shareholder must engage with the Establishment Chief Executive of the Company ("**Company Representative**") before the Council initiates formal decision-making.
- h) The Council must provide sufficient information and analysis to enable the Company Representative to understand the proposal and its potential impacts.
- i) The Company Representative may provide recommendations, mitigations, or alternatives (including any adverse impacts the decision may have on the ability of the Company to carry on the Water Services business from the Operational Date in the manner contemplated by the Water Services Delivery Plan).
- j) Each Council must have regard to (and respond to) the Company's recommendations, mitigations or alternatives before a formal decision is made.
- k) Following the decision, the Council must provide one-off or periodic reporting (as appropriate) to the Company on the decision taken and the outcomes of that decision.
- l) Where the parties are not aligned, the Council and the Company may use an agreed escalation process in good faith before a final decision is made by Council.

6.2. This Framework does not waive or alter any rights or obligations of the Company and the relevant Council under a Transfer Agreement or otherwise.

11.4 LWDW - Instrument of Delegation for bylaws and Trade Waste Discharge Plan

File Number: A20800397

Author: Ariell King, Workstream Lead, Strategy, Policy and Bylaws
Beccs Gallagher, Strategic Policy Advisor

Authoriser: Kevin Lavery, Establishment Chief Executive Officer for the Water Organisation

PURPOSE OF THE REPORT

1. To seek Council approval of an Instrument of Delegation contained in **Attachment 1** that enables Tāheke - Bay Waters (subject to incorporation) to undertake specific administrative, operational, compliance and enforcement functions in relation to water services bylaws, as provided for under the Local Government (Water Services) Act 2025 (from 1 July 2027)
2. The Instrument of Delegation also seeks to ensure work already underway on the Trade Waste Discharge Plan can transition seamlessly to the new organisation by delegating the preparation, consultation and issuing of the plan.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "LWDW - Instrument of Delegation for bylaws and Trade Waste Discharge Plan".
- (b) Delegates the specific roles, responsibilities, and functions under the Local Government (Water Services) Act (LGWSA) to the Water Organisation as set out in Attachment 1 subject to the incorporation of Tāheke – Bay Waters Limited.

EXECUTIVE SUMMARY

3. The Local Government (Water Services) Act 2025 establishes a new framework for the regulation of water services, including new arrangements for water services bylaws and associated regulatory powers. While councils retain responsibility for making and amending bylaws, administrative and enforcement functions may be delegated to a water organisation.
4. Tāheke - Bay Waters will become operational on 1 July 2027 and assume responsibility for delivering water services across Tauranga City and the Western Bay of Plenty. To ensure the organisation is operationally ready from day one, a number of governance, regulatory and operational arrangements need to be established before commencement.
5. One of these arrangements is the delegation of water services bylaw functions. Providing delegated authority before establishment will create clarity regarding roles and responsibilities, reduce duplication between organisations, and allow technical and operational work to commence in advance of transition.
6. This preparatory work includes development of a Trade Waste Discharge Plan, assessment of existing water services bylaws, and planning for future bylaw reviews required under the new legislative framework.
7. The proposed Instrument of Delegation contained in **Attachment 1** is a key establishment activity that supports successful implementation of Tāheke - Bay Waters and provides a clear framework for administration of water services bylaws following commencement.

BACKGROUND

8. Tāheke - Bay Waters will commence operations on 1 July 2027 and assume responsibility for the delivery of water supply, wastewater and stormwater services.
9. Council currently administers a range of bylaws relating to the management of:
 - (a) Water supply;
 - (b) Wastewater;
 - (c) Trade waste discharges; and
 - (d) Stormwater.
10. The Local Government (Water Services) Act 2025 establishes a new framework for water services regulation and clarifies the respective roles of councils and water organisations in relation to water services bylaws.
11. Councils retain responsibility for making, reviewing and amending bylaws, while certain administrative, compliance, enforcement and consultation functions may be delegated to a water organisation.
12. **Attachment 1** formalises those delegations and provides the authority necessary for Tāheke - Bay Waters to administer and enforce water services bylaws upon establishment.
13. The Instrument of Delegation is therefore an important establishment readiness activity that allows implementation planning to begin before the organisation formally assumes responsibility for water services.
14. The Instrument of Delegation will be included for completeness in the Transfer Agreements that will be between the water organisation and the respective Councils. The Transfer Agreements are intended to be finalised in March 2027.

ESTABLISHMENT READINESS

15. A successful transition to Tāheke - Bay Waters requires more than simply transferring assets and operational responsibilities on 1 July 2027.
16. The organisation must also be ready to administer regulatory functions associated with water services from its first day of operation. This includes administering bylaws, managing compliance and enforcement activities, and progressing future regulatory work programmes.
17. Without a clear delegation framework there is a risk of uncertainty regarding responsibilities during the transition period, resulting in inefficiencies, duplicated effort and delays to critical regulatory work.
18. The delegated functions will only take effect once the company is incorporated. In particular this delegation will allow the water organisation to lead the development of the Trade Waste Discharge Plan.
19. The proposed Instrument of Delegation provides certainty regarding responsibilities and enables both councils and Tāheke - Bay Waters to plan effectively for commencement.

REVIEW OF EXISTING WATER SERVICES BYLAWS

20. Under the Local Government (Water Services) Act 2025, Councils must review existing water services bylaws by 2029 and consider whether amendments or replacement bylaws are required to support the new legislative framework.
21. These reviews will need to occur after establishment of Tāheke - Bay Waters but preparatory work should begin beforehand to ensure the organisation is positioned to provide advice and technical support immediately following establishment.

22. While Council retains responsibility for reviewing, making, amending and revoking bylaws, Tāheke - Bay Waters is to provide operational, technical and regulatory expertise to inform future bylaw development.
23. Recognising the breadth of work associated with the Local Water Done Well reforms, officers propose that bylaw review programmes be coordinated with existing Council work programmes, long-term planning processes and statutory review cycles wherever practicable. This approach reflects conversations with the relevant staff at both Councils.
24. This approach will improve efficiency, reduce duplication and ensure legislative requirements are delivered within existing programme priorities.

TRADE WASTE DISCHARGE PLAN

25. Development of a Trade Waste Discharge Plan is already underway and represents a significant regulatory workstream supporting future wastewater management. Given the statutory requirement for the Trade Waste Discharge Plan to be adopted by August 2027, is it important that the development of this plan begins shortly following incorporation of Tāheke – Bay Waters.
26. The Trade Waste Discharge Plan is also expected to inform any subsequent changes to trade waste bylaws (noting that Tauranga City Council have just completed a review of the Trade Waste Bylaw). The WBOPDC bylaw has not been reviewed against the new Act. Given the strong operational connection between trade waste regulation and wastewater service delivery, it is proposed that Tāheke - Bay Waters is best placed to lead this work.
27. Early involvement through the proposed delegation arrangements will maintain momentum, preserve institutional knowledge and ensure continuity through the establishment period.

STATUTORY CONTEXT

28. The matters in this report form part of Council's overall response to the government's Local Water Done Well programme via the Local Government (Water Services) Act 2025.

STRATEGIC ALIGNMENT

29. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	☐
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

30. This report, and the wider water programme, are part of ensuring Tauranga and Western Bay of Plenty has water services that are sustainable, affordable, well-planned and maintained, and of high quality.

OPTIONS ANALYSIS

Options	Advantages	Disadvantages
Option 1: Approves the Instrument of Delegation contained in Attachment 1 (Recommended)	• Supports establishment readiness. • Clarifies responsibilities before commencement.	• Introduces an additional governance document that will need to be maintained and updated if legislative or organisational

Options	Advantages	Disadvantages
	• Enables technical work to begin before 1 July 2027. • Reduces duplication between councils and the water organisation. • Supports compliance with future legislative requirements.	arrangements change.
Option 2: Retain functions within Council until establishment	• Can be addressed through the Transfer Agreement, avoiding the need for a separate delegation instrument.	• Delays establishment planning, particularly the development of the Trade Waste Discharge Plan. • Increases transition risks. • Creates potential duplication of effort. • Reduces readiness for commencement on 1 July 2027.

FINANCIAL CONSIDERATIONS

31. No immediate financial implications arise from the adoption of the Instrument of Delegation.
32. Early commencement of bylaw review work and transition planning is expected to reduce duplication of effort and minimise future implementation costs by ensuring work programmes developed by Council can transition efficiently to Tāheke - Bay Waters.

RISKS AND LEGAL IMPLICATIONS

33. The main risks relate to role clarity, duplication of effort, and maintaining momentum on regulatory work during establishment of Tāheke - Bay Waters. These risks are mitigated through the proposed Instrument of Delegation, which provides clear accountability, supports continuity of key work programmes, and facilitates implementation of the Local Government (Water Services) Act 2025 requirements.

TE AO MĀORI APPROACH

34. The recommendations within this report relate primarily to governance and administrative arrangements supporting establishment of Tāheke - Bay Waters.
35. While no direct Te Ao Māori implications arise from the proposed delegation itself, future bylaw reviews and development of the Trade Waste Discharge Plan are likely to involve matters relating to water quality, environmental stewardship and Te Mana o te Wai. These work programmes will provide opportunities for engagement with mana whenua and tangata whenua as they progress.

CLIMATE IMPACT

36. This report does not have any direct climate impacts. Climate-related considerations will be evaluated through future bylaw review processes where they are relevant.

CONSULTATION / ENGAGEMENT

37. Tāheke - Bay Waters, Tauranga City Council and Western Bay of Plenty District Council officers have worked collaboratively in developing the proposed Instrument of Delegation. Legal advice has also informed the preparation of the Instrument to ensure alignment with the Local Government (Water Services) Act 2025.
38. Public consultation has not been undertaken as this report relates to governance and administrative arrangements rather than changes to regulatory requirements.
39. Consultation on future water services bylaws and the Trade Waste Discharge Plan will be undertaken in accordance with statutory requirements.

SIGNIFICANCE

40. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
41. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
42. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

43. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision. Public consultation on the Trade Waste Discharge Plan and the water services bylaws will be undertaken through the process as required under the Local Government Act and the Local Government (Water Services) Act.

NEXT STEPS

44. Following approval of the Instrument of Delegation:
 - (a) Existing water services bylaws will be assessed and prioritised for review.
 - (b) Review programmes will be aligned with existing Council work programmes and statutory planning cycles.
 - (c) Development of the Trade Waste Discharge Plan will continue.
 - (d) Delegated responsibilities will transfer to Tāheke - Bay Waters from 1 July 2027.
 - (e) Any proposed bylaw amendments or replacement bylaws will be reported back to Council for formal consideration and adoption.

ATTACHMENTS

1. **Water Organisation Instrument of Delegation - A21278527**  

Instrument of Delegation from Councils to Tāheke – Bay Waters Limited

Document owner	Chief Executives of Tauranga City Council and Western Bay of Plenty District Council
Date approved:	
Next review date:	
Document number:	
Engagement required:	Engagement across Tauranga City Council, Western Bay of Plenty District Council and Tāheke - Bay Waters Limited, as required.

1. Purpose

The purpose of this Instrument of Delegation (*Instrument*) is to:

- a. delegate authority, from Tauranga City Council (TCC) and Western Bay of Plenty District Council (WB) (each a *Council* and together, the *Councils*) to Tāheke - Bay Waters Limited for certain functions and powers under the Local Government (Water Services) Act 2025 (the *LG(WS)A*), as set out in clause 2 of this Instrument; and
- b. describe the assistance to be provided by Tāheke - Bay Waters Limited to the Councils in connection with certain statutory functions, duties and powers of the Councils under the *LG(WS)A*, including certain matters which Tāheke - Bay Waters Limited will carry out on behalf of the Councils, as set out in clause 3 of this Instrument.

2. Delegations

The following functions and powers are each delegated by TCC and WB to Tāheke - Bay Waters Limited.

TCC and WB acknowledge that these delegated functions and powers may be exercised by Tāheke - Bay Waters Limited through its officers, employees or other persons under the control of Tāheke - Bay Waters Limited.

a. Administration and enforcement of Water Service Bylaws

Pursuant to s 262 of the *LG(WS)A* and cl 32(5) of Schedule 7 of the Local Government Act 2002 (the *LGA*), all functions and powers of TCC and WB (as the case may be) relating to the administration and enforcement of the Water Service Bylaws including (without limitation):

- i. all processing of applications and requests, and all decision-making under the Water Services Bylaws, including decisions relating to connections, disconnections, consents, approvals and permits;
- ii. all processes under the *LG(WS)A* related to the administration and enforcement of the Water Service Bylaws, for example the review of a decision to decline a trade waste permit;
- iii. the fixing of charges for matters covered by the Water Services Bylaws;

- iv. all inspection and enforcement action, including the issuing of infringement notices by compliance officers.

The bylaws to which this delegation relates include (without limitation):

- a. Western Bay of Plenty District Council Stormwater Bylaw 2020
- b. Western Bay of Plenty District Council Trade Waste Bylaw 2020
- c. Western Bay of Plenty District Council Water Supply System Bylaw 2020 (and supporting Terms and Conditions)
- d. Western Bay of Plenty District Council Wastewater Drainage Bylaw 2020 (and supporting Terms and Conditions)
- e. Tauranga City Council Stormwater (Pollution Prevention) Bylaw 2026
- f. Tauranga City Council Trade Waste Bylaw 2026
- g. Tauranga City Council Water Supply Bylaw 2019
- h. Any amendments to these bylaws;
- i. Any bylaws which replace or correspond to any of these bylaws (if revoked);
- j. Any other water services bylaw (as defined in the LG(WS)A), including any provision in such a bylaw, made by TCC or WB from time to time.

(together, the *Water Service Bylaws*).

b. Authorising compliance officers to issue infringement notices

Pursuant to s. 271(2) of the LG(WS)A, the power to authorise a compliance officer to issue infringement notices.

c. Trade waste discharge plan

Pursuant to s 185(2) of the LG(WS)A, the preparation, consultation and issuing of a trade waste discharge plan, including any amendment to or revocation of a trade waste discharge plan.

3. Statutory assessments

Without limiting the Councils' statutory functions, powers or duties under the LG(WS)A which are not delegated under clause 2 of this Instrument, the Councils each appoint Tāheke - Bay Waters Limited to undertake the following statutory activities on its behalf:

a. Assessment of drinking water services

Pursuant to s 69(5)(c)(ii) of the LG(WS)A, conducting the assessment of drinking water services within each Council's district, in accordance with s 69 of the LG(WS)A, including complying with the statutory timeframes for the assessments in s 69(3).

b. Assessment of stormwater and wastewater services

Pursuant to s 71(4)(b) of the LG(WS)A, conducting the assessment of stormwater services and wastewater services within each Council's district, in accordance with s 71 of the LG(WS)A, including complying with the statutory timeframes for the assessments in s 71(5).

5. Exclusions

To avoid doubt, the following functions and powers are not delegated by TCC and WB to Tāheke - Bay Waters Limited, and are retained by them:

- a. making, amending, or revoking a Water Services Bylaw; and
- b. the power to delegate functions and powers under s. 262 of the LG(WS)A (relating to the administration and enforcement of Water Services Bylaws).

6. Review

The Instrument of Delegation shall be reviewed at five-yearly intervals, or as otherwise required by a Chief Executive of TCC, WB, or Tāheke - Bay Waters Limited to ensure that the delegations and responsibilities remain appropriate, effective and consistent with legislation and the parties' respective roles and responsibilities. TCC and WB will consult with each other and with Tāheke - Bay Waters Limited before making any amendments to, or revocation of, the delegations set out in clause 2 of this Instrument. Any amendments to any other clauses of this Instrument shall be in writing and signed by TCC, WB and Tāheke - Bay Waters Limited.

EXECUTION

Signed for and on behalf of **Tauranga City Council** by:

in the presence of:

Name:

Occupation:

Address:

Signed for and on behalf of **Tāheke – Bay Waters Limited** by:

Director

Director

Signed for and on behalf of **Western Bay of Plenty District Council** by:

in the presence of:

Name:

Occupation:

Address:

11.5 January Weather Event - Recovery Progress Report

File Number: A21204221

Author: Nick Chester, Recovery Project Manager

Authoriser: Charlie Rahiri, Recovery Manager

PURPOSE OF THE REPORT

1. To provide the Council with an update on the Tauranga Recovery Programme

RECOMMENDATIONS

That the Council:

- (a) Receives the report "January Weather Event - Recovery Progress Report".
- (b) Approves an additional \$3.5 million of operational expenditure for the Mauao recovery and review workstreams
- (c) Approves funding of this expenditure from:
 - i. Loan funding
 - ii. Offsetting expenditure
 - iii. Subsequent to later decisions at this meeting

EXECUTIVE SUMMARY

2. Following the severe weather event in January 2026, a Recovery Office has been set up within Tauranga City Council.
3. A recovery programme is underway. It is anticipated that recovery will be a long-term, dynamic process. Although much of the public focus has been on recovery at Mauao, there are several other projects taking place across the city that require coordination and regular reporting on progress.
4. The attached report outlines progress to date and anticipated next steps. Updates that are new since the last report on 1 September 2026 are listed in blue.
5. Key activities that have occurred since the last report are:
 - (a) The recovery of Mauao is moving from assessment and planning into delivery. Remedial work is progressing across Mauao, with the WT1 slip the next significant area of focus alongside continuing work on Te Ara Tūtanga and the wider Oceanside precinct
 - (b) Discussions on a potential re-opening of Mauao over the 2026/27 summer are underway. Reopening will be evidence-led and may occur in stages.
 - (c) The Mount Maunganui Surf Rescue Club reopened their building on 19 September 2026
 - (d) Initial clean-up of the Mount Hot Pools began on 28 September 2026.
 - (e) Communications and Engagement remains critical to ensure the community is well informed and can provide input when possible. A Mauao Recovery Update meeting was held on 17 September 2026, with around 170 people attending.

BACKGROUND

6. Recovery from the January 2026 severe weather event is ongoing. A Recovery Plan has been developed to guide this process and ensure the ongoing recovery programme is guided by clear principles, goals and actions. Tauranga City Council has established a Recovery Office that will implement this Plan.
7. As Recovery continues and changes, it is critical to ensure regular updates are provided that allow the Council and the community to understand where work is being carried out and what future actions will be.
8. The attached status update has been developed to give an overview of current progress on the recovery programme. The report outlines progress to date and anticipated next steps.
9. Progress reports will continue to be presented to the Council on at least a six-weekly basis, using a consistent template.

STRATEGIC ALIGNMENT

10. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	✓
We are a vibrant city that embraces events	✓

11. The recovery programme will influence and contribute to all of Tauranga City Council's Community Outcomes. It supports:
 - (a) an inclusive city by focusing on the needs of affected whānau, households, and communities;
 - (b) values and enhances the environment through resilient, sustainable recovery approaches;
 - (c) reinforces a well-planned city by restoring infrastructure in a safe and efficient way
 - (d) support business continuity, employment and education by restoring confidence and capacity for normal business activities, events and community activity to occur, especially near affected areas
12. [Mahere Tāmata a Tauranga: Tauranga Recovery Plan](#) was approved in May 2026. A lite-review of the plan, and specifically the actions in the recovery Programme is being undertaken to ensure these still reflect the current direction of Recovery. An updated Plan and Programme will be presented to the Mauao Recovery Working Group, and then the Council, once this review has been completed.

FINANCIAL CONSIDERATIONS

13. On 24 March 2026, Council approved \$7 million from the Risk Management Reserve to fund the initial response, recovery activities and reviews arising from the January 2026 weather event and subsequent landslide on Mauao.
14. The approved amount was based on preliminary cost estimates and the funds available in the Risk Management Reserve. At that time, access to the site was unavailable and the full scope of the recovery activities and reviews was not yet known. The \$7 million allocation was intended to cover costs incurred across the 2025/26 and 2026/27 financial years and would bring the balance of the reserve to nil by 30 June 2027.

15. Operational Expenditure since the event totals \$6.7 million, with a further \$3.8 million forecast for the remainder of the 2026/27 financial year. This results in forecast total expenditure of \$10.5 million and a \$3.5 million shortfall against the amount currently approved and funded. The table below summarises this position across the two workstreams.

	A	B	A+B	C	A+C	A+B+C
Weather Event Financial Overview (\$m) as at 30 September 2026	Prior year spend	Spend this financial year	Spend since event	Additional spend expected to	Forecast spend to 30 June 2026	Total Spend (include actual and
Mauao Weather Event Response and Ongoing Recovery	3.3	1.1	4.4	2.6	3.7	7.0
Expenditure associated with reviews and associated legal support post event	1.6	0.6	2.3	1.2	1.9	3.5
Total Operational Expenditure	4.9	1.7	6.7	3.8	5.6	10.5
Remaining Risk Reserve Funding (\$7m)	2.1	0.3	0.3	(3.5)	(3.5)	(3.5)

16. Of the \$3.5 million forecast, \$2.6 million relates to the recovery workstream and primarily comprises geotechnical monitoring, reporting and advice (\$1 million), security (\$0.7 million), and recovery staff costs (\$0.6 million). The security forecast is based on current contract rates; however, staff are working to reduce these costs for the remainder of the financial year.
17. The remaining \$1.3 million forecast is for the legal review workstream reflects the expected cost of external legal services for the upcoming reviews. This includes an allowance for the WorkSafe review but does not include any additional work that may be required following the outcome of that review.
18. This report seeks Council approval for an additional \$3.5 million of expenditure and associated funding to continue the recovery and review workstreams. The options for this are set out below:

Option	Pros	Cons
Option 1: Approve \$3.5m of loan funded expenditure (recommended)	Allows work towards reopening of Mauao to continue as well as provision of specialized legal support for the in progress and upcoming reviews.	- Debt servicing costs of c\$200k per year. - Will negatively impact the balance budget measure for 2026/27 as no offsetting revenue.
Option 2: Approve \$3.5m of expenditure with an expectation that offsetting savings are found across the organisation.	- Allows work towards reopening of Mauao to continue as well as provision of specialized legal support for the in progress and upcoming reviews. - Is neutral on the balanced budget measure.	- Adds additional expectation to organisation on top of existing savings targets. - If savings are not achieved, balanced budget measure is negatively impacted and expenditure will need to be debt funded.
Option 3: Do not approve and halt all work across the recovery and review	Organisation remains within budget and does not incur any debt servicing costs associated	Mauao will not reopen resulting in adverse impacts on the community, tourism and

work streams.	unbudgeted expenditure.	local businesses. • Inability to service legal work streams in house due to resourcing issues. Severe and lasting reputational damage from failing to properly participate / defend TCC's interests in formal 5. processes. • Financial liability from WorkSafe prosecution likely to be much higher. Potential liability to employees (likely class action litigation) for breaching duty of good faith.
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19. It is noted there is a report addressing future use of the Stormwater Reactive Reserve Fund on the agenda for this Council meeting, and that one of the options for Council to consider is allocating some or all of the approximately \$13.2m available in the Stormwater Reactive Reserve Fund towards the Mauao landslide recovery costs. However, the use of these funds for this purpose would be subject to consultation via the Long-Term Plan and not potentially available until after Council deliberations (currently scheduled for late May 2027). For this reason, debt funding is still the recommended option for meeting the costs of the forecast \$3.8m shortfall. If budget via the Stormwater Reactive Reserve Fund does become available following deliberations, this can be retroactively applied if Council so wishes.

RISKS AND LEGAL IMPLICATIONS

20. Recovery is a dynamic process and subject to unexpected changes. The continued regressions and reactivations of landslides are an example of this and should be factored into long term Recovery planning.

TE AO MĀORI APPROACH

21. The recovery programme has a strong alignment with the principles in Council's Te Ao Māori approach. Engagement with Iwi and hapū has been central to response and recovery activities to date, and partnership with the Mauao Trust and Ngā Poutirāo ō Mauao is essential to decisions around recovery of Mauao. In particular, the principles of the Te ao Maori approach are being demonstrated through Manaakitanga, Rangatiratanga, Kaitiakitanga, Whanaungatanga, Wairuatanga and Tūmanako

CLIMATE IMPACT

22. The Recovery Programme provides an opportunity to address two key areas of climate impact;
- Adapt to a changing climate: the weather event has highlighted the need to better understand weather related risks, especially landslide risk across the city. One of the recovery strands is focussed on learning lessons from the event and recommending any improvements required to better mitigate risks in the future.
 - Enhance nature and biodiversity – the event resulted in significant damage to natural areas across the city. Recovery offers an opportunity to remediate spaces in a way that increased biodiversity can be considered.

CONSULTATION / ENGAGEMENT

23. There is a high level of public interest in the recovery programme, especially actions at Mauao.
24. For more than six months, fortnightly updates on progress across the Mauao Recovery programme have been shared through Kōrero Mai which has over 10,000 subscribers
25. Since April, weekly updates on work happening on the ground have also been shared in the Weekly Bulletin, helping keep the community up to date with track remediation progress and upcoming activities. Social media posts and videos are regularly shared providing updates and highlighting work happening on Mauao with some receiving up to 200,000 views.
26. Further detail on communications and engagement activity undertaken as part of the recovery process are detailed in Attachment 1.
27. Future Public engagement will have a focus on regular updates, clear engagement processes, and decision points where communities can have their say.

SIGNIFICANCE

28. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
29. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the issue.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
30. The matter is assessed as high significance under Council's policy framework. The level of community interest and concern has been a key consideration in determining the reporting and engagement approach.

ENGAGEMENT

31. No further engagement is required to receive the report. However, engagement will be a critical component of the recovery programme and will inform future reporting.

NEXT STEPS

32. Reporting on the recovery programme will be ongoing, with reports to be presented on at least a six-weekly basis.

ATTACHMENTS

1. **January Weather Event - Recovery Progress Report - A21265048**  

Recovery Progress Report – 20 October 2026 (updates from last report in Blue)**Key Facts Dashboard**

Current Placards (by suburb)	Yellow	Red																									
Mount Maunganui	2	2																									
Ōtūmoetai	2	-																									
Bellevue	1	-																									
Bethlehem	2	-																									
Greerton	2	-																									
Mangatawa	1	-																									
Quantitative Landslide Risk Assessment (QLRA)	Mauao – presented to Council on 2 September 2026 – Rockfall assessment underway Te Auhi Reserve – Qualitative landslide risk assessment complete Mangatawa – landslide assessment complete																										
Financial overview	- Spend to 30 September 2026 is \$6.7m, \$4.9m from prior financial year and \$1.7m this financial year. - Total spend this financial year is forecast to come to \$5.6m, making the total spend since the event \$10.5m. This exceeds the approved risk reserve funding of \$7m and requires council approval by resolution in this report. - The below table summarises this spend and a more detailed table is provided at the bottom of this report <table><tr><th>Weather Event Financial Overview (\$m)</th><th>Prior year spend</th><th>Spend this financial year (at 30 Sept 2026)</th><th>Forecast spend to 30 June 2026</th><th>Total Spend (include actual and forecast)</th></tr><tr><td>Mauao Weather Event Response and Ongoing Recovery</td><td>3.3</td><td>1.1</td><td>3.7</td><td>7.0</td></tr><tr><td>Expenditure associated with reviews and associated legal support post event</td><td>1.6</td><td>0.6</td><td>1.9</td><td>3.5</td></tr><tr><td>Total Operational Expenditure</td><td>4.9</td><td>1.7</td><td>5.6</td><td>10.5</td></tr><tr><td>Capital Expenditure</td><td>-</td><td>0.7</td><td>6.0*</td><td>6.0*</td></tr></table> *Budget not forecast Forecast spend of \$5.6m for FY 2026/27 includes \$1.7m of spend to date, a further \$1.3m on of forecast costs associated with reviews and legal support and \$2.6m in the recovery workstream. The \$1.2m forecast for legal review reflects the external legal services expected to be incurred in the upcoming reviews. While it includes a provision for the Worksafe review, there is no provision for additional work associated with the outcome of that review. The \$2.6m forecast in the recovery workstream is primarily driven by Geotech monitoring, reporting and advice (\$1m), security (\$0.7m) and recovery staff costs (\$0.6m). The security forecast is based on current contract rates, however, staff are working on reducing this cost for the remainder of the year.		Weather Event Financial Overview (\$m)	Prior year spend	Spend this financial year (at 30 Sept 2026)	Forecast spend to 30 June 2026	Total Spend (include actual and forecast)	Mauao Weather Event Response and Ongoing Recovery	3.3	1.1	3.7	7.0	Expenditure associated with reviews and associated legal support post event	1.6	0.6	1.9	3.5	Total Operational Expenditure	4.9	1.7	5.6	10.5	Capital Expenditure	-	0.7	6.0*	6.0*
Weather Event Financial Overview (\$m)	Prior year spend	Spend this financial year (at 30 Sept 2026)	Forecast spend to 30 June 2026	Total Spend (include actual and forecast)																							
Mauao Weather Event Response and Ongoing Recovery	3.3	1.1	3.7	7.0																							
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Total Operational Expenditure	4.9	1.7	5.6	10.5																							
Capital Expenditure	-	0.7	6.0*	6.0*																							

Communications and Engagement	• There is high public interest in the recovery programme, especially relating to the remediation and reopening of Mauao. • Since the start of the recovery programme, Council has provided frequent, factual and accessible information across multiple channels, recognising the high level of community interest and the importance of building understanding and trust. This includes regular updates on Council webpages and Newsbeat, fortnightly updates through <i>Kōrero Mai Let's Talk Tauranga</i> (10,000 subscribers), weekly progress updates via <i>Weekly Bulletin</i>, email updates to survey respondents and stakeholders, media advisories and releases, interviews with local and national media, social media posts/video updates/drone footage showcasing progress on site (some receiving up to 200,000 views), information signage on site, maps shared, questions answered and information handed out to locals and visitors by the Kaitiaki Wardens on site, stakeholder briefing material and attendance at community events such as farmers markets. Recovery updates are also provided to Elected Members, including monitoring statistics and progress reporting. • There was a deliberate pause in proactive communications activity during the period surrounding release of the Davison Report to allow the report and its findings to be considered without confusion from multiple overlapping messages. Since then, proactive communications have recommenced, with a renewed focus on sharing progress on remediation works, explaining technical assessments and providing visibility of recovery milestones. • Collectively, these activities represent a sustained and proactive communications programme aimed at ensuring our partners, community, stakeholders and Elected Members receive timely, accurate and transparent information as recovery progresses. • A Mauao Recovery Update Meeting was held in Mt Maunganui on 17 September 2026. Around 170 people attended. Feedback received at the event indicated a desire for more communications on Recovery to be provided. The Recovery team has taken on board the feedback received, together with subsequent discussions held with partners. This feedback is helping to inform the next phase of the engagement programme. • Upcoming activity in addition to the regular updates, includes sharing new footage of track remediation, interviews/updates on local radio stations, further episodes of the Let's Talk Mauao video series and features in local print publications. Further business, stakeholder and community engagement is planned to provide ongoing opportunities for updates on progress and dialogue about the future of the recreation reserve. This will be held in November and December and will include meetings and hui with iwi, community and interest groups, as well as opportunities to engage with the wider Tauranga community through an online survey and wider engagement opportunities. Highlights Below is a brief overview of key communications and engagement activity undertaken throughout the recovery programme, and which will continue: • Regular updates across Tauranga City Council and Mauao Trust digital channels and websites. • Fortnightly updates provided to elected members, including monitoring data and recovery progress.
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	• Multiple community and stakeholder email updates, including businesses, residents, survey participants and project stakeholders. • Ongoing media engagement, including media advisories, media releases and responses to a large number of media enquiries. • National and local media interviews, including coverage on 1 News and Breakfast during periods of heightened public interest. • Regular video updates from the Recovery Manager and development of the Let's Talk Mauao video series, which often receive much higher-than-average views for TCC's channels. • Use of drone footage and imagery to provide transparent updates on onsite works and recovery progress. • Installation of onsite signage and public information to support safety messaging and explain access restrictions. • Stakeholder briefings with businesses, residents, Bay Venues and other affected organisations. • Development and distribution of consistent key messages and briefing material to support partners and stakeholders. • Community engagement activities, including promotion of the "Share your story about Mauao" survey, which has over 1,000 responses so far, and attendance at community events and markets. • Ongoing internal communications to ensure staff are informed and aligned on recovery developments.
Mauao Recovery Work Group	• Council approved the development of a Mauao Recovery Working Group at the 1 September meeting. • Staff have developed a draft Terms of Reference and spoken with partner organisations to establish membership. • The Group will meet to discuss the draft Terms of Reference and establish protocols for future meetings. • Agendas and Minutes will be made available to the council, along with any required decisions.

Workstream Updates

Workstream	Status	Current Actions	Upcoming Actions
Mauao	On Track	<i>Mauao Track Remediation</i> • The WT1 slip is the current significant area of focus alongside continuing work on Te Ara Tūtanga and the wider Oceanside precinct. • Slip sites are being trimmed, and debris being removed from the track network. This has included the removal of the destroyed ramp and access structure. • As clearing work has progressed, Geotechnical engineers are undertaking risk assessments of the slip sites and will be advising if additional stabilisation measures are required to enable public access.	• A Viability Assessment for the future of the Mount Maunganui Beachside Holiday Park has begun, which will assess options for future use of the Holiday Park. This will include community engagement prior to reporting back to Council on options. • The Mauao Recovery Working Group will begin to discuss in detail what a summer reopening of Mauao will look like. • Reopening will be evidenced and may occur in stages.

		- Archaeological Authority has been approved for work at WT1 as part of the proposed summit loop track and work began on the site on 28 September. Completion of this work will provide for two entrance and exit points to the Summit Track and strengthen the possibility of a partial re-opening of Mauao to occur in the 2026/27 summer period. - Installation of permanent fencing at Pilot Bay complete, although intended for safety reasons and closures in the case of severe weather events, emergencies, and if further remedial work is required in the area <i>Future of Mauao Recreation Reserve</i> - Initial clean up work at Mount Hot Pools began on 28 September 2026.	Technical assessments are considering different users and access scenarios so that decisions about reopening are based on a clear understanding of risk and the measures required to safely manage it.
Citywide Impacts and Remediation	On Track	- Final landslide assessments from Mangatawa landslide received. - Placarded buildings being assessed as required by landowners	Continue to work closely with Mangatawa community on next steps of remediation process.
Marae community resilience and infrastructure needs on Māori land	On Track	- Whareroa Marae successfully received funding to support resilience work following flooding in the January event. - Engagement continues with marae and Māori land communities across Tauranga to strengthen emergency preparedness, evacuation planning, and resilience to future weather events. - TCC continues to support recovery and resilience initiatives at several Marae, including consideration of future coastal, drainage, and emergency management needs.	- Begin targeted marae resilience planning and site engagements with marae across Tauranga to identify preparedness, infrastructure, accessibility, and emergency management priorities. - Progress flood resilience and mitigation planning with Whareroa Marae and the wider Whareroa community. - Work with marae and emergency management partners to review and strengthen evacuation and emergency preparedness arrangements across Tauranga
Landslide Risk	On Track	Focus on enacting recommendations from External review into Mount Maunganui Beachside Holiday Park landslide	Response to the review's findings presented in separate report to council.

Supporting community, business and economic recovery	On Track	• Mount Maunganui businesses, especially those in close proximity to Mauao continue to experience significant downturn in business following the January event. This has been exacerbated by the slip regressions in July. Some businesses have either temporarily or permanently closed as a result of this downturn. • Fortnightly hui with key economic development partners including the Mount Business Association and Tourism Bay of Plenty. • A Mauao Recovery Update Meeting was held for the community and businesses in Mt Maunganui on 17 September 2026. Around 170 people attended.	• Businesses have requested a face-to-face meeting to discuss the challenges, concerns they continue to face, and to discuss how Council and their economic development partners can continue to advocate for and support the local business community during the recovery period. This business-only meeting will be held at the end of October and also provide a forum to explore ways to reinforce the message that Mount Maunganui remains open for business and continues to welcome residents and visitors.
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Partner Updates

Iwi/hapū	Following receipt of the TCC and WBOPDC Recovery Plan, iwi secured Department of Internal Affairs (DIA) funding to engage a dedicated resource to develop the Tauranga Moana Iwi Recovery Plan. Iwi are undertaking an extensive consultation programme with hapū and marae to strengthen community resilience and preparedness for future weather events. Recognising the pivotal role marae play in emergency response and recovery, this work is focused on developing coordinated resilience and response arrangements. Many marae are well positioned to provide safe refuge during adverse weather events and have infrastructure that enables them to support communities quickly and effectively when emergencies occur. The recovery team will support this by providing targeted funding to support the implementation of the marae resilience project. Recovery staff continue to support and maintain close engagement with this work. Given the strong progress already made by iwi and the establishment of dedicated resourcing and governance arrangements, it is anticipated that responsibility for ongoing support and coordination will progressively transition from Recovery into business-as-usual activities over the coming period.
Mauao Trust	The Mauao Trust will be represented as part of the newly established working groups that will guide discussions on the reopening of Mauao, the decision-making process for the management of ongoing geotechnical risks, and the long-term future of the precinct area. Recovery staff will continue to work closely with the Mauao Trust through these forums, supporting shared planning, governance-level discussions, and coordinated public communications. The recovery team will also maintain its engagement with iwi and the Trust by participating in relevant hui and providing technical information and advice to support informed decision-making as required.
Mount Maunganui Lifeguard Service	Clubrooms were officially reopened on 19 September 2026 with key safety and compliance milestones completed following installation of the temporary rockfall protection.
Mount Business Association	Mount Business Association (MBA) continues to support economic recovery through destination marketing, business engagement and community activations. The MBA's marketing campaign promoting the message that "Mauao is closed, but Mount Maunganui is open" has been well received by businesses and has contributed to increased accommodation stays. Retail and hospitality businesses in the Mount Mainstreet area have reported positive trading conditions, although businesses closest to Mauao continue to experience the greatest impacts from the closure. Recent and ongoing activations include beach-based yoga and pilates programmes, a school holiday scavenger hunt, and the installation of a new historic trail that will provide an alternative visitor experience while the base track remains closed. These initiatives are designed to drive visitation across the wider Mount area, including businesses in the Mount

	North, Marine Parade and beachfront precincts. MBA has also met with Mount North businesses to discuss and promote these activations. The Recovery Office continues to engage regularly with MBA representatives through fortnightly recovery discussions.
Bay Venues Limited	Engagement with Bay Venues has continued as both organisations explore options to support recovery outcomes within the affected precinct. Discussions are now focused on understanding the implications of the QLRA and what this may mean for its business operations, service delivery, future planning, and customer access arrangements.
Tourism BOP	Providing continued collaboration with the Recovery Office and support at Community meetings and workshops.

Risks

Risk	Mitigation
Further weather events adding to recovery work – rain events in March, Cyclone Vaianu in April and isolated wind event in April have added complexity and stretched resources further.	Staff will continue to respond to weather events as required. Resourcing requirements will be assessed following any events if recovery needs increase.
Further regressions of existing landslides lead to further complexity and delays in recovery efforts	Continued mitigations of slips where possible to reduce risks of further regressions. Ongoing public engagement about recovery and the challenges faced.
Community feeling uninformed on progress	Increased communications and engagement – both in person and online, to ensure information is available to those that want it. Regular council reporting will also increase transparency.
Recovery team risk matrix	The recovery team is developing a risk matrix to identify key risks and mitigation actions associated with the recovery plan, with a high-level version to be included in future reporting.

Financial Table

Table 1 Mauao Weather Event Response and Ongoing Recovery		Spend to 30 June 2026	Spend to 30 Sep 2026	Total Spend
Initial response to weather event				
	Physical Works & Equipment Hire	446,144	-	446,144
	Security	192,919	-	192,919
	Professional/Expert Advice - Technical	88,389	-	88,389
	Travel/Accommodation/Welfare and misc	78,264	-	78,264
	Signage/Information	23,706	-	23,706
	EOC TOIL & Overtime	24,707	-	24,707
	Trauma Support Services	17,515	-	17,515
	Total response expenditure to date	871,645	-	871,645
On going Mauao recovery				
	Security	645,723	246,960	892,683
	Professional/Expert Advice - Technical	1,067,610	592,084	1,659,694
	Physical Works & Equipment Hire	479,779	43,041	522,820
	Recovery Staff Expense	157,521	203,354	360,874
	Travel/Accommodation/Welfare and misc	52,629	2,077	54,706
	Trauma Support Services	25,495	225	25,720
	Signage/Information	19,321	4,996	24,317
	Total recovery expenditure to date	2,448,078	1,092,736	3,540,815
Total Response & Recovery Expenditure		3,319,723	1,092,736	4,412,460
Table 2 Expenditure associated with reviews and associated legal support post event		Spend to 30 June 2026	Spend to 30 Sep 2026	Total Spend
	Professional/Expert Advice	1,620,131	649,289	2,269,420
	Total review expenditure to date	1,620,131	649,289	2,269,420
Table 3 Total Expenditure Funded from Risk Reserve		Spend to 30 June 2026	Spend to 30 Sep 2026	Total Spend
	Initial response to weather event	871,645	-	871,645
	On going Mauao recovery	2,448,078	1,092,736	3,540,815
	Expenditure associated with reviews and associated legal support post event	1,620,131	649,289	2,269,420
	Total operational expenditure incurred to date	4,939,854	1,742,025	6,681,880
	Risk Reserve Funding Approved by Council	7,000,000		7,000,000
	Remaining funding available	2,060,146		318,120
Capital Spend				
	Pilot Bay Boat Ramp Fencing	-	63,463	63,463
	Motukauri Track	-	38,795	38,795
	Base Track	-	580,273	580,273
	Total Capital Spend	-	682,531	682,531

11.6 Stormwater Reactive Reserve Fund and Policy**File Number: A20912405****Author: Jane Groves, Stormwater Programme Leader
Fiona Nalder, Principal Strategic Advisor****Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth****Please note that this report contains confidential attachments.**

Public Excluded Attachment	Reason why Public Excluded
Item 11.6 - Stormwater Reactive Reserve Fund and Policy - Attachment 2 - Attachment 2 - Legal Advice - Stormwater Reactive Reserve Fund	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.

PURPOSE OF THE REPORT

1. The Stormwater Reactive Reserve Fund and Stormwater Reactive Reserve Fund Policy were identified as topics requiring further consideration ahead of the transition of the stormwater activity to Tāheke – Bay Waters Limited. This report provides Council with options for the future of the Stormwater Reactive Reserve Fund and Stormwater Reactive Reserve Fund Policy, some of which would trigger the need for consultation via the upcoming Long-Term Plan process.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Stormwater Reactive Reserve Fund and Policy".
- (b) Approves rescinding the Stormwater Reactive Reserve Fund Policy, closing the application process, setting aside \$3.1million of contingency funding to resolve current applications, with any unspent balance of the \$3.1 million contingency at 30 June 2027 transferring it to Tāheke – Bay Waters Limited to use for this purpose.
- (c) Approves, in event that the cost of resolving the current applications is less than the contingency amount set aside, the remaining contingency funding is used to contribute to the cost of stormwater network improvements targeted towards reducing flooding on private property.
- (d) Directs Tāheke – Bay Waters Limited, via the Statement of Expectations, to consider their approach regarding community support for flood assistance, and to develop a policy if required.
- (e) Approves, for the purpose of preparing the draft Long-Term Plan the following allocation of the remaining funds in the Stormwater Reactive Reserve Fund (approx. \$13.2 million):
 - (i) *Option 1:* Allocation of \$X from the Stormwater Reactive Reserve Fund towards the recovery costs of the January 2026 Mauao landslide.
 - and/or
 - (ii) *Option 2:* Allocation of \$X from the Stormwater Reactive Reserve Fund towards implementing stormwater projects across the city focussed on reducing future

flood risk and transfer the Fund to Tāheke – Bay Waters Limited to use for this purpose.

and/or

- (iii) *Option 3:* Allocation of \$X from the Stormwater Reactive Reserve Fund towards paying down:

- water activity debt.

and/or

- general Council debt.

- (f) Notes that resolution (e) is still subject to the Long-Term Plan prioritisation process, and that the option reflected in the adopted draft Long-Term Plan will be subject to public consultation.
- (g) Attachment 2 to remain in confidential due to legal privilege.
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EXECUTIVE SUMMARY

2. This report presents Council with decisions required regarding the future of the Stormwater Reactive Reserve Fund (**SRRF**) and the Stormwater Reactive Reserve Fund Policy (**SRRF Policy**) in preparation for the transfer of stormwater responsibilities to Tāheke – Bay Waters Limited (**Tāheke**), the new joint water organisation established with Western Bay of Plenty District Council. The report also outlines options for the allocation of the SRRF's accumulated funds and identifies consultation requirements for any significant change in purpose.
3. The SRRF and SRRF Policy were established in 2015 following significant flooding events and form part of Tauranga's broader integrated stormwater management approach.
4. The SRRF is funded via a targeted stormwater rate and was designed to help address flooding impacts caused by intense rainfall, particularly where habitable properties have experienced repeated flooding events. Funding has historically supported activities such as property acquisitions, flood mitigation works and infrastructure improvements that reduce flooding risk.
5. The SRRF has been accessed relatively infrequently. Council has received 17 applications, and 13 of these met the SRRF Policy criteria, with a total of approximately \$6m spent.
6. As a result, the SRRF has accumulated a significant surplus, reaching \$15.3m at June 2026. There are currently three active applications, two of which are likely to qualify for assistance under the SRRF Policy. Addressing these two applications is estimated to cost up to \$3.1m million.
7. With the transfer of stormwater services to Tāheke scheduled for July 2027, Council must decide whether the SRRF Policy should continue. This report recommends:
 - Rescinding the SRRF Policy, ending the application process, and setting aside contingency funding sufficient to meet existing commitments. Under this approach, the contingency funding would be transferred to Tāheke for administration of the remaining applications. Any unused contingency funds would be redirected to stormwater network improvements that reduce flooding on private property.
 - Directing Tāheke, through the Statement of Expectations, to consider whether a new approach to community flood assistance is required.
8. These recommendations are based on several factors.

- The SRRF Policy has benefited only a small number of households, has not been reviewed since 2015, and provides a level of service that does not currently exist in the Western Bay district.
 - Rescinding the SRRF Policy also aligns with the broader transition principle that existing council policies should only be replicated by Tāheke where there is a demonstrated need.
9. The decision to rescind the SRRF Policy is assessed as of low significance and can be undertaken without public consultation.
10. The report also presents options for the future use of approximately \$13.2m expected to remain in the SRRF after accounting for current applications. These options include:
- Allocating funding toward recovery costs associated with the January 2026 Mauao landslide.
 - Investing in city-wide stormwater projects that reduce future flood risk.
 - Using the funds to reduce water activity debt and/or general Council debt.
11. Legal advice confirms that Council may choose an alternative use for the SRRF, but consultation is required if the purpose materially differs from the original stormwater-related intent. This can occur via the upcoming Long-Term Plan process.
12. No staff recommendation is provided regarding the allocation of the remaining reserve balance. The preferred approach of the Tāheke Establishment Chief Executive is to transfer the SRRF to Tāheke and use it towards the cost of stormwater projects across the city.

BACKGROUND

The Stormwater Reactive Reserve Fund and Policy

13. Following significant flooding across Tauranga in 2005, Council reconsidered its approach to stormwater management and in 2013 adopted an integrated approach to stormwater management. Significant progress has been made in the stormwater activity since then, and the integrated management approach has been highly successful in reducing the impacts of flooding across Tauranga.
14. This approach includes delivering a safety-focused level of service (prioritisation of investment by risk), education, emergency management solutions, and regulation and policy amendment to decrease risk over time. It has also included providing reactive response capacity to help flood affected landowners, and this has been operationalised via the Stormwater Reactive Reserve Fund and the Stormwater Reactive Reserve Fund Policy (also provided as Attachment 1).
15. The Stormwater Reactive Reserve Fund (**SRRF**) and the Stormwater Reactive Reserve Fund Policy (the **SRRF Policy**) were established in 2015 to provide the means for Council to assist the community to meet the costs of flooding due to intense rainfall. The cost of the SRRF is met via a standalone item in rates bills (a targeted rate). The SRRF Policy sets out the criteria for the allocation of the SRRF. Under the SRRF Policy, the SRRF can be allocated to locations where flooding has occurred more than once in the last 10-years based on:
- Risk to life/ability to reduce risk to life from flood risk;
 - Risk to people's health;
 - Ability of the proposal to reduce habitable floor flood risk;
 - A specific request for co-funding to reduce habitable floor flood risk.
16. The SRRF Policy also sets out the criteria for what the SRRF can be spent on. The SRRF may be used to assist with:
- Emergency response and recovery;

- Clean-up costs;
 - Initiatives on private and public land to enable stormwater to be conveyed away from at risk areas;
 - Reducing risk of flooding;
 - Potential property purchase;
 - Infrastructure delivery or mitigation measures where co-funding arrangements are proposed.
17. Allocation of funding must also consider the need to retain an appropriate amount within the SRRF for the future. The costs of other impacts due to rainfall, such as slips, cannot be met under the SRRF Policy, only flooding impacts are included.
18. Historically there was separate funding allocated towards flood mitigation where there was a significant risk to life. These projects were identified via depth x velocity calculations, i.e. moving flood water. There are two high-priority depth x velocity projects which currently have allocated funding, however there is no ongoing funding stream for this work.
19. The SRRF differs from the depth x velocity projects as its focus is properties where habitable floor area is impacted by ponded flood water (rather than moving flood water).
20. Although the SRRF Policy lists emergency response and recovery purposes or clean up as potential costs the SRRF could be used to assist with, it has not been accessed for these purposes. These types of uses are generally not compatible with other requirements of the SRRF Policy (reduction of risk to life, health or flooding of habitable floor area due to stormwater from intense rainfall). Additionally, clean-up costs on private property following flooding are usually covered by private insurance.
21. The SRRF cannot be utilised if one of the following factors apply:
- The proposal is to protect land from flooding, rather than buildings defined as having habitable floors.
 - The proposal is to protect buildings with habitable floors that have not flooded more than once in the last ten years.
 - The proposal is to protect buildings that do not have habitable floors.
 - The proposal would increase the risk of flooding on land elsewhere in the catchment.
 - Where a section 72 notice under the Building Act 2004 has been registered (or has been required to be registered) on the certificate of title in regard to flooding issues.

Use of the SRRF to-date

22. Council has processed a total of 17 applications for funding under the SRRF Policy, of which 13 met the funding criteria, these are listed below. A total of approximately \$6m has been paid out of the SRRF.
- July 2016: Sylvania Drive 1x in Matua (incl. 4 adjacent properties) - upgrade completed \$<600K.
 - 2017-8: Sherwood Street 1x and Oriana Crescent (x3) in Brookfield – 4x property purchase, minor upgrades then disposal of Oriana properties, demolition of dwelling and readying for disposal of Sherwood property circa \$3.2M.
 - January 2018: Hart Street (1x) in Mount Maunganui – upgrade complete \$<100K.
 - February 2019: Esmeralda Street (1x) in Welcome Bay – upgrade completed \$<100K.

- September 2020: Ngatai Road (1x) in Pillans Bureta – property purchase complete \$<900K with potential for further expenditure in FY26/7 (circa \$1.2M) if property negotiations favourable and construction of overland flowpath proceeds.
 - March 2023: Chevron Drive (1x) in Pillans Bureta – property purchase \$<900K with further investigations (and expenditure est. \$50K) underway to determine ability for disposal.
 - March/April 2023: Levers Road (x3) and Mahoe Street (x1) in Matua – site specific measures on two \$<200K nearing completion.
23. The SRRF has been underutilised/over-funded, with more funding collected than has been needed. As at June 2026, the balance of the SRRF was \$15.3m. There are three active applications to the SRRF. Two of these are expected to meet the SRRF policy criteria, with an estimated total potential cost of \$3.1m.
24. The SRRF was accessed to meet Council's share of property acquisitions in Maungatapu, under central government's Future of Severely Affected Locations process (FOSAL)². FOSAL was a "one-off" policy developed by the Crown to aid recovery from certain defined severe weather events in 2023. These were properties affected by landslides from an adjacent Council reserve.

Transitioning stormwater to Tāheke – Bay Waters Limited

25. In February 2026 Council decided to transfer responsibility for, and delivery of, stormwater to a water organisation (if established)³. In April 2026 Council decided to proceed with establishing a joint water organisation with Western Bay of Plenty District Council (WBOPDC). Tāheke – Bay Waters Limited (**Tāheke**) has an operational start date of 1 July 2027, and work is underway to transition the water activity (water supply, wastewater and stormwater) to the new organisation.
26. The SRRF and SRRF Policy were identified as matters requiring further consideration prior to finalising the Transfer Agreement between Council and Tāheke.
27. The Establishment Team (a joint team formed of staff seconded from Council and WBOPDC) are considering Tāheke's approach to policy and delivery as part of their work programme. Whilst the decision of whether to transfer the SRRF and SRRF Policy to Tāheke sits with Council, the following points are worth noting:
- The Establishment Chief Executive supports the recommendations to rescind the SRRF Policy and complete future work to consider how Tāheke best supports communities impacted by flooding (via policy or otherwise). This has the advantage of allowing a shared approach to be developed for the region (rather than having differing levels of service across the two geographical areas – WBOPDC do not have a similar policy).
 - The Establishment Chief Executive's preferred option is that the SRRF balance of funds is transferred to Tāheke following consultation and used to contribute towards the implementation costs of city-wide stormwater projects focused on reducing future flood risk (Option 2 in the recommendations).
 - The general approach to existing policies will be to replicate them at Tāheke (when appropriate) rather than transfer them. This does not mean that all existing policies will automatically be replicated. The focus is on prioritising a safe transition and limiting change for consumers. The Board will consider the need for each policy on a case-by-case basis.

² The resolutions relating to this decision noted that accessing the SRRF for this purpose was a one-off use which was inconsistent with the SRRF Policy, as the purpose of the SRRF Policy is to address flooding issues rather than issues arising from landslides. Approximately \$2m was taken from the SRRF.

³ [Resolution CO/26/2/3](#)

RISKS AND LEGAL IMPLICATIONS

28. There are two primary considerations for Council in terms of risk, adherence to policy, and legislative considerations. These are:

- Can Council rescind the existing SRRF Policy without consultation?
- Can funds collected via a targeted rate be used for a purpose other than what they were collected for? (i.e. can the SRRF be used for other purposes?)

Rescinding the SRRF Policy

29. Council can choose to rescind the SRRF Policy without consultation as the decision to rescind the SRRF Policy is assessed as of low significance under the Significance and Engagement Policy for the following reasons:

- It has low overall public interest and rescinding the policy will impact on a very small number of individuals.
- It has low impact on the stormwater management activity.
- Tāheke will be required to assess how it best supports communities impacted by flooding, and if needed/necessary will develop a new policy.
- It does not have significant budgetary implications. The SRRF targeted rate is forecast to bring in \$1m via targeted rates in 2026/27. Since the SRRF Policy was adopted in 2015 there have been 13 successful applications to the SRRF under the Policy, and approximately \$6m spent.

30. The report recommends setting aside a contingency amount to allow current applications, if successful, to be funded. This report also recommends that this contingency amount is transferred to Tāheke to administer.

Utilising a targeted rate for an alternative purpose

31. Council commissioned legal advice from Simpson Grierson regarding the SRRF. This advice is provided in full as confidential Attachment 2.

32. In summary:

- Council is not legally bound to use the SRRF solely for its current purposes, as set out by the SRRF Policy.
- Whilst it may use the SRRF for a materially different purpose, this can only occur following public consultation on the proposed new use.

OPTIONS ANALYSIS

33. This options analysis considers first the future of the SRRF Policy, and second (assuming the SRRF Policy is rescinded as per the recommendation of this report), options for expenditure of the SRRF.

The SRRF Policy

Option 1: Rescind the SRRF Policy and direct Tāheke to consider their approach regarding community support for flood assistance, and to develop a policy if required. (RECOMMENDED)

34. This option does not require consultation.

35. Key risk: Support for flood-affected private property is removed, leaving a small number of property owners without a funding pathway to access.

Advantages	Disadvantages
- Aligns with the general approach of replicating policies at Tāheke, only if required (rather than automatically transferring them). - Recognises that the SRRF and SRRF Policy have not been widely used and have benefited only a small number of households. - Provides an opportunity to reconsider how community support for flooding is provided and if providing funding assistance for private property owners impacted by flooding is still desirable. - Provides the opportunity for Tāheke to develop a cohesive, joined up approach for Tauranga and Western Bay, rather than creating a different level of service for Tauranga than Western Bay. - Stops a city-wide targeted rate/cost that has provided benefit for a small number of households.	Removes a policy approach which provides a funding pathway for community members whose private property is negatively affected by flooding due to intense rainfall, this may negatively impact a small number of individuals.

Option 2: Rescind the SRRF Policy but require Tāheke to replicate it, with minor amendments

36. This option does not require consultation.
37. The minor amendments referred to by this option would be the removal of emergency response and recovery purposes or clean up as potential costs the SRRF could be used to assist with. The SRRF has never been accessed for these purposes. These types of costs/applications are generally not compatible with other requirements of the SRRF Policy (reduction of risk to life, health or flooding of habitable floor area due to stormwater from intense rainfall). Additionally, clean-up costs on private property following flooding are usually covered by private insurance.
38. Key risks: That Tāheke are required to replicate a policy which has not been reviewed since its adoption, removing the opportunity to review the policy and consider whether it is needed and/or fit-for-purpose, and creating a situation where two different levels of service are created for private property owners within Tauranga and Western Bay who are impacted by flooding.

Advantages	Disadvantages
Delivers a policy which provides a funding pathway for private property owners within Tauranga negatively affected by flooding due to intense rainfall.	- Maintains a city-wide cost which provides benefit for only a small number of individuals. - Does not align with the Tāheke's general approach, which is to replicate policies only if required (rather than automatically transferring them). - Removes the opportunity for Tāheke to consider whether or not funding should be provided for private property owners impacted by flooding due to intensive rainfall, and if so, under what circumstances. - Creates a different level of service for Tauranga than Western Bay.

The SRRF

39. The options here assume the SRRF Policy is rescinded and not necessarily replaced, as per the recommendations. There is no staff recommendation regarding reallocation of the SRRF, as this is assessed as a political decision. There are three potential options presented by this report, however other approaches may be preferred.
40. As the SRRF was collected via a targeted rate, any use that is materially different from what it was collected for requires consultation. This could occur via the upcoming LTP process.

Option 1: Allocate the Stormwater Reactive Reserve Fund towards the recovery costs of the January 2026 Mauao landslide.

41. This option requires consultation.
42. The Mauao landslide caused considerable damage to walking tracks on Mauao and the Mount Maunganui Beachside Holiday Park and Mount Hot Pools. Whilst not a flood event, the slips were triggered by intense and prolonged rainfall. The full cost of recovery has not yet been confirmed but is expected to be considerable (and exceed the \$13.2m available via the SRRF). Allocating the SRRF towards recovery costs will decrease the amount of funding sought via rates.
43. If Council wishes to allocate some or all of the SRRF towards the recovery costs of the January 2026 Mauao landslide, this would be consulted on via the upcoming Long-Term Plan prior to decision-making.
44. Key risk: That delivery of some stormwater projects is either delayed or does not occur.

Advantages	Disadvantages
• The cost impact of the Mauao landslides on ratepayers is decreased. • The SRRF is still used towards the costs of an event triggered by intense rainfall (although not a flooding event). • The SRRF was collected via a city-wide rate, and redirecting towards the Mauao landslide recovery costs provides city-wide benefits and city-wide savings.	• The amount of debt transferred to Tāheke is increased. • The deliver of some stormwater projects is either delayed or does not occur. • The SRRF is not used for the purpose for which it was collected for – reduction of flooding risk due to intense rainfall.

Option 2: Allocate the Stormwater Reactive Reserve Fund towards implementing stormwater projects across the city focussed on reducing future flood risk and transfer the Fund to Tāheke – Bay Waters Limited to use for this purpose.

45. This option does not require consultation as it does not materially change the purpose for which the SRRF was collected for.
46. If Council chooses to consult on an alternative approach (Option 1 – allocate towards the Mauao landslide recovery costs and/or Option 3 – pay off Council and/or Tāheke debt), this option would be included as part of the consultation.
47. This is the option that is supported by the Establishment Chief Executive of Tāheke.
48. The Funding Impact Statement in Council's LTP 2014-2034 states that Council will set a stormwater targeted rate as follows: "a rate set differentially for existing and new stormwater and flood control infrastructure investments". Transferring the SRRF to Tāheke ensures that the revenue collected by the targeted rate would continue to be used for the purpose for which it was collected – stormwater initiatives which deliver reduced flood risk across the city.

49. If transferred to Tāheke, the SRRF would be allocated towards the cost of city-wide stormwater projects focused on reducing future flood risk. Tāheke plans to deliver an integrated flood risk management programme targeting risk to life, property flooding, network performance, growth and climate adaptation. Key initiatives which the SRRF could assist in delivering are:
- the remaining depth x velocity 'safety to persons' projects across the city and catchment-scale flood mitigation and long-term climate risk projects, as identified through Stormwater Management Plans.
 - the Mount North Dynamic Adaptation Pathway Planning project, which targets flooding and other climate related risks in Mount North
 - other frequent flooding issues and growth via the existing Network Capacity Upgrades and Stormwater Management Plan programme
50. If this option is chosen by Council, the Transfer Agreement could specify how the SRRF is applied.
51. Key risk: None identified.

Advantages	Disadvantages
• The SRRF is used to fund stormwater initiatives in Tauranga, reducing the impacts and risk of flooding for residents. • The amount of debt transferred to Tāheke is as anticipated by the Water Services Delivery Plan. • The SRRF is used for purposes which align with what it was collected for.	• Council loses the ability to use the SRRF for other purposes, which may still need to be funded (e.g. Mauao's recovery costs).

Option 3: Allocate the Stormwater Reactive Reserve Fund towards paying down water activity debt and/or general Council debt.

52. This option requires consultation.
53. This option will have different consequences depending on whether the debt paid down is general Council debt or water debt.
- If Council debt is paid down, this will deliver savings for Council (reduced cost of interest and decreased repayments)
 - If water activity debt is paid down, this will deliver savings for Tāheke (reduced cost of interest and decreased repayments).
54. Key risk: That delivery of some stormwater projects is either delayed or does not occur.

Advantages	Disadvantages
• Council and/or Tāheke's debt is reduced, delivering savings for Tauranga ratepayers and/or water users.	• The amount of debt transferred to Tāheke is increased (if the SRRF is used to pay down general Council debt). • The deliver of some stormwater projects is either delayed or does not occur (if the SRRF is used to pay down general Council debt). • The SRRF is not used for the purpose for which it was collected for.

- | | |
|--|--|
| | <ul style="list-style-type: none"> • The SRRF is not used to contribute to the cost of other Council activities, such as the Mauao landslide recovery costs. |
|--|--|

FINANCIAL CONSIDERATIONS

55. The balance of the Reserve Fund as at 30 June 2026 is \$15.3m.
56. The Reserve Fund is currently funded through a targeted stormwater rate. For the 2026/27 year the targeted rate will collect \$1.0m. This targeted rate was included within the Water Service Delivery Plan's forecast revenues.
57. Following the transfer of the stormwater activity to the Water Organisation, the targeted stormwater rate will be used to collect funds for transfer to the Water Organisation.
58. This report recommends rescinding the SRRF Policy and retaining \$3.1m of contingency funding to enable current applications to be processed and addressed. It provides options for the future use of the SRRF, which would be approximately \$13.2m at June 2027 (following removal of the contingency funding from the SRRF).
59. If Council chooses to retain the SRRF and use it for an alternative purpose, the amount of debt transferred to Tāheke would increase (from what was forecast in the Water Services Delivery Plan). However, Council's financial position would improve.

STATUTORY CONTEXT

60. If Council decides to transfer contingency funding or SRRF to Tāheke, this process will occur via a Transfer Agreement as required by the Local Government (Water Services) Act 2025.

STRATEGIC ALIGNMENT

61. This contributes to the promotion or achievement of the following strategic community outcomes:

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

62. The recommendations of this report:
- Direct Tāheke to consider their approach regarding community support for flood assistance, and to develop a policy if required, ensuring that thought is given to supporting the community with the impacts of flooding.
 - Provide an opportunity for Council to consider options for the use of the SRRF, and to for the community to be consulted.

TE AO MĀORI APPROACH

63. The recommendations of this report support the following Te Ao Māori principles:
- Manaakitanga - ahurutanga/haumarutanga – a strong duty of care and safety for our people. Tāheke will complete work to consider community support for flood assistance, with the opportunity to ensure there is a shared approach across Tauranga and Western Bay.

- Tūmanako - the objectives and aspirations of the community whai rawa/ōhanga – financial sustainability, economic health and business strategy. Depending on Council decisions, how to allocate the SRRF will be consulted on via the upcoming Long-Term Plan, and Council can consider community preferences when making its final decisions.

64. One of the options for the SRRF is to use it to contribute towards the recovery costs resulting from the Mauao landslide event. Mauao is a site of utmost cultural importance for mana whenua. Caring for the maunga, and ensuring its recovery process is planned for, funded and resourced is a high priority for mana whenua and for the wider Tauranga community.

CLIMATE IMPACT

65. Intense rainfall events are expected to increase with climate change. This report recommends rescinding the SRRF Policy and directing Tāheke to consider their approach regarding community support for flood assistance, and to develop a policy if required.
66. This allows Tāheke to comprehensively consider the impacts of flooding for Tauranga (and Western Bay) residents and if needed, to develop a policy. It recognises that the current SRRF Policy remains unchanged since its adoption in 2015, whilst the stormwater system has evolved considerably, and the impacts of climate change and intensive rainfall have also changed.

CONSULTATION / ENGAGEMENT

67. The SRRF and SRRF Policy have not been consulted on since 2015. If Council's preferred option is to use the SRRF for a purpose that materially differs from what it was collected for, consultation will occur via the upcoming LTP process.

SIGNIFICANCE

68. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
69. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decisions.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
70. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision to rescind the SRRF Policy is of low significance. This as it impacts a very small number of individuals and does not significantly alter service levels as a whole. Any decision to use the SRRF for a purpose other than what it was collected for must be consulted on, as the SRRF was collected via a targeted rate.
71. Please refer to the early section of this report which addresses risk and legal implications for more information.

ENGAGEMENT

72. If Council's preferred option is to use the SRRF for a purpose other than what it was collected for, consultation will occur via the upcoming LTP process.

NEXT STEPS

73. Prepare consultation material for inclusion within the upcoming Long-Term Plan consultation document and update the draft Long-Term Plan. Council's preferred option will be reflected in the draft Transfer Agreement, and the final decisions, following consultation will be reflected in the final Transfer Agreement.

ATTACHMENTS

1. **Attachment 1 - Stormwater Reactive Reserve Fund Policy - A21252793**  
2. **Attachment 2 - Legal Advice - Stormwater Reactive Reserve Fund - A21252789 - Public Excluded**

COUNCIL LEAD POLICY

POLICY TITLE:	STORMWATER REACTIVE RESERVE FUND POLICY
Lead Policy	LEAD POLICY
Minute Ref:	M15/89.3
Date of adoption:	7 December 2015

1. BACKGROUND

The Council has established a Stormwater Reactive Reserve Fund. The purpose of the fund is to support the community in a variety of risk reduction methods and responses following intense rainfall events that result in flooding.

The Stormwater Reactive Reserve Fund is complementary to the implementation of the Council's safety level of service to stormwater infrastructure provision/flood risk management, but is not a fund to implement that level of service.

The adopted approach to flood risk management includes the following:

- Providing comprehensive flood information, and technical advice to aid in on-site risk reduction.
- Undertaking infrastructure improvements to reduce the risk to the community's safety, where such a risk exists on private property.
- Incorporating risk-based considerations into any new planning policies and plans, including the implications of rare but very damaging floods.
- Building up a fund to aid the community in post-flood response and recovery.

2. POLICY OBJECTIVES

- To enable the effective utilisation of the Stormwater Reactive Reserve Fund following intense rainfall events that result in flooding.
- To provide guidelines for the Council in administering the Stormwater Reactive Reserve Fund and its implementation.

3. PRINCIPLES FOR USE OF THE FUND

The general application of the Stormwater Reactive Reserve Fund is to provide funding for:

- Emergency response and recovery;
- Clean-up costs (whether private or publicly owned);
- Initiatives on private and public land to enable stormwater to be conveyed away from at risk areas;
- Reducing the risk of flooding;
- Potential property purchase;
- Infrastructure delivery or mitigation implementation where co-funding arrangements are proposed.

4. DEFINITIONS

Flooding: means a temporary inundation by water during an intense rainfall event of normally dry land (whether private or publicly owned) resulting in damage.

Habitable Floor: means a floor of a building (including a basement) but does not include ancillary structures such as stand-alone sheds or garages.

Overland Flowpath: means a natural or artificially earth-worked route taken by stormwater which becomes concentrated as it flows overland, making its way downhill following the path of least resistance towards the stormwater network, rivers, streams, harbour or coast. Stormwater overland flowpaths include secondary flow paths which result when the piped stormwater system gets blocked or when the capacity is exceeded. For the purposes of this definition, a stormwater overland flowpath includes an artificially designed route utilising formed or hard surfaces.

Risk: means the combination of the likelihood of a flood event occurring and the consequences of that event.

5. POLICY STATEMENT

5.1 Purpose and use of the Fund

Available funds may be allocated to locations where flooding has occurred more than once in the last 10 years based upon the following criteria:

- Risk to life/ability to reduce the risk to life from flood risk;
- Risk to people's health;
- Ability of the proposal to reduce habitable floor flood risk;
- A specific request for co-funding to reduce habitable floor flood risk.

5.2 Allocation and Distribution of Funds

5.2.1 In determining whether to allocate and distribute funds the frequency and extent of flooding on property and flooding to habitable floors will be taken into consideration. Funds may be made available to assist with the following:

- Emergency response and recovery;
- Clean-up costs;
- Initiatives on private and public land to enable stormwater to be conveyed away from at risk areas;
- Reducing the risk of flooding;
- Potential property purchase;
- Infrastructure delivery or mitigation implementation where co-funding arrangements are proposed;
- The need to retain an appropriate amount of reserve funding within the Stormwater Reactive Reserve Fund for future allocation.

5.2.2 Emergency Clean-Up Costs

The Council may provide community support through the release of the fund or parts of the fund for emergency clean-up costs post event. Release of funds for clean-up costs may include:

- Council contractor costs to support the community in emergency clean-up operations following intense rainfall events resulting in flooding on property and flooding to habitable floors.
- Supporting landowners (private and public landholdings) in emergency clean-up operations following intense rainfall events resulting in flooding on property and flooding to habitable floors.

5.2.3 Emergency Response and Recovery

The Council may provide community support through the release of the fund or parts of the fund for post event response and recovery.

5.2.4 Supporting the undertaking of initiatives on private and public land to enable stormwater to be conveyed away from risk areas (including design)

The Council may provide full or partial funding to landowners to enable the undertaking of initiatives on private and public land to enable stormwater to be conveyed away from risk areas (including design).

Works may include, but are not limited to:

- Improving ground soakage;
- Opening up of overland flowpaths by removal/replacement of ancillary structures such as stand-alone sheds, garages, walls, fences and other like structures;
- Raising of habitable floors above the modelled top water level or undertaking works to protect habitable floors.

In providing support the proposed works are to primarily be utilised for the conveyance of flood waters away from habitable floors or to protect habitable floors.

New overland flowpaths on private land are required to be either provided with an easement or covenant to recognise the purpose of this area for stormwater management and to ensure no future works/obstructions are undertaken in this area into the future.

Any easement or covenant will recognise that the Council is not the owner of the area and maintenance of that area for stormwater conveyance is required in perpetuity by the landowner.

5.3 Allocation and Distribution of Funds – Property Purchase

5.3.1 Property Purchase - Habitable Floor Flooding

Council may consider purchasing property through the Stormwater Reactive Reserve Fund where all of the following conditions are met:

- The property is used principally for residential purposes; and
- There is a documented history of habitable floor flooding on the property having occurred more than once in the last 10 years; and
- There are opportunities through the proposed land purchase to open up a constrained overland flowpath or ponding area to reduce the flood risk to other habitable floors on other land.

5.3.2 Property Purchase – Human Health

Council may consider purchasing property through the Stormwater Reactive Reserve Fund where all of the following conditions are met:

- The property is used principally for residential purposes; and
- There is a documented history of habitable floor flooding on the property having occurred more than once in the last 10 years; and
- Where documented flood events on the property result in negative effects to human health (as determined by a qualified health inspector, building inspector and health professional).

5.3.3 Process to be utilised in regard to all requests for Property Purchase.

- Council staff will assess applications to ensure that they meet the policy criteria based.
- Council staff will make recommendations to the Chief Executive based upon the purpose and use of the fund; risk, available funding and any other matter deemed relevant to decision-making.
- Decisions on any property purchase will be determined by the Chief Executive under delegated authority in accordance with his/her delegated financial authority.
- The Council will be guided by the provisions of the Public Works Act 1981 in regard to the purchasing of flood affected properties which meet the relevant criteria.

5.3.4 Exclusions to use of Fund (Property Purchase & Supporting the undertaking of initiatives on private and public land)

The Fund is not able to be utilised if one of the following factors apply:

- The proposal is to protect land from flooding, rather than buildings defined as having habitable floors;
- The proposal is to protect buildings with habitable floors that have not flooded more than once in the last ten years.
- The proposal is to protect buildings that do not have habitable floors.
- The proposal would increase the risk of flooding on land elsewhere in the catchment.
- Where a section 72 notice under the Building Act 2004 has been registered (or has been required to be registered) on the certificate of title in regard to flooding issues.

6. RELEVANT DELEGATIONS

The Chief Executive or his/her delegate has responsibility for the implementation of this policy within his/her delegated financial authority, excluding decisions on property purchase which remain with the Chief Executive.

Where the use of the fund is proposed to protect Council property or property owned by public entity or Council or publicly owned assets then decision making on the use of the fund remains with the Elected Members.

7. REFERENCES AND RELEVANT LEGISLATION

- Public Works Act 1981.

11.7 Te Awanui Māori ward poll date

File Number: A21087128

Author: Anne Payne, Principal Strategic Advisor
Jeremy Boase, Head of Strategy, Governance & Climate Resilience

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

PURPOSE OF THE REPORT

1. To seek Council's decision on the date for the Māori ward poll.
2. This report follows Council's decision on 2 June 2026 to hold a poll, which will determine whether Tauranga City Council will retain a Māori ward for the 2028 and 2031 local government elections.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Te Awanui Māori ward poll date".
 - (b) Agrees that the Māori ward binding poll (referendum) is to be held on 23 March 2027.
-

EXECUTIVE SUMMARY

3. Under current legislation, Council is required to consider whether it wants to disestablish the Te Awanui Māori ward or put the matter of that ward's future to a binding poll of Tauranga electors. The result from this decision or poll is final and must be implemented for the 2028 and 2031 local government elections.
4. On 2 June 2026, Council [resolved](#) to hold a binding poll and for that poll to be as late as possible before 28 March 2027⁴, the latest date legislatively allowed. At that time, Council noted that the timing and need for the poll would be reviewed once the outcome of Head Start was known. Council has now been informed that Head Start will not be proceeding at this time.
5. Council also resolved to work with Te Rangapū Mana Whenua o Tauranga Moana (Te Rangapū) to develop and deliver a civic education and participation campaign to increase civic consciousness and understanding about the Māori ward and the upcoming poll.
6. This report recommends that the Council agrees to Tuesday 23 March 2027 as the date for the Māori ward binding poll, which is a postal voting process.
7. A month-earlier poll date was assessed and not recommended because it was still too late to incorporate into the February/early March preliminary engagement for the council's representation review, and would require voting papers to be delivered during the Christmas break when many people are away from home.
8. Council staff are working with Te Rangapū to develop an awareness-raising programme to support the Māori ward poll. This campaign is to ensure our communities are aware of the upcoming poll and what it is about, including who can vote in it, when it is, and what the result will mean. The programme will provide factual and objective information relating to the poll and will be carefully assessed to ensure it does not include any messaging that attempts

⁴ Note that while the statutory deadline is 28 March 2027 (clause 48(b), Schedule 1, Local Electoral Act 2001) this is Easter Sunday. Friday 26 March 2027 is also a public holiday.

to persuade people which way to vote. A supporting campaign such as this is normal practice for council's representation processes.

9. The independently managed poll process and council's supporting civic education and engagement programme will be funded from the 2026/27 annual plan budget of \$500,000.

BACKGROUND

10. Council received background information regarding the retention or otherwise of its Māori ward, including its legislative requirements, in a comprehensive report titled 'Te Awanui Māori ward' on [2 June 2026 \(agenda item 11.5\)](#). At that meeting, [Council resolved \(CO/26/9/7\)](#) to:
 - *Hold a binding poll on whether to retain the Te Awanui Māori ward.*
 - *Hold the binding poll as late as possible (before 28 March 2027).*
 - *Support the recommendation of Te Rangapū Mana Whenua o Tauranga Moana to develop and implement a civic education and engagement campaign to increase civic consciousness and understanding about the Māori ward.*
11. The reason for holding the poll as late as possible was to allow time for potential Government decisions on the Head Start local government reform process, including potential regulatory relief for Council's Māori ward poll and representation review requirements for the 2028 and 2031 council elections.
12. The Government's [24 September announcement](#) that it would not proceed with any of the Head Start proposals prior to the 7 November elections has removed the possibility of regulatory relief being provided before any legislative deadlines are missed. The result is that Council must now proceed with both the Māori ward poll and wider representation review processes to meet current legislative requirements, regardless of whether local government reform continues in 2027.
13. The electoral officer for Tauranga, Warwick Lampp of Electionz, has confirmed that the latest feasible date for the poll is Tuesday 23 March 2027. The poll process is prescribed by the Local Electoral Act 2001, and the key dates would be:
 - (a) 11 December 2026 – Council chief executive notifies electoral officer of poll date (election must be held within 103 days of notification).
 - (b) 14 December 2026 – public notice of poll.
 - (c) 11 January 2027 – date electors need to be registered on either the general or Māori roll to be eligible to vote in the poll.
 - (d) 18 January 2027 – further public notice of poll.
 - (e) 19 February to 4 March 2027 – delivery of voting papers to each elector's registered address (effectively 'opening' the voting period, which includes special voting options).
 - (f) **23 March 2027, noon** – final date for voting papers to be received by post or dropped into secure orange boxes at a number of locations around the city, and for votes to be cast by special vote at several city locations.
 - (g) 24 March 2027 – declaration of results as soon as practicable after vote counting is completed. Applications for a recount can be made 3 working days after declaration.
14. The result of a 23 March 2027 poll will not be known in time to be incorporated into the preliminary community engagement for council's representation review, which is currently planned for February to early March 2027. This means that any representation options for community feedback would need to be considered both with and without a Māori ward, effectively doubling the options we would be asking our communities to consider and the work required by staff to develop those options.
15. Staff have investigated whether there was a feasible earlier poll date that would enable the outcome to be incorporated into the preliminary engagement material for the representation

review. The earliest feasible date is 26 February 2027, which is also considered as an option within this report but not recommended for the reasons outlined in the options section.

16. As noted in the 2 June 2026 Council report, Te Rangapū Mana Whenua o Tauranga Moana (Te Rangapū) has consistently and strongly supported the Te Awanui Māori ward. Recent feedback from Te Rangapū has also confirmed its strong support for retaining the late March date for the poll, thus avoiding the Christmas break as far as possible and providing the anticipated time for the awareness raising programme.
17. Further information about the planned civic education and participation programme is provided in the consultation / engagement section of this report.

STATUTORY CONTEXT

18. As noted in the background section of this report, the Council report of 2 June, titled '*Te Awanui Māori ward*', details the relevant requirements of the Local Electoral Act 2001 and the Local Government Act 2002 (LGA).
19. LGA requirements specify that: all local authorities must act in accordance with the principle that it should provide '*opportunities for Māori to contribute to its decision-making processes*⁵; and all local authorities must '*establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority*⁶
20. The inclusion of a Māori ward is one avenue for Council to respond to these legislative requirements. While there are other opportunities for appointed Māori representation on council committees, recent changes to the LGA via the Local Government (System Improvements) Amendment Act 2026⁷ specify that appointed members will no longer hold voting status.

STRATEGIC ALIGNMENT

21. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

22. Māori representation on Council, or involvement in Council decision-making, contributes to the Tauranga Matarauui – An Inclusive City outcome. The Inclusive City Strategy recognises that '*the Three iwi of Tauranga Moana, Ngāti Ranginui, Ngāi Te Rangi and Ngāti Pukenga provide the foundation stones for an inclusive city. Part of this foundation are the Māori values of:*
 - (a) *Manaakitanga – holistic hospitality whereby mana whenua have inherited obligations to be the best hosts they can be*
 - (b) *Kotahitanga – unity, cohesion, and collaboration*
 - (c) *Whanaungatanga – a relationship through shared experiences and working together which provides people with a sense of belonging*'.
23. Each of these values can speak to the formal and information relationships that council has with mana whenua. Expression of these relationships at a governance level is currently

⁵ Section 14(1)(d) Local Government Act 2002

⁶ Section 81(1)(a) Local Government Act 2002

⁷ Section 44(24) Local Government (System Improvements) Amendment Act 2026, enacted 18 September 2026

through the Council's Māori ward, appointment of a Tangata Whenua representative onto each of council's three primary committees, the joint Tangata Whenua / Tauranga City Council standing committee, and the range of council advisory groups with joint council and tangata whenua membership.

OPTIONS ANALYSIS

24. Two options were considered regarding the Māori ward poll date.

25. **Option 1 (RECOMMENDED): Agree a Māori ward poll date of Tuesday 23 March 2027.**

Advantages	Disadvantages
Confirms Council's previous direction to hold the poll as late as possible before the legislative deadline of 28 March 2027	Outcome from the poll will not be available in time to be incorporated into preliminary community engagement for council's representation review, as this is planned for February to early March 2027.
Retains the signalled timeframe for the joint Te Rangapū and council civic education and participation programme, for which planning is already underway.	
Avoids Christmas and New Year holiday period as far as possible within legislative timeframes, enabling as many registered electors as possible to receive their voting papers on a timely basis and vote should they wish to.	
Outcome from the poll will be known at a similar time to collation of community feedback from preliminary engagement about council's future representation structure. This timing would enable both aspects to be incorporated into development of council's initial representation proposal, which is planned to go out for formal community consultation in late July 2027.	

26. **Option 2: Agree a Māori ward poll date of Friday 26 February 2027 (not recommended).**

Advantages	Disadvantages
Outcome from the poll will be known before completion of preliminary engagement about council's future representation structure. As for Option 1, both the poll results and preliminary community feedback would be able to contribute to development of council's initial representation proposal, which is planned to go out for formal community consultation	Outcome from the poll will not be available in time to be incorporated into preliminary community engagement for council's representation review, as this is planned for February to early March 2027.

Advantages	Disadvantages
in late July 2027.	
	Not consistent with Council's previous direction to hold the poll as late as possible before the legislative deadline of 28 March 2027.
	Compresses the timeframe for the joint Te Rangapū and council civic education and participation programme, which will require changes to the under-development programme plan.
	Poll process timeframes would be less favourable to participation in the poll e.g.: Electors would need to register on their electoral roll of choice by mid-December, which is already a busy time for many people; and Voting papers would start to be delivered in late January, which runs a greater risk of people still being on holiday and missing them.

FINANCIAL CONSIDERATIONS

27. Council has budgeted \$500,000 for a poll in its 2026/27 Annual Plan. This budget is sufficient to cover both the externally-delivered poll process and the civic education and participation programme to support the poll. The budget was prepared based on an early quote from electionnz.com and an allowance made for an advertising and promotions programme.
28. The majority of the cost for the poll itself is in postage. All voting papers must and will be posted to voters, but electors will be able to return their vote by post or by using the secure 'orange bins' at a range of locations around the city. The orange bins have been well utilised in previous elections, particularly those at supermarkets, which has the added advantage of significantly reducing potential postage costs for the poll process.
29. The civic education and participation programme is still under development and is being planned for a cost in the mid-range of \$50,000 - \$90,000. This is in line with previous council programmes for representation matters, with the majority of external expenditure being for online and print media.

RISKS AND LEGAL IMPLICATIONS

30. As noted earlier in this report, the process for holding a binding poll is specified in detail in the Local Electoral Act 2001. Adherence to this Act and the processes contained within will reduce any legal risks through this process.
31. As is normal practice for council, the supporting joint civic education and participation programme will inform and encourage participation in the poll but will not attempt to persuade people which way to vote. Both council and Te Rangapū are clear on the scope of the joint programme, including this underlying principle.
32. This is the only Māori ward poll being undertaken at this time and this poll is not being conducted alongside a council election, which would normally be the case. These

circumstances signal the potential for greater scrutiny and publicity around this poll, which means that strict adherence to the scope of the supporting programme will be critical.

TE AO MĀORI APPROACH

33. The matter of a Māori ward is clearly of significant interest to the Māori community in Tauranga. As noted in the background section of this report, the existing Māori ward has been strongly and consistently supported by Te Rangapū for many years, and recent feedback from Te Rangapū strongly supports retaining the later (23 March 2027) poll date.
34. In terms of Council's Te Ao Māori Approach, the recommended timing of the Māori ward poll aligns with several of the key principles by ensuring as many people as possible are informed and encouraged to participate through the later poll date:
 - (a) Manaakitanga – ahurutanga / haumarutanga – a strong duty of care and safety for our people
 - (b) Rangatiratanga – mana motuhake – self determination
 - (c) Whanaungatanga – relationships and network support systems.

CLIMATE IMPACT

35. The matter of the date of the Māori ward poll has negligible impact on council's climate responsibilities.

CONSULTATION / ENGAGEMENT

36. No specific pre-engagement has been undertaken with the community prior to writing this report, as the decision to hold a Māori ward poll has already been made and this report simply seeks confirmation of the date for the poll.
37. As noted in the Background and Te Ao Māori Approach sections of this report, feedback from Te Rangapū is that it strongly supports the later date (23 March 2027) for the poll.
38. Once the poll date is confirmed, planning for the supporting joint civic education and participation programme can be finalised. At this stage, the programme is intended to be externally visible immediately after the central government elections on 7 November, and to roll out in three phases:
 - (a) *Phase 1: Know (8 November – 11 January)* – raise awareness of the poll, key dates and participation requirements, and clarify the process
 - (b) *Phase 2: Understand (12 January – 18 February)* – build understanding by providing clear, balanced information about the Māori ward, the poll question, what happens with the result, and more on the voting process.
 - (c) *Phase 3: Vote (19 February – 23 March)* – enable and support participation by ensuring eligible votes know when, where, and how to vote, and have the information and support they need to take part.

SIGNIFICANCE

39. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
40. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.

- (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

41. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter of the Māori ward poll is of high significance, however the decision proposed in this report (the date of the Māori ward poll) is of low significance because this report simply seeks confirmation of a previous decision now that we have better information about Headstart and the removal of the potential for legislative relief.

ENGAGEMENT

42. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

43. Once Council has agreed the date for the Māori ward poll, the poll process and the supporting joint civic education and participation programme will be finalised and implementation will commence.

ATTACHMENTS

Nil

11.8 Long-term Plan 2027-2037 - Project Update

File Number: A21211184

Author: Holly Riddell, Corporate Planner

Authoriser: Christine Jones, General Manager: Strategy, Partnerships & Growth

PURPOSE OF THE REPORT

1. This report provides Council with an update on progress in developing the Long-term Plan 2027–2037.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Long-term Plan 2027-2037 - Project Update ".

EXECUTIVE SUMMARY

2. Development of the 2027-2037 Long-term Plan is progressing in line with the approved project plan and remains on track to meet statutory adoption timeframes. Project initiation has been completed, key strategic direction has been confirmed, and significant forecasting assumptions and draft performance measures have been adopted to guide development of the plan.
3. Council has provided direction on a range of strategic and financial matters, including community outcomes, priorities and principles, initial rates increase options, capital programme prioritisation, and zero-based budgeting. Work is well advanced on activity planning, budget development, asset management planning, and supporting strategies and policies that will underpin the draft Long-term Plan.
4. The next phase of work will focus on completing activity plans, budgets, key strategies, and policy reviews, alongside a programme of workshops to seek elected member feedback and direction on significant investment, funding, and service delivery matters. Further decisions will be required over coming months to support development of the draft Long-term Plan, Consultation Document, and community engagement. No significant issues are currently impacting delivery of the project, with the programme continuing to track against key milestones.
5. The key risk is that the Long-term Plan programme is entering a critical phase where elected member decisions are required to enable subsequent stages of work. There is limited flexibility remaining within the project and Council calendar schedule, and delays to key decisions will have an effect on future milestones. To maintain progress and ensure statutory deadlines can be met, it is important that decisions are made within the timeframes.

BACKGROUND

6. The Long-term Plan (LTP) is Council's key strategic planning document and is required under the Local Government Act 2002. Prepared every three years, the LTP sets out Council's direction, priorities, activities, and funding requirements for a ten-year period (with a focus on the first three years). It provides the framework for how Council will deliver services and infrastructure, respond to growth and community needs, and manage its financial

sustainability, while ensuring transparency and accountability to the community through consultation and ongoing performance reporting.

7. The development of the 2027-2037 Long-term Plan is a significant organisation-wide project involving input from across council. The project is overseen through the Project Steering Group and Project Team to ensure key milestones, risks, and decision points are actively monitored and managed throughout the process.
8. Council received and approved the Long-term Plan Project Plan at its meeting on [21 April 2026](#) (item 11.6). The project plan outlines the approach, governance, key phases, milestones, and deliverables required to develop and adopt the 2027-2037 Long-term Plan by June 2027.
9. This report provides Council with an update on progress against that plan and highlights key decisions and upcoming milestones.

LTP PROJECT UPDATE

Progress and key decisions

10. Development of the 2027-2037 Long-term Plan is progressing in accordance with the approved project plan. Project initiation activities have been completed, including establishment of the project team, preparation of the project plan and schedule, review of templates and systems, completion of the environmental scan, staff training and guidance, and engagement with Audit on the proposed process.
11. The strategic direction-setting phase is complete. Council approved the community outcomes, priorities and guiding principles that will inform development of the Long-term Plan at the [18 November 2025 Council meeting](#) (item 11.4). The community outcomes are:
 - An inclusive city
 - A city that values, protects and enhances the environment
 - A well-planned city that is easy to move around
 - A city that supports business and education
 - A vibrant city that embraces events.
12. Council also approved the underpinning principles:
 - Look after what we've got
 - Accountable and transparent
 - Value for money
 - Everyone pays a fair share
 - Growth pays for growth
 - Bold and innovative
13. Council has also confirmed its priorities of enabling housing, addressing transport challenges, enhancing the environment, and delivering services for the community.
14. The strategy stocktake has now been completed across all community outcomes, with the City Future Committee receiving the final close-out report on the [13 October 2026](#).
15. [Draft Significant Forecasting Assumptions](#) (item 11.2) have been adopted as the basis for development of the Long-term Plan and Council endorsed a zero-based budgeting approach for the preparation of operating budgets.
16. Council has approved the [draft outcome and service performance measures](#) (item 11.2) for inclusion in the Long-term Plan, subject to minor amendments and further refinement of selected measures.

17. At its meeting on the [23 June 2026](#) (item 11.7), Council directed staff to develop LTP scenarios starting with maximum rates increase for years 1 and 2 of the LTP to 5.3% after growth, and an increase for years 3 to 10 not exceeding 4% after growth, with a second option of 7% per year. At this meeting, Council also confirmed the principles and indicative sequencing for development of the capital programme. The principles are:
 - Value for money through: Appropriate scope and efficient delivery of projects, utilisation of available subsidies and the existing commitment to transportation project financing through the TSP Infrastructure funding and Financing agreement (TSP IFF) and maintaining a relatively consistent annual budget for key outcome areas to support efficient procurement and resourcing.
 - Look after what we have through maintenance and renewals.
 - Support economic and population growth by: Ensuring growth is aligned with infrastructure delivery and prioritise closing the infrastructure deficit and focusing on intensification and operative greenfield areas.
18. The City Future Committee has also confirmed continuation of Council's fit-for-purpose [resurfacing policy](#) (item 9.7) for residential road renewals and to include this policy position as part of the Long-term Plan consultation process. Council also requested staff to investigate a targeted-rate funding mechanism for community-funded asphalt retention and investigate and report back on implementation considerations associated with a targeted-rate approach.
19. At the [22 September 2026](#) Council meeting (items 11.5 and 13.1), Council agreed to assess future ownership, governance and delivery arrangements for both the Tauranga Airport and BVL community assets through the Long-term Plan process.
20. Activity planning and budget development using zero-based budgeting are underway, with Activity Managers scheduled to present those draft Activity Plans which elected members have signalled as a high or medium priority to a Council workshop on the 29 October 2026. Those activities that were identified as low priority, will be circulated to the Mayor and Councillors.
21. Through a series of workshops, Council has also considered and provided direction on a range of matters, including initial capital programme prioritisation, Action and Investment Plan prioritisation, walking and cycling investment, State Highway 2 revocation, transport planning, rating and funding matters, stormwater funding, affordable housing, intensification, and the use of elder housing sale proceeds.

Upcoming programme of work

22. The next phase of the LTP will focus on completing activity plans, key strategies, policies, budgets and supporting information that will form the draft LTP. It will also continue to focus on working through the agreed list of issues to be addressed through the LTP that was agreed to by Council at the [23 June 2026](#) Council meeting. These issues will continue to be brought to upcoming workshops and meetings over the coming months.
23. Further elected member direction and formal decisions will be required on:
 - The final draft operating and capital programmes, including budget, scope and timing.
 - The draft Financial Strategy, debt, and rates limits.
 - Changes to the Revenue and Financing Policy, Rating Policy, Development Contributions Policy, commercial and industrial rating approach, and user fees and charges.
 - Funding approaches for stormwater reactive reserve, road resurfacing targeted rate options, Papamoa growth costs, development contribution under-collection and other targeted-rate matters.

- The preferred options for significant infrastructure and community facilities, including waste facilities, the Marine Precinct, Baycourt, community centres, event venues, the community stadium and closed landfills.
- Investment in housing and city-centre intensification, including development incentives, development contribution remission funding and the allocation of remaining elder housing sale proceeds.
- The content of the draft LTP, Consultation Document and consultation engagement plan, including the key issues and options to be presented to the community.

STATUTORY CONTEXT

24. The LTP is a statutory requirement under the Local Government Act 2002. Section 93 of the Act requires local authorities to adopt a Long-term Plan every three years, covering a period of ten years. The Act requires Council to prepare a Consultation Document and undertake public consultation using the Special Consultative Procedure before adopting the final LTP.
25. Progressing the development of the 2027-37 Long-term Plan in accordance with the approved project plan supports Council to meet its statutory obligations and ensure the Plan is adopted by the legislative deadline of 30 June 2027.

STRATEGIC ALIGNMENT

26. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	✓
We are a vibrant city that embraces events	✓

27. The LTP seeks to set and enable Council to achieve all its community outcomes.

OPTIONS ANALYSIS

28. This report has no options for Council to consider.

FINANCIAL CONSIDERATIONS

29. While this report has no direct financial implications, future decisions on the matters outlined above during the LTP development will have a significant influence on rates and funding requirements over the next 10 years.

RISKS AND LEGAL IMPLICATIONS

30. The key risk is that the Long-term Plan programme is entering a critical phase where elected member decisions are required to enable subsequent stages of work. There is limited flexibility remaining within the project and Council calendar schedule, and delays to key decisions will have an effect on future milestones. To maintain progress and ensure statutory deadlines can be met, it is important that decisions are made within the timeframes.

TE AO MĀORI APPROACH

31. The LTP process does not affect TCC's ambitions to align with the Te Ao Māori approach. However, future funding decisions in the process may have an impact on individual projects or programmes that are specifically working towards fulfilling the approach.

CLIMATE IMPACT

32. The LTP process does not affect TCC's ambitions to align with the Climate Impact approach. However, future funding decisions in the process may have an impact on individual projects or programmes that are specifically working towards fulfilling this ambition.

CONSULTATION / ENGAGEMENT

33. Engagement will be a key component of the LTP programme. The Mayor and Councillors will help shape the engagement approach and programme at the 3 December 2026 workshop.
34. Formal consultation on the LTP consultation document is scheduled for March and April 2027.

SIGNIFICANCE

35. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
36. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
37. The matter of the LTP and its contents have a high degree of significance. However, the decision to receive this report is of low significance as it is a procedural update on progress to date, does not seek any decisions, and does not alter the direction or content of the Long-term Plan.

ENGAGEMENT

38. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

39. Staff will continue progressing the development of the 2027-37 Long-term Plan in accordance with the approved project plan. Key workstreams will focus on the continued development of activity plans, asset management plans, infrastructure and financial strategies, budgets, user fees and charges, and supporting policies. As well as the development of the Consultation Document and draft LTP itself.
40. Council will continue to receive updates and participate in workshops and decision-making processes as key milestones are reached, ahead of consultation in 2027 and adoption of the Long-term Plan by 30 June 2027.

ATTACHMENTS

Nil

11.9 2027 - 2037 Long-term Plan - Revenue and Financing Policy Framework - Funding Needs Analysis

File Number: **A21256308**

Author: **Caroline Irvin, Governance Advisor**

Authoriser: **Sarah Holmes, Team Leader: Governance & CCO Support Services**

BACKGROUND

1. The report accompanying this agenda item, '2027 - 2037 Long-term Plan - Revenue and Financing Policy Framework - Funding Needs Analysis', will be circulated separately prior to the meeting.

11.10 Chief Executive Officer - Recruitment and Appointment

File Number: A21256282

Author: Caroline Irvin, Governance Advisor

Authoriser: Sarah Holmes, Team Leader: Governance & CCO Support Services

BACKGROUND

1. The report accompanying this agenda item, 'Chief Executive Officer - Recruitment and Appointment', will be circulated separately prior to the meeting.

11.11 TECT Park sub-regional parks agreement**File Number: A21205727****Author: Gert van Staden, S&P Partnerships and Facilitation Team Leader
Ross Hudson, Head of Spaces & Places****Authoriser: Reneke van Soest, General Manager: Operations & Infrastructure****PURPOSE OF THE REPORT**

1. To note the updated sub-regional parks agreement governing TECT and Huharua Park.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "TECT Park sub-regional parks agreement".
- (b) Notes that the agreement will be signed under delegated authority by the Chief Executive

DISCUSSION

2. The sub-regional parks agreement is an agreement between Western Bay of Plenty District Council and Tauranga City Council.
3. The agreement is a long-standing arrangement between TCC and WBOPDC to jointly provide, develop, manage and fund parks that serve residents across the wider Western Bay sub-region, rather than just one district.
4. The agreement covers two parks, being TECT All Terrain Park (now known as TECT Park) and Huharua Park at Plummers Point.
5. The sub-regional parks agreement (agreement) sits below the Joint Council Policy on Subregional Parks, adopted by TCC and WBOPDC 2012. The policy delegates implementation to the respective Chief Executives.
6. The agreement is structured around lead and supporting agencies, with TCC playing a supporting role in the management of TECT and Huharua.
7. The current agreement has expired on 30 September 2025, and some changes are recommended.
8. The previous agreement had a 50/50 funding arrangement between the councils. However, as part of identifying opex savings in FY27, TCC has cut its funding from \$555k to \$375k. TCC also makes an annual capex contribution to park enhancements. For the LTP period this averages around \$100k per annum.

Sub-regional parks agreement summary

9. In order to update the agreement some changes are recommended around better defining the different roles of the agencies and expanding on governance and operational management..
10. The draft agreement is attached as Attachment 1.

The agreement in detail

11. The new agreement will run until 30 November 2028, with a proposed review no later than 30 September 2028.
12. There is a new clause pertaining to future parks acquired as sub-regional parks. While the original agreement stated that future parks secured under the policy would automatically be covered by the agreement. The draft changes this to require that management arrangements for any future park be agreed first and then incorporated into the agreement or a new agreement.
13. The draft replaces the older reference to the Councils' Māori Forum and Mana Whenua Partnership with updated governance arrangements, Te Ihu o Te Waka o Te Arawa Forum, Te Kāhui Mana Whenua o Tauranga Moana Forum, Tangata Whenua/TCC Committee and Te Rangapū Mana Whenua o Tauranga Moana Partnership
14. Regarding governance, the draft agreement moves from a joint governance committee model to an officer governance model, with delegated authority clarified. New clauses require each Council to ensure representatives hold appropriate delegations and authority to make operational decisions within approved budgets and policies
15. The lead agency has been given explicit execution powers. Once decisions are made, the General Manager of the Lead Agency (or authorised WBOPDC officer) is responsible for implementing those decisions, including signing documents, contracting, procurement, leases, licences and other operational instruments.
16. The lead agency role has been expanded to include:
 - sharing asset information with the Support Agency annually or more frequently;
 - responsibility for annual work programmes and budgets (subject to Support Agency approval);
 - responsibility for easements, leases and subdivisions (subject to discussion);
 - responsibility for developing and adopting strategic and management plans collaboratively.
17. Acting as the lead agency now include assuming responsibility for:
 - leases,
 - licences,
 - contracts,
 - procurement,
 - service agreements, and
 - operational implementation
18. The support agency role has been expanded to include:
 - approve annual work programmes and budgets;
 - participate in easement, subdivision and leasing discussions;
 - participate in strategic and management plan development;
 - contribute through joint project teams and other working groups
19. Previously the Support Agency role was much more limited and generally confined to input, funding and project team participation.
20. The cost sharing section has been enhanced, which no include annual project and initiative lists and endorsement from both Councils for unplanned expenditure.
21. A new schedule has been added to flesh out operational processes, which governs annual agreement on expenditure and timing of payments, governance input for significant park

developments and the preparation of annual work programmes to be prepared by 1 December for budgeting purposes.

NEXT STEPS

22. The Chief Executive and Mayor will sign the updated agreement.

ATTACHMENTS

1. **Subregional Parks Agreement - A21242015** [↓](#) 

**TAURANGA CITY COUNCIL AND
WESTERN BAY OF PLENTY DISTRICT COUNCIL
SUB-REGIONAL PARKS RELATIONSHIP AGREEMENT**

1. Parties to the Agreement

Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOPDC) hereafter referred to as “the Councils”.

2. Purpose of the Agreement

- a) To recognise the way that the Councils will continue to work together to establish and develop a network of sub-regional parks that provide recreational opportunities and protect significant landscapes for the enjoyment of both current and future generations.

3. Background

- a) TCC and WBOPDC adopted the Joint Council Policy on Sub-Regional Parks in 2000 (**Policy**). The Policy was reviewed and updated in 2012. The Policy recognises the Council's intent to secure land for sub-regional parks to meet recreational needs and to protect areas of natural and cultural significance.
- b) The Councils have agreed to priorities and criteria to be used as a basis for securing sub-regional parks.
- c) The Councils agreed to develop partnerships with other agencies and organisations that have common interests in sub-regional parks.
- d) The Councils originally jointly purchased three parks in accordance with the Policy:
 - i. Huharua Park
 - ii. TECT All Terrain Park
 - iii. Papamoa Hills Cultural Heritage Regional Park (This Park is now in Bay of Plenty Regional Council ownership).
- e) A sub-regional parks relationship agreement was in place from 2006 until 2011. An updated agreement was in place between 2019 and 2025.
- f) This agreement was prepared in 2025 to reflect the current structure and operations of the sub-regional parks.

4. Scope of the Agreement

- a) This agreement applies to the parks included in the Policy that have been secured as at the date of this agreement, being Huharua Park and TECT All Terrain Park. If further parks are secured under the Policy in the future (e.g. passive coastal park) it is the Councils' intention that the management of any such new park be agreed to and then incorporated into this or a new agreement.
- b) The agreement does not apply to the Papamoa Hills Cultural Heritage Park as this is now in Regional Council ownership.
- c) A sub-regional park is the name used to link back to the Policy and to recognise the different status of these parks to other parks and reserves. It does not have to be applied to the name of the Park.
- d) It is recognised that the Policy may be reviewed in the future and that this may result in additional park categories and priorities being established.

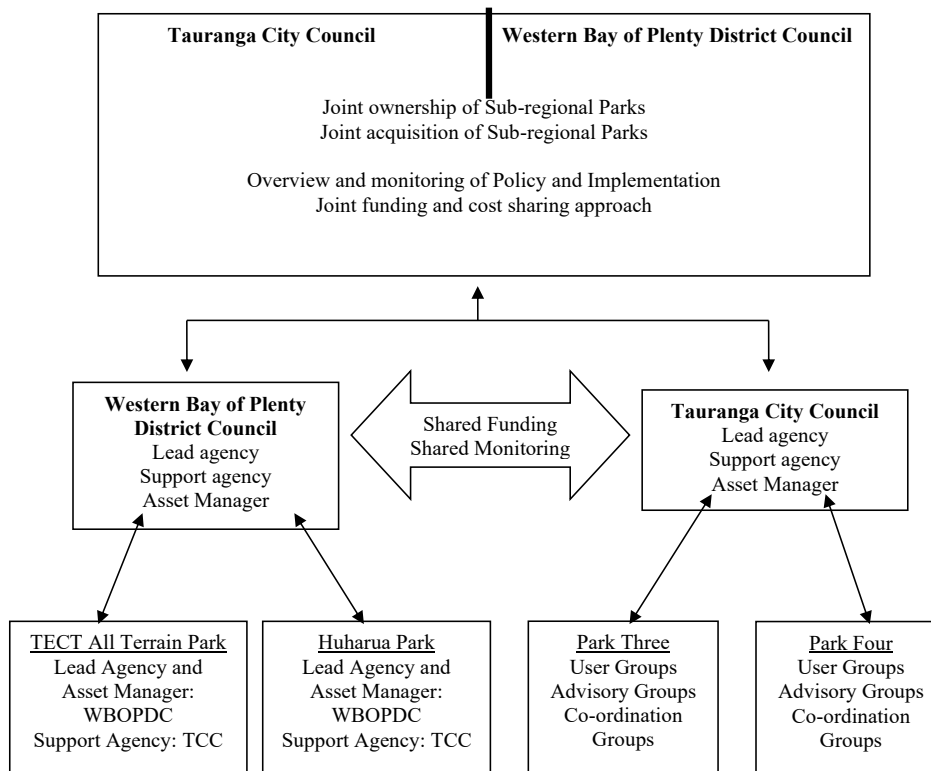
5. Purpose of the Relationship

- a) The Councils are committed to working together to achieve the objectives of the Policy. This relationship recognises the value of working together to achieve common goals and successful outcomes. In order to achieve this the Councils agree to:
 - i. Work together in good faith and share information in an open manner;
 - ii. Clearly identify their roles and responsibilities in the acquisition, development, management and monitoring of the sub-regional parks network;
 - iii. Provide a flexible structure that can adapt to unanticipated situations and opportunities;
 - iv. Respond to sub-regional park opportunities in a timely and coordinated manner;
 - v. Make best use of available resources to achieve these goals;
 - vi. Work together to identify community needs and community priorities;
 - vii. Jointly celebrate success and achievements.

6. Key Considerations and Assumptions

- a) The Councils recognise that the following matters need to be considered in the acquisition, development, management and monitoring of the sub-regional parks network:
 - i. Identify clear strategic linkages and linkages to community outcomes;
 - ii. Avoid duplication of governance structure and delivery;
 - iii. Encourage opportunities for the establishment of user/advisory groups to provide input into park acquisition, development, management and monitoring;
 - iv. Use the Councils' Te Ihu o te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana forums and Tangata Whenua Council committee and Te Rangapū Mana Whenua o Tauranga Moana Partnership, and direct engagement with Mana Whenua as appropriate, to guide tangata whenua involvement in the acquisition, development, management and monitoring of the sub-regional parks network;
 - v. Apply the most appropriate legislation on a park-by-park basis depending on the purpose and intended use of the park;
 - vi. Undertake the management of parks as part of the Councils' existing delivery operations;
 - vii. Consider a range of funding sources to assist in the acquisition, development, management and monitoring of the sub-regional parks network, and work together and support each other in securing these funding opportunities.
- b) The Councils recognise that on a park-by-park basis there may be additional agreements with third parties to recognise sponsorship or naming right agreements. These will be recognised in the relevant schedules.

7. Sub-Regional Parks Network Structure



8. Roles and responsibilities of lead agency and support agency

- a) The organisation that undertakes the role of “Lead Agency” and “Support Agency” is determined for each sub-regional park on a case-by-case basis and the respective functions for each are outlined below:

i. Lead Agency

- Coordination role for acquisition, development, management and monitoring to ensure successful delivery of the park;
- Ensure integration of park into the relevant asset management plan;
- Procurement of service delivery;
- Provides ongoing communication to Support Agency on acquisition, development, management and monitoring of the park;
- Shared funding with Support Agency and other identified funding sources;

- Asset manager for the park, and shares asset information with the Support Agency once asset data has been compiled, or at least once per annum, whichever is more frequent;
- Alerts Support Agency of significant issues and opportunities;
- Applies own administration policies to park unless otherwise agreed to through park management plans and asset management plans;
- Ensures third party agreements are adhered to;
- Responsible for coordination of external interest groups;
- Responsible for the development of annual work programmes and budgets, with approval from the Support Agency;
- Responsible for the approval of easements, leases and subdivisions, subject to discussions with the Support Agency;
- Responsible for development and adoption of strategic plans and management plans, in collaboration with the Support Agency.

Acting as Lead Agency means being responsible for giving effect to operational decisions made under this agreement, including the execution, administration and sign-off of leases, licences, contracts, procurement documentation, service agreements and other operational instruments required for the management, development, maintenance and monitoring of the parks in accordance with relevant Delegations and Financial Authorities.

ii. The Support Agency will

- Input into acquisition, development, management and monitoring at both a governance and staff level as appropriate;
- Share funding with lead agency and other identified funding sources;
- Input and approval of annual work programmes and budgets required for the operation of the Park/s;
- Involvement in easement, lease and subdivision discussions and development of strategic plans and management plans;
- Staff representatives input into Joint Project Teams or other working groups;
- Ensures integration of park into relevant asset management plan.

9. Cost sharing approach

- a) The Councils agree that they shall each contribute to the cost of acquisition, development, management and monitoring of sub-regional parks using the following methodology:
 - i. For current sub-regional parks, the capital and operational expenditure cost sharing agreement is outlined in Schedule 1 to this agreement.
 - ii. For future sub-regional parks, capital and operational expenditure cost sharing to be determined on a case-by-case basis.
- b) The Councils will work together to develop an annual list of projects and initiatives.

- c) Unplanned projects or initiatives that require expenditure and arise within the financial year will be endorsed by both Councils (at the relevant delegated level).

10. Governance Arrangements

- a) The Councils will establish an officer-led governance group for the sub-regional parks. The governance group will include the relevant General Managers of Infrastructure from both Councils, or their authorised nominees, together with any relevant supporting staff required to provide operational, financial, legal, planning, asset management, parks, procurement or other specialist advice.
- b) Each Council will ensure that its representatives on the officer-led governance group hold, or are supported by, the appropriate delegation and authority from their respective Council to make operational decisions for the parks within approved budgets, adopted plans, relevant policies, and any limits contained in each Council's Delegations and Financial Authorities.
- c) Once the officer-led governance group has made an operational decision, the General Manager of the Lead Agency, or the relevant authorised WBOPDC officer, will be responsible for executing the decision and taking the necessary actions on behalf of the Lead Agency.
- d) This includes arranging approvals, entering into or signing relevant documents, instructing contractors or consultants, and implementing decisions in accordance with the applicable policies, procurement requirements, delegations and financial authorities.

11. Significance and Engagement Policy

- a) The Councils will apply their own Significance and Engagement Policy to their Council reports.

12. Term of the agreement

- b) The term of this agreement shall be from the date of signing until 30 November 2028.
- c) The terms and conditions of the agreement, for any future term that the parties may agree to, will be reviewed as agreed between the parties and no later than 30 September 2028.

13. Schedule to this Agreement

- a) The attached schedules to this agreement outlines:
Schedule 1

- i. Specific circumstances relating to the development, management and monitoring of the Huharua Park; and
- ii. Specific circumstances relating to the development, management and monitoring of the TECT All Terrain Park

Schedule 2

- i. Operational Processes

SCHEDULE ONE

Huharua Park

Lead Agency: WBOPDC

Support Agency: TCC

Any revenue collected is offset against any expenditure.

The net cost of running the park is shared between WBOPDC and TCC with a 50% / 50% split.

This applies to both capital and operational expenditure.

TECT All Terrain Park

Lead Agency: WBOPDC

Support Agency: TCC

At the time that forestry revenue is projected to exceed forestry expenditure, the available forestry revenue may be used on park development. Until that time, forestry revenue must be ring-fenced for use for forestry expenditure only.

Any other revenue collected is offset against any other expenditure. The net cost of running the park is shared between WBOPDC and TCC with a 50% / 50% split.

This applies to both capital and operational expenditure.

Schedule 2

Operational Process

1. Proposed expenditure and approximate timing of payments will be agreed on, on an annual basis, as part of the annual work programme set between the lead and support agency.
2. Significant Park developments will require input from governance, and agreement on the Councils' approach to involving Elected Members will be required for these.
3. Draft annual work programmes will be set by (1 December), in order to be included into the relevant budgets.

Signed by Affixing the Common Seal of the Western Bay of Plenty District Council, in the presence of the:

_____ Mayor

_____ Chief Executive

Signed by Affixing the Common Seal of the Tauranga City Council, in the presence of the:

_____ Mayor

_____ Chief Executive

11.12 Event Temporary Alcohol-Free Areas 2026/2027**File Number: A21125179****Author: Nigel McGlone, Manager: Compliance Services
Jenna Quay, Events Facilitation Manager****Authoriser: Sarah Omundsen, General Manager: Regulatory and Community Services****PURPOSE OF THE REPORT**

1. To seek Council approval for temporary alcohol-free areas to support safe hosting of events across Tauranga for the 2026/2027 summer period as requested by NZ Police.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Event Temporary Alcohol-Free Areas 2026/2027".
- (b) Agrees that the proposed temporary alcohol-free areas are appropriate and proportionate, and are justified as a reasonable limitation on people's rights and freedoms.
- (c) Resolves under clause 9 of the Alcohol Control Bylaw 2018 to implement temporary alcohol-free areas to support events across Tauranga for the 2026/2027 summer as follows:

Tauranga City Council New Year's Eve community events and Soper Reserve events as set out in the below table:

Fergusson Park	Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) from 10am, 31 December 2026 to 6am, 1 January 2027.
Gordon Spratt Reserve	Gordon Spratt Reserve and Alice Lane (all inclusive), and Parton Road (between Tara Road and Papamoa Beach Road) from 10am, 31 December 2026 to 6am, 1 January 2027.
Tauranga Racecourse Reserve	Tauranga Racecourse Reserve from 10am, 31 December 2026 to 6am, 1 January 2027.
Soper Reserve	Soper Reserve and Newton Street (all inclusive) as follows from 6am to midnight on the following dates. • 7 November 2026 (Gindulgence festival) • 13 November 2026, with a postponement date of 14 November 2026 (No Days Off concert) • 12 December 2026 (Leavers' 26 concert)

Mercury Baypark New Year's Eve event, covering the streets identified in the table below from 10am, 31 December 2026 to 3am, 1 January 2027.

Girven Road	From Gloucester Road to Maunganui Road
Maunganui Road	From Girven Road to State Highway 2
State Highway 2/Te Maunga Lane	From Maunganui Road to Sandhurst Drive
Te Maunga Lane	All inclusive
Truman Lane	All inclusive
Mangatawa Link Road	All inclusive
State Highway 29A	From Truman Lane to Maunganui Road/Te Maunga Lane (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

Bay Oval event, two-day concert, Kingston Calling, covering Blake Park and the surrounding streets identified below from 10am, 19 February 2027 to 1am, 21 February 2027.

Blake Park	All inclusive (Skate Park and overflow carpark)
Hull Road	All inclusive
Maunganui Road	From Tweed Street to Puriri Street
Hinau Street	All inclusive
Miro Street	From Kawaka Street to Puriri Street
Kawaka Street	All inclusive
Totara Street	From Hull Road to Puriri Street
Tawa Street	From Kawaka Street to Puriri Street
Matai Street	All inclusive
Puriri Street	All inclusive

EXECUTIVE SUMMARY

2. Each year, NZ Police request temporary alcohol-free areas for events across Tauranga to reduce alcohol-related harm in and around event locations, support safe and well-managed events, and minimise disruption to nearby residents (Attachment One).
3. The proposed areas cover New Year's Eve community events and events at Mercury Baypark, Soper Reserve and Bay Oval during the 2026/2027 summer period.
4. The [Alcohol Control Bylaw 2018](#) allows Council to establish temporary alcohol-free areas for events by publicly notified resolution.
5. This report seeks Council approval for temporary alcohol-free areas at event locations to support safe events across Tauranga this summer.
6. If approved, Council officers will issue the required public notice, work with event organisers to ensure communications are provided to event attendees and residents, install temporary signage and communicate the restrictions. Police will enforce the alcohol-free areas.

BACKGROUND

7. The Bylaw aims to reduce alcohol-related harm by controlling alcohol consumption in public places. In addition to permanent alcohol-free areas, clause 9 allows Council, by resolution, to establish temporary alcohol-free areas for specified times or events, prohibiting the consumption, possession or bringing of alcohol into those areas.
8. Temporary alcohol-free areas are requested each year around key events across the city. They support Police in managing alcohol-related disorder and harm, and assist event organisers to deliver safe, well-managed events with minimal disruption to nearby residents.
9. NZ Police's letter (Attachment One) identifies the events that require temporary alcohol-free areas, which are similar to those approved in previous years. Staff support the request because it will help Police manage potential alcohol-related crime and disorder associated with these events.
10. The request covers three of the five New Year's Eve community celebrations where permanent alcohol-free areas are not already in place, along with events at Mercury Baypark, Soper Reserve and Bay Oval.
11. Temporary alcohol-free areas are not required for the New Year's Eve celebrations in the Tauranga city centre and at Blake Park, Mount Maunganui, as these sites are already within permanent alcohol-free areas.

STATUTORY CONTEXT

12. The proposed temporary alcohol-free areas are consistent with the purpose of the Bylaw to reduce alcohol-related harm in the community.
13. In accordance with section 147B of the Local Government Act 2002, the proposed temporary alcohol-free areas are proportionate and impose reasonable limits on people's rights and freedoms. The proposed timeframes are limited to the periods when there is an increased risk of alcohol-related crime and disorder.

STRATEGIC ALIGNMENT

14. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐

We are a city that supports business and education



We are a vibrant city that embraces events



15. The proposed temporary alcohol-free areas align with the purpose of the Bylaw to reduce alcohol-related harm in the community.
16. The proposed areas will help people feel safer in their communities, supporting a key goal of Council's Tauranga Matarauui, Inclusive City Strategy and community outcome. This also contributes to the [Our Direction](#) vision for Tauranga, "Together we can ... lift each other up."

OPTIONS ANALYSIS

17. The table below outlines the advantages and disadvantages of approving the temporary alcohol-free areas.

Option		Advantages	Disadvantages
1	Approve the temporary alcohol-free areas (recommended)	- Enables Police to more effectively prevent and manage alcohol-related harm and disorder around events. - Provides Police with an additional enforcement tool to support safe, well-managed events and public spaces. - Supports a safer environment for the community, including people attending events and using surrounding public spaces.	The temporary alcohol-free areas may be perceived by some residents and visitors as restricting their ability to consume alcohol in public places.
2	Do not approve the temporary alcohol-free areas	Nil	Reduces Police ability to effectively prevent and manage alcohol-related harm and public disorder at events and in surrounding public areas.

FINANCIAL CONSIDERATIONS

18. Implementing the temporary alcohol-free areas will incur costs to meet regulatory requirements for public notification and temporary signage. The estimated total cost is \$4,000, which will be met within existing budgets.

RISKS AND LEGAL IMPLICATIONS

19. To activate Police powers under section 170(2) of the Local Government Act 2002, the Council must provide at least 14 days public notice and install signage for any temporary alcohol-free areas. This enables Police to exercise their search powers in those areas immediately and without further notice.

TE AO MĀORI APPROACH

20. The proposed temporary alcohol-free areas align with the principles of Manaakitanga, a strong duty of care and safety for our people and Kaitiakitanga, stewardship of the natural environment.

CLIMATE IMPACT

21. There are no direct or specific climate change impacts resulting from the proposed temporary alcohol-free areas.

CONSULTATION / ENGAGEMENT

22. As clause 9 of the Bylaw provides Council with the power to implement temporary alcohol-free areas by resolution, public consultation is not required. Public consultation was carried out when the Bylaw was developed.
23. Council officers have worked with the Police to determine the proposed temporary alcohol-free areas. Although Council has the power to make the Bylaw and establish alcohol-free areas, Police are responsible for enforcing them.

SIGNIFICANCE

24. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
25. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so
26. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

27. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

28. In accordance with the Bylaw, public notice will be given before the temporary alcohol-free areas take effect. A communications plan will also be implemented, including signage advising the public of the restrictions, dates and times. These steps will enable Police to exercise their search powers under the Local Government Act 2002.

ATTACHMENTS

1. **NZ Police request for event temporary alcohol-free areas 2026/2027 - A21204779** [↓](#) 



Monday, 21 September 2026

Tauranga City Council
TAURANGA

Temporary Alcohol-Free Areas for Summer 2026/2027

This letter is to request temporary alcohol-free areas associated with events over the summer period in addition to the permanent and New Year alcohol-free areas as defined in the Tauranga City Council Alcohol Control Bylaw 2018. These additions to the permanent alcohol-free areas request have been implemented for several years now and work well to support events happening in Tauranga.

The temporary alcohol-free areas implemented in previous years have contributed to enhanced Police operations and a safer environment for the community during the identified events. Therefore, NZ Police request the below temporary alcohol-free areas to support Police operations:

Events

- Fergusson Park including Tilby Drive from the intersection of Tainui Street and Waratah Street (all inclusive) in Matua from 10am, 31 December 2026 to 6am, 1 January 2027 for the New Year's Event community event.
- Gordon Spratt Reserve and Alice Lane (all inclusive), and Parton Road (between Tara Road and Papamoa Beach Road) in Papamoa from 10am, 31 December 2026 to 6am, 1 January 2027 for the New Year's Event community event.
- Tauranga Racecourse Reserve in Tauranga South from 10am, 31 December 2026 to 6am, 1 January 2027 for the New Year's Event community event.
- Soper Reserve and Newton Street (all inclusive) as follows from 6am to midnight on the following dates:
 - 7 November 2026 (Gindulgence)
 - 13 November 2026, postponement 14 November 2026 (No Days Off)
 - 12 December 2026 (Leavers' 26)
- The streets identified in the table below surrounding Baypark to support the concert, Famous Last Words at the venue during the period from 10am, 31 December 2026 to 3am, 1 January 2027.

Baypark area requirements	
Girven Road	From Gloucester Road to Maunganui Road
Maunganui Road	From Girven Road to State Highway 2
State Highway 2/Te Maunga Lane	From Maunganui Road to Sandhurst Drive
Truman Lane	All inclusive
Mangatawa Link Road	All inclusive

State Highway 29A	From Truman Lane to Maunganui Road/Te Maunga Lane (including the roundabouts)
Gloucester Road	From Eversham Road to Girven Road
Eversham Road	All inclusive
Tudor Place	All inclusive
Palliser Place	All inclusive
Harrow Place	All inclusive
Exeter Street	All inclusive
Lambeth Terrace	All inclusive
Dover Place	All inclusive
Weymouth Place	All inclusive
Eversham Road Reserve	All inclusive
Kingsley Place	All inclusive
Penrhyn Place	All inclusive
Ernie Way	All inclusive
Hadleigh Reserve	All inclusive

To support the event Kingston Calling at Bay Oval, covering Blake Park and the surrounding streets identified below from 10am, 19 February 2027 to 1am, 21 February 2027.

Bay Oval area requirements	
Blake Park	All inclusive (Skate Park and overflow carpark)
Hull Road	All inclusive
Maunganui Road	From Tweed Street to Puriri Street
Hinau Street	All inclusive
Miro Street	From Kawaka Street to Puriri Street
Kawaka Street	All inclusive
Totara Street	From Hull Road to Puriri Street
Tawa Street	From Kawaka Street to Puriri Street
Matai Street	All inclusive
Puriri Street	All inclusive

Please do not hesitate to contact myself or Inspector Clifford PAXTON if you have any further queries regarding the Police stance on this matter.

Yours faithfully,



Zane Smith
Inspector
Area Prevention Manager
WESTERN BAY OF PLENTY POLICE

11.13 Deliberations and Adoption of the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw

File Number: A20941377

Author: Vicky Grant-Ussher, Policy Analyst
Oscar Glossop, Team Leader: Animal Services

Authoriser: Sarah Omundsen, General Manager: Regulatory and Community Services

PURPOSE OF THE REPORT

1. This report provides an amended draft Dog Management Policy and Bylaw and Keeping of Animals Bylaw following public consultation. It seeks Council direction on matters raised by submitters and seeks approval to adopt the final bylaws and policy.
2. Community consultation raised several matters which are presented in the report. In considering the proposed changes Council should consider the need to minimise danger, distress, and nuisance to the community generally but in particular for children.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Deliberations and Adoption of the Dog Management Policy and Bylaw and the Keeping of Animals Bylaw".
- (b) Receives the 9 additional written submissions on the review (Attachment 1)
- (c) Receives the 7 late submissions on the review (Attachment 1)
- (d) Notes the summary of consultation (Attachment 2).
- (e) Agrees to the recommended changes to the draft Dog Management Policy (Attachment 3), Dog Management Bylaw (Attachment 4), and Keeping of Animals Bylaw (Attachment 5) including:
 - (i) **Option 1C** - Prohibiting dogs from Shark Alley and adjacent green space, and coastal dunes from Mauao south to Te Tumu.
 - (ii) **Option 1D** – Allow an exemption to enable the green space and Marine Parade Coastal Path adjacent to Shark Alley to be used by dogs when part of an approved event, with appropriate controls in place

OR

- (iii) **Option 1E** – Allow an exemption to enable the use of the Marine Parade Coastal Path adjacent to Shark Alley by dogs when part of an approved event, with appropriate controls in place

OR

- (iv) **Option 1F** – Do not allow an exemption to enable use of the green space and Marine Parade Coastal Path adjacent to Shark Alley by dogs when part of an approved event
- (v) **Option 2B** - Prohibit dogs from active recreation surfaces and parks fenced for inclusion purposes, and require dogs to be on leash in Red Square, Masonic Park, Marine Pathway Coastal Path, Beach Road Pathway and the Pāpāmoa Coastal Path and in cemetery and burial grounds.

-
- (vi) **Option 3B** - Agree to update poultry provision to require a licence to keep poultry other than chickens, ducks and quails in residential zones or to keep more than 6 these, require a licence to keep more than 2 dogs in residential zones, allow a licensee to walk more than 4 dogs at once, create a general power provision to support the team leader Animal Services to issue reasonable instructions for the keeping of animals, including related to bees and update Regional Pest Management Plan references.
 - (vii) **Option 4B** – Include bylaw provisions encouraging desexing, microchipping and registering cats on The New Zealand Companion Animal Register (NZCAR) or other recognised database.
 - (f) Agrees to the following options for staff progressing further work including:
 - (i) **Option 5B:** Start work with the Department of Conservation ahead of the next review of the Dog Management Bylaw.
 - (ii) **Option 5C:** Progress work on dog friendly spaces through the Open Space Provision Policy.
 - (iii) **Option 5D** - Start preparing to shift to an 'on-leash by default' approach with specified particular off-leash areas for the next bylaw review.
 - OR**
 - (iv) **Option 5E** – Do not start preparing to shift to an 'on-leash by default' approach with specified particular off-leash areas for the next bylaw review.
 - (v) **Option 5F:** Reconsider rules for dogs on beaches through the upcoming Beaches Bylaw review.
 - (g) Determines, in accordance with section 155 of the Local Government Act 2002, that the amendments to the Dog Management Policy 2026 and Dog Management Bylaw 2026 and Keeping of Animals Bylaw 2026 are the most appropriate way of addressing the perceived problems, are in the most appropriate form of the bylaw, and do not give rise to any implications under, or any inconsistencies with, the New Zealand Bill of Rights Act 1990 (attachment 6)
 - (h) Notes the Consistency Accountability Statement (attachment 7)
 - (i) Adopts the amendments to the Dog Management Policy 2026 and Dog Management Bylaw 2026 and Keeping of Animals Bylaw 2026, incorporating the decisions made under recommendations (c).
 - (j) Resolves that all amendments come into force on 1 February 2027
 - (k) Authorises the General Manager: Regulatory and Community Services to make minor or technical amendments prior to publication.
-

EXECUTIVE SUMMARY

3. The review of the Dog Management Policy and Bylaw and Keeping of Animals Bylaw is the first major update since 2018. The review was prompted through Council's Nature and Biodiversity Action and Investment Plan and focuses on balancing public safety, minimising nuisance, environmental protection with ensuring opportunities for dog exercise and recreation.
4. The Council consulted on a range of proposed changes relating to wildlife protection, community spaces, licencing and regulation. A total of 1,798 submissions were received during community consultation, with a further 16 submissions included in this report (Attachment 1).

5. Council is being asked to decide on:
- **Wildlife protections** – whether additional dog restrictions are required to better protect wildlife and sensitive habitats, while still providing opportunities for dog exercise.
 - **Community spaces** – whether changes to dog access rules are needed in community spaces.
 - **Licencing and regulation** – whether to introduce changes to improve the management of dogs, poultry, bees and other animals.
 - **Cat regulation** – the most appropriate role for council in encouraging responsible cat ownership.
 - **Future work** – how issues raised through consultation, but outside the scope of this review, should be addressed. the extent of further work desired to address issues raised through the consultation.
6. After considering community feedback, wildlife impacts, public safety, cultural and heritage values, opportunities for dog exercise, implementation costs and non-regulatory alternatives, staff recommend proposed changes to the draft bylaws and policy set out in Figure 1 below.

Figure 1: Proposed bylaw and policy changes

Topic	Status Quo	Proposed bylaw/policy change consulted on	Recommended changes to draft bylaw
Wildlife protection	• Seasonal ban on dogs in beach area of Shark Alley • Dog banned in targeted dune areas	• Year round ban on dogs in Shark Alley and adjacent greenspace • Dog banned in all coastal dunes	• Decision required on exemption to allow dogs on adjacent greenspace and/or pathway for events
Community spaces	• No specific provision for active recreation equipment, parks fenced for inclusion purposes, cemeteries and burial grounds • No dog rules for shared paths, city centre spaces and heritage reserves	• Prohibit dogs from active recreation surfaces, parks fenced for inclusion purposes, and cemeteries and burial grounds • require dogs to be on leash on Marine Parade Coastal Pathway, Beach Road Pathway and the Pāpāmoa Coastal Path, in Red Square, Masonic Park, the waterfront and in heritage reserves.	• Allow dogs on leash in cemeteries and burial grounds • Continue to allow dogs off leash on waterfront • Continue to allow dogs off leash in heritage reserves
Licencing and regulation	• Allow 12 of any poultry without a licence • No cat provisions • Licence required for more than 2 dogs per person • Can not walk more than 4 dogs • No general power provision to issue reasonable instructions for the keeping of animals • Bee issues can only be addressed by requiring the removal of	• Allow 6 chickens without a licence • No cat provisions • Licence required for more than 2 dogs per property • Allow a licensee to walk more than 4 dogs at once • Create general power provision to issue reasonable instructions for the keeping of animals • Bee issues can be addressed proportionately using the general power to	• Allow 6 chickens quails or ducks without a licence • Include provisions encouraging desexing, microchipping and registering of cats • Include references to regional pest management plan requirements

	beehives	issues instructions	
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7. Other issues raised through the review such as dog-friendly spaces, future consideration of Waikareao/Daisy Hardwick Walkway restrictions, and beach related dog issues are recommended to be considered through upcoming policy reviews.
8. The proposed bylaw and policy changes are expected to be largely operational, with any increased enforcement costs funded through existing dog registration fees.
9. Subject to Council approval, the updated bylaws would come into force on 1 February 2027 following final publication and notification processes.
10. To support implementation, website guidance material (including maps), signs and brochures will be updated so the community can easily understand and comply with the new rules.

BACKGROUND

11. The current Dog Management Policy and Bylaw and Keeping of Animals Bylaw were last reviewed in 2018. This review responds to an action in the Nature and Biodiversity Action and Investment Plan to update the Dog Management Bylaw for Tauranga City. It includes reviewing existing dog-prohibited areas and adding new ones to protect threatened species.
12. On 29 October 2025, council staff provided Council with issues and options for the review which included feedback from a community survey, the Department of Conservation, community stakeholders, and the Te Rangapū policy subcommittee. Council staff sought direction from Council on further issues on 3 March 2026 and received approval to adopt the draft bylaws and policies for community consultation. A special consultative procedure was undertaken from 2 June 2026 – 2 July 2026 to align with the dog registration period.
13. Key issues covered in the review included protecting wildlife from dogs and animals, managing dogs in community spaces and licencing and regulation improvements. During the consultation, issues were raised by the community with other aspects of dog and animal management outside the proposed changes. Council staff have identified options to do further work on addressing these issues.
14. The Council received the 1798 written submissions on the draft policy and bylaws and heard submitters at the Council meeting on 11 August 2026⁸. A further 16 submissions are provided with this report (Attachment 1) 9 submission were accidentally omitted from the hearings report and a further 7 were provided as late submissions which is at the discretion of the Council to accept.

STATUTORY CONTEXT

15. The Dog Management Bylaw is made under the Dog Control Act 1996 and Local Government Act 2002. Offences under the Bylaw can result in infringement fines or prosecution. Section 20 of the Dog Control Act sets out the purposes for which a council may make a bylaw, which includes setting rules for dogs in public places, setting standards for animal welfare, limiting the number of dogs, confining dogs, impounding and desexing dogs in certain circumstances.
16. The Dog Management Policy is required under the Dog Control Act 1996 and complements the Dog Management Bylaw. There are certain features required in a Dog Management Policy that are outlined in Section 10 of the Dog Control Act 1996. When adopting a Dog Management Policy, the Council must have regard to:
 - the need to minimise danger, distress, and nuisance to the community generally; and
 - the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
 - the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and

⁸ infocouncil.tauranga.govt.nz/Open/2026/08/CO_20260811_AGN_2912_AT.PDF

- the exercise and recreational needs of dogs and their owners.
17. The Keeping of Animals Bylaw is made under the Local Government Act 2002 which does not permit infringement fines; prosecution is the only recourse to offences under this bylaw.
 18. Note that any prohibition of dogs in public places does not apply to disability assist dogs as defined within section 2 and Schedule 5 of the Dog Control Act 1996.
 19. Under Section 155 of the Local Government Act 2002 Council needs to assess whether the bylaw and its proposed form is the most appropriate way to address the issues raised and is not inconsistent with the New Zealand Bill of Rights Act 1990.
 20. As secondary legislation, adopting a bylaw requires a Consistency Accountability Statement to outline whether the proposed legislation complies with the principles of responsible regulation set out in the Regulatory Standards Act 2025. The bylaws are consistent with the principles, and these draft statements and summaries of underpinning analysis are provided in Attachment 7.

STRATEGIC ALIGNMENT

21. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city that is easy to move around	✓
We are a city that supports business and education	□
We are a vibrant city that embraces events	✓

22. Effective dog and animal management ensures that dogs and animals do not cause distress or nuisance to the community (particularly children), wildlife and the environment.
23. Action 23 in the Nature and Biodiversity Action and Investment Plan is to update the Dog Management Bylaw for Tauranga City to review existing, and include additional, dog prohibited areas in order to protect threatened species.

OPTIONS ANALYSIS

Issue 1: Wildlife protections

24. The review was initiated out of an action in the Nature and Biodiversity action plan. As part of the issues and options analysis council staff identified areas of the city where dog restrictions could be prioritized to better protect wildlife, while still considering community views and dog exercise needs.
25. Council agreed to consult on prohibiting dogs from Shark Alley year round (this would replace the temporary restriction during the summer breeding season) and from the coastal dunes (except if transiting through the dunes on leash). More detailed feedback from the consultation on these issues is provided in attachment 2 but both proposals received overall support in the community survey with 63% support for banning dogs in the coastal dunes and 50% support for year round dog restrictions in Shark Alley with a higher level of support from non-dog owners for the coastal dunes 86% and Shark Alley for 79% respectively.
26. A further 46 emails were received supporting the changes. The change was strongly supported by environmental and wildlife groups including the Western Bay Wildlife Trust, Bay Conservation Alliance, Predator Free Bop & NZ, Animal Rescue and Rehabilitation Centre and the New Zealand Penguin Initiative. Key reasons for supporting the changes were related to the protection of wildlife. Those opposed to the change were concerned about the impact on areas for dogs to exercise, with some submitters noting they preferred to exercise their dogs in the dunes to avoid busier beach areas.

27. Given this feedback Council staff have prepared two options for change for Council to consider. Council staff recommend **Option 1C: Do More**. The consultation also raised an issue around the impact of the proposed Shark Alley boundary on an existing dog friendly running event and further information is provided below in paragraph 29-30 and options to address this in Table Two.

28. **Table 1: Issue 1: Shark Alley and Coastal Dunes**

Options	Advantages	Disadvantages
Option 1A: Status Quo	- Greatest opportunities to exercise dogs including in dune environments where there are less likely to be other beach users - No additional enforcement resources required	- Does not provide as much protection for threatened or at risk species from the impact of dogs as option 1B or 1C - Habitat and resilience benefits of the coastal dune environment not protected from disturbance by dogs
Option 1B: Do Some – Dogs prohibited year round in Shark Alley and adjacent areas	- Creates clear rules for the dog prohibited area in Shark Alley to reduce non-compliance - Supports wildlife through their full lifecycle and reflects the year round wildlife values - Minimal additional enforcement resources required	- Does not provide as much protection for threatened or at risk species from the impact of dogs or cats as option 1C - Habitat and resilience benefits of the coastal dune environment not protected from disturbance by dogs - Reduces opportunities to exercise dogs between March – November
Option 1C: Do more (option consulted on) - Dogs Prohibited year round in Shark Alley and adjacent areas, Coastal Dunes (recommended)	- Creates clear rules for the dog prohibited area in Shark Alley to reduce non-compliance - Supports wildlife in Shark Alley through their full lifecycle and reflects the year round wildlife values - Protects coastal dune environment which provide habitats for wildlife and dune planting which protect from coastal erosion	- Moderate additional enforcement resources required - Reduces opportunities to exercise dogs including in dune environments where there are less likely to be other beach users

Shark Alley event exemption

29. During the consultation it was identified that prohibiting dogs from the grassed area alongside Shark Alley would impact an existing dog friendly running event that takes place along the Marine Parade Coastal Path. The current event takes place in February and requires dogs to be leashed and managed in accordance with a dog management plan, which includes provisions to manage the impact on wildlife. Next year's event planned to marshal runners (including any dogs) at Hopukioire before they travel south along the Marine Parade Coastal Path. Options are provided for Council to consider whether to allow an exemption for events to use the grassed area and/or the Marine Parade Coastal Path.
30. We contacted environmental groups to provide feedback on a proposed exemption for approved events in the Shark Alley grassed area. Predator Free Bay of Plenty, Western Bay

Wildlife Trust, and Bay Conservation Alliance did not support an exemption noting the area is an extremely significant ecological space and allowing an exemption will send the wrong message to the public, their full feedback is provided in Attachment 1. Council staff are not providing a recommendation, as it is for Council to decide how to balance the protection of wildlife against supporting events.

Table Two: Shark Alley event exemption

Options	Advantages	Disadvantages
Option 1D: Allow an exemption to enable the green space and Marine Parade Coastal Path adjacent to Shark Alley by dogs when part of an approved event, with appropriate controls in place.	• Supports a vibrant city that embraces events • Allows exercising/positive socialising of dogs during that event • Allows marshalling or activities on the greenspace	• Even well managed dogs may have an impact on wildlife through their presence in an area • May confuse public into thinking the area is an area they can take their dogs
Option 1E: Allow an exemption to enable the use of the Marine Parade Coastal Path adjacent to Shark Alley by dogs when part of an approved event, with appropriate controls in place.	• Supports a vibrant city that embraces events • Allows exercising/positive socialising of dogs during that event • Limit dogs to boardwalk minimizing disturbance	• Even well managed dogs may have an impact on wildlife through their presence in an area • May confuse public into thinking the area is an area they can take their dogs • Would not allow marshalling or activities on the greenspace
Option 1F: Do not Allow an exemption to enable the green space and Marine Parade Coastal Path adjacent to Shark Alley by dogs when part of an approved event	• Higher level of protection for wildlife from any disturbance • Supports nature and biodiversity goals • No confusion as to the dog-free status of the area • Reflects the views of Predator Free Bay of Plenty, Western Bay Wildlife Trust, and Bay Conservation Alliance	• Impacts community event • Limits the exercising/positive socialising of dogs during that event

Issue 2: Community spaces

31. The Council considered the approach to dogs in community spaces as part of the review and noted that while dog related incidents in the city were increasing this was largely proportional to the increasing population of dogs. Recent dog statistics for the 2025/26 year period show a similar trend with a 1.1% aggression rate relative to known dogs which, while slightly higher than the 2024/25 year (0.9%) is within the historic range and may reflect the greater emphasis on reporting incidents at present.
32. There was moderate support (61%) for the limiting of dogs on active recreation equipment (such as basketball courts and skate parks but excluding sportsfields) and strong support (76%) for areas fenced for inclusion purposes. Feedback also raised concerns that the 10m

from the playground rule was not well understood or enforced. Concerns were also raised where park layouts resulted in play spaces very close to popular dog walking routes.

33. Requiring dogs to be leashed in the City Centre was mixed with Red Square well supported (72%), and moderate support for other city spaces (54% for Masonic Park, 65% for the Waterfront). The Disability Assistance Dog submission strongly supported restrictions in city centre spaces as a way to protect assistance dogs from unwanted dog encounters. They also felt this would reduce dog fouling incidents that could be misattributed to assistance dogs. Those that did not support the proposed restrictions noted the desire to keep access to the water for dogs. Council staff consider that Red Square and Masonic Park are similar in being urban style spaces unsuitable for dog exercise and therefore are proposing on-leash restrictions here.
34. The approach to shared paths was more mixed (76% Marine Parade Coastal Pathway, 61% Pāpāmoa Shared Pathway and 56% for Ōtūmoetai – Matua (Beach Road) Pathway). There were very similar levels of support from both dog and non-dog owner for the Marine Parade Coastal Pathway and the Pāpāmoa Shared Pathway but higher support from non-dog owners in regards to the Ōtūmoetai – Matua (Beach Road) Pathway 68%. Those in support of changes to leash dogs on these pathways mentioned that restrictions may increase community safety and reduce conflicts between users. Concerns raised by those who disagreed with the proposal noted it may impact responsible dog owners unnecessarily, that it would stop people cycling with dogs, and that it may increase issues due to leads creating hazards. Some respondents raised concerns that the issues were caused by poor behaviour by cyclists or e-scooter users not dogs. Some submitters requested that dogs be permitted on the currently dog-prohibited areas of Mount Maunganui and Pilot Bay boardwalk as a way to increase vibrancy and amenity.
35. Overall 55% of respondents supported the proposal to prohibit dogs in cemetery grounds, with a greater level of support among non-dog owners (67%). Feedback that supported the restriction of dogs in cemeteries and burial grounds noted the cultural sensitivity of these spaces, and concerns that dogs may defecate on or around graves. Feedback from those that did not support the proposal noted that dogs could offer companionship to mourners, that respectful dog walking could be an appropriate way to help visitation in these space, and noted a lack of other green spaces in which to walk dogs. As noted in paragraph 50-53, work is underway to ascertain open space requirements, and plan for appropriate dog exercise areas. There does appear to be a lack of greenspace in Te Papa South and the cemeteries have been informally used by dog owners in these areas. Following this feedback and further analysis council staff recommend a dog leash requirement rather than prohibition to balance the need for dog exercise options with the desire to ensure respectful behaviour in cemeteries.
36. Feedback from those who supported leash requirements in heritage reserves noted the desire to protect cultural or historic spaces. Feedback from those that did not support the proposal noted that the proposal covered a wide range of spaces and that dog restrictions were not needed or appropriate in some of these spaces, or due to a lack of other green spaces would have a disproportionate impact on exercise areas for dogs. The consultation feedback also showed that some residents were not aware of some of the heritage values within these spaces.
37. As noted above there are areas of the city that have limited greenspace options for dogs, particularly Te Papa South where proposed restrictions would impact dog exercise options. Taking an educative approach was raised as an alternative way to protect archaeological or cultural features within a reserve and increase community appreciation and respectful behaviours within these spaces. Taking account of community feedback, council staff do not recommend bylaw leash restrictions to address the issue and instead recommend an educational approach. If Council would like to take a bylaw approach Council staff identified

a more limited subset of heritage reserves where restrictions are more appropriate which could be considered⁹.

Table Three: Community spaces

Options	Advantages	Disadvantages
Option 2A: Status Quo	Retains highest level of dog exercise options	Does not address areas where concerns have been raised about the impact of dogs on other public space users
Option 2B: Do Some – Dogs prohibited from areas fenced for inclusion, active recreation areas. Dogs on leash in Red Square, Masonic Park, on three shared paths, cemeteries and burial grounds (recommended)	- Targets those areas with higher levels of community support and sites where children or vulnerable users are likely to be present - Excludes some initially proposed spaces to allow for the continued exercising of dogs – particularly in areas where greenspace is limited - Any education approach to heritage reserves would support wider community appreciation of these spaces	- Would not provide enforcement mechanisms if poor behaviour continues (for example continued dog fouling in cemetery) - Limits some off leash dog exercise areas
Option 2C Do more (option consulted on) - Dogs Prohibited from areas fenced for inclusion, active recreation areas, and cemeteries and burial grounds, dogs on leash in Red Square, Masonic Park and the Waterfront, three shared paths and selected heritage reserves	- Prohibits dogs from sites where children or vulnerable users are likely to be present - Provides a consistent approach across city centre spaces - Would likely address issues of dog fouling in cemeteries - Would directly protect heritage reserves from disturbance by dogs	- Limits off leash dog exercise areas and particularly in areas where alternative dog exercise options are limited - Taking an education approach instead of a regulation approach may provide wider community appreciation of these spaces

Issue 3: Other licensing issues

38. As part of the review Council agreed to consider a range of licensing changes including:

- requiring a licence to keep two dogs over three months old at a property at any one time (in addition to the current two dogs per owner limit) to avoid multiple dogs being kept on properties unsuitable to meet their needs
- allowing people to apply for a licence to walk more than four dogs at once, to allow dog training businesses with suitable qualifications to walk additional dogs

⁹ This includes Gate Pa Domain, Matiu Kauri Grove, areas within the Fantail Drive Reserve area (particularly the pā site) with archeological/cultural values and Monmouth Redoubt.

- requiring a licence to keep more than 6 chickens or any other type of poultry in a residential zone
 - adding a general power for authorised officers to issue reasonable instructions related to the keeping of animals
 - updating the approach to managing bees to allow council staff to work with bee owners prior to escalating to removing bees.
39. Consultation showed overall support for these changes (Attachment 2). Feedback from animal welfare groups recommended further changes to better support animal welfare outcomes, for example requiring the provision of appropriate bedding. Animal welfare is regulated through the Animal Welfare Act 1999 and is managed by the Ministry for Primary Industries. A Local Government Act bylaw is not empowered to regulate welfare issues, except where they result in a nuisance effect. The proposed general power to issue instructions would be able to be used in a circumstance where a welfare issue was creating a nuisance effect. Feedback also noted a desire for a stronger obligation on dog and animal owners to be responsible owners and to limit the impact of their animals on other residents, for example, through better dog control, keeping cats within their own property, caring for animals appropriately.
40. Feedback from the Bay of Plenty Regional Council suggested technical changes to better reflect the Regional Pest Management Plan requirements which have been incorporated.
41. Some submitters noted the importance of bees for biodiversity and the value of urban beekeeping. Specific feedback from beekeeping groups raised concerns on the qualification of council staff to issue instructions and the need for specialist advice. Operational guidance is being prepared for staff to support this new approach, which will include recommending bee owners connect directly with beekeeping groups for support. Some respondents were not satisfied with a change in approach instead wanting Council to more actively require the removal of beehives where they were impacting neighbours. Other comments mentioned considering section size or proximity requirements.
42. Feedback on the proposed changes to poultry noted the importance of the ability to keep poultry for food sovereignty and addressing cost of living issues. Some suggested changes included widening the range of permitted poultry to include other food producing species such as ducks and quails. Others suggested that limits should not apply to larger sections.

Table Four: Other Licencing Issues

Options	Advantages	Disadvantages
Option 3A: Status Quo	• No resource required to implement	• May still have issues with multiple dogs being kept on unsuitable premises. • Impacts on dog walking businesses • Continues with difficult process to manage bees • Allows unusual types and amounts of poultry on a residential property • Does not allow council staff to issue instructions to better manage issues with keeping animals which was recommended by DoC to support any avian flu requirements • Does not reflect Regional Pest Management Plan
Option 3B: Do Some (consulted on option with minor changes) – Agree to update poultry provision require a licence to keep poultry other than chickens, ducks and quails in residential zones or more than 6 heads of these, require a licence to keep more than 2 dogs in residential zones, allow a licence to walk more than 4 dogs at once, create a general power provision to support the team leader Animal Services to issue reasonable instructions for the keeping of animals, including related to bees and update Regional Pest Management Plan references (recommended)	• Addresses issues with multiple dogs being kept on unsuitable premises. • Allows dog walking businesses to apply for a licence to walk more than 4 dogs • Allows more proportionate process to manage bees • Restricts permitted poultry on a residential property to those that provide food and are unlikely to cause a nuisance • Allows council staff to issue instructions to better manage issues with keeping animals which was recommended by DoC to support any avian flu requirements • Reflects Regional Pest Management Plan	• Does not address submitters feedback that want more active dog or animal owner obligations

Option 3C Do more – Create a more comprehensive animal licensing requirement prior to permitting the keeping of animals	• Addresses submitters feedback for more active dog or animal owner obligations	• Likely to result in an increase in overall costs, and given that most owners are responsible likely to be disproportionate to the issue to be solved • Would increase requirements on staff time determining who is a responsible owner and managing disputes. • Could result in more animal abandonment.
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Issue 4: Cat regulation

43. The Council considered its approach to bylaw controls on cats. While Council resolved to not include new cat provisions due to the lack of feasible enforcement mechanisms, it requested public feedback on this matter to inform future decision making. Community feedback supported the Council taking a more active role in cat management. This ranged from concerns about wildlife impacts and animal welfare concerns, to nuisance concerns such as defecation and disease spread.
44. Desired measures to managed cats mentioned included desexing, microchipping, registering cats, limiting numbers of cats, keeping cats inside or within a property, and restricting the feeding of stray and or feral cats.
45. Stakeholders such as the RNZSPCA, Western Bay Wildlife Trust and Bay Conservation Alliance advised that current rates of desexing, microchipping and registering are reasonably high, but that a Council bylaw position on cats would create a clear expectation that could help support efforts to encourage responsible cat ownership where some owners may be uncertain.
46. Given the proposed bylaw as consulted on did not include specific provisions for cats adopting specific requirement for cats would require further consultation. Council staff consider that Council could include an encouraging statement within the bylaw without the need to reconsult which would signal Council support for these behaviours.

Table Five: Cat regulation

Options	Advantages	Disadvantages
Option 4A: Status Quo (option consulted on)	• No resource required to implement	• No council position on cats
Option 4B: Do Some – Encourage desexing, microchipping and registering of cats in bylaw. (recommended)	• Provides a formal Council position on cats • No resource required to implement • May encourage uncertain owners to be more responsible cat owners	• No ability to enforce regulation

Option 3C Do more – Reconsult on specific bylaw measures to regulate cats	• Addresses submitters feedback for more active cat management • May encourage uncertain owners to be more responsible cat owners	• No ability to enforce regulation • May increase expectation for council to follow up complaints • Requires reconsultation and staff resource to respond to cat related issues.
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Issue 5: Further work

47. Through the consultation feedback was received on a number of topics outside of the direct scope of the review but which relates to the management of dogs in Tauranga. We are seeking direction from the Council on the approach to addressing these issues which could involve further reconsultation through this bylaw review or for this feedback to be considered through other upcoming projects.

Waikareao/Daisy Hardwick Walkway

48. Through consultation we asked the community if there were any other shared paths that should be considered for dog on leash requirements. Overall 31% said yes but of non-dog owners 62% said yes. Of those that said yes the Waikareao/Daisy Hardwick Walkway was the most popular response (406 people) closely followed by the Matua boardwalk from Bay Street Reserve to the Matua Saltmarsh on-leash area (353 people).
49. It was noted in the October 2025 Council meeting that the status of the Waikareao Estuary as a wildlife refuge impacts the ability of Council to consider leash restrictions in this area. Work would need to be undertaken with the Department of Conservation to look at how to progress any changes for dogs in this area. It is likely this would involve seeking approval from the Minister of Conservation to adjust dog rules for the wildlife refuge or remove the status. Since the wildlife refuge was created in 1921, other more recent protections have been placed on the area (the area is designated a special ecological area in the City Plan and has reserve status in part) which provide more up to date and relevant legislative protection for this area.

Table Six: Waikareao/Daisy Hardwick Walkway

Options	Advantages	Disadvantages
Option 5A: Start work with the Department of Conservation now and reconsult on the bylaw on this issue	• Would address submitters who suggested further restriction in this space (406 people) • Would support wildlife values in the areas of the walkway that are a Special Ecological Area	• Relies on DoC time at a point where DoC is busy preparing for avian flu • 69% of submitters did not think other shared paths from those proposed needed leashing
Option 5B: Start work with the Department of Conservation ahead of the next review of the Dog Management Bylaw (recommended)	• Allows consideration of changes at a time where there may be more community support for leash restrictions • DoC may have more time to progress required wildlife refuge changes • Reflects 69% of submitters that did not think other shared paths from those proposed needed leashing	• Does not support wildlife values in the areas of the walkway that are a Special Ecological Area • Does not address submitters who suggested further restriction in this space (406 people)

Creating dog exercise spaces

50. One of the most mentioned themes throughout the consultation process was the desire for more dog friendly spaces in Tauranga. Expectations for these spaces varied by respondent, but common requests were for fenced spaces, larger parks with space for dogs, and areas without other conflicting activities.
51. Tauranga has taken a dog inclusive approach to open space with dogs generally permitted to be off-leash in all parks and reserves and beaches unless a specific restriction applies. In practice it appears that this may not be well understood or meeting dog owners' needs. A more directive approach to where dogs should be exercised may support dog owners to feel more empowered to exercise their dogs and support those community members who do not want to encounter dogs to understand which spaces are likely to be popular with dogs.
52. As part of the upcoming open space provision policy review council staff will be seeking community feedback on dog exercise space requirements. This feedback will then be used to assess what dog exercise spaces the city has that meet community expectations and where there may be gaps in provision.
53. Through the consultation feedback some submitters raised that they would prefer an 'on leash by default' approach with specific areas where off leash exercise is permitted. To transition to this approach would take careful planning and consideration of factors such as available green space, reserve management plan considerations and neighbouring land uses. If Council is wanting to consider a shift to this approach it will require allocation of significant time and staff resource and therefore council staff are seeking a direction on whether to undertake this work. There is currently no budget for the development of specific fenced dog exercise areas.

Table Seven: Dog exercise spaces

Options	Advantages	Disadvantages
Option 5C: Progress work on dog friendly spaces through the Open Space Provision Policy (recommended)	- Allows for feedback to be considered as part of wider open space planning process - Can refine understanding of what community would like to have available and at what proximity to home - Gives an opportunity to try a voluntary approach and if unsuccessful consider a bylaw restriction approach at the next review	- Any changes would rely on voluntary changes in behavior by dog owners to use more appropriate dog exercise areas - Does not respond to those submitters who desired an on leash by default approach
Option 5D: Start preparing to shift to an 'on-leash by default' approach with specified off-leash areas for the next bylaw review (no council staff recommendation)	- Would allow Council to make a well-informed decision on the issue at the next review - Responds to increasing population pressures which are likely to increase conflicts between users of open space - Responds to feedback of submitters who wanted Council to take 'on leash by default' approach	- Will require significant resource to plan this change - May be difficult to achieve the appropriate exercise and socialization needs of dogs given the limited green space in existing areas

Option 5E: Do not start preparing to shift to an on-leash by default approach with specified off-leash areas for the next bylaw review (no council staff recommendation)	- Does not require any significant resource - Retains approach to maximize possible greenspace use to achieve the appropriate exercise and socialization needs of dogs	- Will not prepare Council to make a well-informed decision on the issue at the next review - Does not respond to increasing population pressures which are likely to increase conflicts between users of open space - Does not respond to feedback of submitters who wanted Council to take on leash by default approach
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Beach issues

54. Linked to the issue above was commentary around the presence of dogs on beaches. Since the last review the Mount Maunganui and Pāpāmoa population has increased substantially and as such there is increased pressure on beach areas from both people and dogs. A number of submissions were received noting concerns about dog behaviour at the beach including failing to pick up dog faeces, having dogs off leash in dog prohibited areas, failing to control dogs and having dogs running up to and jumping on children or elderly people.
55. Other submitters noted that dogs on beaches were a key reason people visited the beach (particularly in winter) and that dogs added a social environment and enjoyable aspect to these spaces.
56. Suggestions for changes included considering time of use restrictions, increasing dog prohibited areas, and removing the ability for dogs to transit through some dog prohibited areas on leash (Omanu, Pāpāmoa).
57. Any changes of this nature would be outside of the scope of the proposed bylaw and therefore would trigger the need to reconsult. Given the link between dog issues and wider beach rules, council staff consider there is an opportunity to link this with the Beaches Bylaw review which is due for review by 2028. Linking this project would reduce consultation costs, provided the consultation was again timed to match the dog registration period¹⁰.
58. Another option to address the concerns raised would be to increase enforcement resources for more proactive enforcement of rules on beaches. This was requested by a number of submitters to address those concerns.

Table Eight: Beach Issues

Options	Advantages	Disadvantages
Option 5F: Reconsider rules for dogs on beaches through the upcoming Beaches Bylaw review (recommended)	- Allows for issues raised by submitters to be responded to earlier than the next dog management bylaw review - Allows issues to be considered in light of other beach activities (eg, fishing, vehicle access, horse riding)	Requires consultation to occur with dog registration period or it will incur additional costs to notify all dog owners

¹⁰ This allows the required notification to all dog owners in the district to be included on the dog registration notice reducing letter costs.

Option 5G: Reconsider rules for dogs on beaches at the next Dog Management Bylaw review	Allows time for changes to coastal dune restrictions to take effect and be monitored before other changes are proposed	- Issues raised by submitters will not be responded to until the next dog management bylaw review - Issues may not be considered in context of other beach activities (eg, fishing, vehicle access, horse riding)
Option 5H: Increase enforcement resource in the Long-Term Plan to enforce current dog beach rules	- Supports the new bylaw changes as well as addressing community feedback that greater enforcement is needed - If rules are enforced particularly in dog restricted areas then conflicts between users can be minimized - Most dog behavior raised as causing concern in the feedback suggests dogs are not being kept under control which is an existing bylaw requirement - Limits the need for additional restrictions for those that can keep their dog under control	- Requires operational expenditure of approximately \$120,000-\$150,000 annually - Those in breach of the bylaw will likely dislike infringement fines

FINANCIAL CONSIDERATIONS

59. Additional dog prohibited or dog on leash areas may increase the number of complaints animal service staff need to respond to, if these rules are not abided by. However, strong community support for rules helps drive compliance through social norms and may reduce enforcement issues. Dog enforcement costs are funded through dog registration fees.
60. Including new rules within the Keeping of Animals Bylaw may increase enforcement costs where those rules generate additional work to monitor and respond to complaints. Animal services costs for this enforcement are primarily funded by general rates. Animal services noted that responding to bee complaints in the last two years resulted in a total of 163 hours of staff time to follow up on complaints.
61. Enforcement resource considerations are outlined as part of the analysis on each issue.

RISKS AND LEGAL IMPLICATIONS

62. Central government has provided updated guidance on Dog Control and draft bylaw policy is considered consistent with that guidance. The current government indicated there may be a review of the Dog Control legislation following the election, at which point the bylaw and policy may need to reassessed against the new legislation for consistency.
63. When the Council considered the issues in November the cemetery rules restricted dogs in cemeteries and required permission from the cemetery manager as per the default rules in the Burials and Cremation Act 1964. Since this time the cemetery rules have been reviewed and dogs are now permitted on leash in cemetery grounds. Therefore any change to restrict dogs further would require an update to the cemetery rules to reflect the bylaw and policy.

64. Minor amendments have been made to modernise terms in the draft bylaws and policy, or remove redundant provisions.

TE AO MĀORI APPROACH

65. The Environment Strategy and Nature and Biodiversity Action and Investment Plan was developed with input from Te Rangapū. The desire to enhance, protect and restore special ecological areas is a key part of this strategy.
66. New Zealand research suggests that Māori communities are disproportionately impacted by dog related incidents¹¹. The direct causal link for this is not clear, however actions to prevent and reduce dog related incidents are likely to particularly benefit Māori communities.
67. Council staff met with the Te Rangapū policy subcommittee on 16 October 2025 and their feedback informed the issue and options considered by Council on 29 October 2025¹² and Te Rangapū were reminded of the public consultation. Representatives of iwi and hapū, where changes were proposed for heritage reserves in their rohe, were also informed of the consultation.

CLIMATE IMPACT

68. Actions to reduce the impact of dogs or animals on wildlife will contribute to the goal of enhancing nature and biodiversity

CONSULTATION / ENGAGEMENT

69. As noted in paragraph 12 both pre-engagement with the public, key stakeholders and tangata whenua occurred in 2025 and then formal consultation through a special consultative procedure occurred in 2026.
70. An accidental omission resulted in 9 written submissions not being included in the 11 August hearings report. These are provided in Attachment 1. This attachment also includes 7 submission received after the hearings on 11 August 2026 in response to points raised by submitters.

SIGNIFICANCE

71. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
72. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the issue.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
73. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the issue is of high significance given the high level of public interest in dog and animal rules.

¹¹ Duncan-Sutherland N, Moaveni Z, Exeter DJ, Colbert J, Kool B. Epidemiology of dog-related injuries within New Zealand. N Z Med J. 2022 May 6;135(1554):111-128. PMID: 35728223.

¹² [Agenda of Ordinary Council meeting - Wednesday, 29 October 2025](#) item 11.2 attachment 5.

ENGAGEMENT

74. Taking into consideration the above assessment, that the issue is of high significance, officers are of the opinion that no further engagement is required prior to Council making a decision on the draft policy and bylaws options presented in this report, due to the previous consultation and engagement undertaken.
75. If Council would like to amend the draft policy and bylaws to include matters raised in the consultation but not directly addressed in the consultation material outlined in paragraphs 47 to 58 it is likely that further consultation would be required to meet legislative requirements.

NEXT STEPS

76. Following the Council's direction on the issues outlined within the bylaws and policy the bylaw and policy will be updated and prepared for publication. This will include the finalising of the Consistency Accountability Statements and Public Notice of the bylaws. Council staff will respond to submitters to advise them of the Council's decisions.
77. Updates to signage and operational processes will be prepared ready for the 1 February 2027 commencement of the bylaws and policy.
78. Further work on matters raised through the review will be undertaken as per Council's direction.

ATTACHMENTS

1. **Additional submissions - A21253012** [↓](#) 
2. **Summary of submissions - A21253020** [↓](#) 
3. **Draft Dog Management Policy - A21253017** [↓](#) 
4. **Draft Dog Management Bylaw - A21253016** [↓](#) 
5. **Draft Keeping of Animals Bylaw - A21253018** [↓](#) 
6. **Section 155 and Bill of Rights Act analysis - A21253019** [↓](#) 
7. **Consistency and Accountability Statements and Summary of Underpinning Analysis - A21253013** [↓](#) 

Additional submissions received:**#1: Bay Conservation Alliance (received after consultation)**

Submission to Tauranga City Council

September 8, 2026

Dog Management Policy and Bylaw Review

RE: Proposed Marine Parade grassed area by Shark Alley be dog free to provide a clear boundary for enforcement and a buffer to the dunes and specifically in regard to an annual dog-inclusive running event proposed in the same area.

Bay Conservation Alliance (BCA) is an incorporated society and charitable trust that supports community-led environmental restoration and landscape wide nature conservation. BCA currently links and supports 38 community conservation groups across the Bay of Plenty.

Western Bay Wildlife Trust (WBWT) is a BCA member and works tirelessly monitoring and advocating for native birds and protecting their habitats around *Moturiki* and *Mauao* coastlines. WBWT observes first hand that wildlife is often marginalised and forgotten.

BCA are very concerned that TCC would give an exemption to the above dog bylaw for a dog event and allow dogs in the area detailed above. **BCA advises not to allow dogs in this area for any event.**

Our reasons for this is as follows

1. This area is very fragile and sensitive for our native and endemic birds and other wildlife. Allowing dogs to be present in this area for a community event is **completely inappropriate**. The native and endemic wildlife such as rare bird species, *tuturiwhatu* (Northern New Zealand dotterel – *Charadrius obscurus*) and *kororā* (little blue penguin – *Eudyptula minor*) don't have an alternative habitat, they only live on the narrow edge next to the sea in this coastal zone. The wildlife here, experience many threats, ALL of them are from human related activities. Many of the significant problems wildlife face are a direct result of dogs being present in these areas – for example injured birds, bird death and chicks failing to fledge. Our wildlife deserves and needs better protection.
2. Work undertaken to protect these birds is mostly by volunteers (residents and members of the community) through pest control, beach clean ups and education. These volunteers are constantly communicating with and educating dog owners who bring their dogs to the area (Moturiki / shark alley). They see first-hand how the public ignore signs or misunderstand information. Many dog owners often don't realise the significant harm and threat dogs in the area pose. This event (by including dogs) would **totally undermine** the work undertaken by volunteers and the ongoing work that they are doing. It would encourage people to bring their dogs to this area, cause more work for volunteers and increase stress to our native wildlife.

BCA kindly requests that TCC operates regular monitoring and enforcement of the no dogs policy around the Moturiki area, to support volunteer work and give more strength to the dog restrictions, especially during weekends and the summer period. This will maintain a consistent approach restricting dog access to the area.

BCA are keen to support the many initiatives undertaken by TCC and other providers for community well-being and fun in the area while helping to share knowledge and educate residents on the issues detailed above. However, more work needs to be done in public places such as heritage reserves and making leashing requirements in sensitive areas mandatory.

BCA believes the current regulations that are in place do not give the suitable protection to our native wildlife especially in our coastal areas and the bylaws need to be amended to ensure this.

Bay Conservation Alliance
Emma Richardson
training@bayconservation.nz

#2: Western Bay Wildlife Trust (received after consultation)

Tuesday, 8th September 2026

**Feedback for Dog Management Policy and Bylaw review
re: Dogs at Shark Alley and Event Exemptions for dogs**

To Tauranga City Council,

As per our previous submissions, [Western Bay Wildlife Trust](#) (WBWT) strongly supports the extension of the current seasonal dog restrictions (August-January) in the Moturiki – Mussel Rock (Shark Alley) area so they apply year-around, including the grassed area alongside the beach. **We strongly recommend a blanket no dog approach as part of this by-law and oppose adding any exemption clauses to this bylaw.**

Conservation is not only about protecting native/endemic species through pest control and monitoring etc., **conservation is also about education and raising awareness towards valuing, respecting, and celebrating our unique nature here in Aotearoa on a nationwide level.**

Urban centres (such as Tauranga) play a key role in creating this positive culture change for nature: Most kiwis live in urban centres, and councils (such as Tauranga City Council) hold responsibility to educate and raise awareness for the natural values on their land and beyond through deliberate action and consistent, clear messaging (such as the drafted proposed bylaw extension for Shark Alley).

With that in mind, we would like to urge Tauranga City Council to regard this situation as a big-picture opportunity to advocate for and help protect a significant sea- and shorebird hotspot on your land and to acknowledge the coastal area around Main Beach - Moturiki - Shark Alley is an important year-round habitat for that wildlife without compromises.

Moturiki holds the biggest Kororā (little penguin) population in the Bay of Plenty, and is one of the longest monitored colonies in the North Island. Mount Maunganui Main Beach holds the most Tūturiwhatu (Northern New Zealand Dotterel) breeding pairs in the Bay of Plenty.

*Main Contact: Anna Wentsch (Western Bay Wildlife Trust Kororā and Shorebird Ranger)
Email: westernbaywildlife@gmail.com*

As already mentioned in our previous submissions, dogs are a key threat to Kororā nationwide, and the Department of Conservation lists dogs to be "*likely the greatest threat to little penguin*" on their [website](#). Dogs are also a key threat to Endemic Tūturiwhatu (Northern New Zealand Dotterel), Tōrea Pango (Variable Oystercatcher), and other wildlife.

WBWT understands the value of community events, however allowing any events with dogs in the wider Main Beach - Moturiki - Shark Alley area we view as undermining conservation values: Allowing exemptions will send contradicting messages to dog owners and the general public using the area (both local residents and visitors).

Our volunteers and trustees regularly observe breaches of the existing dog bylaws around the Main Beach - Moturiki - Shark Alley area. We urge Tauranga City Council to consider the wider impacts: Events involving dogs further promote these breaches. It sets a bad example as most people who will see the dogs won't necessarily understand the context that what they are observing is an exemption.

For this scenario, we strongly recommend to encourage the event organiser to look for alternative locations beyond Mount Maunganui area, e.g. Papamoa Domain, with less conservation values to continue running their event with the dog component.

This approach values this community event as well as wildlife and conservation in the Main Beach - Moturiki - Shark Alley area. **Only the event has the ability to relocate, our local wildlife does not have this ability and therefore needs maximum protection at all times.**

We are happy to provide further information around this topic, including providing education to event organisers around conservation values, wildlife protection and responsibilities that come with that in the Main Beach - Moturiki - Shark Alley area.

#3: Predator Free Bay of Plenty (received after consultation):

Thank you for clarifying the details about the event in question. I don't agree with the event being granted an exemption to have dogs in the designated area.

This area is an extremely significant ecological space and allowing an exemption will send the wrong message to the public.

It would be great to support dog owners to know where they can exercise with their pets. From the details you shared, Te Ara o Wairākei in Pāpāmoa would be a suitable location.

#4: Cherie Flintoff (received after consultation)

Dear Councillors

I have spent many years as a central and local government senior policy advisor, with experience in drafting policies, bylaws and other strategic documents, and in assessing the intended outcomes and likely unintended consequences of such work.

In considering what roles Council may have in controlling cats and dogs, as Council has identified, there is no legal imperative for councils to control cats, like there is for dogs. Given that, it could open council to potential judicial review should it try to do so, as well as not being the best way to achieve the intended outcomes.

We have recently seen across New Zealand an increase in people being cruel to cats, shooting pet cats in urban areas, excusing or encouraging dog attacks on cats. This type of anti-social behaviour cannot be encouraged, even implicitly, without encouraging other sociopathic behaviour as an unintended consequence. We also need to recognise that dogs that attack cats are also more likely to attack other animals, or people, and that this needs to be addressed.

Calls to stop people caring for cat colonies are short-sighted, uninformed, unlikely to achieve any useful objectives, as well as just plain cruel. The likely outcome would be more unhealthy stray cat colonies, which continue breeding exponentially, instead of being cared for and desexed.

While I'm a huge supporter of microchipping (and registering the microchip) and desexing pet animals, criminalisation is not the best tool to achieve this.

I do support the suggestion that dogs must be on leads while passing through the dunes, as they can also be a risk to wildlife, and it reduces risks / concern for other pedestrians.

I would also recommend dogs should only be off-leash in public areas if they are trained for good recall and to prevent aggression. Dogs and even a horse and rider being attacked show the need for this. Training should be made more accessible to facilitate people having better trained dogs.

To that end, some measures that Council could adopt, to be (much) more effective in supporting better cat (and dog) ownership/ stewardship include:

- The current guidance encouraging desexing and microchipping for cats could be strengthened, including the link for registering the microchip to assist with reuniting lost cats, and links to organisations that can support financially where required.
- Lobbying for national funding for the animalregister.co.nz to remove the cost, and increase compliance, alongside a requirement that anyone implanting a microchip ensure the pet, and owners contact information, is registered.

- Encouraging vets to link to the register, and check contact information at appointments.
- Lobbying for / providing national or regional financial and logistical support for the excellent work that some local organisations are doing to make desexing more affordable and accessible (e.g. the Kitten Orphanage's last litters program, and Vet Post's planned Mr Snippy program.
- Supporting those who care for stray cat colonies, provided their aim is to desex all the cats. (Ensuring there is financial support for this - as even logistically it is a big ask.)
- Publicising some of the laws about not being cruel to animals, to reduce the sociopathic behaviour some people think is ok.
- Supporting useful in person and / or online dog training to teach people how to improve dog recall, behaviour and reduce their likelihood of attacking people or other animals.

I hope this perspective adds to your considerations. It would be nice to see Tauranga taking a positive and effective leadership position, which actually helps people achieve better outcomes (unlike some of the misguided suggestions reportedly presented to you), and sets a better way forward for other districts to follow.

#5: Jennifer Harrison (received after consultation)

Animal welfare obligations in Tauranga's City Council approach to companion cats and cat colonies

I am writing to you as a resident and ratepayer of Tauranga to raise concerns about how the council's current or proposed rules for companion cats and cat colonies sit alongside New Zealand's existing animal welfare law, and to ask that these obligations be explicitly considered in your current cat bylaw and/or animal bylaw review, and your Regional Pest Management Plan review.

New Zealand has no single national law dedicated to cats, unlike the Dog Control Act 1996 for dogs. In that gap, councils across the country have understandably begun writing their own local rules. I support responsible cat ownership and sensible local rules. My concern is narrower: that any rule your council adopts should work with, not around, the welfare standards Parliament has already set in the Animal Welfare Act 1999 and the Code of Welfare: Companion Cats and should be applied with a clear understanding of who those rules are actually for.

I understand Tauranga City Council's own draft animal bylaw (consulted on 1 June – 1 July 2026) did not include any new provisions for cats, and that submitters — including Predator Free NZ Trust — have since called for mandatory microchipping and desexing,

a cap on cat ownership numbers, and restrictions on feeding stray or colony cats, ahead of the council's decision at its 27 August 2026 meeting. I ask that whatever the council decides, points 1–5 above are reflected in it, particularly a managed-colony alternative to any feeding restriction and an exemption pathway in any ownership cap. **Source:** Predator Free NZ Trust submission reported in Scoop, "Tauranga Council Hears Calls For Mandatory Cat Microchipping, Desexing", 2026.

1. Please distinguish companion, stray and feral cats before any colony is treated as a pest -

The Code of Welfare: Companion Cats draws a care for legal line: a companion cat is owned and cared for by people; a stray cat is a lost or abandoned companion cat, living alone or in a colony, with its needs indirectly met by people and living near human settlement; a feral cat has none of its needs met by people, generally does not live near human settlement, and is excluded from the Code altogether. Most cat colonies reported to councils are, on the Code's own definition, colonies of stray cats — not feral cats. I ask that council staff, contractors and any complaint-handling process apply this distinction before a colony is treated as a pest-control matter rather than a companion-animal welfare one. Since Feral cats have been added to the Predator Free list, why are Companion cats, Stray cats and Colonies being targeted in Urban and Lifestyle block communities? Under the current distinction, Feral Cats do not live near human settlement.

2. Please offer a managed-colony pathway rather than a blanket feeding ban -

Where a colony does need to be addressed, the Code of Welfare's own preferred model is a managed colony: a plan agreed with the landowner and/or council covering identification, food, water and shelter, a vaccination and parasite programme, a desexing programme, and a long-term management strategy. A rule that simply restricts or bans feeding, without an accompanying welfare-based plan, does not make the cats' need for food disappear, it just makes it harder for them to meet that need safely, which sits in direct tension with the owner/person-in-charge duties in sections 10 and 11 of the Animal Welfare Act 1999 to meet an animal's physical and health needs and to alleviate unreasonable or unnecessary pain or distress. In practice, a cat cut off from a reliable food source has to work harder to find food elsewhere, which for a cat living near people usually means hunting more, not less, so a feeding ban risks prolonging the cats' suffering while also increasing the wildlife predation it is presumably meant to reduce. I ask that any feeding restriction your council adopts be paired with a genuine managed-colony option, consistent with the Code, rather than introduced on its own.

3. Please weigh the abandonment risk in ownership caps, confinement rules and desexing mandates — and make desexing genuinely affordable -

A flat numeric limit on how many cats a person may keep is a blunt instrument for ordinary households, and it can directly conflict with the work of genuine rescue organisations and managed-colony carers, exactly the people doing the welfare work the Code of Welfare describes as best practice. This is not a hypothetical overlap: caps like this are typically defined around the word "keep," not "own", Tararua District Council's bylaw, for example, defines "keep or keeping" as "the owning, looking after, caring for, being in charge of or otherwise being in possession of any Animal," language clearly modelled on the Animal Welfare Act's own "person in charge" test. That means a resident managing a colony of cats they don't own is very likely already caught by a numeric cap, whether or not the council intended to regulate that kind of custodial care at all. I ask that any such cap include a clear, documented exemption or permit process, verified by evidence such as a landowner/council agreement, vaccination and desexing records, or registration with an organisation like a Registered Rescue, for genuine rescue or colony-management operations, so the rule does not inadvertently penalise the community's own welfare safety net.

Beyond that, I would ask the council to weigh a wider risk: that a cap someone cannot meet, or a confinement or curfew requirement they cannot afford to comply with, does not necessarily mean fewer cats, it can mean more abandoned ones. Abandonment is already a specific offence under section 14(2) of the Animal Welfare Act 1999, and the Code of Welfare: Companion Cats treats it as a last resort to be actively avoided, not a foreseeable side-effect of a bylaw. Properly confining a cat (a secure outdoor enclosure, cat-proof fencing, or similar) has a real upfront cost, and I don't think it's realistic, in the current economic environment, to assume every household can absorb that cost at short notice. Where the council does consider a cap or a confinement requirement, I would ask that it be phased in with genuine transition time, rather than introduced as an unfunded requirement that risks increasing exactly the kind of unmanaged, displaced-cat problem this letter is otherwise concerned about.

The same logic applies to desexing. A desexing mandate is only as fair, and as effective, as people's actual ability to comply with it. I ask that any desexing requirement be paired with meaningfully subsidised desexing, run directly, through SPCA, or through a low-cost veterinary partnership, at a greater rate than currently in existence, particularly for lower-income households, rather than relying on a vet-certified health exemption alone to cover people who simply cannot afford the procedure. Without that support, a desexing mandate risks becoming, in effect, a rule that penalises cost rather than encourages responsible ownership.

4. Where feral cats are managed as a pest, please confirm animal welfare is part of the cost/benefit analysis

If your council administers or contributes to a Regional Pest Management Plan under the Biosecurity Act 1993 that declares feral cats a pest, that plan must be consistent

with the National Policy Direction for Pest Management 2015, which requires a formal analysis of the benefits and costs of any proposed pest programme. MPI's own guidance on that analysis states that non-monetary costs — including animal welfare, must be considered, and that the Animal Welfare Act 1999 must be taken into account when analysing the costs of a proposed plan. I ask for confirmation that this welfare analysis has been, or will be, properly documented for any plan provisions affecting cats.

5. Please help close the practical enforcement gap around companion cats killed as "suspected feral" -

I am also concerned about a pattern affecting residents in both urban and lifestyle-rural areas: companion cats being trapped, injured or killed, with the person responsible relying on the belief that the cat was feral. It is worth being clear about what the law actually says here, because I don't think it is well understood. Section 30D(4) of the Animal Welfare Act 1999 states that the exemption allowing pests to be killed lawfully does not apply to any animal that was in fact kept as a pet, and because offences under section 12 of the Act are strict liability, a person's genuine belief that a cat was feral is not, in itself, a defence if the cat turns out to have been owned. In other words, "I thought it was feral" is not the legal grey area many residents (and, I suspect, many people trapping cats) assume it to be.

Thank you for your attention to this important issue, and for the work you do for our district.

#6: Monique Wilson (received after consultation)

Tena koutou,

I'm writing regarding the proposed cat management rules and the Dog Management Bylaw 2026, and I'd like my feedback considered as staff report back to councillors. I support the principle of responsible cat ownership. Desexing and microchipping reduce unwanted litters, help reunite lost cats with owners, and are a reasonable expectation of anyone who takes on an animal. I'm not opposed to that part of the conversation.

My concerns are with consistency and with the practical welfare consequences of some of what's proposed.

1. Consistency between the cat and dog rules

I understand a submission during the hearing suggested dogs be given greater access to the dunes partly on the basis that they may discourage cats. If that reasoning carries any weight in the final decision, it sits very awkwardly alongside tighter restrictions on

cats. Roaming dogs are a genuine risk to cats, and I'd ask that any dune access provisions be assessed on their own merits – dog control, wildlife protection, public safety – rather than as an informal method of cat management.

2. Feeding restrictions on community cat colonies

Removing a food source does not remove the cats. It produces hungry, unwell animals that are harder to trap, harder to desex, and more likely to keep breeding. It also risks putting well-intentioned feeders in an uncertain position under the Animal Welfare Act 1999, which places obligations on those in charge of an animal.

If the goal is to reduce colony numbers, the more effective route is a supported desexing programme run with existing rescue and TNR groups, rather than a feeding ban. I'd ask Council to consider whether a permitted, registered-feeder model – where feeders commit to desexing and monitoring – would achieve the outcome Council actually wants.

3. Enforcement and cost

Caps on cat numbers per household and mandatory desexing will only work if the compliance pathway is affordable. Without a subsidy scheme, the rules will fall hardest on people least able to pay, and compliance will be poor.

What I'm asking for:

- That dune access for dogs be decided on dog control and wildlife grounds only, not as a cat deterrent
- That feeding restrictions be replaced or paired with a supported desexing and TNR programme
- That affordability of desexing and microchipping be addressed before any mandatory rules commence
- That cat and dog regulation be applied on a consistent basis

Adam Pierson (received after consultation)

Kia ora,

I am writing to give feedback on Tauranga City Council's Dog Management Policy and Bylaw review.

I understand formal consultation may have recently closed, but I would still like this feedback recorded and considered if possible before hearings and deliberations.

I strongly support more restrictions on dogs in Tauranga, particularly in busy public spaces, beaches, shared paths, children's areas, and residential streets.

The reason I am writing is that today I watched what appeared to be a responsible dog owner pretend to pick up after their dog on the berm outside my house in Mount Maunganui, when in reality they left the mess behind. I maintain that berm, my children walk around it, and I am the one left with dog faeces in the grass and through my lawnmower, and often on my shoes.

This is not a small issue. It is unhygienic, unpleasant, and unfair on residents. Even when dog owners do attempt to pick it up, they often do not get all of it out of the grass. Other times they do not notice their dog has fouled, or they choose not to deal with it properly. Either way, the public and nearby residents are left with the result.

I do not think the current approach works. It relies too heavily on the idea of “responsible dog ownership”, but in practice a lot of dog owners are not responsible enough. Many owners seem to believe that because they like their own dog, everyone else should tolerate it. That is not reasonable.

I regularly see dogs running free on beaches and in public spaces, approaching people who have not invited contact, jumping on people and children, walking over people’s belongings, urinating on belongings, licking people, and fouling public areas. A dog being friendly is not the point. People should not have to accept unwanted contact from someone else’s animal. It also genuinely boggles my mind that it is somehow accepted that dogs can urinate wherever they want in public spaces, including beaches and grassed areas where people walk, sit, and lie down. The rest of us are then expected to just accidentally walk through it, or sit where it has happened. I do not think that is a reasonable standard for shared public areas.

I like to enjoy a beach walk as often as I can, and it is often interrupted by dogs that are a long way from their owners and clearly not under control. Dogs can be unpredictable, and when one runs up to me or circles around me with the owner nowhere close, it makes me feel uncomfortable and sometimes unsafe. That is not how shared public spaces should work.

Dog owners often seem to think everyone wants to meet their dog. They simply do not understand, or do not care, that many people do not want a dog approaching them, touching them, licking them, jumping on them, or going near their belongings. That is not acceptable in a busy public place.

My view is that dogs should not be allowed off leash in general public spaces. Off-leash exercise should be limited to specific, clearly marked dog exercise areas where people can choose whether they want to enter that environment. Everywhere else, dogs should be on a leash and under physical control.

I particularly support dogs not being allowed off leash on any beach from Mauao through to the end of Marine Parade. That area is too heavily used by families, children, swimmers, walkers, runners, tourists, and people sitting on the beach. It should be treated first and foremost as a people-focused public space, not an off-leash dog area/dog toilet.

I also support stronger restrictions and penalties around dog fouling in public places, berms, reserves, beaches, and shared spaces. The current expectation that owners will

simply clean up properly is not enough. Council needs stronger rules, better signage, more enforcement, and meaningful penalties.

I strongly support dogs being banned from coastal dunes except when leashed on accessways.

I strongly support year-round dog restrictions at Shark Alley.

I strongly support dogs being banned from fenced play spaces for young children and disabled people.

I strongly support dogs being banned from active recreation areas such as skate parks and basketball courts.

I strongly support dogs being banned from cemeteries and burial grounds unless specific permission is given.

I strongly support dogs being required to be on leash on Marine Parade Coastal Pathway, Pāpāmoa Shared Pathway, Beach Road Pathway, heritage reserves, urban parks, the Waterfront, Masonic Park, Red Square, and all other busy shared paths.

I strongly support dogs not being allowed off leash on beaches from Mauao through to the end of Marine Parade.

I strongly support stronger restrictions on people walking multiple dogs at once.

I strongly support stronger licensing restrictions for properties with more than two dogs.

I strongly support stronger enforcement and penalties for dog fouling.

Education is not enough. Responsible owners may already follow the rules, but the problem is the large number of owners who do not. Rules need to be clear, restrictive, and enforceable.

My overall position is simple: dogs should not have priority over people in public spaces. People should be able to use beaches, parks, footpaths, berms, and shared areas without unwanted contact from dogs or dealing with dog mess.

Please record my feedback as strong support for greater restrictions, more dog-free areas, wider leash requirements, and stronger enforcement.

#7: Stuart Young (received after consultation)

Do you own a dog?	Do you support or not support banning dogs in coastal dunes (except when they are on a leash using a beach accessway)?	Do you support or not support extending current seasonal dog restrictions in Shark Alley (August-January) to be year-round and including the grassed area alongside the beach?	Do you support or not support banning dogs in cemeteries and burial grounds (unless permission is given by the Cemetery Manager)?	Do you support or not support banning dogs on active recreation equipment (such as skate parks or basketball courts)?	Do you support or not support banning dogs in fenced play spaces designed for young children or disabled people?	Do you support or not support leashing dogs on the Marine Parade Coastal Pathway?	Do you support or not support leashing dogs on the Papamoa Shared Pathway?	Do you support or not support leashing dogs on Beach Road Pathway (the pathway from Kulim Park to Fergusson Park)?	Are there other shared paths where you think dogs should be on a leash?	Do you support or not support leashing dogs in Heritage Reserves?	Do you support or not support leashing dogs in Masonic Park?	Do you support or not support leashing dogs in Red Square?	Do you support or not support leashing dogs on The Waterfront (from the northern greenspace to the base of the Matapihi bridge)?	Do you support or not support requiring a licence to keep more than two dogs over three months old at a property at any one time (in addition to the existing two dogs per owner rule)?	Do you support or not support allowing people to apply for a licence to walk more than four dogs at once?	Do you support or not support requirement for a licence to keep more than six chickens, or any other kind of poultry in a residential zone?	Do you support or not support excluding cat provision from the bylaw given the difficulties enforcing these?	Do you support or not support updating the approach to managing bees to allow council to work with bee owners to make changes before escalating to removing bees?	Do you have any other comments or feedback that you would like to provide?
Yes	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	No	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly do not support	Strongly support	Strongly do not support	

#8: Glenys Kroon (received during consultation)

I would like to make a submission to the Dog Management Policy currently being consulted on. My submission is to add the area of the all weather athletic track at the Domain (including the infield) to the examples of areas covered by the definition of “Active Recreation Area”. The reason is that the track is a heavily used active recreation area and it is inappropriate to have dogs where they create a safety risk or inconvenience to athletes running at high speed on the track. Dogs also foul on the track or infield, making for an unpleasant experience.

#9: Marion Chandler (received during consultation)

CATS

It is a privilege (and probably a right) to be able to open our windows and doors in our lovely year round climate.

.....UNTIL a neighbours roaming cat enters your home - gets trapped inside overnight when you close doors for the night (security) to awake and find the cat has urinated and defaecated on the two beds you had prepared for your Christmas guests' arrival !!!

It also scratched generational fabric covered furniture in the lounge during the night.

The owners were called and extricated their cat from under the bed and cleaned one bed.....but denying that the other bed was caused by their cat.

" Did you see it? " they responded.

This happened to my neighbour last Christmas.

Constantly on community page there are comments of cats lost or found - injured or dead.....FROM ROAMING.

Their owners have not protected their safety.

Cats are lovely pets and do keep rodents in check but they also eat our native birds.

They are natural roamers and always in a search for food.

Tom cats (males) make incredible night time noises - fighting or mating.

Females can produce two litters per year.

Because owners clearly don't accept responsibility for their cats' damage, or pick up their toilet deposits from neighbours' gardens (in many cases) then THE OWNERS create the need for minimal regulations to be applied for the consideration of urban dwellers.

Is it wrong to ask for some care and restraint to these wandering predators and nuisances?

.....Cats must be neutered or speyed - exceptions for pedigree breeders.

.....Cats must be registered and microchipped - as dogs must be.

....Cat numbers - two per property and kept on their property.

.....Cat owners be fined for breeches.

If dog and cat owners were considerate and took responsibility for the damage or nuisance caused by their pets we would never need to initiate restrictions.

Instead, owners tend to deny any responsibility, or conscientious reparation, and act defensibly by verbally 'attacking' the innocent party.

#10: Dave Black (received during consultation)

I would expect that it would be good practice to have consulted local beekeepers about this review. Admittedly, in this case nothing will change, nevertheless I'd like to know why this hasn't happened, and how your officer will give 'reasonable instruction' about bees without the benefit of professional experience. (See below)

"An authorised officer may give reasonable instruction for the purpose of ensuring compliance with this Bylaw, protecting public health and safety, or preventing or mitigating nuisance. Any instruction must be necessary, proportionate to the risk, and the least restrictive measure available."

#11: Fletcher Dumber (received during consultation)

Kia ora,

I am making this submission on the Keeping of Animals Bylaw 2026 review, specifically Council's proposed approach to bees in residential areas.

I do not support an approach that prioritises working with bee owners before taking action where bee colonies are causing significant adverse effects on neighbouring properties. I support responsible beekeeping in appropriate locations. However, residential beekeeping must not be allowed to override the rights, health, safety, property, and daily lives of neighbouring residents. Bees do not stay within a property boundary. A single strong hive can contain tens of thousands of bees, and multiple or stacked hives in a residential area can affect several neighbouring properties over a wide area. The impact is not limited to the beekeeper's section.

The bylaw needs to be written from that reality.

Residential beehives should only be allowed while they do not cause off property nuisance, contamination, safety risk, or unreasonable interference with neighbouring properties. Once significant nuisance is verified, Council must be able to order reduction, relocation, or removal without restarting the process.

My concern with the draft bylaw

The current bee wording clearly recognises that bees may be kept unless, in the opinion of an authorised officer, they are causing a public safety or nuisance issue. The draft 2026 bylaw removes that bee specific wording from the bee section and relies instead on general powers. This weakens the rule in practice. It makes the bee section read as though bees are simply allowed on private property, with Council encouraging beekeepers to seek advice.

That is not enough.

The general powers section may still allow action, but it creates room for Council to delay, negotiate, educate, minimise, or restart the process rather than taking effective action. My family's experience shows exactly why that is a problem. Council should retain a clear bee specific nuisance rule. Bees should not be allowed to be kept in a way that causes nuisance, contamination, safety risk, or unreasonable interference beyond the beekeeper's own property.

Health and safety impacts

Bee nuisance is not just an amenity issue.

Bee excrement has repeatedly landed on our outdoor furniture, deck, windows, vehicles, eating areas, food, plates, and on people while eating. Food and eating surfaces should not be contaminated by insect faeces. Families should not have to stop using outdoor eating areas because a neighbouring beekeeper chooses to keep hives in an unsuitable residential location.

Bee stings are also a real health and safety issue. In our case there have been repeated stings, including to children. One sting to my daughter caused swelling for two days. We have photographic evidence of the injury. We do not have medical records for every sting

because not every incident results in a doctor visit, but that should not be used to minimise the risk.

Allergic reactions to bee stings can be severe and can include anaphylaxis. Anaphylaxis can be life threatening. A bylaw dealing with residential bee keeping must recognise that risk, especially where children are being stung or where bees are repeatedly landing on people using their own property.

It is not acceptable to treat this as a hobby issue for the beekeeper while affected residents carry the health risk.

Public health and nuisance responsibilities

Council has responsibilities and powers relating to public health, safety, and nuisance. The Health Act 1956 recognises nuisance as a public health matter, including conditions that are offensive or likely to be injurious to health, and matters involving premises, animal keeping, and insects. The Local Government Act 2002 also supports bylaws that protect the public from nuisance and protect public health and safety. Council should not use the draft bylaw to step away from managing serious residential bee nuisance. The purpose of the Keeping of Animals Bylaw should be to allow animals only where they have minimal impact and cause minimal nuisance to the wider community.

Where bees are contaminating food and eating areas, stinging children, damaging property, and preventing normal use of a home, that is not minimal impact.

Impact on our property and family

Our family lives at [redacted]. The bees are kept at [redacted]

This issue has continued since at least November 2023. It has affected our ability to safely and comfortably use our property. The impacts have included:

1. Bee excrement on outdoor furniture, decks, windows, glass, vehicles, plates, food, and people.
2. Bees repeatedly landing on people while sitting or eating outside.
3. Bee stings, including to children.
4. Swelling from a sting to my daughter's foot that lasted for two days.
5. Scratched windows from repeated cleaning of stuck on bee excrement.
6. Loss of normal use of outdoor areas, including eating areas, deck areas, and children's outdoor spaces.
7. Inability to safely hang washing outside, requiring us to use a dryer instead.
8. Additional time, cleaning, water use, stress, and loss of enjoyment of our home.

This is not a minor inconvenience. It is ongoing interference with the normal use of our home.

Our experience dealing with Council

Our experience shows why the proposed education first approach is not adequate.

We have made repeated complaints and service requests, including SR 1093928, 1121741, 1126362, 1153490, 1159114, 1162578, and 1181029.

Council records show that officers observed hives at [redacted], including stacked hives, and observed bees travelling toward our property. Council records also show that officers accepted the bees were causing our family considerable nuisance and that a Notice to Remove was appropriate.

Despite this, the issue has continued.

Council has sent letters, closed requests, relied on phone calls, allowed informal arrangements, and at times appeared to restart the process rather than treat this as an ongoing repeated nuisance at the same property.

In April 2025, Council gave approval for no more than one hive of the current capacity and expected mitigation to minimise impacts on neighbouring properties. However, Council has confirmed there were no permits or licences issued. That is a major weakness. If residential beekeeping is allowed after a complaint, the approval must be formal, written, enforceable, time limited, and subject to removal if nuisance continues.

A phone based or informal arrangement is not enough.

There was also a phone discussion where my understanding was that a one high hive was being trialled and that it would be removed if there were still issues. The issues have continued. Bees are still present.

Council has not taken effective action. This is exactly why the bylaw needs clear rules. Affected neighbours should not have to spend years proving the same nuisance repeatedly while Council negotiates with the beekeeper.

What the bylaw should say

I ask Council to amend the draft bylaw so it clearly provides that:

1. Residential beehives are only allowed while they do not cause off property nuisance, contamination, public health risk, safety risk, property damage, or unreasonable interference with neighbouring properties.
2. Once significant nuisance is verified, Council may require reduction, relocation, or removal of the hive or hives.
3. Where nuisance continues after reasonable mitigation, Council must be able to require removal without restarting the complaint process.
4. Repeat complaints at the same property should not be treated as new complaints or a new season reset.

5. Bee complaints involving food contamination, stings, children, allergic risk, or repeated interference with outdoor living areas should be treated as safety and public health matters, not low level neighbour disputes.
6. Residential beekeeping should require written approval or a licence where there is more than one hive, a stacked hive, hives close to boundaries, hives near neighbouring outdoor living areas, or any previous upheld complaint.
7. Any approval should include enforceable conditions, including maximum hive number, maximum hive height, approved hive location, flight barriers where appropriate, water source requirements, inspection rights, and mandatory removal if nuisance continues.
8. Informal approvals should not be used. If Council allows a hive after a complaint, the approval must be recorded and provided in writing to affected neighbours.
9. Council should have a defined escalation process with timeframes.

For example, first written warning, inspection after 14 days if nuisance continues, written decision, enforceable direction, then removal if unresolved.

10. Appeals should not leave affected neighbours unprotected. Interim restrictions should be available while an appeal is considered, including reduction in hive height, relocation, barriers, or temporary removal.

Suggested wording

I ask Council to include wording similar to the following:

"No person may keep bees in a way that causes, or is likely to cause, nuisance, contamination, offensive conditions, property damage, unreasonable interference with another person's use and enjoyment of their property, or a public health or safety issue.

Where an authorised officer is satisfied that bees are causing, or are likely to cause, such effects beyond the property where they are kept, Council may require the owner or occupier to take specified action, including mitigation, reduction in hive number or height, relocation, or removal.

Where significant nuisance or safety risk is verified, or where nuisance continues after mitigation, Council may require removal of the hive or hives. Repeat nuisance at the same property must not be treated as a new complaint or reset process."

Conclusion

The current and proposed approach gives too much protection to unsuitable residential beekeeping and not enough protection to affected residents. Beekeepers should not be allowed to ruin other people's ability to safely use their homes and properties.

Environmental benefits do not justify food contamination, children being stung, property damage, or years of unresolved nuisance.

Council needs a clear, enforceable bylaw that puts residents' health, safety, property, and reasonable enjoyment of their homes ahead of a beekeeper's preference to keep hives in an unsuitable residential location.

I ask Council to strengthen the draft bylaw, retain a bee specific nuisance rule, introduce written approval or licensing controls for residential bees, and ensure that confirmed nuisance can result in timely reduction, relocation, or removal.

#12: Candice Hart (received during consultation)

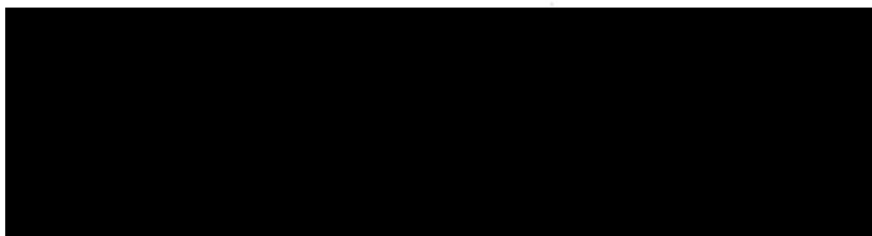
I am writing to formally submit that Blake Park be reclassified as a strict 24/7 Dog Prohibited Area under the current Dog Management Bylaw Review.

The current "on-leash" classification is a complete failure. This weekend, the park was unsafe for families and children. Even though dogs were on leashes, the owners could not control them. Because the leashes were long, dogs were able to spill onto the rugby fields and jump at and nip people on the netball courts.

Worse, an aggressive dog was stationed directly outside the public toilets. The owners were completely struggling to control it, which actively stopped people and children from being able to use the toilets at all. Allowing dogs on leashes around active sports surfaces and public amenities does not work. It is impossible to police.

Blake Park is a premium sports hub, not a dog exercise area. I am submitting that the council reclassify the entire precinct to 24/7 Dog Prohibited to remove all confusion, protect public safety, and ensure families can use basic park facilities safely.

I have completed the online survey and requested a callback, but I want this formal submission for reclassification added.

#13: Tony Pitt (received during consultation)

We reside in the residential area around the Papamoa stormwater reserve. In 2025 we noticed an influx of bees around our property and discovered a large bees nest had been formed in one of our property fences. Upon further investigation we found 10 beehives located on privately owned land next to the stormwater waterways and only 20 metres from our home.

Both Lesley and our daughter are allergic to bee stings. Which has meant there are times we couldn't go outside due to the danger of being stung and having a severe anaphylactic reaction. Due to previous hospitalization as a result of such a sting, our daughter is required to carry an epi-pen 24/7 to prevent future occurrences.

This is the background from which we present our submission.

After several phone calls to TCC over a few months including one where the council officer told us it was not the council's responsibility and we needed to contact the local Beekeepers association, a council officer took responsibility, the council contacted the landowner and the hives were removed. We understand the council then visited the site to ensure action was undertaken. We appreciated the council's action and we are pleased to say we no longer live with the worry of potentially serious medical consequences. We still, however have a concern that there appears to be no policy applicable to this issue.

In discussing the issue with others we have been quite surprised at the number of active beehives that appear to be operating in residential areas - quite different than Wellington where hives appear to be located in non-populated semi rural locations.

We would strongly urge TCC to implement a policy whereby active beehives must not be located within close proximity of populated urban residential areas - such policy should be strictly enforced by council officials - education is not the answer !

The safety of residents is surely councils responsibility - a clear policy will alleviate the serious potential health risks as above.

As an aside we are delighted that since the hives have been removed the yellow sticky 'bee-poop' on our home and vehicles has disappeared.

Thank you for reading this submission

Tony and Lesley Pitt



#14: Bay of Plenty Regional Council (received during consultation)**Tauranga Keeping of Animals Bylaw review**
Bay of Plenty Regional Council submission**Submitter details**

Name:	Sharlene Pardy, Team Leader Environmental Planning
Organisation:	Bay of Plenty Regional Council
Phone number:	redacted
Email:	redacted
Date:	22 June 2026

Would you like to speak to your submission in a public hearing? No

Privacy Statement

Written submissions may contain personal information within the meaning of the Privacy Act 2020. By taking part in this public submission process, submitters agree to any personal information (including names and contact details) in their submission being made available to the public as part of the consultation and decision-making process. Council may choose to redact information from submissions before making them public.

All information collected will be held by Tauranga City Council, He Puna Manawa, 21 Devonport Road, Tauranga. Submitters have the right to request access to and correction of their personal information.

For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to Tauranga City Council's privacy statement.

Which best describes you?

✓ Other: Local authority – regional council

Any other feedback

Bay of Plenty Regional Council (Regional Council) recommends referencing the Regional Pest Management Plan in the Keeping of Animals Bylaw. Pests in the Regional Pest Management Plan that are sometimes kept as pets include turtles and koi carp. Under the Regional Pest Management Plan, some pest species may be kept but must not be allowed to escape, while others may not be kept at all.

Regional Council recommends referencing the Regional Pest Management Plan in the following three provisions of the bylaw (additions in [blue underline](#)):

#	Tauranga Keeping of Animals Bylaw 2026 provision	Bay of Plenty Regional Council submission point
1.	5. Definitions	5. Definitions Regional Pest Management Plan: means a statutory plan prepared under the Biosecurity Act 1993 that sets out how pest animals (and plants) will be managed within the Bay of Plenty, including responsibilities of landowners and occupiers to prevent, control, or eradicate specified pests.
2.	10. Offences and penalties 10.1 Every person who breaches the terms of this bylaw... 10.2 Subject to any provision to the contrary...	10. Offences and penalties 10.1 Every person who breaches the terms of this bylaw... 10.2 A person must not keep animals in a manner that is inconsistent with the Regional Pest Management Plan.
3.	12. Dispensing powers 12.1 Tauranga City Council may waive full compliance with any provision of this Bylaw in a case where Tauranga City Council is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. Tauranga City Council may,	12. Dispensing powers 12.1 Tauranga City Council may waive full compliance with any provision of this Bylaw in a case where Tauranga City Council is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. Tauranga City Council may, in its discretion, impose conditions of any such waiver. A waiver must not result in any inconsistency with the Regional Pest Management Plan.

#	Tauranga Keeping of Animals Bylaw 2026 provision	Bay of Plenty Regional Council submission point
	in its discretion, impose conditions of any such waiver.	

#15: Richard Ashton (received during consultation)

Sir/ Madam,

In terms of any review of the above please ensure good owners are encouraged and incentivised by proportionately reducing dog registration fees with all poor owners having higher fees charged.

Council also needs to to have ZERO tolerance for uncollared roaming dogs with pound fees & penalties being paid as any prerequisite to release or alternatively immediate euthanasia is undertaken (as policy).

Sincerely

RG Ashton

#16: Sharon Hall (received during consultation)

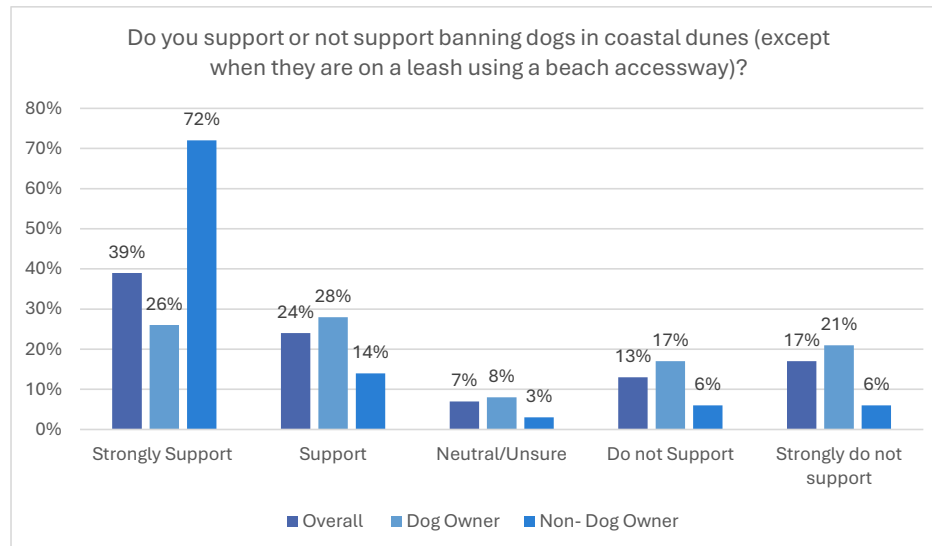
Dogs should be on leash.

Cats are the biggest threat - I see x2 domesticated cats hunt shark alley almost every night (I live opposite) the cats have no bird bell and come out at dusk usually.

One is ginger one is black

Summary of consultation

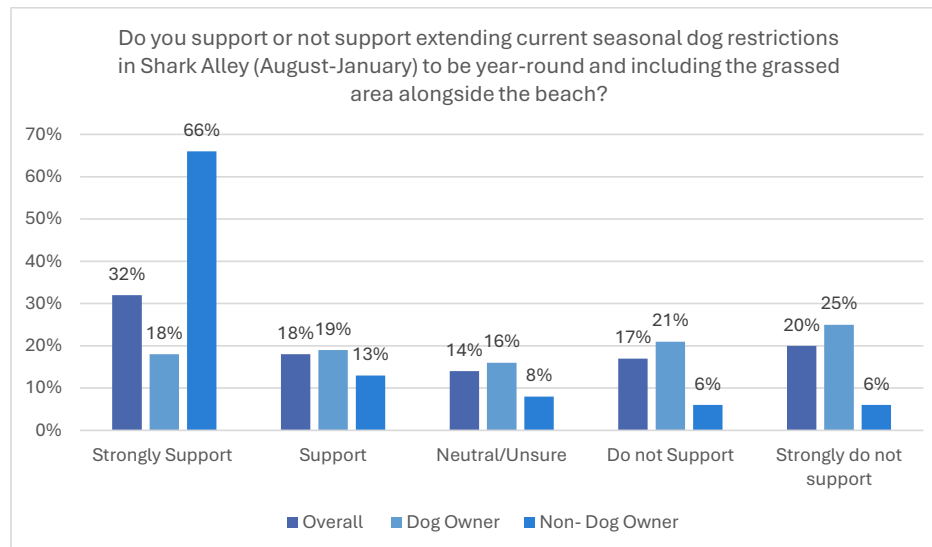
Banning dogs in coastal dunes:



An additional 46 email responses were received supporting the banning of dogs in the coastal dunes.

Supporters of banning dogs in coastal dunes primarily focused on protecting native wildlife and sensitive coastal habitats. Many submitters, including supporters and volunteers of Western Bay Wildlife Trust, Bay Conservation Alliance, Predator Free BOP and NZ and the New Zealand Penguin Institute argued that dunes provide important year-round habitat for species such as little penguins and New Zealand dotterels, and that dogs can disturb wildlife even when no direct attack occurs by disrupting feeding, resting, breeding and moulting behaviour. Submitters also noted that the proposal still allows dogs to access beaches via designated accessways while providing stronger protection for ecologically significant dune environments.

Those opposed to banning dogs in coastal dunes generally argued that additional restrictions would further reduce opportunities for dogs to exercise and would unfairly affect responsible dog owners because of the behaviour of a small minority. Many favoured stronger enforcement of existing controls, owner education, or leash requirements rather than outright bans. A common theme was that any increase in restrictions should be balanced by the provision of more fenced dog parks and off-leash exercise areas, with submitters emphasising the need to balance environmental protection with recreational access and dog welfare.

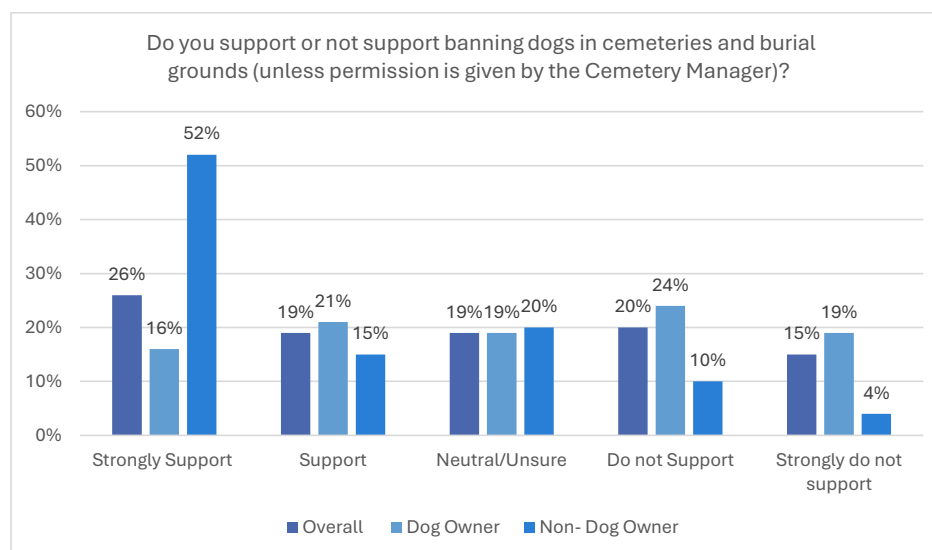
Year-round ban of dogs in Shark Alley

An additional 46 email responses were received supporting the banning of dogs in Shark Alley. One email submission raised concerns that this would impact the dog friendly aspect of their running event.

Supporters of extending the Shark Alley restriction year-round argued that the area is an important wildlife habitat that supports little penguins, New Zealand dotterels and other native species throughout the year, not just during the current August to January restriction period. Many submitters, including supporters and volunteers of Western Bay Wildlife Trust, Bay Conservation Alliance, Predator Free BOP and NZ and the New Zealand Penguin Institute, viewed Shark Alley as a biodiversity hotspot and considered year-round protection necessary to reduce disturbance to wildlife during feeding, breeding, nesting, roosting and moulting activities. Several conservation organisations and environmental advocates supported the proposal as a practical measure to improve protection of vulnerable species and their habitat.

Those opposed to extending restrictions in Shark Alley generally focused on the loss of access for responsible dog owners and the cumulative effect of increasing dog restrictions across the city. Some submitters argued that existing seasonal restrictions are sufficient and that responsible owners with well-controlled dogs should continue to have opportunities to exercise their dogs in coastal areas. Others preferred education, leash requirements or stronger enforcement of existing rules rather than additional exclusions and raised concerns that further restrictions should be accompanied by more dedicated off-leash areas elsewhere in Tauranga. One submitter expressed concern that extending restrictions to the adjacent grassed area would unnecessarily limit where people can park and access the beach with their dogs, another noted it would impact on a dog friendly running event they organised.

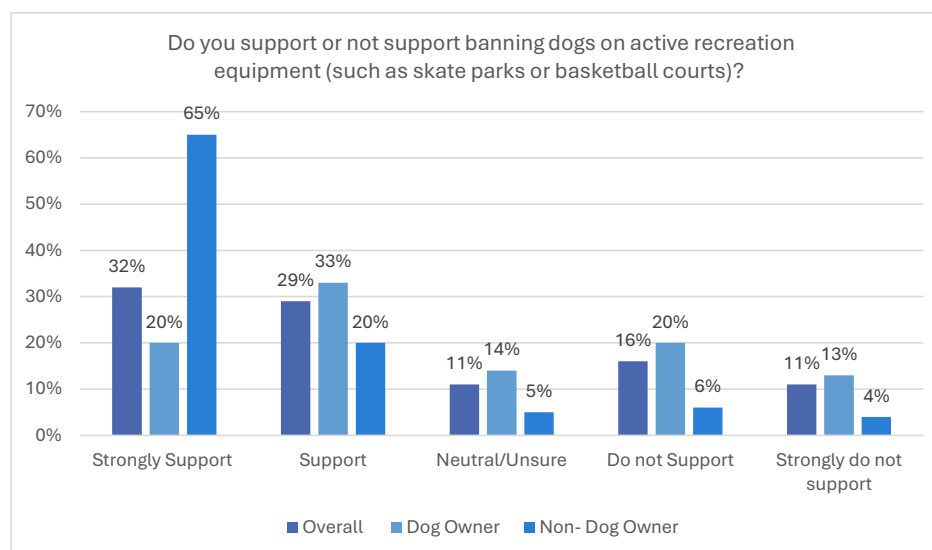
Cemeteries and burial grounds



Supporters of banning dogs in cemeteries and burial grounds generally emphasised the need to respect the cultural, historical and commemorative purpose of these spaces. Submitters considered cemeteries to be places of remembrance and reflection where dogs may be inappropriate due to concerns about fouling, disturbance, and maintaining the dignity of burial sites. Some respondents also viewed cemeteries as environments where visitors should be able to grieve or pay their respects without interactions with dogs.

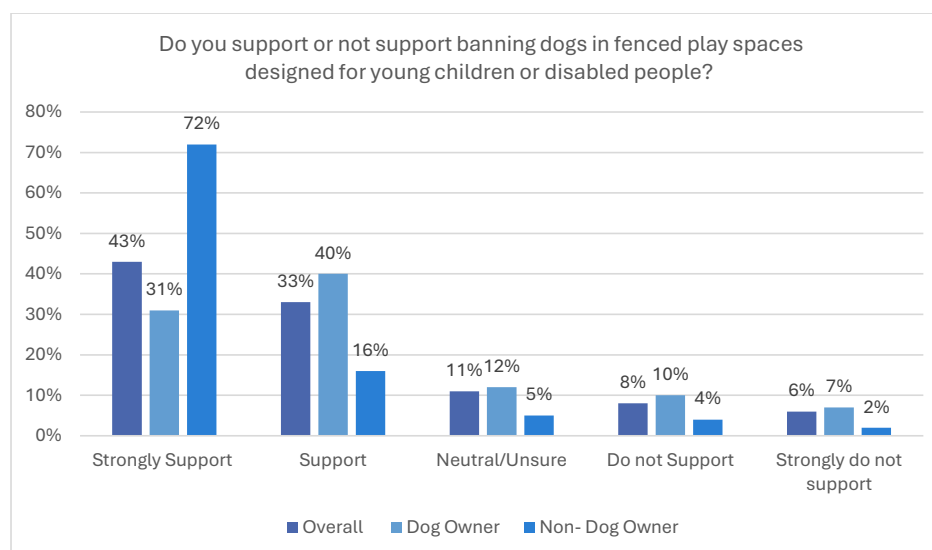
Those opposed to a ban commonly argued that dogs are important companions and sources of support for many people visiting the graves of loved ones. Some submitters considered a blanket prohibition unnecessary and preferred dogs to be permitted when on a leash and under control. Some submitters noted a lack of other usable green space in their area and that this would limit options to exercise their dog.

Active recreation equipment



Those in support noted the need to protect equipment from damage and to stop any unwanted dog fouling on active equipment such as the athletics track. Some submitters thought the current playground rules should be enough to manage issues and didn't see the need for change.

Fenced play spaces designed for young children or disabled people

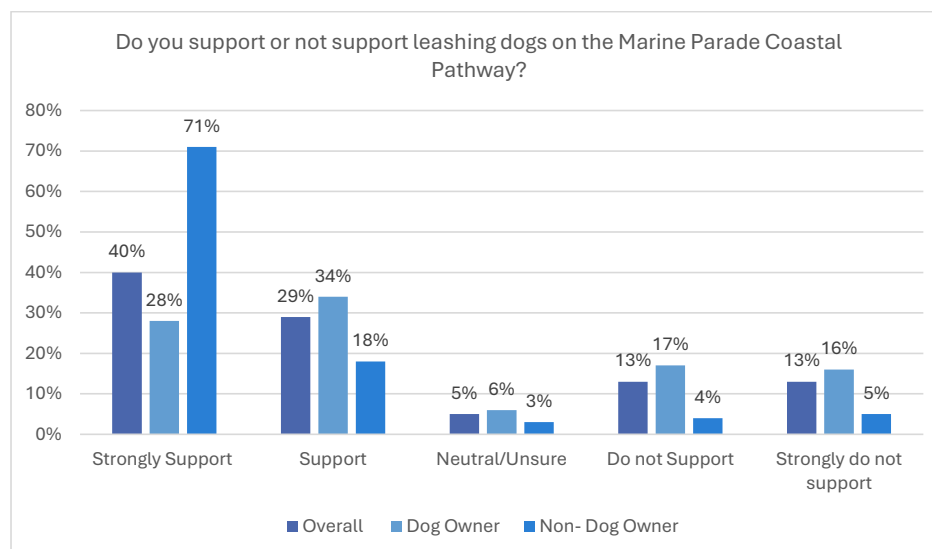


Supporters of banning dogs from fenced play spaces designed for young children or disabled people generally emphasised safety, accessibility and the purpose of these

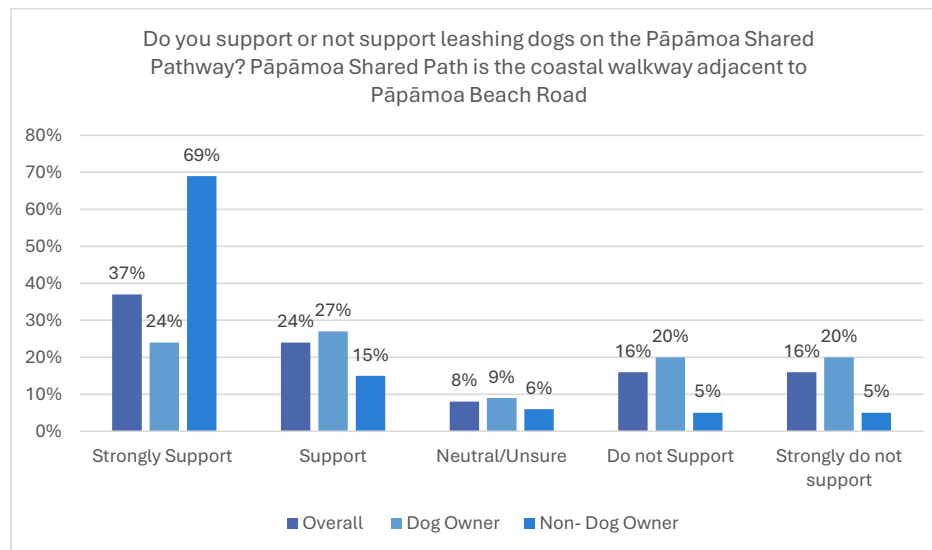
facilities. Many respondents considered these spaces should be reserved for the people they are specifically designed to serve, noting concerns about dogs running through play areas, intimidating children, creating hygiene issues through dog waste, and reducing the ability of children or disabled users to enjoy the space safely. Several submissions described personal experiences of dogs entering playgrounds, approaching children, or being off leash near play equipment, and considered a prohibition necessary to provide certainty and reduce potential risks.

Those opposed to a ban generally preferred a more flexible approach, arguing that well-controlled dogs on leash should be permitted when accompanying families using parks and reserves. A small number of submitters noted that dogs are often part of family outings and considered leash requirements around play spaces a more balanced approach than a complete exclusion, provided children's safety and access remain protected.

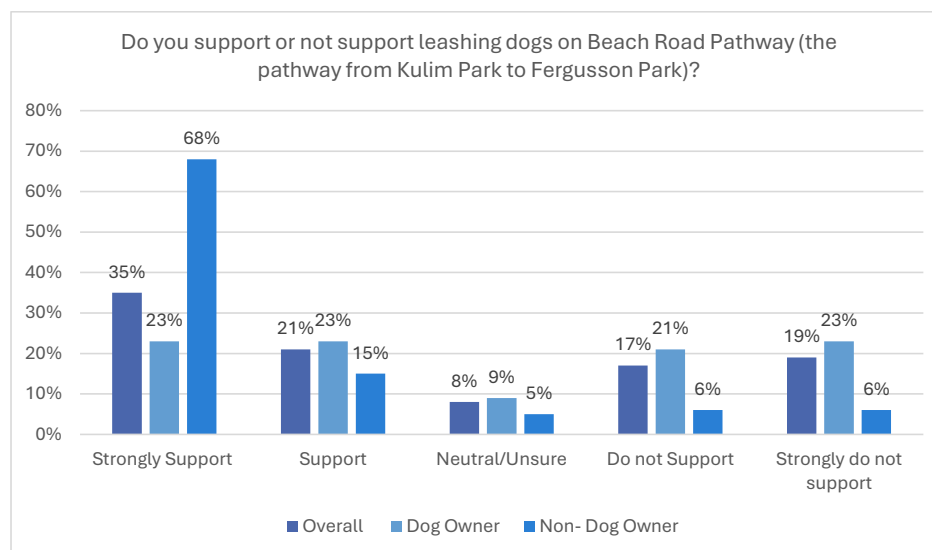
Shared Path: Marine Parade Coastal Pathway



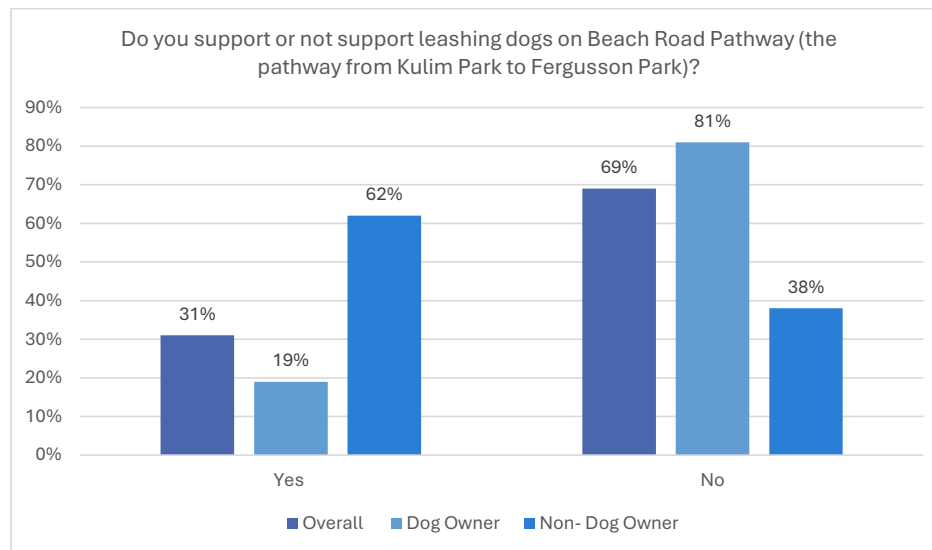
Shared Path: Pāpāmoa Shared Path



Shared Path: Beach Road Pathway

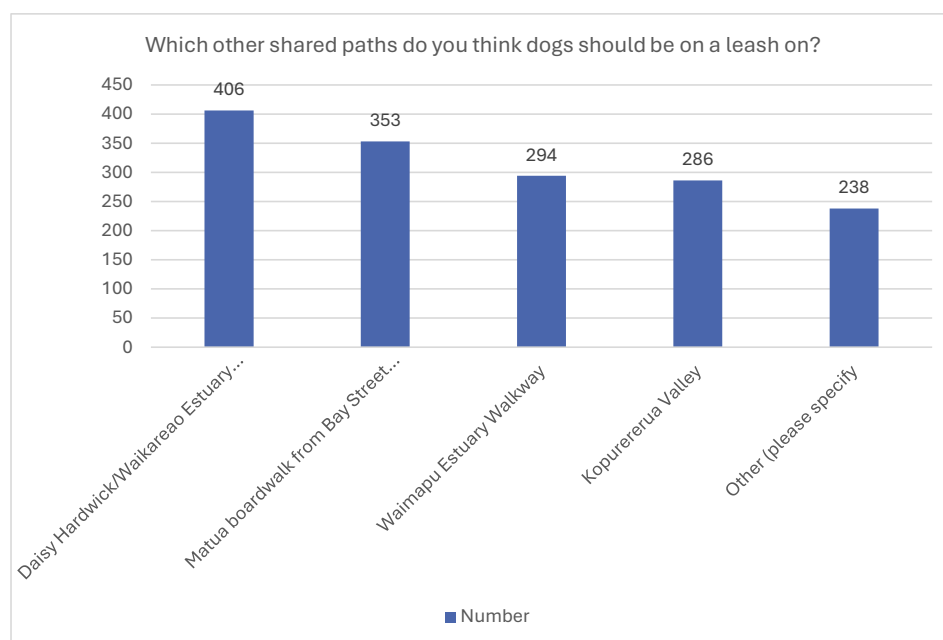


Other shared paths



Those that answered yes were asked:

Which other shared paths do you think dogs should be on a leash on?



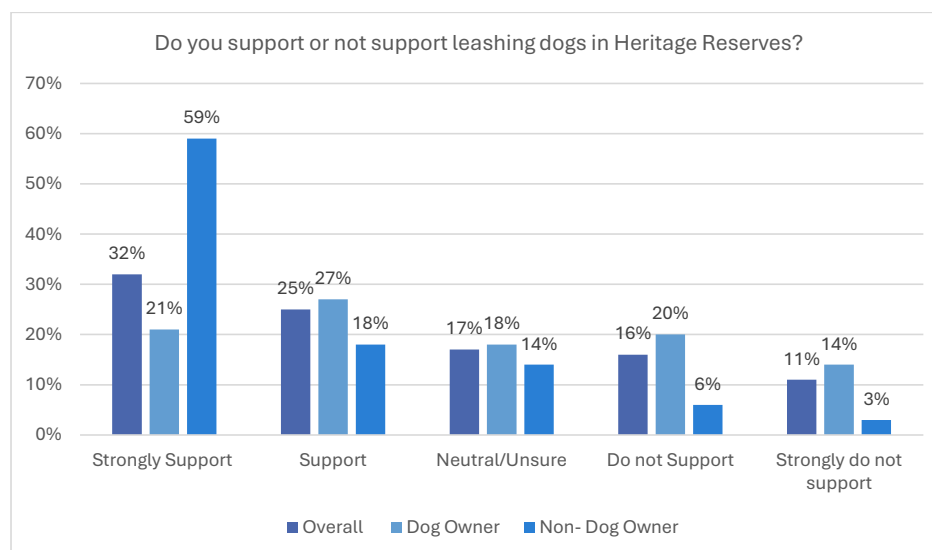
Other paths mentioned included Waipuna Park/Johnson Reserve, Wairakei Walkway, Gordon Carmichael Reserve, some mentioned dogs should be on leash on all walkways.

Comments in relation to shared paths included:

Supporters of requiring dogs to be on leash along the Marine Parade Coastal Pathway generally focused on safety and reducing conflicts in a busy, high-use shared space. Submitters noted that the pathway is used by walkers, runners, families, children, older people, cyclists and people with limited mobility, and argued that leashing dogs would help prevent dogs rushing at people, creating trip hazards, obstructing the pathway, or causing anxiety for those who are uncomfortable around dogs. Several respondents referred to experiences of uncontrolled dogs approaching people or other dogs and considered a leash requirement appropriate for such a heavily used shared pathway.

Those opposed to a leash requirement generally argued that well-trained dogs under effective control should be able to remain off leash. Others highlighted that conflicts on the pathway are not limited to dogs and also involve cyclists, e-bikes and scooters travelling at speed. Some submitters noted that leashing would prevent them from cycling with their dogs. Others noted that leashing dogs could create more of a trip hazard.

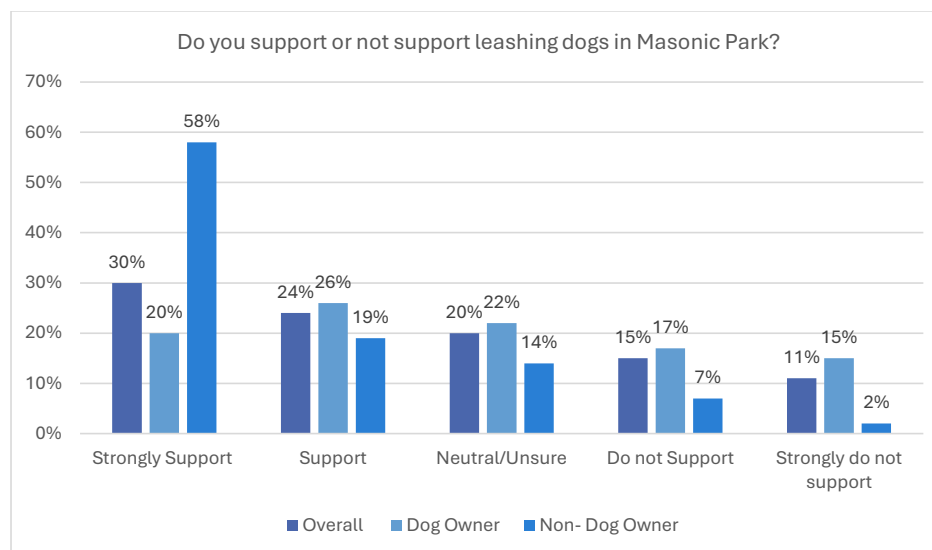
Leashing dogs in Heritage Reserves?



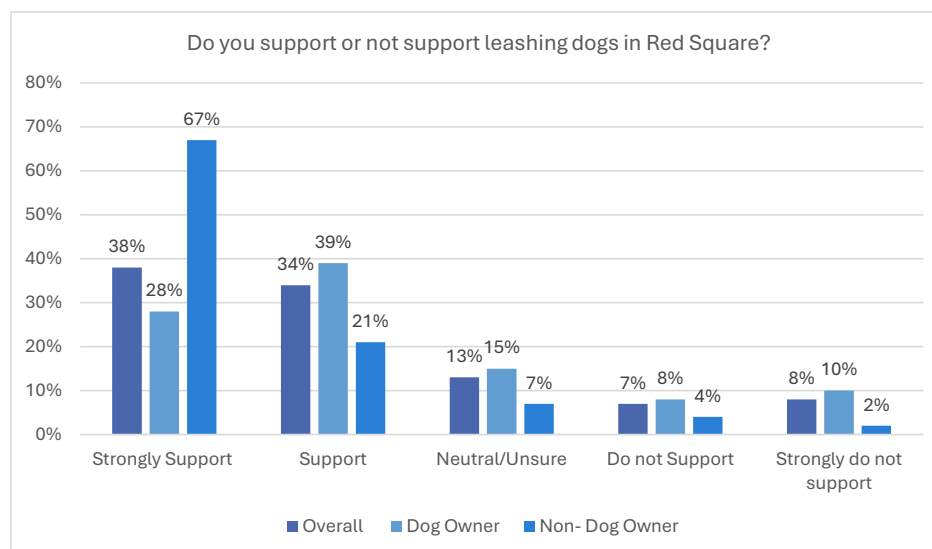
Supporters of requiring dogs to be on leash in heritage reserves generally viewed these areas as sensitive public spaces where a leash requirement would help protect heritage values, improve safety, and reduce conflicts with other reserve users while still allowing dogs to access the area. They considered leashing a balanced approach that would support recreation while minimising disturbance to visitors and reserve assets.

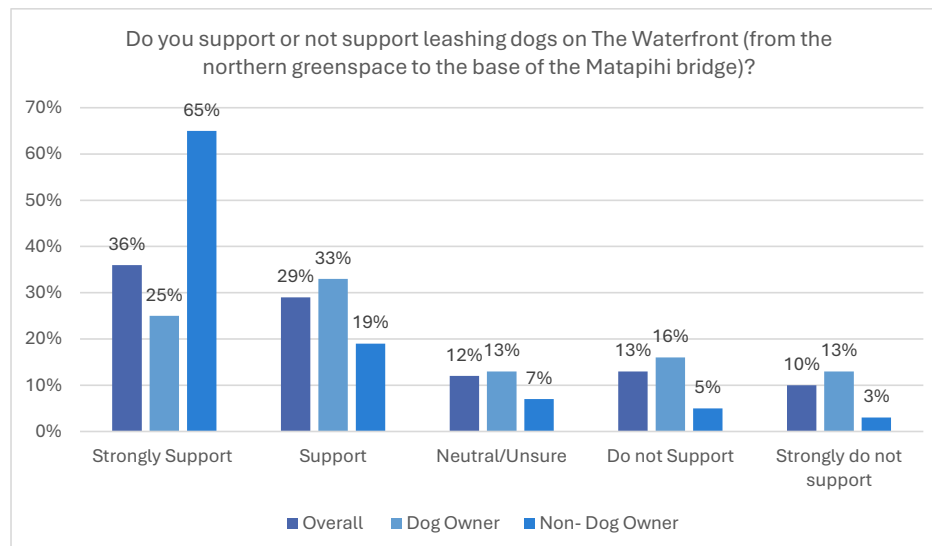
Those opposed noted that there were a wide range of spaces included in the proposal and that this would impact dog exercise opportunities. Some parks noted by participants as valued for dog exercise included Fantail Drive Reserve, Faulkner Park and Gate Pa Domain. Some questioned the impact of dogs on the heritage values and whether there were alternative ways to safeguard these spaces.

Leashing dogs in Masonic Park



Leashing dogs in Red Square

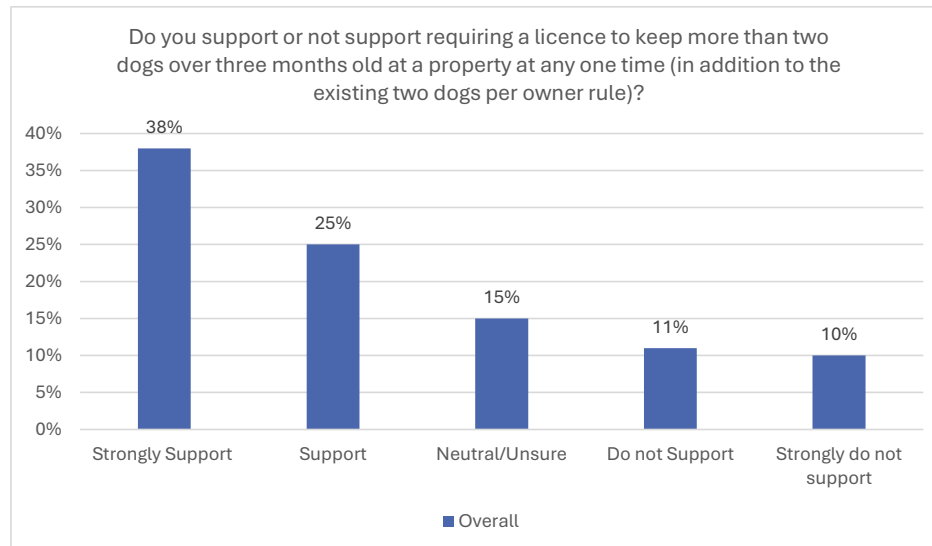


Leashing dogs on the Waterfront

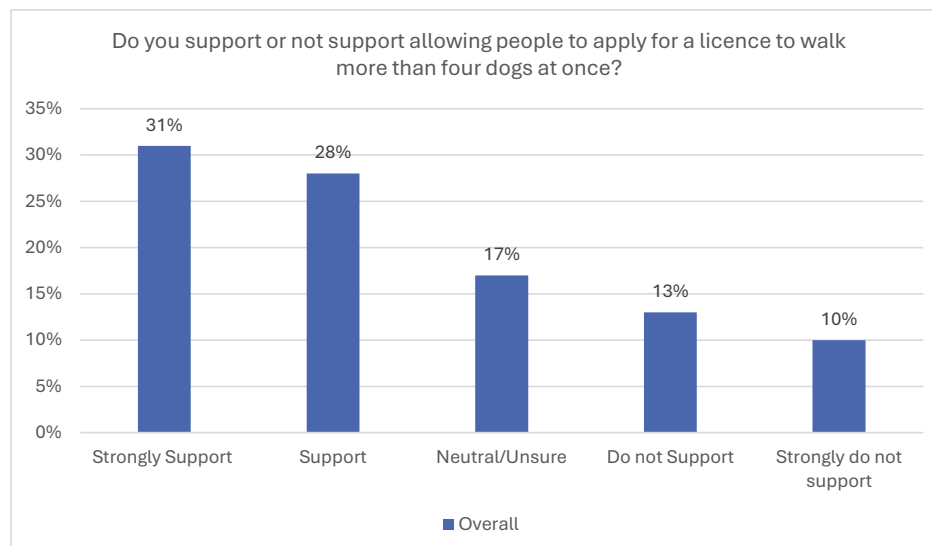
Supporters of requiring dogs to be on leash in Red Square, Masonic Park, The Waterfront and other city centre spaces generally considered these high-use public areas where closer control would improve safety, reduce conflicts with pedestrians, and provide a more comfortable environment for a wide range of users while still allowing dogs access.

Those opposed argued that responsible owners with well-trained dogs should continue to be able to exercise them off leash, and that additional restrictions would further reduce already limited opportunities for off-leash recreation. Some noted the impact on water access for dogs.

Needing a license for more than 2 dogs



Dog walking licence



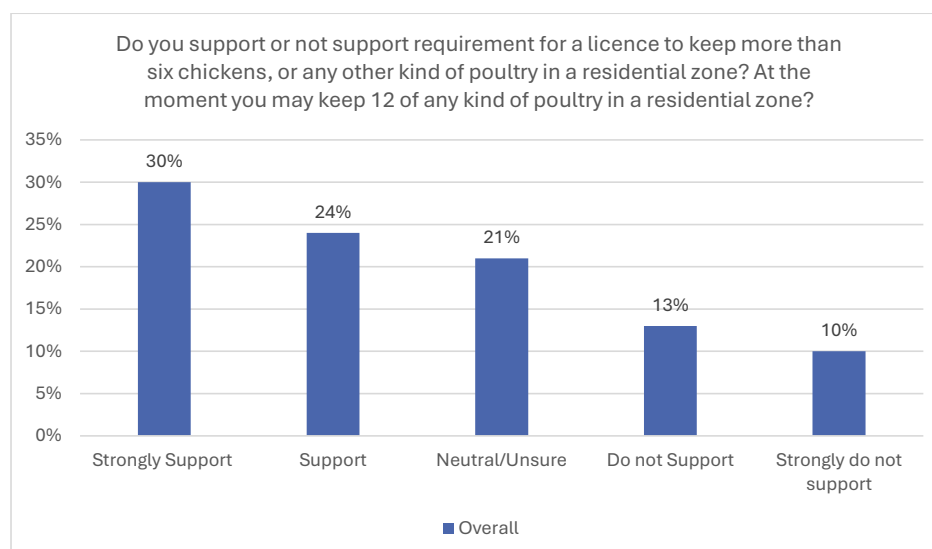
Comments included:

Feedback on the proposed dog licence provisions was mixed, with some submitters supporting a licence requirement for properties with more than two dogs on the basis that it would improve oversight, reduce nuisance issues, and ensure properties are suitable for keeping larger numbers of dogs.

Others supported licences for people walking more than four dogs at once, and some suggested additional licensing or accreditation requirements for breeders or owners of multiple dogs to encourage responsible ownership and better animal welfare outcomes.

Those opposed generally argued that additional licensing would create unnecessary bureaucracy and costs for responsible owners, and that Council should focus on enforcing existing rules and addressing problem owners rather than introducing further regulatory requirements.

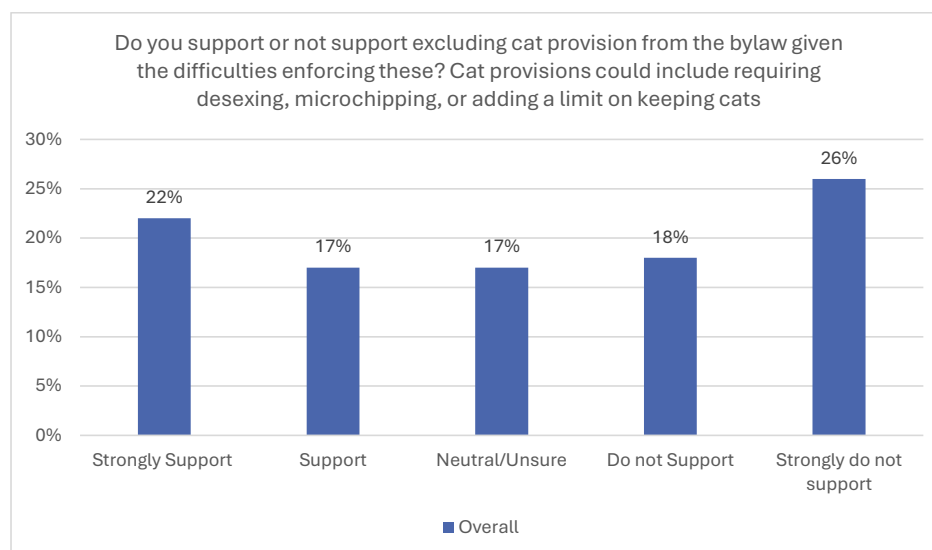
Poultry



General reasons for support was to help manage potential nuisance, noise and amenity effects.

Some questioned whether additional regulation and potential for cost of a licence was necessary, particularly where poultry are well managed and not creating problems for neighbours. Some wanted other food producing species able to be kept without a licence including quails and ducks.

Cats

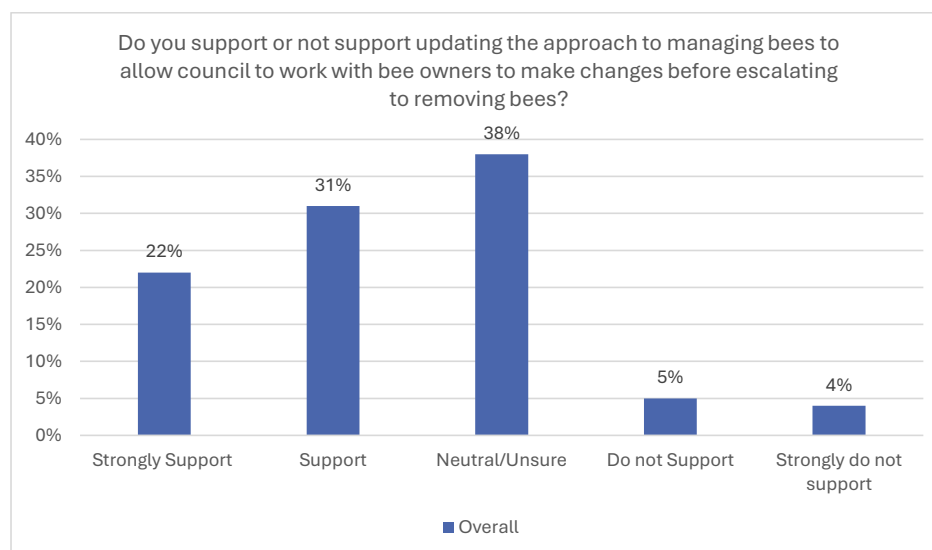


A common theme was that difficulties with enforcement were not a sufficient reason to avoid cat-related provisions, with submitters encouraging Council to pursue stronger cat management rather than reducing regulation in this area.

Many respondents raised concerns about the impact of roaming cats on native wildlife, particularly birds, and argued that cats should be subject to controls similar to those applied to dogs. Others raised nuisance concerns related to roaming cats or concerns for cat welfare.

Submitters advocated for a range of requirements ranging from microchipping, desexing, registration, through to limits on cat numbers, and cat containment or curfews. Some feedback cautioned against limiting the feeding of feral cats so as not to increase welfare issues.

Bees



Feedback on the proposed approach to managing bees was mixed, with many submitters supporting a more collaborative approach that would allow Council to work with beekeepers to resolve issues before escalating to enforcement or hive removal. Some respondents highlighted the environmental importance of bees and considered them valuable for pollination.

Those concerned about the proposal raised concerns about the health and safety impact of beekeeping in urban areas given the close proximity to neighbours. There were also concern regarding the nuisance effects from such as bee droppings on houses, vehicles and washing. Several submitters noted issues they had experienced with neighbours beehives that had impacted on their enjoyment of their property.

DRAFT DOG MANAGEMENT POLICY 2026



Policy type	City		
Authorised by	Council		
First adopted	29 April 2008	Minute reference	M08/32.11
Revisions/Amendments	11 December 2018	Minute reference	M18/108.10
Review date	A review is required every ten years to align with the review of the Dog Management Bylaw 2048TBC.		

1. PURPOSE

- 1.1 The purpose of the Dog Management Policy is to provide adequate opportunities to fulfil the exercise and recreational needs of dogs and their owners while minimising any potential danger, distress, or nuisance from, or caused by, dogs.
- 1.2 The Dog Control Act 1996 requires Tauranga City Council to adopt a policy on dog control for the district.

2. SCOPE

- 2.1 A dog control policy requires councils to identify:
 - public places where dogs are prohibited or required to be on a leash
 - dog exercise areas
 - the approach to dogs classified as menacing
 - fees and the issuing of infringement notices
 - classification and disqualification of owners
 - dog obedience programmes and other education programmes.
- 2.2 The Dog Management Policy sets out Council's general approach to managing dogs. The Dog Management Bylaw gives effect to the policy, except in relation to dog owner and community education programmes.

3. DEFINITIONS

Term	Definition
Active Recreation Area	means an area with equipment provided for the purpose of active recreation, for example, basketball courts, pétanque, skate parks or pump tracks and older age gyms, outdoor fitness equipment and artificial sports playing surfaces. Grass sports fields are excluded.
Authorised Officer	means any officer of Tauranga City Council or any other person authorised under the Local Government Act 2002 and authorised by Tauranga City Council to administer and enforce its Bylaws or policies.
Beach	any land in Tauranga adjacent to any seacoast or lakeside which is part of the foreshore, or is land contiguous to and used in connection with the foreshore, and to which the public has a right of access. For the purposes of this policy, the beach includes the foreshore which is the parts of the bed, shore or banks of tidal water between mean high water springs and mean low water springs.
Bylaw	Refers to the Tauranga City Council Dog Management Bylaw 2026.
Council	refers to the elected member body representing Tauranga City.
District	refers to the area governed by Tauranga City Council.
Dune	areas of undulating contour above mean high water springs, where there is a marked change in landform from a gently sloping beach to rolling sand hills or where a line of vegetation cover starts. The area can be considered 'wild and undeveloped'. The landward extent of sand dunes can be characterised at a point where the soil type changes and sand dune vegetation is less dominant.
Foreshore	has the meaning as defined under the Resource Management Act 1991 (or any subsequent replacement legislation).
Impound	means to impound any dog in accordance with the provisions of the Dog Control Act 1996, in a public pound or any vehicle used to transport dogs to a public pound.
Leash	may include a fixed or retractable restraint provided that in the instances where a dog is required to be on a leash, the leash must not exceed two metres in length and be held by a person physically capable of restraining the dog.
Owner	has the meaning as defined under the Dog Control Act 1996.
Public place	has the meaning as defined under the Dog Control Act 1996.
Road reserve	means the land between property boundaries, including footpaths, road, and grass verges.
Road zone	has the meaning as defined in the Tauranga City Plan.

Special Ecological Areas	has the meaning as defined in the Tauranga City Plan.
Specified agency	has the meaning as defined in the Dog Control Act 1996.
Specified fenced public places	area of a public place that is provided for the purpose of creating safe spaces for the unhindered exploration and enjoyment of young children and disabled people to enhance accessibility and inclusion. Specified fenced public places subject to this policy will be determined by Tauranga City Council in any particular instance and listed in the attachment to the Dog Management Bylaw.
Under Effective Control	to manage, influence or determine the activities of all dogs in a person's possession, whether by voice commands, hand signals, whistles or other effective means, so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.
Tauranga City Council	means Tauranga City Council or any committee, Sub-Committee, or elected member of Council, or officer or other person authorised to exercise the authority of Council.
Waikorire (Pilot Bay), Mount Maunganui, Shark Alley and Mauao Dog Prohibited Area	refers to: • Waikorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the Mall • All of Mauao including the holiday park and campground, adjacent beach, foreshore, tracks, walkways, and grassed or bush areas • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade • All of Moturiki including the adjacent beach and foreshore • That part of Mt Maunganui beach extending 225m south of Moturiki towards Papamoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade.
Unless otherwise provided, words and phrases in this policy that are defined in the Dog Control Act 1996 shall have the same meanings	

4. PRINCIPLES

4.1 The principles of the Dog Management Policy are:

- dogs should be able to be exercised in all public places except where required to protect public safety and wildlife
- dog safe communities
- responsible dog ownership
- all dogs must be registered.

5. POLICY STATEMENT

5.1 Dogs in public places

Dogs need the ability to exercise unrestrained and socialise with other dogs. Therefore, **Tauranga City Council** does not restrict dogs to dog exercise areas and considers it appropriate that dogs are able to be exercised unleashed in public places **with some limited exceptions**, so long as when circumstances require, the dog can be leashed.

5.1.1 Dogs can be exercised unleashed in public places except in those areas included in Schedule One of this policy and the Dog Management Bylaw 2026.

5.1.2 Dogs must be under leash control on all footpaths adjacent to the road zone and in the road reserve.

5.2 Dog safe communities, including education programmes

Tauranga City Council encourages dog owners to access advice on how to manage their dog.

5.2.1 **Tauranga City Council** will provide education and safety advice to minimise or prevent any potential harm from dogs.

5.2.2 **Tauranga City Council** will ensure all complaints of dog aggression are investigated and will respond appropriately.

5.3 Responsible dog ownership, including dog obedience, fees and infringements, and menacing dogs.

Dog owners are required to act responsibly, evaluate the circumstances and to take all reasonable steps to ensure that dogs do not cause a nuisance or danger.

5.3.1 **Tauranga City Council** encourages dog owners to attend dog obedience courses to assist in the training and socialising of dogs.

5.3.2 Uncontrolled dogs will be impounded where appropriate. Dogs impounded on a **number of** occasions within a continuous period of 24 months are required to be neutered.

5.3.3 Owners of uncontrolled dogs may be issued infringement notices as per schedule two of the Dog Control Act 1996.

5.3.4 All dogs classified as menacing under sections 33A or 33C of the Dog Control Act 1996 by Tauranga City Council, or any dog classified as menacing which is transferring to Tauranga City Council, are required to be neutered.

5.3.5 All dogs adopted from Tauranga City Council managed facilities must be neutered.

5.3.6 Tauranga City Council is required, under section 25 of the Dog Control Act 1996, to disqualify a person from being an owner of a dog under certain circumstances, or to classify the person as a probationary owner.

5.3.8 All persons disqualified from owning a dog or classified as a probationary owner have the right to object to the classification and to be heard in support of their objection.

5.3.9 Infringement fees are as per schedule one of the Dog Control Act 1996.

5.4 Dog registration

Tauranga City Council places a high priority on ensuring dogs within the city boundaries are registered.

- 5.4.1 Dog registration fees are set in accordance with the Revenue and Financing Policy and consulted on through annual plan or long-term plan processes.

6. RELEVANT DELEGATIONS

- 6.1 The Chief Executive has delegated authority and the authority to sub-delegate in respect to all other provisions within this policy.
- 6.2 Infringement notices may be withdrawn per the Dog Control Act 1996 and Council Delegations Manual where appropriate.

7. REFERENCES AND RELEVANT LEGISLATION

- 7.1 Dog Control Act 1996
Local Government Act 2002
Dog Management Bylaw 2026

SCHEDULE ONE – DOG ACCESS RULES

Dog access type	Area	Map
Prohibited	None of the following prohibitions apply to disability assist dogs, and any dogs belonging to a specified agency pursuant to Section 2 of the Dog Control Act 1996. Prohibited Areas • Waikorire (Pilot Bay), Mauao, Shark Alley and Mount Maunganui Dog Prohibited Area • Wakorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the mall. • All of Mauao including the adjacent beach, foreshore, tracks, walkways, and grassed or bush areas. • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade. • All of Moturiki (Leisure Island) including the adjacent beach and foreshore. • The part of Mount Maunganui beach extending 225m south of Moturiki towards Papamoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade. • The area of the foreshore between the Ocean Beach Road beach access markers 0003 and 0004 located at Ōmanu beach and in the vicinity of the Ōmanu Surf Lifesaving Club premises. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal. • That area of foreshore and dunes at Pāpāmoa beach in the vicinity of the surf lifesaving club buildings between the car park at the north-western end of Pāpāmoa Domain and the car park at the south-eastern end of Pāpāmoa Domain. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal. • Inside any children's playground delineated by a fence	• Maps of selected sites are available in Schedule Two

	- Any land within 10 metres from any public play or exercise equipment, not delineated by a perimeter fence. Dogs may transit past a playground where there is a formed path so long as the dog remains on the path and is controlled on a leash and does not cause nuisance or danger to any person or animal. - Otumoetai Pā Reserve. - Flagged lifeguard areas, including any temporary lifeguard area being that area of the beach between the outer most flags which mark the lifeguard area and delineated on each outer boundary by a straight line drawn from the mean low water through the flagged area to the mean high water. Where a dog is on an area of beach when lifeguards establish a flagged area, the dog must be removed from that area immediately. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal. - The area of vegetated dunes extending from Mauao south to Te Tumu (however dogs may transit through the dunes on leash through designated beach accessways). - An active recreation area. - Specified fenced public places and any entrances, exits or transit rules for the public place on which it is sited as determined by Tauranga City Council through section 9 of the Dog Management Bylaw and subject to the display of appropriate signage. - Dogs are prohibited from libraries and Tauranga City Council service centres, community centres and indoor sports facilities, except to participate in a recognised dog training programme or dog agility club or library programme involving dogs.	
On leash	- On footpaths and within the road reserve. - Matua Salt Marsh. - The beach immediately in front of Motiti Reserve and including Motiti Reserve from 15 December to 15 February between the hours of 10am and 5pm. - The car parks adjacent to the Pāpāmoa and Omanu Surf Lifesaving club buildings. - Within Red Square - The Marine Parade Coastal Path, the Papamoa Shared Pathway and the Beach Road Walkway, where not otherwise in a prohibited area.	Maps of selected sites are available in Schedule Three

	• Cemeteries and burial grounds	
Temporary	• temporary dog on leash areas or dog prohibited areas for the following purposes: • leisure and cultural events in parks, reserves, and other public places; or • to protect threatened or “at risk” wildlife or Special Ecological Areas vulnerable to dogs.	n/a

SCHEDULE TWO – DOGS ON LEASH





SCHEDULE THREE – DOG PROHIBITED AREAS





DRAFT DOG MANAGEMENT BYLAW 2026



First adopted	November 2004	Minute reference	M04/105.2
Revisions/Amendments	April 2008 11 December 2018	Minute reference	M08/32.11 M18/108.10
Review date	2036		
Engagement required	Special Consultative Procedure		
Associated documents	Dog Management Policy 2018		
Relevant Legislation	This bylaw is made under the Local Government Act 2002 and section 20 of the Dog Control Act 1996.		

1. TITLE

- 1.1. This bylaw is the Dog Management Bylaw 2026.

2. COMMENCEMENT

- 2.1. This bylaw comes into force on 1 February 2027

3. APPLICATION

- 3.1. This bylaw applies to Tauranga City.
- 3.2. In any instances of ambiguity about an area described in this Bylaw the map boundaries illustrating the area will prevail.

4. PURPOSE

- 4.1. The purpose of this bylaw is to provide adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their owners while minimising any danger, distress, or nuisance caused by dogs.
- 4.2. This bylaw provides for dogs to be exercised off-leash in public places, including parks and reserves, except in areas identified in this bylaw as prohibited or leash control.
- 4.3. This bylaw gives Tauranga City Council legal powers to implement the Dog Management Policy 2026.

5. DEFINITIONS

5.1. For the purposes of this bylaw the following definitions shall apply:

Term	Definition
Active Recreation Area	means an area with equipment provided for the purpose of active recreation, for example, basketball courts, pétanque, skate parks or pump tracks, outdoor fitness equipment and artificial sports playing surfaces. Grass sports fields are excluded.
Authorised Officer	means any officer of Tauranga City Council or any other person authorised under the Local Government Act 2002 and authorised by Tauranga City Council to administer and enforce its Bylaws or policies.
Beach	any land in Tauranga adjacent to any seacoast or lakeside which is part of the foreshore, or is land contiguous to and used in connection with the foreshore, and to which the public has a right of access. For the purposes of this bylaw, the beach includes the foreshore which is the parts of the bed, shore or banks of tidal water between mean high water springs and mean low water springs.
Bylaw	refers to the Tauranga City Council Dog Management Bylaw 2026.
Council	refers to the elected member body representing Tauranga City.
District	refers to the area governed by Tauranga City Council.
Dune	areas of undulating contour above mean high water springs, where there is a marked change in landform from a gently sloping beach to rolling sand hills or where a line of vegetation cover starts. The area can be considered 'wild and undeveloped'. The landward extent of sand dunes can be characterised at a point where the soil type changes and sand dune vegetation is less dominant.
Foreshore	has the meaning as defined under the Resource Management Act 1991 (or any subsequent replacement legislation).
Impound	means to impound any dog in accordance with the provisions of the Dog Control Act 1996, in a public pound or any vehicle used to transport dogs to a public pound.
Leash	may include a fixed or retractable restraint provided that in the instances where a dog is required to be on a leash, the leash must not exceed two metres in length and be held by a person physically capable of restraining the dog.
Owner	has the meaning as defined under the Dog Control Act 1996.
Public place	has the meaning as defined under the Dog Control Act 1996.
Road reserve	means the land between property boundaries, including footpaths, road, and grass verges.
Road zone	has the meaning as defined in the Tauranga City Plan.

Special Ecological Areas	has the meaning as defined in the Tauranga City Plan.
Specified agency	has the meaning as defined in the Dog Control Act 1996.
Specified fenced public places	area of a public place that is provided for the purpose of creating safe spaces for the unhindered exploration and enjoyment of young children and/or disabled people to enhance accessibility and inclusion. Specified fenced public places subject to this bylaw will be determined by Tauranga City Council as per section 9 of the bylaw and listed in the attachment to this Bylaw.
Under Effective Control	to manage, influence or determine the activities of all dogs in a person's possession, whether by voice commands, hand signals, whistles or other effective means, so that no dog can cause nuisance or danger to any person or other animal and cannot enter or interfere with private property and includes the physical ability to restrain all dogs in a person's possession.
Tauranga City Council	means Tauranga City Council or any committee, Sub-Committee, or elected member of Council, or officer or other person authorised to exercise the authority of Council.
Waikorire (Pilot Bay), Mount Maunganui, Shark Alley and Mauao Dog Prohibited Area	refers to: • Waikorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the Mall • All of Mauao including the holiday park and campground, adjacent beach, foreshore, tracks, walkways, and grassed or bush areas • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade • All of Moturiki including the adjacent beach and foreshore • That part of Mt Maunganui beach extending 225m south of Moturiki towards Papamoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade.
Unless otherwise provided, words and phrases in this bylaw that are defined in the Dog Control Act 1996 shall have the same meanings	

6. LEASH CONTROL

- 6.1. Where a dog is causing or likely to cause danger, distress or nuisance it must be kept on a leash and under effective control of the owner.
- 6.2. Dogs must be under leash control as per the areas set out in Schedule 1.
- 6.3. As per section 52(2) of the Dog Control Act 1996, a dog shall be deemed to be not under effective control if it is found in contravention of clauses 6.1 or 6.2 of this bylaw.
- 6.4. As per section 54A of the Dog Control Act 1996, all dog owners are required to carry a leash at all times regardless of the provisions of this bylaw.

7. DOG PROHIBITED AREAS

- 7.1. Dogs are prohibited from the Dog Prohibited Areas set out in Schedule 1.
- 7.2. Disability assist dogs, and any dogs belonging to a specified agency pursuant to section 2 of the Dog Control Act 1996, are exempt from the prohibitions.

8. TEMPORARY DOG PROHIBITED AREAS

- 8.1. Tauranga City Council may create temporary dog on leash areas or dog prohibited areas for the following purposes:
 - leisure and cultural events in parks, reserves, and other public places; or
 - to protect threatened or “at risk” wildlife or Special Ecological Areas vulnerable to dogs.
- 8.2. In making any temporary changes to dog access provisions, Tauranga City Council must:
 - have regard to clause 4.1 of the Tauranga City Council Dog Management Policy.
 - ensure that the area subject to the temporary change is clearly indicated by one or more clearly legible notices affixed in one or more conspicuous places on, or adjacent to, the place where the notice relates, unless it is impractical to do so.

9. SPECIFIED FENCED PUBLIC PLACE

- 9.1. The General Manager: Operations and Infrastructure may subject to the considerations set out in clause 9.2:
 - prohibit dogs from a specified fenced public place; and
 - determine whether dogs are required to be under leash control or are prohibited from any entrances, exits or areas surrounding the specified fenced public place.
- 9.2. In making decisions under clause 9.1 the General Manager: Operations and Infrastructure must have regard to:
 - the purpose of creating safe spaces for the unhindered exploration and enjoyment of young children and/or disabled people to enhance accessibility and inclusion
 - considerations within the Council’s Strategic Direction and Tauranga Reserve Management Plan and relevant Council policies.

- the availability of alternate areas to allow for the exercise and socialisation of dogs in the area
 - the impact on the transit of people through the surrounding area.
- 9.3. Decisions made under clause 9.1 must be recorded in an attachment to the bylaw and must be supported by appropriate signage in the specified fenced public place.

10. ACCOMMODATION

- 10.1. Where a dog kennel or place of confinement for any dog is closer than two metres from the boundary of any land and is causing a nuisance, **Tauranga City Council** may require a relocation of the dog kennel or place of confinement.
- 10.2. Clause 9.1 does not apply to dog day cares or commercial kennels.

11. LIMIT ON NUMBER OF DOGS

- 11.1. No occupiers of premises, other than in areas zoned Rural, shall permit more than two dogs over the age of three months to reside on their premises at any one time, regardless of the number of occupants, unless a licence has been granted by **Tauranga City Council** authorising a greater number of dogs. This clause does not apply to dog day cares or commercial kennels that are allowed or consented by the City Plan.
- 11.2. Upon written application **Tauranga City Council** may grant such licence subject to such terms, conditions and restrictions as **Tauranga City Council** considers necessary or desirable in any particular case. This clause does not apply to dog day cares or commercial kennels that are allowed or consented by the City Plan.
- 11.3. No person may exercise more than two dogs off leash in a public place or reserve at any one time, and all dogs must be under effective control at all times.
- 11.4. No person may exercise more than four dogs at any time in a public place or reserve, and all dogs must be under effective control at all times.
- 11.5. Upon written application **Tauranga City Council** may grant a licence to exercise more dogs at one time in a public place or reserve than the limits set out in Clause 10.3 and 10.4. This licence is subject to such terms, conditions and restrictions as **Tauranga City Council** considers necessary or desirable in any particular case including the payment of any fee as set out in the **Tauranga City Council User Fees and Charges**.

12. DOG FOULING

- 12.1. The owner of a dog that defecates in any public place, private way, land or premise other than that occupied by the owner must remove the faeces immediately and dispose of it in a hygienic manner.

13. BITCH IN SEASON

- 13.1. The owner of a bitch in season must keep it confined but adequately exercised whilst in that condition.

14. IMPOUNDING

- 14.1. Any person warranted under the Dog Control Act 1996, or authorised pursuant to the Local Government Act 2002, to enforce this bylaw may impound a dog found

at large or in breach of any of the provisions in this bylaw, whether or not it is wearing a collar with the proper registration label.

- 14.2. **Tauranga City Council** may require dogs impounded on more than three occasions within a continuous period of 24 months to be neutered at the owner's expense (whether or not the owner of the dog has been convicted of an offence against sections 52A or 53 of the Dog Control Act 1996).

15. MENACING DOGS

- 15.1. All dogs classified as menacing under section 33A and 33C of the Dog Control Act 1996 must be neutered.
- 15.2. All dogs classified as menacing and transferred to **Tauranga City Council** must be neutered.
- 15.3. Any dog where the authorised officer has reasonable grounds to believe the dog belongs wholly or predominantly to one or more breeds of types listed in schedule four of the Dog Control Act 1996 must be classified as menacing.

16. OFFENCES AND PENALTIES

- 16.1. Every person who breaches or fails to comply with the terms of this bylaw commits an offence.

And further, every person commits a breach under this bylaw who fails, refuses or neglects to comply with any notice duly given to that person under this bylaw.

17. FEES

- 17.1. **Tauranga City Council** may in accordance with section 150 of the Local Government Act 2002 prescribe fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by **Tauranga City Council** under this bylaw.

18. NOTICES

- 18.1. **Tauranga City Council** may give notice to any person in breach of this bylaw to carry out any remedial action in order to comply with this bylaw and every such notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time.

19. DISPENSING POWERS

- 19.1. **Tauranga City Council** may waive full or partial compliance with any provision of this bylaw in a case where **Tauranga City Council** is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. **Tauranga City Council** may in its discretion impose conditions of any such waiver.

SCHEDULE ONE – DOG ACCESS RULES

Dog access type	Area	Map
Prohibited	None of the following prohibitions apply to disability assist dogs, and any dogs belonging to a specified agency pursuant to Section 2 of the Dog Control Act 1996. Prohibited Areas • Waikorire (Pilot Bay), Mauao, Shark Alley and Mount Maunganui Dog Prohibited Area • Wakorire (Pilot Bay) including the adjacent beach, foreshore, boardwalk, grassed area and Pilot Bay reserve up to the kerb of the mall. • All of Mauao including the adjacent beach, foreshore, tracks, walkways, and grassed or bush areas. • Mount Maunganui main beach including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade. • All of Moturiki (Leisure Island) including the adjacent beach and foreshore. • The part of Mount Maunganui beach extending 225m south of Moturiki towards Pāpāmoa including the adjacent beach, foreshore, dunes, boardwalk, and grassed area up to the kerb of Marine Parade • The area of the foreshore between the Ocean Beach Road beach access markers 0003 and 0004 located at Ōmanu beach and in the vicinity of the Ōmanu Surf Lifesaving Club premises. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal. • That area of foreshore and dunes at Pāpāmoa beach in the vicinity of the surf lifesaving club buildings between the car park at the north-western end of Pāpāmoa Domain and the car park at the south-eastern end of Pāpāmoa Domain. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal.	• Maps of selected sites are available in Schedule Two

	• Inside any children's playground delineated by a fence • Any land within 10 metres from any public play or exercise equipment, not delineated by a perimeter fence. Dogs may transit past a playground where there is a formed path so long as the dog remains on the path and is controlled on a leash and does not cause nuisance or danger to any person or animal. • Otumoetai Pā Reserve. • Flagged lifeguard areas, including any temporary lifeguard area being that area of the beach between the outer most flags which mark the lifeguard area and delineated on each outer boundary by a straight line drawn from the mean low water through the flagged area to the mean high water. Where a dog is on an area of beach when lifeguards establish a flagged area, the dog must be removed from that area immediately. Dogs are permitted to transit through these areas so long as the dog is controlled on a leash and does not cause a nuisance or danger to any person or animal. • The area of vegetated dunes extending from Mauao south to Te Tumu (however dogs may transit through the dunes on leash through designated beach accessways). • An active recreation area. • Cemeteries and burial grounds (except with prior authorisation from an Authorised Officer). • Specified fenced public places and any entrances, exits or transit rules for the public place on which it is sited as determined by Tauranga City Council as per section 9 of the bylaw and subject to the display of appropriate signage. • Dogs are prohibited from libraries and Tauranga City Council service centres, community centres and indoor sports facilities, except to participate in a recognised dog training programme or dog agility club or library programme involving dogs.	
On leash	• On footpaths and within the road reserve. • Matua Salt Marsh.	• Maps of selected sites are available in

	• The beach immediately in front of Motiti Reserve and including Motiti Reserve from 15 December to 15 February between the hours of 10am and 5pm. • The car parks adjacent to the Pāpāmoa and Omanu Surf Lifesaving club buildings. • Within Red Square • The Marine Parade Coastal Path, the Papamoa Shared Pathway and the Beach Road Walkway, where not otherwise in a prohibited area. • Cemeteries and burial grounds	Schedule Three
Temporary	• temporary dog on leash areas or dog prohibited areas for the following purposes: • leisure and cultural events in parks, reserves, and other public places; or • to protect threatened or “at risk” wildlife or Special Ecological Areas vulnerable to dogs.	n/a

SCHEDULE TWO – MAPS - DOGS ON LEASH AREAS





SCHEDULE THREE – MAPS - DOG PROHIBITED AREAS





DRAFT KEEPING OF ANIMALS BYLAW 2026



First adopted	November 2004	Minute reference	M04/105.3
Revisions/Amendments	1 October 2008	Minute reference	M08/86.10
	18 December 2018		M18/108.9
Review date	2036		
Engagement required	Special Consultative Procedure		
Associated documents	Beaches Bylaw 2018		
Relevant Legislation	Local Government Act 2002		

1. TITLE

- 1.1 This bylaw is the Keeping of Animals Bylaw 2018~~26~~.

2. COMMENCEMENT

- 2.1 This bylaw comes into force on TBC.

3. APPLICATION

- 3.1 This bylaw applies to Tauranga City.
- 3.2 Explanatory notes are not part of this bylaw, and may be added, amended or deleted at any time without amending the bylaw.

4. PURPOSE

- 4.1 To allow for the keeping of animals and poultry in a manner which has minimal impact on, or causes minimal nuisance to, the wider community.

5. DEFINITIONS

5.1 For the purposes of this bylaw the following definitions shall apply:

Term	Definition
Animal	means any mammal, other than a human being, and includes any bird, reptile, amphibian, fish or invertebrate organism of any kind.
Approved	means accepted in writing by an Authorised Officer.
Authorised Officer	means any officer of Tauranga City Council or any other person authorised under the Local Government Act 2002 and authorised by Tauranga City Council to administer and enforce its Bylaws or policies.
Bylaw	means the Tauranga City Council Keeping of Animals Bylaw.
Explanatory note	Explanatory notes may be inserted for a number of reasons, including to explain the intent or a clause in less formal language, to include additional helpful information, because the information may be subject to change and need to be updated before the bylaw itself has to be updated.
Road of Significance	as defined in the Tauranga City Council – Special Road Requirements for Temporary Traffic Management
Licence	includes a permit or other written approval or permission from Tauranga City Council.
Occupier	means the inhabitant occupier of any property and in any case where any building, house or tenement or premises is unoccupied, shall be deemed to include the owner.
Owner	means the person entitled to receive the rent of property, land, building or premises, and includes an agent acting on behalf of the owner.
Poultry	includes any domestic fowl (including roosters), turkey, geese, ostrich, pigeon or emu.
Residential zone	as defined in the Tauranga City Plan.
Regional Pest Management Plan:	means a statutory plan prepared under the Biosecurity Act 1993 that sets out how pest animals (and plants) will be managed within the Bay of Plenty, including responsibilities of landowners and occupiers to prevent, control, or eradicate specified pests.
Road	has the same meaning as in the Land Transport (Road User) Rule 2004, or subsequent amendments.
Rural zone	as defined in the Tauranga City Plan.
Stock	includes any cattle, horse, deer, ass, mule, sheep, goat, pig or camelid (alpaca and llama).
Stock Proof Fence	being a wire fence, having seven or eight wires properly strained, the posts to be of durable timber, metal, or reinforced concrete, and not more than five metres apart, and securely rammed and, in hollows or where

	subject to lifting through the strain of the wire, to be securely footed, or stayed with wire; the battens (droppers) to be affixed to the wires and of durable timber, metal or plastic, evenly spaced, and not fewer than three between posts; the wires to be galvanised and of 2.5mm high tensile steel or 4mm steel or its equivalent; the bottom wire to be not more than 125mm from the ground, the next three wires to be not more than 125mm apart; and the top wire or rail to be not less than one metre from the ground.
Tauranga City Council	means Tauranga City Council or any committee, Sub Committee or elected member of Council or officer or other person authorised to exercise the authority of Council.

6. PIGS AND GOATS

- 6.1 Pigs and goats are only permitted to be kept in areas zoned Rural in the Tauranga City Plan.

7. BEES

- 7.1 Bees may be kept on private property.
- 7.2 Tauranga City Council encourages beekeepers to engage with their local beekeeping clubs to access advice and expertise to manage bees.

Explanatory note: Where bees kept on private property are impacting public health and safety, or creating a nuisance an authorised officer may give instructions under section of this bylaw to address the issue

8. POULTRY

- 8.1 Poultry can be kept in Rural and Residential zones so long as they are confined to the property occupied by the poultry owner.
- 8.2 Rules for poultry houses and runs are as follows;
- (a) any poultry house or run is constructed at least five metres from any neighbouring dwelling or workplace; and
 - (b) the poultry house and run are maintained at all times in good repair, clean and free from any offensive smell, rats, vermin or overflow there from.

Explanatory note: Animal welfare concerns are dealt with under Section 10 of the Animal Welfare Act not this bylaw.

- 8.3 Limits on poultry are as follows:

Rural zone

- (a) No person shall keep more than 12 heads of poultry in an area zoned Rural except with a licence from Tauranga City Council.
- (b) Roosters may be kept in the rural zone

Residential zone

- (c) No person shall keep more than a total of 6 chickens, quails or ducks in an area zoned Residential except with a licence from Tauranga City Council.
- (d) No person shall keep a rooster in an area zoned Residential.
- (e) No person shall keep poultry other than chickens, quails or ducks in an area zoned Residential except with a licence from Tauranga City Council.

- 8.4 Nothing in **clause 8.3** shall prevent any person keeping poultry in any auction room for not more than 48 hours for the purpose of sale, keeping poultry on their premises in an approved type of coop for immediate consumption, or from keeping poultry in a bird shop for the purpose of sale.

Explanatory note: Any buildings will need to be compliant with relevant rules in the Tauranga City Plan.

9. STOCK

- 9.1 No person shall ride, drive or lead stock on roads at any time except **with** a licence from **Tauranga City Council**, **or as set out in paragraph 9.2.**
- 9.2 Stock may be driven along any street or road (except a street or road designated as Road of Significance) from one paddock or farm to another, if both paddocks or farms are the property of one owner, or in the course of routine farming procedure. If stock is driven on the road, consideration must be given to the timing of the move to minimise impact on normal road users, and the stock owner or person in charge may be required to complete a Site Specific Traffic Management Plan **when directed to by Tauranga City Council.**
- 9.3 Horses may be ridden on the beach as per the Beaches Bylaw 2018. No other stock can be driven on or along the beach.
- 9.4 Horse or cattle must be kept at least five metres from any dwelling, shop, warehouse, factory, workshop, church or school.
- 9.5 No owner or occupier of any land, stock owner, or person in charge of stock, shall permit any stock to be kept or grazed thereon, unless such land is enclosed on all sides by a proper and adequate Stock Proof Fence.

10. CATS

- 10.1 **Tauranga City Council encourages cat owners to desex, microchip and register their cat.**

11. OFFENCES AND PENALTIES

- 11.1 Every person who breaches the terms of this Bylaw commits an offence. Further, every person commits a breach under this Bylaw who:
- (a) fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw;
 - (b) obstructs or hinders any authorised officer of ~~the~~ **Tauranga City Council** or other **Tauranga City Council** appointed person in performing any duty or in exercising any power under this Bylaw.
- 11.2 **A person must not keep animals in a manner that is inconsistent with the Regional Pest Management Plan.**

12. LICENCES

- 12.1 The form of any application for and grant of any licence required under this Bylaw will be determined by **Tauranga City Council.**
- 12.2 **Tauranga City Council** may attach to any licence any terms or conditions as it thinks fit.

- 12.3 No application for a licence from **Tauranga City** Council, and no payment of or receipt for any fee paid in connection with such application or licence, shall confer any right, authority or immunity on the person making such application or payment.
- 12.4 Suspending or Revoking Licences
- (a) **Tauranga City** Council may revoke or suspend a licence granted under this Bylaw if it reasonably believes the licence holder:
- i. has acted or is acting in breach of the licence; or
 - ii. is unfit in any way to hold such a licence.
- (b) **Tauranga City** Council may require the licence holder to attend a hearing to explain why the licence should not be revoked or suspended. **Tauranga City Council** may revoke or suspend the licence at its discretion. If either;
- i. the licence holder does not attend the hearing; or
 - ii. if after the hearing **Tauranga City** Council is satisfied the licence holder has been in breach of the licence or is unfit to hold the licence.
- (c) **Tauranga City** Council may suspend any licence granted under this Bylaw for a period during the staging of any special event, by giving the licence holder 10 days' notice in writing. **Tauranga City** Council may suspend any such licence for the purposes of protecting the public from nuisance or for protecting, promoting or maintaining public health and safety.

13. DISPENSING POWERS

- 13.1 **Tauranga City** Council may waive full compliance with any provision of this Bylaw in a case where **Tauranga City** Council is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. **Tauranga City** Council may, in its discretion, impose conditions of any such waiver. **A waiver must not result in any inconsistency with the Regional Pest Management Plan.**

14. GENERAL POWERS

- 14.1 **An authorised officer may give reasonable instruction for the purpose of ensuring compliance with this Bylaw, protecting public health and safety, or preventing or mitigating nuisance.**
- 14.2 **Any instruction must be necessary, proportionate to the risk, and the least restrictive measure available.**
- 14.3 **An instruction may be given orally or in writing. Where the instruction requires ongoing compliance or significant action, it must be confirmed in writing.**

Section 155 Determinations for the proposed draft Dog Management Bylaw and Keeping of Animals Bylaw

Section 155 of the Local Government Act 2002 must be followed when reviewing a bylaw. Section 155(1) requires a council to determine whether a bylaw is the **most appropriate way of addressing a perceived problem**. If Council determines that it is, then before making the bylaw it must determine if the proposed bylaw is in the most appropriate form and assessing whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA).

Identified problem 1: The impact of dogs and animals on wildlife in public places

There is evidence that the presence of dogs in areas of high wildlife value can impact the wellbeing of native wildlife. As part of the bylaw review community wildlife groups and the Department of Conservation requested changes to the bylaw to prohibit dogs in certain public places, in particular Shark Alley and Coastal Dunes, to better protect threatened species.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the NZBoRA?
Through a bylaw Tauranga City Council can prohibit dogs from an area and issue fines to those not adhering to the restrictions. Without the bylaw staff rely on an educative approach, however, feedback from community groups monitoring the beach suggest that an educative approach alone is not sufficient to address the issues. A bylaw is necessary to provide enforceable controls and to signal Council support for responsible cat owner behaviour.	<u>Dog Management Bylaw</u> The definitions have been amended to include Shark Alley in the current definition of the Waikorire (Pilot Bay), Mount Maunganui, and Mauao Dog Prohibited Area and Clause 7.1 and Schedule 1 uses this new definition. Clause 7.1 and Schedule 1 prohibits dogs in the vegetated dunes extending from Mauao south to Te Tumu, while providing an exemption for dogs transiting through a dog accessway on leash. The bylaw is clear, certain and not broader than necessary. Maps are used for clarity. <u>Keeping of Animals Bylaw:</u> The new clause 10.1 encourages cat owners to desex, microchip and register their cat.	The proposed bylaw restricts dog access only where necessary to protect public safety, amenity or wildlife. These restrictions are targeted, proportionate and provide exemptions (such as for disability assist dogs and transiting) to ensure freedom of movement. The new clause provides encouragement for responsible cat ownership. The bylaw does not give rise to any implications under the NZBoRA.

Identified problem 2: Dog management in public places

Tauranga generally allows for dogs to be exercised freely in parks and reserves except where there is reason to leash or restrict dogs. Through the review, issues have been raised with dogs in certain public places, and the proposed bylaw includes leash or dog restrictions in these spaces.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the NZBoRA?
Through a bylaw Tauranga City Council can prohibit dogs from an area or require leashing, and issue fines to those not adhering to the restrictions. Alternative approaches, such as educational messages to ‘share with care’ on paths, and to not bring dogs into cemeteries without permission, have not been effective. The areas proposed to include leash or dog restrictions are those where issues with dogs have occurred, new fenced play spaces, and new urban spaces where issues can reasonably be expected to occur. A bylaw is necessary to provide enforceable controls. The draft bylaw also proposes restrictions for certain public places frequented by young children and youth to reduce the inherent danger in allowing dogs to have uncontrolled access to them.	<u>Dog Management Bylaw</u> The definition section includes a definition of Active Recreation Activity and Clause 7.1 and Schedule 1 references this definition as an area where dogs are prohibited. The definition section includes a definition of Specified fenced public places and Clause 7.1 and Schedule 1 references this definition as an area where dogs are prohibited. Section 9 of the draft bylaw sets out criteria the General Manager: Operations and Infrastructure must consider in assessing whether to may prohibit dogs from specified fenced public places Clause 6.2 and Schedule 1 requires dogs to be leashed in Red Square. Clause 6.2 and Schedule 1 requires dogs to be leashed on specified shared pathways.	The proposed bylaw restricts dog access only where necessary to protect public safety, amenity or wildlife. These restrictions are targeted, proportionate and provide exemptions (such as for disability assist dogs and transiting) to ensure freedom of movement. Section 9 sets out criteria to be considered prior to prohibit dogs from specified fenced public places. The bylaw does not give rise to any implications under the NZBoRA.

Identified problem 3: Licencing rules

Several changes are proposed to update licencing rules for dogs and animals to reflect the more urban nature of Tauranga, while still providing options for those that would like to keep or walk more dogs and animals to apply for a licence, subject to any relevant conditions, for example a property check or relevant training check.

Section 155 (1) Is a bylaw the most appropriate way of addressing the problem?	Section 155 (2) (a) Is the proposed draft bylaw the most appropriate form of bylaw	Section 155 (2) (b) Any implications under the NZBoRA?
Through a bylaw Tauranga City Council can require animal owners to apply for a licence for activities that are otherwise beyond what is permitted. Without a bylaw there would be no way to ensure compliance with this requirement. The proposed Keeping of Animals Bylaw includes a general requirement to follow the instruction of an authorised officer for the purpose of ensuring compliance with the bylaw. Alternative options such as using an educative approach were considered, however a bylaw was deemed necessary to provide enforceable controls. The bylaws both provide options for those that would like to keep or walk more dogs and animals than the maximums stated to apply for a licence, subject to any relevant conditions, for example a property check. This option is a less restrictive approach than prohibiting outright the ability to exceed the maximums. The proposed Keeping of Animals Bylaw removes the discretionary ability of an authorised officer to remove bees that are kept on private property due to the inherent difficulty in establishing the cause of nuisances from bees. Instead the new proposed general provision will allow for a more proportionate response to bee issues.	<u>Dog Management Bylaw</u> Clause 11.1 limits the number of dogs that can be kept without a licence on a premise to a maximum of two. Clause 11.5 provides an ability for Tauranga City Council to grant a licence to walk more than 4 dogs at one time in a public place. <u>Keeping of Animals Bylaw:</u> Amended Clause 7.1 to remove the discretionary ability of an authorised officer to remove bees that are kept on private property. Amended Clause 8.2 and 8.3 to reduce the number of chickens ducks or quails that can be kept in a Residential zone to 6 total, and to require a licence to keep poultry other than chickens ducks or quails in a Residential zone. Inserted definition of Regional Pest Management Plan and Clause 11.2 that a person must not keep animals in a manner that is inconsistent with the Regional Pest Management Plan. Clause 13.1 adds condition that a waiver of the bylaw must not result in any inconsistency with the Regional Pest Management Plan. Clause 14.1 provides a general power for an authorised officer to give reasonable instructions, however this power is limited to the purpose of the bylaw i.e. protection of public health and safety and preventing or mitigating a nuisance. . Clause 14.2 states any instruction must be necessary, proportionate to the risk, and the least restrictive measure available. Clause 14.3 requires an instruction to be confirmed in writing if it requires ongoing compliance or significant action.	The proposed bylaws limit the keeping of animals only where necessary to protect public safety, amenity and wildlife, or to prevent or mitigate nuisance. These restrictions are targeted, proportionate and provide for the exemptions (such as licences). Additionally, the general power is confined to the purpose of the bylaw and is exercised in a proportionate manner. These restrictions are the least restrictive means to achieve the intended purpose. This provides a practical mechanism to address situations not specifically provided for elsewhere in the bylaw, while ensuring compliance with the bylaw and protecting public health and safety. The proposed bylaw does not give rise to any implications under the NZBoRA.



Consistency Accountability Statement

Tauranga City Council Dog Management Policy 2026

Date finalised – TBC

Statement of Review

I confirm that Tauranga City Council has assessed the above secondary legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 9 of the Regulatory Standards Act 2025.

This assessment identified no inconsistencies with the principles of responsible regulation.

Gareth Green
Acting Chief Executive
Tauranga City Council



Summary of Underpinning Analysis:

Tauranga City Council Dog Management Policy 2026

Date finalised – [insert]

CONTEXT FOR THE PROPOSED BYLAW

Council reviewed the Dog Management Policy in response to an action in the Nature and Biodiversity Action and Investment Plan and the statutory requirement to review the policy before 2028. Council identified several issues requiring attention, including protecting wildlife and sensitive ecological areas from the impacts of dogs, managing dogs in urban and shared public spaces, and ensuring dog access rules appropriately balance public safety, community amenity, responsible dog ownership and environmental protection.

Under the Dog Control Act 1996, the Dog Management Policy establishes Council's approach to classifying public places and determining where dogs may be exercised off leash, where dogs must be on leash, and where dogs are prohibited. The policy provides the strategic framework that supports the operational rules contained in the Dog Management Bylaw.

Council developed the proposed policy using complaints information, wildlife incident reports, public pre-engagement, stakeholder feedback, operational experience, and input from Te Rangapū Mana Whenua o Tauranga Moana Policy Subcommittee.

The proposed policy largely retains the existing approach to dog management while introducing targeted changes to improve protection of wildlife, reduce conflict in busy public spaces, and provide clearer direction regarding dog access requirements. Key changes include additional protections in wildlife areas and revised dog access classifications for selected public places.

Council undertook formal consultation using the Special Consultative Procedure between 2 June 2026 and 2 July 2026. Council received 1,798 submissions and heard from 19 submitters who wished to speak to their submissions.

Overall assessment

On the material reviewed, no inconsistency with the principles of responsible regulation have been identified.

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation	
Inconsistency identified?	No
Summary of agency analysis	
The process included early community engagement in 2025 through a community survey which asked for feedback on possible changes to a range of wildlife areas and community spaces. Formal consultation was then carried out from 2 June 2026 to 2 July 2026 through a special consultative procedure. Registered dog owners in the district were notified of the consultation and links to the	

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consultation were provided through the dog registration process, signs were placed in key sites where changes were proposed, key stakeholders (environmental and accessibility groups) were notified via email, the Let's Talk website and the Kōrero Mai newsletter. Iwi and hapu representative for areas with proposed changes were notified of the consultation. Dog businesses with publicly available contact details were also notified of the consultation.

The consultation material asked submitters to comment on the proposed changes to the dog on leash, dog prohibited areas, licencing changes and provide any other feedback. A hearing was held on 11 August 2026 for those who wished to speak. This supports a conclusion that consultation was reasonably practicable and targeted to those most likely to be directly affected, including dog owners, community members, tangata whenua interests and interested stakeholders.

The degree of community feedback was high, reflecting the high public interest in the policy.

Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and
- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to benefit, and who is likely to suffer a detriment, from the legislation

Inconsistency identified?

No

Summary of agency analysis

Council evaluated complaints data, wildlife incident reports, pre-engagement survey results, stakeholder feedback, staff advice and consultation submissions. This information identified risks to wildlife in sensitive ecological areas, conflicts between dogs and other users of public places, and concerns about managing larger numbers of dogs.

Council considered whether existing provisions and non-regulatory approaches adequately addressed these issues. Council concluded that education and awareness initiatives alone would not sufficiently protect wildlife or manage risks in some locations and that targeted, enforceable controls remained necessary.

Council considered options including retaining the status quo and introducing targeted amendments to address identified issues. Council preferred targeted amendments because they respond to current issues, improve clarity, strengthen protection of sensitive wildlife areas, and improve management of high-use public spaces.

Council expects the wider community, reserve users, wildlife, children, and responsible dog owners to benefit from the proposed changes. Some dog owners may experience additional restrictions or licensing requirements where their activities create higher risks or impacts.

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified?

No

Summary of agency analysis

Council designed the proposed policy so existing Animal Services functions can administer and enforce it. The policy relies on mechanisms already familiar to the community, including dog access controls, leash requirements, prohibited areas, licensing provisions and enforcement powers.

Council can implement the policy through established processes such as dog registration communications, public education, signage, stakeholder engagement and operational enforcement. Submitters also highlighted the importance of ongoing education and enforcement, supporting Council's implementation approach.

Good law-making: 9(l)

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Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons	
Inconsistency identified?	No
Summary of agency analysis	
Council expects the policy to improve protection of threatened wildlife and sensitive habitats, reduce conflict between dogs and other users of public spaces, improve public safety, and provide clearer rules for dog owners. The policy will also strengthen Council's ability to manage and enforce dog-related issues.	
Council expects compliance costs to remain limited because the policy retains a dog-friendly approach across most of the city and focuses restrictions on specific locations and activities that present elevated risks. Additional costs will primarily affect people seeking licences for larger numbers of dogs or those using areas subject to new restrictions.	
The available evidence supports a conclusion that the anticipated environmental, safety and community benefits outweigh the costs associated with compliance.	

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available	
Inconsistency identified?	No
Summary of agency analysis	
Council adopted a targeted approach rather than imposing broad restrictions across the city. The policy focuses on locations where evidence identified wildlife, safety or amenity concerns, including coastal dunes, Shark Alley, selected shared paths, heritage reserves, cemeteries and specialised play spaces.	
Council considered less restrictive approaches, including education and voluntary compliance. Council concluded that these approaches would not adequately manage identified risks in sensitive wildlife areas and high-use public spaces. The proposed restrictions therefore provide a proportionate response to the issues identified through research, stakeholder engagement and consultation.	

Rule of Law: 9(a)(i)

The law should be clear and accessible	
Inconsistency identified?	No
Summary of agency analysis	
Council drafted the policy using a clear structure that identifies where dogs may be exercised, where dogs must be on leash, where dogs are prohibited, and when licences are required. Council also explained the reasons for proposed changes in the Statement of Proposal and consultation material using plain language supported by maps and location-specific information.	

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively	
Inconsistency identified?	No
Summary of agency analysis	
The proposed amendments do not have retrospective effect and will apply only from the date on which they come into force.	

Rule of Law: 9(a)(iii)

Every person is equal before the law	
Inconsistency identified?	No
Summary of agency analysis	
Council applies the policy across Tauranga using objective criteria linked to locations, activities and risk levels. The policy places additional obligations on people only where their activities create higher	

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potential impacts on wildlife, public safety or community amenity. There is no differential treatment based on irrelevant personal characteristics

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary	
Inconsistency identified?	Not applicable
Summary of agency analysis	
The policy does not affect the independence of the judiciary or alter existing legal processes for resolving disputes or enforcement matters.	

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion	
Inconsistency identified?	No
Summary of agency analysis	
The policy gives Council administrative powers to administer licensing requirements, determine compliance with dog access rules, and undertake enforcement actions. Council links these powers to specific purposes such as protecting wildlife, managing public safety and reducing nuisance. Council exercises these powers within statutory frameworks and established administrative law requirements.	

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person	
Inconsistency identified?	No
Summary of agency analysis	
The policy limits where dogs may be exercised, when dogs must be on leash and when licences are required for activities involving larger numbers of dogs. These restrictions affect freedom of action to a limited extent.	
Council designed these restrictions to protect public safety, public enjoyment of shared spaces, wildlife and ecological values. Council targeted restrictions to specific locations and activities rather than imposing broad restrictions throughout the city. The policy retains extensive opportunities for responsible dog ownership and dog exercise across Tauranga.	

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless –	
• there is a good justification for the taking or severe impairment; and • fair compensation for the taking or severe impairment is provided to the owner; and • the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment	
Inconsistency identified?	No
Summary of agency analysis	
The policy regulates the management and control of dogs rather than ownership of property. The policy does not authorise the taking of property or cause severe impairment of property rights. Any effects arise from behavioural controls designed to protect wildlife, public safety and community amenity.	

Taxes, fees and levies: 9(d)

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The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)	
Inconsistency identified?	No
Summary of agency analysis	
The policy provides for licensing and enforcement mechanisms authorised by existing legislation it does not impose a tax.	

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates	
Inconsistency identified?	No
Summary of agency analysis	
Any fees associated with licences under the policy support the administration of regulatory functions and licensing processes.	

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both -	
- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and - the costs of efficiently achieving the objective or providing the function	
Inconsistency identified?	Not applicable
Summary of agency analysis	
The policy does not impose a levy.	

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation	
Inconsistency identified?	No
Summary of agency analysis	
Nothing in the policy limits or restricts the role of the courts in interpreting legislation or resolving disputes arising from its administration or enforcement.	

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review	
Inconsistency identified?	No
Summary of agency analysis	
The policy relies on administrative decisions relating to licensing, enforcement and compliance. Council links these decisions to clearly identifiable regulatory purposes and administers them within established statutory and administrative law frameworks. Standard review and accountability mechanisms remain available.	



Consistency Accountability Statement

Tauranga City Council Dog Management Bylaw 2026

Date finalised – TBC

Statement of Review

I confirm that Tauranga City Council has assessed the above secondary legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 9 of the Regulatory Standards Act 2025.

This assessment identified no inconsistencies with the principles of responsible regulation.

Gareth Green

Acting Chief Executive

Tauranga City Council



Summary of Underpinning Analysis:

Tauranga City Council Dog Management Bylaw 2026

Date finalised – [insert]

CONTEXT FOR THE PROPOSED BYLAW

The draft Dog Management Bylaw 2026 is intended to replace the Dog Management Bylaw 2018, apply across Tauranga, and be made under section 20 of the Dog Control Act 1996. The draft Dog Management Bylaw supports the management of dogs in Tauranga by provided adequate opportunities to fulfil the exercise, recreational and socialisation needs of dogs and their owners while minimising any danger, distress, or nuisance caused by dogs.

Council reviewed the Dog Management Policy and Bylaw in response to an action in the Nature and Biodiversity Action and Investment Plan and the statutory requirement to review the policy and bylaw before 2028. Council identified several issues requiring attention, including protecting wildlife and ecological areas from dogs, managing dogs in urban and shared spaces, and reviewing licensing requirements for dog ownership and dog walking activities.

Council developed the proposed changes using complaints data, wildlife incident information, public pre-engagement, stakeholder feedback, staff advice, and input from Te Rangapū Mana Whenua o Tauranga Moana Policy Subcommittee. The proposed bylaw largely retains the existing regulatory framework while introducing targeted changes to improve protection of wildlife, better manage dogs in high-use public spaces, and strengthen licensing and enforcement provisions. Proposed changes include increased protections in wildlife areas, leash requirements in selected public spaces, restrictions in certain public places, and revised licensing requirements for keeping and walking multiple dogs

Public consultation was undertaken between 2 June 2026 and 2 July 2026. The consultation material sought views on proposed changes to the bylaw including changes to dog prohibited and dog on leash areas in wildlife areas, and community spaces as well as several licencing changes. 1798 submissions were received and hearings were held on 11 August 2026 for submitters wishing to speak.

Overall assessment

On the material reviewed, no inconsistency with the principles of responsible regulation have been identified.

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation	
Inconsistency identified?	No
Summary of agency analysis	
The process included early community engagement in 2025 through a community survey which asked for feedback on possible changes to a range of wildlife areas and community spaces. Formal consultation was then carried out from 2 June 2026 to 2 July 2026 through a special consultative procedure. Registered dog owners in the district were notified of the consultation and links to the consultation were provided through the dog registration process, signs were placed in key sites where	

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changes were proposed, key stakeholders (environmental and accessibility groups) were notified via email, the Let's Talk website and the Kōrero Mai newsletter. Iwi and hapu representative for areas with proposed changes were notified of the consultation. Dog businesses with publicly available contact details were also notified of the consultation.

The consultation material asked submitters to comment on the proposed changes to the dog on leash, dog prohibited areas, licencing changes and provide any other feedback. A hearing was held on 11 August 2026 for those who wished to speak. This supports a conclusion that consultation was reasonably practicable and targeted to those most likely to be directly affected, including dog owners, community members, tangata whenua interests and interested stakeholders.

The degree of community feedback was high, reflecting the high public interest in the bylaw.

Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and
- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to benefit, and who is likely to suffer a detriment, from the legislation

Inconsistency identified?

No

Summary of agency analysis

Council evaluated complaints data, wildlife incident reports, pre-engagement survey results, stakeholder feedback, staff advice and consultation submissions. This information identified risks to wildlife in sensitive ecological areas, conflicts between dogs and other users of public places, and concerns about managing larger numbers of dogs.

Council considered whether existing provisions and non-regulatory approaches adequately addressed these issues. Council concluded that education and awareness initiatives alone would not sufficiently protect wildlife or manage risks in some locations and that targeted, enforceable controls remained necessary.

Council considered options including retaining the status quo and introducing targeted amendments to address identified issues. Council preferred targeted amendments because they respond to current issues, improve clarity, strengthen protection of sensitive wildlife areas, and improve management of high-use public spaces.

Council expects the wider community, reserve users, wildlife, children, and responsible dog owners to benefit from the proposed changes. Some dog owners may experience additional restrictions or licensing requirements where their activities create higher risks or impacts.

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified?

No

Summary of agency analysis

Council designed the proposed bylaw so existing Animal Services functions can administer and enforce it. The bylaw relies on mechanisms already familiar to the community, including dog access controls, leash requirements, prohibited areas, licensing provisions and enforcement powers.

Council can implement the bylaw through established processes such as dog registration communications, public education, signage, stakeholder engagement and operational enforcement. Submitters also highlighted the importance of ongoing education and enforcement, supporting Council's implementation approach.

Good law-making: 9(l)



Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons	
Inconsistency identified?	No
Summary of agency analysis	
Council expects the bylaw to improve protection of threatened wildlife and sensitive habitats, reduce conflict between dogs and other users of public spaces, improve public safety, and provide clearer rules for dog owners. The bylaw will also strengthen Council's ability to manage and enforce dog-related issues. Council expects compliance costs to remain limited because the bylaw retains a dog-friendly approach across most of the city and focuses restrictions on specific locations and activities that present elevated risks. Additional costs will primarily affect people seeking licences for larger numbers of dogs or those using areas subject to new restrictions. The available evidence supports a conclusion that the anticipated environmental, safety and community benefits outweigh the costs associated with compliance.	

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available	
Inconsistency identified?	No
Summary of agency analysis	
Council adopted a targeted approach rather than imposing broad restrictions across the city. The bylaw focuses on locations where evidence identified wildlife, safety or amenity concerns, including coastal dunes, Shark Alley, selected shared paths, heritage reserves, cemeteries and specialised play spaces. Council considered less restrictive approaches, including education and voluntary compliance. Council concluded that these approaches would not adequately manage identified risks in sensitive wildlife areas and high-use public spaces. The proposed restrictions therefore provide a proportionate response to the issues identified through research, stakeholder engagement and consultation.	

Rule of Law: 9(a)(i)

The law should be clear and accessible	
Inconsistency identified?	No
Summary of agency analysis	
Council drafted the bylaw using a clear structure that identifies where dogs may be exercised, where dogs must be on leash, where dogs are prohibited, and when licences are required. Council also explained the reasons for proposed changes in the Statement of Proposal and consultation material using plain language supported by maps and location-specific information	

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively	
Inconsistency identified?	No
Summary of agency analysis	
The proposed amendments do not have retrospective effect and will apply only from the date on which they come into force.	

Rule of Law: 9(a)(iii)

Every person is equal before the law	
Inconsistency identified?	No
Summary of agency analysis	
Council applies the bylaw across Tauranga using objective criteria linked to locations, activities and risk levels. The bylaw places additional obligations on people only where their activities create higher	



potential impacts on wildlife, public safety or community amenity. There is no differential treatment based on irrelevant personal characteristics

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary	
Inconsistency identified?	Not applicable
Summary of agency analysis	
The bylaw does not affect the independence of the judiciary or alter existing legal processes for resolving disputes or enforcement matters.	

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw gives Council administrative powers to administer licensing requirements, determine compliance with dog access rules, and undertake enforcement actions. Council links these powers to specific purposes such as protecting wildlife, managing public safety and reducing nuisance. Council exercises these powers within statutory frameworks and established administrative law requirements.	

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw limits where dogs may be exercised, when dogs must be on leash and when licences are required for activities involving larger numbers of dogs. These restrictions affect freedom of action to a limited extent.	
Council designed these restrictions to protect public safety, public enjoyment of shared spaces, wildlife and ecological values. Council targeted restrictions to specific locations and activities rather than imposing broad restrictions throughout the city. The bylaw retains extensive opportunities for responsible dog ownership and dog exercise across Tauranga.	

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless –	
• there is a good justification for the taking or severe impairment; and • fair compensation for the taking or severe impairment is provided to the owner; and • the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw regulates the management and control of dogs rather than ownership of property. The bylaw does not authorise the taking of property or cause severe impairment of property rights. Any effects arise from behavioural controls designed to protect wildlife, public safety and community amenity.	

Taxes, fees and levies: 9(d)

11



The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw provides for licensing and enforcement mechanisms authorised by existing legislation it does not impose a tax.	

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates	
Inconsistency identified?	No
Summary of agency analysis	
Any fees associated with licences under the bylaw support the administration of regulatory functions and licensing processes.	

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both -	
- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and - the costs of efficiently achieving the objective or providing the function	
Inconsistency identified?	Not applicable
Summary of agency analysis	
The bylaw does not impose a levy.	

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation	
Inconsistency identified?	No
Summary of agency analysis	
Nothing in the bylaw limits or restricts the role of the courts in interpreting legislation or resolving disputes arising from its administration or enforcement.	

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw relies on administrative decisions relating to licensing, enforcement and compliance. Council links these decisions to clearly identifiable regulatory purposes and administers them within established statutory and administrative law frameworks. Standard review and accountability mechanisms remain available.	



Consistency Accountability Statement

Tauranga City Council Keeping of Animals Bylaw 2026

Date finalised – TBC

Statement of Review

I confirm that Tauranga City Council has assessed the above secondary legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 9 of the Regulatory Standards Act 2025.

This assessment identified no inconsistencies with the principles of responsible regulation.

Gareth Green

Acting Chief Executive

Tauranga City Council



Summary of Underpinning Analysis:

Tauranga City Council Keeping of Animals Bylaw 2026

Date finalised – [insert]

CONTEXT FOR THE PROPOSED BYLAW

Council reviewed the Keeping of Animals Bylaw as part of its statutory bylaw review programme and to ensure the bylaw continues to effectively manage issues associated with keeping animals in urban environments. Council identified several issues requiring attention, including the effectiveness of existing licensing provisions, management of nuisance effects associated with keeping animals, and improving enforcement tools available to address animal-related issues within residential and urban areas.

Council developed the proposed bylaw using operational experience, complaints information, stakeholder feedback, public pre-engagement, consultation responses, and input from Te Rangapū Mana Whenua o Tauranga Moana Policy Subcommittee.

The proposed bylaw largely retains the existing regulatory approach while introducing targeted amendments designed to improve the administration and enforcement of animal management requirements. Council focused on maintaining community amenity, reducing nuisance impacts, supporting public health outcomes, and ensuring Council has practical and proportionate enforcement tools available where issues arise.

Council undertook formal consultation using the Special Consultative Procedure between 2 June 2026 and 2 July 2026. Council received 1,798 submissions and heard from submitters who wished to speak to their submissions. While most submissions focused on dog management issues, submitters also provided feedback on aspects of the proposed animal management provisions.

Overall assessment

On the material reviewed, no inconsistency with the principles of responsible regulation have been identified.

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation

Inconsistency identified?

No

Summary of agency analysis

Council undertook early engagement before developing the draft bylaw. Council considered operational experience, stakeholder feedback, community views gathered through pre-engagement activities, and input from mana whenua when identifying issues for review.

Council undertook formal consultation using the Special Consultative Procedure from 2 June 2026 to 2 July 2026. Council promoted consultation through multiple channels, contacted interested stakeholder groups, provided information online, and invited feedback on the draft bylaw.

Council received 1,798 submissions and heard from submitters who wished to speak to their submissions. The consultation process gave affected parties a reasonable opportunity to understand the proposed changes and provide feedback before Council made final decisions.

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Good law-making: 9(j)

The importance of carefully evaluating— · the issue concerned; and · the effectiveness of any relevant existing legislation and common law; and · whether the public interest requires that the issue be addressed; and · any options (including non-legislative options) that are reasonably available for addressing the issue; and · who is likely to benefit, and who is likely to suffer a detriment, from the legislation	
Inconsistency identified?	No
Summary of agency analysis	
Council evaluated complaints information, operational experience, stakeholder feedback, submissions, and existing bylaw provisions to determine whether the current framework continued to effectively manage animal-related nuisance and amenity issues. Council identified opportunities to improve regulatory efficiency, strengthen enforcement tools, and ensure requirements remain practical and enforceable. Council considered whether non-regulatory approaches alone would adequately address identified issues and concluded that retaining a bylaw remains necessary to provide a consistent and enforceable framework. Council expects the wider community to benefit from clearer rules, improved enforcement provisions, and reduced nuisance impacts. Some people who keep animals may experience additional compliance requirements in circumstances where their activities create adverse effects on neighbouring properties or community amenity.	

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation	
Inconsistency identified?	No
Summary of agency analysis	
Council designed the bylaw to operate through existing Animal Services and regulatory functions. The bylaw relies on established administrative processes, including licensing, inspections, compliance monitoring and enforcement powers. Council can implement the bylaw through existing communication channels, public education, licensing systems, operational procedures and enforcement processes. These arrangements reduce implementation costs and support consistent administration.	

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons	
Inconsistency identified?	No
Summary of agency analysis	
Council expects the bylaw to improve community amenity, reduce nuisance effects associated with keeping animals, provide greater certainty for residents, and improve Council's ability to address animal-related issues when they arise. Compliance costs are expected to be limited because the bylaw largely retains existing requirements and focuses on situations where animal ownership creates actual or potential adverse effects. Most residents will experience little direct impact from the bylaw. The available evidence supports a conclusion that the community benefits associated with improved amenity, public health protection and effective enforcement outweigh the costs of compliance.	

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available	
Inconsistency identified?	No
Summary of agency analysis	
Council adopted a targeted approach that focuses on circumstances where animal ownership can create nuisance, health, safety or amenity impacts on others. The bylaw does not seek to regulate animal ownership more broadly than necessary to address identified issues.	
Council considered implementation and enforcement practicalities when developing the proposed provisions and sought to ensure that regulatory requirements remain proportionate to the problems they address. The bylaw provides Council with enforceable tools while avoiding unnecessary regulatory burden on responsible animal owners.	

Rule of Law: 9(a)(i)

The law should be clear and accessible	
Inconsistency identified?	No
Summary of agency analysis	
Council structured the bylaw around clearly identifiable requirements and enforcement mechanisms. The Statement of Proposal explained the reasons for proposed amendments in plain language and provided opportunities for the community to understand and comment on the proposed changes.	

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively	
Inconsistency identified?	No
Summary of agency analysis	
The proposed amendments do not have retrospective effect and will apply only from the date on which they come into force.	

Rule of Law: 9(a)(iii)

Every person is equal before the law	
Inconsistency identified?	No
Summary of agency analysis	
Council applies the bylaw across Tauranga using objective criteria relating to activities and their effects. The bylaw does not distinguish between individuals based on personal characteristics and instead focuses on the impacts arising from keeping animals	

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary	
Inconsistency identified?	Not applicable
Summary of agency analysis	
The bylaw does not affect the independence of the judiciary or alter existing legal processes for resolving disputes or enforcement matters.	

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion	
Inconsistency identified?	No
Summary of agency analysis	
The bylaw gives Council administrative powers to administer licences, undertake inspections and enforcement activities, and address non-compliance. Council links those powers to specified regulatory	



purposes and exercises them within established statutory and administrative law frameworks. These powers are subject to safeguards and must be exercised reasonably, proportionately and for the purposes of the bylaw.

Standard review and accountability mechanisms remain available.

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

Inconsistency identified? No

Summary of agency analysis

The bylaw places limits on some activities associated with keeping animals where those activities create nuisance, health, safety or amenity impacts on others. These limitations affect freedom of action to a limited extent.

Council designed these requirements to balance the interests of animal owners with the rights of neighbours and the wider community. The bylaw targets activities that create adverse effects rather than restricting animal ownership more broadly than necessary.

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless –

- there is a good justification for the taking or severe impairment; and
- fair compensation for the taking or severe impairment is provided to the owner; and
- the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment

Inconsistency identified? No

Summary of agency analysis

The bylaw regulates the keeping and management of animals and does not authorise the acquisition of property or the severe impairment of property rights. The bylaw focuses on managing adverse effects associated with animal ownership rather than restricting ownership itself.

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)

Inconsistency identified? No

Summary of agency analysis

The bylaw provides for licensing and enforcement mechanisms authorised by existing legislation it does not impose a tax.

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates

Inconsistency identified? No

Summary of agency analysis



Any fees associated with licences under the bylaw support the administration of regulatory functions and licensing processes.

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both - - the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and - the costs of efficiently achieving the objective or providing the function

Inconsistency identified?	Not applicable
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Summary of agency analysis

The bylaw does not impose a levy.

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation
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Inconsistency identified?	No
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Summary of agency analysis

Nothing in the bylaw limits or restricts the role of the courts in interpreting legislation or resolving disputes arising from its administration or enforcement.

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

Inconsistency identified?	No
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Summary of agency analysis

The bylaw relies on administrative decisions relating to licensing, enforcement and compliance. Council links these decisions to clearly identifiable regulatory purposes and administers them within established statutory and administrative law frameworks. These powers are subject to safeguards and must be exercised reasonably, proportionately and for the purposes of the bylaw.

Standard review and accountability mechanisms remain available.



12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
13.1 - Public Excluded Minutes of the Council meeting held on 1 September 2026	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.2 - Public Excluded Minutes of the Council meeting held on 22 September 2026	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	person who supplied or who is the subject of the information s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s6(c) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial	
13.3 - Cyber Programme Business Case	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.4 - Tauriko West Funding Agreement - Variation of Commercial Feasibility Condition	s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.5 - Te Manawataki o Te Papa Limited - Director appointment	s6(b) - The making available of the information would be likely to endanger the safety of any person s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.6 - Te Maunga New Inlet Works Detailed Design Phase - Engagement of Beca for Design Services	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.7 - Legal Update Regarding Worksafe	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting

	persons s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege s6(c) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial	would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
13.8 - Appointment of Interim Chief Executive	s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
Confidential Attachment 2 - 11.6 - Stormwater Reactive Reserve Fund and Policy	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

14 CLOSING KARAKIA