

House of Representatives

Supplementary Order Paper

Tuesday, 17 December 2002

Local Government Bill

Proposed amendments

Gerry Brownlee, in Committee, to move the following amendments:

Clause 2

To omit subclause (1) (on lines 4 to 5 on page 10) and substitute the following subclause:

- (1) Except as provided in **subsection (2)**, this Act comes into force on 1 July 2006.

Clause 3

To omit paragraph (b) (on lines 17 to 19 on page 12), and substitute the following paragraph:

- (b) provides a framework and powers for describing which activities they undertake and the manner in which they undertake them; and

Clause 3

To omit paragraph (d) (on lines 22 to 25 on page 12), and substitute the following paragraph:

- (d) provides for local authorities to play a role in the provision of infrastructure to ensure the economic, social, environmental and cultural well-being of their communities, taking a sustainable development approach.

Clause 4

To omit this clause (on line 26 on page 12).

Clause 5

To omit the definition of **strategic asset** (line 20 on page 18 to line 7 on page 19).

Clause 5

To insert, in the definition of **waterworks**, after “Watercare Services Limited”(on lines 4 to 5 on page 21), the following words:

or any other local authority water collection, treatment and delivery network established similarly to Watercare Services Limited before 1 July 2006.

Clause 7A

To omit paragraph (b) (on lines 25 to 27 on page 26), and substitute the following paragraph:

- (b) To enable or provide physical infra-structure for communities and promote environmental well being of communities

Clause 9

To omit subclause (2) (on lines 18 to 23 on page 27), and substitute the following subclause:

- (2) For the purpose of performing its role a local authority has—
 - (a) capacity to enter into arrangements that give effect to **paragraph (b) of section 7A**
 - (b) no authority to expand its activity beyond the provision of services stated in **paragraph (b) of section 7A**

Clause 9(5)

To omit the words “wholly or principally for the benefit of its district” (on line 6 on page 28), and substitute the words “wholly for the benefit of rate payers of its district”.

Clause 9(6)

To omit subclause (6) (on lines 7 to 9 on page 28), and substitute the following subclause:

- (6) A regional council must exercise its powers under this section wholly for the benefit of all ratepayers of its region.

Clause 10

To insert after clause 9A (line 22 of page 28) the following clause:

10 Description of local government

- (1) A territorial authority must be either a city council (to be described as the “[name of city] City Council”) or a district council (to be described as the “[name of district] District Council”).
- (2) A regional council must be described as the “[name of region] Regional Council”.
- (3) Despite **subsection (1)**, the Chatham Islands Council is a territorial authority.

Clause 12(1)

To omit paragraph (c) (on lines 15 to 22 on page 30).

Clause 12(1)

To omit paragraph (d) (on lines 23 to 24 on page 30).

Clause 12(1)

To omit from paragraph (e) the words “and bodies it considers appropriate” (on lines 26 to 27 on page 30) and the words “and desired outcomes” (on lines 27 to 28 on page 30).

Clause 12(1)(h)

To omit subparagraph (i) (on lines 1 to 2 on page 31).

Clause 13

To omit subclause (1) (on lines 19 to 23 on page 31), and substitute the following subclause:

- (1) Not later than two months after a triennial election all authorities within each region must agree to protocols for communication and co-ordination among them as agreed by a majority of the authorities within the region.

Clause 13

To omit subclause (1A) (on lines 24 to 25 on page 31).

Clause 14(1A)

To omit from paragraph (a) the word “significant”(on line 6 of page 32), and substitute the word “substantial”.

Clause 14(1A)

To omit from paragraph (b) the word “significant”(on line 9 of page 32), and substitute the word “substantial”.

Clause 14(1A)

To omit from paragraph (c) the expression “1 or more” (on line 19 of page 32), and substitute the words “a majority of”.

Clause 60

To omit paragraph (b) (on lines 16 to 18 on page 70).

Clause 62(1)

To omit paragraph (c) (on lines 27 to 32 on page 73).

Clause 63

To omit this clause (on lines 19 to 31 on page 75 and lines 1 to 6 on page 76).

Clause 63

To insert, after subclause (1) (on line 29 on page 75), the following subclause:

- (1A) **Subsection (1)** does not limit the ability of a local authority to take similar action in respect of any other population group.

Clause 66(2)

To insert, after the word “Maori” (on line 14 on page 82) in subclause (2), the words “and other ethnic groups”.

Clause 81

To omit subclause (1) (on lines 17 to 19 on page 103) and substitute the following subclause:

- (1) A local authority must ensure that each year's projected operating expenses do not exceed that year's proposed operating revenues.

Clause 83(4)

To omit paragraph (f) (on lines 27 to 28 on page 107).

Clause 88

To omit this clause (on lines 10 to 34 of page 113).

Clause 97G

To omit this clause (on lines 6 to 36 of page 126).

Clause 97H

To omit subclause (3) (from line 34 on page 127 to line 3 on page 128), and substitute the following subclause:

- "(3) The persons eligible to vote in a referendum referred to in **subsection (2)(e)** are,—
 - "(a) every person who, on the day before polling day for the referendum, is a ratepayer elector residing at a property to which the water service is delivered.

Clause 97K(1)

To omit the expression "15" (on line 5 on page 129), and substitute the expression "50".

Clause 97L(2)

To omit the expression "15" (on line 29 on page 129) and substitute expression "50".

Clause 234(b)

To omit the expression "\$500" (on line 20 on page 267), and substituting the expression "\$1,500".

Clause 235A

To omit paragraph (d) (on lines 28 to 29 of page 268).

Clause 237A(1)

To insert in paragraph (ea), after the words "Watercare Services Limited" (on lines 6 to 7 on page 270), the words "or any other water collection and delivery network similar to Watercare Services Limited".

Clause 237A(2)

To insert, after the words "Watercare Services Limited" (on line 15 on page 270), the words "or any other water collection and delivery network similar to Watercare Services Limited".

Clause 237A(2)

To omit the expression "75%" (on line 17 of page 270), and substitute the expression "50%".

Clause 237A(2)

To omit the expression “75%” (on line 17 of page 270), and substitute the expression “25%”.

Clause 237A(2)

To insert, after the words “Watercare Services Limited” (on line 18 on page 270), the words “or any other water collection and delivery network similar to Watercare Services Limited”.

Clause 243A

To omit the expression “1 July 2003” (on line 5 of page 272), and substitute the expression “1 July 2006”.

Clause 243A

To omit the expression “31 December 2003” (on line 6 of page 272), and substitute the expression “31 December 2006”.

Clause 243B

To omit the expression “1 July 2003” (on line 11 of page 272), and substitute the expression “1 July 2006”.

Clause 243B

To omit the expression “31 December 2003” (on line 12 of page 272), and substitute the expression “31 December 2006”.

Clause 243C

To omit this clause (on lines 15 to 19 of page 272).

Clause 269: Section 19A

To omit the expression “30” (on line 27 of page 290), and substitute the expression “18”.

Clause 269: Section 19D

To omit the expression “14” (on line 26 of page 291), and substitute the expression “12”.

