



HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Tuesday, 7 September 1999

LOCAL GOVERNMENT LAW REFORM BILL (NO. 3)

*Proposed Amendments*

Hon MAURICE WILLIAMSON, in Committee, to move the following amendments:

*New Part 2A inserted:* To insert, after Part 2 (after line 8 on page 10), the following Part:

PART 2A

LOCAL GOVERNMENT (MILLENNIUM EVENTS) AMENDMENT

**22A. Part to be part of Local Government Act 1974—**  
This Part is part of the Local Government Act 1974\*.

\*R.S. Vol. 25, p. 1

Amendments: 1991, Nos. 49, 58, 115; 1992, Nos. 42, 71, 74, 113, 139; 1994, No. 68; 1995, Nos. 25, 40; 1996, Nos. 12, 43, 83, 84, 96; 1997, Nos. 49, 78, 95; 1998, No. 89; 1999, Nos. 11, 24, 90

**22B. Expiry—**This Part expires on the close of 31 March 2000.

**22C. Interpretation—**In this Act, unless the context otherwise requires,—

“District plan” has the same meaning as in the Resource Management Act 1991:

“Event” includes—

(a) A public performance involving the gathering of people for a concert or other entertainment:

(b) A meeting, parade, sporting event, exhibition, filming, or festival:

(c) A fair, market, or other gathering of people for the sale and purchase of goods:

(d) The provision of parking for vehicles of persons attending or associated with an event:

(e) The erection or removal of structures that are part of, or associated with, an event:

“Millennium event” means an event—

(a) The sole or principal purpose of which is to celebrate the beginning of the next millennium on 1 January 2000; and

(b) That is to take place during the period beginning on 24 December 1999 and ending with the close of 10 January 2000.

**22D. Specifying or amending provisions of district plans or draft district plans in relation to millennium events**—(1) The Governor-General may by Order in Council, made on the recommendation of the Minister, specify or amend, in relation to a millennium event, 1 or more provisions of a district plan or draft district plan notified under the Resource Management Act 1991.

(2) The Minister may make a recommendation under **subsection (1)** only if the Minister is satisfied that it is reasonable to do so, having regard to—

- (a) The nature and significance of the event; and
- (b) The likely impacts of the event; and
- (c) The nature and purpose of the provisions of the district plan or draft district plan proposed to be specified or amended; and
- (d) Any other matter that the Minister considers relevant.

(3) The provisions of a district plan or draft district plan as specified or amended under this section have full force and effect in relation to the millennium event concerned.

(4) This section applies despite any other Act or rule of law.

**22E. Certain provisions of Auckland District Scheme, Auckland District Plan: Isthmus Section, and Auckland District Plan: Central Area Section to have full force and effect in relation to millennium events**—(1) The provisions specified in **subsection (2)** have full force and effect in relation to millennium events.

(2) The provisions are—

- (a) Rule 2.12 (b) of the operative Auckland District Scheme 1991;
  - (b) Rule 4A.1.C of the Auckland District Plan: Isthmus Section as notified on 1 July 1993;
  - (c) Rule 15.5.1.3 (b) of the proposed Auckland District Plan: Central Area Section as notified on 7 October 1997.
- (3) This section applies despite any other Act or rule of law.

#### EXPLANATORY NOTE

This Supplementary Order Paper inserts a *new Part 2A* into the Bill. The new Part relates to “temporary events” provisions in district plans or draft district plans notified under the Resource Management Act 1991.

In a decision in April of this year, the Environment Court held that certain “temporary events” provisions in the Auckland City Council’s district plan and proposed district plan were invalid, in part, in relation to an America’s Cup Village’s proposal to construct a stage and grandstand for the America’s Cup regatta.

The purpose of the amendments in this Supplementary Order Paper is to remedy this matter in relation to millennium events, whether held in Auckland or elsewhere in New Zealand.

The amendments insert a *new Part 2A* into the Bill which will emerge, when the Bill is divided into separate Bills, as a Local Government (Millennium Events) Amendment Bill.

*New clause 22c* contains definitions of “district plan”, “event”, and “millennium event”. A millennium event is limited to an event held in the period 24 December 1999 to 10 January 2000.

*New clause 22d* authorises the Governor-General by Order in Council, made on the recommendation of the Minister of Local Government, to specify or amend, in relation to a millennium event, 1 or more provisions of a district plan or draft district plan notified under the Resource Management Act 1991. The clause provides that

the provisions specified or amended have full force and effect in relation to the millennium event concerned.

*New clause 22E* provides that certain provisions in the Auckland District Scheme, the Auckland District Plan: Isthmus Section, and the proposed Auckland District Plan: Central Area Section have full force and effect in relation to millennium events.