

House of Representatives

Supplementary Order Paper

Tuesday, 30 May 2017

Point England Development Enabling Bill

Proposed amendments

Hon Dr Nick Smith, in Committee, to move the following amendments:

Clause 6

Replace *clause 6(4)* (page 3, lines 7 to 10) with:

- (4) Nothing in this Act affects any other interest in or affecting the development land (for example, any existing lease or licence).

New clauses 10 and 11

After *clause 9* (page 4, after line 22), insert:

10 Management plan for remaining reserve land deemed to be amended

- (1) On the commencement date, the management plan is deemed to be amended so that,—
 - (a) on and after the expiry of 6 months from the commencement date (and despite sections 53(1)(a)(ii) and 71 to 74 of the Reserves Act 1977), farming or grazing are not permitted on any part of the remaining reserve land; and
 - (b) on and after the expiry of 12 months from the commencement date, the Auckland Council must provide at least 5.3 hectares of minimum standard sports fields on the remaining reserve land; and
 - (c) as soon as practicable after the expiry of those 12 months, the Auckland Council must increase the area of minimum standard sports fields on the remaining reserve land to at least 8.4 hectares.

- (2) As soon as practicable after the commencement date, the Auckland Council must amend the management plan (in accordance with the procedures set out in the Reserves Act 1977) to reflect the amendments deemed to have been made by **subsection (1)**.
- (3) This section does not prevent any subsequent review, amendment, or replacement of the management plan in accordance with the Reserves Act 1977, but the management plan must continue to include provisions to the effect set out in **subsection (1)(a) to (c)** until after the expiry of 10 years from the commencement date.
- (4) In this section,—

management plan means the management plan for the remaining reserve land that is in force from time to time under section 41 of the Reserves Act 1977

minimum standard sports fields means sports fields that are of at least the same quality, and that are maintained to at least the same standard, as the sports fields that were on the Point England Reserve immediately before the commencement date

sports fields includes related structures and infrastructure (such as goal posts, lights, and changing rooms) but does not include other sporting facilities (such as a swimming pool) or car parks.

11 Interests in remaining reserve land not affected

Nothing in this Act, other than **section 10**, affects any interest in or affecting the remaining reserve land (for example, any existing lease or licence).

Explanatory note

This Supplementary Order Paper amends the Point England Development Enabling Bill.

As the administering body of the Point England Recreation Reserve, the Auckland Council is required to manage the reserve in accordance with the management plan that is in force under the Reserves Act 1977.

Currently, there are 8.4 hectares of sports fields on the Point England Recreation Reserve, 5.3 hectares of which are on the remaining reserve land. *New clause 10* deems the management plan to be amended so as to prohibit farming or grazing on the remaining reserve land and to require a minimum area of sports fields to be provided. Within 12 months after the commencement date, the area of sports fields on the remaining reserve land must be not less than the current area of 5.3 hectares, and as soon as practicable after that, the area of sports fields must be increased to 8.4 hectares.

The Council is required to update the management plan to reflect these deemed amendments, and they cannot be removed from the management plan until after the expiry of 10 years from the commencement date of the Bill.

Clause 6 of the Bill is amended so that what was *clause 6(4)(a)* becomes *clause 6(4)*. What was *clause 6(4)(b)* is relocated to *new clause 11*.

Departmental disclosure statement

The Ministry of Business, Innovation, and Employment is required to prepare a disclosure statement to assist with the scrutiny of this Supplementary Order Paper. The disclosure statement provides access to information about any material policy changes to the Bill and identifies any new significant or unusual legislative features of the Bill as amended.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=sop&subtype=government&year=2017&no=321&>