

House of Representatives  
**Supplementary Order Paper**

**Tuesday, 19 February 2013**

**Environment Canterbury (Temporary  
Commissioners and Improved Water  
Management) Amendment Bill**

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*Proposed amendments*

Eugenie Sage, in Committee, to move the following amendment:

*New clause 10:*

After *clause 9* (after line 18 on page 3), insert:

**10 Sections 46 to 59 repealed**

Repeal sections 46 to 59.

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**Explanatory note**

This Supplementary Order Paper repeals those sections of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 (the principal Act) that establish a different regime for water conservation orders in Canterbury than applies elsewhere in New Zealand. The principal Act amended Part 9 of the Resource Management Act 1991 (the **RMA**) which deals with water conservation orders to change the application process, the criteria for consideration, substitute Environment Canterbury for a Special Tribunal in making recommendations on applications to the Minister, and remove the ability to appeal the initial recommendation decision to the Environment Court. The Supplementary Order Paper would mean that Part 9 of the RMA would apply to applications for water conservation orders (**WCOs**) and applications to amend existing WCOs in Canterbury, as applied prior to the principal Act and as applies elsewhere in New Zealand.

The criteria and process for considering whether or not a water conservation order or an amendment to an existing order should be recommended would be as set out in Part 9 of the RMA. The Minister, after considering an application,

could appoint a Special Tribunal to hear the application rather than Environment Canterbury considering it. The provisions of the Canterbury Water Management Strategy would no longer be relevant.

The Environment Court would no longer be excluded from considering WCO applications. As occurs elsewhere in New Zealand, there would be a right to appeal to the Environment Court the Special Tribunal's decision on whether or not to recommend that the Minister approve a WCO.

The Regulatory Impact Statement prepared for the Bill notes (p 11) that Environment Canterbury, the Ministry for the Environment, the Department of Internal Affairs and the Ministry of Justice all consider "there is insufficient justification for continuing special provisions for WCOs in the Canterbury region". This Supplementary Order Paper would implement that advice.

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