

House of Representatives

Supplementary Order Paper

Tuesday, 30 July 2013

Resource Management Reform Bill

Proposed amendments

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

Clause 125

In *clause 125, new section 115(1)(f)*, after “Conservation” (line 36 on page 68), insert “and Auckland Council”.

In *clause 125, heading to new section 155*, after “Conservation” (line 7 on page 102) insert “and Auckland Council”

In *clause 125, new section 155(1)*, replace “and the Minister of Conservation” (lines 9 to 10 on page 102) with “, the Minister of Conservation, and the Auckland Council”.

In *clause 125, new section 155(3)*, replace “after consulting the Auckland Council and” (line 15 on page 102) with “and the Auckland Council after consulting”.

In *clause 125, new section 155(4)*, after “Ministers” (line 17 on page 102), insert “and the Auckland Council”.

In *clause 125, new section 155(7)*, after “Ministers” (line 34 on page 102), insert “and the Auckland Council”.

In *clause 125, new section 155(8)*, after “Ministers” (line 1 on page 103), insert “and the Auckland Council”.

In *clause 125, new section 157(1)(c)*, replace “and the Minister of Conservation” (lines 27 to 28 on page 103) with “, the Minister of Conservation, and the Auckland Council”.

In *clause 125, new section 157(2)*, replace “and the Minister of Conservation” (lines 31 to 32 on page 103) with “, the Minister of Conservation and the Auckland Council”.

In *clause 125, new section 162(3)(a)*, replace “after consultation with” (line 36 on page 105) with “and”.

Explanatory note

This Supplementary Order Paper amends the Resource Management Reform Bill. The Bill provides for the Minister for the Environment and the Minister for Conservation to appoint the Hearings Panel for the Auckland combined plan and any replacement members and for Ministers to determine their remuneration rates. The Supplementary Order Paper provides for Panel members to be appointed jointly by Ministers and the Auckland Council. This would be more democratic given the mandate Auckland Councillors have from those who elect them and that the plan development and hearings process including the reimbursement of Hearings Panel members, is being paid for by Aucklanders through Auckland Council. The combined plan is Auckland's Plan not the Ministers' plan.

The joint appointment process in the Supplementary Order Paper better represents a partnership between central and local government rather than the Bill's approach of command and control by central government. The departmental report, provided to the select committee, at page 227, says Ministers should appoint the Hearings Panel to ensure that the Panel is "fully independent from the Council" so that the "panel's recommendations will not be biased towards the Council". Having a Panel appointed just by Ministers, however, risks its recommendations being "biased towards" those that Ministers and Government will favour. The joint appointment process in the Supplementary Order Paper would avoid this.
