

House of Representatives

Supplementary Order Paper

Tuesday, 30 July 2013

Resource Management Reform Bill

Proposed amendments

Hon Amy Adams, in Committee, to move the following amendments:

Clause 69, new section 32AA

In *clause 69*, replace *new section 32AA(1)(d)(ii)* (lines 27 to 35 on page 36) with:

“(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

Clause 72

In *clause 72, new section 46(c)*, replace “issue” (line 33 on page 37) with “notify”.

New clause 77A

After *clause 77* (after line 26 on page 39), insert:

77A Section 143 amended (Restriction on when local authority may request call in)

In section 143, after “4 of Schedule 1”, insert “, and with **clause 5(1)(a)** of Schedule 1,”.

Clause 125, new section 115

In *clause 125*, after *new section 115(1)(ba)* (after line 24 on page 68), insert:

“(bb) the Council prepares its reports on the proposed plan under **sections 32 and 165H(1A)** of the RMA and makes them available for public inspection, and provides the reports to the Ministry for the Environment for audit:

In *clause 125*, delete *new section 115(1)(d)* (lines 27 to 30 on page 68).

Clause 125, new sections 117AA and 117AB

In *clause 125*, after *new section 117* (after line 24 on page 71), insert:

“117AA Certain early actions permitted

- “(1) This section applies to any actions relating to preparation of the Auckland combined plan that—
- “(a) were performed by the Auckland Council or another person before the commencement of this Part; and
 - “(b) would have complied with the provisions listed in **subsection (2)** had they been performed after the commencement of this Part.
- “(2) The provisions are as follows:
- “(a) clauses 1 to 4 of Schedule 1 of the RMA, as applied by **section 120** (which relate to some initial preparation of the proposed plan):
 - “(b) **section 122(3)(a) and (b)** (which relate to criteria for an audit of the evaluation report and a related report on the proposed plan).
- “(3) The actions must be treated as actions performed under this Part.

“117AB Regulations relating to preparation of Auckland combined plan

- “(1) This section provides for regulations to be made that specifically relate to the preparation of the Auckland combined plan.
- “(2) Regulations may be made under section 360(1) of the RMA for the purposes of the preparation of that plan and as if references to the RMA in that subsection include references to this Part.

Clause 125, new section 120

In *clause 125*, replace *new section 120(3)* (lines 15 and 16 on page 73) with:

- “(3) The Auckland Council must comply with **section 122** after preparing the evaluation report under **section 32** of the RMA (referred to in **clause 5(1)(a)**) and the report under **section 165H(1A)** of the RMA.

Clause 125, new section 121A

In *clause 125*, replace *new section 121A(4)* (lines 6 and 7 on page 76) with:

- “(4) **Section 122** does not apply to the evaluation report prepared under **section 32** of the RMA (referred to in **clause 5(1)(a)**), or any report prepared under **section 165H(1A)** of the RMA, in relation to the variation.

Clause 125, new section 122

In *clause 125*, replace *new section 122* (line 22 on page 76 to line 18 on page 77) with:

“122 Audit of evaluation report on proposed Auckland combined plan

- “(1) This section applies to the following reports of the Auckland Council on the relevant parts of the proposed plan:
- “(a) the evaluation report prepared under **section 32** of the RMA:
 - “(b) the report prepared under **section 165H(1A)** of the RMA.
- “(2) The Auckland Council must electronically provide the reports to the Ministry as soon as practicable after they are prepared, but no later than the day on which the proposed plan is publicly notified.
- “(3) The Ministry must audit the reports, or have the reports audited, against criteria that have been—
- “(a) determined by the Ministry after consultation with the Auckland Council; and
 - “(b) specified in a written notice from the chief executive of the Ministry to the Auckland Council.
- “(4) The Ministry must prepare a report, or have a report prepared, of the audit and electronically provide the audit report to the Auckland Council as soon as practicable, but no later than 30 working days after the day on which the Ministry received the reports for auditing.
- “(5) The Auckland Council must make the audit report available for public inspection as soon as practicable after receiving it.

Clause 125, new section 123

In *clause 125*, replace *new section 123(1)(d) and (e)* (lines 30 to 35 on page 77) with:

- “(d) the Council’s evaluation report prepared under **section 32** of the RMA, and the report prepared under **section 165H(1A)** of the RMA, in relation to the proposed plan:
- “(e) the audit report provided to the Council under **section 122(4)**:

In *clause 125*, replace *section 123(1A)(b)* (lines 18 and 19 on page 78) with:

- “(b) the Council’s evaluation report prepared under **section 32** of the RMA, and any report prepared under **section 165H(1A)** of the RMA, in relation to the variation:

Clause 125, new section 150

In *clause 125, new section 150(2)*, replace “that clause” (lines 26 and 27 on page 98) with “clauses 14(5) and 15 of Schedule 1 of the RMA”.

Schedule 2, new Schedule 12

In *Schedule 2, new Schedule 12, clause 6(1)(a)*, replace “sections 29, 32A, and 39” (line 17 on page 114) with “sections 29 and 39”.

In *Schedule 2, new Schedule 12, after clause 6(1)(a)* (after line 18 on page 114), insert:

- (aa) the amendment to section 32A made by **section 6** of the amendment Act:
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Explanatory note

This Supplementary Order Paper amends the Resource Management Reform Bill.

The amendments relating to the Resource Management Act 1991—

- make minor corrections relating to evaluation reports and further evaluations:
- apply a transitional provision only to amendments relating to proposals of national significance, as intended.

The amendments relating to the preparation of the Auckland combined plan under *new Part 4* of the Local Government (Auckland Transitional Provisions) Act 2010—

- change the process relating to the evaluation report and the related report on the proposed plan so that—
 - the reports no longer need to be prepared 60 working days before the proposed plan is publicly notified:
 - there is no provision for the reports to be amended after they are audited:
 - permit certain actions to be performed before commencement of *new Part 4*:
 - provide for certain regulations to be made that specifically relate to the preparation of the Auckland combined plan.
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