

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 5 September 1989

AMERICA'S CUP (PLANNING) BILL

Proposed Amendments

Hon. MIKE MOORE, in Committee, to move the following amendments:

Clause 4 (2): To omit from lines 36 to 38 on page 3 the words “, the Council of the district within which the facility or proposed facility to which the application relates”, and substitute the words “in respect of any proposal or facility or proposed facility, the Council of the district to which the proposal relates or within which the facility or proposed facility”.

New clause 4A: To insert on page 4, after clause 4, the following clause:

4A. Alternate member—(1) The Auckland Regional Authority may from time to time appoint a member of that Authority to be an alternate member of the Planning Authority.

(2) Section 4 (3) to (5) of this Act shall apply in respect of any alternate member as if that alternate member had been appointed as a member of the Planning Authority pursuant to section 4 (1) (a) of this Act.

(3) If any member of the Planning Authority (being a member appointed pursuant to section 4 (1) (a) of this Act) is prevented by illness, absence, or other sufficient cause from acting as a member of the Planning Authority, any alternate member appointed under subsection (1) of this section may without further appointment act in the place of that member, and while that alternate member is so acting he or she shall be deemed to be a member of the Planning Authority.

(4) The fact that any alternate member acts as a member of the Planning Authority shall be conclusive evidence of his or her authority to do so, and no person shall be concerned to inquire whether the occasion requiring or authorising him or her to do so has arisen or has ceased.

New clause 7A: To insert on page 4, after clause 7, the following clause:

7A. Quorum—At all meetings of the Planning Authority the quorum necessary for the transaction of business shall be 4 members.

Clause 8 (3): To omit from line 13 on page 5 the expression "General Manager", and substitute the expression "chief executive".

Clause 12 (3): To insert in line 1 on page 7, after the words "considers the", the words "proposal or".

To omit from line 19 on page 7 the expression "1976", and substitute the expression "1986".

Clause 17 (2): To omit from lines 19 and 20 on page 10 the words "or which is preparing the proposed scheme, change, or review, as the case may be,".

Clause 21: To omit from line 8 on page 13 the words ", and give public notice of its decision".

Clause 24 (6): To omit from line 17 on page 15 the words "and give public notice of its decision".

Clause 25 (1A): To omit from line 6 on page 16 the words "the date of public notice", and substitute the words "receiving notification".

New clause 29A: To insert on page 18, after *clause 29*, the following clause:

29A. Amending Local Government Official Information and Meetings Act 1987—(1) Section 46 (4) of the Local Government Official Information and Meetings Act 1987 is hereby amended by adding the following paragraph:

"(d) The America's Cup Planning Authority."

(2) Part II of the First Schedule to the Local Government Official Information and Meetings Act 1987 is hereby amended by inserting, in its appropriate alphabetical order, the following item:

"The America's Cup Planning Authority."

EXPLANATORY NOTE

This Supplementary Order Paper amends the America's Cup (Planning) Bill. The effect of the amendments is as follows:

- (a) The new *clause 4A* will enable the Auckland Regional Authority to appoint an alternate member of the Planning Authority, who will be able to act as a member when any member appointed by the Auckland Regional Authority is unable to do so:
- (b) The new *clause 7A* provides that the quorum at meetings of the Planning Authority shall be 4 members:
- (c) The provisions in the Bill that require the Planning Authority to give public notice of its decisions are removed:
- (d) The new *clause 29A* provides that the Planning Authority is to be subject to the Local Government Official Information and Meetings Act 1987. However, the Authority will not be required to give public notice of its meetings under section 46 of that Act. This matter is dealt with in *clause 15* of the Bill:
- (e) Various drafting errors are corrected.