



Cabinet

CAB Min (10) 11/12

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Minute of Decision

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Environment Canterbury (Temporary Commissioners and Improved Water Management) Bill: Approval for Introduction

Portfolio: Environment

On 29 March 2010, Cabinet:

Background

- 1 **noted** that Cabinet has agreed that special legislation be prepared to appoint commissioners in place of the Canterbury Regional Council's councillors to take over all other governance functions of Environment Canterbury, and to give the commissioners additional powers to allow them to expeditiously resolve resource management planning issues in Canterbury [CAB Min (10) 11/11];

Purpose

- 2 **noted** that the purpose of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Bill (the Bill) is to:
 - 2.1 provide for the replacement of the elected members of the Canterbury Regional Council with commissioners who will act as Canterbury Regional Council's governing body until new elected members come into office following the next election (2013);
 - 2.2 provide the Canterbury Regional Council with certain powers that it does not otherwise have to address issues relevant to the efficient, effective, and sustainable management of fresh water in the Canterbury region;

Transitional regulations

- 3 **agreed** that the legislation provide that the Governor-General may, by Order in Council made on the recommendation of the Minister and the Minister of Local Government, make regulations to:
 - 3.1 prescribe transitional provisions concerning the commencement or duration of the powers and functions of the Canterbury Regional Council, which may be in addition to or in place of the transitional provisions provided for in the Bill;

- 3.2 provide that for a specified period of time or in specified circumstances, subject to any conditions specified in the regulations, specify that provisions of the Resource Management Act 1991 (including definitions) do not apply, despite being applied under this Bill, or do apply, despite not applying under the Bill;
- 3.3 provide for the application of provisions of the Bill, with any necessary modifications, despite their expiry;

Next steps

- 4 **agreed** that the Bill hold a category 2 priority on the 2010 Legislation Programme (must be passed in 2010);
- 5 **approved** the introduction of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Bill [PCO 14264/5.13], subject to paragraph 6 below, the final approval of the government caucus and sufficient support in the House of Representatives (the House);
- 6 **authorised** the Minister for the Environment, the Attorney-General, and the Minister of Local Government to finalise any further minor and technical amendments to the Bill;
- 7 **agreed** that the Bill be introduced under urgency on 30 March 2010;
- 8 **agreed** to recommend to the House that the Bill not be referred to a select committee and that it be enacted, if possible, by 1 April 2010.

Rebecca Kitteridge
Secretary of the Cabinet

Reference: CAB (10) 130; CAB (10) 131

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