

Resource Management (Requiring Authorities) Amendment Bill

Member's Bill

Explanatory note

General policy statement

This Bill amends the Resource Management Act 1991 (the **principal** Act) to strengthen the test for approval of a requiring authority, which has the power to compulsorily acquire private land in order to progress a particular project. The test is strengthened by changing the project, work, or network utility operation to be “necessary” rather than “appropriate” and further, that it is in the public interest.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Resource Management Act 1991.

Clause 4 sets out the purpose of the Bill.

Clause 5 amends section 167 of the principal Act.

Hon Ruth Dyson

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Contents

	Page
1 Title	1
2 Commencement	1
3 Principal Act amended	1
4 Purpose	2
5 Application to become requiring authority	2

The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Resource Management (Requiring Authorities) Amendment Act **2009**.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent. 5
- 3 Principal Act amended**
This Act amends the Resource Management Act 1991.

4 Purpose

The purpose of this Act is to amend the Resource Management Act 1991 to strengthen the test for approval of a requiring authority.

5 Application to become requiring authority 5

(1) Section 167(4)(a) is amended by omitting “appropriate” and substituting “necessary”.

(2) Section 167(4) is amended by inserting the following paragraph after paragraph (a):

“(aa) the project, work, or network utility operation is in the public interest; and” 10
