

House of Representatives

Supplementary Order Paper

Wednesday, 9 March 2011

Marine and Coastal Area (Takutai Moana) Bill

Proposed amendments

Hilary Calvert, in Committee, to move the following amendments:

Clause 1

To omit “Marine and Coastal Area (Takutai Moana)” (line 10 on page 8) and substitute “Marine and Coastal Area (Secret Deals Behind Closed Doors Without Public Scrutiny)”.

To omit paragraphs (a) and (b) (lines 12 and 13 on page 8) and substitute the following paragraphs:

- (a) the Removal of Public Scrutiny Act 2011; or
- (b) the Secret Deals Act 2011.

Clause 2

Subclause (1): to omit this subclause (lines 15 to 20 on page 8).

Subclause (2): to omit this subclause (lines 21 and 22 on page 8) and substitute the following subclause:

- (2) This Act comes into force on 1 April 2013.

Clause 4(1)

Paragraph (a): to omit “all” (line 31 on page 10) and substitute “some” .

Paragraph (c): to omit “in the” (line 35 on page 10) and substitute “in and on the”.

Paragraph (d): to omit “the Treaty of Waitangi (te Tiriti o Waitangi)” (lines 1 and 2 on page 11) and substitute “te Tiriti o Waitangi (the Treaty of Waitangi)”.

Clause 4(2)

Paragraph (a): to omit “extinguished” (line 5 on page 11) and substitute “removed”.

Paragraph (b): to omit “exercise” (line 6 on page 11) and substitute “practice”.

Paragraph (c): to omit “gives” (line 8 on page 11) and substitute “provides”.

Paragraph (d): to omit “protects” (line 9 on page 11) and substitute “safeguards”.

Paragraph (e): subparagraph (i): to omit “worth” (line 14 on page 11) and substitute “value”.

Paragraph (e): subparagraph (ii): to omit “public of New Zealand” (lines 15 and 16 on page 11) and substitute “public of New Zealand, with the requisite permission from a customary marine title group”.

Clause 5

Paragraph (b): to omit “recognised and protected” (line 26 on page 11) and substitute “recognised and protected where that group has been granted customary marine title”.

Paragraph (b): to omit “recognised” (line 26 on page 11) and substitute “acknowledged”.

Paragraph (c): to omit “recognised” (line 28 on page 11) and substitute “acknowledged”.

Clause 7

Definition of **acquaculture activities**: to omit “given” (line 23 on page 12) and substitute “provided”.

Definition of **Court**: to omit “High Court” (line 2 on page 14) and substitute “High Court of New Zealand”.

Definition of **Crown**: to omit “given” (line 3 on page 14) and substitute “provided”.

Definition of **Crown entity**: to omit “given” (line 5 on page 14) and substitute “provided”.

To insert the following definition after the definition of **customary marine title order** (after line 25 on page 14):

directly affected means any person living within a 500 kilometre radius

Definition of **Director-General**: to omit “Conservation” (lines 26 and 27 on page 14) and substitute “the Department of Conservation”.

Definition of **environment**: to omit “given” (line 33 on page 14) and substitute “provided”.

Definition of **High Court Rules**: to omit “as” (line 35 on page 14) and substitute “given”.

Definition of **local authority**: to omit “given” (line 1 on page 15) and substitute “provided”.

Definition of **mana tuku iho**: to add “(Māori customs and traditions)” (line 4 on page 15).

Definition of **mineral**: to omit “given” (line 23 on page 15) and substitute “provided”.

Definition of **plan**: to omit “given” (line 25 on page 15) and substitute “provided”.

- Definition of **planning document**: to omit “that may be” (line 27 on page 15).
- Definition of **privilege**: to omit “privilege in section” (lines 30 and 31 on page 15) and substitute “privilege given in section”.
- Definition of **proposed plan**: to omit “given” (line 37 on page 15) and substitute “provided”.
- Definition of **public notice**: to omit “given” (line 21 on page 16) and substitute “provided”.
- Definition of **quota management system**: to omit “given” (line 23 on page 16) and substitute “provided”.
- Definition of **recognition order**: to omit “as the case requires” (line 26 on page 16) and substitute “if required”.
- Definition of **regional council**: to omit “given” (line 28 on page 16) and substitute “provided”.
- Definition of **regional document**: to omit “given” (line 30 on page 16) and substitute “provided”.
- Definition of **register**: to omit “must be” (lines 31 and 32 on page 16) and substitute “is required to be”.
- Definition of **resource consent**: to omit “given” (line 36 on page 16) and substitute “provided”.
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “for Arts, Culture and Heritage”.
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “of Energy and Resources”.
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “of Fisheries and Aquaculture”.
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “of Justice”.
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “for Land Information.”
- Definition of **responsible Minister**: to omit “of the Crown” (line 1 on page 17) and substitute “for Treaty of Waitangi Negotiations”.
- Paragraph (a)* of the definition of **road**: to omit “road within the meaning of” (line 8 on page 17) and substitute “road within the meaning given in”.
- Paragraph (b)* of the definition of **road**: to omit “motorway within the meaning of” (line 11 on page 17) and substitute “motorway within the meaning given in”.
- Definition of **ship**: to omit “given” (line 15 on page 17) and substitute “provided”.
- Definition of **structure**: to omit “given” (line 32 on page 17) and substitute “provided”.
- To insert the following definition after the definition of **structure** (after line 35 on page 17):
- substantial interruption** means any period longer than 366 consecutive days

Definition of **taonga tūturu**: to omit “given” (line 36 on page 17) and substitute “provided”.

Definition of **territorial authority**: to omit “given” (line 1 on page 18) and substitute “provided”.

Definition of **territorial sea**: to omit “as defined by” (lines 3 and 4 on page 18) and substitute “as provided in the definition included in”.

Definition of **warden**: to omit “a person” (line 10 on page 18) and substitute “any person”.

Clause 10

To omit this clause (lines 36 and 37 on page 22).

Explanatory note

This Supplementary Order Paper amends the Marine and Coastal Area (Takutai Moana) Bill to better detail the intent of the Bill and to provide two new definitions for terms that are currently undefined and vague.
