Resource Management (Restricted Duration of Certain Discharge and Coastal Permits) Amendment Bill

7 August 2012

ATTORNEY-GENERAL

Legal Advice

Consistency with the New Zealand Bill of Rights Act 1990: Resource Management (Restricted Duration of Certain Discharge and Coastal Permits) Amendment Bill

1. We have considered whether the Resource Management (Restricted Duration of Certain Discharge and Coastal Permits) Amendment Bill (‘the Bill’) is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (‘the Bill of Rights Act’). The Bill is a Local Bill in the name of Catherine Delahunty MP. We understand that the next Members’ day is scheduled for 15 August 2012.

2. The Bill seeks to amend s 107 of the Resource Management Act 1991, relating to granting discharge permits and coastal permits. Section 107(2)(a) allows for discharges to water where “exceptional circumstances” justify it. The Bill seeks to limit the period for which such consent can be issued in “exceptional circumstances” to a maximum of five years.

3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act. This advice has been prepared by the Public Law Group and the Office of Legal Counsel.

Melanie Webb
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