



HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Tuesday, 2 December 1997

RESOURCE MANAGEMENT AMENDMENT BILL (NO. 3)

*Proposed Amendments*

Hon SIMON UPTON, in Committee, to move the following amendments:

*Clause 1:* To omit *subclause (2)*, and substitute the following subclauses:

(2) Sections 4 (3A), 4B, 4C, 15B, 18 (2), 18B, 19 (A1), 21 (1c) (a), 26AA, 26AB, and 27 (A1) come into force on a date to be fixed by Order in Council.

(3) Except as provided in subsection (2), this Act comes into force on the day on which it receives the Royal assent.

*Part heading:* To insert, above *clause 15B*, the following Part heading:

“PART 5  
RESOURCE CONSENTS”.

To omit the following Part heading from above *clause 17*:

“PART V  
RESOURCE CONSENTS”.

*Clause 58:* To omit *clause 58*, and substitute the following clause:

**58. Objections to certain decisions and requirements of consent authorities**—Section 357 of the principal Act is amended by inserting, after subsection (4), the following subsection:

“(4A) Any person who has been required by a consent authority to provide further information under section 92 (1) or (2), has a right of objection to the appropriate consent authority in respect of that requirement.”

*Clause 63:* To amend proposed new section 401A as follows:

- (a) By omitting from subsection (1) the expression “1998”, and substituting the expression “1999”;
- (b) By omitting from subsection (3) the expression “1998”, and substituting the expression “1999”;
- (c) By omitting from subsection (4) the expression “1998” on both occasions it appears, and substituting the expression “1999”.

## EXPLANATORY NOTE

This Supplementary Order Paper—

- (a) Provides for commencement by Order in Council of those provisions relating to New Zealand's international obligations under MARPOL (*clause 2*); and
- (b) Omits *clause 58* and substitutes a new *clause 58* which does not contain the amendments relating to the imposition of a fee of more than \$200 if a person fails to appear at a hearing; and
- (c) Alters, from 1998 to 1999, the dates at which the implied condition to pay the regional council a sum provided for in regulations expires; and
- (d) Makes a minor drafting change.

The Order in Council commencement for the MARPOL provisions is necessary because regulations must be made before those provisions can take effect.

The omission of the provisions from *clause 58* follow from the proposal of the select committee to strike out *clause 9*.

The changes to *clause 63* are to give Regional Councils a reasonable opportunity to change their plan to cover transitional coastal occupation charges. The dates in the Bill were in the Bill when introduced in 1995.