

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 20 August 1996

RESOURCE MANAGEMENT AMENDMENT BILL (NO. 4)

Proposed Amendment

Hon. SIMON UPTON, in Committee, to move the following amendment:

New clause 76B: To insert, after *clause 76A*, the following clause:

76B. Validation—(1) Any proposed policy statement or proposed plan, or policy statement or plan, or part thereof, on which a decision has been made, under clause 10 of the First Schedule to the principal Act, before the commencement of this Act shall not be invalid because it includes decisions that were consequential alterations arising out of submissions or other relevant matters the local authority considered relating to matters raised in submissions.

(2) Any proposed policy statement or proposed plan, or policy statement or plan, or part thereof, on which a decision has been made, under clause 10 of the First Schedule to the principal Act, before the commencement of this Act shall be deemed to include any amendment which was made as a result of decisions on submissions to that proposed policy statement or proposed plan, whether or not those decisions were publicly notified.

(3) For the purposes of subsection (2) of this section, the amendments made as a result of decisions shall be deemed to have been included in the proposed policy statement or proposed plan from the date the local authority gave its decision under clause 10 of the First Schedule to the principal Act.

EXPLANATORY NOTE

The new *clause 76B* validates decisions made as a result of submissions on proposed policy statements and plans which were given before the commencement of the Bill.

Subclause (1) provides that decisions which were based on consequential matters arising from submissions or on other relevant matters arising from submissions are valid. Future decisions in these circumstances are allowed by clause 10 (2) of the First Schedule to the principal Act.

Subclause (2) provides that any decisions which were made on submissions are deemed to be part of the proposed document, even though the decisions were not publicly notified.

Subclause (3) provides that the decisions are deemed to be incorporated from the date the decision was given. In the future the inclusion and notification of decisions will be dealt with in clauses 10 (3) and 11 of the First Schedule to the principal Act.