Resource Management Amendment Act 1994

Public Act 1994 No 105
Date of assent 17 November 1994

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An Act to amend the Resource Management Act 1991

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

(1) This Act may be cited as the Resource Management Amendment Act 1994, and shall be read together with and deemed part of the Resource Management Act 1991 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council; and different dates may be so appointed for different provisions and different purposes.

2 Interpretation

This section substituted the definition of **Owner**, and inserted the definitions of **Agent** or **agent of the ship**, **Director of Maritime Safety** or **Director**, **Dumping**, **Harmful substance**, **Incineration**, **Marine incineration facility**, **Maritime Safety Authority of New Zealand**, **Master**, **Offshore installation**, **Oil transfer site**, **On-scene commander**, **Ship**. and **Waste or other matter** in s 2(1) of the principal Act.

3 Application of this Act to ships and aircraft of foreign States

This section inserted s 4A of the principal Act.

4 Restrictions on use of coastal marine area

This section inserted s 12(6) of the principal Act.

5 Discharge of contaminants into environment

This section inserted s 15(3) of the principal Act.

6 New sections inserted

This section inserted ss 15A to 15C of the principal Act.

7 Duty to avoid unreasonable noise

This section amended s 16(2) of the principal Act.

8 Possible defence in cases of unforeseen emergencies

This section substituted s 18(1) of the principal Act.

9 Functions of regional councils under this Act

This section inserted s 30(1)(d)(iva) of the principal Act.

10 Regional rules

This section inserted s 68(8) to (10) of the principal Act.

11 Types of resource consents

This section amended s 87(c) of the principal Act.

12 Distribution of application to other authorities

[Repealed]

Sections 12 and 13 were repealed, as from 1 August 2003, by section 96 Resource Management Amendment Act 2003 (2003 No 23). *See* sections 109 to 113 of that Act as to the transitional and savings provisions.

13 Applications not requiring notification

[Repealed]

Sections 12 and 13 were repealed, as from 1 August 2003, by section 96 Resource Management Amendment Act 2003 (2003 No 23). *See* sections 109 to 113 of that Act as to the transitional and savings provisions.

14 Restrictions on grant of certain discharge permits

(1) This subsection substituted s 107(1)(b) and inserted s 107(1)(ba) of the principal Act.

(2) This subsection amended s 107(1) and (2) of the principal Act.

15 Special provisions relating to coastal permits for dumping and incineration

This section inserted s 138A of the principal Act.

16 Application of Order in Council

This section amended s 153(b)(i) of the principal Act.

17 Restrictions on certain applications for enforcement orders and abatement notices

This section inserted s 325B of the principal Act.

18 Emergency works and powers to take preventive or remedial action

This section inserted s 330(4) of the principal Act.

19 Offences against this Act

This section inserted s 338(1A) and (1B) of the principal Act.

20 Penalties

This section amended s 339(1) of the principal Act.

21 New sections inserted

This section inserted ss 339A to 339C of the principal Act.

22 Liability of principal for acts of agents

This subsection substituted s 340(1) of the principal Act.

23 New sections inserted
This section inserted ss 341A and 341B of the principal Act.

24 Repeal
This section repealed s 343 of the principal Act.

25 Mode of service of summons on master or owner of ship
This section inserted s 352A of the principal Act.

26 Regulations
This section amended s 360 of the principal Act.

27 Schedule 1 amended
This section amended clause 3(3)(b) of Schedule 1 to the principal Act.

28 Schedule 2 amended
This section inserted clause 2(ea) of Part 1 of Schedule 2 to the principal Act.