



(EPA, 2011)

2009

Applying to the EPA

Amendments made in October 2009 to the Resource Management Act 1991 (RMA) provided for the establishment of an Environmental Protection Authority (EPA) within the Ministry for the Environment. The EPA was established to centralise and streamline the decision-making process relating to nationally significant proposals. On 1 July 2011 the EPA became a Crown agent.

Who can apply to the EPA?

Under section 145 of the RMA, any person may lodge one or more of the following matters with the EPA:

- applications for resource consent and changes or cancellation of consent conditions
- notices of requirement for designations or heritage protection orders (including alterations)
- requests for private plan changes or a regional plan.

Additionally, a requiring authority may lodge a notice of requirement for a designation or alteration to a designation. A heritage protection authority may lodge a notice of requirement for a heritage order or alteration of a heritage order.

Applying to the EPA, instead of to the relevant council, is to obtain a more streamlined decision-making process. The Minister for the Environment can only direct a matter be referred to a board of inquiry or the Environment Court that is, or is part of, a proposal of national significance. You should only lodge a matter with the EPA if you think it qualifies as such.

The EPA can also issue certificates of compliance for activities that are related to proposals of national significance that have already been referred to a board of inquiry or the Environment Court by the Minister.

The Minister can direct any matter that is, or is part of, a proposal of national significance be referred to a board of inquiry or the Environment Court for consideration. The Minister can consider any relevant factor when deciding whether the matter is, or is part of, a proposal of national significance, including whether the matter:

- (a) has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment), or
- (b) involves or is likely to involve significant use of natural and physical resources, or
- (c) affects or is likely to affect a structure, feature, place, or area of national significance, or
- (d) affects or is likely to affect or is relevant to New Zealand's international obligations to the global environment, or

This information sheet provides information about:

- » who can apply to the EPA
- » how to apply
- » what happens after you have applied (post-lodgement).



"The single-stage process and limited timeframes for these applications means that it is especially important that applications are complete and well supported before being lodged. Substantial pre-application liaison will help ensure applications can be efficiently processed within the statutory timeframes."

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