

Deadlines and extensions. How are you affected?

The COVID-19 virus has affected a range of industry appeal dates, deadlines, public consultations and proceedings so we thought we would provide you with a quick overview to share with you.

A recent statement from the Ministry for the Environment stated;

"During this time it is inevitable that many normal actions and activities are disrupted, including actions normally required in order to achieve compliance with RMA rules, standards and consent conditions. The level of service councils and other regulatory agencies are able to provide is also diminished.

We are also aware that many timeframes under the RMA, EEZ and CCRA will be difficult, if not impossible or impracticable to be met. We are actively working through this and considering what is appropriate in what circumstance.

We expect regulators to exercise their discretion wisely in relation to non-compliance. For example, supermarkets or other essential services might need to operate outside their normal consented hours of operation or other resource consent conditions. We would anticipate that councils will use their discretion to facilitate the continued operation of such essential service".

To elaborate further on specific dates and extensions, here is an update on announcements known so far.

Emissions Trading Scheme

As of the 26 March, the Environmental Protection Authority has offered Emissions Trading Scheme (ETS) participants an additional four weeks to file return paperwork.

You can apply for an extension either by logging into the Register and applying for an extension, or by emailing emissionstrading@epa.govt.nz.

Marlborough Environment Plan

The Proposed Marlborough Environment Plan (PMEP) appeal date has been bumped back a second time to allow submitters an additional three weeks (8 May) to contest the PMEP.

With over 1300 submissions made on the plan, covering more than 17,500 separate points the Environmental Court would extend the period of lodging appeals to ensure parties are not put under any undue pressure.

National Environmental Standard Tyres

The COVID 19 virus has also prompted an extension of the National Environmental Standard Tyres public consultation. The consultation has been extended for two weeks with a date now set for Wednesday, 8 April. For further information, please contact tyres@info.mfe.govt.nz.

Resource Management Act 1991 (RMA): RM Amendment Bill report back now live
The Environment Select Committee has also now reported back on the Resource Management Amendment Bill.

You can find their report here: https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_91358/tab/reports

National Environmental Standards for Air Quality

And finally, our last deadline extension has been issued by the National Environmental Standards for Air Quality (the Air Quality NES).

The previous set date of 24 April was the deadline for submissions on proposed amendments to the Air Quality NES. This date has now been changed to 31 July 2020.

The consultation document and supporting information is available on MfE's website: <https://www.mfe.govt.nz/consultations/improving-our-air>.

The COVID-19 virus has posed some difficulties in the way we all work, but rest assured that we at ***** are still functioning in our role as specialists in environmental law.

Need advice on any of the issue outlined above?

Please do not hesitate to reach out to us.