

# Environmental Protection Authority (Protection of Environment) Amendment Bill

## Submission by Climate Justice Taranaki, 7 September 2015

Climate Justice Taranaki Incorporated (CJT) SUPPORTS the Environmental Protection Authority (Protection of Environment) Amendment Bill *“to add an additional objective that the organisation must aim to protect, maintain, and enhance New Zealand's environment”*.

We argue that protection of the environment should be the foremost objective of the authority, as its name represents.

We would like to see the Environment Protection Authority Act 2011 section 12 amended as follows:

### **12. Objective of EPA**

*(1) The objective of the EPA is to undertake its functions in a way that—*

*(a) protects, maintains, and enhances New Zealand's environment,*

*(b) contributes to the efficient, effective, and transparent management of New Zealand's environment and natural and physical resources; and*

*(c) enables New Zealand to meet its international obligations.*

*(2) When undertaking its particular functions under an environmental Act, the EPA must also act in a way that furthers any objectives (or purposes) stated in respect of that Act.*

Without an explicit objective to protect the environment, the EPA cannot fully fulfil its current functions in a way that *“enables New Zealand to meet its international obligations”*.

NZ is signatory to a suite of international declarations and conventions pertaining to environmental protection; notably the UN Convention of Biological Diversity and UN Convention on the Law of the Sea.

EPA, as the authority with the function *“to contribute to and co-operate with international forums and carry out international obligations related to its functions under an environmental Act”* (EPA Act 13(c)(iii)), needs to have an explicit objective to protect the environment.

CJT was actively involved in the submission and hearing processes relating to the OMV Maari and STOS Maui marine consent applications under the EEZ Act. The purpose of the Act is *“to promote the sustainable management of the natural resources of the exclusive economic zone and the continental shelf”*. In this Act, *“sustainable management means managing the use, development, and **protection** of natural resources...”* (EEZ Act Subpart 2, section 10), not only *“the efficient, effective, and transparent management”* of resources (EPA Act, section 12).

According to the EEZ Act, EPA has the function *“to decide applications for marine consents”*. It is therefore critical that EPA has the explicit function to protect the environment under the EPA Act, so it can make its decisions which reflect the purpose of the EEZ Act.

CJT requests to speak to our submission by skype or tel conference.