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Environmental Legal

Assistance (ELA) Fund

Application form

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| Before you apply  Before completing this form, read the [*Environmental Legal Assistance Fund: Guide for applicants*](https://environment.govt.nz/publications/environmental-legal-assistance-fund-guide-for-applicants/). This includes the information you will need to complete the application form, and the ELA Fund criteria that your application will be assessed against. Ensure you have provided all information and attach supporting information as required.  Need more help? If you have any questions, call 027 218 4985 or email [ela.fund@mfe.govt.nz](mailto:ela.fund@mfe.govt.nz). |

# **1. Contact information**

|  |  |
| --- | --- |
| **(1a) Group’s full legal name:** |  |
| **(1b) Group’s physical address:** |  |

|  |  |  |
| --- | --- | --- |
|  | **(1c) PRIMARY CONTACT** | **(1d) SECONDARY CONTACT** |
| **Full name:** |  |  |
| **Position in group:** |  |  |
| **Phone number:** |  |  |
| **Email address:** |  |  |

# **2. Group details**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **(2a) What type of group are you?** *Tick the relevant box:* | | | | | |
| Residents and ratepayers/community group | Non-government organisation | Iwi/hapū | Business group | | Other *(please specify):* |
|  | | | | | |
| **(2b) When did your group begin operating?** *Month and/or year:* | | | |  | |

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| **(2c) What are your group’s objectives?** *State your group’s key environmental interests, philosophy, and any aims that are specific to your case:* |
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## Group details - supporting information needed:

*You must provide all information required for your group’s legal status. Tick the boxes to confirm all information has been provided.*

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| INCORPORATED GROUP:  **(2d)** Does your group have a common seal?  Yes  No  **(2e)** Copy of your group’s mandate/rules.  **(2f)** Current membership list of your group, including physical addresses. Please note who the committee members are and their roles. |

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| TRUST:  **(2g)** Does your group have a common seal?  Yes  No  **(2h)** Copy of trust documents.  **(2i)** Current membership list of your group, including physical addresses. Please note who the committee members are and their roles. |

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| NON-INCORPORATED GROUP:  **(2j)** Details of your group’s history, including any relevant documentation (eg, evidence of regular meetings).  **(2k)** Authorisation from the group that at least two named persons can act on behalf of your group for this matter. These two people will sign the declaration in section 6 of this form.  **(2l)** Current membership list of your group, including physical addresses. Please note who the committee members are and their roles. |

# **3. Case details**

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| **(3a) Name of case or board of inquiry and case Court number:** *eg, Stoneleigh District Council v Springfield River Preservation Society Incorporated* ENV-2012-CHC-123 |
|  |
| **(3b) Date of Court or board of inquiry hearing, if known:** |
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|  |  |
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| **(3c) Type of case:** *tick the relevant box* | |
| Appeal on a resource consent application (section 120, RMA) | Board of inquiry |
| Appeal on a plan/plan change (schedule 1, clause 14, RMA) | Court of Appeal proceeding |
| Appeal on a policy statement (schedule 1, clause 14, RMA) | Enforcement (section 316, RMA) |
| Declaration (section 311, RMA) | Fast track consent application |
| Designation (section 179, RMA) | High Court proceeding |
| Direct referral (Environment Court) | Judicial review |
| First instance hearing (eg, Freshwater Hearing Panel) |  |

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| **(3d) Briefly state what the application relates to:** *1-2 sentences* |
|  |
| **(3e) Provide an outline of your group’s legal case and a history of its involvement so far:** |
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| **(3f)** **Provide an outline of the procedural steps of the case to date (eg, any issues resolved at mediation), and any key upcoming events. Clarify which steps you are seeking funding for.** |
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| --- | --- | --- |
| **(3g) List the other parties involved in the case:** | | |
|  | | |
| **(3h) Do you intend to collaborate with any of these parties?** *If yes, name the parties and provide an explanation of any joint arguments. Give details of proposed sharing of witnesses, legal counsel and any shared costs:* | Yes | No |
|  | | |

## Case details - supporting documents needed:

*Provide a copy of the following if applicable to your case. Tick the boxes to confirm what you have provided.*

|  |
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| **(A)** Notice of appeal, notice to be party to the proceeding/hearing, or another form of proof that your group is officially recognised as a party to the proceeding/hearing. |
| **(B)** Council decision and/or Independent Hearing Commissioner decision, if applicable. |
| **(C)** Any substantive minutes, directions, and procedural decisions issued by the relevant Court/authority in respect of your case (eg, changes to the steps in the process and/or scope of the proceeding). |
| **(D)** Map/s showing the location of the area relating to your case. Include zoning maps, if applicable. |
| **(E)** Your group’s original submission, if applicable. |

# **4. ELA application details**

*You must answer all questions in this section.*

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| **(4a) How does your group’s case relate to or raise nationally or regionally important issues affecting the environment?** |
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| **(4b) How does your case relate to the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga?** |
|  |
| **(4c) What is the potential for your case to create useful case law?** |
|  |
| **(4d) What is the potential of your case improving the administration and efficiency of relevant environmental legislation?** |
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| **(4e) Are there any issues of national or regional importance that will not be addressed in full if legal or expert evidence is not provided by your group?** |
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# **5. Financial details**

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| --- | --- | --- | --- | --- | --- |
| **(5a) Legal counsel and/or expert witnesses your group is engaging in your case:** *Please consider paying any cultural experts instead of relying on pro-bono contributions.* | | | | | |
| Full name |  |  |  |  |  |
| Firm/company |  |  |  |  |  |
| Area of expertise |  |  |  |  |  |
| Cost per hour (excl GST) |  |  |  |  |  |
| Total value of work (excl GST) |  |  |  |  |  |
| Request for funding? *Yes/no* |  |  |  |  |  |
| Amount of ELA funding applied for (excl GST) |  |  |  |  |  |

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| **(5b) Provide an itemised list of costs incurred by your group for the case so far, including costs incurred at council-level proceedings. Provide the total cost.** |
|  |
| **(5c) Have you applied for and/or received any other funding from the Crown to support your case/involvement in the proceeding/hearing?** *If yes, please provide details, including the total amount requested and/or received and the purpose of the funding.* |
|  |

## Financial details - supporting information needed:

*Tick the boxes to confirm all information has been provided.*

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| **(5d)** A summary of the experience and expertise for each person in (5a) that you are requesting funding for. *This may be in the form of a CV.* |
| **(5e)** A copy of an original quote for each person in (5a) that you are requesting funding for. *Quotes must include the cost per hour, time for preparation, hearing time, any mediation time, and any pro-bono contributions. Quote amounts should align with the amounts in (5a). Estimates are not acceptable.* |
| **(5f)** A copy of your group’s most recent audited accounts or two latest bank statements from your group’s main operating account. Note what amount is available to support your case below: |
|  |

# **6. Group’s declaration**

This declaration must be signed by the primary and secondary contacts identified in section 1 if they are members of the group. If either or both contacts are not members of the group, the declaration must instead be signed by duly authorised members of the group. **Each person must have their declaration witnessed by a person authorised to take a statutory declaration.**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| We, | | | | | | | |
|  | | of |  | | | |  |
| (name) | |  | (place of abode) | | | | (occupation) |
| and | | | | | | | |
|  | | of |  | | | |  |
| (name) | |  | (place of abode) | | | | (occupation) |
| both solemnly and sincerely declare that:   * the details we have given in all sections of this application are true and correct to the best of our knowledge. * we have the authority to commit our group to this application, and we understand and will meet the financial and reporting requirements as specified in the deed of funding contract should our application be successful. * we are not seeking funding in this application for any person who is a member of our group. * our group is eligible for funding as specified in the ELA Fund Guide for Applicants, including our group’s not for profit status. * all information contained in this application is subject to the Official Information Act 1982, and therefore this information may be released upon request. * the Ministry may collect from third parties any information it deems necessary about the applicant or the case. * the Ministry reserves the right to seek more information from the applicant before sending the application to the Advisory Panel, and will defer if necessary until the Ministry has received all information requested.   We both make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957. | | | | | | | |
|  | | | |  |  | | |
| (signature of declarer)  *By typing your name in the space provided you are electronically signing this application form.* | | | |  | (signature of declarer)  *By typing your name in the space provided you are electronically signing this application form.* | | |
| Date: |  | | |  | Date: |  | |
|  | *(day/month/year)* | | |  |  | *(day/month/year)* | |
|  | | | |  |  | | |
| (signature of person authorised to witness statutory declaration)  *By typing your name in the space provided you are electronically signing this application form.* | | | |  | (signature of person authorised to witness statutory declaration)  *By typing your name in the space provided you are electronically signing this application form.* | | |
| Date: |  | | |  | Date: |  | |
|  | *(day/month/year)* | | |  |  | *(day/month/year)* | |

|  |  |  |
| --- | --- | --- |
| **Before sending us your application, please check that you have:** *tick boxes to confirm* | | |
| Answered all relevant questions | Included all required signatures | Attached all required supporting information |
| **Send your application and supporting documents to** [**ela.fund@mfe.govt.nz**](mailto:ela.fund@mfe.govt.nz)**.** | | |

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