Resource Management (Forms, Fees, and Procedure) Regulations 2003 (as at 03 March 2015)

Form 46
Application to change or cancel enforcement order or interim enforcement order

[Sections 320(5)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM238555#DLM238555) and [321](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM238559" \l "DLM238559), Resource Management Act 1991

**To** the Registrar

Environment Court

Auckland, Wellington, and Christchurch

I, [*full name*], apply to change (*or* cancel) an enforcement order (*or* interim enforcement order) made on [*date*].

The enforcement order (*or* interim enforcement order) was made to:

[*describe the nature and terms of the enforcement order sought in terms of* [*section 314*](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM238530#DLM238530) *of the Resource Management Act 1991*].

The location for which the enforcement order (*or* interim enforcement order) was made is:

[*describe the location as it is commonly known and in a way that will enable it to be easily identified (eg, street address)*].

The name and address of the person against whom the order was made is:

[*full name and address*].

\*I seek the following change(s) to the order:

[*give details*].

|  |
| --- |
| \*Delete if application is to cancel the order. |

The grounds for this application are:

[*give details*].

I attach the following documents:\*

(a) an affidavit in support of the application; and

(b) a list of names and addresses of persons to be served with a copy of this application.

|  |
| --- |
| \*These documents constitute part of this form and, as such, must be attached to both copies of the application lodged with the Environment Court. The appellant does not need to attach copies of the documents to copies served in [form 47](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196614#DLM196614) on other persons if the copy served lists the documents and states that copies of the documents may be obtained on request from the applicant. |

...........................
Signature of applicant
(*or* person authorised to sign
on behalf of applicant)

...........................
Date

Address for service of applicant:
Telephone:
Fax/email:
Contact person: [*name and designation, if applicable*]

**Note to applicant**

You must lodge the original and 1 copy of this application with the Environment Court. The notice must be signed by you or on your behalf. You must pay the filing fee required by [regulation 35](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM195842#DLM195842) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve notice of this application in [form 47](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196614#DLM196614) on every person directly affected by this application within 5 working days after the application is lodged with the Environment Court.

However, this service requirement does not apply to an application for an interim enforcement order if an Environment Judge or District Court Judge has ordered that it does not apply.

Within 10 working days after lodging this application, you must give written application to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

Also you may apply to the Environment Court under [section 281](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM237795#DLM237795) of the Resource Management Act 1991 for a waiver of the above service requirements (*see* [form 38](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196479#DLM196479)).

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Schedule 1 form 46: amended, on 3 March 2015, by [regulation 20](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM6327681) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 46: amended, on 1 November 2010, by [regulation 19(1)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM3134127) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 46: amended, on 1 June 2006, by [regulation 10(4)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM378556) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).