

Reprint
as at 1 July 2015



**Resource Management (Forms, Fees, and Procedure for
Auckland Combined Plan) Regulations 2013**
(SR 2013/386)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 9th day of September 2013

Present:

The Right Hon John Key presiding in Council

Pursuant to section 119 of the Local Government (Auckland Transitional Provisions) Act 2010 and section 360(1) of the Resource Management Act 1991, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for the Environment.

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Regulations**1 Title**

These regulations are the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013.

2 Commencement

These regulations come into force on the day after the date of their notification in the *Gazette*.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Local Government (Auckland Transitional Provisions) Act 2010

Auckland combined plan means the combined document described by section 122 of the Act

hearing session has the same meaning as in section 116 of the Act

Hearings Panel means the Hearings Panel established by section 161 of the Act

proposed plan means the proposed Auckland combined plan prepared by the Auckland Council in accordance with sections 121 to 126 of the Act

RMA means the Resource Management Act 1991.

General provisions on forms

4 Use of prescribed forms

Use of a form is not invalid only because it contains minor differences from a form prescribed by these regulations as long as the form that is used has the same effect as the prescribed form and is not misleading.

5 Forms must be accompanied by documents required by forms

- (1) A form must be accompanied by any document that is required to be attached to the form.
- (2) A document referred to in subclause (1) is part of the form.
- (3) Despite subclauses (1) and (2), documents that must be attached to a form do not need to be included with the copy of the form served on any person under these regulations if the copy of the form includes—
 - (a) a list of the documents attached to the form lodged with the Environment Court; and
 - (b) a statement that a copy of the documents referred to in paragraph (a) may be obtained, on request, from the person who served the form.
- (4) A person who requests a copy of 1 or more documents, as provided for in subclause (3)(b), must be given a copy of the documents requested as soon as is reasonably practicable after the request is received.

Prescribed forms

6 Prescribed form for public notice of proposed plan or variation to proposed plan

A public notice of the proposed plan under section 123 of the Act and clause 5 of Schedule 1 of the RMA, or of a variation to the proposed plan under section 125 of the Act and clause 5 of Schedule 1 of the RMA, must—

- (a) be in form 1 of the Schedule; and
- (b) contain the information specified in the form.

7 Prescribed form for submission on proposed plan or variation to proposed plan

A submission on the proposed plan under section 123 of the Act and clause 6 of Schedule 1 of the RMA, or on a variation to the proposed plan under section 125 of the Act and clause 6 of Schedule 1 of the RMA, must—

- (a) be in form 2 of the Schedule; and
- (b) contain the information specified in the form.

8 Prescribed form for further submission in support of, or in opposition to, submission on proposed plan or variation to proposed plan

A further submission under section 123 of the Act and clause 8 of Schedule 1 of the RMA in support of, or in opposition to, a submission on the proposed plan, or under section 125 of the Act and clause 8 of Schedule 1 of the RMA in support of, or in opposition to, a submission on a variation to the proposed plan, must—

- (a) be in form 3 of the Schedule; and
- (b) contain the information specified in the form.

9 Prescribed form and requirements for witness summons to hearing session of Hearings Panel

A summons to a witness to appear at a hearing session of the Hearings Panel under section 138 of the Act must—

- (a) be in form 4 of the Schedule; and
- (b) contain the information specified in the form; and
- (c) be served in accordance with section 352(1) of the RMA.

10 Prescribed form for notice of motion for cancellation or variation of order to protect sensitive information

A notice of motion to the Environment Court under section 141(4) of the Act for an order cancelling or varying an order made by the Hearings Panel must—

- (a) be in form 5 of the Schedule; and
- (b) contain the information specified in the form.

11 Prescribed form for notice of appeal to Environment Court against decision on proposed plan

A notice of appeal to the Environment Court under section 156 of the Act against a decision on the proposed plan must—

- (a) be in form 6 of the Schedule; and
- (b) contain the information specified in the form.

12 Prescribed form for notice of appeal to Environment Court against decision about designation or heritage order

A notice of appeal to the Environment Court under section 157 of the Act against a decision about a designation or heritage order must—

- (a) be in form 7 of the Schedule; and
- (b) contain the information specified in the form.

Procedure for forms lodged with Environment Court

13 Requirements for serving notice of appeal against decision on proposed plan

A person who appeals a decision under section 156 of the Act must, within 5 working days after lodging form 6 with the Environment Court, serve a copy of that form on every person who made a submission on the provision or matter to which the appeal relates.

14 Appellant must notify Registrar of persons served with notices of appeal

An appellant under section 156 or 157 of the Act must give written notice to the Registrar of the Environment Court of the following details within 10 working days after lodging form 6 or 7 with the Environment Court:

- (a) the name and address of each person required to be served with notice of the appeal by the Act or these regulations; and
- (b) the date of service on each person.

Filing fees for forms lodged with Environment Court

15 Filing fees

- (1) The filing fee for commencing proceedings in the Environment Court under section 156 or 157 of the Act is the fee specified in regulation 35(1) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- (2) The filing fee for commencing proceedings in the Environment Court under section 141(4) of the Act is the fee specified in regulation 35(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

Schedule

Forms

rr 6–12

Form 1

Public notice of proposed Auckland combined plan or variation to proposed Auckland combined plan

*Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010; Clause 5
of Schedule 1, Resource Management Act 1991*

- 1 Auckland Council has prepared the proposed Auckland combined plan/a variation to the proposed Auckland combined plan* (the **proposal**). The proposed Auckland combined plan comprises—
 - (a) a regional policy statement for Auckland; and
 - (b) a regional plan, including a regional coastal plan, for Auckland; and
 - (c) a district plan for Auckland.

*Select one.
- 2 *[Describe the proposed Auckland combined plan or the proposed variation to the Auckland combined plan.]*
- 3 The proposal may be inspected or purchased at *[place]*. Please contact *[name of person handling queries and contact telephone number]* if you have any questions about the proposal.
- 4 Any person may make a submission on the proposal but, if the person could gain an advantage in trade competition through the submission, the person may only make a submission if the person is directly affected by an effect of the proposal that—
 - (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
- 5 You may make a submission by sending a written or an electronic submission to Auckland Council at *[provide both an address for service for written submissions and an email address for service for electronic submissions]*. The submission must be in form 2 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013 and must state whether or not you wish to be heard on your submission. Copies of this form are available from Auckland Council.
- 6 Submissions close on *[closing date, which must be 60 working days after publication of this notice for the proposed Auckland combined plan, or at least 20 working days after publication of this notice for a variation to the proposed Auckland combined plan]*.

- 7 The process for public participation in the consideration of the proposal under Part 4 of the Local Government (Auckland Transitional Provisions) Act 2010 is as follows:
- (a) after the closing date for submissions, Auckland Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary and submissions can be inspected; and
 - (b) there must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
 - (i) any person representing a relevant aspect of the public interest;
 - (ii) any person who has an interest in the proposal greater than the general public has;
 - (iii) Auckland Council; and
 - (c) Auckland Council must forward all relevant information to a Hearings Panel. The Hearings Panel will—
 - (i) hold a hearing into submissions on the proposal; and
 - (ii) on completion of the hearing of submissions, make recommendations to the Council on the proposed plan; and
 - (d) Auckland Council must make decisions on the recommendations of the Hearings Panel and publicly notify those decisions and the recommendations of the Hearings Panel; and
 - (e) the proposal will be amended in accordance with Auckland Council's decisions on the recommendations of the Hearings Panel; and
 - (f) submitters may appeal to the Environment Court or to the High Court on certain matters, and non-submitters may appeal to the Environment Court on certain matters.

Date:

Signature:

(Signature on behalf of Auckland Council)

Contact details

Physical address for service of Auckland Council:

Email address for service of Auckland Council:

Telephone:

Fax:

Contact person: *[name and designation, if applicable]*

Form 2

Submission on proposed Auckland combined plan or variation to proposed
Auckland combined plan

Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010; Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland Council

Name of submitter: *[full name]*

1 This is a submission on the proposed Auckland combined plan/a variation to the proposed Auckland combined plan* (the **proposal**).

*Select one.

2 I could/could not* gain an advantage in trade competition through this submission.

*Select one.

3 *Omit this paragraph if you could not gain an advantage in trade competition through this submission.*

I am/am not* directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

*Select one.

4 The specific provisions of the proposal that my submission relates to are: *[specify details]*.

5 My submission is:

[include—

- *whether you support or oppose the specific provisions or wish to have them amended; and*

- *reasons for your views]*.

6 I seek the following decision from Auckland Council: *[specify precise details]*.

7 I wish/do not wish* to be heard in support of my submission.

*Select one.

8 *Omit this paragraph if you would not consider presenting a joint case.*

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Date:

*Signature:

(submitter/person authorised to sign on behalf of submitter†)

*A signature is not required if you make your submission by electronic means.

†Select one.

Contact details

Address for service of submitter:

Telephone:

Fax:

Email:

Contact person: [*name and designation, if applicable*]

Note to person making submission

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Schedule 1 of the Resource Management Act 1991.

If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service.

Form 3

Further submission in support of, or in opposition to, submission on proposed Auckland combined plan or on variation to proposed Auckland combined plan
Sections 123 and 125, Local Government (Auckland Transitional Provisions) Act 2010; Clause 8 of Schedule 1, Resource Management Act 1991

To Auckland Council

Name of person making further submission: *[full name]*

1 This is a further submission in support of/in opposition to* a submission on the proposed Auckland combined plan/a variation to the proposed Auckland combined plan* (the **proposal**).

*Select one.

2 I am *[state whether you are—*

- *a person representing a relevant aspect of the public interest. In this case, specify the grounds for saying that you come within this category; or*
- *a person who has an interest in the proposal that is greater than the interest the general public has. In this case, explain the grounds for saying that you come within this category; or*
- *Auckland Council*].

3 I support/oppose* the submission of: *[name and address of original submitter and submission number of original submission (if available)]*.

*Select one.

4 The particular parts of the submission I support/oppose* are: *[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal]*.

*Select one.

5 The reasons for my support/opposition* are: *[state reasons]*.

*Select one.

6 I seek that the whole/part *[describe part]** of the submission be allowed/disallowed*: *[specify precise details]*.

*Select one.

7 I wish/do not wish* to be heard in support of my submission.

*Select one.

8 *Omit this paragraph if you would not consider presenting a joint case.*

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Date:

*Signature:

(person making further submission/person authorised to sign on behalf of person making further submission†)

*A signature is not required if you make your submission by electronic means.

†Select one.

Contact details

Address for service of person making further submission:

Telephone:

Fax:

Email:

Contact person: [*name and designation, if applicable*]

Note to person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Auckland Council.

If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service.

Form 4

Witness summons to hearing session of Hearings Panel

Section 138, Local Government (Auckland Transitional Provisions) Act 2010

To *[full name and address of witness being summoned]*

- 1 You are ordered to attend a hearing session of the Hearings Panel hearing submissions on the proposed Auckland combined plan.
- 2 The hearing session is about *[subject matter of hearing session]*.
- 3 The hearing session will be held at *[place, date(s), time]*.
- 4 You must attend the hearing session to give evidence at *[place, date, time]* until you are discharged.
- 5 *Omit this paragraph if the witness is not required to bring anything to the hearings session.*
You must bring with you and produce the following papers, documents, records, or things: *[specify details]*.
- 6 This summons is issued on behalf of *[name]*.
- 7 You are entitled to receive from *[name of party on whose behalf summons is issued]* witness fees, allowances, and travelling expenses according to the scales prescribed by regulations made under the Criminal Procedure Act 2011.
- 8 If you fail to attend in accordance with this summons, you commit an offence under section 338(3) of the Resource Management Act 1991 and you may be liable to a fine under section 339(3) of that Act.

Date:

Signature:

(Chairperson of Hearings Panel)

Endorsement of deponent

Omit the endorsement if the summons is delivered by post or no sum is tendered.

I, *[full name]*, swear that I served *[full name of person served]* with a summons by delivering the summons to him or her personally at *[place, date]*. At the same time, I tendered that person the sum of \$*[amount]* for his or her allowances and travelling expenses, which that person accepted. This is a true copy of the summons.

Sworn/Affirmed* at [*place, date*]

Before me: [*name, signature*]

(Registrar/Justice of the Peace/solicitor*)

*Select one.

Schedule form 4: amended, on 1 July 2015, by regulation 3(2) of the Criminal Procedure (Consequential Amendments) Regulations 2015 (LI 2015/104).

Form 5

Notice of motion for cancellation or variation of order to protect sensitive
information

*Section 141(4), Local Government (Auckland Transitional Provisions) Act 2010; Section 291,
Resource Management Act 1991*

To the Registrar, Environment Court at Auckland

1 I, [*full name*], apply under section 141(4) of the Local Government (Auckland Transitional Provisions) Act 2010 for an order cancelling/varying* the order of the Hearings Panel hearing submissions on the proposed Auckland combined plan that [*describe order you are seeking to have cancelled or varied*].

*Select one.

2 The grounds for the application are: [*specify details*].

3 I attach the following documents:

- (a) an affidavit in support of this application; and
- (b) a list of names and addresses of persons to be served with a copy of this notice.

Date:

Signature:

(applicant/person authorised to sign on behalf of applicant*)

*Select one.

Contact details

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 notice with the Environment Court. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 15 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013.

You must serve copies of this notice and affidavit on the parties to the application (if any) as soon as is reasonably practicable after lodging the notice. An Environment Court Judge may also at any time direct you to serve a copy of this notice and affida-

vit on any other person. You must advise the Registrar of the persons served and when those persons were served.

Advice to recipients of copy of notice of motion

How to become party to proceedings

If you wish to be heard on this application, you must lodge a notice in form 37 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 with the Environment Court within 15 working days after you are served with this notice.

Advice

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

Form 6

Notice of appeal to Environment Court against decision on proposed Auckland
combined plan

Section 156, Local Government (Auckland Transitional Provisions) Act 2010

To the Registrar, Environment Court at Auckland

1 I, [*full name*], appeal against a decision/part of a decision* of Auckland Council (the **Council**) on the Auckland combined plan (the **proposed plan**).

*Select one.

2 I have the right to appeal the Council's decision—

Select the paragraph(s) that apply.

(a) under section 156(1) of the Local Government (Auckland Transitional Provisions) Act 2010 because the Council rejected a recommendation of the Hearings Panel in relation to a provision or matter I addressed in my submission on the proposed plan. The Council decided on an alternative solution, which resulted in a provision being included in the proposed plan or a matter being excluded from the proposed plan:

(b) under section 156(3) of the Local Government (Auckland Transitional Provisions) Act 2010 because the Council accepted a recommendation of the Hearings Panel that the Hearings Panel had identified as being beyond the scope of the submissions made on the proposed plan. The Council's decision resulted in a provision being included in the proposed plan or a matter being excluded from the proposed plan. I will be unduly prejudiced by the inclusion of the provision or exclusion of the matter.

3 I provide further details of the reasons for my appeal below.

4 I am/am not* a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

*Select one.

5 *Omit this paragraph if you are not a trade competitor.*

I am/am not* directly affected by an effect of the subject of the appeal that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

*Select one.

6 I received notice of the decision on [*date*].

7 The decision was made by Auckland Council.

8 The decision/part of the decision* that I am appealing is as follows:

[*state*—

- *a summary of the decision or part of the decision; and*

- *the specific provision or matter that the decision includes in, or excludes from, the plan (or that the decision proposes to include or exclude)].*

*Select one.

9 The reasons for the appeal are as follows: [*set out why you are appealing the decision or part of the decision and give reasons for your views*].

10 I seek the following relief: [*specify precise details*].

11 I attach the following documents* to this notice:

- a copy of the relevant decision/part of the decision†;
- any other documents necessary for an adequate understanding of the appeal;
- a list of names and addresses of persons to be served with a copy of this notice;
- Omit this paragraph if you did not make a submission on the proposed plan and you are appealing on the grounds set out in section 156(3) of the Local Government (Auckland Transitional Provisions) Act 2010.*
a copy of my submission/further submission† (with a copy of the submission opposed or supported by my further submission).

*These documents must be attached and lodged with the notice in the Environment Court. The appellant does not need to attach a copy of the proposed Auckland combined plan. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

†Select one.

Date:

Signature:

(appellant/person authorised to sign on behalf of appellant*)

*Select one.

Contact details

Address for service of appellant:

Telephone:

Fax:

Email:

Contact person: [*name and designation, if applicable*]

Note to appellant

- 1 You may appeal only if—
 - (a) the Council rejected a recommendation of the Hearings Panel in relation to a provision or a matter you addressed in your submission on the proposed plan and the Council decided on an alternative solution that resulted in a provision being included in the proposed plan or a matter being excluded from the proposed plan; or
 - (b) you will be unduly prejudiced by the inclusion of a provision in or the exclusion of a matter from the proposed plan in relation to which the Council accepted a recommendation of the Hearings Panel that the Hearings Panel had identified as being beyond the scope of the submissions made on the proposed plan.
- 2 Your right to appeal may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
- 3 You must lodge the original notice and 1 copy of the notice with the Environment Court, and serve a copy on the Council, within 20 working days after the Council notifies its decisions in relation to the recommendations of the Hearings Panel.
- 4 You must pay the filing fee required by regulation 15 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013 at the time you lodge this notice with the Environment Court.
- 5 You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.
- 6 If your appeal concerns a regional coastal plan provision, you must serve a copy of this notice on the Minister of Conservation within 5 working days after this notice is lodged with the Environment Court.
- 7 Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.
- 8 However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

Advice to recipients of copy of notice of appeal*How to become party to proceedings*

- 1 You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court within 15

working days after the period for lodging a notice of appeal ends. You must also serve a copy of that notice on the Council and the appellant within the same 15-working-day period, and serve copies on all other parties within 5 working days after that period ends.

- 2 Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.
- 3 You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

How to obtain copies of documents relating to appeal

- 4 *Omit or modify this paragraph if some or all of the documents mentioned are attached to copies of the notice of appeal served on other persons.*

The copy of this notice served on you does not have attached a copy of the appellant's submission or the decision/part of the decision* appealed. These documents may be obtained, on request, from the appellant.

*Select one.

Advice

- 5 If you have any questions about this notice, contact the Environment Court in Auckland.

Form 7

Notice of appeal to Environment Court against decision about designation or
heritage order in Auckland combined plan

*Section 157, Local Government (Auckland Transitional Provisions) Act 2010; Section 174,
Resource Management Act 1991*

To the Registrar, Environment Court at Auckland

1 I, [full name], appeal against a decision/part of a decision* of [Auckland Council or name of requiring authority, as appropriate] about a designation or heritage order.

*Select one.

2 I have the right to appeal the decision—

Select the paragraph(s) that apply.

- (a) under section 157(1) of the Local Government (Auckland Transitional Provisions) Act 2010 because I am an owner or occupier of land to which the designation or heritage order applies and I made a submission on the relevant requirement:
- (b) under section 157(2) of the Local Government (Auckland Transitional Provisions) Act 2010 because I made a submission on the relevant requirement and [name of requiring authority] rejected Auckland Council's recommendation on the matter:
- (c) under section 157(3) of the Local Government (Auckland Transitional Provisions) Act 2010*:
- (d) under section 157(4) of the Local Government (Auckland Transitional Provisions) Act 2010 because I made a submission on the relevant requirement and Auckland Council rejected the Hearing Panel's recommendation on the matter.

*This ground of appeal applies only to Auckland Council.

3 I provide further details of the reasons for my appeal below.

4 I am/am not* a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

*Select one.

5 *Omit this paragraph if you are not a trade competitor.*

I am/am not* directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

*Select one.

6 I received notice of the decision on [date].

7 The decision was made by [name of authority].

- 8 The decision/part of the decision* that I am appealing is as follows:
[state—
- a summary of the decision or part of the decision; and
 - the specific provision or matter that the decision includes in, or excludes from, the plan (or that the decision proposes to include or exclude)].

*Select one.

- 9 The reasons for the appeal are as follows: [set out why you are appealing the decision or part of the decision and give reasons for your views].

- 10 I seek the following relief: [specify precise details].

- 11 I attach the following documents* to this notice:

- (a) a copy of my submission:
- (b) a copy of the relevant decision/part of the decision†:
- (c) any other documents necessary for an adequate understanding of the appeal:
- (d) a list of names and addresses of persons to be served with a copy of this notice.

*These documents must be attached and lodged with the notice in the Environment Court. The appellant does not need to attach a copy of the proposed Auckland combined plan. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

†Select one.

Date:

Signature:

(appellant/person authorised to sign on behalf of appellant*)

*Select one.

Contact details

Address for service of appellant:

Telephone:

Fax:

Email:

Contact person: [name and designation, if applicable]

Note to appellant

- 1 You may appeal only if—
 - (a) you are an owner or occupier of land to which the designation or heritage order applies and you made a submission on the relevant requirement; or
 - (b) in relation to a designation or heritage order sought by a requiring authority other than Auckland Council, you are not an owner or occupier of land to which the designation or heritage order applies, but you made a submission on the relevant requirement and the requiring authority rejected Auckland Council's recommendation on the matter; or
 - (c) in relation to a designation or heritage order sought by Auckland Council, you are not an owner or occupier of land to which the designation or heritage order applies, but you made a submission on the relevant requirement and Auckland Council rejected the Hearing Panel's recommendation on the matter.
- 2 Auckland Council also has a right of appeal against a decision of a requiring authority other than Auckland Council.
- 3 Your right to appeal may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
- 4 You must lodge the original notice and 1 copy of the notice with the Environment Court within 30 working days of notification of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 15 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013.
- 5 You must serve a copy of the notice on the requiring authority that made the decision within 30 working days of notification of the decision to be appealed.
- 6 You must also, within 5 working days after the notice is lodged with the Environment Court, serve a copy of this notice on every person who made a submission on the requirement to which the appeal relates and on Auckland Council (if Auckland Council is not the requiring authority that made the decision).
- 7 Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.
- 8 You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

- 1 You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court within 15 working days after the period for lodging a notice of appeal ends. You must also serve a copy of that notice on Auckland Council/Auckland Council and [*name of requiring authority*]* and the appellant within the same 15-working-day period, and serve copies on all other parties within 5 working days after that period ends.

*Select one. If Auckland Council is not the requiring authority, select the second option and specify the name of the requiring authority.

- 2 If you are a trade competitor of a party to the proceedings, your right to be a party to the proceedings in the court may be limited (*see* section 274(1) and Part 11A of the Resource Management Act 1991).
- 3 You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

How to obtain copies of documents relating to appeal

- 4 *Omit or modify this paragraph if some or all of the documents mentioned are attached to copies of the notice of appeal served on other persons.*

The copy of this notice served on you does not have attached a copy of the appellant's submission or the decision/part of the decision* appealed. These documents may be obtained, on request, from the appellant.

*Select one.

Advice

- 5 If you have any questions about this notice, contact the Environment Court in Auckland.

Martin Bell,
for Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Criminal Procedure (Consequential Amendments) Regulations 2015 (LI 2015/104): regulation 3(2)