

Form 7 Notice of appeal to Environment Court against decision on proposed policy statement or plan or change or variation

Clause 14(1) of Schedule 1, Resource Management Act 1991

To The Registrar
Environment Court
PO Box 7147
Victoria Street
Auckland 1142

I,..... [full name], appeal against a decision (or part of a decision) of the Kaipara District Council on the following Plan Change:

Private Plan Change 82 - Moonlight Heights

I made a submission on that plan change.

I am* am not* a trade competitor for the purposes of [Section 308D](#) of the Act.

*Select one.

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.

*Omit paragraph if you are not a trade competitor.

†Select one.

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

The decision was made by the Kaipara District Council.

The decision (or part of the decision) that I am appealing against is:

[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 policy statement or plan or change or variation (or that the decision proposes to include or exclude)].

The reasons for the appeal are as follows:

[set out why you are appealing against the decision or part of the decision and give reasons for your views].

I seek the following relief *[give precise details]*

I attach the following documents* to this notice:

- (a) a copy of my submission *or* further submission (with a copy of the submission opposed or supported by my further submission):
- (b) a copy of the relevant decision (*or* 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 constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. 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.

Date:

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

Address for service of appellant:

Telephone:

Email:

Contact person:

[name and designation, if applicable]

Note to appellant

You may appeal only if—

- you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and
- in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

Your right to appeal may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

The Environment Court, when hearing an appeal relating to a matter included in a document under [section 55\(2B\)](#), may consider only the question of law raised.

You must lodge the original and one (1) copy of this notice with the Environment Court within **30 working days** of being served with notice 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 35](#) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 presently \$600.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within **30 working days** of being served with a notice of the decision.

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.

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.

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](#)).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within **15 working days** after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and

- within **20 working days** after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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.

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](#)).

***How to obtain copies of documents relating to appeal**

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

*Delete if these documents are attached to copies of the notice of appeal served on other persons.

Advice

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