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

Form 22
Notice of appeal to Environment Court against decision concerning requirement for designation or heritage order

[Sections 174](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM236251" \l "DLM236251), [181](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM236282" \l "DLM236282), [192(c)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM236731" \l "DLM236731), and [195A](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM2420460" \l "DLM2420460), Resource Management Act 1991

**To** the Registrar

Environment Court

Auckland, Wellington, and Christchurch

I, [*full name*], appeal a decision (*or* part of a decision) on a notice of requirement for a designation (*or* a heritage order *or* an alteration of a designation *or* an alteration of a heritage order) for:

[*briefly describe the designation, heritage order, or alteration in enough detail to identify the relevant matter*].

I made a submission on the notice of requirement (*or* I am the territorial authority that made the recommendation on the notice of requirement).

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

The decision was made by [*name of requiring authority or heritage protection authority*].

I am/am not\* a trade competitor for the purposes of [section 308D](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM2421551#DLM2421551) of the Resource Management Act 1991.

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| \*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.

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| \*Delete entire paragraph if you are not a trade competitor. |
| †Select one. |

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

[*state a summary of the decision or part of the decision*].

The site or place to which the requirement applies is:

[*give description*].

The reasons for the appeal are as follows:

[*set out why you are appealing 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, *or* recommendation)):
* (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.

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| \*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, recommendation, or decision to copies of this notice served on other persons if the served copy lists these documents and states that copies may be obtained, on request, from the appellant. |

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

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

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

**Note to appellant**

Your right to appeal may be limited by the trade competition provisions in [Part 11A](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM2421544#DLM2421544) of the Resource Management Act 1991.

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days of receiving notice of the decision.

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 a copy of this notice on the requiring authority or heritage protection authority within 15 working days of receiving notice of the decision you are appealing. You must also serve a copy of this notice on the territorial authority and on every person who made a submission on the notice of requirement within 5 working days of lodging it 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](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 timing or service requirements (*see* [form 38](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196479#DLM196479)).

**Advice to recipients of copy of notice**

*How to become party to proceedings*

You may be a party to the appeal if—

(a) you made a submission on the matter of this appeal; and

(b) within 15 working days after the period for lodging a notice of appeal ends, you lodge a notice of your wish to be a party to the proceedings (in [form 33](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196460#DLM196460)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and

(c) within 20 working days after the period for lodging a notice of appeal ends, you 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)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM237755#DLM237755) and [Part 11A](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM2421544#DLM2421544) of the Resource Management Act 1991.

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 timing requirements (*see* [form 38](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM196479#DLM196479)).

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

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

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| \*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.

Schedule 1 form 22: amended, on 3 March 2015, by [regulation 12(1)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM6327669) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 22: amended, on 3 March 2015, by [regulation 12(2)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM6327669) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 22: amended, on 3 March 2015, by [regulation 12(3)](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM6327669) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 22: amended, on 10 October 2013, by [regulation 6](http://www.legislation.govt.nz/regulation/public/2003/0153/latest/link.aspx?id=DLM5569259) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 22: 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 22: 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).