

Reprint
as at 26 November 2018



Resource Management (Forms, Fees, and Procedure) Regulations 2003 (SR 2003/153)

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 30th day of June 2003

Present:

Her Excellency the Governor-General in Council

Pursuant to section 360(1) of the Resource Management Act 1991, Her 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) Regulations 2003.
- 2 Commencement**
These regulations come into force on 1 August 2003.
- 3 Interpretation**
 - (1) In these regulations, unless the context otherwise requires,—
 - Act** means the Resource Management Act 1991
 - estimated hearing fee** means the fee payable under Part 3 of Schedule 3 in respect of the estimated hearing time
 - estimated hearing time** means the time allocated for a hearing and notified to the parties by the Registrar when written confirmation of the hearing date is given
 - form** means a form set out in Schedule 1
 - Registrar** means the Registrar of the Environment Court
 - scheduling fee** means the fee (if any) payable under Part 2 of Schedule 3 in respect of an application or proceeding.
 - (2) A reference to a numbered form in these regulations is a reference to that form set out in Schedule 1.

 - Regulation 3(1) **estimated hearing fee**: inserted, on 14 September 2017, by regulation 4 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).
 - Regulation 3(1) **estimated hearing time**: inserted, on 14 September 2017, by regulation 4 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).
 - Regulation 3(1) **scheduling fee**: inserted, on 14 September 2017, by regulation 4 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).
- 3A Transitional, savings, and related provisions**
The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Regulation 3A: inserted, on 14 September 2017, by regulation 5 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

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) The 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 reasonably practicable after the request is received.

Forms and procedure for policy statements and plans

6 Prescribed forms for policy statements

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>National policy statements</i>		
1	48	Public notice of proposal or inquiry concerning national policy statement
1	53	Public notice of proposal or inquiry concerning review, change, or revocation of national policy statement
3	49, 53, 57	Submission on proposal concerning national policy statement
<i>New Zealand coastal policy statements</i>		
2	57	Public notice of proposal for New Zealand coastal policy statement and inquiry
3	57	Submission on proposal concerning New Zealand coastal policy statement

Form	Relevant section of Act	Matter
<i>Regional policy statements, regional plans, and district plans</i>		
4	Clause 5 of Schedule 1	Public notice of proposed policy statement or plan, change, or variation
4A	80A and Part 4 of Schedule 1	Public notice of proposed policy statement or plan or change using the collaborative planning process
4B	80B and 80C and Part 5 of Schedule 1	Public notice of proposed policy statement or plan or change using the streamlined planning process
4C	Clauses 5A, 16A, and 21 of Schedule 1	Notice of proposed change or variation to a policy statement or plan, to persons directly affected
5	Clause 6 of Schedule 1	Submission on publicly notified proposal for policy statement or plan, change, or variation
6	Clause 8 of Schedule 1	Further submission in support of, or in opposition to, submission on publicly notified proposed plan
7	Clause 14(1) of Schedule 1	Notice of appeal to Environment Court against decision on proposed policy statement or plan
7B	80A, clause 60 and Part 4 of Schedule 1	Notice of appeal by way of rehearing in the Environment Court against decision on proposed policy statement or plan or change or variation made through the collaborative planning process
7C	80B and 80C, and clause 94 of Schedule 1	Notice of appeal to Environment Court against Schedule 1 decision made by requiring or heritage protection authority through streamlined planning process
8	Clause 14(3) of Schedule 1	Notice of appeal to Environment Court against decision of requiring authority or heritage protection authority on proposed policy statement or plan

Regulation 6: amended, on 14 September 2017, by regulation 6 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 6: amended, on 1 November 2010, by regulation 4(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 6: amended, on 1 November 2010, by regulation 4(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 6: amended, on 1 November 2010, by regulation 4(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 6: amended, on 1 November 2010, by regulation 4(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 6: amended, on 1 November 2010, by regulation 4(5) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 6: amended, on 1 November 2010, by regulation 4(6) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

7 Requirements for serving notice of appeal against decision on proposed policy statements or plan

- (1) A person who appeals a decision under clause 14(1) or 60 of Schedule 1 of the Act must, after lodging either form 7 or form 7B (as appropriate) with the Environment Court, serve a copy of that form on—
- (a) the local authority that made the decision, within 30 working days of being served with a notice of the decision; and
 - (b) if the appeal relates to a regional coastal plan, the Minister of Conservation, within 30 working days of being served with a notice of the decision; and
 - (c) every person who made a submission on the provision or matter to which the appeal relates, within 5 working days after the notice is lodged.
- (2) Regulations 5 and 26 apply to the service and notification of the appeal.

Regulation 7(1): amended, on 14 September 2017, by regulation 7(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 7(1): amended, on 14 September 2017, by regulation 7(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

8 Requirements for serving notices of appeal against decision on requirement in plan or proposed plan

- (1) A person who appeals a decision under clause 14(3) or 92 of Schedule 1 of the Act must, after lodging either form 7C or 8 (as appropriate) with the Environment Court, serve a copy of that form on—
- (a) the requiring authority or heritage protection authority that made the decision, within 30 working days of being served with a notice of the decision; and
 - (b) the territorial authority that made the recommendation, within 30 working days of being served with a notice of the decision; and
 - (c) every person who made a submission on the requirement, within 5 working days after the notice is lodged.
- (2) Regulations 5 and 26 apply to the service and notification of the appeal.

Regulation 8(1): amended, on 18 October 2017, by regulation 8(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 8(1): amended, on 18 October 2017, by regulation 8(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Forms and procedure for resource consents

9 Prescribed forms for resource consents

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
7A	87D	Request for application relating to resource consent to be determined by Environment Court
8A	95E(3)	Affected person's written approval to an activity that is the subject of a resource consent application
8B	87BA	Written approval for deemed permitted boundary activity
9	88, 145	Application for resource consent
9A	87BA	Application for deemed permitted boundary activity
9B	87BA	Written notice of deemed permitted boundary activity
9C	87BB	Written notice of deemed permitted marginal or temporary activity
10	127, 145	Application for change or cancellation of resource consent condition
11	136(2)(b)(ii), (4)(a), 137(3)(b), (5)(a)	Application for transfer of water permit or discharge permit
12	95A, 95C	Public notice of application concerning resource consent or esplanade strip
12	127	Public notice of application for change or cancellation of resource consent condition
12	136(4)(b), 137(5)(c)	Public notice of application for transfer of water permit or discharge permit
13	96	Submission on application concerning resource consent or esplanade strip that is subject to public notification or limited notification by a consent authority
13	127(3)	Submission on application for change or cancellation of resource consent condition that is subject to public notification or limited notification by a consent authority
13	136(4), 137(5)	Submission on application for transfer of water permit or discharge permit that is subject to public notification or limited notification by a consent authority
14	130	Public notice of review of resource consent conditions by consent authority
15	130(1)	Submission on review of resource consent conditions by consent authority that is subject to public notification or limited notification
16	121	Notice to Environment Court of appeal against decision on application for resource consent
16	127(3)	Notice to Environment Court of appeal against decision on application for change or cancellation of resource consent condition
16	132(2)	Notice to Environment Court of inquiry on recommendation on review of resource consent conditions
16	136(4)(b), 137(5)(c)	Notice to Environment Court of appeal against decision on application for transfer of water permit or discharge permit

Form	Relevant section of Act	Matter
16	139(12)	Notice to Environment Court of appeal against decision on application for certificate of compliance
Regulation 9 table: amended, on 18 October 2017, by regulation 9 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(5) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(6) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(7) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(8) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(9) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(10) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(11) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(12) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(13) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(14) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(15) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(16) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 November 2010, by regulation 5(17) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).		
Regulation 9 table: amended, on 1 June 2006, by regulation 4(1)(c) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).		
Regulation 9 table: amended, on 1 June 2006, by regulation 4(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).		

10 Service of applications for resource consents or for review of conditions

- (1) This regulation applies if a consent authority is required to serve notice of the following on prescribed persons in accordance with paragraph (b) of the definition of public notification in section 2AA(2):
 - (a) an application for a resource consent, or for a change or cancellation of a resource consent condition:
 - (b) an application for a transfer of a water permit or a discharge permit:
 - (c) a review of resource consent conditions.
- (2) The consent authority must serve that notice on—
 - (a) every person who the consent authority decides is an affected person under section 95B of the Act in relation to the activity that is the subject of the application or review:
 - (b) every person, other than the applicant, who the consent authority knows is an owner or occupier of land to which the application or review relates:
 - (c) the regional council or territorial authority for the region or district to which the application or review relates:
 - (d) any other iwi authorities, local authorities, persons with a relevant statutory acknowledgement, persons, or bodies that the consent authority considers should have notice of the application or review:
 - (e) the Minister of Conservation, if the application or review relates to an activity in a coastal marine area or on land that adjoins a coastal marine area:
 - (f) the Minister of Fisheries, the Minister of Conservation, and the relevant Fish and Game Council, if an application relates to fish farming (as defined in the Fisheries Act 1996) other than in the coastal marine area:
 - (g) Heritage New Zealand Pouhere Taonga, if the application or review—
 - (i) relates to land that is subject to a heritage order or a requirement for a heritage order or that is otherwise identified in the plan or proposed plan as having heritage value; or
 - (ii) affects any historic place, historic area, wāhi tūpuna, wahi tapu, or wahi tapu area entered on the New Zealand Heritage List/Rāangi Kōrero under the Heritage New Zealand Pouhere Taonga Act 2014:
 - (h) a protected customary rights group that, in the opinion of the consent authority, may be adversely affected by the grant of a resource consent or the review of consent conditions:
 - (ha) a customary marine title group that, in the opinion of the consent authority, may be adversely affected by the grant of a resource consent for an accommodated activity:

- (i) Transpower New Zealand, if the application or review may affect the national grid.
- (3) *[Revoked]*
- (4) For the purposes of subclause (2)(i), **national grid** has the same meaning as in section 2 of the Electricity Act 1992.

Regulation 10(1): amended, on 1 November 2010, by regulation 6(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 10(1)(b): amended, on 1 November 2010, by regulation 6(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 10(2)(a): replaced, on 18 October 2017, by regulation 10(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 10(2)(d): amended, on 18 October 2017, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 10(2)(f): substituted, on 1 January 2005, by section 34 of the Resource Management Amendment Act (No 2) 2004 (2004 No 103).

Regulation 10(2)(g): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Regulation 10(2)(g)(ii): amended, on 20 May 2014, by section 107 of the Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26).

Regulation 10(2)(h): added, on 17 January 2005, by section 39 of the Resource Management (Foreshore and Seabed) Amendment Act 2004 (2004 No 94).

Regulation 10(2)(h): amended, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

Regulation 10(2)(ha): inserted, on 1 April 2011, by section 128 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

Regulation 10(2)(i): added, on 11 January 2007, by regulation 4(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations (No 2) 2006 (SR 2006/376).

Regulation 10(3): revoked, on 1 November 2010, by regulation 6(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 10(4): added, on 11 January 2007, by regulation 4(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations (No 2) 2006 (SR 2006/376).

10A Discretion to require notice to be affixed to site

- (1) This regulation applies if an application for a resource consent must be publicly notified under section 95A or 95C of the Act.
- (2) A consent authority may require the following to be affixed to a conspicuous place on or adjacent to the site to which the application relates:
 - (a) a short summary of the notice; and
 - (b) details of the Internet site where the full public notice in form 12 can be accessed.

Regulation 10A: inserted, on 1 June 2006, by regulation 5 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Regulation 10A(1): amended, on 1 November 2010, by regulation 7 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 10A(2): replaced, on 18 October 2017, by regulation 11 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Forms for proposals of national significance

Heading: inserted, on 1 November 2010, by regulation 8 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

10B Prescribed forms for proposals of national significance

In the following table, the forms listed in the first column must generally be followed for the matters set out in the third column:

Form	Relevant section of Act	Matter
9	88, 145	Application for resource consent lodged with the Environmental Protection Authority
10	127, 145	Application for change or cancellation of resource consent condition lodged with the Environmental Protection Authority
16A	145	Notice of lodgement of matter under section 145 of the Act
16B	149E, 149O, 149ZC	Form for submission to the Environmental Protection Authority
16C	149F, 149O	Form for further submission to the Environmental Protection Authority
18	145, 168, 168A, clause 4 of Schedule 1	Notice of requirement by Minister, local authority, requiring authority, or territorial authority lodged with Environmental Protection Authority
18	145, 181	Notice of requirement by Minister, local authority, requiring authority, or territorial authority for alteration of designation lodged with the Environmental Protection Authority
26	145, 189, 189A	Notice of requirement by heritage protection authority for heritage order lodged with Environmental Protection Authority
26	195A	Notice of requirement by heritage protection authority or territorial authority for alteration of heritage order lodged with the Environmental Protection Authority
31A	149T	Notice of motion to the Environment Court for proceedings commenced under section 149T of the Act

Regulation 10B: inserted, on 1 November 2010, by regulation 8 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Forms and procedure for designations and heritage orders

11 Prescribed forms for designations and heritage orders

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>Designations</i>		
17	167	Application to become requiring authority
18	145, 168, 168A, clause 4 of Schedule 1	Notice of requirement by Minister, local authority, requiring authority, or territorial authority for designation
18	181	Notice of requirement by Minister, local authority, requiring authority, or territorial authority for alteration of designation
19	168A(2), 169	Public notice of requirement by Minister, local authority, or requiring authority for designation
19	181	Public notice of requirement by Minister, local authority, or requiring authority for alteration of designation
20	168A	Notice of territorial authority's requirement for designation
20	181(4)	Notice of territorial authority's requirement for alteration of designation
21	168A	Submission on requirement for designation by a territorial authority that is the subject of public notification or limited notification
21	169	Submission on requirement for designation by a Minister, local authority, or requiring authority that is the subject of public notification or limited notification
21	181	Submission on requirement for alteration of designation by Minister, local authority, requiring authority, or territorial authority that is the subject of public notification or limited notification
22	174	Notice of appeal to Environment Court against decision on requirement for designation
22	181	Notice of appeal to Environment Court against decision on requirement to alter designation
23	182	Notice of removal of designation or part of designation
24	185	Application to Environment Court for order obliging requiring authority to take land
27A	198B	Request for requirement to be determined by Environment Court
<i>Heritage orders</i>		
25	188	Application to become heritage protection authority

Form	Relevant section of Act	Matter
26	189, 145, 189A	Notice of requirement by heritage protection authority or territorial authority for heritage order
26	195A	Notice of requirement by heritage protection authority or territorial authority for alteration of heritage order
27	190(1)	Public notice of requirement for heritage order
27	190(1), 195A	Public notice of requirement for heritage order or alteration of heritage order
28	189A	Notice of territorial authority's requirement for heritage order
28	195A	Notice of territorial authority's requirement for alteration of heritage order
21	189A	Submission and requirement by territorial authority for heritage order that is the subject of public notification or limited notification
21	190	Submission on requirement by heritage protection authority for heritage order that is the subject of public notification or limited notification
21	195A	Submission on requirement by territorial authority or heritage protection authority for alteration of heritage order that is the subject of public notification or limited notification
22	192(c)	Notice of appeal to Environment Court against decision on requirement for heritage order
22	195A	Notice of appeal to Environment Court against decision on requirement for alteration of heritage order
23	196	Notice of removal of heritage order or part of heritage order
24	198	Application to Environment Court for order obliging heritage protection authority to take land

Regulation 11 table: amended, on 1 November 2010, by regulation 9(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(5) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(6) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(7) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: inserted, on 1 November 2010, by regulation 9(8) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(9) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(10) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(11) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(12) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(13) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(14) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(15) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(17) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(18) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(19) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 11 table: amended, on 1 November 2010, by regulation 9(20) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

12 Service of notice of requirement

- (1) This regulation applies if a territorial authority is required to serve notice of a requirement on prescribed persons in accordance with paragraph (b) of the definition of public notification in section 2AA(2) of the Act.
- (2) The territorial authority must serve that notice on the persons listed in regulation 10(2) (applied as if references to an application or review were references to the requirement).

Regulation 12(1): amended, on 1 November 2010, by regulation 10 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

12A Discretion to require notice to be affixed to site

- (1) This regulation applies to the notification of a requirement for a designation or a heritage order under Part 8 of the Act.
- (2) A territorial authority may require the notice (which must be in the form provided for by form 19, 20, or 27, as appropriate) to be affixed in a conspicuous place on or adjacent to the site to which the notice relates.

Regulation 12A: inserted, on 1 June 2006, by regulation 6 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Regulation 12A(2): amended, on 1 November 2010, by regulation 11 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

*Forms for water conservation orders***13 Prescribed forms for water conservation orders**

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>Water conservation orders</i>		
29	204	Public notice of application for water conservation order
29	216	Public notice of application for revocation or amendment of water conservation order
30	205	Submission on publicly notified application for water conservation order
30	216	Submission on publicly notified application for revocation or amendment of water conservation order

14 Prescribed forms relating to esplanade and access strips

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>Esplanade and access strips</i>		
31	232, 235	Instrument creating esplanade strip
12	234(4)	Public notice of application for variation or cancellation of instrument creating esplanade strip
13	234(4)	Submission on application for variation or cancellation of instrument creating esplanade strip that is subject to public notification or limited notification by a consent authority
16	234(4)	Notice of appeal to Environment Court against decision on application for variation or cancellation of instrument creating esplanade strip
32	237B	Easement for access strip

Regulation 14 table: amended, on 1 November 2010, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

15 Service of applications for variation or cancellation of esplanade strips

- (1) This regulation applies if a territorial authority is required to serve notice of an application to vary or cancel an instrument creating an esplanade strip on prescribed persons in accordance with the definition of public notification in paragraph (b) of section 2AA(2) of the Act.
- (2) The territorial authority must serve that notice on the persons listed in regulation 10(2) (applied as if references to an application or review were references to this application).

Regulation 15(1): amended, on 1 November 2010, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Forms for Environment Court

16 Prescribed forms for Environment Court

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>Representation at proceedings</i>		
33	274	Notice of person's wish to be party to proceedings
<i>Appeals (general)</i>		
34		Notice of appeal to Environment Court (general)
<i>Applications</i>		
31A	87G, 149T, 198E, 198K	Notice of motion (direct referral or referral to Environment Court under section 147)
36	291	Notice of motion (general)
37	291(4)	Notice of person's wish to be heard on notice of motion
38	281	Application for waiver or directions
<i>Witness summons</i>		
39	41	Witness summons to local authority hearing, consent authority hearing, or other hearing
40	278(1)	Witness summons to Environment Court hearing

Regulation 16 table: amended, on 1 November 2010, by regulation 14(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 16 table: amended, on 1 November 2010, by regulation 14(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

General procedure for Environment Court

17 How proceedings are commenced

- (1) Proceedings are commenced in the Environment Court by—
 - (a) lodging written notice of the proceedings in accordance with regulation 18; and
 - (b) paying the filing fee specified in regulation 35.
- (2) The lodging of a submission under section 209 of the Act is written notice of the proceedings under subclause (1)(a).

18 How notice of proceedings and other documents must be lodged

A notice of proceedings or other document lodged with the Environment Court or Registrar under the Act, or any other enactment, must be—

- (a) lodged in accordance with regulation 19(2); and

- (b) accompanied by 1 copy of the document; and
- (c) signed by, or on behalf of, the person lodging it (unless it is an attachment).

19 Proceedings and documents to be lodged with proper office of Environment Court

- (1) All proceedings and documents must be lodged with the proper office of the Environment Court in accordance with subclause (2).
- (2) Proceedings and documents relating to matters originating in the districts or regions listed in column 1 of the following table must be lodged with the office of the Environment Court named in column 2:

District or region	Office of Environment Court
(a) All South Island districts and the Chatham Islands, but excluding the Marlborough district	Christchurch Environment Court
(b) Marlborough district	Wellington Environment Court
(c) All districts and regions in the North Island except—	Wellington Environment Court
(i) Auckland and the districts and regions north of it; and	
(ii) Hamilton city; and	
(iii) Waikato district; and	
(iv) Waipa district; and	
(v) Waikato region; and	
(vi) Hauraki district; and	
(vii) Thames-Coromandel district; and	
(viii) Bay of Plenty region; and	
(ix) Western Bay of Plenty district; and	
(x) Taupo district	
(d) All North Island districts and regions listed in item (c)	Auckland Environment Court

- (3) In subclause (2), **territorial authority district** means the district of territorial authorities, as defined in section 5(1) of the Local Government Act 2002.
- (4) If proceedings are not lodged with the proper office of the Environment Court in accordance with subclause (2), that does not give a ground of appeal to any person under any enactment or these regulations.
- (5) If it appears to the Registrar of the Environment Court that proceedings or documents have not been lodged with the proper office of the Environment Court in accordance with subclause (2), the Registrar may, on his or her own initiative or on an application by a party, direct that the proceedings or documents be transferred to the proper office of the Environment Court in accordance with subclause (2).

- (6) If more than 1 office is a proper office of the Environment Court under subclause (2), proceedings and documents may be lodged with either office, and the Registrar must direct where the matter is to be heard.
- (7) If for any reason it is unclear which is the proper office of the Environment Court (including a case where a proceeding does not originate in any particular district), the Wellington Environment Court is the proper office for the purpose of subclause (2).

Regulation 19(2): amended, on 1 June 2006, by regulation 7(a) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Regulation 19(2) table: substituted, on 1 June 2006, by regulation 7(b) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

20 Registrar must fix date and time of hearings, and notify relevant persons

- (1) The Registrar must fix the time and place of every hearing.
- (2) The Registrar must give notice of the time and place of the hearing to—
 - (a) the person who commenced the proceedings; and
 - (b) the defendant or respondent; and
 - (c) every other party to the proceedings; and
 - (d) any other person that a Judge of the Environment Court directs.
- (3) Notice under subclause (2) must be sent to the address for service provided by each party or person listed in subclause (2).

21 Requirements for serving witness summons

A summons for a person to attend a hearing of a local authority, a consent authority, or the Environment Court or board of inquiry or any other person with authority to conduct a hearing referred to in section 41 of the Act must be served—

- (a) in accordance with section 352(1) of the Act; and
- (b) on form 39 or form 40, as appropriate.

Regulation 21: amended, on 1 November 2010, by regulation 15 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

22 Registrar must return exhibits after determination of proceedings

The Registrar must return every exhibit in the Environment Court's custody to the party that submitted it as soon as practicable after the final determination of the proceedings.

Specific procedure for applications to Environment Court

23 How to make applications for which no other procedure provided

- (1) An application to the Environment Court under the Act or any other Act is an originating application and must be made by notice of motion—

- (a) under section 291 of the Act; and
 - (b) on form 36.
- (2) However, subclause (1) does not apply to an application for which another procedure is provided by the Act, these regulations, or any other enactment.

24 Service of applications for waiver or directions

An application under section 281 of the Act must be—

- (a) made on form 38; and
- (b) copied and served on all other parties to the proceedings within 3 working days after the application is lodged with the Registrar of the Environment Court.

24A Proceedings and documents

- (1) This regulation applies to an applicant under any of sections 87G, 149T, 198E, and 198K of the Act.
- (2) The applicant must give written notice to the Registrar of the following details as soon as is reasonably practicable after the applicant has served the documents under section 87G(2)(b), 149T(3), 198E(2)(b), or 198K(1)(b) (as the case may be):
 - (a) the name and address of each person required to be served with proceedings and documents by the Act or these regulations; and
 - (b) the date of service on each person, in accordance with section 352 of the Act.

Regulation 24A: inserted, on 1 November 2010, by regulation 16 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

25 Application for interlocutory order

- (1) A person may apply for an interlocutory order—
 - (a) by lodging a written application for that order with the Registrar; and
 - (b) serving a copy of the application on all parties to the proceeding.
- (2) A party to the proceedings who wishes to be heard on the interlocutory application must lodge a written notice of the wish to be heard with the Registrar—
 - (a) within 3 working days of being served with the copy of the application; or
 - (b) within any shorter period that an Environment Judge considers appropriate in the circumstances.
- (3) If no party notifies the Registrar of a wish to be heard (or if all parties withdraw their notices), the application may be determined without a hearing.

Regulation 25(2): substituted, on 1 June 2006, by regulation 8 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Specific procedure for appeals to Environment Court

26 Appellant must notify Registrar of persons served with certain notices of appeal

- (1) This regulation applies to an appellant under any of sections 121, 127, 132, 136, 137, 139, 149, 174, and 181, and clause 14 of Schedule 1 of the Act.
- (2) The appellant must give written notice to the Registrar of the following details within 10 working days after lodging form 6, form 7, form 8, form 16, form 22, form 34, or form 49 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, in accordance with section 352 of the Act.

Regulation 26(1): amended, on 1 November 2010, by regulation 17(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Regulation 26(1): amended, on 1 November 2010, by regulation 17(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

27 Registrar must notify decisions on appeals and inquiries to relevant persons

The Registrar must, as soon as practicable after the final determination of an appeal or inquiry, send a copy of the Environment Court's decision, determination, or order to all parties to the proceedings and, in addition, to—

- (a) the relevant regional council; and
- (b) the relevant territorial authority; and
- (c) if the appeal or inquiry relates to an activity in the coastal marine area, the Director-General of the Department of Conservation; and
- (d) if the matter relates to a restricted coastal activity, the Minister of Conservation.

Forms for declarations, enforcement orders, and abatement notices

28 Prescribed forms for declarations, enforcement orders, and abatement notices

In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3:

Form	Relevant section of Act	Matter
<i>Declarations, enforcement orders, and abatement notices</i>		
41	311	Application for declaration
42	312	Notice of application for declaration
43	316	Application for enforcement order

Form	Relevant section of Act	Matter
43	320	Application for interim enforcement order
44	317	Notice of application for enforcement order
44	320	Notice of application for interim enforcement order
45	320(4)	Advice to accompany interim enforcement order
46	320(5)	Application to change or cancel enforcement order
46	321	Application to change or cancel interim enforcement order
47	317	Notice of application to change or cancel enforcement order
47	321	Notice of application to change or cancel interim enforcement order
48	324	Abatement notice
49	325(2)	Notice of appeal to Environment Court against abatement notice
50	325(3B)	Application for stay of abatement notice

Regulation 28 table: amended, on 1 June 2006, by regulation 9 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Specific procedure for interim enforcement orders

29 Application for interim enforcement orders may be made to Environment Court or District Court

- (1) A person may apply for an interim enforcement order under section 320 of the Act by lodging the application with the Registrar.
- (2) The person must comply with regulations 17 and 18(b) and (c) as if the application had been lodged with the Environment Court.
- (3) A District Court Judge who grants an interim enforcement order must immediately send the Registrar a copy of the application and the order.

30 Interim enforcement order must attach advice

The person directed under section 320(4) of the Act to serve the order on the person against whom it is made must attach the advice in form 45.

31 Refused interim enforcement order may be treated as application for enforcement order

If the Environment Court refuses an application for an interim enforcement order,—

- (a) the Registrar may treat the application as an application for an enforcement order; and
- (b) the applicant must then serve notice of the application in accordance with section 317 of the Act and comply with regulation 33.

Specific procedure for declarations and enforcement orders

32 Applicant must notify Registrar of persons served with application for declaration

An applicant for a declaration must give written notice to the Registrar of the following details within 5 working days after lodging the application with the Environment Court:

- (a) the name and address of each person required to be served by the Act or these regulations; and
- (b) the date of service on each person, in accordance with section 352 of the Act.

33 Applicant must lodge affidavit as to service of application for enforcement order or change or cancellation of enforcement order

- (1) An applicant for an enforcement order or for a change or cancellation of an enforcement order must lodge an affidavit as to service with the Registrar within 5 working days after lodging the application with the Environment Court.
- (2) The affidavit must state—
 - (a) the name and address of each person served; and
 - (b) the date of service on each person, in accordance with section 352 of the Act; and
 - (c) that all persons directly affected by the application have been served notice of the application.

Fees

34 Application fees

The fees set out in Schedule 2 must be paid to the relevant Minister for the matters to which they relate.

35 Fees of court

- (1) The fees set out in Schedule 3 must be prepaid to the Registrar for the matters set out in that schedule.
- (2) Subclause (1) is subject to regulations 35A to 35D.

Regulation 35: replaced, on 14 September 2017, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

35A Power to waive fees

- (1) A person (the **applicant**) otherwise responsible for the payment of a fee required in connection with a proceeding or an intended proceeding may apply to a Registrar for a waiver of the fee.

- (2) The Registrar may waive the fee payable by the applicant if satisfied,—
- (a) on the basis of one of the criteria specified in subclause (3), that the applicant is unable to pay the fee; or
 - (b) that the proceeding,—
 - (i) on the basis of one of the criteria specified in subclause (4), concerns a matter of genuine public interest; and
 - (ii) is unlikely to be commenced or continued unless the fee is waived.
- (3) For the purposes of these regulations, an applicant is unable to pay the fee sought to be waived if the applicant—
- (a) is dependent for the payment of his or her living expenses on a specified benefit (as defined in section 198(3) of the Social Security Act 2018) that is jobseeker support, sole parent support, a supported living payment, or an emergency benefit; or
 - (b) is wholly dependent for the payment of his or her living expenses on New Zealand superannuation under the New Zealand Superannuation and Retirement Income Act 2001 or a veteran's pension under the Veterans' Support Act 2014; or
 - (c) would otherwise suffer undue financial hardship if he or she paid the fee.
- (4) For the purposes of this regulation, a proceeding that concerns a **matter of genuine public interest** is—
- (a) a proceeding that has been or is intended to be commenced to determine a question of law that is of significant interest to the public or to a substantial section of the public; or
 - (b) a proceeding that—
 - (i) raises issues of significant interest to the public or to a substantial section of the public; and
 - (ii) has been or is intended to be commenced by an organisation that, by its governing enactment, constitution, or rules, is expressly or by necessary implication required to promote matters in the public interest.
- (5) An application under subclause (1) must be made in a form approved for the purpose by the chief executive of the Ministry of Justice unless, in a particular case, the Registrar considers that an application in that form is not necessary.

Regulation 35A: inserted, on 14 September 2017, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Regulation 35A(3)(a): amended, on 26 November 2018, by section 459 of the Social Security Act 2018 (2018 No 32).

35B Payment of fee may be postponed pending determination of application for waiver or review

- (1) A Registrar may, on application by a person who is awaiting the determination of an application under regulation 35A(1), postpone the payment of the fee to which the application relates until the date on which the person is notified of the determination.
- (2) A Registrar may exercise the power under subclause (1) if satisfied that the person awaiting the determination of his or her application would be prejudiced if the matter to which the fee relates did not proceed before the determination.
- (3) An application under subclause (1) must be made in a form approved for the purpose by the chief executive of the Ministry of Justice unless, in a particular case, the Registrar considers that an application in that form is not necessary.

Regulation 35B: inserted, on 14 September 2017, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

35C Recovery of postponed fee

- (1) This regulation applies to a fee (the **fee**) that has been postponed under regulation 35B.
- (2) If the effect of a determination under regulation 35A is that the fee is not to be waived, the fee—
 - (a) must be paid, without delay, to the Registrar; and
 - (b) is recoverable as a debt due to the Crown in any court of competent jurisdiction.
- (3) Following a determination that has the effect referred to in subclause (2), the person responsible for paying the fee may not take any further steps in the proceeding to which the fee relates unless the fee is paid.

Regulation 35C: inserted, on 14 September 2017, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

35D Power to refund fees

- (1) A Registrar may, on application made to him or her, refund a fee that has already been paid if satisfied that—
 - (a) no application, under regulation 35A, for a waiver of the fee was made; and
 - (b) the fee would have been waived, in accordance with regulation 35A, had such an application been made; and
 - (c) the criteria that would have justified that waiver still apply at the date of the application for the refund.
- (2) An application under subclause (1) must be made in a form approved for the purpose by the chief executive of the Ministry of Justice unless, in a particular case, the Registrar considers that an application in that form is not necessary.

Regulation 35D: inserted, on 14 September 2017, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

36 Fees are inclusive of GST

The fees prescribed by these regulations are inclusive of goods and services tax.

36A Prepayment of scheduling fees and estimated hearing fees

- (1) An initiator of the proceedings must pay a scheduling fee no later than—
 - (a) 15 working days after the date on which the Registrar gives to the parties written confirmation of the date on which the hearing is scheduled to begin (the **scheduled hearing date**); or
 - (b) if the Registrar gives less than 15 working days' notice of the scheduled hearing date, a date specified by the Registrar.
- (2) The initiator of the proceedings must pay an estimated hearing fee,—
 - (a) if the estimated hearing time is 10 days or less, no later than—
 - (i) 30 working days before the scheduled hearing date; or
 - (ii) if the Registrar gives less than 30 working days' notice of the scheduled hearing date, the date specified by the Registrar; or
 - (b) if the estimated hearing time is more than 10 days, no later than—
 - (i) 45 working days before the scheduled hearing date; or
 - (ii) if the Registrar gives less than 45 working days' notice of the scheduled hearing date, the date specified by the Registrar.
- (3) If 2 or more proceedings are to be heard together, the Registrar may direct that a single scheduling fee (if any) and hearing fee must be paid as apportioned between the initiators of proceedings by the Registrar.
- (4) If the Registrar makes no direction under subclause (3), scheduling fees (if any) and hearing fees must be paid in respect of each proceeding.
- (5) For the purpose of subclauses (3) and (4), a proceeding does not constitute 2 or more proceedings by reason only that it involves a number of appeals.
- (6) If the Registrar waives the scheduling or hearing fee (or both) under regulation 35A(2), this clause does not apply.

Regulation 36A: inserted, on 14 September 2017, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

36B Failure to prepay the scheduling fees or estimated hearing fees

- (1) If a scheduling fee or an estimated hearing fee is not paid in accordance with regulation 36A, the Registrar may vacate the hearing.
- (2) If the Registrar vacates a hearing under subclause (1), the Registrar must promptly notify the parties.

Regulation 36B: inserted, on 14 September 2017, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

36C Payment of balance of hearing fees if hearing exceeds estimated hearing time

If the actual hearing time exceeds the estimated hearing time, the initiator of the proceedings must pay, on the final day of the hearing, the balance of the hearing fee (being the actual hearing fee less any amount that has been pre-paid).

Regulation 36C: inserted, on 14 September 2017, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

36D Refund of prepaid hearing fees if hearing shorter than estimated hearing time

If the actual hearing time is less than the estimated hearing time, the Registrar must refund to the initiator of the proceedings the portion of any prepaid hearing fee that relates to the period of hearing time not used.

Regulation 36D: inserted, on 14 September 2017, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

36E Refund of prepaid hearing fees if proceeding settled, discontinued, abandoned, or determined before hearing date

If a proceeding is settled, discontinued, abandoned, or determined before the hearing date, the Registrar must refund any prepaid hearing fee to the initiator of the proceedings.

Regulation 36E: inserted, on 14 September 2017, by regulation 13 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Revocation

37 Revocation

The Resource Management (Forms) Regulations 1991 (SR 1991/170) are revoked.

Schedule 1AA

Transitional, savings, and related provisions

r 3A

Schedule 1AA: inserted, on 14 September 2017, by regulation 14 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Part 1

Provisions relating to Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017

1 Specified matters subject to transitional arrangements

An amendment made by the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (the **amendment regulations**) does not apply in respect of a matter specified in clause 12(2) of Schedule 12 of the Act if, immediately before the commencement of the amendment regulations, the matter—

- (a) has been lodged with a local authority, the EPA, or a Minister, or called in by the Minister; but
- (b) has not proceeded to the stage at which no further appeal is possible.

2 Proposed policy statements or plans, changes, or variations

- (1) This clause applies to a proposed policy statement or plan, change, or variation that, immediately before the commencement of a relevant amendment made by the amendment regulations,—
 - (a) has been publicly notified under clause 5 or 26(b) of Schedule 1 of the Act; but
 - (b) has not proceeded to the stage at which no further appeal is possible.
- (2) The proposed policy statement, plan, change, or variation must be determined as if the amendments made by the amendment regulations had not been made.

3 Matters before the Environment Court

- (1) Regulations 35 to 36E and Schedule 3 do not apply to any proceeding lodged with the Environment Court immediately before the commencement of the amendment regulations.
- (2) Regulation 35 continues to apply to proceedings commenced in the Environment Court prior to the commencement of the amendment regulations as if the amendment regulations had not replaced regulation 35.

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Form 1

Public notice of proposal or inquiry concerning national direction or review,
change, or revocation of national direction

Sections 48 and 53, Resource Management Act 1991

The Minister for the Environment has prepared the following proposed national direction (*or a proposal to review or change or revoke the following national direction*) (the **proposal**):

[name of proposed or existing national direction].

The Minister for the Environment has also appointed a board of inquiry to inquire into, and report on, the proposal.

[Describe—

- *the proposed national direction; or*
- *the proposal to review, change, or revoke the existing national direction.]*

The proposal may be inspected or purchased at *[website address]* or *[place]*. If you have any questions about the proposal, please contact *[name of person handling queries and contact details]*.

Any person may make a submission on the proposal. You may do so by sending a written or electronic submission in form 3 to the board of inquiry at *[address and other contact details]*.

Submissions close on *[closing date, which must be at least 20 working days after publication of this notice]*.

Your submission should state whether you support or oppose the proposal. You should state any changes that you want to the proposal. You should give reasons for your views.

Your submission must state whether or not you wish to be heard on the submission.

.....
Signature on behalf of board of inquiry

.....
Date

(A signature is not required if notice is given by electronic means.)

Schedule 1 form 1 heading: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 1: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 1: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 1: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 2

Public notice of proposal for New Zealand coastal policy statement and inquiry

Section 57, Resource Management Act 1991

The Minister of Conservation has prepared the following proposed New Zealand coastal policy statement (*or* a proposal to review *or* change *or* revoke the following New Zealand coastal policy statement) (the **proposal**):

[name of proposed or existing New Zealand coastal policy statement].

The Minister of Conservation has also appointed a board of inquiry to inquire into, and report on, the proposal.

[Describe—

- *the proposed New Zealand coastal policy statement; or*
- *the proposal to review, change, or revoke the existing New Zealand coastal policy statement.]*

The proposal may be inspected or purchased at *[website address]* or *[place]*. If you have any questions about the application, please contact *[name of person handling queries and contact details]*.

Any person may make a submission on the proposal. You may do so by sending a written or electronic submission in form 3 to the board of inquiry at *[address and other contact details]*.

Submissions close on *[closing date, which must be at least 20 working days after publication of this notice]*.

Your submission should state whether you support or oppose the proposal. You should state any changes that you want to the proposal. You should give reasons for your views.

Your submission must state whether or not you wish to be heard on the submission.

.....
Signature on behalf of board of inquiry

.....
Date

(A signature is not required if notice is given by electronic means.)

Schedule 1 form 2: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 2: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 3

Submission on proposal concerning direction or New Zealand coastal policy
statement*Sections 49, 53, and 57, Resource Management Act 1991*

To the Chairperson
Board of Inquiry

This is a submission on the following proposed direction (*or* on a review of *or* a change to *or* a revocation of the following direction *or* on the following proposed New Zealand coastal policy statement *or* on a review of *or* a change to *or* a revocation of the following New Zealand coastal policy statement) (the **proposal**):

[name of proposed or existing direction or New Zealand coastal policy statement, with date of notice].

The specific provisions of the proposal that my submission relates to are:

[give details].

My submission is:

[include—

- *whether you support or oppose the specific provisions or wish to have them amended; and*
- *the reasons for your views].*

I seek the following changes to the proposal:

[give precise details].

I wish (*or* do not wish) to be heard in support of my submission.

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

*Delete if you would not consider presenting a joint case.

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

.....
Date
(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Schedule 1 form 3 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 3 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 3: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 3: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 3: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 4

Public notice of proposed policy statement or plan, change, or variation

Clauses 5, 16A, and 21 of Schedule 1, Resource Management Act 1991

[*Name of local authority*] has prepared or accepted or adopted the following proposed policy statement (*or the following proposed plan or a change proposed to the following policy statement or plan, or a variation to the following proposed policy statement or a variation to the following proposed plan or a variation to a change proposed to the following policy statement or plan*) (the **proposal**):

[*name of proposed or existing policy statement or plan*].

[*Describe—*

- *the proposed policy statement or plan; or*
- *the change proposed to the existing policy statement or plan; or*
- *the variation to the proposed policy statement or the proposed plan or the variation to a change proposed to the existing policy statement or plan.]*

The proposal may be inspected or purchased at [*website address*] or [*place*]. If you have any questions about the application, please contact [*name of person handling queries and contact details*].

The following persons may make a submission on the proposal:

- the local authority in its own area may make a submission; and
- any other person may make a submission but, if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that—
 - adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic submission to [*name of local authority*] at [*address and other contact details*]. The submission must be in form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available from [*name of local authority*].

Submissions close on [*closing date, which must be the 20th working day after this public notice, or, for an application under section 145 of the Act, the 30th working day after this public notice, or the date to which an extension of time is granted by the consent authority*].

The process for public participation in the consideration of the proposal under the Act is as follows:

- after the closing date for submission, [*name of local authority*] 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

- 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:
 - any person representing a relevant aspect of the public interest:
 - any person who has an interest in the proposal greater than the general public has:
 - the local authority itself; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- [*name of local authority*] must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of its decision within 2 years of notifying the proposal and serve it on every person who made a submission at the same time; and
- any person who has made a submission has the right to appeal against the decision on the proposal to the Environment Court if,—
 - in relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal; and
 - in the case of a proposal that is a proposed policy statement or plan, the appeal does not seek the withdrawal of the proposal as a whole.

.....
Signature on behalf of
[*name of local authority*]

.....
Date
(A signature is not required if notice is given by electronic means.)

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

*Electronic address for service of local authority:

*Telephone:

*Postal address (*or* alternative method of service under section 352 of the Act):

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

*If the address for service and other contact details are the same as those for submission, you may just cross-refer to those details.

Schedule 1 form 4 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 4: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 4: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 4: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 4A

Public notice of [*name of proposed policy statement, plan, or change*] using
collaborative planning process

Section 80A and clause 49 of Schedule 1, Resource Management Act 1991

- 1 [*Name of local authority*] has prepared *or* accepted *or* adopted the following proposed policy statement (*or* the following proposed plan *or* a change proposed to the following policy statement *or* plan, *or* a variation to the following proposed policy statement *or* a variation to the following proposed plan prepared in accordance with the collaborative planning process *or* a variation to a change proposed to the following policy statement *or* plan) (the **proposal**):
[*Name of proposed or existing policy statement or plan.*]
[Describe—
 - *the proposed policy statement or plan; or*
 - *the change proposed to the existing policy statement or plan; or*
 - *the variation to the proposed policy statement or the proposed plan or the variation to a change proposed to the existing policy statement or plan.*]
- 2 The proposal may be inspected or purchased at [*website address*] or [*place*]. Please contact [*name of person handling queries and contact details*] if you have any questions about the proposal.
- 3 The following persons may make a submission on the proposal:
 - the local authority, in its own area; and
 - any other person, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that—
 - adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.
- 4 You may make a submission on the proposal by sending an electronic or a written submission to [*name of local authority*] at [*email and physical address and other contact details*]. The submission must be in form 5 and must state whether or not you wish to be heard on your submission. Copies of this form are available at [*website address*] or [*name of local authority*].
- 5 Submissions must be received by [*closing date, which must be at least 40 working days after publication of this notice for a proposed policy statement or plan and at least 20 working days after publication of this notice for a change proposed to a policy statement or plan, or a variation to a proposed policy statement or plan, or a variation to a change*].
- 6 The process for public participation in the consideration of the proposal made using the collaborative planning process is different to the standard process.

You can find further detail of the process at [*website address for the notification and collaborative planning process*].

- 7 A collaborative group, an iwi authority, a person who made a submission, and a relevant requiring authority or heritage protection authority that provided comments or a submission in relation to the proposal—
- may appeal the decision by way of rehearing in the Environment Court in the specific circumstances outlined in clause 60 of Schedule 1 of the Resource Management Act 1991 (the **Act**):
 - may appeal to the Environment Court against the decision on points of law only if there is no right of appeal in relation to that matter under clause 60.

Date:

*Signature or [*authorised by*]:

*A signature is not required if you give your written notice by electronic means.

Position:

On behalf of:

*Electronic address for service of person giving written approval:

*Telephone:

*Postal address (*or* alternative method of service under section 352 of the Act):

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

*If the address for service and other contact details are the same as those for the submission, you may just cross-refer to those details.

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

Note you must provide a link to an outline of the collaborative planning process when you give electronic public notice of a proposed policy statement, plan, or change using the collaborative planning process.

Schedule 1 form 4A: inserted, on 14 September 2017, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 4B

Public notice of [*name of proposed policy statement, plan, or change*] using
streamlined planning process

Sections 80B and 80C and Part 5 of Schedule 1, Resource Management Act 1991

- 1 [*Name of local authority*] has prepared *or* accepted *or* adopted the following proposed policy statement (*or* the following proposed plan *or* a change proposed to the following policy statement *or* plan, *or* a variation to the following proposed policy statement *or* a variation to the following proposed plan prepared in accordance with the streamlined planning process *or* a variation to a change proposed to the following policy statement *or* plan) (the **proposed planning instrument**):
[*Name of proposed or existing policy statement or plan.*]
[*Describe clearly and concisely—*
 - *the proposed policy statement or plan; or*
 - *the change or variation proposed to the existing policy statement or plan.*]
- 2 The proposal may be inspected or purchased at [*website address*] or [*place*]. Please contact [*name of person handling queries and contact details*] if you have any questions about the proposal.
- 3 The following persons may make a submission on the proposal:
 - a local authority, in its own area; and
 - any other person, but if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that—
 - adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.
- 4 You may make a submission on the proposal by sending an electronic or a written submission to [*name of local authority*] at [*email and physical address and other contact details*]. The submission must be in form 5. Copies of this form are available at [*website address*] or [*name of local authority*].
- 5 Submissions must be received by [*closing date in accordance with direction given under clause 78 of Schedule 1 of the Resource Management Act 1991 (the Act)*].
- 6 The streamlined planning process being followed in this instance is available at [*website address*]. The territorial authority responsible for the proposed planning instrument or a person who made a submission on a requirement, designation, or heritage order included in the proposed planning instrument may appeal a decision or an action under Part 5 of Schedule 1 of the Act. They may appeal—

- to the Environment Court against any aspect of a decision of a requiring authority or heritage protection authority that rejects the recommendation referred to in clause 85(2) or (3) of Schedule 1 of the Resource Management Act 1991, but only in relation to those aspects of the recommendation that have been rejected; and
- to the High Court on a question of law against any aspect of a decision of a requiring authority or heritage protection authority that accepts the recommendation referred to in clause 85(2) or (3) of Schedule 1 of the Act, on a designation or heritage order.

Date:

*Signature *or* [*authorised by*]:

*A signature is not required if you give your written notice by electronic means.

Position:

On behalf of:

*Electronic address for service of person giving written approval:

*Telephone:

*Postal address (*or* alternative method of service under section 352 of the Act):

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

*If the address for service and other contact details are the same as those for the submission, you may just cross-refer to those details.

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

You must provide a link to the direction for the streamlined planning process being used for this proposal when you give electronic public notice of a proposed policy statement, plan, or change using the streamlined planning process.

Schedule 1 form 4B: inserted, on 14 September 2017, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 4C

Notice of proposed change or variation to policy statement or plan, to persons
directly affected

Clauses 5A, 16A, and 21 of Schedule 1, Resource Management Act 1991

- 1 [Name of local authority] has prepared *or* accepted *or* adopted the following change to the following policy statement (*or* plan, *or* a variation to the following proposed policy statement *or* plan *or* a variation to a change proposed to the following policy statement *or* plan) (the **proposal**):
[Name of proposed *or* existing policy statement *or* plan.]
[Describe clearly and concisely—
 - the change proposed to the existing policy statement *or* plan; *or*
 - the variation to a change proposed to the existing policy statement *or* plan.]
- 2 The proposal may be inspected or purchased at [website address] *or* [place] and is publicly available in the central public library of [the relevant region *or* district]. Please contact [name of person handling queries and contact details] if you have any questions about the change *or* variation.
- 3 Only persons who are given limited notification under clause 5A(3) of Schedule 1 of the Resource Management Act 1991 (the **Act**) *or* who are listed below may make a submission on this proposal:
 - the Minister for the Environment:
 - for a change to, *or* a variation of, a regional coastal plan, the Minister of Conservation and the Director-General of Conservation:
 - for a change to, *or* a variation of, a district plan, the regional council and adjacent local authorities:
 - tangata whenua of the area, through iwi authorities:
 - the local authority in its own area.
- 4 If a person with a right to make a submission could gain an advantage in trade competition through its submission, then the person may do so only if the person is directly affected by an effect of the proposal that—
 - adversely affects the environment; and
 - does not relate to trade competition *or* the effects of trade competition.
- 5 You may make a submission by sending an electronic *or* a written submission to [name of local authority] at [email address and other contact details]. The submission must be in form 5 and must state whether *or* not you wish to be heard on your submission. Copies of this form are available from [name of local authority].

6 Submissions close on [*closing date, which must be at least 20 working days after publication of this notice*].

Include the following paragraph if the proposal relates to a change or variation prepared in accordance with the streamlined planning process.

*7 The process for public participation in the consideration of the proposal is as outlined in the direction given under clause 78 of Schedule 1 of the Act [*link to direction*]. The territorial authority responsible for the planning instrument or a person who made a submission on a requirement, designation, or heritage order included in the proposal may appeal a decision or an action made under Part 5 of Schedule 1 of the Act. The appeal may be made—

- to the Environment Court against any aspect of a decision of a requiring authority or heritage protection authority that rejects the recommendation referred to in clause 85(2) or (3) of Schedule 1 of the Act on a designation or heritage order; and
- to the High Court on a question of law against any aspect of a decision of a requiring authority or heritage protection authority that accepts the recommendation referred to in clause 85(2) or (3) of Schedule 1 of the Act on a designation or heritage order.

Include the following paragraph if the proposal relates to a change or variation prepared under clause 16A or 21 of Schedule 1 of the Act.

*8 The process for participation in the consideration of the proposal under the Act is as follows:

- after the closing date for submission, [*name of local authority*] must prepare a summary of decisions requested by submitters and provide it to all people who were given limited notification under clause 5A(3) and 5A(8) of Schedule 1 of the Act; and
- 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:
 - any person given limited notification under clause 5A(3) of Schedule 1 of the Act;
 - any person provided with a copy of the proposed change under clause 5A(8) of that schedule; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- [*name of local authority*] must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of its decision within 2 years of notifying the proposal and serve it on every person who made a submission at the same time; and

- any person who has made a submission has the right to appeal against the decision on the proposal to the Environment Court if, in relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal.

*Select one.

[Include any further information relating to the proposed change or variation you see fit.]

Date:

*Signature on behalf of [*name of local authority*]:

*A signature is not required if you give your written notice by electronic means.

*Electronic address for service of person giving written approval:

*Telephone:

*Postal address (*or* alternative method of service under section 352 of the Act):

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

*If the address for service and other contact details are the same as those for the submission, you may just cross-refer to those details.

Schedule 1 form 4C: inserted, on 14 September 2017, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 5

Submission on notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991***To** *[name of local authority]*Name of submitter: *[full name]*

This is a submission on the following proposed policy statement (*or* on the following proposed plan *or* on a change proposed to the following policy statement *or* plan *or* on the following proposed variation to a proposed policy statement *or* on the following proposed variation to a proposed plan *or* on the following proposed variation to a change to an existing policy statement *or* plan) (the **proposal**):

[name of proposed or existing policy statement or plan and (where applicable) change or variation].

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

*Select one.

*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.

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

†Select one.

The specific provisions of the proposal that my submission relates to are:

[give details].

My submission is:

[include—

- *whether you support or oppose the specific provisions or wish to have them amended; and*
- *reasons for your views].*

**[If your submission relates to a proposed policy statement or plan prepared or changed using the collaborative planning process, you must indicate the following:*

- *whether you consider that the proposed plan or policy statement or change fails to give effect to a consensus position and therefore how it should be modified; or*
- *in the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan or policy statement should be modified].*

*This paragraph may be deleted if the proposal is not subject to a collaborative planning process.

*This paragraph may be deleted if the proposal is not subject to a collaborative planning process.

I seek the following decision from the local authority:

[*give precise details*].

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

*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.

†Select one.

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

*Delete if you would not consider presenting a joint case.

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

.....
Date
(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to person making submission

If you are making a submission to the Environmental Protection Authority, you should use form 16B. 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 Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:

- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 5 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 5: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 5: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 5: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 6

Further submission in support of, or in opposition to, submission on notified
proposed policy statement or plan, change or variation

Clause 8 of Schedule 1, Resource Management Act 1991

To *[name of local authority]*

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

This is a further submission in support of (*or* in opposition to) a submission on the following proposed policy statement (*or* on the following proposed plan *or* on a change proposed to the following policy statement *or* plan, *or* on the following variation to the proposed policy statement *or* a variation to the following proposed plan *or* a variation to a change proposed to the following existing policy statement *or* plan) (the **proposal**):

[name of proposed or existing policy statement or plan and (where applicable) change or variation].

I am *[state whether you are—*

- *a person representing a relevant aspect of the public interest. In this case, also 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, also explain the grounds for saying that you come within this category; or*
- *the local authority for the relevant area.]*

I support (*or* oppose) the submission of:

[name and address of original submitter and submission number of original submission if available].

The particular parts of the submission I support (*or* oppose) are:

[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal].

Complete the following if your submission relates to a proposed policy statement or plan or change prepared using the collaborative planning process:

The particular parts of the submission I support (*or* oppose) are:

[Clearly indicate which parts of the original submission you support or oppose, and how they relate to the collaborative group consensus positions, and identify any relevant provisions of the proposal.]

The reasons for my support (*or* opposition) are:

[give reasons].

I seek that the whole (*or* part *[describe part]*) of the submission be allowed (*or* disallowed):

[give precise details].

I wish (*or do not wish*) to be heard in support of my further submission.

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

*Delete if you would not consider presenting a joint case.

.....
Signature of person making further submission
(*or* person authorised to sign
on behalf of person making further
submission)

.....
Date
(A signature is not required if you make your submission by electronic means.)

Electronic address for service of person making further submission:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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 the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you are making a submission to the Environmental Protection Authority, you should use form 16C.

Schedule 1 form 6 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 6 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 6: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 6: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 6: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 6: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 6: amended, on 1 June 2006, by regulation 10(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

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
Auckland, Wellington, and Christchurch

I, *[full name]*, appeal against a decision (*or part of a decision*) of *[name of local authority]* on the following policy statement (*or plan or change or variation*):

[state the name of the proposed or existing policy statement or plan or change or variation to which the decision relates].

I made a submission on that policy statement (*or plan or change or variation*).

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

*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.

*Delete entire paragraph if you are not a trade competitor.

†Select one.

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

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

The decision (*or part of the decision*) that I am appealing 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 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.

.....
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

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 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.

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.

Schedule 1 form 7 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 7: amended, on 3 March 2015, by regulation 5(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 7: amended, on 3 March 2015, by regulation 5(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 7: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 7: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 7A
Request for application relating to resource consent to be determined by
Environment Court

Section 87D, Resource Management Act 1991

To *[name of consent authority]*

- 1 I, *[full name of requester]*, request that you allow the following application or notice of requirement lodged by me to be determined by the Environment Court instead of by you:

Select one of the following.

- an application for a resource consent.
 - an application to change or cancel a condition of a resource consent.
- 2 *[Briefly describe the application to which the request relates in enough detail to identify the relevant matter, including any number assigned by the consent authority to the application.]*
- 3 The reasons for the request are as follows: *[set out why you are making the request and the factors you wish the consent authority to consider]*.

Date:

*Signature of requester or person authorised to sign on behalf of requester:

Electronic address for service of requester:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Note to requester

If the consent authority determines that the application is incomplete, or if it receives the request after it has determined that the application will not be notified, or if it decides not to notify the application, it must return the request.

You may make this request only in the period starting on the day on which the application is made and ending 5 working days after the date on which the period for submissions on the application closes.

Schedule 1 form 7A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 7A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 7B

Notice of appeal by way of rehearing in Environment Court against decision
on proposed policy statement or plan or change or variation made through
collaborative planning process

Section 80A and Part 4 of Schedule 1, Resource Management Act 1991

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

1 I, [full name], appeal against a decision (or part of a decision) of [name of local authority] on the following policy statement (or plan or change or variation):

[Name of the proposed or existing policy statement or plan or change or variation to which the decision relates.]

2 I/we* made a submission (or comment or information to the Panel) on that policy statement (or plan or change or variation) in relation to the provision or matter that is the subject of this appeal.

*Select one.

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

*Select one.

4 *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 this paragraph if you are not a trade competitor.

†Select one.

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

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

The decision (or part of the decision) that I am appealing 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).]

7 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.]

[Select one and state—

- the decision (*or* part of the decision) is inconsistent with the recommendations of the review panel under clause 54 of Schedule 1 of the Resource Management Act 1991 (the **Act**).

[*Give precise details.*]

- The decision (*or* part of the decision) that I am appealing is related to a matter(s) in which the collaborative group did not reach a consensus position and—

- *• has been included under clause 46(2)(b)(ii) of Schedule 1 of the Act

- *• was recommended by the review panel but opposed by the collaborative group under clause 54(3)(b) of Schedule 1 of the Act.

*Select one.

[*Give precise details.*]

- the decision (*or* part of the decision) accepts (*or* rejects) a recommendation of the review panel under clause 54(1) of Schedule 1 of the Act for a provision in the proposed plan in relation to a requirement, designation, or heritage order that the requiring authority or heritage protection authority did not support, or supported with changes under clause 54(4)(b) of Schedule 1 of the Act.

[*Give precise details.*]

8 I seek the following relief:

[*Give precise details.*]

9 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):

Postal address (*or* alternative method of service under section 352 of the Act).

Telephone:

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; or
- 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 is limited by clause 60 of Schedule 1 of the Act.

If you are a group or a person specified in clause 60(2) of Schedule 1 of the Act, you may appeal to the Environment Court against a decision of a local authority made under clause 55(1) of that schedule if there is no right of appeal in relation to that matter under clause 60 of that schedule.

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Act.

The Environment Court, when hearing an appeal under clause 61 of Schedule 1 of the Act, may consider only the question of law raised.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days after the local authority publicly notifies the decision being 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.

You must serve a copy of this notice on the local authority within 30 working days after the local authority publicly notifies the decision, and on the Minister of Conservation (if the appeal is on a regional coastal plan) within 5 working days after the notice of appeal is lodged with the Environment Court.

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 Act 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 Act.

You may apply to the Environment Court under section 281 of the Act 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 have attached a copy of the appellant's submission *or* the decision *or* part of the decision[†] appealed. These documents may be obtained, on request, from the appellant.

*Omit this paragraph if the documents are attached to copies of the notice of appeal served on other persons.

[†] Select one.

Advice

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

Schedule 1 form 7B: inserted, on 14 September 2017, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 7C

Notice of appeal in Environment Court against decision made by requiring or
heritage protection authority through streamlined planning process

Sections 80B and 80C and Part 5 of Schedule 1, Resource Management Act 1991

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

1 I, [full name], appeal against a decision (or part of a decision) of [name of local
authority] on the following policy statement (or plan or change or variation):

[Name of the proposed or existing policy statement or plan or change or variation to which the decision relates.]

2 I/We* made a submission on the requirement, designation, or heritage order
that was included in the proposed policy statement (or plan, or change or variation) in relation to the provision or matter that is the subject of this appeal.

*Select one.

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

*Select one.

4 *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 this paragraph if you are not a trade competitor.

†Select one.

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

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

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

[State the decision (or part of the decision) of the requiring or heritage protection authority that rejected the approved recommendation of the Minister in relation to a requirement, designation, or heritage order; give precise details.]

7 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.]

8 I seek the following relief:

[Give precise details.]

9 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):

Postal address (*or* alternative method of service under section 352 of the Act):

Telephone:

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

Note to appellant

Your right to appeal is limited by clauses 92 and 93 of Schedule 1 of the Act and the trade competition provisions in Part 11A of the Act.

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
- the requiring or heritage protection authority rejected the approved recommendation(s) of the Minister in relation to the requirement, designation, or heritage order that you submitted on.

You may appeal only on the parts of the decisions that rejected the Minister's approved recommendations.

If you are a group or person specified above and there is no right of appeal in relation to that matter, you may lodge an appeal with the High Court on a question of law against any aspect of a decision of a requiring authority or heritage protection authority that accepts the recommendation referred to in clause 85(2) or (3) of Schedule 1 of the Act on a designation or heritage order.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days after the local authority publicly notifies the decision being appealed or after the decision of the requiring authority or heritage protection authority is served. 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.

You must serve a copy of this notice on—

- the territorial authority with responsibility for the relevant planning instrument at the same time this notice is lodged; and
- if the planning instrument includes a designation or heritage order, the requiring authority or heritage protection authority at the same time this notice is lodged; and
- any person who made a submission on the requirement, designation, or heritage order that referred to the matter under appeal no later than 5 working days after the appeal is lodged.

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 Act 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 have attached a copy of the appellant's submission *or* the decision *or* part of the decision[†] appealed. These documents may be obtained, on request, from the appellant.

*Omit this paragraph if the documents are attached to copies of the notice of appeal served on other persons.

[†] Select one.

Advice

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

Schedule 1 form 7C: inserted, on 14 September 2017, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 8

Notice of appeal to Environment Court against decision of requiring authority
or heritage protection authority on proposed plan

Clause 14(3) of Schedule 1, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, or Christchurch

I, *[full name]*, appeal against a decision (*or part of a decision*) of *[name of local authority or requiring authority or heritage protection authority, as appropriate]* on the following plan:

[state the name of the proposed or existing plan to which the decision relates].

I made a submission on that plan.

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

*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.

*Delete entire paragraph if you are not a trade competitor.

†Select one.

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

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

The decision (*or part of the decision*) that I am appealing 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 plan (or that the decision proposes to include or exclude)].*

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].

I seek the following relief:

[give precise details].

I attach the following documents* to this notice:

- (a) a copy of my 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.

.....
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 of the Resource Management Act 1991.

You must lodge the original and 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.

You must serve a copy of this notice on the requiring authority or heritage protection authority that made the decision and on the territorial authority that made the recommendation 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 on the requirement 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 on the matter of this appeal.

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

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

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).

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing 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.

Schedule 1 form 8 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 8: amended, on 3 March 2015, by regulation 6(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 8: amended, on 3 March 2015, by regulation 6(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 8: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 8: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 8A

Affected person's written approval to an activity that is the subject of a
resource consent application*Section 95E(3), Resource Management Act 1991***To** *[name of consent authority]*Name of person giving written approval: *[full name]**I am the owner/occupier† of the following property: *[give address of the property]*

*Delete entire paragraph if not applicable.

†Select one.

I have authority to sign on behalf of all the other owners/occupiers* of the property.

*Select one.

This is written approval to the following activity that is the subject of a resource consent application: *[description of proposal]*.I have read the full application for resource consent, the Assessment of Environmental Effects, and any site plans as follows: *[list document names and dates]*.

In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.

I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

Date:

*Signature of person giving written approval (or person authorised to sign on behalf of person giving written approval):

Electronic address for service of person giving written approval:

Telephone:

Postal address (or alternative method of service under section 352 of the Act):

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

*A signature is not required if you give your written approval by electronic means.

Notes to affected person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Note to local authority

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, your written approval cannot be withdrawn if this process is followed instead.

Schedule 1 form 8A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 8A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 8B

Written approval for deemed permitted boundary activity

*Section 87BA, Resource Management Act 1991***To** *[name of consent authority]*Name of person giving written approval: *[full name]**I am the owner of the following property: *[address of the property]*

*Omit this paragraph if it does not apply.

I have authority to sign on behalf of all the other owners of the property.

This is written approval for the proposed activity that is the subject of a deemed permitted boundary activity application.

I have read the description of the activity at the following property *[address of the property with the boundary activity]* and seen and signed the site plans attached.

In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).

I understand that I may not withdraw my written approval.

Date:

*Signature of person giving written approval (*or* person authorised to sign on behalf of person giving written approval):

Electronic address for service of person giving written approval:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Resource Management Act 1991):Contact person: *[name and designation, if applicable]*

*A signature is not required if you give your written approval by electronic means (note that the plans do need to be signed).

Note to person signing written approval

You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.

Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.

There is no obligation to sign this form, and no reasons need to be given.

If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Form 8B: inserted, on 18 October 2017, by regulation 15(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 9

Application for resource consent or fast-track resource consent

*Sections 87AAC, 88, and 145, Resource Management Act 1991***To** *[name of local authority]*/the Environmental Protection Authority*

*Select one.

- 1 I, *[full name, full address]*, apply for the following type(s) of resource consent: *[for any activity in the coastal marine area, state coastal permit. Otherwise, state 1 or more of the following: fast-track resource consent application, land use consent, subdivision consent, water permit, or discharge permit]*.

- 1A *Omit this paragraph if the application does not qualify as a fast-track application under section 87AAC.*

I opt out/do not opt out* of the fast-track consent process.

*Select one.

- 2 The activity to which the application relates (the **proposed activity**) is as follows: *[describe the proposed activity]*.

- 3 The site at which the proposed activity is to occur is as follows:

[Describe the site, including—

- (a) *its location, as it is commonly known and in a way that will enable it to be easily identified (eg, the street address, the legal description, the name of any relevant stream, river, or other water body to which the application relates, proximity to any well-known landmark, the grid reference (if known)); and*

- (b) *its natural and physical characteristics and any adjacent uses that may be relevant to the consideration of the application.]*

- 4 *Omit this paragraph if you are the only owner and occupier of the site to which this application relates.*

The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows: *[list full names and addresses]*.

- 5 *For this paragraph select the statement that applies.*

There are no other activities that are part of the proposal to which this application relates.

or

The other activities that are part of the proposal to which the application relates are as follows:

[Describe the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, explain how the activity complies with the requirements, conditions, and permissions for the

permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.]

- 6 *For this paragraph select the statement that applies.*

No additional resource consents are needed for the proposal to which this application relates.

or

The following additional resource consents are needed for the proposal to which this application relates and have/have not* been applied for: *[details]*.

*Select one.

- 7 I attach an assessment of the proposed activity's effect on the environment that—

- (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

- 8 I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

- 9 I attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

- 10 *Include this paragraph if the application is affected by section 124 or 165ZH(1)(c) of the Resource Management Act 1991 (which relate to existing resource consents).*

The value of the investment of the existing consent holder is *[specify]*.

- 11 *Include this paragraph if the proposed activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.*

I attach an assessment of the proposed activity against the resource management matters set out in *[relevant planning document]*.

- 12 *Include this paragraph if the application is for a subdivision consent.*

I attach information that adequately defines the following:

- (a) the position of all new boundaries; and
- *(b) the areas of all new allotments; and
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and

- (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips; and
- (e) the locations and areas of any parts of the bed of a river or lake to be vested in the territorial authority under section 237A of the Resource Management Act 1991; and
- (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991); and
- (g) the locations and areas of land to be set aside as new roads.

*Omit this paragraph if the subdivision involves a cross-lease, company lease, or unit plan.

- 13 *Include this paragraph if the application is for a resource consent for reclamation.*

I attach information that shows the area proposed to be reclaimed, including its location, the position of all new boundaries (if practicable), and the portion of the area (if any) to be set aside as an esplanade reserve or esplanade strip.

- 14 I attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act: *[list all further documents that you are attaching]*.

Date:

Signature:

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

*Select one.

(A signature is not required if the application is made by electronic means.)

Contact details

*Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note an electronic address for service must be provided if you are applying for a fast-track resource consent application.

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form. If you lodge the application with the Environmental Protection Authority, you must also lodge a notice in form 16A at the same time.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any).

If your application is to the Environmental Protection Authority, you may be required to pay actual and reasonable costs incurred in dealing with this matter (*see* section 149ZD of the Resource Management Act 1991).

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

Schedule 1 form 9: replaced, on 3 March 2015, by regulation 7 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 9 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 9: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 9A
Application for deemed permitted boundary activity
Section 87BA, Resource Management Act 1991

To *[name of consent authority]*

I, *[full name, full address]* supply the information required for a deemed permitted boundary activity under section 87BA of the Resource Management Act 1991 (the **Act**) to be undertaken at *[full legal address of the property where the boundary activity is to occur]*. The description of the boundary activity is: *[insert description of the activity in sufficient detail for the consent authority to be satisfied that the activity is a permitted boundary activity under section 87AAB of the Act]*

I attach a plan (drawn to scale) of the site at which the activity is to occur, showing the height, shape, and location on the site of the proposed activity.

The full name and address of each owner (other than the applicant) of the site to which the proposed activity relates are as follows: *[list full names and addresses]*

The full name and address of each owner of an allotment with an infringed boundary to which the proposed activity relates are as follows: *[list full names and addresses]*

I attach written approval and a signed plan from each owner of an allotment with an infringed boundary.

Date:

Signature:

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

*Select one. A signature is not required if you provide your information by electronic means (note that the plans do need to be signed).

Contact details

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to applicant

You must include all information required by this form. If all information is not included, the consent authority will return this to you and the correct information must be supplied before a written notice permitting your activity can be provided.

In order to be eligible for a deemed permitted boundary activity, the activity must meet the definition of boundary activity under section 87AAB(1) of the Act.

You must provide written approval from all owners of allotments with infringed boundaries under section 87BA(1) of the Act 1991.

If all of the information required under section 87BA(1) of the Act is provided to the consent authority, the consent authority must notify you of your permitted boundary activity within 10 working days after the date on which it receives the information.

You must pay the charge (if any) payable to the consent authority for the deemed permitted boundary activity under the Act.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Schedule 1 form 9A: inserted, on 18 October 2017, by regulation 15(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 9B

Written notice of deemed permitted boundary activity

*Section 87BA, Resource Management Act 1991***To** *[name of person proposing to undertake boundary activity]***The site and activity***[Describe the location and details of the site at which the activity is to occur.]**[Describe the proposed activity.]**[Provide references of plans that have been signed by the owner/all owners of allotments with infringed boundaries.]***Boundary activity is permitted**

The *[consent authority]* is satisfied that the proposed activity described above meets the requirements of sections 87AAB and 87BA of the Resource Management Act 1991 (the **Act**) and is therefore a permitted activity under section 87BA(1) of the Act.

Date:

*Signature or *[authorised by]*:

*A signature is not required if you give your written notice by electronic means.

Position:

On behalf of:

Note

This notice will lapse 5 years after the date it is given unless the activity permitted by this notice is undertaken.

A certificate of compliance (under section 139 of the Act) cannot be applied for in respect of this activity.

This notice is valid only for the activity described above and shown on signed plans referenced. If the activity changes, a resource consent may be required.

Form 9B: inserted, on 18 October 2017, by regulation 15(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 9C

Written notice of deemed permitted marginal or temporary activity

Section 87BB, Resource Management Act 1991

To *[name of person proposing to undertake activity]*

The site and activity

[Describe the location and details of the site at which the activity is to occur.]

[Describe the proposed activity.]

The *[consent authority]* has decided that the activity described above is a permitted activity under section 87BB of the Resource Management Act 1991 (the **Act**).

The consent authority's reasons for considering that the activity meets the criteria in section 87BB(1) of the Act are:

[List reasons].

The information relied on by the consent authority in making this decision is:

[List information]:

Date:

*Signature or *[authorised by]*:

*A signature is not required if you give your written notice by electronic means.

Position:

On behalf of:

Note

This notice will lapse 5 years after the date it is given unless the activity permitted by this notice is undertaken.

A certificate of compliance (under section 139 of the Act) cannot be applied for in respect of this activity.

This notice is valid only for the activity described. If the activity changes, a resource consent may be required.

Form 9C: inserted, on 18 October 2017, by regulation 15(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 10

Application for change or cancellation of resource consent condition

*Sections 127 and 145, Resource Management Act 1991*To *[name of local authority]*/the Environmental Protection Authority*

*Select one.

- 1 I, *[full name, full address]*, apply for a change/cancellation* of a condition of a resource consent.

*Select one.

- 2 *Omit this paragraph if you are the only owner and occupier of the site to which this application relates.*

The full name and address of each owner or occupier (other than the applicant) of the site to which the application relates are as follows: *[list full names and addresses]*.

- 3 My application relates to the following resource consent: *[details of resource consent]*.

- 4 My application relates to the following specific condition of the resource consent: *[details of condition]*.

- 5 *Omit this paragraph if this is an application to cancel a condition.*

The proposed change is as follows: *[details of proposed change]*.

- 6 The site that the resource consent relates to is as follows:

[Describe the site, including—

- (a) *its location, as it is commonly known and in a way that will enable it to be easily identified (eg, the street address, the legal description, the name of any relevant stream, river, or other water body to which the application relates, proximity to any well-known landmark, the grid reference (if known)); and*

- (b) *its natural and physical characteristics and any adjacent uses that may be relevant to the consideration of the application.]*

- 7 *For this paragraph select the statement that applies.*

There are no other activities that are part of the proposal to which this application relates.

or

The other activities that are part of the proposal to which the application relates are as follows:

[Describe the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, explain how the activity complies with the requirements, conditions, and permissions for the permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.]

- 8 I attach an assessment of the proposed change's/cancellation's* effect on the environment that—
- (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
 - (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
 - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
- *Select one.
- 9 I attach an assessment of the proposed change/cancellation* against the matters set out in Part 2 of the Resource Management Act 1991.
- *Select one.
- 10 I attach an assessment of the proposed change/cancellation* against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.
- *Select one.
- 11 *Include this paragraph if the activity to which the condition relates is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.*
- I attach an assessment of the proposed change/cancellation* against the resource management matters set out in [*relevant planning document*].
- *Select one.
- 12 I attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act: [*list all further documents that you are attaching*].

Date:

Signature:

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

*Select one.

(A signature is not required if the application is made by electronic means.)

Contact details

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

If you lodge the application with the Environmental Protection Authority, you must also lodge a notice in form 16A at the same time.

You must pay the charge payable to the consent authority for the application to change or cancel a condition of a resource consent under the Resource Management Act 1991 (if any).

If your application is to the Environmental Protection Authority, you may be required to pay actual and reasonable costs incurred in dealing with this matter (*see* section 149ZD of the Resource Management Act 1991).

Schedule 1 form 10: replaced, on 3 March 2015, by regulation 7 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 10: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 11

Application for transfer of water permit or discharge permit

Sections 136(2)(b)(ii) and (4)(a), and 137(3)(b) and (5)(a), Resource Management Act 1991

To [name of consent authority]

- 1 For this paragraph select the statement that applies.

I, [full name of holder of water permit or discharge permit], and I, [full name of transferee], apply to transfer the following water permit/discharge permit*: [state number and description of permit and describe the site to which it applies as the site is commonly known and in a way that will enable it to be easily identified (including the name of the stream, river, or water body, if applicable). If the application is to transfer only part of the water permit or discharge permit, clearly describe which part].

*Select one.

or

I, [full name of holder of water permit or discharge permit], and I, [full name of transferee], apply to transfer the following part of a water permit/the following part of a discharge permit*: [state number and description of permit and describe the site to which it applies as the site is commonly known and in a way that will enable it to be easily identified (including the name of the stream, river, or water body, if applicable). If the application is to transfer only part of the water permit or discharge permit, clearly describe which part].

*Select one.

- 2 We attach a copy of the water permit/discharge permit*.

*Select one.

- 3 The application is to transfer the permit with effect on [date].

- 4 The proposed site of the transferred permit is:

[Describe the site, including—

- (a) its location, as it is commonly known and in a way that will enable it to be easily identified (including the name of the stream, river, or water body in the case of an application to transfer a water permit); and
- (b) its natural and physical characteristics and any adjacent uses that may be relevant to the consideration of the application.]

- 5 Omit this paragraph if the permit holder and the transferee are the only owners and occupiers of the site to which this application relates.

The full name and address of each owner or occupier (other than the applicants) of the site to which the application relates are as follows: [list full names and addresses].

- 6 *For this paragraph select the statement that applies.*
- There are no other activities that are part of the proposal to which this application relates.
- or**
- The other activities that are part of the proposal to which the application relates are as follows:
- [Describe the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, explain how the activity complies with the requirements, conditions, and permissions for the permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.]*
- 7 We attach an assessment of the proposed activity's effect on the environment that—
- (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
- 8 We attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
- 9 We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.
- 10 We attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act: *[list all further documents that you are attaching]*.

Date:

Signature:

(Permit holder/person authorised to sign on behalf of permit holder*)

*Select one.

(A signature is not required if the application is made by electronic means.)

Date:

Signature:

(Transferee/person authorised to sign on behalf of transferree*)

*Select one.

(A signature is not required if the application is made by electronic means.)

Contact details

Permit holder

Electronic address for service:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Transferee

Electronic address for service:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You must pay the charge payable to the consent authority for an application to transfer a water permit or discharge permit, as the case may be, under the Resource Management Act 1991 (if any).

Schedule 1 form 11: replaced, on 3 March 2015, by regulation 7 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 11: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 12

Public notice of application concerning resource consent or esplanade strip

Sections 2AB, 95A, 95C, 127, 136(4)(b), 137(5)(c), and 234(4), Resource Management Act 1991

[*Name of consent authority*] has received an application from [*name of applicant*] for a resource consent (*or for a change or cancellation of a condition of a resource consent or for a transfer of a water permit or for a transfer of a discharge permit or for a variation or cancellation of an instrument creating an esplanade strip*).

[*Describe—*

- *if an application for a resource consent, the type, proposed activity, and location of the resource consent:*
- *if an application for a change or cancellation of a condition of a resource consent, the type and location of the resource consent, the relevant condition, and any proposed change:*
- *if an application for a transfer of a water permit or a discharge permit, the site for which the permit has been granted and, if relevant, the part of the resource consent to be transferred:*
- *if an application for a variation or cancellation of an instrument creating an esplanade strip, a description of the strip and its location and any proposed variation.]*

The application includes an assessment of environmental effects.

The application may be inspected or purchased at [*website address*] or [*place*]. If you have any questions about the application, please contact [*name of person handling queries and contact details*].

Any person may make a submission on the application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that—

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

You may make a submission by sending a written or electronic submission to [*name of consent authority*] at [*address and other contact details*]. The submission must be in form 13. Copies of this form are available from [*name of consent authority*].

Submissions close on [*closing date, which must be the 20th working day after this public notice, or, for an application under section 145 of the Act, the 30th working day after this public notice, or the date to which an extension of time is granted by the consent authority*].

You must serve a copy of your submission on [*name of applicant*] (the **applicant**), whose address for service is [*address for service of applicant*], as soon as reasonably practicable after serving your submission on [*name of consent authority*].

.....
Signature on behalf of
[*name of consent authority*]

.....
Date

(A signature is not required if the application is made by electronic means.)

Note to local authority

Please note this notice must be clear and concise.

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

Schedule 1 form 12 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 12 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 12: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 12: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 12: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 12A

Request for hearing by commissioner

*Section 100A, Resource Management Act 1991***To** *[name of local authority]*

- 1 I, *[full name of requester]*, request that you delegate your functions, powers, and duties to hear and decide the following matter to 1 or more hearings commissioners who are not members of the local authority:

Select one of the following.

- application for resource consent that is notified.
- application for change or cancellation of conditions of consent that is notified.
- notice of requirement for designation that is notified.
- notice of requirement for alteration to designation that is notified.
- notice of requirement for heritage order that is notified.
- notice of requirement for alteration of a heritage order that is notified.

- 2 *[Briefly describe the application or notice of requirement to which the request relates in enough detail to identify the relevant matter, including any number assigned to the matter by the local authority.]*

- 3 I am the applicant/I am the requiring authority/I am the heritage protection authority/I am a person who is making a submission on this matter*.

*Select one.

Date:

*Signature of requester or person authorised to sign on behalf of requester:

Electronic address for service of requester:

Telephone:

Postal address *(or alternative method of service under section 352 of the Act)*:Contact person: *[name (and designation, if applicable)]*

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

Note to requester

You may make this request only in the period starting on the day on which the matter is lodged and ending 5 working days after the date on which submissions on the matter close.

In making this request, you may incur charges for the hearing and the deciding of the matter over and above the costs for hearing and deciding the matter if the request were not made.

Schedule 1 form 12A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 12A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 13

Submission on application concerning resource consent or esplanade strip that is subject to public notification or limited notification by consent authority

Sections 41D, 95A, 95B, 95C, 96, 127(3), 136(4), 137(5)(c), and 234(4), Resource Management Act 1991

To *[name of consent authority]*

Name of submitter: *[full name]*

This is a submission on an application from *[name of applicant]* for a resource consent (*or* for a change *or* cancellation of a condition of a resource consent *or* for a transfer of a water permit *or* for a transfer of a discharge permit *or* for a variation *or* cancellation of an instrument creating an esplanade strip).

[Briefly describe—

- *if an application for a resource consent, the type, proposed activity, and location of the resource consent:*
- *if an application for a change or cancellation of a condition of a resource consent, the type and location of the resource consent, the relevant condition, and any proposed change:*
- *if an application for a transfer of a water permit or discharge permit, the site for which the permit has been granted and, if relevant, the part of the permit proposed to be transferred:*
- *if an application for a variation or cancellation of an instrument creating an esplanade strip, a description of the strip and its location and any proposed variation.]*

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

*Select one.

*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.

*Delete this paragraph if you are not a trade competitor.

†Select one.

The specific parts of the application that my submission relates to are—

[give details].

My submission is—

[include—

- *whether you support or oppose the application or specific parts of it:*
- *whether you are neutral regarding the application or specific parts of it:*

- *the reasons for your views*].

I seek the following decision from the consent authority:

[give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought].

I wish (or do not wish) to be heard in support of my submission.

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

*Delete if you would not consider presenting a joint case.

I request/do not request*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

*Select one.

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

.....
Date
(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter:

Telephone:

Postal address (or alternative method of service under section 352 of the Act):

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

Note to submitter

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 13: substituted, on 1 June 2006, by regulation 10(7) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 13 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 13 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 13: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 13: amended, on 3 March 2015, by regulation 8(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 13: amended, on 3 March 2015, by regulation 8(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 13: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 14

Public notice of review of resource consent conditions by consent authority

Sections 2AB and 130, Resource Management Act 1991

[*Name of consent authority*] has served notice on [*name of consent holder*], the consent holder, of its intention to review the conditions of the following resource consent (the **review**):

[*describe the type and location of the resource consent and the activity to which it relates*].

This public notice summarises the notice of the review served on the consent holder.

The review is of the following condition(s):

[*give details*].

The reasons for the review are:

[*give details*].

*[*Name of consent authority*] took the following information into account in making its decision to review the consent:

*Delete if notice of the review was served on the consent holder under section 128(1)(a) or (ba) or 128(2) of the Resource Management Act 1991.

*[*Name of consent authority*] proposed the following new resource consent conditions:

*Delete if no new consent conditions were proposed.

*The consent holder was invited to propose new resource consent conditions.

*Delete if consent holder was not invited to propose new consent conditions.

The resource consent under review may be inspected or purchased at [*website address*] or [*place*]. If you have any questions about the review, please contact [*name of person handling queries and contact details*].

You may make a submission by sending a written or electronic submission to [*name of consent authority*] at [*address and other contact details*]. The submission must be in form 15. Copies of this form are available from [*name of consent authority*].

Submissions close on [*closing date, which must be the 20th working day after this public notice or the date to which an extension of time is granted by the consent authority*].

You must serve a copy of your submission on the consent holder, whose address for service is [*address for service of consent holder*], as soon as reasonably practicable after serving your submission on [*name of consent authority*].

.....
Signature on behalf of
[*name of consent authority*]

.....
Date

(A signature is not required if notice is given by electronic means.)

Note to local authority

Please note this notice must be clear and concise.

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

Advice

Any person may make a submission on the review, but a person who is a trade competitor of the consent holder may do so only if that person is directly affected by an effect of the activity to which the review relates that—

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

Schedule 1 form 14 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 14: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 14: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 15

Submission on review of resource consent conditions by consent authority that
is subject to public notification or limited notification

Section 130(1), Resource Management Act 1991

To *[name of consent authority]*

Name of submitter: *[full name]*

This is a submission on a review of the conditions of the following resource consent:

[briefly describe the type and location of the resource consent under review].

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

*Select one.

*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.

*Delete entire paragraph if you are not a trade competitor.

†Select one.

The specific parts of the review and any new conditions proposed that my submission relates to are:

[give details].

My submission is:

[include—

- *whether you support, oppose, or are neutral regarding the specific parts of the review or wish to have them amended; and*
- *reasons for your views].*

I seek the following decision from the consent authority:

[give precise details, including the general nature of any conditions sought].

I wish (or do not wish) to be heard in support of my submission.

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

*Delete if you would not consider presenting a joint case.

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

.....

Date

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

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to submitter

You must serve a copy of your submission on the consent holder as soon as reasonably practicable after you have served your submission on the consent authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

Schedule 1 form 15 heading: substituted, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 15: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 15: amended, on 3 March 2015, by regulation 9 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 15: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 15: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 16

Notice to Environment Court of appeal on decision on application concerning
resource consent, transfer of water permit or discharge permit, certificate of
compliance, or esplanade strip

*Sections 41D, 120, 121, 127(3), 132(2), 136(4)(b), 137(5)(c), 139(12), 234(4), 267, and 268,
Resource Management Act 1991*

To the Registrar
Environment Court
Auckland, Wellington, or Christchurch

I, [full name], appeal a decision (or part of a decision) on the following matter:

*[briefly describe the application or the review of consent conditions to which the
appealed decision relates in enough detail to identify the relevant matter].*

I am the applicant (or I am the consent holder or I made a submission on that applica-
tion or review of consent conditions).

I received notice of the decision on [date].

The decision was made by [name of consent authority or, in relation to a certificate
of compliance, the Environmental Protection Authority].

I have a right to appeal this decision under section 120 of the Resource Management
Act 1991. The decision to which this appeal relates is not one of those activities
excluded by section 120(1A) or (1B) of that Act.

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

*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.

*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 land (or resource) affected 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 application (*or* 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 copies of this notice served on other persons if the copy served 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
 (A signature is not required if notice is given by electronic means.)

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

Note to appellant

You may use this form to lodge an appeal.

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

If you are appealing as a submitter on an application for a resource consent, or an application for a change of consent conditions, or on a review of consent conditions, your appeal must be related to a matter raised in your submission, and must not be related to any submission or part of a submission that has been struck out under section 41A of the Resource Management Act 1991.

The Environment Court may require any parties to the appeal, anyone that intends to join under section 274 of the Resource Management Act, a council, or a Minister to attend a conference. The Environment Court may also ask one of its members, or another person, to conduct an alternative dispute resolution process at any time after the lodgement of proceedings.

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 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve a copy of this notice on the authority that made the decision within 15 working days of receiving notice of the decision.

You must also serve a copy of this notice on the applicant or consent holder, on every person who made a submission on the application or review of consent conditions, and (if the decision relates to a restricted coastal activity) on the Minister of Conservation 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 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

How to become party to proceedings

You may be a party to the appeal if,—

- (a) 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) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) 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) 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 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 relevant application (*or* submission) and (*or or*) the relevant decision (*or* part of the decision). These documents may be obtained, on request, from the appellant.

*Delete this paragraph if these documents are attached to copies of the notice 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 16 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 16 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 16: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 16: amended, on 3 March 2015, by regulation 10 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 16: amended, on 10 October 2013, by regulation 4 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 16: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 16: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 16: amended, on 1 June 2006, by regulation 10(8)(b) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 16A

Notice of lodgement of matter under section 145 of Resource Management Act
1991

Sections 145, 148, and 149ZB, Resource Management Act 1991

To the Environmental Protection Authority

- 1 Full name of person lodging matter (the **applicant**):
Description of proposal (the **proposal**):
Relevant local authority:
- 2 *For this paragraph select the paragraph(s) that apply.*
This information accompanies—
 - (a) 1 or more of the following applications for a resource consent:
 - (b) 1 or more of the following applications for a change to or cancellation of the conditions of a resource consent:
 - (c) 1 or more of the following requests for the preparation of a regional plan:
 - (d) 1 or more of the following requests for a change to a plan:
 - (e) 1 or more of the following changes to a plan proposed by the local authority:
 - (f) 1 or more of the following variations to a proposed plan:
 - (g) 1 or more of the following notices of requirement for a designation or to alter a designation:
 - (h) 1 or more of the following notices of requirement for a heritage order or to alter a heritage order.
- 3 *[Provide details of the matter or matters]* (the **matter**).
- 4 *Omit this paragraph if it does not apply.*
The matter—
 - consists of 1 or more of the following: an application for a resource consent, or an application to change or cancel the conditions of a resource consent, or a notice of requirement to alter a designation, or a notice of requirement to alter a heritage order; and
 - relates to an activity that is part of a proposal of national significance in relation to which 1 or more matters have already been subject to a direction under section 142(2) or 147(1)(a) or (b).
- 5 The matter relates wholly to the coastal marine area/relates partly to the coastal marine area/does not relate to the coastal marine area*.
*Select one.
- 6 I request that the Minister for the Environment/Minister of Conservation/
Minister for the Environment and the Minister of Conservation* makes/make*

a direction under section 147(1)(a) or (b) to refer the matter to a board of inquiry or to the Environment Court for decision, on the grounds that the matter is/is part of* a proposal of national significance.

*Select one.

It would be helpful to provide the information in paragraphs 7 and 8.

7 The following factors are relevant to this application: *[set out the factors and, in relation to each factor, the reasons in support of your application to have a direction made. Factors that may be relevant include, but are not limited to, whether the matter—*

- *has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment); or*
- *involves or is likely to involve significant use of natural and physical resources; or*
- *affects or is likely to affect a structure, a feature, a place, or an area of national significance; or*
- *affects or is likely to affect or is relevant to New Zealand's international obligations to the global environment; or*
- *results or is likely to result in or contribute to significant or irreversible changes to the environment (including the global environment); or*
- *involves or is likely to involve technology, processes, or methods that are new to New Zealand and that may affect its environment; or*
- *is or is likely to be significant in terms of section 8 of the Resource Management Act 1991; or*
- *will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions; or*
- *affects or is likely to affect more than 1 region or district; or*
- *relates to a network utility operation that extends or is proposed to extend to more than 1 district or region].*

8 The further views of the applicant are: *[set out the further views of the applicant, including whether the applicant has views on whether the matter should be referred to a board of inquiry or the Environment Court and any other recommendations sought as to the course of action].*

Date:

*Signature of applicant or person authorised to sign on behalf of requester:

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Note to applicant

You may be required to pay actual and reasonable costs incurred in dealing with this matter (*see* section 149ZD of the Resource Management Act 1991).

If your request concerns an application for a resource consent or an application for a change to or cancellation of the conditions of a resource consent and the Environmental Protection Authority determines that the application is incomplete, it may return the request.

You must serve the relevant local authority with notice of this matter, together with notice that it has been lodged with the Environmental Protection Authority.

Schedule 1 form 16A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 16A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 16B

Submission to Environmental Protection Authority on matter where Minister has made a direction under section 142(2) or 147(1)(a) or (b) of Resource Management Act 1991 and matter has been publicly notified or subject to limited notification

Sections 149E, 149O, and 149ZC, Resource Management Act 1991

To the Environmental Protection Authority

- 1 Full name of submitter:
- 2 This is a submission on a matter in relation to which the Minister for the Environment/Minister of Conservation/Minister for the Environment and the Minister of Conservation* made a direction under section 142(2) or 147(1)(a) or (b) of the Resource Management Act 1991.
*Select one.
- 3 The matter is: *[set out the matter and its description from the public notice]*.
- 4 I would/would not* gain an advantage in trade competition through this submission.
*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 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.
- 6 The specific parts of the matter that my submission relates to are: *[specify details]*.
- 7 My submission is: *[specify—*
 - *whether you support or oppose the matter or specific parts of it:*
 - *whether you are neutral regarding the matter or specific parts of it:*
 - *the reasons for your view]*.
- 8 I seek the following decision from the Environment Court/board of inquiry*: *[specify precise details, including the general nature of any conditions sought]*.
*Select one.
- 9 I wish/do not wish* to be heard in support of my submission.
*Select one.
- 10 *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 the hearing.

Date:

*Signature of submitter or person authorised to sign on behalf of submitter:

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Notes to submitter

- 1 You may make a submission to the Environmental Protection Authority even if you have already made a submission to the local authority on the matter.
- 2 If you are a trade competitor, your right to make a submission may be limited by section 149E of the Resource Management Act 1991.
- 3 You must serve a copy of your submission on the applicant as soon as practicable after you have served your submission on the Environmental Protection Authority.
- 4 Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission or (part of the submission):
 - it is frivolous or vexatious:
 - it discloses no reasonable or relevant case:
 - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - it is supported only by evidence that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert evidence on the matter:
 - it contains offensive language.

Schedule 1 form 16B: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 16B: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 16C

Further submission to Environmental Protection Authority where matter relates to request for preparation of regional plan, request for change to plan, change to plan, or variation to proposed plan where Minister has made a direction under section 142(2) or 147(1)(a) or (b) of the Resource Management Act 1991

Sections 149F and 149O, Resource Management Act 1991

To the Environmental Protection Authority

- 1 Full name of person making further submission:
- 2 This is a further submission in support of/in opposition to* a submission on the following request for the preparation of a regional plan/request for a change to a plan/change to a plan/variation to a proposed plan* (the **proposal**): *[name of proposed plan or change to plan or variation to a proposed plan]*.
*Select one.
- 3 I am *[state whether you are—*
 - *a person representing a relevant aspect of the public interest. In this case, also explain 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 that the general public has. In this case, also explain the grounds for saying that you come within this category; or*
 - *the local authority]*.
- 4 I support/oppose* the submission of *[name and address of original submitter and submission number of original submission if available]*.
*Select one.
- 5 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.
- 6 The reasons for my support/opposition* are: *[specify reasons]*.
*Select one.
- 7 I seek that the whole/part *[describe part]** of the submission be allowed/disallowed*: *[specify precise details]*.
*Select one.
- 8 I wish/do not wish* to be heard in support of my further submission.
*Select one.

9 *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 of person making further submission or person authorised to sign on behalf of person making further submission:

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Note to person making further submission

You must serve a copy of your further submission on the applicant and the original submitter no later than 5 working days after the date on which you provide the Environmental Protection Authority with the further submission.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 16C: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 16C: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 17

Application to become requiring authority

Section 167, Resource Management Act 1991

To the Minister of the Environment
c/- Ministry for the Environment
Wellington

[Full name] applies for approval to become a requiring authority.

[Full name of applicant] is a network utility operator as defined in section 166 of the Resource Management Act 1991 because:

[give evidence of how the applicant qualifies as a network utility operator, including full details of any Order in Council or other instrument that establishes the applicant as a network utility operator].

The application relates to the following project or work (or network utility operation):

[give a full description, including the location(s) of the project or work or network utility operation (with maps). Include the name of the territorial authorities in whose district the project or work or network utility operation will occur].

Approval of this application is appropriate for the purposes of carrying out that project or work (or network utility operation) because:

[state the applicant's objectives, duties, and responsibilities and how the project or work or network utility operation relates to them. Also state any consequences for the applicant in achieving those objectives, duties, and responsibilities if approval is declined].

[Full name of applicant] will carry out all the responsibilities (including financial responsibilities) of a requiring authority under the Resource Management Act 1991 and will give proper regard to the interests of those affected and to the interests of the environment in the following way:

[give details as to how the applicant will meet these responsibilities and of the applicant's ability to meet these financial responsibilities (for example, by showing what is understood about the financial responsibilities and providing information on the applicant's experience and expertise). If possible, include a copy of the applicant's latest annual report or other financial statements and any of the applicant's environmental and consultation policies].

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

.....

Date

(A signature is not required if the application is made by electronic means.)

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to applicant

You must pay the application fee set out in Schedule 2 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 with this application.

Schedule 1 form 17: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 17: amended, on 10 October 2013, by regulation 5 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 17: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 18

Notice of requirement by Minister, local authority, or requiring authority for
designation or alteration of designation

Sections 145, 168(1), (2), 168A, and 181, and clause 4 of Schedule 1, Resource Management Act 1991

To *[name of territorial authority or the Environmental Protection Authority]*

[Full name] gives notice of a requirement for a designation (*or* for an alteration to a designation) for a public work (*or* for a project or work *or* in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work *or* project or work).

The site to which the requirement applies is as follows:

[describe the site as it is commonly known and in a way that will enable it to be easily identified (eg, the street address, the legal description, proximity to any well-known landmark, the grid reference (if known))].

The nature of the proposed public work (*or* project or work) is:

[give details].

*The nature of the proposed conditions that would apply are:

[give details].

*Delete if there are no proposed conditions.

The effects that the public work (*or* project or work) will have on the environment, and the ways in which any adverse effects will be mitigated, are:

[give details].

Alternative sites, routes, and methods have been considered to the following extent:

[give details].

The public work (*or* project or work) and designation (*or* alteration) are reasonably necessary for achieving the objectives of the requiring authority because:

[give details].

*The following resource consents are needed for the proposed activity and have (*or* have not) been applied for:

[give details].

*Delete if resource consents are not needed for the proposed activity.

The following consultation (*or* No consultation) has been undertaken with parties that are likely to be affected:

[give details].

[Full name of person giving notice] attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

[List documents that you are attaching.]

.....
Signature of person giving notice
(or person authorised to sign
on behalf of person giving notice)

.....
Date
(A signature is not required if notice is given by electronic means.)

Note to person giving notice

If the notice relates to a requirement for a designation, or an alteration to a designation, under section 168A of the Resource Management Act 1991, you must use—

- this form if the requirement is lodged with the Environmental Protection Authority; or
- form 20 if the requirement is not lodged with the Environmental Protection Authority.

If the requirement is lodged with the Environmental Protection Authority, you must also lodge a form in form 16A at the same time.

You must pay any charge payable to the territorial authority for the requirement or alteration to the requirement under the Resource Management Act 1991.

If this notice is to the Environmental Protection Authority, you may be required to pay actual and reasonable costs incurred in dealing with this matter (*see* section 149ZD of the Resource Management Act 1991).

Schedule 1 form 18: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 18: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 19

Notice of requirement for designation or alteration of designation

Sections 168A(1A), 169, and 181, Resource Management Act 1991

[*Name of territorial authority*] has received notice of a requirement for a designation (*or an alteration to a designation*) from [*name of Minister, local authority, or requiring authority giving notice of requirement or name of territorial authority*] gives notice of its requirement for a designation (*or an alteration to a designation*).

The requirement is for:

[*describe what is sought in the notice of requirement*].

The site to which the requirement applies is as follows:

[*describe the site as it is commonly known and in a way that will enable it to be easily identified*].

The notice of requirement may be inspected or purchased at [*website address*] or [*place*]. If you have any questions about the notice of requirement, please contact [*name of person handling queries and contact details*].

Any person may make a submission on the notice of requirement, but a person who is a trade competitor of the requiring authority may do so only if that person is directly affected by an effect of the activity to which the requirement relates that—

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

You may make a submission by sending a written or electronic submission to [*name of territorial authority*] at [*address and other contact details*]. The submission must be in form 21. Copies of this form are available from [*name of territorial authority*].

Submissions close on [*closing date, which must be the 20th working day after this public notice, or, for an application under section 145 of the Act, the 30th working day after this public notice, or the date to which an extension of time is granted by the consent authority*].

*You must serve a copy of your submission on [*name of person giving notice of requirement*], whose address for service is [*address for service of person giving notice of requirement*], as soon as reasonably practicable after serving your submission on [*name of territorial authority*].

*Delete if the notice relates to a requirement for a designation, or alteration to a designation, under section 168A of the Act.

.....
Signature on behalf of

[*name of territorial authority*]

.....
Date

(A signature is not required if notice is given by electronic means.)

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

Schedule 1 form 19 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 19: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 19: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 19: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 20

Notice of territorial authority's requirement for designation or alteration of
designation

Sections 168A and 181(4), Resource Management Act 1991

[*Name of territorial authority*] gives notice of its requirement for a designation (*or* for an alteration of a designation) for a public work (*or* in respect of any land, water, sub-soil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work).

The site to which the requirement applies is as follows:

[*describe the site as it is commonly known and in a way that will enable it to be easily identified (eg, the street address, the legal description, proximity to any well-known landmark, the grid reference (if known))*].

The nature of the proposed work is:

[*give details*].

*The nature of the proposed conditions that would apply is:

[*give details*].

*Delete if there are no proposed conditions.

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:

[*give details*].

Alternative sites, routes, and methods have been considered to the following extent:

[*give details*].

The public work and designation (*or* alteration) are reasonably necessary for achieving the objectives of the territorial authority because:

[*give details*].

*The following resource consents are needed for the proposed activity and have (*or* have not) been applied for:

[*give details*].

*Delete if no resource consents are needed for the proposed activity.

The following consultation (*or* No consultation) has been undertaken with parties that are likely to be affected:

[*give details*].

[*Name of territorial authority*] attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

[*List documents that you are attaching.*]

.....
Signature on behalf of
[*name of territorial authority*]

.....
Date
(A signature is not required if notice is given by electronic means.)

Schedule 1 form 20 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 20: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 20: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 21

Submission on requirement for designation or heritage order or alteration of
designation or heritage order that is subject to public notification or limited
notification by a territorial authority

Sections 168A, 169, 181, 189A, 190, and 195A, Resource Management Act 1991

To *[name of territorial authority]*

Name of submitter: *[full name]*

This is a submission on a notice of requirement from *[name of territorial or other local authority, Minister, requiring authority, or heritage protection authority who gave notice of requirement]* for a designation (or a heritage order or an alteration to a designation or an alteration to a heritage order) (the **notice of requirement**).

[Briefly describe—

- *the relevant designation, heritage order, or alteration; and*
- *the site or place to which the designation or heritage order applies.]*

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

*Delete this paragraph if this is a submission on a heritage order.

†Select one.

*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.

*Delete this paragraph if this is a submission on a heritage order or you are not a trade competitor.

†Select one.

The specific parts of the notice of requirement that my submission relates to are:

[give details].

My submission is:

[include—

- *whether you support, oppose, or are neutral regarding the specific parts of the notice of requirement or wish to have them amended; and*
- *reasons for your views].*

I seek the following recommendation or decision from the territorial authority:

[give precise details, including the general nature of any conditions sought].

I wish (or do not wish) to be heard in support of my submission.

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

*Delete if you would not consider presenting a joint case.

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

.....
Date
(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter:
Telephone:
Postal address (or alternative method of service under section 352 of the Act):
Contact person: [*name and designation, if applicable*]

Note to submitter

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

If your submission relates to a notice of requirement for a designation or an alteration to a designation, and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that—

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

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the territorial authority (unless the territorial authority itself gave the notice of requirement).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does

not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 21 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 21: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 21: amended, on 3 March 2015, by regulation 11(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 21: amended, on 3 March 2015, by regulation 11(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 21: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 21: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 22

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

Sections 174, 181, 192(c), and 195A, 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 of the Resource Management Act 1991.

*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.

*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.

*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 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 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 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

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) 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) 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 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 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.

*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) 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) 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) 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 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) 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) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 23

Notice of removal of designation or heritage order or part of designation or
heritage order*Sections 182 and 196, Resource Management Act 1991***To** *[name of territorial authority]***And to** *[names and addresses of persons known by requiring authority or heritage protection authority to be owners or occupiers of any land to which the designation or heritage order relates]***And to** *[names and addresses of every other person who, in the opinion of the requiring authority or heritage protection authority, is likely to be affected by the designation or heritage order]**[Full name of requiring authority or heritage protection authority]* gives notice that it no longer requires the following designation (or heritage order or part of a designation or part of a heritage order):*[briefly describe the designation, heritage order, or part in enough detail to identify the relevant matter and the site or place to which the designation or heritage order applies].**[Full name of requiring authority or heritage protection authority]* requests the territorial authority to amend the district plan accordingly as required by section 182 (or section 196) of the Resource Management Act 1991.

.....

Signature on behalf of requiring authority
(or heritage protection authority)

.....

Date

(A signature is not required if notice is given by electronic means.)

Electronic address for service of requiring authority (or heritage protection authority):

Telephone:

Postal address (or alternative method of service under section 352 of the Act):

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

Schedule 1 form 23: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 24

Application to Environment Court for order obliging requiring authority or
heritage protection authority to take land

Sections 185 and 198, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, *[full name]*, apply for an order obliging a requiring authority to acquire (*or* lease)
all (*or* part) of an estate or interest in land under the Public Works Act 1981.

I am an owner of that estate or interest in land.

The land for which the order is sought is:

[give street address and legal description of land].

The nature of my estate or interest in the land is:

[eg, owner, lessee].

The land is subject to the following designation (*or* requirement):

[give details].

The name of the requiring authority is:

[give details].

The designation (*or* requirement) was placed on the land on *[date]*.

The grounds for this application are:

[give details].

*I attach the following documents:

- (a) an affidavit that contains evidence in support of this application; and
- (b) the names of the requiring authority and territorial authority 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 appli-
cation lodged with the Environment Court.

.....
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 application 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.

You must serve a copy of this application and the affidavit on the requiring authority or heritage protection authority, as the case may be, and the relevant territorial authority.

Schedule 1 form 24: amended, on 3 March 2015, by regulation 13(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 24: amended, on 3 March 2015, by regulation 13(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 24: amended, on 3 March 2015, by regulation 13(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 24: amended, on 3 March 2015, by regulation 13(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 24: amended, on 1 June 2006, by regulation 10(9)(a) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 24: amended, on 1 June 2006, by regulation 10(9)(b) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 25

Application to become heritage protection authority

Sections 188 and 189(1A), Resource Management Act 1991

To the Minister of the Environment
c/- Ministry for the Environment
Wellington

[Full name] applies for approval to become a heritage protection authority.

[Full name of applicant] is a body corporate having an interest in the protection of the place to which this application relates for the following reasons:

[give evidence of incorporation, including certificate, objects, and rules, and describe how the protection of the place will fit with the applicant's purpose, objectives, and powers].

The application relates to the following place:

[describe the place as it is commonly known and in a way that will enable it to be easily identified (eg, the street address or the legal description and any particular feature, structure, or area and include a map or maps). Confirm that the place is public land and not in private ownership].

Approval of this application is appropriate for the protection of that place because:

[state fully any steps the applicant or any other person has taken to protect the place before making the application. Include details of any other means available to protect the place. State any consequences for the protection of the place if the applicant is not approved as a heritage protection authority. Describe any consultation undertaken in relation to protecting the place].

[Full name of applicant] will carry out all the responsibilities (including financial responsibilities) of a heritage protection authority under the Resource Management Act 1991 in the following way:

[give details as to how the applicant will meet these responsibilities and of the applicant's ability to meet these financial responsibilities (for example, by showing what is understood about the financial responsibilities and providing information on the applicant's experience and expertise). If possible, include a copy of the applicant's latest annual report or other financial statements and any environmental policies of the applicant].

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

.....

Date

(A signature is not required if the application is made by electronic means.)

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to applicant

You must pay the application fee set out in Schedule 2 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 with this application.

Schedule 1 form 25 heading: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 25: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 25: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 25: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 26

Notice of requirement by heritage protection authority or territorial authority
for heritage order or alteration of heritage order

Sections 145, 189, 189A, and 195A, Resource Management Act 1991

To *[name of territorial authority or the Environmental Protection Authority]*

[Full name] gives notice of a requirement for a heritage order (*or* for an alteration to a heritage order).

The place and surrounding area to which the requirement applies are as follows:

[describe the place and surrounding area as they are commonly known and in a way that will enable them to be easily identified (eg, the street address, the legal description, proximity to any well-known landmark, the grid reference (if known))].

*The existing restrictive conditions applying to the place or surrounding area are:

[give details].

*Delete if there are no existing restrictive conditions.

*The new restrictive conditions that will apply to the place or surrounding area are:

[give details].

*Delete if there are no new restrictive conditions.

The effects that the heritage order (*or* alteration) will have on the present use of the place and surrounding area, and the extent to which the present and other uses may continue or commence without nullifying the effect of the heritage order (*or* alteration), are:

[give details].

The place merits protection because:

[state whether it is a place of special interest, character, intrinsic or amenity value, or visual appeal, or of special significance to the tangata whenua for spiritual, cultural, or historical reasons].

The heritage order (*or* alteration) is needed because:

[include why the requirement is reasonably necessary for protecting the place].

The inclusion of the area surrounding the place is necessary for the purpose of ensuring the protection and reasonable enjoyment of the place because:

[give details].

*The following provisions and plans are relevant to the requirement:

[list the relevant provisions of any relevant national policy statement, New Zealand coastal policy statement, regional policy statement, regional plan, district plan, or management plan or strategy approved under any other Act which relate to the place].

*Delete if none are applicable.

The following consultation has been undertaken with parties that are likely to be affected (*or* No consultation has been undertaken with parties likely to be affected because):

[if consultation has been undertaken, include details of any arrangement made for the upkeep of the place and surrounding area].

[Full name of heritage protection authority] attaches any information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

[List the documents attached to this notice.]

.....
Signature on behalf of
heritage protection authority

.....
Date
(A signature is not required if notice is given by electronic means.)

Note to heritage protection authority

If the notice relates to a requirement for a heritage order, or an alteration to a heritage order, under section 189A, you must use—

- this form if the requirement is lodged with the Environmental Protection Authority; or
- form 28 if the requirement is not lodged with the Environmental Protection Authority.

If the requirement is lodged with the Environmental Protection Authority,—

- you must also lodge a form in form 16A at the same time; and
- you must serve the local authority with notice of the matter and of its lodging with the Environmental Protection Authority.

You must pay any charge payable to the territorial authority, the Environmental Protection Authority, or otherwise for the requirement or alteration to the requirement under the Resource Management Act 1991.

Schedule 1 form 26 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 26: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 26: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 27

Public notice of requirement for heritage order or alteration of heritage order

Sections 189A(2), 190(1), and 195A, Resource Management Act 1991

[*Name of territorial authority*] has received notice of a requirement for a heritage order (*or an alteration to a heritage order*) from [*name of heritage protection authority giving notice of requirement or name of territorial authority*].

The requirement is for:

[*describe what is sought in the notice of requirement*].

The place to which the requirement applies is as follows:

[*describe the place as it is commonly known and in a way that will enable it to be easily identified*].

The notice of requirement may be inspected or purchased at [*website address*] or [*place*]. If you have any questions about the notice of requirement, please contact [*name of person handling queries and contact details*].

Any person may make a submission on the notice of requirement. You may do so by sending a written or electronic submission to [*name of territorial authority*] at [*address and other contact details*]. The submission must be in form 21. Copies of this form are available from [*name of territorial authority*].

Submissions close on [*closing date, which must be the 20th working day after this public notice, or, for an application under section 145 of the Act, the 30th working day after this public notice, or the date to which an extension of time is granted by the consent authority*].

*You must serve a copy of your submission on [*name of heritage protection authority*], whose address for service is [*address for service of heritage protection authority*], as soon as reasonably practicable after serving your submission on [*name of territorial authority*].

*Delete if the notice relates to a requirement for a heritage order, or alteration to a heritage order, under section 189A of the Act.

.....

Signature on behalf of

[*name of territorial authority*]

.....

Date

(A signature is not required if notice is given by electronic means.)

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

Schedule 1 form 27 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 27: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 27: amended, on 14 September 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 27: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 27A

Request for requirement to be determined by Environment Court

Section 198B, Resource Management Act 1991

To *[name of territorial authority]*

- 1 I, *[full name of requiring authority or of heritage protection authority]*, request that you allow the following requirement by me to be the subject of a decision by the Environment Court instead of a recommendation by you and a decision by me:
 - a requirement for a designation under section 168.
 - a requirement for a heritage order under section 189.
 - a requirement under section 181 (other than a notice to which section 181(3) applies) for an alteration to a designation to which section 168 applied.
 - a requirement under section 195A (other than a notice to which section 195A(3) applies) for an alteration to a heritage order to which section 189 applied.
- 2 *[Briefly describe the details of the requirement to which the request relates in enough detail to identify the relevant matter.]*
- 3 The reasons for the request are as follows: *[set out why you are making the request and the factors you wish the territorial authority to consider]*.

Date:

*Signature of requiring authority or heritage protection authority or person authorised to sign on behalf of authority:

Electronic address for service of requiring authority or heritage protection authority:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Note to requester

If the territorial authority receives the request after it has determined that the application will not be notified, or if it decides not to notify the application, it must refuse the request.

You may make this request only in the period starting on the day on which you give notice under section 168 or 189 and ending 5 working days after the date on which the period for submissions closes.

Schedule 1 form 27A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 27A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 28

Notice of territorial authority's requirement for heritage order or alteration of
heritage order

Sections 189A and 195A, Resource Management Act 1991

[*Name of territorial authority*] gives notice of its requirement for a heritage order (*or* for an alteration to a heritage order).

The place and surrounding area to which the requirement applies are as follows:

[*describe the place and surrounding area as they are commonly known and in a way that will enable them to be easily identified (eg, the street address, the legal description, proximity to any well-known landmark, the grid reference (if known))*].

*The existing restrictive conditions applying to the place or surrounding area are:

[*give details*].

*Delete if there are no existing restrictive conditions.

*The new restrictive conditions that will apply to the place or surrounding area under the requirement (*or* alteration) are:

[*give details*].

*Delete if there are no restrictive conditions.

The effects that the heritage order (*or* alteration) will have on the present use of the place and surrounding area, and the extent to which the present and other uses may continue or commence without nullifying the effect of the heritage order (*or* alteration), are:

[*give details*].

The place merits protection because:

[*state whether it is a place of special interest, character, intrinsic or amenity value, or visual appeal, or of special significance to the tangata whenua for spiritual, cultural, or historical reasons*].

The heritage order (*or* alteration) is needed because:

[*include why the requirement is reasonably necessary for protecting the place*].

The inclusion of the area surrounding the place is necessary for the purpose of ensuring the protection and reasonable enjoyment of the place because:

[*give details*].

The following consultation has been undertaken with parties that are likely to be affected (*or* No consultation has been undertaken with parties likely to be affected because):

[*if consultation has been undertaken, include details of any arrangement made for the upkeep of the place and surrounding area*].

[*Full name of heritage protection authority*] attaches any information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

[*List the documents attached to this notice.*]

.....

Signature on behalf of

[*name of territorial authority*]

.....

Date

(A signature is not required if notice is given by electronic means.)

Schedule 1 form 28 heading: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 28: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 28: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 29

Public notice of application for water conservation order or for revocation or
amendment of water conservation order

Sections 204 and 216, Resource Management Act 1991

The Minister for the Environment has received an application for a water conservation order (*or* for a revocation *or* amendment of a water conservation order) for [water body] from [name of applicant].

[Describe the application and the reasons for the application.]

The Minister for the Environment has appointed a special tribunal to hear and report on the application. The special tribunal may consider matters wider than the matters raised in the application.

The application and any relevant information held by the special tribunal may be inspected or purchased at [website address] or [place]. If you have any questions about the application, please contact [name of person handling queries and contact details].

Any person may make a submission on the application. You may do so by sending a written or electronic submission in form 30 to the special tribunal at [address and other contact details].

*If you support the order but you prefer to preserve a different but related water body in the same catchment or if you prefer to preserve different features and qualities of the water body, your submission must state your preference and give reasons for your preferences. In giving reasons, you must refer, if practicable, to the matters set out in sections 199, 200, and 207 of the Resource Management Act 1991. You must also describe the provisions that you think should be included in the order and the effects that those provisions would have on the water body.

*If you oppose the making of an order, your submission must specify the reasons why you consider the order is not justified under sections 199 and 207 of the Act.

*Delete if not relevant.

Submissions close on [closing date, which must be the 20th working day after notification of the application is complete].

You must serve a copy of your submission on [name of applicant], whose address for service is [address for service of applicant], as soon as reasonably practicable after serving your submission on the special tribunal.

.....
Signature on behalf of
the special tribunal

.....
Date

(A signature is not required if notice is given by electronic means.)

Note to local authority

You must publish this notice in full on a freely accessible Internet site. A short summary of the notice, along with the details of the Internet site where the notice can be accessed, must be published in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

*Electronic address for service of special tribunal:

*Telephone:

*Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to submitters

The special tribunal may, by notice in writing, require any person making a submission to supply any further information about the submission that the special tribunal considers necessary.

*If the address for service and other contact details are the same as those for submissions, you may just cross-refer to those details.

Schedule 1 form 29: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 30

Submission on publicly notified application for water conservation order or for
revocation or amendment of water conservation order

Sections 205 and 216, Resource Management Act 1991

To *[name of special tribunal]*

Name of submitter: *[full name]*

This is a submission on an application from *[name of applicant]* for a water conservation order (*or* for a revocation *or* amendment of a water conservation order) for *[name of water body]*.

[Briefly describe the application and the reasons for the application.]

The specific parts of the application that my submission relates to are:

[give details].

My submission is:

[include—

- *whether you support or oppose the order; and*
- *the reasons for your views]*.

[If you support the order, but prefer to preserve a different but related water body in the same catchment, state this and your reasons.]

[If you support the order, but prefer to preserve different features and qualities of the water body, state this and your reasons.]

**[In giving reasons for these preferences, you must refer, if practicable, to the matters set out in sections 199, 200, 207 of the Resource Management Act 1991. You must also describe the provisions that you think should be included in the order and the effects that those provisions would have on the water body.]*

[If you oppose the order, you must give reasons why the order is not justified in terms of sections 199 and 207 of the Resource Management Act 1991.]

I seek the following recommendation from the special tribunal:

[give precise details, including the general nature of any changes sought to the order].

I wish (*or* do not wish) to be heard in support of my submission.

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

**Delete if you would not consider presenting a joint case.*

.....
Signature of submitter
(*or* person authorised to sign)

on behalf of submitter)

.....
Date

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

Electronic address for service of submitter:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

Note to submitter

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the special tribunal.

The special tribunal may require you to provide further information on your submission.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Schedule 1 form 30: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 30: amended, on 1 June 2006, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 31

Instrument creating esplanade strip

Sections 232 and 235, Resource Management Act 1991

Background

[*Full name, address, and occupation of land owner*] (the **Grantor**) is registered as proprietor of the land described in Schedule A (the **land**).

[*Name of territorial authority*] (the **Grantee**) is a local authority (within the meaning of the Local Government Act 2002) in whose district the land is located.

Creation of esplanade strip

- 1 The Grantor creates in favour of the Grantee an esplanade strip described in Schedule B (the **strip**) for the purpose(s) of [*state purpose of strip in terms of section 229 of the Resource Management Act 1991*] over the land described in Schedule A (the **land**) on the following terms.

Covenants

- 2 The Grantor and Grantee covenant as follows:
[*state covenants*].
- 3 The following acts are prohibited on the land:
 - (a) wilfully endangering, disturbing, or annoying a lawful user of the strip (including the owner or occupier of the strip):
 - (b) wilfully damaging or interfering with a structure adjoining or on the land (including a building, fence, gate, stile, marker, bridge, or notice):
 - (c) wilfully interfering with or disturbing livestock lawfully permitted on the strip.
- 4 The prohibitions in clause 3(b) and (c) do not apply to the owner or occupier of the strip or to employees or agents authorised by the owner or occupier.
- 5 The following acts* are also prohibited on the land over which the strip has been created:
 - (a) lighting a fire:
 - (b) carrying a firearm:
 - (c) discharging or shooting a firearm:
 - (d) camping:
 - (e) taking an animal on to, or having charge of an animal on, the land:
 - (f) taking a vehicle on to, or driving or having charge or control of a vehicle on, the land (whether the vehicle is motorised or not):
 - (g) wilfully damaging or removing a plant (unless acting in accordance with the Biosecurity Act 1993):

- (h) laying poison or setting a snare or trap (unless acting in accordance with the Biosecurity Act 1993).

*Acts may be deleted or modified (eg, there may be distinctions between users of the strip). If they are modified, insert them instead in clause 6.

- *6 The following other restrictions apply to the strip:
[state any other restrictions agreed to, including any modifications of the acts described in clause 5].

*Delete if clause does not apply.

- *7 The following fencing requirements apply to the strip:
[including gates and stiles and the repositioning or removal of existing fences].

*Delete if clause does not apply.

- *8 The responsibilities for the fencing requirements (including the costs) are borne as follows:
[state whether borne equally by Grantor and Grantee or otherwise].

*Delete if clause does not apply.

- 9 Access to the strip is on the following terms:
[state the terms on which persons may access the strip in accordance with clauses 4, 5, and 6 of Schedule 10 of the Resource Management Act 1991].

- *10 The strip may be closed to public access at the following times for the following purposes:
[give details].

*Delete if clause does not apply.

- *11 Responsibility for notifying the public that the strip is closed to public access at those times is as follows (notification will be given by erecting signs at all entry points to the strip and by any of the following agreed means):
[give details].

*Delete if clause does not apply.

.....
 Signed by Grantor in the presence of—
*[signature, occupation, and
 address of witness]*
 Executed by Grantee by common
 seal or by 2 officers, as provided
 by the territorial authority's rules

.....
Date

[If esplanade strip is created under section 235 of the Resource Management Act 1991, the consent of every person having a registered interest in the land must be endorsed on this instrument.]

.....
*Signed by *[full name of person
or body corporate]* having a registered
interest in the land as acknowledgement of my
consent to this instrument, in the presence of—
*[signature, occupation, and
address of witness]*

.....
Date

*Delete if there are no persons with a registered interest in the land other than the Grantor *or* repeat as necessary if there is more than 1 other registered interest in the land.

Schedule A

[Give a full description of the land owned by the Grantor, including the lot and deposited plan, record of title reference(s), and any encumbrances.]

Schedule B

[State the width in metres of the strip and refer to plan (if any) depicting the strip annexed to this instrument or deposited by the Registrar-General of Land.]

Schedule 1 form 31: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Form 31A

Notice of motion (for proceedings under section 87G, 149T, 198E, or 198K of
Resource Management Act 1991)

Sections 87G, 149T, 198E, and 198K, Resource Management Act 1991

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

- 1 I, *[full name]*, apply under *[relevant section and statute]* for *[nature of order(s) sought]*.
- 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.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court.

Date:

*Signature of applicant or person authorised to sign on behalf of applicant:

Electronic address for service of applicant:

Telephone:

Postal address (*or* alternative method of service under section 352 of the Act):

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

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

Notes to applicant

- 1 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 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- 1A If this is a notice of motion for proceedings under section 87G, 198E, or 198K of the Resource Management Act 1991, you must lodge this notice with the Environment Court within 15 working days after receiving the report provided under section 87F(5) or 198D(5) of that Act or preparing the report under section 198J(2) of that Act.
- 2 You must serve copies of this notice and the affidavit on the local authority or consent authority, and on any person who made a submission on the matter, as soon as is reasonably practicable after lodging the notice.

- 3 As soon as is reasonably practicable after you have served the documents, you must advise the Registrar of the names, addresses, and dates of service of the persons served.

Advice to recipients of copy of notice of motion

How to become party to proceedings

- 4 You may be heard on this application if you come within section 274(1) of the Resource Management Act 1991. If you are a trade competitor of the applicant, your right to be heard may be limited.
- 5 You may be heard on the application as a party if,—
- (a) within 15 working days after this notice of motion was lodged with the court, you lodge a notice in form 33 with the Environment Court and serve copies of your notice on the relevant local authority and the applicant; and
 - (b) within 20 working days after this notice of motion was lodged with the court, you serve copies of your notice on all other parties.

Advice

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

Schedule 1 form 31A: inserted, on 1 November 2010, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 31A: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 31A: amended, on 3 March 2015, by regulation 14(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 31A: amended, on 3 March 2015, by regulation 14(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 31A: amended, on 3 March 2015, by regulation 14(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 31A: amended, on 10 October 2013, by regulation 7 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Form 32

Easement for access strip

*Section 237B, Resource Management Act 1991***Background**

[Full name, address, and occupation of land owner] (the **Grantor**) is registered as proprietor of the land described in Schedule A (the **land**).

[Name of local authority] (the **Grantee**) is a local authority (within the meaning of the Local Government Act 2002) in whose district the land is located.

Grant of easement for access strip

- 1 The Grantor grants to the Grantee an easement for an access strip.
- 2 The easement confers the right for any person, at any time, to pass and repass over and along the land, for the purpose of giving an access strip described in Schedule B (the **strip**) to [give full description of the existing reserve or strip, river, lake, or part of the coast on or adjoining the land to which the easement is allowing access] on the following terms.

Covenants

- 3 The Grantor and Grantee covenant as follows:
[state covenants].
- 4 The following acts are prohibited on the land:
 - (a) wilfully endangering, disturbing, or annoying a lawful user of the strip (including the owner or occupier of the strip):
 - (b) wilfully damaging or interfering with a structure adjoining or on the land (including a building, fence, gate, stile, marker, bridge, or notice):
 - (c) wilfully interfering with or disturbing livestock lawfully permitted on the strip.
- 5 The prohibitions in clause 4(b) and (c) do not apply to the owner or occupier of the strip or to employees or agents authorised by the owner or occupier.
- 6 The following acts* are also prohibited on the land over which the strip has been created:
 - (a) lighting a fire:
 - (b) carrying a firearm:
 - (c) discharging or shooting a firearm:
 - (d) camping:
 - (e) taking an animal on to, or having charge of an animal on, the land:
 - (f) taking a vehicle on to, or driving or having charge or control of a vehicle on, the land (whether the vehicle is motorised or not):

- (g) wilfully damaging or removing a plant (unless acting in accordance with the Biosecurity Act 1993):
- (h) laying poison or setting a snare or trap (unless acting in accordance with the Biosecurity Act 1993).

*Acts may be deleted or modified (eg, there may be distinctions between users of the strip). If they are modified, insert them instead in clause 7.

*7 The following other restrictions apply to the strip:

[state any other restrictions agreed to, including any modifications of the acts described in clause 6].

*Delete if clause does not apply.

*8 The following fencing requirements apply to the strip:

[include gates and stiles and the repositioning or removal of existing fences].

*Delete if clause does not apply.

*9 The responsibilities for the fencing requirements (including the costs) are borne as follows:

[state whether borne equally by Grantor and Grantee or otherwise].

*Delete if clause does not apply.

*10 The strip may be closed to public access at the following times for the following purposes:

[give details].

*Delete if clause does not apply.

*11 Responsibility for notifying the public that the strip is closed to public access at those times is as follows (notification will be given by erecting signs at all entry points to the strip and by any of the following agreed means):

[give details].

*Delete if clause does not apply.

.....
Signed by Grantor in the presence of—

*[signature, occupation, and
address of witness]*

Executed by Grantee by common
seal or by 2 officers, as provided
by the territorial authority's rules

.....
Date

Schedule A

[Give a full description of the land owned by the Grantor over which the strip applies, including the portion of the land affected by the easement, by reference to the plan defining it, the lot and deposited plan, record of title reference(s), and any encumbrances.]

Schedule B

[State the width in metres of the easement and refer to plan (if any) depicting the easement annexed to this instrument or deposited with the Registrar-General of Land.]

Schedule 1 form 32: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

I, [full name], wish to be a party to the following proceedings:

[state—

- *the Environment Court's reference number for the proceedings (eg, RMA 232/2003); or*
- *the parties to the proceedings and the nature of the proceedings (eg, an appeal on a resource consent application or an application for an enforcement order)].*

I am [state whether you are—

- *the Minister for the Environment; or*
- *a local authority; or*
- *the Attorney-General representing a relevant aspect of the public interest (in this case, also specify the aspect of the public interest); or*
- *a person who has an interest in the proceedings that is greater than the interest that the general public has (in this case, also explain the grounds for saying that you come within this category); or*
- *a person who made a submission about the subject matter of the proceedings].*

I am/am not* a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

*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.

*Delete entire paragraph if you are not a trade competitor.

†Select one.

I am interested in all (or part of) the proceedings.

*The part of the proceedings I am interested in is:

[explain which part or parts of the proceedings you are interested in].

*Delete if this does not apply.

I am interested in the following particular issues:

[explain which issues raised by the appeal you are interested in].

I support (*or oppose or conditionally oppose*) the relief sought because—
[state why you support or oppose the relief sought, giving clear reasons for your views].

I agree (*or do not agree*) to participate in mediation or other alternative dispute resolution of the proceedings.

.....
 Signature of person wishing to be a party
 (*or person authorised to sign
 on behalf of person wishing to be a party*)

.....
 Date

Address for service of person wishing to be a party:
 Telephone:
 Fax/email:
 Contact person: *[name and designation, if applicable]*

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal;
or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

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.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

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

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

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by regulation 8(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 33: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 34

Notice of appeal to Environment Court (general)

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, *[full name]*, appeal a decision (*or* part of a decision) on the following matter:
[state what the decision was about (eg, type of application or part of abatement notice)].

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

The decision was made by *[name of decision-maker]*.

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

*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.

*Delete entire paragraph if you are not a trade competitor.

†Select one.

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

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

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].

I seek the following relief:

[give precise details].

I attach the following documents* to this notice:

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

*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 copies of these documents to 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.

.....
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

You may use this form for any appeal for which you cannot identify a prescribed form.

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 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

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

Advice to recipients of copy of notice of appeal

How to become a party to proceedings

If you wish to become a party to the appeal, you must,—

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

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* form 38).

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.

Advice

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

Schedule 1 form 34: amended, on 3 March 2015, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 34: amended, on 3 March 2015, by regulation 15(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 34: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 34: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 35**Reply to appeal or request for inquiry**

[Revoked]

Schedule 1 form 35: revoked, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Form 36

Notice of motion (general)*

Section 291, Resource Management Act 1991; Section 23(3), Public Works Act 1981

*This form applies to every originating application to the Environment Court for which another form is not prescribed.

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, [full name], apply under [relevant statute and section] for [nature of order sought].

The grounds for the application are:

[give details].

*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.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court.

.....
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 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 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve copies of this notice and affidavit on the parties to the application (if any) as soon as reasonably practicable after lodging the notice. An Environment Judge may also at any time direct you to serve a copy of this notice and affidavit on any other person. You must advise the Registrar of the persons served and when those persons were served.

This form should be used to object to the taking of an interest in land under section 23 of the Public Works Act 1981.

Advice to recipients of copy of notice of motion

How to become party to proceedings

If you wish to become a party to the proceedings, you must 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 within 15 working days after—

- (a) the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- (b) the decision to hold an inquiry, if the proceedings are an inquiry; or
- (c) the proceedings are commenced, in any other case.

You must serve copies of your notice on all other parties within 5 working days after the period for lodging this notice with the Environment Court ends.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* form 38).

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.

How to be heard on this application

If you wish to be heard on this application, you must lodge a notice (in form 37) with the Environment Court and serve a copy of the notice on the applicant within 15 working days after you were served with this notice.

Advice

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

Schedule 1 form 36: amended, on 3 March 2015, by regulation 16(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 36: amended, on 3 March 2015, by regulation 16(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 36: amended, on 3 March 2015, by regulation 16(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 36: amended, on 3 March 2015, by regulation 16(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 36: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 36: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 37

Notice of person's wish to be heard on notice of motion

*Section 291(4), Resource Management Act 1991***To** the Registrar

Environment Court

Auckland, Wellington, and Christchurch

I, *[full name]*, wish to be heard on a notice of motion by *[name of applicant]* under *[relevant statute and section]* for *[nature of order sought]*.

The notice of motion was served on me on *[date]*.

I wish to advance the following matters:

[state in summary the matters you wish to advance. Clearly indicate whether you support or oppose the motion. Give reasons for your views].

*I attach the following supporting documents:

[List all documents that you are attaching. These documents must be attached to both copies of the notice lodged with the Environment Court].

*Delete if not applicable.

.....
Signature of person wishing to be heard
(or person authorised to sign
on behalf of person wishing to be heard)

.....
Date

Address for service of person wishing to be heard:

Telephone:

Fax/email:

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

Note to person wishing to be heard

You must lodge the original and 1 copy of this notice with the Environment Court and, for notice of motion, with the applicant, within 15 working days after the date on which you were served with the notice of motion. The notice must be signed by you or on your behalf.

Advice

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

Schedule 1 form 37: amended, on 3 March 2015, by regulation 17 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 37: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 37: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 38
Application for waiver or directions
Section 281, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, [full name], apply for a waiver (or directions) in the following proceedings:
[state—

- the Environment Court's reference number for the proceedings (eg, RMA 232/98); or
- the parties to the proceedings and the nature of the proceedings (eg, an appeal on a resource consent application or an application for an enforcement order)].

I am the following party to these proceedings:
[state which party].

I seek the following waiver (or directions):
[give details].

.....
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 application must be signed by you or on your behalf.

You must serve a copy of this application on all other parties to the proceedings within 3 working days after lodging this application with the Environment Court.

Within 10 working days after lodging this application, 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 application.

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 in this form.

Advice

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

Schedule 1 form 38: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 38: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 39

Witness summons to local authority hearing, consent authority hearing, or other hearing

Section 41, Resource Management Act 1991

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

You are ordered to attend a hearing of *[name of local authority or consent authority, or name and description of person with authority to conduct hearing]*.

The hearing is about *[subject matter of hearing]*.

The hearing is on *[date(s)]* at *[time]*.

The hearing will be held at *[place]*.

You must attend the hearing to give evidence at *[place]* on *[date]* from *[time]* until you are discharged.

*You must bring with you and produce the following papers, documents, records, or things:

[give details].

*Delete if this is not required.

This summons is issued on behalf of *[name]*.

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.

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.

.....
Signature of chairperson of hearing

.....
Date

***Endorsement of deponent**

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]* on *[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.

*Delete if summons delivered by post or no sum tendered.

.....
Signature of [*name of deponent*], deponent

Sworn at [*place*] on [*date*]
before me

.....
Signature of [*full name*], Registrar
(*or* Justice of the Peace *or* solicitor)

Schedule 1 form 39: amended, on 1 July 2015, by regulation 3(2) of the Criminal Procedure (Consequential Amendments) Regulations 2015 (LI 2015/104).

Schedule 1 form 39: amended, on 10 October 2013, by regulation 9 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Form 40
Witness summons to Environment Court hearing

Section 278(1), Resource Management Act 1991

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

You are ordered to attend a hearing of the Environment Court.

The hearing is about *[subject matter of hearing]*.

The hearing is on *[date(s)]* at *[time]*.

The hearing will be held at *[place]*.

You must attend the hearing to give evidence at *[place]* on *[date]* from *[time]* until you are discharged.

***You must bring with you and produce the following papers, documents, records, or things:**

[give details].

***Delete if this is not required.**

This summons is issued on behalf of *[name]*.

You are entitled to receive from *[name of party on whose behalf summons is issued]* witness fees, allowances, and travelling expenses according to the scale of allowances for witnesses in civil cases under the District Court Act 2016.

If you fail to attend in accordance with this summons, you may 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.

.....
Signature of Environment Judge
(or Registrar)

.....
Date

***Endorsement of deponent**

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]* on *[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.

***Delete if summons delivered by post or no sum tendered.**

.....
Signature of [*name of deponent*], deponent
Sworn at [*place*] on [*date*]
before me

.....
Signature of [*full name*], Registrar
(*or* Justice of the Peace *or* solicitor)

Schedule 1 form 40: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Form 41
Application for declaration
Section 311, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, *[full name]*, apply for the following declaration:
[give precise details of declaration sought].

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 applicant does not need to attach copies of these documents to copies of the notice served in form 42 on other persons if the copy served lists these documents and states that copies 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 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve notice of this application in form 42 on every person affected by this application within 5 working days after the application is lodged with the Environment Court.

Within 10 working days after lodging this application, 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 application.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above service requirements (*see* form 38).

Advice

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

Schedule 1 form 41: amended, on 3 March 2015, by regulation 18 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 41: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 41: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 41: amended, on 1 June 2006, by regulation 10(10) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 42

Notice of application for declaration

*Section 312, Resource Management Act 1991***To** *[names and addresses of persons directly affected]*

I, *[full name]*, give notice that I applied for the following declaration from the Environment Court on *[date]*:

[give precise details of declaration sought].

If you wish to be heard at the hearing to determine this matter, you should notify the Environment Court Registrar within 15 working days after the date the application was made.

If you do not notify the Registrar of your wish to be heard, the case may proceed without further notice to you.

The following documents were attached to the application and are available on request:

[list documents].

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

.....
Date
(A signature is not required if notice is given by electronic means.)

Electronic address for service of applicant:

Telephone:

Postal address (or alternative method of service under section 352 of the Act):

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

Advice to recipient of notice of application

It is recommended that you consult a lawyer without delay, although it is not essential for you to have a lawyer for the purpose of these proceedings.

If you want a lawyer but think that you cannot afford one and wish to apply for legal aid, contact the Environment Court, a Citizen's Advice Bureau, a community law centre, or a lawyer for assistance.

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

Schedule 1 form 42: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 42: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 42: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 42: amended, on 1 June 2006, by regulation 10(11)(a) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 42: amended, on 1 June 2006, by regulation 10(11)(b) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 43

Application for enforcement order or interim enforcement order

Sections 316 and 320, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, [full name], apply for an enforcement order (or interim enforcement order) to:

[describe the nature and terms of the enforcement order sought in terms of section 314 of the Resource Management Act 1991].

The location for which the enforcement order (or interim enforcement order) is sought 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 is sought is:

[full name and address].

I apply for the order to be made on the following terms and conditions:

[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 these documents to copies of the notice served in form 44 on other persons if the document served lists these documents and states that copies 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 application 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.

You must serve notice of this application in form 44 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 5 working days after lodging this application, you must lodge an affidavit as to service of this application with the Registrar of the Environment Court. The affidavit must state—

- (a) the name and address of each person served; and
- (b) the date of service on each person; and
- (c) that all persons directly affected by the application have been served notice of the application.

An Environment Judge or District Court Judge may direct that you serve a copy of an interim enforcement order on the person against whom the order is made.

Also you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above service requirements (*see* form 38).

Advice

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

Schedule 1 form 43: amended, on 3 March 2015, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 43: amended, on 3 March 2015, by regulation 19(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 43: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 43: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 44

Notice of application for enforcement order or interim enforcement order

Sections 317 and 320, Resource Management Act 1991

To *[names and addresses of persons directly affected]*

I, *[full name]*, give notice that I applied to the Environment Court for the following enforcement order (*or* interim enforcement order) on *[date]*:

[state—

- *the nature and terms of the enforcement order sought; and*
- *the location for which the order is sought; and*
- *the name and address of the person against whom the order is sought].*

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

.....
Date
(A signature is not required if notice is given by electronic means.)

Electronic address for service of applicant:
Telephone:
Postal address (*or* alternative method of service under section 352 of the Act):
Contact person: *[name and designation, if applicable]*

Advice to recipient of notice of application

If you wish to be heard at the hearing to determine this matter, you must notify the Environment Court Registrar within 15 working days after you receive this notice.

If you do not notify the Registrar of your wish to be heard, the case will proceed without further notice to you.

Documents available

The following documents are available from the applicant on request:

- (a) a copy of the application:
- (b) an affidavit in support of the application.

Enforcement order against you

You will receive a copy of any order against you. The order will take effect from the date you receive it or any later date stated in the order.

Advice and legal aid

It is recommended that you consult a lawyer without delay, although it is not essential for you to have a lawyer for the purpose of these proceedings.

If you want a lawyer but think that you cannot afford one and wish to apply for legal aid, contact the Environment Court, the District Court, a Citizen's Advice Bureau, a community law centre, or a lawyer for assistance.

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

Schedule 1 form 44: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 44: amended, on 10 October 2013, by regulation 10(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 44: amended, on 10 October 2013, by regulation 10(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 44: amended, on 10 October 2013, by regulation 10(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 44: amended, on 10 October 2013, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 44: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 44: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 45

Advice to accompany interim enforcement order

Section 320(4), Resource Management Act 1991

An interim enforcement order has been made against you. A copy of the order is attached. This order takes effect as soon as you receive a copy of it or on any later date stated in the notice.

If you fail to comply with the order, you will commit an offence under section 338(1) of the Resource Management Act 1991 and may be prosecuted and subject to penalties under that Act.

You may apply to an Environment Judge or District Court Judge to have the order changed or cancelled. Your application should be made in form 46 and lodged with the Environment Court. However, you must continue to comply with the order until it is changed or cancelled.

Advice and legal aid

It is recommended that you consult a lawyer without delay, although it is not essential for you to have a lawyer for the purpose of these proceedings.

If you want a lawyer but think that you cannot afford one and wish to apply for legal aid, contact the Environment Court, the District Court, a Citizen's Advice Bureau, a community law centre, or a lawyer for assistance.

If you wish to obtain other assistance, contact the Environment Court in Auckland, Wellington, or Christchurch, or you may contact an office of the District Court.

Schedule 1 form 45: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 45: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 46

Application to change or cancel enforcement order or interim enforcement order

Sections 320(5) and 321, 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 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 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 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve notice of this application in form 47 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 of the Resource Management Act 1991 for a waiver of the above service requirements (*see* form 38).

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 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) 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) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 47

Notice of application to change or cancel enforcement order or interim
enforcement order

Sections 317 and 321, Resource Management Act 1991

To *[names and addresses of persons directly affected]*

I, *[full name]*, give notice that I applied to the Environment Court to change (*or* cancel) the following enforcement order (*or* interim enforcement order) on *[date]*:

[state—

- *the nature and terms of the order; and*
- *the location for which the order was made; and*
- *the name and address of the person against whom the order was made; and*
- *if applicable, the change sought].*

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

.....
Date
(A signature is not required if notice is given by electronic means.)

Electronic address for service of applicant:
Telephone:
Postal address (*or* alternative method of service under section 352 of the Act):
Contact person: *[name and designation, if applicable]*

Advice to recipient of notice of application

If you wish to be heard at the hearing to determine this matter, you must notify the Environment Court Registrar within 15 working days after you receive this notice.

Documents available

The following documents are available from the applicant on request:

- (a) a copy of the application:
- (b) an affidavit in support of the application.

Enforcement order against you

You will receive a copy of any order made against you. The order will take effect from the date you receive it or any later date stated in the order.

Advice and legal aid

It is recommended that you consult a lawyer without delay, although it is not essential for you to have a lawyer for the purpose of these proceedings.

If you want a lawyer but think that you cannot afford one and wish to apply for legal aid, contact the Environment Court, the District Court, a Citizen's Advice Bureau, a community law centre, or a lawyer for assistance.

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

Schedule 1 form 47: amended, on 18 October 2017, by regulation 15(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Schedule 1 form 47: amended, on 10 October 2013, by regulation 11(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 47: amended, on 10 October 2013, by regulation 11(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 47: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 47: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 48
Abatement notice

Section 324, Resource Management Act 1991

To *[name of person to whom notice applies and, if possible, the person's address and date of birth]*

[Name of relevant authority] gives notice that you must take (or cease or not undertake) the following action:

[give precise details of what is required].

The location to which this abatement notice applies is:

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

You must comply with this abatement notice within the following period:

[insert period in accordance with section 324(d) of the Resource Management Act 1991].

*This notice imposes the following further conditions:

[give details].

*Delete if no further conditions imposed.

This notice is issued under *[state paragraph of section 322(1) of the Resource Management Act 1991 under which notice is issued]*.

*If you do not comply with this notice, an enforcement officer may enter the place where the noise source is situated (with a constable if the place is a dwellinghouse) and—

- (a) take all reasonable steps as the enforcement officer considers necessary to reduce the noise to a reasonable level; and
- (b) if accompanied by a constable, seize and impound the noise source.

*Only include if the notice is issued under section 322(1)(c) of the Resource Management Act 1991.

The reasons for this notice are:

[give details].

If you do not comply with this notice, you may be prosecuted under section 338 of the Resource Management Act 1991 (unless you appeal and the notice is stayed as explained below).

You have the right to appeal to the Environment Court against the whole or any part of this notice. If you wish to appeal, you must lodge a notice of appeal in form 49 with the Environment Court within 15 working days of being served with this notice.

*An appeal does not automatically stay the notice and so you must continue to comply with it unless you also apply for a stay from an Environment Judge under section 325(3A) of the Resource Management Act 1991 (*see* form 50). To obtain a stay, you must lodge both an appeal and a stay with the Environment Court.

*Delete if notice is issued under section 322(1)(a)(ii) of the Resource Management Act 1991.

*Lodging an appeal will automatically stay this notice as long as you are complying with the Resource Management Act 1991, any regulations made under that Act, a rule in a plan, or a resource consent.

*Only include if this notice is issued under section 322(1)(a)(ii) of the Resource Management Act 1991.

You also have the right to apply in writing to [*name of relevant authority*] to change or cancel this notice in accordance with section 325A of the Resource Management Act 1991.

[*Name of relevant authority*] authorised the enforcement officer who issued this notice. Its address is:

[*give details*].

The enforcement officer is acting under the following authorisation: [*state details of warrant under section 38 of the Resource Management Act 1991*].

.....
Signature of enforcement officer

.....
Date

Schedule 1 form 48: amended, on 1 June 2006, by regulation 10(12) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 49

Notice of appeal to Environment Court against abatement notice

Section 325(2), Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, *[full name]*, appeal an abatement notice.

The abatement notice was issued on *[date]* by *[name of relevant authority]*.

The requirements of the abatement notice (*or* part of the abatement notice) that I am appealing are:

[state a summary of the relevant requirements of the abatement notice or part].

The reasons for the appeal are as follows:

[set out why you are appealing and give reason for your views].

I seek the following relief:

[give precise details].

*I attach the following documents to this notice:

- (a) a copy of the abatement notice:
- (b) 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.

.....
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

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days of the abatement notice being served on you. 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.

You must serve a copy of this notice on the authority that issued the abatement notice within the same 15 working day period.

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).

This notice only operates as a stay of an abatement notice—

- (a) if the notice was issued under section 322(1)(a)(ii) of the Resource Management Act 1991 and you are complying with the Resource Management Act 1991, any regulations made under that Act, a rule in a plan, or a resource consent; or
- (b) if an Environment Judge grants a stay under section 325(3E) of that Act.

In all other circumstances, if you wish to stay the abatement notice, you must apply for the stay in addition to lodging an appeal (*see* form 50).

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

If you wish to become a party to the appeal, you must,—

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

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).

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* form 38).

Advice

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

Schedule 1 form 49: amended, on 3 March 2015, by regulation 21(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 49: amended, on 3 March 2015, by regulation 21(2) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 49: amended, on 3 March 2015, by regulation 21(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Schedule 1 form 49 heading: amended, on 1 June 2006, by regulation 10(13) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 1 form 49: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 49: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Form 50

Application for stay of abatement notice

Section 325(3B), Resource Management Act 1991

I, *[full name]*, apply for a stay of an abatement notice.

The abatement notice was issued on *[date]* by *[name of relevant authority]*.

I lodged an appeal against the abatement notice with the Environment Court on *[date]*.

I consider that it is unreasonable to comply with the abatement notice because:

[give details].

The likely effect on the environment if the stay is granted is:

[give details].

I attach the following documents:*

- (a) a copy of the abatement notice; and
- (b) a copy of the notice of appeal; and
- (c) an affidavit in support of the application; and
- (d) the name and address of the authority that issued the abatement notice and is to be served with a copy of this application.

*These documents must be attached and lodged with the Environment Court with the application. The appellant does not need to attach copies of the documents to copies served in form 47 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 application must be signed by you or on your behalf.

You must serve a copy of this application on the authority that issued this abatement notice immediately after you have lodged this application with the Environment Court.

Within 10 working days after receiving this application, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service of the application.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above service requirements (*see* form 38).

Advice

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

Schedule 1 form 50: amended, on 10 October 2013, by regulation 12 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 50: amended, on 1 November 2010, by regulation 19(1) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 50: amended, on 1 June 2006, by regulation 10(4) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).

Schedule 2

Application fees

r 34

Schedule 2: replaced, on 3 March 2015, by regulation 22 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386).

Application	Minister responsible	Fee (\$)
To become a requiring authority	Environment	511.11
To become a heritage protection authority	Environment	255.56
For a water conservation order	Environment	1,022.22
For work in a coastal marine area	Transport	102.22
For marine farming in a coastal marine area (transitional)	Fisheries	102.22

Schedule 3

Fees payable in respect of proceedings in Environment Court

r 35

Schedule 3: inserted, on 14 September 2017, by regulation 16 of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231).

Part 1

Filing fees

Item	Application type or service for which fee is payable	Fee (\$)
1	Filing a notice of appeal for any of the following proceedings under the Act: <ul style="list-style-type: none">(a) an appeal against decision on proposed policy statement or plan under Schedule 1 of the Resource Management Act 1991 (the Act), clause 14(1) in form 7:(b) an appeal against decision on proposed policy statement or plan under Schedule 1 of the Act, clause 60 in form 7B:(c) an appeal against decision of a requiring authority or heritage protection authority under Schedule 1 of the Act, clause 14(3) in form 8:(d) an appeal against decision of a requiring authority or heritage protection authority under Schedule 1 of the Act, clause 94 in form 7C:(e) an appeal against a decision referred to in Schedule 1 of the Act, clause 27(1A) in respect of a request for a plan change under Schedule 1 of the Act, clause 21 in form 34:(f) an appeal under section 120 against decision of consent authority on an application for a resource consent, or an application for a change of consent conditions, or on a review of consent conditions in form 16:(g) an appeal under section 120 against decision of consent authority on a review under section 128 in form 16:(h) an appeal under section 120 against decision of consent authority in relation to an application by holder of a water permit to transfer permit under section 136 in form 16:(i) an appeal under section 120 against decision of a consent authority on an application to transfer a discharge permit under section 137 in form 16:(j) an appeal under section 120 against decision of consent authority on a request for a certificate of compliance under section 139 in form 16:(k) an appeal under section 120 against decision of consent authority on a request for an existing use certificate under section 139A(9) in form 16:(l) an appeal under section 174 against decision of requiring authority under section 172 in form 22:(m) an appeal by territorial authority under section 176A against decision by requiring authority not to make changes requested by territorial authority to outline plan in form 34:	\$600

Item	Application type or service for which fee is payable	Fee (\$)
	<ul style="list-style-type: none"> (n) an appeal under section 179 against decision by requiring authority to refuse consent or to grant consent subject to conditions under section 176, 177, or 178 in form 34: (o) an appeal under section 181 against decision by requiring authority on requirement to alter designation in form 22: (p) an appeal under section 192 against decision concerning a notice of requirement for heritage order by heritage protection authority under section 189 or 189A in form 22: (q) an appeal under section 195 against decision of heritage protection authority in relation to proposal in respect of land subject to heritage protection order in form 22: (r) an appeal under section 195A against decision of heritage protection authority on requirement to alter heritage order in form 22: (s) an appeal under section 358 against decision on an objection under section 357, 357A(1)(a), (d), (f), or (g), or 357B in form 34. 	
2	Commencing any other proceeding in the Environment Court; except that no fee is payable for— <ul style="list-style-type: none"> (a) filing an application for waiver or directions under section 281 in form 38; or (b) giving written notice to the Registrar of a person's desire to be heard on an application under section 291(4) in form 37. 	\$250
3	Filing an interlocutory application, including the following: <ul style="list-style-type: none"> (a) an application under section 116 for consent to commence: (b) an application under section 278(3)(b) for order for production of documents: (c) an application for security for costs: (d) an application under section 279(4) for case to be struck out: (e) an application under section 325 for stay of abatement notice in form 50. 	\$200
4	Filing notice of a person's wish to be party to proceedings under section 274 in form 33, except that no fee is payable in respect of proceedings under section 87G, 149T, 198E, or 198K.	\$100

Part 2

Scheduling fees

For scheduling the hearing date for an application or a proceeding,—

- (a) in the case of an interlocutory application (*see* Part 1, item 3), there is no fee; and
- (b) in the case of any other application (*see* Part 1, items 1, 2, and 4), the scheduling fee is \$350.

Part 3

Hearing fees

For the hearing fee,— \$350

- (a) in the case of an interlocutory application (*see* Part 1, item 3), for each half-day or part half-day after the second day; and
- (b) in the case of any other application (*see* Part 1, items 1, 2, and 4), for each half-day or part half-day after the first half-day.

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 3 July 2003.

Reprints notes

1 *General*

This is a reprint of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 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*

Social Security Act 2018 (2018 No 32): section 459

Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2017 (LI 2017/231)

Land Transfer Act 2017 (2017 No 30): section 250

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

Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2014 (LI 2014/386)

Heritage New Zealand Pouhere Taonga Act 2014 (2014 No 26): section 107

Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385)

Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3): section 128

Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279)

Resource Management (Forms, Fees, and Procedure) Amendment Regulations (No 2) 2006 (SR 2006/376)

Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99)

Resource Management Amendment Act (No 2) 2004 (2004 No 103): section 34

Resource Management (Foreshore and Seabed) Amendment Act 2004 (2004 No 94): section 39