

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

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

To The Registrar  
Environment Court  
Wellington

**SHOAL BEACH LIMITED** appeals against a decision (or part of a decision) of **HAWKES BAY REGIONAL COUNCIL** on the following plan:

- Proposed Regional Coastal Environment Plan.

Shoal Beach Limited made a submission on that plan.

Shoal Beach Limited received notice of the decision on 18 July 2008.

The decision was made by Hawkes Bay Regional Council.

The decision (or part of the decision) that Shoal Beach Limited is appealing is:

- Location of the coastal hazard zones at Shoal Beach, Aramoana, Central Hawkes Bay;

The reasons for the appeal are as follows:

- Location of the coastal hazard zones at Shoal Beach, Aramoana, Central Hawkes Bay are required to be altered for the reasons set out in the following attached documentation:
  - Submission from Shoal Beach Limited dated 12 December 2006;
  - Submission from Todd Hansen (on behalf of Shoal Beach Limited) presented to the Hawkes Bay Regional Council on 2 August 2007;
  - Statement of evidence of Richard Norman Croad of Opus International Consultants Limited dated 1 August 2007 and presented to the Hawkes Bay Regional Council on 2 August 2007;
  - Statement of supplementary evidence of Richard Norman Croad of Opus International Consultants Limited dated 15 August 2007;
  - Review from Opus International Consultants Limited dated 2 May 2008;

Shoal Beach Limited seeks the following relief:

- Location of the coastal hazard zones in accordance with the submission from Shoal Beach Limited dated 12 December 2006 or alternatively in accordance with the CHZ<sub>2b</sub> line set out in the Review from Opus International Consultants Limited dated 2 May 2008.

Shoal Beach Limited attaches 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 must be attached and lodged with the notice in 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)

*26 August 2008*  
.....  
Date

Address for service of appellant: c/- Hansen & Bate, Solicitors, P O Box 235, Hastings

Telephone: 06 8730900

Fax/email: 06 8733251

Contact person: [*name and designation, if applicable*] Todd Hansen, Solicitor for Appellant

#### Note to appellant

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 on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court.

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 Unit of the Department for Courts in Auckland, Wellington, or Christchurch.