

IN THE ENVIRONMENT COURT
AT WELLINGTON

I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA

IN THE MATTER of appeals under cl 14 of Schedule 1 to
the Resource Management Act 1991

BETWEEN

D RIDDIFORD

(ENV-2019-WLG-000109)

MASTERTON DISTRICT COUNCIL

(ENV-2019-WLG-000110)

MERIDIAN ENERGY LTD

(ENV-2019-WLG-000115)

PORIRUA CITY COUNCIL

(ENV-2019-WLG-000116)

WELLINGTON INTERNATIONAL
AIRPORT LTD

(ENV-2019-WLG-000117)

WELLINGTON FISH AND GAME
COUNCIL

(ENV-2019-WLG-000122)

RANGITĀNE TŪ MAI RĀ TRUST
and RANGITĀNE O WAIRARAPA
INC SOCIETY

(ENV-2019-WLG-000125)

FEDERATED FARMERS OF NEW
ZEALAND INC

(ENV-2019-WLG-000126)

SOUTH WAIRARAPA DISTRICT
COUNCIL

(ENV-2019-WLG-000127)



NEW ZEALAND TRANSPORT
AGENCY

(ENV-2019-WLG-000131)

BEEF+LAMB NEW ZEALAND

(ENV-2019-WLG-000133)

Appellants

AND

WELLINGTON REGIONAL
COUNCIL

Respondent

Court: Environment Judge B P Dwyer sitting alone under s 279 of the
Act

Date of Order: 8 December 2021

Date of Issue: 8 December 2021

CONSENT ORDER

- A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the changes set out in **Appendix A** be made to the Proposed Plan.
- B: The parts of the appeals concerning Rule R101 are otherwise dismissed.
- C: Under s 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] The Court has read the notices of appeal and the memorandum of the parties received 27 September 2021.

Other relevant matters

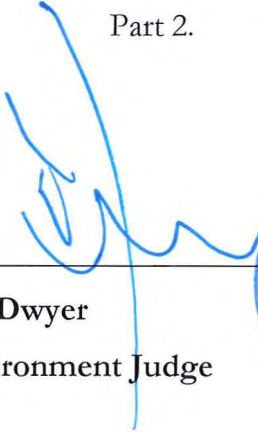
[2] The following persons gave notice of an intention to become parties to the appeals under s 274 of the Act, and have signed the consent memorandum setting out the relief sought:

- Kāpiti Coast District Council;
- A & J Boyne;
- Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited;
- Powerco Ltd;
- Queen Elizabeth the Second National Trust; and
- Minister of Conservation.

[3] Wellington International Airport Ltd, Wellington Fish and Game Council, A & B Mathewson, N & H Diederich, First Gas Ltd, Horticulture New Zealand, K Reedy, P & C Cutfield, Royal Forest and Bird Protection Society of New Zealand Inc and S Beveridge & E Cates did not sign the consent memorandum, but in accordance with the Court's direction in its minute dated 28 April 2021, they are deemed to have accepted the consent memorandum and order. In addition, Meridian Energy Limited, Wellington Water Limited, New Zealand Transport Agency Waka Kotahi, CentrePort Limited and CentrePort Properties Limited and Fire and Emergency New Zealand advised they have no interest in this matter. Daniel Riddiford withdrew his appeal.

[4] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order or are deemed to have done so in accordance with the Court's minute of 28 April 2021;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.


B P Dwyer
Environment Judge



APPENDIX A

Key

- Black text - Notified version of the Plan
- Green text - Decisions version of the Plan
- Red text - Amendments agreed at mediation

Rule R101: Vegetation clearance on erosion prone land in accordance with a Freshwater Farm Plan – permitted activity

The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from **vegetation clearance on erosion prone land** is a permitted activity where it is expressly allowed for in a Freshwater Farm Plan certified under section 217G of the RMA.

