

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991  
AND of appeals under cl 14 of the First Schedule  
to the Act  
BETWEEN HORTICULTURE NEW ZEALAND  
(ENV-2017-WLG-000089)  
DIRECTOR-GENERAL OF  
CONSERVATION  
(ENV-2017-WLG-000090)  
Appellants  
AND GISBORNE DISTRICT COUNCIL  
Respondent

Environment Judge B P Dwyer sitting alone pursuant to s 279 of the Act

In Chambers at Wellington

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**CONSENT ORDER**

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- [A] Under s 279(1)(b) of the Act, the Environment Court, by consent, orders that:
- (1) the Gisborne Regional Freshwater Plan is amended as set out in Appendix 1 to this order.
- [B] Under s 285 of the Act, there is no order as to costs.

**REASONS**

**Introduction**

- [1] The Court has read the notices of appeal and the memorandum of the parties dated 7 August 2018.



HORTICULTURE NEW ZEALAND v GISBORNE DISTRICT COUNCIL

**Other relevant matters**

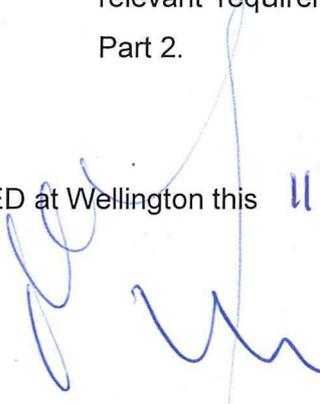
[2] Mr Murray Palmer, Federated Farmers of New Zealand, Royal Forest and Bird Protection Society of New Zealand and Rongowhakaata Iwi Trust have given notice of an intention to become parties under s 274 to the aspects of the appeals resolved by this consent order and have signed the memorandum setting out the relief sought.

**Orders**

[3] 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;
- (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.

DATED at Wellington this 11<sup>th</sup> day of December 2018

  
\_\_\_\_\_  
B P Dwyer  
Environment Judge



## Appendix 1

Amendments are shown in bold text, with additions underlined and deletions in strikethrough

### Amend RPS Objective 7

The interactions between land, land use and development, freshwater, the coastal environment and associated ecosystems are recognised and provided for through the integrated management of freshwater and coastal water resources to maintain or improve their values.

### Amend RPS Policy 3.34

Where consented activities may produce environmental effects such as groundwater or land contamination, or reduction in groundwater levels which can be slow to appear, monitoring of the consented activities' effects shall be required as part of resource conditions. The monitoring shall reflect the nature and scale of the activities with costs to be met by the resource consent holder.

### Amend Regional Plan Policy 5.1.3

Manage the adverse effects of stormwater discharges through:

...

- b ~~To ensure~~ Ensuring water quality objectives, targets and limits for the receiving waterbodies, and the quality of coastal waters, will not be compromised by stormwater discharges:

...

### Amend Regional Plan Policy 5.1.6

Where a water quality objective is not being met or a limit/target has been exceeded or the waterbody, including coastal waters, is identified as degraded:

...



Waipaoa Catchment Plan – Poverty Bay Flats Freshwater Management Unit  
Section 2.4.4: Add new Method 13

GDC will engage with stakeholders in a process supporting the development of a GDC approved groundwater model to support the achievement of the freshwater quantity objectives.

