

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

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under cl 14 of the First
Schedule to the Act
BETWEEN FEDERATED FARMERS OF NEW
ZEALAND
(ENV-2018-WLG-000012)
Appellant
AND KAPITI COAST DISTRICT COUNCIL
Respondent

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

In Chambers at Wellington

CONSENT ORDER

[A] Under s 279(1)(b) of the Act, the Environment Court, by consent, orders that the Kapiti Coast District Council's Proposed District Plan be amended by:

(1) amending Policy 3.13 as shown below:

Subdivision, use and development in special amenity landscapes will be located, designed and of scale and character that maintains or enhances the values of the landscape areas identified in Schedule 3.5 of this Plan and taking into account existing land uses including primary production.

(2) amending Rule 3A.3.5 as shown below:

Earthworks for the purposes of establishing or upgrading any *farm* and *forestry tracks* for permitted *farming activities* or pest management activities on land within *outstanding natural features and landscapes.*

[B] Under s 285 of the Act, there is no order as to costs.



REASONS**Introduction**

[1] The Court has read the notice of appeal and the memorandum of the parties dated 19 September 2018.

Other relevant matters

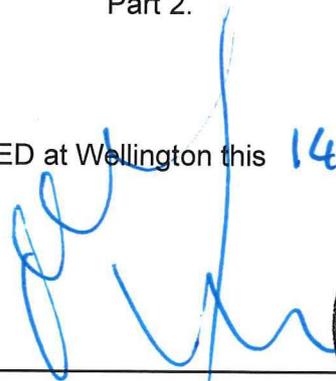
[2] A Smith, L Smith, Margaret Niven, Director General of Conservation, Wellington Regional Council, C T Brown, Lyndon Enterprises Limited, E Guttke and Waa Rata Estate gave notice of intention to become parties under s 274 to the parts of the appeal settled by this consent order, and have signed the 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 14th day of November 2018


B P Dwyer
Environment Judge

