

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 Council's decisions on the following forestry related provisions of the Kapiti
Coast District Proposed District Plan:
- (a) Policy 7.3;
 - (b) Rule 7A.1.3;
 - (c) Rule 7A.2.1;
 - (d) Rule 7A.3.1; and
 - (e) Rule 7A.4.1;
- are confirmed.
- [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, in which the parties agreed to make changes to Rule 7A.1.2 of the Kapiti Coast District Proposed District Plan (the Proposed Plan). The parties also agreed that the remainder of the Council's decision, as far as it related to the forestry provisions (listed at paragraph 3 of the parties' memorandum), was to remain the same.

Other relevant matters

[2] Horticulture New Zealand, Wellington Regional Council, Director-General of Conservation, C T Brown, M Niven, Lyndon Enterprises Ltd, A A Smith, M L Smith and U E Guttke gave notice of an intention to become parties under s 274 to the aspects of the appeal resolved by this consent order and have signed the memorandum setting out the relief sought.

[3] The Court issued a minute on 11 December 2018 asking the parties to explain which appeal and submission points provide the scope to delete Standard 1, paragraphs 1.(a) and 1.(c), in Rule 7A.1.2. The appellant withdrew its appeal relating to Rule 7A.1.2 of the Proposed Plan on 13 February 2019.

Orders

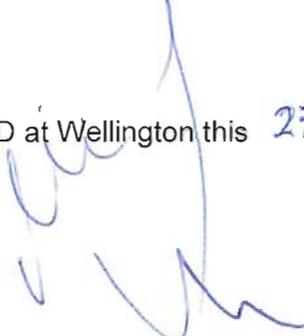
[4] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (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 27 day of March 2019



B P Dwyer
Environment Judge

