

Resource Management

13/8/20 Update Summary

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PRODUCT UPDATE

Parts 12, 13 and 14 of the Resource Management Act 1991 are moved from Vol 1 to Vol 2 of *Resource Management* in this update.

Also in this update, the Legislative Tables, Table of Cases and Index are moved from Vol 2 to Vol 3.

Please see the Filing Instructions for full details.

LEGISLATION

Sections 2, 2AC, 4, 11, 29, 36, 38, 39AA, 42C, 44, 46A, 51, 58R, 80A, 80C, 87AAC, 88, 95B, 120, 128, 129, 140, 141, 142, 143, 149C, 149E, 149F, 149H, 149I, 149M, 149N, 149O, 149P, 149R, 149RA, 149U, 149W, 170, 171, 174, 187, 198E, 198K, 202, 248, 249, 250, 250A, 250B, 251, 251A, 252, 254, 255, 259, 261, 265, 279, 280, 281, 288A, 288B, 311, 316, 324, 325, 325A, 325B, 330B, 332, 336, 338, 339C, 342, 343D, 353, 355B, 360, Sch 1, Sch 12 of the Resource Management Act 1991 were amended, as from 1 July 2020 by the Resource Management Amendment Act 2020.

Parts 9A, 9B, 12A of the Resource Management Act 1991 were inserted, as from 1 July 2020 by the Resource Management Amendment Act 2020.

Sections 360D, 360E, 360G, 360H of the Resource Management Act 1991 were repealed, as from 1 July 2020 by the Resource Management Amendment Act 2020.



POLICY STATEMENTS

National Policy Statement on Urban Development 2020, in force from 20 August 2020, added. This replaces the National Policy Statement on Urban Development Capacity 2016.

COMMENTARY

The commentary to the Resource Management Act 1991 has been updated to take account of the amendments from the Resource Management Amendment Act 2020, in force as from 1 July 2020.

SIGNIFICANT CASES

Commentary has been included on the following cases:

RESOURCE MANAGEMENT ACT 1991

Ballantyne Barker Holdings Ltd v Queenstown Lakes District Council [2019] NZHC 2844, (2019) 21 ELRNZ 428 – High Court – Resource consent – Subdivision: [A221.03]

Canterbury Regional Council v Dewhirst Land Co Ltd [2019] NZCA 486, (2019) 21 ELRNZ 312 – Court of Appeal – Leave to appeal – River – Interpretation – Flooding: [A2.18.02], [A13.08].

Cowley v R [2020] NZHC 638 – High Court – Prosecution – Tree protection: [A339.05(5)].

Director-General of Conservation v New Zealand Transport Agency [2020] NZEnvC 19 – Procedural – Requirement – Designation – Road – Vegetation indigenous: [A171.08(2)].

Just One Life Ltd v Queenstown Lakes District Council [2020] NZEnvC 45 – Declaration – Existing use – Certificate of compliance: [A139.02].

Lindis Catchment Group v Otago Regional Council [2019] NZEnvC 166 – Regional plan – Water take and use – Objectives and policies – Rule – Resource consent – Water flow: [A5.07(3)].

Selwyn Quarries Ltd v Canterbury Regional Council [2019] NZEnvC 153 – Resource consent – Consent order – Quarry – Security for costs: [A279.03(1)].

Waikato Regional Council v Open Country Dairy Ltd [2019] NZDC 19755 – Prosecution – Discharge to air – Discharge to land – Discharge to water – Odour – Waste disposal – Abatement notice – Enforcement order – River – Effect: [A339.06(1)].

Wellington Regional Council v Wellington Water Ltd [2019] NZDC 18588 NZDC 18588 – Prosecution – Discharge to water – Contaminant – Sediment – Wastewater: [A339.06(1)].

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