

Update Environmental and Resource Management Law

Service 60 — March 2023

Commentary

Chapter 8 — Water

- Chapter 8 has been reviewed and updated by Daniel Minhinnick and Bal Matheson to include reference to January 2023 updates to the National Policy Statement for Freshwater Management 2014 (NPS-FM) and the National Environmental Standards for Freshwater (NES-F); *Aotearoa Water Action Incorporated v Canterbury Regional Council* [2022] NZCA 325 in which the Court of Appeal found that take and use constitute a single activity; references to *Director-General of Conservation v Northland Regional Council* [2022] NZEnvC 170 and *Aratiatia Livestock Ltd v Southland Regional Council* [2022] NZEnvC 265; and *Re Ngā Kaitiaki o Te Awa o Ngaruroro* [2022] NZEnvC 227 which recommended a water conservation order for the Ngaruroro River.

Chapter 11 — Hazardous substances and contaminated land

- Chapter 11 has been reviewed and updated by David Randal to include reference to the Hazardous Substances and New Organisms (Hazardous Substances Assessments) Amendment Act 2022, in force from 1 November 2022.

Chapter 15 — Heritage

- Chapter 15 has been reviewed and updated by Dr Kenneth Palmer to include reference to *Hurupaki Holdings Ltd v Whangārei District Council* [2022] NZEnvC 231 and *Heritage New Zealand Pouhere Taonga v Dayniel Ltd* [2022] NZDC 25516.

Chapter 19 — Environmental litigation and dispute resolution

- Chapter 19 has been reviewed and updated by Claire Kirman and Christian Whata to include reference to the Natural and Built Environment Bill and Spatial Planning Bill.

