

Update Environmental and Resource Management Law

Service 61 — June 2023

Commentary

Chapter 1 — Environmental Law — Sources, legislation and governance

- Chapter 1 has been reviewed and updated by Dr Kenneth Palmer to include reference to the National Policy Statement for Highly Productive Land (NPS-HPL) and *Balmoral Developments (Outram) Ltd v Dunedin City Council* [2023] NZEnvC 59; comment on the Water Services Entities Act 2022 with reference to *Timaru District Council v Minister of Local Government* [2023] NZHC 244 has been added.

Chapter 2 — Resource Management Act 1991 — Purpose and national direction

- Chapter 2 has been reviewed and updated by Dr Kenneth Palmer to include reference to the National Policy Statement for Highly Productive Land (NPS-HPL) and *Balmoral Developments (Outram) Ltd v Dunedin City Council* [2023] NZEnvC 59.

Chapter 12 — New organisms and biosecurity

- Chapter 12 has been reviewed and updated by Mark Christensen to include reference to the March 2023 Long Term Insights Briefing by the Department of Conservation and Toitū Te Whenua Land Information New Zealand.

Chapter 15 — Heritage

- Chapter 15 has been reviewed and updated by Dr Kenneth Palmer to include reference to *Waikanae Land Company Ltd v Heritage New Zealand Pouhere Taonga* [2023] NZEnvC 56 and *Heritage New Zealand Pouhere Taonga v Chen Ye Diao* [2023] NZDC 2687.

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 *Southland District Council v Chartres* [2022] NZEnvC 258. Discussion of the precautionary principle under the Natural and Built Environment Bill has been added.

