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Media Release: Fish & Game and EDS welcome court decision on implementation of Horizons One Plan

Fish & Game and EDS have welcomed the release of the Environment Court's favourable decision on implementation of the Horizons Regional Council's One Plan.

"Fish and Game and EDS sought declarations from the Environment Court because we did not believe Horizons was implementing the One Plan in a lawful manner," said Fish & Game's CEO Bryce Johnson.

"Consent examples we had reviewed showed that Horizons was issuing multiple consents for intensive farming with N leaching figures significantly over those identified as necessary to achieve the Plan's water quality outcomes.

"Resource consents were being issued with no assessment of environmental effects, no assessment against the relevant One Plan or National Policy Statement on Freshwater Management provisions, and instead applied an approach where consent had to be granted because of a council resolution," added EDS CEO Gary Taylor.

"The Court has agreed with our concerns and its findings in issuing the declarations confirm that Horizons has not been interpreting and implementing its One Plan in conformity with the law. The Council has not been working within freshwater limits."

In summary the key findings are:

- To have regard to a resolution of council in issuing resource consents is unlawful.
- There are minimum standards that apply to decisions on non-notified consent applications including an assessment against all relevant One Plan and NPSFM provisions.
- Consent applications must include an assessment of environmental effects including cumulative effects.

"The Court found that Horizons' implementation has been unlawful and its decisions fundamentally deficient and that raises questions about what it is going to do about it," continued Mr Johnson.

"The decision has significant ramifications for regional councils across the country," added Mr Taylor.

"It has confirmed that simply because managing within fresh water limits has its difficulties, it doesn't mean councils can make up alternative approaches. We are relying on regional councils to do their job properly in implementing the freshwater reforms," he concluded.

Fish & Game and EDS will be discussing the decision with Horizons shortly.

The Environment Court decision is available [here](#).