

Regarding the Consultation on RMA National Direction

Packages 1 - 3

July 2025



Submission of Taituarā – Local Government Professionals Aotearoa regarding the consultation on RMA national direction – Packages 1-3

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Taituarā — Local Government Professionals Aotearoa (Taituarā) thanks the Ministry for the Environment for the opportunity to submit in respect of the amendments to the national direction under the Resource Management Act (RMA).

What is Taituarā?

‘Taituarā’ is Aotearoa New Zealand’s leading membership network for professionals working in and for local government. As an independent, apolitical organisation, Taituarā works proactively on the professional, technical, and practical aspects of policy, legislative, and regulatory change. Active, genuine, and early engagement with Taituarā ensures the Government gets the best advice to make its policies work effectively and ultimately results in quality policy, legislation, and implementation.

Introductory comments

Taituarā has worked with planning and resource management managers, through our Resource Management Reform Reference Group, to review the package of national direction and to develop this submission.

Our overarching comment is that the existing national direction instruments under the RMA have been a source of conflict and uncertainty, primarily because of difficulties in reconciliation between instruments and unclear direction. Litigation has gone to the highest levels of our court system, for example in respect of the National Policy Statement for Highly Productive Land and the National Policy Statement for Freshwater Management. We understand that one of the objectives of this current exercise is to remove conflicts and update the instruments, and we welcome this. However, we have identified some significant issues with the proposals, and we urge caution in progressing all of the changes proposed.

While an NPS may be internally coherent, it can create major implementation issues if it fails to clarify how its objectives align with other national priorities under the Act. Without clear effects-management hierarchies, national direction pushes conflict resolution to councils, leading to inconsistent and costly case-by-case decisions. For example, the intent to consider 'positive effects' in the NPS-Infrastructure is supported, but without clear policy to operationalise this through a coherent effects-management framework, it adds risk and is of limited value.

Taituarā is concerned that the Government is creating regulatory settings for future activities in the absence of any consideration of the projected future climate. In essence, we are regulating for yesterday's conditions, which we know will be different from that in the future (and not homogenous around the country, noting that NIWA has 7 separate climate zones for the country).

We are concerned the current package needs some work regarding drafting, consistency of definitions, and untested concepts which are likely to trigger legal challenges and undermine certainty. For national direction to be effective, it must be well-drafted, clear and coherent. A rushed or incomplete instrument ultimately burdens councils and communities, delaying progress and increasing costs.

Direction is needed

Some of the most challenging and time-consuming matters for assessment and decision-making on development proposals relate to determining the balance between competing policy priorities, including protection of values directed by s 6 and 7 of the RMA, and other NPSs. Direction as to how these will be resolved is absent from the suite of amendments, so they are unlikely to deliver improved efficiency or less costly consenting and decision processes.

We expect that current hurdles in the consenting and policy-making process will remain because councils are still required to reconcile conflicting NPSs.

Integration with current planning frameworks

The amendments must address matters relevant to achieving the purpose of the current resource management legislation; however, the purpose and principles of the RMA are not clearly reflected in the proposals.

We note the challenge to design national direction under the RMA, that helps to achieve the RMA's purpose and how national direction developed for that purpose will fit with the

replacement resource management regime. It is very unlikely that policy direction in the proposed amendments to existing NPSs and the proposed new NPSs will be able to be carried forward consistently into national planning direction under the upcoming RMA replacement legislation. The amendments must comply with the RMA, the premise and principles of which are quite different from what will be in the replacement bills, based on what has been announced so far. Any policy direction promulgated under that new legislation will also change to reflect the new premise and principles.

Some of the proposed amendments tilt policy frameworks strongly in favour of enabling development proposals, with weaker provisions relating to the management of adverse environmental, social, cultural and economic effects. In order to align with section 5 of the RMA, amendments are needed to achieve the appropriate balance.

Current NPSs generally relate to the national significance of key parts of the environment or of effects on the environment. The proposed new policy direction generally relates to the national significance of the activities themselves and a desire to constrain the management of adverse effects on the environment. Significant costs will be involved in interpreting new policy direction, including working out interfaces with existing local authority planning frameworks.

Māori interests

Noting the RMA is being replaced, the policy approach in the new/amended national policy instruments asks decision makers to override section 6 matters in favour of the new direction. This is likely to be the subject of litigation. In addition, it is unclear exactly what the new direction requires. For example, under the NPS-I and NPS-REG a decision maker is asked to provide *"opportunities in appropriate circumstances for tangata whenua involvement in relation to sites of significance to Māori and issues of cultural significance"*.¹ However, a key missing element in the national direction is guidance about what are the *"appropriate circumstances for tangata whenua involvement"*, and how it relates to s 6 of the RMA, which requires those exercising functions under the RMA to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s 6(e)), and the protection of customary rights (s 6(g)).

1 Policy P5(1)(c) of the proposed NPS for Infrastructure. Proposed policy P1(1)(c) of the NPS for Renewable Electricity Generation.

Taituarā considers this policy needs to be amended and strengthened to recognise and provide for sections 6(e) and (g) of the RMA and the obligations of decision makers under those provisions.

Implementation

We struggle to see the benefits of making these proposed changes to the national policy instruments so close to the expected introduction of the legislation to replace the RMA. Costs for councils and stakeholders will likely outweigh short-term benefits. Our general concern is the potential for proposals to break cohesive planning frameworks which may leave councils with irreconcilable policy inconsistencies, and which cannot be reconciled until regional policy statements, regional plans and district plans are updated or replaced entirely to comply with the RMA replacement legislation.

Given the anticipated introduction of replacement legislation and enactment by mid-2026, the current proposals will have a short life, and it is anticipated that most councils will choose not to promulgate plan changes to give effect to the new and amended national direction.

Although Taituarā is supportive of the Government's position that councils will not be required to advance plan changes to give effect to the proposed changes, it is important to understand that the administrative burden from these changes will still be significant. Councils will still have to revise internal processes, notate plans where applicable, enforce new standards on existing and new applications, and manage transitional challenges as existing plan rules are superseded or in conflict with the proposed provisions. This is an administratively heavy task that will require plans in their entirety to be assessed against the new provisions and notated to assist plan users in navigating the changes.

We suggest that, to maintain the integrity of the current planning framework, consideration should be given to only promulgating National Environmental Standards at this time. We also suggest that direct insertion of specific policies into regional and district plans could be considered in order to help reduce the administrative burden of new and amended NPSs.

Testing of exposure drafts

We also request that exposure drafts for all the instruments are provided before drafting is finalised. Taituarā can work with experts to provide feedback on the exposure drafts in order to identify any unintended consequences, including any conflicts between national direction instruments.

Recommendations:

- Delay the introduction of amended national policy direction until after the higher order legislation (replacement of the Resource Management Act) is settled.
- Create the opportunity for experienced local government practitioners to test exposure drafting of any new and amended national instruments.

Package 1 - Infrastructure and development

National Policy Statement for Infrastructure

Taituarā notes the Government’s intent to strengthen national direction for infrastructure under the resource management system. Local authorities are responsible for planning and delivering essential public infrastructure and Taituarā recognises the need for clear, consistent policy to enable long-term investment and well-functioning communities.

The proposed National Policy Statement for Infrastructure (NPS-I) is intended as a step toward rebalancing national direction to better reflect infrastructure needs.

We encourage the Ministry to refine the drafting to improve clarity and consistency across the policy framework, reduce ambiguity, and ensure the NPS-I can be confidently implemented by councils and infrastructure providers across the country.

Taituarā seeks clarification of the terms used in Policy 1 to identify the benefits of infrastructure - such as how a decision-maker should consider “value for money” as a benefit of infrastructure under the RMA.

We are pleased to see that infrastructure provided by councils (such as stormwater networks) is included in the definition of “additional infrastructure”.

Stronger direction is needed on how to manage the interface between infrastructure and environmental values, including clear thresholds for when adverse effects must be avoided and when trade-offs may be appropriate based on public benefit and operational need. Taituarā does not support blanket provision for infrastructure to locate in some of our most precious and fragile environments, especially where there are alternatives that have not been exhaustively explored.

Taituarā also supports clearer direction to manage reverse sensitivity, ensure cost-effective infrastructure delivery, and recognise infrastructure that has been identified through spatial planning processes that recognise local climate futures.

We seek policies that are directive, clear in purpose, and structured in a way that supports both resource consent decision-making and the development of district and regional plans.

The NPS-I should also support the long-term sustainability of infrastructure delivered through the development process and vested in councils. Policies should ensure this infrastructure is fit for purpose, cost-effective to operate into the future, and aligned with council asset planning and service delivery expectations.

We support the proposed policy requiring engagement with tangata whenua, but recommend it be strengthened to clarify that engagement must be active, ongoing, and culturally appropriate. Policies should specify that tangata whenua must be engaged with, not simply consulted, and that such engagement should occur early in the planning process to help avoid adverse effects. We also consider this principle should be embedded across the NPS-I and to apply similar approaches in other national direction instruments.

Taituara supports the following:

- broad definition of infrastructure that includes three waters and land drainage infrastructure
- strong, enabling language for nationally, regionally or locally significant infrastructure, subject to proper recognition of the need to manage adverse effects
- requirement to meet the functional and operational need for infrastructure to be located in a particular environment, subject to clarifying that the terminology "particular environment" is not intended to enable infrastructure in protected areas
- consideration of spatial plans and other strategic plans.

We also note that where infrastructure is a non-complying activity under a district plan, the NPS will not assist with the gateway test under s 104D. NPSs are not referenced in s 104 D so in order to be enabling, plans will need to be changed to give effect to the NPS. A more efficient approach may be for the NPS to require direct insertion of policies into district plans.

Some councils will choose to give effect to the new NPS but until this is done, plans will be misaligned with each other and with the NPS. Where plans have a non-complying activity status for significant infrastructure, this new NPS will not assist.

We have made some detailed comments below, though we have not addressed all the questions in the discussion document. We urge you to consider the detailed technical submissions provided by councils, which will ultimately be the implementers of the national direction.

Detailed comments

- All definitions (eg decision-maker, functional need, infrastructure, operational need, planning decision, provisions, quarrying activities, resilience, reverse sensitivity) should be consistent across the full suite of national direction and across the four consultation packages.
- The objectives and policies of the NPS-I require strengthening to better reflect the positive role of infrastructure, and improve alignment with other policies in the NPS-I
- Several clauses need to be redrafted because they are vague. For example, references to "relevant schools" and to the Health Act need tightening/ clarifying. Council submissions have identified others.
- The definitions of terms need to be reconsidered. For example, the proposed definition of "infrastructure supporting activities" is far too wide and should clearly reflect the intent to include such activities necessary for the maintenance, upgrading and construction of infrastructure enabled by Policy P4.
- Policy P3 referring to "spatial planning" needs to distinguish between strategic/spatial planning processes that involve formal RMA processes and public input and informal/non-statutory documents, with greater precedence being given to the former
- The NPS should include comprehensive direction on management of all adverse effects of infrastructure. A directive policy is needed to guide how the adverse effects of infrastructure should be managed in planning decisions. The references to enabling nationally, regionally or locally significant infrastructure should be subject to the need to manage adverse effects of those infrastructure and associated infrastructure activities.
- More directive language is needed that clearly links the assessment of effects to route, location and design choices.
- The provision for Māori rights and interests at Policy P5 is positive, but there should be clear directions to recognise and provide for Māori interests by supporting early and meaningful engagement with tangata whenua, particularly in the route and site selection processes where adverse effects can be best addressed. In respect of any effects management hierarchy, the direction in this regard is limited.

- The mandatory requirement in Policies P4 and P6 for decision-makers to consider relevant international, national, regional standards and methods when assessing and managing adverse effects is vague and open ended, which would potentially expose councils to judicial review proceedings.
- Councils' infrastructure is omitted from having status under spatial plans.
- Ensure the provisions support adaptation and managed retreat of infrastructure in response to climate change.

Recommendations

- Provide stronger guidance on how to manage the interface between infrastructure and environmental values, including clear thresholds for when adverse effects must be avoided and when trade-offs may be appropriate based on public benefit and operational need.
- Strengthen the policies regarding engagement with tangata whenua to clarify that engagement must be active, ongoing, and culturally appropriate. Policies should specify that tangata whenua must be engaged with, not simply consulted. Embed this policy across the NPS-I and across other national direction instruments within Package 1.
- Refine the drafting to improve clarity and consistency across the framework, including:
 - references to "relevant schools" and to the Health Act need tightening/clarifying
 - there are references to enabling nationally, regionally or locally significant infrastructure, these should be subject to the need to manage adverse effects of those infrastructure and associated infrastructure activities
 - Clarify at Policies P2 and P4 that "particular environment" is not intended to enable infrastructure in protected areas
- All definitions (eg decision-maker, functional need, infrastructure, operational need, planning decision, provisions, quarrying activities, resilience, reverse sensitivity) should be consistent across the full suite of national direction being proposed.
- Include directive language that clearly links the assessment of effects to route, location and design choices

- Include comprehensive direction on management of all adverse effects of infrastructure
- Redraft the provision to consider relevant international, national, regional standards and methods as it is vague and open ended.
- Ensure the provisions support adaptation and managed retreat of infrastructure in response to climate change.

Amended National Policy Statement for Renewable Electricity Generation (NPS-REG)

Taituarā supports the intent of the proposed amendments to support the increased generation of renewable energy required to achieve New Zealand’s climate goals and security of supply. However, Taituarā does not support the amendments that provide blanket support for renewable electricity generation (REG) to locate in areas where some of New Zealand’s most outstanding, significant or fragile biodiversity, landscape, cultural, recreational or other values exist.

Taituarā also supports policies with stronger directives and that are enabling of REG projects to ensure that resource consent applications are processed with clarity, certainty and timeliness.

Taituarā wants to ensure that the policy framework does not reduce intensification opportunities by protecting small-scale (individual on-site use) REG assets such as a solar panel on a residential roof and seeks amendments to ensure this is achieved.

Taituarā has concerns about the breadth of amended Policy B, particularly its direction to enable “cumulative increases of REG output at any scale and in any location.” We are concerned such drafting risks undermining protections for areas of high environmental or cultural significance. More targeted direction is needed to ensure that development remains compatible with section 6 of the RMA and other NPSs, and to prevent unintended adverse effects in sensitive locations.

We also support stronger policy direction regarding engagement with tangata whenua. The NPS-REG should incorporate the same requirements proposed in the NPS-I.

To ensure the NPS-REG is effective in practice, stronger alignment with spatial planning frameworks and long-term infrastructure strategies under the new resource management

system is needed. Identifying areas suitable for renewable electricity generation through strategic planning will help avoid future conflicts with urban growth, reduce the risk of reverse sensitivity effects, and ensure that generation can be located where it is most efficient and least constrained. It also enables early community engagement and provides greater certainty to infrastructure providers, councils, and communities about where investment is appropriate and supported.

Lastly, we note that where the REG activity is a non-complying activity under a district plan, the amended NPS will not assist with the gateway test under s 104D of the RMA. NPSs are not referenced in s 104 D, so in order to be enabling, plans will need to be changed to give effect to the NPS or the NPS will need to require direct insertion of policies into district plans.

Amended National Policy Statement on Electricity Transmission (NPS-ET)

Taituarā supports the Government's objective of safeguarding New Zealand's energy security and improving energy affordability. We agree that increasing efficiency of electricity network delivery is key to this. The demands on electricity and telecommunications networks increases with intensification and the ability for networks to meet the demand is constrained by capacity limitations.

Taituarā supports expanding the scope of the current NPS-ET beyond the National Grid to include electricity distribution.

Taituarā supports provisions that enable electricity transmission and distribution activities, facilities and assets to be operated, maintained and upgraded and supports the inclusion of ancillary activities.

These amendments are being made in advance of wider reforms as to how effects are managed in areas with values of national importance (eg biodiversity) and there are no clear links to the Climate Adaptation Framework presently being developed in a separate process. Specifically, there is nothing in this amended NPS that dissuades operators from building electricity generation and transmission infrastructure in flood plains. If they were argued to support housing or growth they could conceivably be encouraged under the amendments proposed.

There are investment, commercial, insurance and community resilience/recovery issues with encouraging this type of critical infrastructure without an understanding of how climate conditions will change in the future.

This should be linked to and be subservient to the yet to be delivered Adaptation Framework, or at least linked to the regional scale spatial planning chapter of regional plans. Alignment with the approach taken in the proposed NPS-NH regarding risk assessment is recommended.

The lack of reconciliation between policy direction remains. Accordingly, we seek amendments to ensure the adverse effects of electricity networks are appropriately considered, including that decision-makers consider the effects on outstanding natural features and landscapes, and indigenous biodiversity.

Lastly, we note that where the ET activity is a non-complying activity under a district plan, the amended NPS will not assist with the gateway test under s 104D of the RMA. NPSs are not referenced in s 104 D, so in order to be enabling, plans will need to be changed to give effect to the NPS, or the NPS will need to require direct insertion of policies into the district plan.

Recommendations

- Amend the NPS-ET to align with the NPS-NH regarding building electricity generation and transmission infrastructure in flood plains.
- Amend the NPS-ET to ensure the adverse effects of electricity networks are appropriately considered, including that decision-makers consider the effects on outstanding natural features and landscapes, and indigenous biodiversity.

Amended National Environmental Standards for Electricity Transmission Activities (NES-ETA)

Taituarā supports the proposed changes to the NES-ETA, which are intended to complement changes to the NPS-ET by including electricity distribution in addition to electricity transmission.

The current NES-ETA only applies to Transpower New Zealand Ltd assets that were existing as at January 2010.

Taituarā supports in general the proposed amendments that will enable more routine work on the electricity transmission network, as well as new rules to protect the transmission network, new permitted activity rules for the distribution network, new permitted activity rules for EV charging infrastructure and the changes to definitions to support consistent interpretation.

We have identified several issues that need further consideration including that there is nothing in this amended NES that dissuades operators from building electricity transmission infrastructure in floodplains.

The blanket removal of compliance with viewshaft rules, including those in place for cultural reasons, needs further work.

We oppose introducing the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001) into resource consent requirements. These are already required and enforced under Electricity Act 1992 and including these standards will broaden the function of councils unnecessarily to monitoring and enforcement of the Electricity Act 1992.

Recommendations

- Amend the NES-ETA to align with the NPS-NH regarding building electricity transmission infrastructure in flood plains.
- Reconsider the blanket removal of compliance with viewshaft rules.
- Retain the New Zealand Electrical Code of Practice for Electrical Safe Distances (2001) as a code.

National Environmental Standards for Telecommunication Facilities (NES-TF)

Taituarā supports the proposed changes to the NES-TF, they are long overdue. These amendments will enable greater efficiency in the deployment of telecommunications infrastructure and enable more modern and resilient telecommunication services to meet the connectivity needs of New Zealand households and businesses.

Taituarā supports the requirement for local authorities to enable the maintenance and upgrading of network utilities to ensure that the needs of people and communities are met. We seek amendments to ensure that the operational needs of local telecommunications infrastructure are appropriately balanced against effects on local communities, such as the effects of heights of these network utilities on neighbouring properties.

Recommendations

- Amend the NES-TF to ensure that the operational needs of local telecommunications infrastructure are appropriately balanced against effects on local communities, such as the effects of building heights of the network utilities on neighbouring properties. Taituarā understands Councils submissions will be making recommendations as to appropriate PA standards and we recommend those are reviewed and incorporated into the provisions

National Environmental Standards for Granny Flats (Minor Residential Units) (NES-GF)

Taituarā understands the Government's overall intent regarding this proposed NES and agrees that alignment with the changes to the Building Act that provide for "small unconsented dwellings," including alignment of terminology and standards with the Building Act 2004.

Providing for Minor Residential Units as a permitted activity has the potential to improve housing choice within existing urban areas and enable more diverse living arrangements for households and whānau.

By way of an introductory comment, Taituarā considers that in order to deliver on the Government's objectives to increase housing supply, restrictive private covenants need to be addressed. Land covenants banning Minor Residential Units, or multiple dwellings on a single site are common. Restrictive covenants go a great deal further than

Taituarā supports the use of "Minor Residential Unit" and seeks the removal of all references to "Granny Flat", including renaming the NES-GF to National Environmental Standards for Minor Residential Units, as this terminology is woefully outdated, and we note the units are not just for "granny."

Many district plans already provide for Minor Residential Units in line with infrastructure capacity.

Taituarā supports the proposed list of matters that cannot be regulated, provided concerns about the rural zone, and potential future subdivision, outlined below are addressed.

We note that applying the new provisions of this NES in rural zones triggers a range of reverse sensitivity matters. Many standards in district plans are in place to protect the continued operation of lawfully established activities. If the NES is to apply in rural zones, we recommend that district plan provisions should prevail in respect of setback standards associated with:

- intensive indoor primary production;
- commercial forestry;
- mining and mineral extraction activities;
- refuse transfer stations and landfills;
- sites of energy generation and significant hazardous facilities; and
- State Highways in the rural zones (where the speed environment is highest).

Councils have identified concerns about how the proposed NES-GF will operate in practice, particularly in areas with constrained Three Waters infrastructure. It is critical that the NES-GF allows local authorities to apply more restrictive standards where there are identified infrastructure constraints.

The NES-GF is ambiguous about how future intensification is managed — particularly where there may be pressure for minor units to be subdivided or expanded over time through additions. Councils should be empowered to fill this gap in the planning framework without use of the RMA Schedule 1 process. Taituarā seeks that the NES enables Council to include in their district plans (without the Schedule 1 process), consequential rules that encourage the registration of legal instruments that ensure permitted minor units cannot be subdivided into separate titles in future.

Taituarā is concerned that enabling minor residential units as permitted activities may raise the permitted baseline inappropriately. This could limit the ability to decline more intensive proposals that exceed servicing capacity, especially where multiple minor units are developed across a neighbourhood. The NES should provide that minor residential units cannot be considered as part of the permitted baseline for multi-unit development where infrastructure constraints have been identified.

Recommendations

- Ensure alignment of this NES with the final changes to the Building Act through the Building and Construction (Small Stand-alone Dwellings) Amendment Bill that provides for Minor Residential Units.
- Consider the restrictive role of private land covenants on multiple dwellings on a site.
- Remove all references to “Granny Flats” and replace with “Minor Residential Units”.
- Allow local authorities to apply more restrictive standards where there are identified infrastructure constraints.
- Include a provision that minor residential units cannot be considered as part of the permitted baseline for multi-unit development where infrastructure constraints have been identified.
- In rural zones, allow District Plan provisions to prevail in respect of setback standards associated with:
 - intensive indoor primary production;
 - commercial forestry;
 - mining and mineral extraction activities;
 - refuse transfer stations and landfills;
 - sites of energy generation and significant hazardous facilities; and
 - State Highways in the rural zones (where the speed environment is highest).
- Enable councils to include in their district plans (without the Schedule 1 process), consequential rules that direct or that require the registration of legal instruments that ensure permitted minor units cannot be subdivided into separate titles in future

National Environmental Standards for Papakāinga (NES-P)

Taituarā supports enabling papakāinga development within the resource management system.

For some district plans, the NES-P will be more permissive than the existing provisions of those plans, whereas in some zones in other district plans, the NES-P will be more restrictive e.g. specific zones providing for marae.

We have four specific comments:

- Councils should be able to retain provisions that are more lenient.
- The NES-P must allow more restrictive standards to be applied where there are identified infrastructure constraints.

- Careful thought is needed regarding reverse sensitivity matters where papakāinga are enabled within and/or adjacent to Commercial and Industrial zoned land.
- 50% coverage standard should not apply in rural zones as this would lead to a level of intensity that is out of keeping with the zone, and would likely result in reverse sensitivity issues.

Recommendations

- Include provisions that allow councils to retain provisions that are more lenient than the NES.
- Enable councils to apply more restrictive standards where there are identified infrastructure constraints.
- More work is required regarding reverse sensitivity matters where papakāinga are enabled within and/or adjacent to Commercial and Industrial zoned land.
- Reduce the 50% coverage standard in rural zones as this would lead to a level of intensity that is out of keeping with the zone, and would likely result in reverse sensitivity issues.

National Policy Statement for Natural Hazards (NPS-NH)

Taituarā acknowledges the new National Policy Statement for Natural Hazards (NPS-NH) as an important first step toward a more consistent, risk-based approach to managing natural hazards within the resource management system. We welcome the intention to provide strong direction to specifically prevent intensive development in high-risk natural hazard areas.

We support the NPS taking immediate effect through resource consent decisions and influencing plan changes, without requiring comprehensive plan updates. We also support the flexibility it affords local authorities to tailor responses and controls based on local circumstances.

If sufficiently developed and directive, the NPS has the potential to reduce costs by streamlining risk assessments, promoting consistency, and minimising litigation. However, in its current form, it remains overly generic and may create uncertainty, increasing interpretive burdens without delivering clearer outcomes.

We have identified that amendments are necessary to ensure the NPS can add value, deliver the objectives sought, and most importantly, deliver a framework that councils need to better manage natural hazards.

1. **Policy Direction and Risk Framework:** Without directive policies, clearly defined thresholds for acceptable risk, and outcome-focused objectives, this NPS is unlikely to achieve its intended purpose. The absence of such clarity may result in increased implementation costs due to uncertainty, litigation, and inconsistent interpretation.
2. **Risk Assessment and Climate Change Adaptation:** While a nationally consistent risk matrix is a valuable tool, the framework must also provide explicit guidance on how risk should be assessed and managed in the context of increasing risk over time due to climate change. It should clarify the implications for current management responses. Furthermore, the definition of "significant risk" must be sufficiently precise to support the establishment of effective policy thresholds and regulatory mechanisms. The NPS should also explicitly link risk tolerances to planning outcomes.
3. **Scope:** Taituarā does not support identifying specific hazards to which the NPS applies. Councils should be enabled to identify hazards (as defined by the RMA) relevant to their context and to apply the matrix accordingly. For example, in a number of areas, wildfire is relevant, in recognition of its growing relevance as a climate-related risk and the notable expansion of forestry across New Zealand. It is acknowledged that local authorities are not prevented from having their own policies on other natural hazards, but Taituarā's view is that the NPS should apply so that local authorities can rely on its policy direction and assessment mechanisms when developing local responses to those other hazards.

The exclusion of infrastructure and primary production from the scope of the NPS represents a significant gap, particularly given the strategic importance of infrastructure and the vulnerability of certain primary production activities—especially those involving hazardous substances—to natural hazards. In addition, infrastructure is critical during times of emergency and therefore has a compounding effect on the tolerability of the situation. In addition infrastructure which is not managed effectively with respect to its exposure to natural hazard risk may result in poor outcomes in terms of infrastructure resilience, particularly in many NZ environments where multiple and cascading hazards are present. The NPS should either incorporate these sectors (with accompanying amendments to the NPS-I and NZCPS to address any inconsistencies) or more clearly articulate how these issues should be addressed in the other national instruments.

Additionally, the current definition of “new development” may lead to gaps, particularly in cases where new buildings are proposed on already developed sites that may still be exposed to increased risk. It is critical that the NPS is clear on what scale constitutes new development on land that is already developed.

4. **Clarity of Policy Direction:** While Objective 1 appropriately emphasises the importance of risk-based decision-making, it lacks a clearly articulated intended outcome, thereby limiting its effectiveness as a guiding principle. Moreover, the proposed policies tend to outline processes rather than provide the specific thresholds or direction necessary to determine what constitutes acceptable versus unacceptable levels of risk under various conditions. Taituarā does not support an NPS that does not provide any direction as to how to respond to significant classifications of risk.
5. **Definition of Significant Risk and Proportionate Management:** We support the principle of aligning planning responses with the level of risk and endorse the application of proportionate management responses. This reflects the approach taken by many local authorities already. However, further guidance is required (in the NPS itself, rather than non-statutory guidance) regarding the suitability of development in areas subject to high or very high risk. The current wording may lead to ambiguity; for instance, Policy 5 appears to suggest that hazard risks are only problematic if they are deemed “significant,” which is not an adequately robust standard. Greater precision is needed regarding the thresholds for risk and the implications these thresholds have for development rights. It is important that the NPS identifies clearly what is proportionate at what level of risk. Managing risk can be a very litigious space for TAs and as such, it is important that as much direction and detail is provided within the NPS itself in order to avoid costly and lengthy disputes related to important decision making.
6. **Permitted Activities and Hazard Risk Management:** The NPS should provide explicit guidance on the management of natural hazard risks in contexts where activities are permitted and do not require consent. This is essential to ensure effective implementation of the policy direction and to avoid unintended or adverse outcomes, particularly in areas subject to medium or high levels of risk.
7. **Need for specificity:** Policy 2 (The potential impacts of climate change on natural hazards are to be considered at least 100 years into the future). Specificity is needed regarding the climate change scenario to use. Leaving this to local decision-making adds to litigation, time and costs for councils and communities.
8. **Use of Information** We support the requirement to utilise the best available hazard information. However, further national guidance is necessary to ensure consistent interpretation and application. Without clearly defined criteria for what constitutes the “best available” information, planning decisions may remain susceptible to legal challenge.

9. **Implementation Support:** Implementation support from central government will be critical, especially for smaller or less-resourced councils.

Councils have appreciated the opportunity to be involved in shaping the NPSs and will be pleased to work with officials as refinements are progressed.

Recommendations

- Redraft the NPS-NH to ensure policies are directive, thresholds for acceptable risk are clearly defined and objectives are outcome-focused.
- Provide explicit guidance on how risk should be assessed and managed in the context of increasing risk over time due to climate change. Ensure the definition of "significant risk" is sufficiently precise to support the establishment of effective policy thresholds and regulatory mechanisms. The NPS should also explicitly link risk tolerances to planning outcomes.
- Broaden the application of the NPS-NH to any natural hazard (as defined in the RMA) to enable councils to identify the key hazards for their location and to apply the matrix.
- Include infrastructure and primary production in the scope of the NPS-NH
- Redraft Objective 1 to clearly articulate the intended outcome; redraft the policies to provide specific thresholds or direction with respect to acceptable versus unacceptable levels of risk under various conditions, and what proportionate action is appropriate at each risk level.
- Provide further guidance regarding the suitability of development in areas subject to high or very high risk, noting the current wording may lead to ambiguity.
- Provide explicit guidance on the management of natural hazard risks in contexts where activities are permitted and do not require consent.
- In Policy 2 (The potential impacts of climate change on natural hazards are to be considered at least 100 years into the future). be specific regarding the climate change scenario to use.
- Provide national guidance regarding "the best available hazard information" to ensure consistent interpretation and application.

Package 2 – Primary Sector

Amendments to NZ Coastal Policy Statement (NZCPS)

Taituarā supports strengthening of policy 6 to better enable “priority activities: (as described in the Regulatory Impact Statement”, and in particular the inclusion of more enabling language which recognises the functional or operational need for these activities to be located in the Coastal Marine Area.

We recommend replacing the term ‘infrastructure’ with ‘regionally significant infrastructure’ in the proposed wording for Policies 6(1)(k) and 6(2) (f). This would ensure that infrastructure identified as regionally significant, including regional councils’ assets for public flood control, flood protection, and drainage, are included and will ensure significant infrastructure with an operational need can be placed in the coastal marine area.

We support recognising aquaculture areas identified for Treaty Settlement purposes while enabling aquaculture activities in these areas.

We recommend ensuring that specified infrastructure for public flood control, flood defences, or drainage work carried out by a local authority is recognised in the changes. This would ensure regional councils are able to provide flood management in the coastal environment

Minor technical amendments are required to ensure that the changes to the NZCPS only encompass priority activities, and do not allow non-priority activities to claim operational need.

Recommendations

- Ensure that specified infrastructure for public flood control, flood defences, or drainage work carried out by a local authority is recognised in the NZCPS.
- Make minor technical amendments to ensure that the changes to the NZCPS only encompass priority activities, and do not allow non-priority activities to claim operational need.

National Environmental Standards for Marine Aquaculture

We recommend elevating the activity status for changes in fish species within existing farms from "controlled" to a more stringent category. The current proposal risks significant cumulative adverse effects on water quality due to differing nutrient discharge profiles.

Additionally, the inclusion of unwanted species like *Undaria* poses serious biosecurity threats and contradicts existing RMA provisions. These risks warrant a more precautionary regulatory approach.

We strongly recommend retaining the current provisions that allow for limited and public notification under special circumstances. The proposed changes to rules R23, R44, R16, and R28 introduce ambiguity and could unduly restrict public engagement. While simplification is a valid goal, it must not come at the expense of transparency and environmental accountability.

We recommend revising the matters of control in provisions such as R31 and R33 to ensure consistency with the controlled activity status. Specifically, matters of control should focus on management rather than assessment of effects, and should include comprehensive requirements for information, monitoring, and reporting. This will enhance clarity and enforceability across the National Environmental Standards for Marine Aquaculture (NES-MA) framework.

We request that key terms are defined such as “structure exclusion area” and “significant marine ecological area” to avoid misinterpretation.

Recommendations

- Elevate the activity status for changes in fish species within existing farms from "controlled" to a more stringent category.
- Retain the current provisions that allow for limited and public notification under special circumstances. The proposed changes to rules R23, R44, R16, and R28 introduce ambiguity and could unduly restrict public engagement.
- Revise the matters of control (R31 and R33) to ensure consistency with the controlled activity status. Specifically, matters of control should include comprehensive requirements for information, monitoring, and reporting.
- Define key terms such as “structure exclusion area” and “significant marine ecological area”.

National Policy Statement for Highly Productive Land (NPS-HPL)

The removal of LUC 3 land will be more enabling of urban development, however Taituarā has concerns that the amendments have the potential to undermine the purpose of the NPS-HPL through the significant reduction in the land to which the NPS applies.

Taituarā supports the objective of protecting New Zealand's most valuable soils, however the proposed changes risk creating major implementation issues, undermining local decision-making, and increasing costs for councils. As councils have experienced first-hand with the current NPS-HPL, ambiguous or poorly sequenced national direction leads directly to costly litigation and uncertainty for councils, landowners, and communities.

Blanket removal of LUC 3: The proposal for a blanket removal of Land Use Capability (LUC) Class 3 soils is a blunt instrument that undermines effective planning, especially in light of other national direction, which will enable unplanned growth. Taituarā supports a more nuanced approach where local authorities are empowered to determine the most appropriate locations for urban development across all land classes, particularly where councils can demonstrate where they have 30 years of plan-enabled capacity in district plans already.

Any easing of restrictions on LUC 3 land should be strictly limited to enable planned, large-scale urban development and not ad-hoc un-serviced large lot development or rural lifestyle blocks. Such development would still result in the permanent loss of productive capacity (as well as pressure on transportation infrastructure) for minimal housing capacity gain. We recommend only removing restrictions for urban development and keeping the restrictions for rural lifestyle development. Additionally, we recommend limiting rezoning of LUC 3 land for urban purposes to plan changes initiated by local authorities only. We do not support removing NPS-HPL restrictions for private plan changes to rezone LUC 3 land. Private plan changes are often driven by landowner interest with no scope for assessing other practical locations that could better achieve the objective and direction of the NPS-HPL.

We strongly recommend suspending (as is currently proposed) or extending the current timeframes for mapping highly productive land (Highly Productive Land). Given the uncertainty with resource management system reform, our preference is for a suspension. This would ensure that Highly Productive Land maps are developed in alignment with any new standards and would fit seamlessly into the new system while supporting a better allocation of our resources when implementing the new system. We also suggest consideration be given to

allowing consent authorities to consider up to date soil mapping provided by applicants. This would reduce one core frustration with the NPS HPL as it currently stands.

Special Agricultural Areas (SAAs): The introduction of Special Agricultural Areas (SAAs) is supported in principle as a tool to protect regionally significant land that may be excluded by the removal of LUC 3. Taituarā supports the ability to create *Special Agricultural Areas*, however there are areas in addition to Pukekohe and Horowhenua that should also be considered as *Special Agricultural Areas* and so Taituarā does not support the comment in the Regulatory Impact Statement that Ministers have committed to testing SAAs by limiting their use to Pukekohe and Horowhenua. Tasman, Heretaunga and Te Puke would seem to be obvious candidates. We recommend an amendment to the NPS to include provision for SAAs, setting out criteria and a process for areas to be identified. Local government should lead the identification process, and once identified, SAAs should be afforded the same level of protection as Highly Productive Land.

Clear guidance needs to be provided on how the values of SAAs are to be balanced against other national direction, particularly the National Policy Statement for Freshwater Management, to avoid policy conflicts.

Transition arrangements: The proposed timing and transition arrangements create significant risk and cost for councils. Giving immediate effect to the removal of LUC 3 protection before mapping is complete will encourage unplanned, ad-hoc development proposals. A more appropriate transitional arrangement would be to amend the policy to allow only council-initiated or council-supported plan changes to rezone LUC 3 land for urban purposes. This approach ensures that development is strategic and planned, rather than ad-hoc, while still providing a pathway for growth. This targeted approach should be adopted in the interim. The timeframe for mapping of Highly Productive Land must be extended, and broader protections against private plan changes or changes sought through submissions on plan changes or appeals that do not have support from the council must remain in place until new Highly Productive Land and SAA maps are operative.

Recommendations

- Limit rezoning of LUC 3 land for urban purposes to plan changes initiated by local authorities only.
- Suspend or extend the current timeframes for mapping Highly Productive Land.
- Amend the NPS to include criteria for *Special Agricultural Areas (SAAs)* to enable areas to be identified. Local government should lead the identification process, and once identified, SAAs should be afforded the same level of protection as Highly Productive Land.
- Provide clear guidance on how the values of SAAs are to be balanced against other national direction, particularly the National Policy Statement for Freshwater Management.

Multiple instruments for quarrying and mining provisions

Taituarā supports aligning terminology for quarrying and mining across the relevant national direction to improve consistency. However, Taituarā holds significant concerns that the proposed changes, that are significantly more permissive, will result in the further loss of New Zealand's most vulnerable and precious ecosystems. We wish to highlight the government's own analysis, which rightly concludes that for our remaining wetlands, damage is often irreversible—"once it is gone, it is gone."

These are not just fragile environments; they are the last remnants of a natural heritage that has been diminished by over 90%, and they hold deep cultural significance that has not been adequately addressed in this proposal.

While Taituarā supports the Government's intent to create a consistent and workable consent pathway for essential quarrying and mining activities, we are concerned the proposed changes weaken the gateway tests to a degree that will compromise the protection of Significant Natural Areas (SNAs) and wetlands, with potential implications for mana whenua and taonga species. Rather than simply removing key protective clauses, Taituarā advocates for a more balanced approach that seeks to appropriately weight benefits with costs.

For our most sensitive environments, such as SNAs and wetlands, a robust assessment framework should be non-negotiable. We recommend an alternative clear, multi-part test that provides a high, but certain, pathway for genuinely critical projects. This should require a proposal to first demonstrate significant public benefit and a lack of practicable alternatives

(but removes the uncertain wording about 'that could not otherwise be achieved using resources within New Zealand'). It must also include a final weighing test, ensuring the benefits outweigh the permanent loss of these irreplaceable environmental and cultural values. This structured approach ensures that decisions are transparent, defensible, and uphold the principles of the RMA.

For Highly Productive Land, Taituarā supports a more proportionate and tailored approach. The value of Highly Productive Land is different from that of an SNA, and the policy should reflect this. We request a bespoke gateway for Highly Productive Land could still require a project to demonstrate regional benefit and show that 'the proposed location is the best practicable option to meet the purpose of the activity, considering logistical, geological, and transport factors'. It would also seek that activities seek to minimise loss of productive capacity through design and also provide a post-closure rehabilitation plan that would seek return of productive capacity as far as practicable.

For the reasons outlined above, Taituarā is also concerned about the proposal to add 'operational need' as a gateway test in the National Policy Statement for Freshwater Management and the National Environmental Standards for Freshwater for mining and quarrying activities affecting wetlands.

Recommendations

- Develop a robust assessment framework for the most sensitive environments (SNAs and wetlands); this should be a clear, multi-part test that provides a high, but certain, pathway for genuinely critical projects. This should require a proposal to first demonstrate significant public benefit and a lack of practicable alternatives (but removes the uncertain wording 'that could not otherwise be achieved using resources within New Zealand'). Include a final weighing test, ensuring the benefits outweigh the permanent loss of these irreplaceable environmental and cultural values.
- For Highly Productive Land, develop a bespoke gateway for mining and quarrying of Highly Productive Land that would require a project to demonstrate regional benefit and show that 'the proposed location is the best practicable option to meet the purpose of the activity, considering logistical, geological, and transport factors'. It should also seek that activities seek to minimise loss of productive capacity through design and provide a post-closure rehabilitation plan that would seek return of productive capacity as far as practicable.

Package 3 – Freshwater

Below are Taituarā's high-level comments on the proposals. We support the detailed submission of Te Uru Kahika regarding the freshwater provisions and their suggested amendments. We note Te Uru Kahika's broad support for most of the proposals to simplify freshwater management. Their submission notes that all regional councils share an unwavering commitment to protect the wellbeing of freshwater in a way that balances diverse uses. Most councils welcome greater flexibility, with the opportunity to address challenges in ways that reflect unique regional conditions. We also note and support Te Uru Kahika's principal request for regulatory certainty and enduring policy settings. We acknowledge that the freshwater proposals will be followed by formal consultation on exposure drafts of an amended NPS-FM and regulations and look forward to engaging on those.

Rebalancing freshwater management through multiple objectives

The main goal of the NPS-FM is to protect the health of rivers, lakes, and other water bodies. Clean water is vital for many industries and matters a lot to the public. We think the Government should keep listening to these concerns when making long-term policies.

We note Te Uru Kahika's comment that some councils are concerned about the Hierarchy of Obligations being removed. Te Uru Kahika notes that councils don't apply the Hierarchy as "protecting the environment no matter what", or seek a return to untouched conditions. Instead, councils treat the environment, people's health, and economic wellbeing as equally important.

National rules need to clearly explain how different priorities (protecting water and supporting farming) are balanced. Our waterways face pressure from farming, city development, and other activities. We worry that the Government's new proposals could cause confusion, leading to slow and difficult decision-making that may disappoint the public.

Councils across the country strongly support protecting freshwater while still allowing for economic growth. Working with iwi and hapū is key to solving water quality issues. These partnerships help create lasting solutions and include many different voices. Also, Māori relationships with freshwater vary by region and are often tied to Treaty settlements. So, the NPS-FM should continue to give councils flexibility to honour local partnerships with Māori.

Rebalancing Te Mana o te Wai

People across New Zealand want clean freshwater that keeps lakes and rivers healthy, allows for recreation, and supports strong local economies. At its heart, *Te Mana o te Wai* is about the deep connection between water, the environment, and people's wellbeing. Councils may be at different points in improving freshwater, but all agree it's important to set goals that reflect these connections and continue to push for better water quality.

Councils (particularly regional and unitary councils) will share their own views on the three proposed approaches to reflect *Te Mana o te Wai* in the national freshwater policy. *Taituara* encourages the Government to carefully review these submissions, which highlight unique regional needs and challenges.

Taituarā also acknowledges the work and strong relationships between iwi, hapū, and communities in putting *Te Mana o te Wai* into practice. It stresses the need to include regional voices when tackling local water management issues.

Providing flexibility in the National Objectives Framework

Taituarā supports the submission of Te Uru Kahika – that the National Objectives Framework (NOF) should be made more adaptable. The current system—focusing on identifying values and protecting them—is helpful and grounded, but it's also too rigid. Keeping the core

required values while allowing flexibility for others will better reflect what matters in different regions.

The process set out in the 2020 National Policy Statement for Freshwater Management (NPS-FM) is very detailed and strict. In reality, councils have found it hard to follow exactly, and communities haven't stayed engaged with it. A simpler approach—focused on working with local people and tangata whenua to identify values and decide what's needed, and when—would make it easier for councils to adapt to local needs.

Compulsory attributes

Taituarā supports giving councils more freedom to focus on the biggest issues in their areas. This way, progress can happen at a pace that makes sense locally and resources can be directed where they're most needed.

Taituarā recommends that "Drinking water supply" should be moved from the optional values list to the compulsory values list.

Taituarā notes Te Uru Kahika's comment that councils generally agree that key water quality measures from the 2017 National Policy Statement for Freshwater Management (NPS-FM)—especially those for sediment, nitrogen, phosphorus, and *E. coli*—should stay mandatory. This helps manage long-term effects and creates a reliable basis for future decisions.

Many newer water quality measures from the 2020 NPS-FM could be optional. This would let councils focus on what matters most locally, based on solid data and existing monitoring experience. Some newer measures were added before the science was fully developed, so it may be more practical to just monitor them for now.

Taituarā also agrees there is an opportunity to simplify the attribute tables, especially with upcoming technical reviews like for recreational water guidelines. They're keen to keep working with officials to improve how newer standards—like sediment and *E. coli* thresholds—are applied.

National bottom lines

Taituarā supports national bottom lines for the compulsory attributes. We note Te Uru Kahika's view that there is sufficiently robust, nationally relevant science to support these bottom lines. National bottom lines promote efficiency and prevent repetition of arguments between the same parties at multiple council hearings. In addition, national bottom lines also offer coherent national reporting and monitoring. Given their nature, we recommend that the NPS-FM explicitly clarifies that longer timeframes for meeting bottom lines are acceptable.

As we transition to a new resource management system, we consider some national bottom lines will have a pivotal role. They will guide the roll-out of FWFP, development of further

national environmental standards and other direction under the proposed Natural Environment Act – all of these may proceed ahead of region-specific provisions under the proposed legislation

Enabling commercial vegetable growing

We oppose making commercial vegetable production (CVP) a permitted activity through national standards. Making CVP a permitted activity could result in reduced water quality across some regions, including in areas with water quality issues, and prevent councils from meeting some Treaty settlement obligations. This approach will also be potentially contrary to provisions under some RPSs developed under the RMA. Therefore, we recommend having a consenting regime for CVP.

If the government decides to progress making CVP a permitted activity through national standards, we strongly recommend that this should not apply to any catchments subject to commitments recorded in Treaty settlement legislation, as well as other areas currently experiencing water quality issues.

If CVP is to be made a permitted activity, we recommend having provisions for the recovery of costs associated with compliance, monitoring and enforcement actions.

We recommend that national direction allow regional councils to apply more stringent rules (and expansion limits) where necessary to meet local freshwater objectives.

We recommend aligning the timing of the implementation of the changes to the NPS-FM with the implementation of the new resource management system.

Addressing water security and water storage

We support the concept of nationally applicable standards for water security and storage and consider these rules must allow for regional variation. We support the standards as currently proposed. However, we consider a key point missing in these standards is guidance on a potential maximum size for structures.

We recommend amending the standards to include limitations on maximum size for water storage enabled through national direction.

We recommend including definitions for small-scale and large-scale water storage. Taituarā supports the inclusion of provisions permitting water security or storage to be included in the NPS or addressed in some other legislation at a national level. It is essential that such provisions apply to drinking water providers, as well as being available to support the primary sector.

Simplifying the wetlands provisions

We do not support a “farming activities” pathway, and consider it is unclear what may be intended through this pathway.

We support provisions that focus on appropriate regulation of clearly defined activities.

We do not support removing the requirement to map wetlands. Mapping wetlands provides a clear picture of existing wetland areas and helps identify locations where wetlands have been lost.

We recommend the definition for “natural inland wetland” and “induced wetlands” are refined for clarity. Taituarā supports clear provisions in the NPS-FM which encourage the construction of wetlands, instead of restricting it, to support increased wetland provision.

Taituarā also supports the proposal that the definition for ‘Natural Inland Wetlands’ should exclude unintentionally ‘induced wetlands’ created from human activity.

Addressing remaining issues with farmer facing regulations

We support aligning the reporting timing proposed and consider it essential that reporting periods are aligned with the dairy season.

We recommend retaining Clause 35 ‘Compliance with Regional Rules’, as it enables regional councils to establish more stringent planning provisions tailored to individual environments, community values and water quality outcomes.

We recommend regulation 36 could be softened to only require information to be provided to the council upon request.

Including mapping requirements for drinking water sources

We support establishing drinking water protection zones and a consistent approach to mapping source water risk management areas (SWRMAs) across New Zealand. We recommend that SWRMAs be aligned with the National Institute of Water and Atmospheric Research (NIWA) DN4 national-scale product. We are generally supportive of delineating three at-risk zones within each SWRMA. Zones 1 and 2 are practical to map. We suggest Zone 2 may need clarification and Zone 3’s groundwater approach could be refined. We recommend the mapping approach should account for the difference between groundwater and surface water systems.

Recommendations

General support and regulatory certainty

- Prioritise regulatory certainty: We strongly support enduring and clear policy settings to give regional councils the confidence to implement changes effectively.
- Commit to ongoing engagement: We welcome further consultation on the exposure drafts of the amended NPS-FM and related regulations and look forward to contributing to this process.

Rebalancing freshwater management through multiple objectives

- Clarify policy intent: National direction must clearly outline how competing objectives (e.g., water protection vs. land use) are to be reconciled to prevent confusion and delays.
- Retain balanced decision-making: We support a balanced, integrated approach reflecting the interconnectedness of environmental health, human wellbeing, and economic prosperity.
- Strengthen iwi and Hapū partnerships: Enable regional flexibility to honour local iwi and hapū partnerships, consistent with Treaty obligations.

Reflecting Te Mana o te Wai

- Support regional implementation: Councils are at varying stages of implementing Te Mana o te Wai. Preserve flexibility to reflect regional diversity and local aspirations.
- Respect regional submissions: Consider feedback from individual councils on how best to incorporate Te Mana o te Wai in national direction.
- Recognise Māori leadership: Support iwi, hapū, and local community collaboration as foundational to ensure durable freshwater outcomes.

National Objectives Framework (NOF) and Compulsory Attributes

- Increase Flexibility in the NOF: Retain core national values but allow councils to prioritise additional values according to regional needs and data.
- Simplify the framework: Streamline the 2020 NPS-FM process to make it more practical and engaging for communities.
- Make “Drinking Water Supply” a Compulsory Value: Elevate the status of this value in recognition of its importance to public health.
- Keep 2017 Mandatory Attributes: Retain key indicators including sediment, nitrogen, phosphorus, and E. coli to maintain long-term data consistency and confidence.

- Make 2020 attributes optional: Allow newer attributes to be monitored, rather than enforced, until the supporting science is more mature.
- Simplify Attribute Tables: Taituarā supports a technical review to improve clarity and practicality, particularly around recreational water quality

National Bottom Lines

- Maintain National Bottom Lines for core attributes: These provide consistency, scientific integrity, and efficient hearing processes.
- Clarify implementation timeframes: Ensure the NPS-FM clearly states that long-term timelines are acceptable when transitioning to meet bottom lines.
- Integrate with the resource management reforms: Ensure national bottom lines serve as a foundation for freshwater farm plans (FWFPs), environmental standards, and policies under the proposed Natural Environment Act.

Commercial Vegetable Production (CVP)

- Remove CVP as a permitted activity nationwide.
- Require consent for CVP activities to ensure region-specific controls remain effective.
- If a Permitted Activity framework proceeds:
 - Exclude sensitive catchments: Ensure alignment with Treaty Settlements, and do not apply permitted activity status to areas with current water quality concerns.
 - Enable cost recovery: Include provisions to allow councils to recover costs for compliance, monitoring, and enforcement.
 - Allow councils to apply more stringent local rules: Enable councils to apply tighter expansion limits and rules to meet local freshwater objectives

Water security and water storage

- Support national standards with regional flexibility: Allow standards for water security and storage to vary by region based on local conditions.
- Add standards for structures: Include clear limitations on maximum structure size within the national direction.
- Include additional definitions: Introduce definitions for “small-scale” and “large-scale” water storage.
- Ensure access to drinking water: Ensure national provisions support both drinking water providers and primary sector resilience.



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