

24 July 2025

National Direction Consultation  
Ministry for the Environment  
Wellington

Via online lodgement system

Tenā koutou katoa,

### National Direction Package Submission

Hawke's Bay Regional Council (HBRC) welcomes the opportunity to provide feedback on Packages 1 (Infrastructure), 2 (Primary Production), and 3 (Freshwater) of the National Direction Package.

The Hawke's Bay regional council is thoroughly involved in the practical delivery of New Zealand's resource management system. Our work is grounded in the unique environmental, cultural, and economic context of Te Matau-a-Māui, and informed by strong relationships with tangata whenua, local communities, and sector partners.

This submission reflects our regional perspective and draws on the expertise across our organisation. While we contribute to national conversations through collective forums, this submission is made independently to reflect the specific needs and priorities of Hawke's Bay. Our feedback builds on previous input into RM Reform processes and aims to support the Government's goals of improving system efficiency, reducing regulatory burden, and unlocking development capacity. We see this phase of reform as an opportunity to better align national direction with regional implementation, particularly in areas such as climate resilience, hazard planning, and freshwater management.

We also note the importance of clarity and simplicity in the regulatory framework. While we support improvements to the current system, we are mindful of the risk of introducing additional complexity or uncertainty for both regulators and resource users.

Hawke's Bay Regional Council is committed to working constructively with central government to ensure that the provisions of the National Direction Package are practical, effective, and deliverable. Our submission is intended to help shape a system that works for our region and contributes to better outcomes

For further information or to discuss any aspect of this submission, please contact:

**Nichola Nicholson**

Manager Policy & Planning

nichola.nicholson@hbrc.govt.nz

Yours sincerely



Katrina Brunton

Group Manager Policy and Regulation

## Introduction

Hawke's Bay Regional Council welcomes the release of the proposed national direction under Phase 2 of the Resource Management Act 1991 (RMA) reform programme. We appreciate the opportunity to provide feedback on these proposals, which aim to improve the implementation of the resource management system.

Our submission reflects HBRC's regional perspective and draws on the practical experience of our staff with input from our Councillors. Our submission is also informed by recent events in the region, particularly the impacts of Cyclone Gabrielle and the Havelock North water contamination incident, which have shaped our understanding of the challenges and priorities in resource management.

HBRC has chosen to focus its submission on the proposals of greatest relevance to our region and responsibilities. These include:

### Package 1: Infrastructure and Development

- National Policy Statement (NPS) – Infrastructure
- NPS – Natural Hazards
- National Environmental Standard (NES) – Papakāinga
- NES – Granny Flats

### Package 2: Primary Sector

- NES – Commercial Forestry
- NPS – Highly Productive Land
- Stock Exclusion Regulations

### Package 3: Freshwater

- All proposals

Where Hawke's Bay Regional Council has not submitted directly, feedback has been provided to Te Uru Kahika for consideration and inclusion in the sector-wide submission.

Our feedback is focused on ensuring the proposals are workable, regionally responsive, and capable of delivering better outcomes for our communities and environment. As a regional council, HBRC plays a critical role in implementing the resource management system. We bring deep knowledge of our region's environment, communities, and challenges.

We also reaffirm our commitment to Te Tiriti o Waitangi and to working in partnership with mana whenua. We encourage the Crown to continue engaging with iwi, hapū, and councils to ensure

the resource management system gives effect to Treaty obligations and supports enduring relationships.

HBRC remains committed to supporting a resource management system that is efficient, equitable, and environmentally responsible. We believe these goals can and should be achieved together.

### **Executive Summary**

We recognise that this package sits within a broader three-phase reform programme and understand that Phase 2 is intended to deliver timely improvements—particularly in areas affecting infrastructure, primary production, and freshwater management. We also acknowledge that Phase 3 will address more systemic issues through the development of replacement legislation.

As a council with statutory responsibilities for environmental management and regional development, we are committed to contributing constructively to the refinement of these proposals. Our feedback draws on the practical experience and technical expertise of our staff, who work daily at the interface between national policy and local implementation.

Our submission is guided by several key principles:

- **System Integration:** National direction must be designed to integrate smoothly with future legislation. Sequencing and alignment across reforms are critical to avoid duplication and confusion.
- **Partnership with Māori:** HBRC is committed to upholding Te Tiriti o Waitangi and working in partnership with tangata whenua. We support reforms that enable meaningful participation by iwi and hapū, including those not yet party to settlements.
- **Evidence-Based Policy:** Effective resource management must be underpinned by sound science, robust data, and mātauranga Māori. This includes investment in monitoring systems, modelling tools, and capability development.
- **Regional Expertise:** Councils bring deep knowledge of local conditions and community needs. We are well-placed to support the practical design and implementation of national direction and welcome opportunities to collaborate with central government.

We broadly support the intent of the Infrastructure and Development package and agree that addressing the infrastructure deficit is essential. We welcome clearer national direction but

recommend refinements to better support flood risk management and ensure environmental safeguards are maintained.

We also acknowledge the goals of the Primary Production package but raise concerns about proposals that may limit councils' ability to manage environmental effects—particularly in relation to commercial forestry and marine aquaculture. It is important that reforms do not compromise environmental integrity or create unintended consequences.

Finally, we support efforts to simplify freshwater management and welcome greater flexibility for councils to respond to regional challenges. HBRC remains committed to protecting freshwater health in a way that balances diverse values and uses.

## **Summary of Submission**

### **1: Package 1: Infrastructure and Development**

#### **1.1 NPS - Infrastructure**

Hawke's Bay Regional Council (HBRC) supports the intent of the proposed NPS-I to streamline infrastructure delivery and address the infrastructure deficit, subject to refinements to ensure regional relevance and alignment with other national direction, particularly the NPS-NH and spatial planning reforms. We recommend explicitly including flood protection works such as stopbanks in the definition of infrastructure, given their critical role in hazard mitigation and urban development. While we support the objective and general policy direction, clarity is needed around resilience, functional need in hazard-prone areas, and the use of subjective terms like "where practicable." We also seek stronger recognition of tangata whenua involvement and clearer integration with the Land Transport Management Act. Including public transport in the definition of social infrastructure would further support regional planning outcomes.

#### **1.2 NPS - Natural Hazards**

HBRC broadly supports the proposed national direction for managing natural hazards, recognising the increasing frequency and severity of climate-related events and their impacts on communities, infrastructure, and the environment. We agree with the scope covering seven key hazards while allowing councils to manage others and support the risk-based framework and matrix for consistent hazard assessment. However, we strongly recommend that infrastructure be included within the NPS-NH, given its vulnerability and critical role in community resilience—excluding it risks fragmented approaches and undermines the intent of comprehensive hazard management. A nuanced policy is needed to reflect infrastructure's functional needs in high-risk areas, such as flood protection infrastructure, roads, or bridges.

We support the use of best available information, though guidance is needed to define this and ensure equitable access to quality data. The proposed provisions strengthen councils' ability to make defensible decisions, but clearer direction on managing development across risk levels would enhance implementation. We also support alignment with the NZCPS and recommend further on clarity matrix settings (too low for catastrophic events), climate change scenarios and cascading hazard effects within the matrix.

### **1.3 NPS – Renewable Electricity Generation**

HBRC supports Te Uru Kahika's submission points on renewable energy and acknowledges the importance of enabling a low-emissions future. We recommend that further consideration be given to the servicing of remote communities, recognising this is a vital component of regional resilience and equitable energy access.

However, HBRC does not support the omission of protection of areas not covered under section 6 of the RMA, as this may leave ecologically and culturally significant sites vulnerable to development pressure. We also remain concerned about the management of cumulative effects and the potential impacts arising from the cumulative expansion of existing operator footprints. These issues warrant closer attention to ensure that environmental integrity is maintained alongside the enablement of renewable energy development.

### **1.4 NES – Granny Flats**

HBRC supports the intent of the NES-GF to enable more diverse and flexible housing options, including multi-generational living and elder care. HBRC recognises the value of reducing regulatory inconsistencies and costs for homeowners, while supporting housing adaptability and resilience. However, HBRC recommends revising the proposed setbacks for rural zones as they may create reverse sensitivity issues with surrounding productive land uses.

HBRC remains concerned about the risks of ad hoc intensification, particularly in areas lacking adequate infrastructure or subject to significant natural hazards. We recommend clearer mechanisms for infrastructure servicing and monitoring compliance, given the potential for cumulative impacts and limited oversight where consents are not required.

### **1.5 NES - Papakāinga**

HBRC supports the intent of the NES–Papakāinga to reduce regulatory barriers and enable Māori to develop housing on Māori land. This initiative presents an opportunity to address long-standing inequities in the planning system and support Māori housing aspirations. We recommend that communal non-residential facilities such as shared kitchens and bathrooms be permitted, and that natural hazard risk assessments be included in permitted activity standards to ensure safe and resilient development.

However, HBRC does not support the exclusion of general land owned by Māori without a detailed historical connection, as this limits opportunities for Māori landowners, including those with Treaty settlement land. We recommend that Treaty settlement land be treated the same as Māori ancestral land and elevated to permitted status for small-scale papakāinga.

HBRC also recommends reviewing setback requirements to avoid reverse sensitivity issues, particularly in productive rural zones, and applying natural hazard rules in high-risk areas. This includes considering setbacks from flood protection infrastructure such as stopbanks.

HBRC recommend further clarity on subdivision restrictions and infrastructure access, including water, wastewater, and roading, to ensure practical implementation. The proposed limit of 10 dwellings per site may be too restrictive for larger or multi-generational whānau, and we recommend reconsidering this threshold to better reflect the needs of Māori communities.

## **2: Package 2: Primary Sector**

### **2.1 NES – Marine Aquaculture**

HBRC has provided feedback to Te Uru Kahika and support their submission, particularly in relation to the caution advised for research trial areas and biosecurity, and the importance of upholding tangata whenua rights and interests.

HBRC recommends a precautionary approach be adopted in risk management and encourages further consideration of the potential for unintended or perverse outcomes arising from proposed changes to consenting rules.

### **2.2 NES – Commercial Forestry**

HBRC supports improving the NES-CF's clarity and workability, particularly around slash management and risk assessment. We recommend retaining Regulation 6(4A) with clearer criteria to reflect community concerns and are cautious about narrowing Regulation 6(1)(a), which may limit freshwater integration. A site-specific, risk-based approach to slash is preferred over prescriptive thresholds, though the draft assessment template is overly complex and needs simplification. Resource consent for high-risk sites is supported to ensure accountability. ESC accuracy issues mean green/yellow zones may still warrant assessment. We support the proposed definition of "cutover," removal of afforestation/replanting plans with mapping retained, and minor text amendments.

### **2.3 New Zealand Coastal Policy Statement**

HBRC has provided feedback through Te Uru Kahika and supports their submission. In addition, HBRC recommends that clarity is provided in relation to “specified infrastructure.

Specified infrastructure appears to exclude coastal hazard works while the NPS-FM and NPS-HPL definitions include flood protection works. The proposed NPS-NH states that in cases of inconsistency regarding the management of natural hazard risk in the coastal environment, the NZCPS prevails.

This raises a question about the relative status and importance of coastal protection works compared to flood protection, and whether this reflects a national-level preference for adaptation over protection in coastal hazard management. If this interpretation is correct, HBRC would welcome greater clarity on the national policy position regarding the role of protection works in the coastal environment, particularly in the context of increasing climate-related risks.

### **2.4 NPS – Highly Productive land**

HBRC supports the intent to improve housing supply and urban development outcomes through targeted amendments to the NPS-HPL. We agree that LUC 3 land may be exempted from urban development restrictions where it aligns with strategic growth objectives, but rural lifestyle development should remain restricted to avoid undermining housing goals. Private plan changes should be permitted where they demonstrably support housing supply and urban form.

HBRC recommends retaining the ability to map ‘large and geographically cohesive’ areas, including small pockets of LUC 3 within LUC 1 and 2, to ensure comprehensive protection of land important for food and fibre production. Councils should retain discretion to map additional productive land outside LUC 1 and 2, particularly in regions like Hawke’s Bay where viticulture and horticulture thrive on non-LUC 1–2 soils. While we generally support retaining site-specific mapping provisions and oppose changes to the definitions of LUC 1 and 2 we seek that other matters can be considered when determining HPL in addition to LUC categories. While we acknowledge the intent behind Special Agricultural Areas, we recommend central government lead their identification to ensure consistency. Mapping timeframes, if extended, should allow HBRC to complete RPS updates early enough for territorial authorities to incorporate maps into district plans before transition to the new RM system.

### **2.5 Stock Exclusion Regulations**

HBRC recognises that while the cost of fencing in remote or rugged terrain can be high—particularly for low-intensity farming—the environmental and public health benefits of stock exclusion from wetlands and waterways are often significant. These include improved water

quality, reduced nutrient loading, and protection of biodiversity. The Havelock North drinking water contamination event highlighted the critical importance of source water protection, reinforcing that exclusion is sometimes essential to prevent faecal contamination and safeguard drinking water. HBRC supports a targeted, risk-based approach that considers wetland sensitivity, stock intensity, and practical feasibility, rather than blanket rules and we suggest whether this is something that could be considered in a farm plan.

### **3. Package 3: Freshwater**

#### **3.1 Rebalancing the NPS- FM**

HBRC generally supports a rebalanced objective in freshwater management that give councils greater flexibility to deliver outcomes that reflect community priorities. An integrated approach, where environmental, human health, and socio-economic wellbeing are all considered would enable councils to better tailor their responses to local needs.

#### **3.2 Objectives and Policies**

HBRC supports a rebalanced objective in freshwater management that provides greater flexibility for councils to reflect community priorities. We recommend embedding clarity, engagement, and locally tailored timeframes into the NPS-FM framework, recognising that environmental, human health, and socio-economic wellbeing must be considered together. HBRC recognises that this approach enables more effective collaboration with iwi/hapū, catchment groups, and stakeholders, and supports the delivery of meaningful outcomes at the catchment scale.

#### **3.3 Te Mana o te Wai**

HBRC supports retaining Te Mana o te Wai within the objectives of the National Policy Statement for Freshwater Management (NPS-FM), as it provides a foundational framework for freshwater management. We recognise its role in reflecting the interconnected importance of environmental health, human wellbeing, and socio-economic prosperity.

HBRC has interpreted the hierarchy introduced in 2020 as inclusive rather than absolute, and its integration within the objectives ensures it remains a guiding principle. Removing the hierarchy or placing Te Mana o te Wai outside the NPS-FM risks creating further uncertainty in an already disrupted planning environment.

#### **3.4 Compulsory national values**

HBRC supports retaining compulsory national values within the NPS-FM, specifically ecosystem health, human contact, mahinga kai, and threatened species. We recommend including additional mandatory monitoring parameters such as dissolved inorganic nitrogen,

temperature, and drinking water quality, recognising the critical importance of safe drinking water to community wellbeing and public health—particularly considering incidents such as the Havelock North contamination.

Removal of compulsory national values would likely complicate regional planning processes. Council recognises that these values provide a consistent national foundation that guides community engagement, monitoring, and decision-making. Their removal risks increased fragmentation, slower progress, and reduced clarity for both councils and the public.

### **3.5 National Objectives Framework (NOF)**

HBRC supports increased flexibility in the application of the National Objectives Framework (NOF). While the current framework—particularly the process of identifying values and determining how they are protected—offers a sound foundation for freshwater management, its rigidity can hinder effective implementation. Retaining the core set of compulsory values while enabling targeted flexibility for others would better reflect regional priorities and conditions.

### **3.6 Compulsory attributes**

HBRC supports retaining the compulsory values in the NPS-FM as they reflect core environmental, cultural, and public health priorities and align with community expectations. These values provide a consistent national foundation while allowing councils to add locally relevant values.

We also recommend including dissolved inorganic nitrogen, temperature, and drinking water quality as mandatory monitoring parameters. Drinking water quality is particularly critical given its public health importance and the lessons from the Havelock North contamination event. Removing compulsory values would undermine consistency, increase regional complexity, and risk slower progress. Retaining them supports coherent planning, monitoring, and public understanding.

### **3.7 National bottom lines**

HBRC generally supports national bottom lines for key freshwater attributes to promote consistency, reduce repeated debate, and enable coherent national reporting. These standards also help streamline the rollout of freshwater farm plans and other national tools.

However, HBRC specifically does not support a national bottom line for sediment due to regional variability in geology and flow regimes. We recommend allowing flexibility to adjust thresholds where local science or environmental conditions warrant it. This ensures freshwater management remains both nationally aligned and regionally effective.

### **3.8 Implementation, changes and costs**

HBRC the use of action plans to address freshwater attributes where immediate compliance with bottom lines is not feasible. This approach enables progress, prioritises critical catchments, and allows adaptation as science and monitoring evolve.

We also support allowing councils to deviate from default national thresholds where justified by local conditions, such as geology, flow regimes, or community priorities. While national bottom lines offer consistency, regional flexibility ensures effective and locally relevant management. Any deviation should be evidence-based and transparently communicated to maintain public trust.

### **3.9 Commercial fruit and vegetable growing**

HBRC recognises the importance of domestic vegetable supply and the role of crop rotation in soil health. While permitting commercial vegetable production could reduce compliance costs, it poses environmental risks—particularly in catchments under pressure.

We recommend permitting crop rotation only with clear conditions, such as requiring freshwater farm plans. Given the complexity of managing environmental effects, national standards should be carefully designed and informed by regional expertise. Delaying broad permitted status until the new resource management system is in place may be more appropriate.

### **3.10 Water storage and security**

HBRC supports national direction on water storage to improve long-term water security, particularly through enabling off-stream solutions. National standards should provide consistency while allowing regional flexibility to reflect catchment-specific conditions.

We support the draft standards for small and large-scale storage, provided they are practical and scalable. Large-scale in-stream storage should be carefully considered due to the potential for significant environmental impacts. The real barriers to storage often lie in water quantity and quality constraints, which vary regionally and are not fully addressed in current proposals. It could be noted that HBRC has undertaken considerable research and planning work in this area, which may help inform more regionally responsive approaches.

We recommend involving regional expertise in drafting standards to ensure they are workable and reflect on-the-ground realities. Aligning with the Building Act and allowing councils to tailor rules will support effective and efficient implementation.

### **3.11 Wetlands**

HBRC recognises the vital role wetlands play in biodiversity, water quality, flood mitigation, and climate resilience. We support national direction that enables wetland construction, provided it includes safeguards for earthworks and flood risk. HBRC already has provisions in place to support such works.

We have completed regional wetland mapping, prioritising high-value areas. While we support national mapping efforts, councils should retain flexibility to update maps over time without triggering plan changes. This approach would align with proposals for source water risk management areas and support freshwater farm plan implementation.

We also support clarifying the definition of natural wetlands, including exclusions for induced wetlands and pasture. However, care is needed to avoid unintended impacts on future consenting. We look forward to reviewing the exposure draft to assess the full implications.

### **3.12 Fish Passage**

HBRC supports efforts to simplify fish passage regulations, particularly where changes reduce unnecessary complexity and improve implementation. We also support less stringent requirements for temporary structures, provided environmental risks are appropriately managed.

HBRC recommends a tiered approach, where more detailed information is required only in high-risk areas, such as critical fish habitats. This would allow for more targeted regulation while maintaining ecological protections.

### **3.13 Reporting of fertiliser application**

HBRC supports retaining the nitrogen cap and fertiliser reporting requirements. These tools have helped reduce excessive synthetic nitrogen use and have been a useful response to ongoing public concern around agricultural impacts. We recommend aligning fertiliser reporting with other mandatory reporting to reduce compliance burden and improve efficiency. Consolidating data collection would streamline processes for both farmers and regulators.

HBRC supports simplifying reporting content and aligning it with existing industry tools. We do not support requiring fertiliser receipts, as the added value is limited and our systems are not designed for this. Retaining the current tool in the interim, while transitioning to freshwater farm plans, is a practical approach.

### **3.14 Source water risk management areas (SWRMA)**

HBRC supports the requirement to map and publish Source Water Risk Management Areas (SWRMAs) for applicable drinking water supplies. This will improve transparency, support land use decisions, and strengthen protection of drinking water sources. We welcome the development of a national default mapping protocol to ensure consistency while allowing regional flexibility.

We recommend that changes to the National Environmental Standards for Sources of Human Drinking Water (NES-DW) be clarified before lowering the supply threshold to 100 persons. This change could unintentionally affect schools, marae, and other community supplies.

## Online Submission Responses

### Package 1: Infrastructure and Development

NPS - Infrastructure	
Question	Response
<b>Q1</b> Is the scope of the proposed NPS-I adequate?	This is dependent on how the proposed NPS-I interacts with other national policy statements, particularly the NPS-NH (how infrastructure and hazard risk should be managed) but also with spatial planning reforms under the proposed Planning Act.
<b>Q2</b> Do you agree with the definition of 'infrastructure', 'infrastructure activities' and 'infrastructure supporting activities' in the NPS-I?	HBRC seeks that the definition of 'infrastructure' should include flood protection works such as stopbanks as they perform a critical function in safeguarding communities, assets, and essential services from flooding and extreme weather events. Like roads, water supply, or sewage systems, flood protection works such as stopbanks are engineered systems that require planning, investment, and maintenance to ensure their effectiveness and resilience. Their role in enabling urban development makes them integral to long-term infrastructure planning. Including flood protection works as 'infrastructure' ensures they receive appropriate prioritisation, consenting, and spatial planning moving into the new RM system.
<b>Q3</b> Does the proposed objective reflect the outcomes sought for infrastructure?	Yes, if the term 'resilient' under (d) reflects the proposed definition of 'resilience'. Infrastructure should have the capacity to absorb a shock, including from natural hazards, even if that means delivering an infrastructure service in a new or different way. Meaning, an outcome for New Zealand's infrastructure is that it is no longer located in areas where it does not have the capacity to absorb a shock, and if it currently is, this will have to be delivered in a different or new way in the future (to have capacity, or in a different location).
<b>Q4</b> Does the proposed policy adequately reflect the benefits that infrastructure provides?	It is unclear how the benefits of infrastructure will reduce the risks from natural hazards. The inclusion of flood protection works as 'infrastructure' would support proposed policy 1) g).
<b>Q5</b> Does the proposed policy sufficiently provide for the operational and functional needs for infrastructure to be located in particular environments?	HBRC understands certain infrastructure, such as bridges and roads, need to be located in particular environments. If infrastructure has an operational and functional need to be located in areas of natural hazard risk, there should be a requirement for infrastructure to be designed with hazard exposure in mind to have the 'capacity' to absorb a shock. This exposure should also take climate change scenarios into account. The terms 'functional and operational need' could also lead to justification of infrastructure in inappropriate locations.

<p><b>Q6</b> Do you support the proposed requirement for decision-makers to have regard to spatial plans and strategic plans for infrastructure?</p>	<p>Yes, generally.</p>
<p><b>Q7</b> Would the proposed policy help improve the efficient and timely delivery of infrastructure?</p>	<p>Yes, generally.</p>
<p><b>Q8</b> Does the proposed policy adequately provide for the consideration of Māori interests in infrastructure?</p>	<p>It is more appropriate for tangata whenua to provide comments on Māori rights and interests. More clarity is required around 'providing opportunities in appropriate circumstances' for tangata whenua involvement. The reasons for proposed policy 5 (included in attachment 1.1) state that the "policy also seeks to reinforce the importance of direct involvement in decision-making on proposals in areas that contain sites of significance to iwi/Māori". Direct involvement in areas that contain sites of significance and 'providing opportunities in appropriate circumstances' are not one and the same.</p>
<p><b>Q9</b> Do the proposed policies sufficiently provide nationally consistent direction on assessing and managing the adverse effects of infrastructure?</p>	<p>The use of 'where practicable' introduces subjectivity and potential inconsistency. The understanding of 'where practicable' may differ widely between councils, developers, and communities. Policy 7 and 8 could be interpreted as allowing adverse effects on the environment (and values) if avoidance, remediation, or mitigation is 'impracticable'.</p>
<p><b>Q10</b> Do the proposed policies sufficiently provide for the interface between infrastructure and other activities including sensitive activities?</p>	<p>Yes, generally.</p>
<p><b>General feedback</b></p>	<p>Further clarity needs to be provided on how the NPS-I interacts with the Land Transport Management Act 2003 (LTMA) with respect to transport matters. Given the role of the LTMA in planning and funding land transport, it needs to be considered and specifically mentioned – particularly in definitions.</p>

	Suggest explicit inclusion of ‘public transport’ in definitions of (social) infrastructure, in the same way other essential facilities will be included in the scope e.g. schools and hospitals.
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<b>NES – Granny Flats (Minor Residential Units)</b>	
<b>Question</b>	<b>Response</b>
<b>Q57</b> Are the proposed provisions in the NES-GF the best way to make it easier to build granny flats (minor residential units) in the resource management system?	The proposed provisions in the NES-GF supports more diverse housing needs (multi-generation living, elder care, flexible housing arrangements).
<b>Q58</b> Do you support the proposed permitted activity standards for minor residential units?	The proposed setbacks for rural zones being 10m for front, 5m from side and rear boundaries has the potential to create reverse sensitivity issues with surrounding (potentially) productive land uses (from horticultural spraying etc). For example, Hastings District Council setback distances within the plains production zone are between 7.5m for front and 15m for all other boundaries for residential buildings. These are significantly larger.
<b>Q59</b> Do you support district plans being able to have more lenient standards for minor residential units?	Yes, this retains standards enabled through local decision-making.
<b>Q60</b> Should the proposed NES-GF align, where appropriate, with the complementary building consent exemption proposal?	
<b>Q61</b> Do you support the proposed list of matters that local authorities may not regulate in relation to minor residential units?	Yes, generally.

Should any additional matters be included?	
<b>Q62</b> Do you support existing district plan rules applying when one or more of the proposed permitted activity standards are not met?	
<b>Q63</b> Do you support the list of matters that are out of scope of the proposed NES-GF? Should any additional matters be included?	Management of risks from natural hazards should be included within scope to provide consistency and transparency. However, excluding natural hazards does allow councils to retain control over risk management - providing they have a natural hazard related rules.
<b>General Feedback</b>	<p>HBRC generally supports the proposal in that it removes inconsistencies across councils, reduces time and cost for homeowners, and provides flexible housing options, or rental income. Also providing for multi-generational living. HBRC also supports the fact the NES does not override district and regional plan provisions that relate to risks from natural hazards. Ad hoc intensification by right, should not be undertaken in areas of significant natural hazard risk.</p> <p>While the NES requires adequate servicing (water, wastewater, stormwater) many urban areas and rural sites lack capacity (e.g septic systems). There is no clear mechanism for funding or upgrading infrastructure, therefore there is a risk of infrastructure overloading. Permitting Granny Flats as of right may also lead to ad hoc intensification. Lastly, monitoring compliance will be challenging (as Granny Flats do not require consent).</p>

NES - Papakāinga	
Question	Response
<b>Q64</b> Do you support the proposal to permit papakāinga (subject to various conditions) on the types of land described above?	There could be some complexities around determining "former land that was compulsorily converted" or "returned land" which could require detailed historical and legal information. Furthermore, not all general land owned by Māori is included, only land with a detailed historical connection (mentioned above), this limits opportunities for Māori who own land (or treaty settlement land) without such a history.

<p><b>Q65</b> What additional non-residential activities to support papakāinga should be enabled through the NES-P?</p>	<p>Non-residential activities could also include communal kitchens or bathrooms.</p>
<p><b>Q66</b> What additional permitted activity standards for papakāinga should be included?</p>	<p>An assessment of natural hazard risk.</p>
<p><b>Q67</b> Which, if any, rules from the underlying zone should apply to papakāinga developments?</p>	<p>Setback rules - Proposed setbacks for rural zones are 3m, there is the potential this could create reverse sensitivity issues with surrounding (potentially) productive land uses. For example, Hasting District Council setback distances within the plains production zone are between 15m, for residential buildings, and 5m, for marae - substantially more. Natural hazard rules should also apply in areas subject to significant risk from natural hazards. Māori land is often the lowest lying and most affected by hazards, and we do not want to exacerbate these effects through enabling development in high-risk areas without appropriate safeguards.</p>
<p><b>Q68</b> Should local authorities have restricted discretion over papakāinga on Treaty settlement land (ie, should local authorities only be able to make decisions based on the matters specified in the proposed rule)?</p>	<p>No, Treaty settlement land should be treated the same as Māori ancestral land. Treaty settlement land should be elevated to permitted status for small-scale papakāinga.</p>
<p><b>Q69</b> What alternative approaches might help ensure that rules to enable papakāinga on general land are not misused (for private/commercial use or sale)?</p>	

<p><b>Q70</b> Should the NES-P specify that the land containing papakāinga on general land cannot be subdivided in future?</p>	
<p><b>General Feedback</b></p>	<p>HBRC generally supports the intent of the NES-P to enable Māori to develop housing on their ancestral land with fewer regulatory barriers. This represents an opportunity to address long-standing inequities in the planning system and support Māori housing aspirations. The proposed limit of 10 dwellings per site (for permitted activities) may be too restrictive for larger whānau or multi-generational living arrangements, noting that there are still consenting pathways for developments exceeding this threshold. It is also unclear how the NES-P interacts with access to infrastructure (e.g. wastewater, water, roading), which is a critical consideration for enabling development. Importantly, we want to be clear about our concerns regarding natural hazards. Māori land is often the lowest lying and most affected by hazards, and we do not want to exacerbate these effects through enabling development in high-risk areas without appropriate safeguards.</p>

<p style="text-align: center;"><b>NPS – Natural Hazards</b></p>	
<p><b>Question</b></p>	<p><b>Response</b></p>
<p><b>Q71</b> Should the proposed NPS-NH apply to the seven hazards identified and allow local authorities to manage other natural hazard risks?</p>	<p>Generally, yes, though we understand there may be difficulties including tsunami which may conflict with higher density residential development in established urban areas such as Napier. Furthermore, the NPS-NH does not prevent decision-makers from addressing other natural hazards.</p>
<p><b>Q72</b> Should the NPS-NH apply to all new subdivision, land use and development, and not to infrastructure and primary production?</p>	<p>We agree that there is insufficient evidence for the inclusion of primary production. Infrastructure is often located in hazard-prone areas. Excluding all infrastructure from the proposed NPS-NH ignores the risk to public safety and undermines efforts to build resilient communities (infrastructure failure during a natural hazard event has cascading effects). We feel national direction that includes infrastructure is needed, otherwise there could be fragmented approaches across regions and an inconsistent integration of hazard risk into infrastructure planning (it is unclear on how this NPS interacts with the proposed NPS-I).</p>

	<p>Excluding infrastructure from the NPS-NH undermines the intent of the NPS to manage natural hazard risk comprehensively. We consider that a more nuanced policy approach is needed for infrastructure, recognising that some infrastructure has a functional need to be located in areas of significant risk, while other infrastructure does not. This is particularly relevant in the context of primary production where productive land use is supported by significant infrastructure such as packing sheds and dwellings. These types of infrastructure are essential to the viability of primary production and should be considered within the natural hazard planning framework.</p>
<p><b>Q73</b> Would the proposed NPS-NH improve natural hazard risk management in New Zealand?</p>	<p>Generally, yes. The proposed NPS-NH provides national consistency for councils to assess and manage natural hazard risks (introducing a risk-based approach, identification of hazard-prone areas, avoiding or mitigating inappropriate development in areas of significant risk, and using best available information etc).</p>
<p><b>Q74</b> Do you support the proposed policy to direct minimum components that a risk assessment must consider but allow local authorities to take a more comprehensive risk assessment process if they so wish?</p>	<p>Yes. However, it is not specific which climate change scenario is to be considered. Please see our response under Q76.</p>
<p><b>Q75</b> How would the proposed provisions impact decision-making?</p>	<p>The proposed provisions give councils a stronger policy basis to make decisions. Whether this be to decline inappropriate developments, to ensure hazard risk is weighed appropriately (allowing flexibility in low-risk areas and strict controls in high-risk areas).</p> <p>However, we feel greater direction, or clarity of direction, around avoiding development in areas of very high, or high risk, mitigating risks in areas of moderate risk, and enabling development in areas of low risk would greatly help councils defend their decision-making position.</p>
<p><b>Q76</b> Do you support the placement of very high, high,</p>	<p>Partly, this supports a nationally consistent language of natural hazard risk and provides a framework for evaluating hazard risk. Issues include the determination of consequence as this could be inconsistently applied across councils. We also do not support all of the placements on the matrix. For</p>

<p>medium and low on the matrix?</p>	<p>context, Cyclone Gabrielle would have fallen into the ‘medium’ risk category on the risk matrix as the consequence is potentially catastrophic – lived experience here in Hawke’s Bay would suggest the risk here in many areas was greater than ‘medium’.</p> <p>It is also unclear how the matrix would assess compounding or cascading effects of natural hazards (interaction between hazards). Furthermore, for the most effective use of the matrix, high-quality hazard data and modelling is needed. Direction could provide general guidance around what is considered high quality hazard data and modelling.</p>
<p><b>Q77</b> Do you support the definition of significant risk from natural hazards being defined as very high, high, medium risk, as depicted in the matrix?</p>	<p>Yes, this supports a nationally consistent language and definition of 'significant risk'. However, this depends on the risk matrix in its final form.</p>
<p><b>Q78</b> Should the risks of natural hazards to new subdivision, land use and development be managed proportionately to the level of natural hazard risk?</p>	<p>Yes, see comments under question 75.</p>
<p><b>Q79</b> How will the proposed proportionate management approach make a difference in terms of existing practice?</p>	
<p><b>Q80</b> Should the proposed NPS-NH direct local authorities to use the best available information in</p>	<p>Yes, this encourages councils to make decisions that can withstand legal and public scrutiny. This also allows councils to incorporate new science, modelling, climate change projections etc as they become available. The direction should also require councils to not ignore current information that is held.</p>

planning and resource consent decision-making?	
<b>Q81</b> What challenges, if any, would this approach generate?	There are issues such as - what is defined as 'best available', this could lead to disputes over what constitutes "sufficient" evidence for decision-making. Furthermore, some councils make lack quality data which could result in uneven application of this policy.
<b>Q82</b> What additional support or guidance is needed to implement the proposed NPS-NH?	See comments above. Provide guidance on what qualifies as 'best available information', develop implementation guidance for councils, and could develop centralised data platforms.
<b>Q83</b> Should the NZCPS prevail over the proposed NPS-NH?	Yes.

## Package 2: Primary Sector

NES - Commercial Forestry	
Question	Response
<b>Q10</b> Does the proposed amendment to 6(1)(a) enable management of significant risks in your region?	HBRC acknowledges the intent to reduce ambiguity (provide greater certainty to the forestry sector) and ensure that councils do not apply overly broad interpretations of the NPS-FM (as the regulation is currently drafted). However, we are concerned that the proposed narrowing of this provision may create tension between national direction and desired local environmental outcomes. Depending on the outcomes of the NPS-FM review, it might limit the integration of commercial forestry activities with catchment-specific freshwater management plans.
<b>Q11</b> Does the proposal provide clarity and certainty for local authorities and forestry planning?	See comments under questions 10 and 12.

<p><b>Q12</b> How would the removal of 6(4A) impact you, your local authority or business?</p>	<p>The proposed removal of Regulation 6(4A) creates a situation where local concerns, captured through community consultation and engagement processes, around commercial afforestation and the location of which, can no longer be adequately addressed. We recommend retaining Regulation 6(4A) with clearer criteria for when more stringent rules may be justified.</p>
<p><b>Q13</b> Do you support amendments to regulations 69(5-7) to improve their workability?</p>	<p>Yes, as they currently stand, they are not workable.</p>
<p><b>Q14</b> Do you support a site-specific risk-based assessment approach or a standard that sets size and/or volume dimensions for slash removal?</p>	<p>Generally, yes, though we have concerns about the amount of paperwork involved in the assessment (see comments under question 15). It is also unclear who is liable for assessing the risk (essentially is the onus on the operator/forester or council to prove compliance). If operators/foresters tick a risk assessment off as 'low', is it low? Can council compliance officers challenge the risk assessment? If council accepts the assessment, are they liable if slash mobilises in the future as they 'accepted' or 'signed off' the assessment.</p> <p>Setting a new standard that sets size/volumes is just another version of the status quo, which is unworkable. The issues that surround current drafting of Regulation 69 will persist under this proposed option. We do not support this proposed option.</p>
<p><b>Q15</b> Is the draft slash mobilisation risk assessment template (provided in attachment 2.2.1 to this document) suitable for identifying and managing risks on a site-specific basis?</p>	<p>The draft slash mobilisation risk assessment is overcomplicated. In our view it should be simplified for both foresters and councils. The slash mobilisation risk assessment introduces a new layer of technical assessment, this could be challenging for councils and operators to implement consistently, some may not have the technical capacity/ability to undertake the assessment.</p>
<p><b>Q16</b> Should a slash mobilisation risk assessment be required for green-zoned and yellow-zoned land? If so, please explain the risks you see of slash mobilisation</p>	<p>Generally, no. However, it should be acknowledged that the accuracy of ESC is variable. This can result in green and yellow zoned land that is potentially worse for slash mobilisation than orange or red zoned land (also due to ESC accuracy) and would/should need an assessment.</p>

<p>from the forest cutover that need to be managed in those zones?</p>	
<p><b>Q17</b> If a risk-based approach is adopted which of the two proposed options for managing high-risk sites, do you prefer (ie, requiring resource consent or allowing the removal of slash to a certain size threshold as a condition of a permitted activity)?</p>	<p>We prefer the option of requiring resource consent. This would impose clear conditions for compliance to work with and would also recognise that the site is 'high risk'. An Example of resource consent conditions council currently imposes under Regulation 70 or 71: Removal of slash over 2.7m, 10cm small end diameter, followed by an assessment of anything in excess of 15m<sup>3</sup> and a report on the risk of this migrating into waterways.</p> <p>Allowing the removal of slash to a certain size threshold would result in the same issues that currently stand. How does council measure the size threshold and prove it? Who is the onus on to prove it? Furthermore, the bigger the quantity on the cutover, the harder it is to measure.</p>
<p><b>Q18</b> For the alternative option of setting prescriptive regulations for slash management, is the suggested size and/or volume threshold appropriate?</p>	<p>No. See previous comments.</p>
<p><b>Q19</b> Do you support the proposed definition of cutover to read “cutover means the area of land that has been harvested”?</p>	<p>Yes.</p>
<p><b>Q20</b> Do you support the proposed removal of the requirement to prepare afforestation and replanting plans?</p>	<p>Generally, yes. However, removal of plans could weaken oversight of planting activities, particularly in steep terrain. Both Regulation 10 and 78A should be amended to require the inclusion of maps relating to afforestation/replanting and setbacks. As the Regulations are currently worded it could be interpreted that maps are not required.</p>

<b>Q21</b> Do you support the proposed minor text amendments?	Yes.
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<b>NPS – Highly Productive Land</b>	
<b>Question</b>	<b>Response</b>
<b>Q25</b> Should LUC 3 land be exempt from NPS-HPL restrictions on urban development (leaving LUC 3 land still protected from rural lifestyle development) or should the restrictions be removed for both urban development and rural lifestyle development?	The key driver to removing LUC 3 was outlined in National’s ‘going for housing growth plan’ which aims to increase housing supply and achieve better urban development outcomes. Allowing for rural lifestyle development on land that has been removed from HPL for the specific purpose of housing growth would not help achieve better housing and urban outcomes.
<b>Q26</b> If the proposal was to exempt LUC 3 land from NPS-HPL restrictions for urban development only, would it be better for this to be for local authority led urban rezoning only, or should restrictions also be removed for private plan changes to rezone LUC 3 land for urban development?	Restrictions on private plan change rezoning could be removed if the private plan change to rezone meets the purpose of increasing housing supply and achieving better urban development outcomes.
<b>Q27</b> If LUC 3 land were to be removed from the criteria for	See below

<p>mapping HPL, what, other consequential amendments will be needed? For example, would it be necessary to:</p> <p>a. amend ‘large and geographically cohesive’ in clause 3.4(5)(b).</p>	
<p><b>b.</b> amend whether small and discrete areas of LUC 3 land should be included in HPL mapping clauses 3.4(5)(c) and (d).</p>	<p>Retain the ability for councils to include ‘large and geographically cohesive’ areas when mapping HPL. This would mean small and discrete areas of LUC 3 within areas of LUC 1 and 2 could be included and result in a more comprehensive protection of areas important for food and fibre production (and not spot zoning). The converse of this should also apply.</p>
<p><b>c.</b> amend requirements for mapping scale and use of site-specific assessments in clause 3.4(5)(a), and amend definition of LUC 1, 2 or 3 land.</p>	<p>Retain the ability for councils to accept more detailed mapping, this gives the ability for submitters (in the schedule 1 process) to present more detailed mapping for consideration.</p> <p>We do not support amending the definition (see comments in General Feedback below).</p>
<p><b>d.</b> remove discretion for councils to map additional land under clause 3.4(3).</p>	<p>Councils should retain discretion to map additional land that is not LUC 1 and 2 but is in a general rural or rural production zone if this land is or has the potential to be highly productive. Here in Hawke's Bay viticulture or stone fruit orchards are often located outside of LUC 1 and 2 but are highly productive land-based primary production. Retaining the discretion to map these areas helps achieve the objectives and policies of the NPS-HPL (protection and recognition of HPL valued for land-based primary production).</p> <p>Furthermore, councils should be given additional discretion to exclude discrete areas of LUC 1 or 2 through consultation with local authorities and tangata whenua.</p>
<p><b>e.</b> use more detailed information about LUC data to better define HPL through more detailed mapping,</p>	

<p>including farm scale and/or more detailed analysis of LUC units and sub-classes.</p>	
<p><b>Q28</b> Given some areas important for foods and fibre production such as Pukekohe and Horowhenua may be compromised by the removal of LUC land, should additional criteria for mapping HPL be considered as part of these amendments?</p>	<p>If councils' ability to map 'large and geographically cohesive' areas—including small and discrete areas of LUC 3—is retained, this would already provide a mechanism to protect land important for food and fibre production, even with the removal of 'wider' LUC 3 land from HPL mapping. However, additional measures should be considered to strengthen the provision for HPL. The Land Use Capability (LUC) system was developed in the 1960s and may not fully reflect contemporary land use pressures or opportunities. It is worth exploring whether other, more current methods are available to identify HPL beyond LUC classifications, to ensure that planning frameworks remain responsive and effective.</p>
<p><b>Q29</b> If so, what additional criteria could be used to ensure areas important for food and fibre production are still protected by NPS-HPL?</p>	<p>Local planning provisions already can provide for this - Areas outside of LUC 1 and 2 (not mapped as HPL), located in/or could be included in a rural production zone, would be subject to local planning provisions that seek to protect rural production land for land-based production.</p>
<p><b>Q30</b> What is the appropriate process for identifying special agricultural areas? Should this process be led by local government or central government?</p>	<p>We acknowledge the intent behind the proposed Special Agricultural Areas (SAAs) to protect key food-producing areas not captured by LUC 1 and 2. However, the absence of a standardised methodology for identifying these areas is likely to increase mapping complexity and result in regional inconsistencies. What is special at a local, or regional level – compared to national. We think this process should be led by central government.</p>
<p><b>Q31</b> What are the key considerations for the interaction of special agriculture areas with other national direction –</p>	

<p>for example, national direction for freshwater?</p>	
<p><b>Q32</b> Should timeframes for local authorities to map highly productive land in regional policy statements be extended based on revised criteria? Alternatively, should the mapping of HPL under the RMA be suspended to provide time for a longer-term solution to managing highly productive land to be developed in the replacement resource management system?</p>	<p>We support an extension of timeframes. If a new timeframe is proposed, it would need to be early enough for HBRC to complete the mapping exercise so that territorial authorities can incorporate maps into their district plans (to have meaningful impact). This is due to the fact the RPS is no longer expected to exist in the new RM system, but district plans will carry over as a ‘transition’.</p> <p>Also, will there also be changes in incorporating ‘areas identified for future development’. i.e. at the moment we cannot incorporate the more recent FDS as it is post 2020. It may be simpler if the timeframes are removed and work is progressed to develop the replacement in the new RM system.</p>
<p><b>General Feedback</b></p>	<p>LUC 3 should be retained in the definition of Highly Productive Land. Excluding LUC 3 would reduce Hawke’s Bay’s HPL to under 4% of the region’s total land area, significantly weakening the protection of important primary production industries, that underpin the local economy. For example, the Heretaunga Plains, contain large, cohesive areas of LUC 3 land that support high-value horticulture and are demonstrably productive, which will not be included if LUC 3 is removed.</p> <p>LUC 3 land also serves an important function as a transitional buffer between land with lower capabilities and land classified as LUC 1 and 2. Removing LUC 3 ultimately increases the risk of reverse sensitivity issues, as it creates more direct interfaces between incompatible land uses, such as residential development and intensive horticulture/crop production, rather than a more gradual shift in terms of intensity of use.</p>

Stock Exclusion Regulations	
Question	Response
<p><b>Q36</b> Do you agree that the cost of excluding stock from all natural wetlands in extensive farming systems can be disproportionate to environmental benefits?</p>	<p>In some cases, yes. The cost of fencing and infrastructure in remote or rugged terrain can be high, especially for low-intensity farming operations. However, the environmental benefits—such as improved water quality, reduced nutrient loading, and protection of biodiversity—are often substantial. The balance depends on the ecological value of the wetland, the type and intensity of stock, and the feasibility of exclusion methods.</p> <p>Furthermore, the Havelock North drinking water contamination highlighted the devastating consequences of poor source water protection—underscoring that stock exclusion from wetlands and waterways is sometimes essential to prevent faecal contamination, safeguard public health, and maintain the integrity of drinking water supplies.</p> <p>A targeted approach based on risk and wetland sensitivity is generally more effective than blanket rules. To be workable, this would require a clear and consistent framework, developed nationally with regional input to ensure decisions are objective and transparent. In the absence of such a framework, a blanket rule could serve as a necessary default, with flexibility provided through consenting pathways or farm planning processes.</p>

### Package 3: Freshwater

NPS - Freshwater	
Question	Response
<p><b>Q1</b> Any general feedback on the consultation - Add your comments, ideas, and feedback here (optional)</p>	<p>Please refer to attached submission</p>
<p><b>Q1a</b> What resource management changes should be made in the current system under the RMA (to have immediate impact)</p>	<p>Instead of continuing to modify the NPS-FM within the existing RMA framework, a more strategic approach would be to incorporate these reforms into the upcoming resource management system. This timing allows for better integration and coherence across all planning mechanisms. Regional councils, including HBRC, have emphasized the need for regulatory stability, pointing out that frequent amendments create uncertainty, disrupt ongoing planning processes, and hinder meaningful progress toward environmental outcomes. The</p>

<p>now) or in the future system (to have impact longer term)?</p>	<p>forthcoming framework promises a more streamlined and balanced approach to freshwater governance, featuring integrated planning processes, greater flexibility for catchment-specific solutions, and more enduring national policy direction that won't require constant revision.</p>
<p><b>Q1b</b> From the topics in this discussion document, which elements should lead to changes in the current system or the future system, and why?</p>	
<p><b>Q2</b> Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community?</p>	<p>Yes, a rebalanced objective in freshwater management could give councils greater flexibility to deliver outcomes that reflect community priorities. A integrated approach, where environmental, human health, and socio-economic wellbeing are all considered would enable councils to better tailor their responses to local needs. This flexibility would enable more effective engagement with iwi/hapū, catchment groups, and community stakeholders, aligning efforts around shared goals while respecting regional differences in values and capacity.</p>
<p><b>Q2</b>How can the NPS-FM ensure freshwater management objectives match community aspirations?</p>	<p>The NPS-FM can ensure freshwater management objectives match community aspirations by embedding flexibility, clarity, and engagement into its framework. When environmental outcomes are clearly defined—especially at the catchment scale—communities, iwi/hapū, and stakeholders can align their efforts through regulatory and voluntary programmes.</p>
<p><b>Q3</b> What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?</p>	<p>Clarifying timeframes for achieving freshwater outcomes would benefit from a nationally consistent framework that acknowledges the long-term nature of water quality improvements while allowing councils discretion to set realistic, community-informed timelines informed by science. Councils support landing national freshwater policy as soon as practical to guide catchment programmes and freshwater farm plans, but stress that progress must be achievable without undue hardship. Certainty in national direction, including avoiding frequent revisions would help councils align efforts and resources effectively, while enabling communities to see and trust the benefits of their actions over time.</p>
<p><b>Q4</b> Should there be more emphasis on</p>	<p>Yes, greater emphasis should be placed on the costs associated with achieving freshwater outcomes. Councils have consistently highlighted that improving</p>

<p>considering the costs involved, when determining what freshwater outcomes councils and communities want to set?</p>	<p>water quality is a long-term endeavour, one that must be realistic and not impose undue hardship on communities. Recognising both the pace and cost of change, and critically, who bears that cost, is essential to ensuring that freshwater objectives are not only ambitious but also achievable and enduring. Embedding this consideration into the NPS-FM would enable councils to better align environmental goals with the capacity and priorities of their communities. It is also important to acknowledge that there are currently no mechanisms in place to support the long-term financing often required to meet these outcomes.</p>
<p><b>Q4</b> Do you have any examples of costs associated with achieving community aspirations for freshwater?</p>	
<p><b>Q5</b> What will a change in NPS-FM objectives mean for your region and regional plan process?</p>	<p>While a change in the NPS-FM objectives could offer our region more flexibility to align freshwater management with community values and practical realities, recent changes to the NPS-FM have caused significant interruptions and uncertainty for regional planning processes already underway, and continued revisions risk further disruption. Councils need stability and clarity to progress freshwater outcomes efficiently, and ongoing “tinkering” with the NPS-FM undermines that certainty and has the potential to delay meaningful action.</p>
<p><b>Q6</b> Do you think that Te Mana o te Wai should sit within the NPS-FM’s objectives, separate from the NPS-FM’s objectives, or outside the NPS-FM altogether?</p>	<p>Te Mana o te Wai or a similar hierarchy should remain within the NPS-FM’s objectives, as it provides a foundational framework for freshwater management that reflects the interconnected importance of environmental health, human wellbeing, and socio-economic prosperity. Councils have consistently interpreted the hierarchy introduced in 2020 as inclusive rather than absolute, and while it has caused concern, its integration within the objectives ensures it is treated as a guiding principle rather than a standalone or external concept. Keeping Te Mana o te Wai within the objectives also reinforces its role in shaping enduring partnerships with iwi/hapū and ensures Treaty obligations are embedded in the regulatory framework. Removing it or placing it outside the NPS-FM risks creating further uncertainty in an already disrupted planning environment.</p>
<p><b>Q7</b> How will the proposed rebalancing of Te Mana o te Wai affect the variability with which it has been interpreted to date? Will it ensure</p>	<p>The hierarchy has never been interpreted as protecting the environment at all costs, nor did it require a return to a pristine environment. All three aspects of the hierarchy, environment, human health and social-economic well-being are considered important and to be provided for. Councils understand that the hierarchy of obligations has created concern and note that all options remove that hierarchy.</p>

consistent implementation?	
<b>Q8</b> Which values, if any, should be compulsory? Why?	<p>The compulsory values in the NPS-FM should continue to include ecosystem health, human contact, mahinga kai, and threatened species, as these are supported within HBRC and we have found so far to resonate with community expectations. These values reflect core environmental, cultural, and public health priorities and provide a consistent national foundation for freshwater management. Retaining these values ensures national consistency while allowing councils to tailor additional values to local priorities.</p> <p>We also recommend that dissolved inorganic nitrogen levels, temperature, and drinking water quality be included as mandatory monitoring parameters. We consider drinking water quality to be particularly critical given its fundamental importance to community wellbeing and its alignment with broader public health objectives, especially in light of the devastating and fatal consequences of the Havelock North water contamination incident.</p>
<b>Q9</b> What would be the practical effect of removing compulsory national values? Do you think this will make regional processes easier or harder?	<p>Removing compulsory national values from the NPS-FM would likely make regional processes more difficult, not easier. These values—such as ecosystem health, mahinga kai, human contact, and threatened species—provide a consistent national foundation that helps councils and communities focus their efforts and avoid repeated debates across different regions. Without them, councils would face increased pressure to justify their choices, potentially leading to fragmented approaches, slower progress and legal challenges. National values also support coherent monitoring, reporting, and public understanding. Their removal would introduce uncertainty and complexity into regional planning, undermining the clarity and consistency that communities and councils rely on.</p>
<b>Q10</b> Which attributes, if any, should be compulsory to manage? Which should be optional to manage?	<p>HBRC supports making key freshwater attributes mandatory—particularly those with strong national science and public relevance, like nitrate and ammonia toxicity. These attributes enable consistent reporting, reduce duplication across hearings, and support national tools like freshwater farm plans.</p> <p>We recommend that some of the newer attributes introduced in the 2020 NPS-FM—especially those based on national models for sediment and macroinvertebrates—be made optional or for monitoring only. This would allow councils to focus on attributes that are measurable, locally relevant, and have clear pathways for improvement.</p> <p>We also support flexibility to develop regional models where national ones are less effective and suggest keeping ecosystem metabolism optional for now due to the lack of a banded framework. This approach balances national consistency with practical implementation at the regional level.</p>
<b>Q11</b> Which attributes, if any, should have	<p>HBRC supports national bottom lines for these attributes to promote consistency, reduce repeated debate across council hearings, and enable coherent national reporting and monitoring. They also help streamline the rollout</p>

national bottom lines? Why?	of freshwater farm plans and other national standards. However, HBRC does not support a national bottom line for sediment due to regional variability in geology and flow processes and recommend flexibility to adjust thresholds where science or local conditions warrant it.
<b>Q12</b> To what extent should action plans be relied upon, including to achieve targets for attributes?	HBRC supports allowing attributes to be addressed through action plans for resource use, as this enables progress even when full compliance with bottom lines or thresholds isn't immediately feasible. Action plans also allow councils to focus on the most critical issues and catchments, align efforts with community priorities, and adapt over time as science and monitoring improve. This approach supports practical, staged implementation while maintaining accountability and momentum.
<b>Q13</b> Should councils have flexibility to deviate from the default national thresholds (including bottom lines) and methods?	Yes, councils should have the flexibility to deviate from default national thresholds and methods where necessary. While national bottom lines are important for consistency and efficiency—particularly for contaminants like nitrate and ammonia—local conditions such as geology, flow regimes, and community priorities can vary significantly. Councils also need the ability to adjust thresholds where science has evolved or where local environmental realities make national standards inappropriate. This flexibility ensures that freshwater management remains both effective and locally relevant, while still maintaining national coherence. However, such deviations should be grounded in robust evidence and transparent processes to retain public trust and policy integrity.
<b>Q14</b> What are the pros and cons of making commercial vegetable production a permitted activity?	Making commercial vegetable production a permitted activity has both advantages and drawbacks. It could streamline regulatory processes, reduce compliance costs, and support domestic food supply, particularly for regions where vegetable growing is already under pressure. It would also recognise the importance of crop rotation and could be supported by freshwater farm plans to manage environmental effects. However, the environmental impacts of vegetable production can be significant, and writing a national standard that adequately addresses these while allowing permitted activity status would be complex. Elevating one sector above others may also create equity concerns and delaying this change until the new resource management system is in place may be more prudent. A time-bound NES that expires once regional plans are updated could offer a balanced approach.
<b>Q15</b> How do you think policies and/or rules should be designed to provide for crop rotation?	Policies and rules to provide for crop rotation should be designed to recognise the essential role rotation plays in maintaining soil health and supporting domestic vegetable supply, while also managing environmental effects. Crop rotation could be enabled as a permitted activity, but only if accompanied by clear conditions—such as requiring freshwater farm plans or rules that address key environmental risks. This approach would allow flexibility for growers while ensuring that the lift in environmental performance expected by communities is met.

<p><b>Q15</b> Do you think these should be considered within sub-catchments only?</p>	<p>No, seek to have flexibility be able to be considered at a catchment level</p>
<p><b>Q16</b> For the proposal to develop nationally set standards, what conditions should be included?</p>	
<p><b>Q17</b> Should rules for water security and water storage be set nationally or regionally?</p>	<p>Nationally - rules for water security and water storage should be set nationally where necessary, to provide consistency and clarity, but with regional flexibility to reflect local environmental realities. HBRC supports national direction on the importance of water storage, especially for enabling off-stream facilities, but note that most delays stem from water quantity availability and water quality implications—issues that vary significantly across regions. A national framework could establish baseline expectations and ensure alignment with the Building Act and other standards, while allowing regional councils to tailor rules based on catchment-specific needs and expertise. This balanced approach avoids unnecessary complexity while ensuring practical implementation.</p>
<p><b>Q18</b> Are there any other options we should consider? What are they, and why should we consider them?</p>	<p>Another option is to ensure that regional expertise is actively used in drafting any national environmental standards to ensure any rules are practical and reflect on-the-ground realities.</p>
<p><b>Q19</b> What are your views on the draft standards for off-stream water storage set out in Appendix 2: Draft standards for off-stream water storage?</p>	<p>The draft standards for off-stream water storage are broadly supported in concept, particularly for enabling infrastructure that contributes to long-term water security. However, we note that the real barriers to water storage often lie in water quantity availability and water quality constraints, issues not fully addressed in the draft standards.</p>
<p><b>Q19</b> Should other standards be included? Should some standards be excluded?</p>	<p>Instream/river barriers for large-scale water storage have significant environmental impacts, including disruption of catchment processes and loss of ecological connectivity at a broad scale, as well as negative effects on downstream water quality. Additionally, increased water availability often enables land-use intensification, which can lead to elevated nutrient loads and further deterioration of water quality.</p>

<p><b>Q20</b> Should both small-scale and large-scale water storage be enabled through new standards?</p>	<p>Yes, both small-scale and large-scale water storage should be enabled through new standards, provided those standards are practical, scalable, and reflect regional differences. HBRC supports national direction that recognises the role of water storage in long-term water security. Enabling both scales offers flexibility to meet diverse community needs. That said, large-scale in-stream storage should be considered only as a last resort, with a clear process to assess and minimise environmental impacts. Off-stream solutions should be prioritised. Involving regional expertise in drafting these standards will help ensure they are workable and environmentally responsible.</p>
<p><b>Q21</b> What else is needed to support farmers and others to do things that benefit the environment or improve water quality?</p>	<p>Three key elements are essential: education and guidance so farmers understand which practices genuinely improve outcomes and how to implement them; regulatory stability that provides long-term certainty for investment decisions; and accessible funding mechanisms to help offset the upfront costs of environmental improvements. These elements work together to remove the knowledge, certainty, and financial barriers that currently prevent wider adoption of environmentally beneficial practices. Better funding is also needed. We work with a huge number of landowners who are keen to benefit the environment and improve water quality, but effective wetland restoration (for example) can be very expensive.</p>
<p><b>Q22</b> What should a farming activities pathway include?</p>	<p>A farming activities pathway should include clear, practical provisions that support environmental improvement while recognising the realities of farm operations. Freshwater farm plans could be a central tool for managing effects, particularly for activities like nitrogen fertiliser use and crop rotation. The pathway could allow for permitted activities where appropriate but be backed by conditions that ensure environmental risks are addressed, such as thresholds for nutrient application, stock exclusion from sensitive areas, and identification of threatened species habitats. It should also be scalable and flexible, enabling councils to tailor rules to local catchment conditions without adding unnecessary complexity.</p>
<p><b>Q22</b> Is a farming activities pathway likely to be more efficient and/or effective at enabling activities in and around wetlands?</p>	<p>Yes, a farming activities pathway is likely to be more efficient and effective at enabling activities in and around wetlands if designed carefully. HBRC generally supports the concept where it allows practical activities like fencing and constructed wetlands to proceed without unnecessary regulatory burden. A pathway that uses freshwater farm plans to identify and manage environmental risks such as the presence of threatened species for example can help landowners meet obligations while supporting biodiversity.</p>
<p><b>Q23</b> What will be the impact of removing the requirement to map wetlands by 2030?</p>	<p>Many councils have not yet undertaken the task of mapping the wetlands in their regions. Removing the requirement to do so within a set timeframe risks this work becoming a low priority - or not being done at all. HBRC has already completed wetland mapping, and it is clear how invaluable this information is. It provides a baseline for tracking the loss of wetland area and</p>

	<p>diversity over time, which in turn helps assess whether efforts to halt their decline are succeeding.</p> <p>It also makes the presence of wetlands more visible to non-experts, such as policy planners, consents planners, compliance officers, and catchment operations staff. This allows them to anticipate and mitigate potential impacts before wetlands are damaged.</p>
<p><b>Q24</b> Could the current permitted activity conditions in the NES-F be made clearer or more workable?</p>	<p>Yes, the permitted activity conditions could benefit from greater clarity, particularly regarding the status of common farming activities like irrigation and on-farm water storage. However, these activities present significant complexity that makes them difficult to regulate effectively as either permitted or controlled activities under the current framework. Providing clearer guidance on how irrigation and water storage fit within the NES-F would help farmers understand their obligations and compliance requirements. The challenge lies in balancing the need for regulatory certainty with the diverse and complex nature of these farming practices across different regions and farm types.</p> <p>With regards to wetlands, currently, several wetland restoration activities rely on the restoration plan in Schedule 2 to be considered a ‘permitted activity’. This restoration plan seems overly complicated to work through, with many conditions. Although it is important to be able to ensure proposed activities are genuinely for wetland restoration, simplifying this plan would greatly enable restoration activities and avoid unnecessary consents.</p>
<p><b>Q25</b> What information requirements are necessary for fish passage?</p>	<p>HBRC supports simplifying fish passage regulations. We also support implementing less stringent requirements for temporary structures.</p>
<p><b>Q25</b> What would the difference in cost be, relative to current information requirements?</p>	<p>Reducing information requirements would likely result in proportional cost savings the magnitude of cost reduction would depend on the specific requirements eliminated, but could include savings from reduced monitoring frequency, simplified assessment methodologies, and streamlined reporting processes.</p>
<p><b>Q26</b> How can regulations for temporary and permanent culverts in the NES-F be made simpler?</p>	<p>Simplifying culvert regulations in the NES-F requires establishing clear and workable definitions that distinguish temporary from permanent installations based on specific timeframes, materials, and intended lifespan. Additionally, regulations could be streamlined through differentiated assessment pathways that match regulatory requirements to environmental risk levels, with temporary installations following expedited processes requiring less documentation. Providing standardized design specifications and pre-approved templates for common configurations would reduce the need for case-by-case assessments, while risk-based thresholds could determine appropriate consent levels based on waterway characteristics and ecological sensitivity. Consolidated guidance that</p>

	<p>integrates fish passage, flood management, and environmental protection requirements into a single framework would provide greater regulatory certainty while reducing compliance costs and maintaining appropriate environmental safeguards.</p>
<p><b>Q27</b> Temporary culverts are currently treated the same as permanent ones. If temporary culverts were to be treated differently (eg, had fewer conditions), would it be better to do so through a permitted activity pathway in the NES-F (culverts only), or by allowing councils to be less stringent than the permitted activity conditions for culverts and weirs?</p>	<p>HBRC supports treating temporary culverts differently from permanent installations through the NES-F permitted activity pathway rather than allowing councils to set less stringent conditions. This approach would be more efficient and consistent, as it reduces administrative burden on regional councils by providing nationally standardized requirements. Having NES-F establish the permitted activity conditions for temporary culverts would eliminate the need for individual councils to develop their own frameworks, ensuring consistency across jurisdictions while reducing regulatory complexity. Additionally, aligning the NES-F with the NES-CF through similar definitions and approaches would create a more coherent regulatory environment.</p>
<p><b>Q28</b> Have you encountered similar issues with any other policy or regulation within the NPS-FM or NES-F (eg, rules or gateway tests about river reclamation)?</p>	<p>No</p>
<p><b>Q29</b> To what extent will it be more efficient to require dairy farmers to report on fertiliser use at the same time of year they report on other matters?</p>	<p>Requiring dairy farmers to report fertiliser use concurrently with other mandatory reporting would improve efficiency for both farmers and regulatory agencies. This approach would streamline administrative processes by consolidating data collection into a single reporting cycle, reducing the compliance burden on farmers who currently face multiple reporting deadlines throughout the year.</p>

<p><b>Q30</b> Has the requirement for dairy farms to report their use of fertiliser already served its purpose, in terms of having signalled a level of unacceptable use that should be avoided – no more than 190 kilograms per hectare per year – and if so, is this requirement still necessary?</p>	<p>Yes, the fertiliser reporting requirement should be maintained. While the 190 kg/ha/year nitrogen cap has successfully signalled unacceptable use levels and reduced instances of very high synthetic nitrogen application, the requirement remains necessary for several reasons. Ongoing public concern about excessive synthetic nitrogen fertiliser application demonstrates continued community expectations for transparency and accountability in agricultural practices. The reporting mechanism provides essential data for monitoring compliance and ensuring the effectiveness of the nitrogen cap over time.</p>
<p><b>Q31</b> Do you think that requiring regional councils to map SWRMAs for applicable drinking water supplies in their regions will improve drinking water safety?</p>	<p>Yes, requiring regional councils to map Source Water Risk Management Areas (SWRMAs) for applicable drinking water supplies is likely to improve drinking water safety. HBRC supports this requirement and welcome the development of a national default protocol, which would promote consistency and provide valuable implementation support.</p>
<p><b>Q31</b> Should councils be required to publish SWRMAs?</p>	<p>Yes, councils should be required to publish Source Water Risk Management Areas (SWRMAs), as doing so would improve transparency, support better land use decision-making, and help protect drinking water sources. Publicly available SWRMA maps would allow landowners, developers, and communities to understand where additional care or controls may apply and enable more proactive management of risks. However, this requirement should be accompanied by clear national guidance and tools—such as a default mapping protocol—to ensure consistency and reduce the burden on councils.</p>
<p><b>Q32</b> Do you think that three zones should be required for each SWRMA, or is one zone sufficient?</p>	<p>Three</p>
<p><b>Q33</b> What do you think the population threshold should be</p>	<p>100 person</p>

to require regional councils to map SWRMA (e.g, 100-person, 500-person, or some other threshold)?	
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