

25/07/2025

Ministry for the Environment
By email

Tēnā koe,

Matamata-Piako District Council feedback to the proposed changes in the discussion document on the National Policy Statement for Freshwater Management 2020 and Resource Management (National Environmental Standards for Freshwater) Regulations 2020

Thank you for the opportunity to provide feedback on the National Policy Statement for Freshwater Management 2020 and Resource Management (National Environmental Standards for Freshwater) Regulations 2020. Please find attached, at Appendix 1, the Matamata-Piako District Council's (MPDC) feedback.

MPDC considers freshwater quality is a fundamental health issue and clear national direction needs to be provided. MPDC is concerned that the proposal to rebalance the current policy approach through the inclusion of a suite of objectives with multiple matters to consider at the time of implementation may not provide a high level of certainty that the water resource can be managed to ensure a clean, healthy and plentiful water supply.

MPDC recognises the high level of interest in ensuring a more straight forward regulatory path for commercial vegetable growing, but does seek that any permitted activity does not cause adverse effects to the natural environment. It may be locations where the water quality is already compromised cannot accommodate any permitted commercial vegetable activities.

With regard to simplifying the wetland provisions, similar to the comments that MPDC have been made in relation to Package 2-Primary Sector, MPDC seeks that wetland mapping is undertaken prior to the simplification of the provisions, and the provisions recognise the importance of limiting activities in and adjacent to significant wetlands.

We look forward to future consultation processes on the proposed changes to national direction for freshwater, including on proposed exposure drafts, and would welcome the opportunity to comment on any issues explored during their development.

In the meantime should you have any queries regarding this feedback, please contact Fiona Hill, Team Leader, RMA Policy in the first instance, at fhill@mpdc.govt.nz.

Ngā mihi



Manaia Te Waita
Chief Executive Officer
Matamata-Piako District Council

Appendix 1: Matamata-Piako District Council's feedback for proposed amendments to National Policy Statement for Freshwater (NPS-FM) & Amendments to National Environmental Standards for Freshwater (NES-F)	
Proposal Questions	Description, comment and recommendation
Rebalancing freshwater management through multiple objectives	
<p>1) Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community? How can the NPS-FM ensure freshwater management objectives match community aspirations?</p>	<p><u>Description</u></p> <ul style="list-style-type: none"> • Currently, the NPS-FM's sole objective sets out a hierarchy of obligations to ensure that natural and physical resources are managed in a way that prioritises: <ul style="list-style-type: none"> • First, the health and well-being of water bodies and freshwater ecosystems • Second, the health needs of people (such as drinking water) • Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. • The Government is concerned this hierarchy is currently being interpreted as requiring pristine water quality to be achieved, before allowing any other uses of freshwater. This is not consistent with the Government's intention for how the NPS-FM should be applied. • The Government is consulting on whether to replace the NPS-FM's single objective (clause 2.1 of the NPS-FM) with multiple new objectives. These objectives are: a new objective that will direct councils to: <ul style="list-style-type: none"> • Safeguard the life-supporting capacity of freshwater and the health of people and communities • While enabling communities to provide for their social, cultural and economic well-being, including productive economic opportunities; • There is also consultation on a new objective to consider the pace and cost of change, and who bears the cost. This would support councils and communities to have balanced conversations about their aspirations for the environment. It would require councils to consider: <ul style="list-style-type: none"> • Communities' long-term goals/visions for freshwater • The cost of change and who bears the cost (including what the trade-offs are) • Within what timeframes change should occur, recognising that improving freshwater quality will require iterative, gradual improvement over a long time and through multiple planning cycles.

	<ul style="list-style-type: none"> • There is also consultation on new objectives to enable the continued domestic supply of fresh vegetables, and to address water security. There is also consultation on including the requirement to maintain or improve freshwater quality as a new objective. <p><u>Comment</u></p> <ul style="list-style-type: none"> • MPDC considers freshwater quality is a fundamental health issue and clear national direction needs to be provided. MPDC is concerned the proposals are a compromise and question the appropriateness of this. • Firstly, in the context of RMA reform the use of the terms such as “councils” and “communities” is unclear. Clarification should be provided as to whether this is regional or local councils and if the communities are related to the council or the catchment. If there is a catchment which may cross boundaries, guidance needs to be provided on how this will function. • The proposed approach of a suite of objectives with multiple matters to consider at the time of implementation has also raised concerns for MPDC. Not only could this approach have impacts on the water resources for each district, but could also impact on districts who share water catchments with other districts and may choose to utilise different approaches at the time of decision making and implementation. For example, MPDC and Hauraki councils share the Piako River. There is also concern that districts that are not well resourced may chose not to invest in the water resource potentially at the expense of their own district and an adjacent district's water supply and quality. • The Matamata -Piako community are very reliant on a plentiful and clean water resource for their town and rural communities and seeks that national direction provides a high level of certainty that this outcome will be achieved throughout the country. MPDC considers that the inclusion of multiple matters within the objective framework without clear guidance on how to achieve each of the matters could result in poor outcomes and potential adverse effects on the important water resource. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> • That the next iteration of this national policy statement provides a high level of certainty that the water resource can be managed to ensure a clean, healthy and plentiful water supply.
2) What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?	<p><u>Comment /Recommendation</u></p> <ul style="list-style-type: none"> • MPDC considers there would be benefit in advising the timeframes in which certain freshwater outcomes should be achieved. This would assist councils with planning processes related to spatial and asset planning. The provision of timelines would also help to ensure forward

	<p>movement on these matters, as a lack of a timeframes may lead to inaction on these very important matters to the detriment of the water resource.</p>
<p>3) Should there be more emphasis on considering the costs involved, when determining what freshwater outcomes councils and communities want to set? Do you have any examples of costs associated with achieving community aspirations for freshwater?</p>	<p><u>Description</u> Refer Qn 1</p> <p><u>Comment/Recommendation</u></p> <ul style="list-style-type: none"> • MPDC supports including cost considerations when determining freshwater outcomes under the NPS-FM, however would be concerned if the consideration of costs resulted in reduced water quality outcomes. In Matamata-Piako district and the Waikato region, achieving community aspirations for freshwater such as swimmable rivers, restored wetlands, and fish-friendly infrastructure often involves significant financial investment by councils, landowners, and iwi. • Factoring in costs helps ensure that outcomes are realistic and achievable, communities are engaged and supportive of the implementation pathway, and resources are prioritised effectively. For example, riparian planting and fencing has been undertaken in local catchments which requires ongoing investment in planting, fencing, and maintenance, which has often been supported by public-private partnerships. Consideration of cost into freshwater planning is essential to ensure that community aspirations are viable.
<p>Options to rebalance Te Mana o te Wai</p>	
<p>4) What will a change in NPS-FM objectives mean for your region and regional plan process?</p>	<p><u>Description</u></p> <ul style="list-style-type: none"> • Te Mana o te Wai in the NPS-FM is a defined concept that refers to the fundamental importance of water. It includes a hierarchy of obligations that prioritises the health and wellbeing of water bodies and freshwater ecosystems, and a set of principles that describe the role of people in the management of freshwater. Various provisions in the NPS-FM then refer to this defined concept and set out processes for how councils should apply it – for example, by actively involving tangata whenua in freshwater management. The discussion document seeks feedback on options to rebalance Te Mana o te Wai. The proposal in the previous section to include multiple objectives in the NPS-FM is a key part of options to rebalance Te Mana o te Wai. • The discussion document is consulting on three additional options to rebalance Te Mana o te Wai, as set out below: Option 1: Remove hierarchy of obligations and clarify how Te Mana o te Wai (TMotW) applies; Option 2: Reinstate Te Mana o te Wai provisions from 2017; and Option 3: Remove Te Mana o te Wai provisions. <p><u>Comment</u></p>

	<ul style="list-style-type: none"> While MPDC is not a regional entity, their regional council has made significant progress in reviewing the regional plan and giving effect to TMotW including through active engagement with Tangata whenua, stakeholders and communities. We would agree that frequent changes to the NPS-FM have been inefficient, and support policy settings being enduring. MPDC considers that further changes should not be made to the core provisions of the NPS-FM. <p><u>Recommendation</u> Further revision of the NPS-FM is limited to the recommendations in this submission.</p>
<p>5) 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 – and why?</p>	<p><u>Description</u> Refer Qn 4</p> <p><u>Comment</u></p> <ul style="list-style-type: none"> MPDC supports the retention of TMotW and the hierarchy of obligations (HOO) within the NPS-FM. The HOO provides clear direction for decision makers while TMotW represents a fundamental approach to freshwater resource management. Te Mana o te Wai considers the importance of water and recognises that protecting the health of freshwater protects the health and well-being of our communities. Contaminated water poses a significant health risk to those who come into contact with it including humans, animals and plants. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> MPDC seeks that Te Mana o te Wai sits within the NPS-FM's objectives
<p>6) 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 consistent implementation?</p>	<p><u>Description</u> Refer Qn 4</p> <p><u>Comment</u></p> <ul style="list-style-type: none"> The material available as part of the consultation process has not provided evidence of variability in interpretation of Te Mana o te Wai. This submission has already identified that the proposed suite of objectives will likely be unable to be administered in an efficient and effective manner due to its lack of clarity. MPDC considers if there is a documented issue with the inconsistent administration of Te Mana o te Wai to date, additional national guidance should be developed to address this concern. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> Additional national guidance is developed to ensure the consistent administration of Te Mana o te Wai rather than adopting the proposed rebalancing of Te Mana o te Wai.

Develop new national standards that permit commercial vegetable growing	
7) What are the pros and cons of making commercial vegetable production a permitted activity?	<p><u>Description</u></p> <ul style="list-style-type: none"> The discussion document is consulting on two options to better enable commercial vegetable growing. These options have links to Special Agriculture Areas being consulted on under proposed amendments to the National Policy Statement for Highly Productive Land. The options are: Option 1: Recognising the importance of fresh vegetables in planning through a new objective in the NPS-FM to enable the continued domestic supply of fresh vegetables, and in doing so, to provide for crop rotation as a permitted activity; and Option 2: Develop new national standards that permit commercial vegetable growing. We are also consulting on developing new national standards that permit commercial vegetable growing, with feedback sought on how these should be progressed. <p><u>Comment</u></p> <ul style="list-style-type: none"> The Matamata-Piako district is home to a range of existing commercial vegetable production activities, in addition to other commercial crops such as berries. Like some other rural activities, vegetable production can be the cause of contaminants and discharges to the environment and has the potential to cause adverse effects. MPDC also notes that some catchments have better water quality than others. If the government decides to progress with this approach, we strongly recommend that it should not apply to locations already experiencing water quality issues. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> MPDC seeks that if a permitted activity status is adopted for the commercial vegetable growing that there has to be robust standards to ensure that there were no adverse effects on the environment. Consideration should also be given to not allowing commercial vegetable growing in areas that have a water quality issues.
8) How do you think policies and/or rules should be designed to provide for crop rotation? Do you think these should be considered within sub-catchments only?	<p><u>Description</u></p> <p>Refer Qn 7</p>
9) For the proposal to develop nationally set standards, what conditions should be included?	<p><u>Comment</u></p> <p>No comment</p>
Building water storage on land could be made easier	

<p>10) Should rules for water security and water storage be set nationally or regionally?</p>	<p><u>Description</u></p> <ul style="list-style-type: none"> Water security is becoming increasingly important and the discussion document seeks feedback on providing direction to councils through a new objective or policy in the NPS-FM to address the issue of water security as part of climate change resilience. In addition the discussion document is considering how building water storage on land could be made easier and the seeking feedback on whether to develop new national standards that permit the construction of off-stream water storage. It is suggested these could be progressed under the RMA or the new resource management system. <p><u>Comment</u></p> <ul style="list-style-type: none"> MPDC does have concerns about water security and is supportive that their regional council is in the early stages of developing a water security strategy. We support the concept of nationally applicable standards for water security and storage, however these rules must allow for regional variation. Allowing for regional variation acknowledges that the effects of climate change on water security will be felt differently across the country. For example, the Waikato region and East Coast will become drier, whereas Southland will have increased rainfall. Additionally, different regions will face variable water allocation circumstances. For example, flow harvesting for water storage is prohibited upstream of the Karāpiro dam in the Waikato to protect water volumes for hydro-electricity generation. Application of a national standard without allowing for regional variation would be counter-productive in this instance. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> That the objectives and policies for water security and water storage are set nationally, while allowing for regional variation in a rule framework where appropriate.
<p>11) Are there any other options we should consider? What are they, and why should we consider them?</p> <p>12) 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? Should other standards be included? Should some standards be excluded?</p>	<p><u>Description</u> Refer Qn 10</p> <p><u>Comment</u> No comment</p>

13) Should both small-scale and large-scale water storage be enabled through new standards?	
Simplifying the wetlands provisions	
14) What else is needed to support farmers and others to do things that benefit the environment or improve water quality?	<p><u>Description</u></p> <ul style="list-style-type: none"> • There is strong support for protecting wetlands, and support for clearer and simpler wetland regulations, including: <ul style="list-style-type: none"> • A clearer and more workable definition of wetlands; • Clearer and more appropriate provision for farming activities; • Clearer and more appropriate provision for wetland construction; and • Less-onerous requirements to map natural inland wetlands. • The Government is also consulting on changes to address inconsistencies in quarrying and mining provisions across several national direction instruments (e.g., in wetlands and significant natural areas). • The discussion document is consulting on: <ul style="list-style-type: none"> • Defining induced wetlands as wetlands that have developed unintentionally as an outcome of human activity for purposes other than creating a wetland or water body, and excluding these from wetland provisions in the NPS-FM and NES-F, except where a council identifies them as regionally significant. • Removing the pasture exclusion from the definition of a 'natural inland wetland' and instead permitting farming activities that can occur in and around wetlands (see next proposal). • Creating a new permitted activity standard (and potentially a consenting pathway if needed) for farming activities that are unlikely to have an adverse effect on a wetland – for example, fencing and irrigation. • Feedback is being sought on the following: <ul style="list-style-type: none"> • What activities should be permitted, and what conditions, if any, would be added to a consent pathway • Defining 'wetland construction' • Creating a new permitted activity standard for activities related to wetland construction, • Encouraging wetland construction and edge-of-field mitigations through a new objective and/or policy in the NPS-FM. • What conditions would be suitable for a permitted activity standard, and what activity class is appropriate for wetland construction. <p><u>Comment</u></p>

	<ul style="list-style-type: none"> MPDC are of the opinion that some low impact activities may be able to occur in some wetlands, however this should only be considered in the context of knowing the significance of the wetland. As a full mapping/significance process of wetlands is yet to be undertaken, MPDC considers that a cautious approach should be adopted and a list of activities and their consent status only developed in relation to the significance of the wetland. This approach does not seem to be included in these proposals and MPDC recommends that it should be. MPDC would welcome the opportunity to provide additional comments when a list of activities related to a wetlands level of significance is available. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> That the full list of activities proposed for wetlands and their activity status is reviewed in relation to the significance of the wetland.
<p>15) What should a farming activities pathway include? Is a farming activities pathway likely to be more efficient and/or effective at enabling activities in and around wetlands?</p>	<p><u>Description</u></p> <ul style="list-style-type: none"> The discussion document advises that feedback has indicated the current provision for farming activities (i.e., the pasture exclusion) is not working as intended, and that both farmers and councils want clarity about the status of farming activities such as irrigation, on-farm water storage and fencing. It is consulting on creating a new permitted activity standard (and potentially a consenting pathway if needed) for farming activities that are unlikely to have an adverse effect on a wetland – for example, fencing and irrigation. Feedback is being sought on what activities should be permitted in this way, and what conditions, if any, would be added to a consent pathway (and whether this should be a controlled activity or other activity status) <p><u>Comment</u></p> <ul style="list-style-type: none"> MPDC is concerned at the proposal of a “farming activities” pathway, as it lacks clarity and it is unclear what may be intended through this pathway. Some activities have been listed for example fencing and irrigation. However there may be other activities associated with fencing such as vegetation clearance, land disturbance, drainage or earthworks in or within the vicinity of natural wetlands which are associated with a “farming” purpose and we would want clarity if those would be included? We query how the proposed changes will ensure that wetlands are not being impacted and have been accurately assessed as wetlands without the need for consent and ecological assessments. Without clarity on which activities will be permitted, it is difficult to assess the full extent of potential impacts. These changes could accidentally allow for activities not currently permitted to affect wetlands.

	<ul style="list-style-type: none"> We support provisions that focus on appropriate regulation of clearly defined activities. However, we would be concerned if a permissive provision encompassed activities such as construction of new drains or the deepening of drains, both activities arguably qualify as “earthworks” which can have significant effects on existing wetlands. Allowing certain activities would undermine existing protective provisions in the regulations. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> MPDC recommend provisions that focus on appropriate regulation of clearly defined activities.
16) What will be the impact of removing the requirement to map wetlands by 2030?	<p><u>Description</u> Refer Qn 14</p> <p><u>Comment</u></p> <ul style="list-style-type: none"> We acknowledge mapping wetlands is a complex and a resource-intensive task that demands technical expertise, extensive fieldwork and ongoing updates. However, we do not support the removal of the requirement to map wetlands. The mapping of wetlands will lead to a better understanding of their significance which will in turn help inform the basis of a sound rule framework that potentially will focus on the preservation of the most significant wetlands. A mapping process will also help to identify what is/what is not a wetland. <p><u>Recommendation</u></p> <ul style="list-style-type: none"> MPDC recommend rather than removing this requirement, national guidance should be provided on the standardising of wetland mapping. This approach would ensure national consistency and support better long-term environmental outcomes.
17) Could the current permitted activity conditions in the NES-F be made clearer or more workable?	<p><u>Description</u> Refer Qn 14</p> <p><u>Comment</u> No comment</p>
Simplifying the fish passage regulations	
18) What information requirements are necessary for fish passage? What would the difference in cost be, relative to current information requirements?	<p><u>Description</u></p> <ul style="list-style-type: none"> The NPS-FM requires councils to provide for fish passage, and to identify and remediate existing barriers. It is supported by the NES-F, which provides for the construction of in-stream structures as a permitted activity subject to conditions, and requires a resource consent if these conditions cannot be met. Fish passage rules may require too much information. Councils and land users have said the amount of information required by the NES-F on the design of in-

<p>19) How can regulations for temporary and permanent culverts in the NES-F be made simpler?</p> <p>20) Temporary culverts are currently treated the same as permanent ones. If temporary culverts were to be treated differently (e.g., 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>21) Have you encountered similar issues with any other policy or regulation within the NPS-FM or NES-F (e.g., rules or gateway tests about river reclamation)?</p>	<p>stream structures is too onerous. There are also concerns it can be difficult to satisfy the permitted activity conditions for constructing and using a culvert.</p> <ul style="list-style-type: none"> The discussion document is consulting on whether to simplify fish passage regulations in the NES-F or retain the current regulations. To simplify the regulations, it is proposed to : <ul style="list-style-type: none"> Move information requirements for each structure type into a single regulation that applies to all structure types; Remove requirements that do not directly inform how likely a structure is to impede fish passage (e.g., the material used in construction); Amend the permitted activity conditions for culverts to reflect updated practice and provide for boxed culverts; Remove some permitted activity conditions for culverts (e.g., water velocity); and Consider whether temporary structures (e.g., used in temporary works like gravel extraction) need to be treated differently to permanent structures, and whether this would be best achieved via a new permitted activity standard in the NES-F or by allowing councils to be less stringent than the NES-F for this purpose. <p><u>Comment</u> No comment</p> <p><u>Recommendation</u></p>
<p>Addressing remaining issues with farmer-facing regulations</p>	
<p>22) 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>23) 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><u>Description</u></p> <p><u>Comment</u> No comment.</p>
<p>Mapping requirements for drinking water sources</p>	
<p>24) Do you think that requiring regional councils to map source water risk management areas (SWRMAs) for applicable drinking water supplies in their regions will improve drinking</p>	<p><u>Description</u></p> <ul style="list-style-type: none"> The discussion document is consulting on whether to introduce a new requirement in the NPS-FM for source water risk management areas (SWRMAs) to be mapped. This would require regional councils to:

<p>water safety? Should councils be required to publish SWRMAs?</p>	<ul style="list-style-type: none"> • Map SWRMAs for relevant drinking water sources in their regions according to the following criteria: – SWRMA 1 – the zone directly surrounding the source water intake, where there is an immediate risk of contamination – SWRMA 2 – a microbial risk area, to limit the concentrations of microbial pathogens before abstraction – SWRMA 3 – the entire surface water catchment, or groundwater capture zone, to protect against persistent contaminants • Have regard to, or use methods similar to, those described in Delineating source water risk management areas when undertaking SWRMA mapping • Complete mapping within five years of the start date of the requirement, and prioritise the order of mapping by risk (i.e., mapping the largest and most under-pressure sources first) • Publish SWRMAs in a public inventory alongside other associated information. <p>The discussion document is also seeking feedback on whether the mapping requirements should be incorporated into regional plans, and whether it is appropriate to set a lower population threshold for them, (i.e., from a previously proposed 500-person threshold to a 100-person threshold – noting this would not amend the scope of applicable sources under the NES-DW).</p> <p><u>Comment and recommendations</u></p> <ul style="list-style-type: none"> • While this would be a requirement for regional councils, MPDC would support the establishment of drinking water protection zones and a consistent approach to mapping source water risk management areas (SWRMAs) across New Zealand. This is consistent with the support of water security as part of the NPS-FM. However, we suggest there should be flexibility for regional customisation. • MPDC supports that SWRMAs should be published as this will assist to maintain the integrity of these important locations. Consideration will need to be given to how this occurs in terms of timeliness, for example will a Schedule 1 process be used, and the role that this mapping will have in any consenting processes.
<p>25) Do you think that three zones should be required for each SWRMA, or is one zone sufficient?</p> <p>26) What do you think the population threshold should be to require regional councils to map SWRMAs (e.g., 100-person, 500-person, or some other threshold)?</p>	<p><u>Description</u> Refer Qn 24</p> <p><u>Comment</u> No comment</p> <p><u>Recommendation</u></p>