

25 July 2025

New Zealand Parliament

Ministry for the Environment

Email: en.legislation@parliament.govt.nz

Dear Sir/Madam

Waikato District Council Submission on Updating Resource Management – National Direction

Waikato District Council (Council) welcomes the opportunity to contribute to the discussion on updating Resource Management - National Direction.

This submission addresses the questions outlined in the discussion document, specifically relating to Package 1: Infrastructure and Development, and Package 2: Primary Sector.

Council acknowledges the importance of evolving the national resource management framework to better reflect contemporary challenges and opportunities. We support efforts to improve clarity, consistency, and efficiency across the system, and recognise the potential for updated National Direction to enhance environmental outcomes while enabling well-considered economic development.

Council also recognises that successive governments have sought to reform the resource management system in response to growing environmental pressures, infrastructure demands, and community needs. While reform is necessary and timely, it must be carefully considered, responsive to local contexts, and inclusive of Te Tiriti o Waitangi obligations. A balanced approach will help ensure that changes are both effective and equitable, supporting long-term sustainability and resilience.

Council holds a range of views on the proposed updates. While several amendments to the National Policy Statements (NPS) and National Environmental Standards (NES) are welcomed, others raise questions or concerns due to potential implications for local government operations, communities, and businesses.

Key considerations include:

- **Resourcing Requirements:** Successful implementation of planning reform requires not only policy clarity but also adequate resourcing from the Government. Without this support, Council/s may struggle to meet reform expectations needed to implement the updated National Direction within existing resources such as staffing, tools, and financial investment.

Furthermore, as a Tier 1 authority, Council is mindful that reform implementation may not be evenly prioritized across Councils up and down New Zealand. Thus, it is important that the needs and constraints of smaller councils are considered in the rollout of the reforms.

- **Policy Alignment:** Council/s often finds itself/themselves navigating the tension between policy design and practical delivery. Subsequently there is a need for greater coherence and clarity of the combined effects of the proposed ‘Updating Resource Management - National Direction,’ the “Going for Housing Growth” initiative, and the emerging Planning Act. Equally, a more integrated and collaborative relationship between Council/s and the Government is essential to ensure reforms are both effective and implementable, as a misalignment may affect Council’s ability to maintain a clear and consistent policy direction.
- **Community Impact:** Council’s submission is grounded in the lived experience of implementing a District Plan Operative in Part, offering insights into the real-world implications of planning reform that may not be fully captured in central government modelling or assumptions.
Consequently, the speed at which the reforms are facing Council, makes it challenging to truly understand and comment on the full impact of the proposed changes. The cumulative effects of these changes on communities are not yet fully understood, and further analysis is needed to ensure outcomes are equitable and sustainable.

To support the successful implementation of the proposed changes, Council has provided detailed comments and suggested amendments aimed at mitigating potential risks and enhancing positive outcomes.

Council supports the submission made by Taituarā, especially their two recommendations, and consideration of¹:

- Delay the introduction of amended national policy direction until after the higher order legislation (replacement of the Resource Management Act) is settled and stable.
- Create the opportunity for experienced local government practitioners to test exposure drafting of any new and amended national instruments.
- In relation to Māori interests, Taituarā considers the policy needs to be amended and strengthened to recognise and provide for sections 6(e) and (g) of the RMA and the obligations of decision makers under those provisions.

¹ Subject to Taituarā final submission

We look forward to continued engagement and collaboration to ensure the updated National Direction delivers improved environmental stewardship, streamlined processes, and resilient, economically vibrant communities.

The submission was formally endorsed by Waikato District Council's Submissions Forum on 25 July 2025.

Should you have any queries regarding the content of this document please contact Ben Ross, Senior Policy Planner directly on ben.ross@waikatodc.govt.nz

Yours sincerely,



Jacqui Church

MAYOR

WAIKATO DISTRICT COUNCIL

Waikato District Council

Updating Resource Management - National Direction 2025, Submission

July 2025

Waikato District Council Submission in response to Updating Resource Management - National Direction 2025

Package 1 – Infrastructure and Development	
NPS- Infrastructure	
Question	Yes, Yes with Changes, No, or Unsure
1. Is the scope of the proposed NPS-I adequate?	Unsure
Comment: <ul style="list-style-type: none"> • In principle the scope is adequate. • However, the proposed scope of the NPS-I poses risks to Waikato District Council, including loss of local planning control, under-resourced implementation, and increased liability around natural hazards. 	
2. Do you agree with the definition of 'infrastructure', 'infrastructure activities' and 'infrastructure supporting activities' in the NPS-I?	Yes, however suggested amendments to the definition of Stormwater as noted below.
Comment: <ul style="list-style-type: none"> • The definition of stormwater is problematic. <ul style="list-style-type: none"> ○ Stormwater can present complexities on how it is defined and where it should sit amongst Council operations (Roading, Parks/Open Spaces, Three Waters etc). ○ Council considers that the definition of Stormwater should align with the Local Government (Water Services Preliminary Arrangements) Act 2024 for consistency. ○ Council considers the proposed definition is not extensive enough as it leaves some stormwater issues with transportation and open spaces departments of Council rather than a Three Waters department within a Council. ○ Consequently, Council proposed that stormwater activities are managed through a 'Three Waters' type of department within a council for consistency, efficiency, and value for money via removing duplication of stormwater activities in other Council departments. 	
3. Does the proposed objective reflect the outcomes sought for infrastructure?	Yes, with changes
Comment: <ul style="list-style-type: none"> • Clarity is needed on how funding, legal protections, and how local and iwi voices will be reflected in these reforms, and translated into the Planning Act, and Natural Environment Act. 	

4. Does the proposed policy adequately reflect the benefits that infrastructure provides?	Yes, with changes
<p>Comment:</p> <ul style="list-style-type: none"> • For this to be realised, Council recommends a consistent approach to the way in which infrastructure projects are evaluated. • Council supports the intent of the NPS-I requiring decision-makers to recognise the benefits of infrastructure. • However, Council proposes that the NPS-I wording is amended, requiring decision-makers must recognise the benefit of infrastructure must also recognise: <ul style="list-style-type: none"> ○ Te Tiriti o Waitangi, Te Ture Whaimana o Te Awa o Waikato, and Treaty Settlements. ○ Infrastructure can have adverse effects including reverse sensitivity effects upon existing areas and land users. These adverse effects must be balanced against the benefits through robust multi-criteria Analysis. 	
5. Does the proposed policy sufficiently provide for the operational and functional needs for infrastructure to be located in particular environments?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • Council supports the intent of the proposed changes to enhance the ability to manage infrastructure across boundaries. Council's joint Council Controlled Organisation with Hamilton City Council has enabled us to make this happen. However, Council supports the intent of the proposed changes to better recognise, enable and manage cross- boundary infrastructure. Council recognises and are realising the benefits as Council standup the Hamilton City Council/ Waikato District Council Joint Waters CCO and see value in working on RMA infrastructure related activities. • Cross-boundary infrastructure (especially between Districts within a region) should be guided by the Spatial Plan chapters in the Single Combined Plans. However cross regional infrastructure requiring the guidance of a Spatial Plan would be best suited at national level from a National Spatial Plan, and National Infrastructure Plan (as they would have standardised language much like the national Standardised Zones). 	
6. Do you support the proposed requirement for decision-makers to have regard to spatial plans and strategic plans for infrastructure?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • Council and Hamilton City Council have agreed to form a joint CCO for the delivery of water services. • The Proposed Requirement is consistent with P3 (Considering Spatial Planning) in the NPS-I, allowing the benefits of the Joint CCO that will enable both councils to 	

implement their Future Proof's Future Development Strategy in a timely, aligned, and cost-effective manner.	
7. Would the proposed policy help improve the efficient and timely delivery of infrastructure?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • From an implementation perspective the broad direction is enabling. • Council considers that cross-boundary infrastructure (especially between Districts within a region) should be guided by the Spatial Plan chapters in the Single Combined Plans. • However, cross-regional infrastructure requiring the guidance of a Spatial Plan would be best suited at national perspective through a National Spatial Plan, and National Infrastructure Plan (as they would have standardised language much like the national Standardised Zones). 	
8. Does the proposed policy adequately provide for the consideration of Maaori interests in infrastructure?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • Council supports the NPS-I – Policy 5: Recognising and providing for Maaori rights and interests. • Council strongly supports the term “must” in P5 (1) being used when decision-makers act in the NPS-I space. • Council notes that the name “<i>P5 Recognising and providing for Māori rights and interests</i>” recognises rights and interests, but the proposed policy wording only references interest. Suggest the policy wording is amended to include ‘rights.’ This would be consistent with other legislation, including but not limited to Treaty Settlement legislation. • Resolutions/remedies need to be available/provided via the two proposed Acts if differences arise from either: <ul style="list-style-type: none"> ○ Decision makers not recognising or providing for Maaori rights and interests and/or ○ Contrasting Maaori rights and interests that could complicate the actions of decision makers in the NPS/NES spaces. 	
9. Do the proposed policies sufficiently provide nationally consistent direction on assessing and managing the adverse effects of infrastructure?	Unsure
<p>Comment:</p> <p>One point missing needing to be addressed so there is certainty in this particular policy question:</p> <ul style="list-style-type: none"> • An absence of a National Spatial Plan that gives a national population strategy that transcends regional/city borders. <ul style="list-style-type: none"> ○ Auckland and Hamilton’s needs could mean their infrastructure crosses into Waikato District Council authority (e.g. A national spatial plan can recognise 	

<p>and respond to increasing pressure on infrastructure from neighbouring districts/ cities such as Hamilton and Auckland for Council. Examples of this include Auckland’s Tuakau freshwater treatment plant and Pukekohe Wastewater treatment plant.).</p> <ul style="list-style-type: none"> ○ Consider how the adverse effects managed for infrastructure, especially if an inherent conflict arises between the two districts (e.g. freshwater intakes, proposed highways/railways, or quarries in the Waikato District for road metal in Auckland)? 	
10. Do the proposed policies sufficiently provide for the interface between infrastructure and other activities including sensitive activities?	Unsure.
<p>Comment:</p> <p>Council considers that Questions 9 and 10 are strongly aligned. Similarly with Question 9:</p> <ul style="list-style-type: none"> • Council considers two matters are missing to provide certainty in this particular policy question: <ul style="list-style-type: none"> ○ The absence of a National Spatial Plan that gives a national population strategy that transcends regional/city borders. ○ The absence of a long-term National Infrastructure Plan from Central Government that would deliver upon the National Spatial Plan (as you need infrastructure to support development a Spatial Plan might set out) • In the interim, ensuring “Reverse Sensitivity” is clearly defined in the proposed Planning Act, would provide Councils direction to manage adverse effects in the absence of relevant national plans and/or strategies. 	
Further Comments on NPS-I that were not question related	
Proposed NPS-I provision	Further Comment
D3 Consented infrastructure	<ul style="list-style-type: none"> • Add the word “lawful” to the definition so that D3 is consistent with D5 <ul style="list-style-type: none"> ○ Proposed Amendment: <i>infrastructure that is authorised by a lawful resource consent or designation approved under the Act but has not yet been constructed.</i>
NPS – Renewable Energy Generation	
Question	Yes, Yes with Changes, No, or Unsure
11. Do you support the proposed amendments to the objective of the NPS-REG?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • In principle, Council is supportive of additional renewable energy generation direction. 	

<ul style="list-style-type: none"> Council supports the NPS-REG's goal of doubling renewable. energy generation, in addition to the goal of providing stronger renewable energy guidance to potential renewable energy developers. 	
12. Are the additional benefits of renewable electricity generation helpful considerations for decision-makers? Why or why not?	Yes, with recommended amendments
<p>Comment:</p> <ul style="list-style-type: none"> Council supports the objective of enabling greater resilience to disruptions. However, Council notes that renewables are more intermittent and season/weather dependent than fossil sources, and energy storage must be taken into consideration under the NPS-REG or NPS-EN. 	
13. Does the proposed policy sufficiently provide for the operational and functional need of renewable electricity generation to be located in particular environments?	Unsure
<p>Comment:</p> <ul style="list-style-type: none"> The term 'Investigation' is vague in the context that is provided in NPS-REG: D2 Ancillary REG activities. Investigation should be removed from D2 and D12. NPS-REG D2 relating to Construction and Operation is supported. 	
14. Do the proposed new and amended policies adequately provide for existing renewable electricity generation to continue to operate?	Unsure
<p>Comment:</p> <ul style="list-style-type: none"> The upgrading of existing infrastructure to utilise recent technologies and improve resilience is desirable, however this does not negate the need to assess and manage potential effects – whether existing or additional. 	
15. Do the proposed policy changes sufficiently provide for Maaori interests in renewable electricity generation?	Unsure
<p>Comment:</p> <ul style="list-style-type: none"> Council supports recognising and providing for Maaori interests through the NPS-REG. 	
16. Do you support the proposed policy to enable renewable electricity generation development in areas not protected by section 6 of the RMA, or covered by other national direction?	Yes, with recommended amendments
<p>Comment:</p> <ul style="list-style-type: none"> Areas of significant natural heritage and biodiversity, should both be exempt from potential renewable electricity generation development, and this should be explicitly stated to endure beyond the RMA repeal. 	

Further Comments on NPS-REG that were not question related	
Proposed NPS-REG provision	Further Comment
NPS REG D2 and D12	<p>Removal of the word “investigation” from both definitions:</p> <ul style="list-style-type: none"> Investigation involves exploring multiple potential sites which may require large machinery to determine the best location for infrastructure. Construction and operation occur at a chosen site where the infrastructure is built and then maintained or used. Activities in NPS REG D8 does not include 'investigation', it uses the standard 'construction, operation, maintenance, upgrade, and removal' terminology. For consistency, investigation should be provided for outside of construction and operation activities.
NPS REG P1: Policies related to Maori interests	<ul style="list-style-type: none"> NPS REG P2 mentions section 6 of RMA. Council recommends that NPS REG P1 also needs to recognise section 6 and section 8 of the RMA for consistency.
<p>NPS REG P4: Reconsenting, upgrading and repowering existing REG assets</p> <ul style="list-style-type: none"> <i>(c) seek to provide flexibility for changes in consent conditions to enable the upgrading of existing REG assets to adapt to recent technologies to increase REG output and improve resilience.</i> 	<ul style="list-style-type: none"> Council supports (c) as the addition acknowledges that improvements in recent technology may decrease effects, while increasing output.
NPS should allow for the preference of local generation and storage for local kWh usage and release to the wider network when in surplus.	<ul style="list-style-type: none"> Council considers there is potential for rationalisation of renewable energy sites in relation to transmission and favourable locations, through a District/regional or National Spatial Planning exercise (constraints and opportunities). Agrivoltaics on high quality productive agricultural land should be a Permitted Activity for site specific scale, and a Discretionary Activity for industrial scale.

- Site Specific scale referring to the Renewable Energy activity only serving a single site with site being determined in [Part 1: Definitions of the Waikato District Plan – Operative in Part:](#)
 - (a) An area of land comprised in a single record of title as per Land Transfer Act 2017; or
 - (b) An area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or
 - (c) The land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title as per Land Transfer Act 2017 could be issued without further consent of the Council; or
 - (d) Except that in relation to each of sub clauses (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or 2010 or a cross-lease system, a site is the whole of the land subject to the unit development or cross lease.
- Industrial Scale would mean renewable energy application is beyond a single site.

Setbacks for REG from dwellings	<ul style="list-style-type: none"> Flexibility should be provided to Council's to enable them to assess effects on dwellings on a case-by-case basis, to protect existing landowners.
NPS – Electricity Transmission	
Question	Yes, Yes with Changes, No, or Unsure
17. Do you support the inclusion of electricity distribution within the scope of the NPS-EN?	Yes
Comment: No Response	
18. Are there risks that have not been identified?	No / Unsure
Comment: No Response	
19. Do you support the proposed definitions in the NPS-EN?	Yes, with recommended amendments
Comment: <ul style="list-style-type: none"> Ensure D19 (Sensitive Activities) is consistent with any or as part of a broader Planning Act wide Reverse Sensitivity definition for consistency and planning efficiency. 	
20. Are there any changes you recommend to the NPS-EN?	No / unsure
Comment: <ul style="list-style-type: none"> Council considers that “Industrial-scale” batteries being used for the purpose of storing electricity to be later distributed at local, regional, and/or national level (not individual site specific) needs to be clearly defined in the NPS-EN, NPS REG, and aligned between the two as well. Such a definition would guide District Plans to assign Activity Status for Batteries to the respective Zones (current and proposed). For example: A battery storage plant over 100W is a Permitted Activity in the Heavy Industrial Zone but Prohibited in a Residential or Commercial Zone. Batteries for site specific applications would be a Permitted Activity up to a certain size, and a Controlled Activity above that. The definition and alignment for Batteries across NPS-EN and NPS REG must also recognise such schemes are to enhance energy security, must not have adverse material impacts on the Transmission network. 	
21. Do you support the proposed objective? Why or why not?	Yes, with recommended amendments
Comment: <ul style="list-style-type: none"> So that the proposed objective is consistent with recent Environment Court Consent Orders in relation to an appeal on the Waikato District Plan (Federated Farmers New Zealand vs Transpower New Zealand). The proposed objective weakens the requirement to avoid, remedy and mitigate adverse effects if it is proportionate or cost effective. 	

22. Will the proposed policy improve the consideration of the benefits of electricity networks in decision-making?	Yes
Comment: No Response	
23. Does the proposed policy sufficiently provide for the operational and functional needs for electricity networks to be located in particular environments?	Yes
Comment: No Response	
24. Do you support Transpower and electricity distribution businesses selecting the preferred route or sites for development of electricity networks?	Yes
Comment: No Response	
25. Are there any other route or site selection considerations that have not been identified?	Unsure
<p>Comment:</p> <ul style="list-style-type: none"> • Providing the proposed policy in Question 26 is adequately addressed then the answer will be 'No.' 	
26. Does the proposed policy adequately provide for the consideration of Maaori interests in electricity networks?	Yes
Comment: No Response	
27. Do you support the proposed policy to enable development of electricity networks in areas not protected by section 6 of the RMA, or covered by other national direction?	Yes
Comment: No Response	
28. Do the proposals cover all the matters that decision-makers should evaluate when considering and managing the effects of electricity network activities?	Yes
Comment: No Response	
29. Do you support the proposed policy to enable routine works on existing electricity network infrastructure in any location or environment?	Yes
Comment: No Response	
30. What other practical refinements to Policy 8 of the NPS-EN could help avoid adverse effects on outstanding natural landscapes, areas of high natural	No

character, and areas of high recreation value and amenity in rural environments?	
Comment: No Response	
31. Do you support the proposed policy to enable sufficient on-site space for distribution assets?	Yes
Comment: No Response	
32. Should developers be required to consult with electricity distribution providers before a resource consent for land development is granted? If not, what type or scale of works would merit such consultation?	Yes
Comment: No Response	
National Environmental Standards for Electricity Transmission Activities	
Question	Yes, Yes with Changes, No, or Unsure
33. What activity status is appropriate for electricity transmission network activities when these:	
a. do not comply with permitted activity standards?	<ul style="list-style-type: none"> ➤ permitted ➤ controlled ➤ restricted discretionary ➤ discretionary ➤ non-complying ➤ prohibited
b. are located within a natural area or a historic heritage place or area?	<ul style="list-style-type: none"> ➤ permitted ➤ controlled ➤ restricted discretionary ➤ discretionary ➤ non-complying ➤ prohibited
Comment:	
34. Do you support the proposed scope of activities and changes to the permitted activity conditions for electricity transmission network activities?	No
Comment: <ul style="list-style-type: none"> • The use of existing designations, outline plans or global consents and management plans could or should be able to achieve the same outcomes and still provide a level of regulatory oversight. • Consider the use of the spatial plans to fill the gap, if these activities are Permitted Activities, include live spatial plans of the networks, designations, and any 	

upgrades so that local authorities can have access to real time data in case of emergencies and complaints.	
35. Do you support the proposed matters of control and discretion for all relevant matters to be considered and managed through consent conditions?	Yes, with changes
<p>Comment:</p> <ul style="list-style-type: none"> Consider the use of the spatial plans to fill the gap as referenced in Question thirty-four's comments 	
36. Would the proposed National Grid Yard and Subdivision Corridor rules be effective in restricting inappropriate development and subdivision underneath electricity lines?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> Council considers that appropriate compensation by the requiring authority (designation) should be provided where the landowner has not been paid for the transmission lines going over the property. 	
37. Do you support adding any or all of the five categories of regional activities to the NES-ENA as permitted activities?	<ul style="list-style-type: none"> ➤ River crossings ➤ Groundwater takes and use, dewatering ➤ Stormwater discharges ➤ Structures in the coastal marine area ➤ Works in the bed of a lake or river ➤ None of these
<p>Comment:</p> <ul style="list-style-type: none"> Consider national-level spatial planning and national-level consents with efficient monitoring as an alternative. 	
38. Do you support the proposed permitted activity conditions and the activity classes if these conditions are not met?	Yes, with changes
<p>Comment:</p> <ul style="list-style-type: none"> Council recommends using spatial planning to augment the oversight of the Regional Rules proposed in the NES-ENA. 	
39. Do you support management plans being used to manage environmental impacts from blasting, vegetation management and earthworks?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> Consider spatial planning to augment the management plans. By way of evidence has any contamination occurred within 10m of a water body or Coastal Marine Area (CMA), road or building to support the reduction. 	
40. What is an appropriate activity status for electricity distribution activities when	<ul style="list-style-type: none"> ➤ permitted ➤ controlled

the permitted activity conditions are not met, and should this be different for existing versus new assets?	<ul style="list-style-type: none"> ➤ restricted discretionary ➤ discretionary ➤ non-complying ➤ prohibited
<p>Comment:</p> <ul style="list-style-type: none"> • The activity status depends on the location of the transmission lines and susceptibility of the environment e.g. high-country farms versus lowland grasses are vastly different environments. • Yes, permitted activity conditions could be different between existing and new assets. Existing assets would have a defined footprint, where the effects should be understood. 	
41. What is your feedback on the scope and scale of the electricity distribution activities to be covered by the proposed NES-ENA?	.
<p>Comment:</p> <ul style="list-style-type: none"> • These proposals are broadbrush and do not consider local peculiarities or interaction with Tangata whenua. Further work needs to be done in this space. • Council recommends that the requiring authorities consider developing a national spatial plan to determine risk as set out in the proposed NPS-Natural Hazards. 	
42. Do you support the proposed inclusion of safe distance requirements and compliance with some or all of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • This seems logical for an operational point of view. 	
43. Is the proposed NES-ENA the best vehicle to drive compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distance 34:2001? If not, what other mechanisms would be better?	Yes
<p>Comment: No Response</p>	
44. Should the NES-ENA allow plan rules to be more lenient for electricity distribution activities proposed to be regulated?	Yes
<p>Comment:</p> <ul style="list-style-type: none"> • This would need to be location specific and would benefit from a spatial location (National, and Regional Spatial Plans (via the proposed Single Combined Plans)) of the infrastructure tied to appropriate management plans. 	
45. Should the NES-ENA allow plan rules to be more stringent in relation to electricity distribution activities in specific	Yes

environments? (e.g., when located in a 'natural area').	
<p>Comment:</p> <ul style="list-style-type: none"> Certain environments and landscapes need greater care. Also consider the impacts on Tangata whenua land and sites of cultural significance. 	
46. Do you support the proposed provisions to make private electric vehicle charging and associated infrastructure a permitted activity at home or at work?	Yes
<p>Comment:</p>	
47. Have private or at work electric vehicle users been required to obtain a resource consent for the installation, maintenance and use of electric vehicle charging infrastructure?	No
<p>Comment:</p>	
48. Should the construction, operation and maintenance of electric vehicle charging infrastructure be a permitted activity, if it is located in a land transport corridor?	No
<p>Comment:</p> <ul style="list-style-type: none"> Unless locations are rationalised (not of high value or adjacent to high values sites), georeferenced via spatial plans and they are installed and maintained/monitored properly. This particular activity as listed/defined in the NES-ENA should also be aligned with the NPS-I to avoid misalignment (particularly in outcomes resulting in conflicts) between the application of the NPS-I and NES-ENA 	
49. Should the construction, operation and maintenance of electric vehicle charging infrastructure become a permitted activity, if it is ancillary to the primary activity or outside residential areas?	Yes.
<p>Comment:</p> <p>Please consider ways in which the safety considerations for charging and fire risk from EV's left to charge, making sure the general public, and public/pro is protected.</p>	
50. Do you support the proposed provisions for electric vehicle charging for all types of EVs, or are additional requirements needed for heavy vehicles such as large trucks, ferries, or aircraft?	<ul style="list-style-type: none"> ➤ I support the proposed provisions ➤ Additional requirements needed for heavy vehicles ➤ Unsure
<p>Comment:</p>	

- Truck stops would not be located in residential areas, so locations for EV charging need to be fit for purpose.

National Environment Standards for Telecommunication Facilities

Question	Yes, Yes with Changes, No, or Unsure
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51. Do the proposed provisions sufficiently enable the roll-out or upgrade of telecommunication facilities to meet the connectivity needs of New Zealanders?	Unsure
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Comment:

- This is a question for the industry more than local authorities

52. Which option for proposed amendments to permitted activity standards for telecommunication facilities do you support?	
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Regulated activity

Maximum pole heights
The NES-TF links maximum pole heights to the height of existing pole infrastructure, (i.e., the height of a cell tower is tied to the height of a streetlight pole, electricity pole or existing mobile tower in the area).

Proposed amendments

Option 1 (preferred)

Specify the following height caps by zone:

- 20 m in residential road reserve (see figure in attachment 1.5.1), local centre and neighbourhood centre zones.
- 25 m in commercial, industrial, and mixed-use zones, and in the road reserve for open space and special purpose zones (see figures 2 and 3 in attachment 1.5.1)
- 35 m in a rural zone (see figure 5 in attachment 1.5.1).

Option 2

Permit caps to be the higher of either those proposed in Option 1, or building zone height plus 5 m for poles in:

- commercial zones (capped at 30 m)
- industrial zones (no cap)
- road reserves in residential zones (no cap).

Note: Both options permit a further 5 m where two or more facility operators co-locate antennas on poles (excluding residential zones).

Regulated activity

Proposed amendments

<p>Limits on headframes on poles in the road reserve</p> <p>The NES-TF currently prevents the installation of headframes on new or existing poles in the road reserve.</p>	<p>Option 1 (preferred)</p> <p>Permit the installation of 1.6 m-wide headframes (excluding antennas) on poles in the road reserve in commercial, industrial, mixed-use, and rural zones.</p>
	<p>Option 2</p> <p>Permit the installation of:</p> <ul style="list-style-type: none"> • 4.5 m-wide headframes on poles in the road reserve in commercial (excluding local centre or neighbourhood), industrial and rural zones (see figure 3 in attachment 1.5.1) • 1.6 m wide headframes (excluding antennas) on poles in the road reserve in residential, local centre, neighbourhood centre and mixed-use zones where a pole is at least 15 m in height, and this is to support co-location of multiple facility operators (see figure 4 in attachment 1.5.1).
<p>Note: Both options retain existing provisions that enable existing headframes to be replaced up to existing width. There are also proposed changes to limits on headframes for poles outside of the road reserve in Regulation 33(6) of proposed provisions in attachment 1.5)</p>	
<p>Regulated activity</p>	<p>Proposed amendments</p>
<p>Cabinets in the road reserve</p>	<ul style="list-style-type: none"> • Increase permitted cabinet height in a residential zone to 2 m (from 1.8m) and the footprint to 2m² (from 1.4m²). • Increase the permitted footprint of a group of cabinets to 3m² (from 2m²). • Decrease cabinet spacing to 10m (from 30m) and remove the minimum distance requirement where two or more facility operators are co-located.
<p>Regulated activity</p>	<p>Proposed amendments</p>
<p>Antennas</p>	<ul style="list-style-type: none"> • Increase the permitted notional envelope of new panel antennas on poles (without a headframe) in the road reserve to 5 m (from 3.5 m) in length and 1.2 m (from 0.7 m) in diameter. For panel antennas on poles

	<p>outside of the road reserve, increase to 1 m (from 0.7 m) in width.</p> <ul style="list-style-type: none"> • Increase the permitted diameter for dish antennas on poles in the road reserve or outside the road reserve in a residential zone to 0.6 m (from 0.38 m). Increase the maximum diameter for dish antennas outside of the road reserve and not in a residential, local centre, neighbourhood, or open space zone, to 2m (from 1.2m). • Amend definition of 'small cell unit,' increasing its size from 0.11m³ to 0.33m³.
Regulated activity	Proposed amendments
Antennas on buildings	<p>Option 1 (preferred)</p> <ul style="list-style-type: none"> • Amend the height limit rules in the NES-TF to specify that limits for antennas on buildings in all zones only apply from the highest point of the building (not from the point an antenna is attached to a building). • Increase height limit for antennas on buildings not in a residential zone to 10 m (from 5 m).
	<p>Option two</p> <ul style="list-style-type: none"> • Specify the maximum permitted height for the top of an antenna on a building is the building zone height plus 5 m. • Reduce the height minimum to attach antennas to a building in a residential zone to 11 m (from 15 m) to enable antennas to be attached to three-storey buildings.
Comment: No Response	
53. Do the proposed provisions appropriately manage any adverse effects (such as environmental, visual, or cultural effects)?	Unsure
<p>Comment:</p> <ul style="list-style-type: none"> • It is hard to say given the provisions are a blanket approach (to specific zones) and environments and communities are so varied. 	
54. Do the proposed provisions place adequate limits on the size of	Unsure

telecommunication facilities in different zones?	
Comment: No Response	
55. Should a more permissive approach be taken to enabling telecommunication facilities to be inside rather than outside the road reserve?	Unsure
Comment: <ul style="list-style-type: none"> With regard to effects, there is no real difference in effect if a telecommunication facility is within road reserve vs within the adjacent property. 	
56. Do you support the installation and operation of fewer larger telecommunication facilities to support co-location of multiple facility operators?	Unsure
Comment: <ul style="list-style-type: none"> Co-location is positive with less facilities/structures in the environment, however that does need to be balanced with the scale of the larger co-located facilities, as the scale of these larger ones could have more of an impact than smaller individual ones, it does come down to situation and environment. 	
National Environmental Standards for Minor Residential Units	
Question	Yes, Yes with Changes, No, or Unsure
57. 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?	Yes
Comment: links between this and Going for Housing Growth need to be made clear.	
58. Do you support the proposed permitted activity standards for minor residential units?	Yes, with changes as detailed below
➤ A maximum 70-square metre internal floor area	Yes – It should be clarified as whether this includes or excludes any attached garage., particularly laundry facilities may be within an attached garage. Suggest building consent exemption is also updated to permit up to 70m2, 60m2 for Minor Residential Units is too small, especially in Papakaainga Housing.
➤ One minor residential unit per site in common ownership with the principal residential unit on the same site	Yes – with additional guidance how to treat MRU within Medium Density Residential Zones.
➤ 50 per cent maximum building coverage in residential zones, mixed-use zones, and Maaori	Yes

purpose zones (with no maximum coverage in rural zones)	
➤ Minimum front and side boundary setbacks of two metres in residential zones	Yes
➤ Minimum front boundary setbacks of ten metres, and side and rear boundaries of five metres, in rural zones	No,
➤ 2-metre setbacks from the principal residential unit.	Yes
<p>Comment:</p> <ul style="list-style-type: none"> In the rural environment, where there are issues around reverse sensitivity, side, and rear boundary setbacks for a should also be at least 10m too. 	
59. Do you support district plans being able to have more lenient standards for minor residential units?	Yes
<p>Comments:</p> <ul style="list-style-type: none"> Our General Rural Zone currently allows a maximum GFA of 120m² (which was increased from 70m² in our previous Waikato District - Operative District Plan).and, Our plan also removes the minor residential unit rules from Maaori land. 	
60. Should the proposed NES-GF align, where appropriate, with the complementary building consent exemption proposal?	Yes
<p>Comments:</p> <ul style="list-style-type: none"> It is always best practice for complementary provisions to align. 	
61. Do you support the proposed list of matters that local authorities may not regulate in relation to minor residential units? Should any additional matters be included?	
➤ Individual outdoor space	Do not support
➤ Glazing, privacy, or sunlight access	Do not support
➤ Parking and access	Support in relation to parking, not in relation to access
<p>Comments:</p> <ul style="list-style-type: none"> The MDRS have requirements for matters including glazing, sunlight access and outdoor space in the context of increased density housing, there is the potential for conflict in this area if people build in those zones, potentially up to three units as a permitted activity, but build a unit of less than 70m², then depending exactly how the minor residential unit regulations are defined it wouldn't be subject to the MDRS standards, which have been designed to ensure appropriate on and offsite amenity where there is higher density. 	

<ul style="list-style-type: none"> With regard to parking, support this not being regulated, however if access is provided to a site, it should be safe (and therefore to determine that, in accordance with District Plan requirements). 	
62. Do you support existing district plan rules applying when one or more of the proposed permitted activity standards are not met?	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> There are multiple rules dealing with natural hazards, urban design, and outlook intended to ensure safe living spaces, in totality. Will all rules come into play if a permitted activity standard is not met, or just the ones applicable to the specific standard? <ul style="list-style-type: none"> If it is the latter, this is itemising the effects of a development in the planning system, not addressing the development as a whole. 	
63. Do you support the list of matters that are out of scope of the proposed NES-GF? Should any additional matters be included?	Yes, with changes.
<p>Comments:</p> <ul style="list-style-type: none"> Providing for attached and interior MRUs should be allowed under the NES and need to be added. If the concern is around fire standards etc, this should be covered in Building consent – there should not be building consent exemptions for habitable rooms, whether attached or detached. 	
National Environment Standards for Papakaainga	
Question	Yes, Yes with Changes, No, or Unsure
64. Do you support the proposal to permit Papakaainga (subject to various conditions) on the types of land described above?	Yes, with changes
<p>Comments:</p> <ul style="list-style-type: none"> Although the NES-P is a start for councils who are yet to commence their Papakaainga journey, a closer look at these provisions will be necessary to ensure a consistent approach is undertaken nation-wide. The Waikato District Plan – Operative in Part approach is more enabling and consistent with s6e of the RMA. However, Council recognise the proposed NES-P does contain enabling attributes. Treaty Settlement Land should be included in the list of land types under the NES-P that enable Papakaainga development as a permitted activity. The NES-P seems to assume that iwi entities will use their land primarily for commercial gain and therefore should be subject to more restrictive rules. This is a contradiction to the intent of the NES-P, which aims to empower Maaori 	

<p>development. Iwi should have the autonomy to determine how best to use their Papakaainga land, they understand what is needed to help their people thrive.</p> <ul style="list-style-type: none"> Restricting permitted activities based on land tenure imposes unnecessary and premature limitations that risk undermining the very communities the NES-P is designed to support. It is uncertain how the NES-P will be reconciled with the relevant provisions of the Planning Act, and its subsequent Single Combined Plans. 	
65. What additional non-residential activities to support Papakaainga should be enabled through the NES-P?	
<p>Comments:</p> <ul style="list-style-type: none"> Koohanga reo (childcare) should be added to the list of Permitted Activities and home occupations that can be contained within a residential unit. <ul style="list-style-type: none"> Koohanga reo are a vital part of Papakaainga and Maaori communities. Unlike private early childhood centres, they are not economically driven and are about continuing the revitalisation of te reo Maaori. Regarding Papakaainga on rural land, the restriction of visitor accommodation of up to 8 visitors is too restrictive. Maaori land tends to have multiple owners meaning that due to potentially a high number of shareholders some cannot stay on their land when numbers exceed eight. Visitor accommodation is likely to in the form of a whare moe or even a marae. This restriction contradicts the allowances for marae as permitted activities. 	
66. What additional permitted activity standards for Papakaainga should be included?	
<p>Comments:</p> <ul style="list-style-type: none"> Need to consider all activities that are traditional and culturally normal activities that occurs within a Papakaainga. Papakaainga are more than just housing – they support a way of life. 	
67. Which, if any, rules from the underlying zone should apply to Papakaainga developments?	<p>The land use effects rules of the underlying zone except for</p> <ul style="list-style-type: none"> Home occupation. Commercial activity except where the activity status is non-complying. <p>Building rules except for</p> <ul style="list-style-type: none"> Number of units. Building coverage.
<p>Comments:</p> <ul style="list-style-type: none"> The Waikato District Plan – Operative in Part permits koohanga reo on Maaori land as a permitted activity. There needs to be some commercial activity aspect permitted to support economic viability if the Papakaainga is on Maaori Land. 	

68. Should local authorities have restricted discretion over Papakaainga on Treaty settlement land (i.e., should local authorities only be able to make decisions based on the matters specified in the proposed rule)?	No
<p>Comments:</p> <ul style="list-style-type: none"> • Providing any development of Papakaainga is for the purpose of enabling the use of the land for Maaori housing. • The Waikato District Plan – Operative in Part has a permitted activity status for Papakaainga development on Treaty Settlement Land. 	
69. What alternative approaches might help ensure that rules to enable Papakaainga on general land are not misused (for private/commercial use or sale)?	
<p>Comments:</p> <ul style="list-style-type: none"> • If the Papakaainga development is providing housing for Maaori and housing is the main intent, it should be up to Maaori how they manage it. 	
70. Should the NES-P specify that the land containing Papakaainga on general land cannot be subdivided in future?	
<p>Comments:</p> <ul style="list-style-type: none"> • The Waikato District Plan – Operative in Part has included a Discretionary activity status for the subdividing of Maaori Land. This approach could be applied to other types of land tenure that have Papakaainga development on them. 	
Further Comments on NPS-P that were not question related	
Proposed NPS-P provision	Further Comment
PA1 Papakaainga development of up to ten residential units on Maaori ancestral land in a zone for rural or residential purposes or zone for Maaori purposes	<ul style="list-style-type: none"> • This is too limiting and there should be no set number of residential units. Iwi should decide how to utilise their land and the capability/capacity of the land itself - multiple ownership is a major factor in this consideration. • Tier 1 Local Authorities under the NPS-UD may apply methods, including rules, in its district plan that are more enabling of Papakaainga developments than those in this NES.
PA2 Ancillary non-residential activities	<ul style="list-style-type: none"> • Are the proposed provisions accurate for Maaori land utilisation and Papakaainga support? • The focus appears to be on ensuring the activities are not for profit which may hinder

	<p>te ao Maaori life. Papakaainga are not about stand-alone housing, and it is imperative that other associated activities are provided for.</p> <ul style="list-style-type: none"> • The Waikato District Plan – Operative in Part contains Maaori purpose activities that are permissive on Maaori and (tenure). The NES could apply something similar.
<p>PAS1 Maximum building coverage</p>	<ul style="list-style-type: none"> • Fifty percent is too restrictive and would limit development. • Let iwi decide how best to utilise their land, decide the appropriate level of private space, the capacity of the site, and to work with council to understand the implications of impervious surfaces and the impact of this on storm water, and other hazards.
<p>PAS2 Minimum setbacks from site boundaries</p>	<ul style="list-style-type: none"> • Agree with the setbacks - the 3m in Rural zone is more accommodating than the Waikato District Plan – Operative in Part.
<p>R1 District plan rules may be more lenient than the NES</p>	<ul style="list-style-type: none"> • Strongly Agree. R1 needs to be translated into the proposed Planning Act for efficiency through consistency.
<p>IM2 Consent applications already underway (transitional provision)</p>	<ul style="list-style-type: none"> • Suggest this should not be the case – NES-P should have immediate effect. Other councils may have more restrictive standards. Thereby requiring applicants to withdraw their application and then reapply having the NES-P taken into consideration.
<p>Enabling Onsite Wastewater Systems and New Technologies for Papakaainga Housing</p>	<ul style="list-style-type: none"> • Papakaainga housing developments, often located on whenua Maaori in rural or peri-urban areas, face significant infrastructure challenges, particularly around wastewater treatment. These challenges can limit the scale and viability of intergenerational housing models that are central to Maaori living arrangements. • Council recommend that the Papakaainga NES supports flexible, culturally appropriate wastewater solutions by: <ul style="list-style-type: none"> • Recognising the Role of Onsite Wastewater Systems <ul style="list-style-type: none"> - Many Papakaainga are located outside reticulated wastewater

	<p>networks. Onsite systems are essential to enable housing development in these areas.</p> <ul style="list-style-type: none"> - Modern onsite systems and other passive treatment technologies, are already being used successfully at marae and Papakaainga across Aotearoa. • Supporting Innovation and Emerging Technologies <ul style="list-style-type: none"> - Research partnerships involving Maaori, councils, and universities are developing biodegradable, low-cost wastewater filters using 3D printing and Maatauranga Maaori. - These technologies offer scalable, sustainable solutions for small communities and can be tailored to local environmental and cultural contexts. • Removing Barriers to Implementation <ul style="list-style-type: none"> - Current planning and consenting processes can be complex and costly for Maaori landowners. - Council recommend: <ul style="list-style-type: none"> - Preapproved systems for onsite wastewater on whenua Maaori. • Qualified Assessment of Onsite Wastewater Systems on Whenua Maaori. <ul style="list-style-type: none"> • Given that most whenua Maaori is located in rural areas without access to reticulated infrastructure, onsite wastewater systems are often the only viable solution for Papakaainga and intergenerational housing. However, the current consenting processes typically managed by district and regional councils can be overly rigid and not well-suited to the unique characteristics of Maaori land. Council recommends that the assessment of onsite wastewater systems be carried out by qualified and independent wastewater professionals, rather than relying on council plan approval processes. This would ensure that
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	<p>systems are evaluated based on technical performance, environmental suitability, and cultural appropriateness, rather than being constrained by generic planning rules. Such an approach would better support Maaori aspirations for housing on their whenua while maintaining environmental safeguards and public health standards.</p>
<p>National Policy Statement for Natural Hazards</p>	
Question	Yes, Yes with Changes, No, or Unsure
71. Should the proposed NPS-NH apply to the seven hazards identified and allow local authorities to manage other natural hazard risks?	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • There is a lot of existing data that is currently not centralised or coordinated. • Consideration needs to be given regarding who produces the data, and the versions, date of data creation. • Council consider that sufficient resourcing and guidance will be required to ensure a consistent approach is undertaken across local government 	
72. Should the NPS-NH apply to all new subdivision, land use and development, and not to infrastructure and primary production?	Yes.
<p>Comments:</p> <ul style="list-style-type: none"> • The Waikato District Plan – Operative in Part, Natural Hazards chapter relates to Flooding, Coastal inundation/Erosion, liquification, and Mine subsidence. • The NPS-NH also includes; landslips, active faults, liquefaction, and tsunami. This will need further analysis to which government authority identifies and maps where hazards are. Without a consistent approach the data will be subject to challenge. • Council strongly recommends that infrastructure and primary production will be picked up in future iterations of this NPS-NH as Natural Hazards are indiscriminate to whom and what they affect. 	
73. Would the proposed NPS-NH improve natural hazard risk management in New Zealand?	Yes
<p>Comments:</p> <ul style="list-style-type: none"> • Data and guidance needs to be centralised to ensure consistency 	

<ul style="list-style-type: none"> • Council recommends that guidance is provided by the Ministry for the Environment and for the Natural Hazards Framework to include further climate and natural hazard research e.g. coastal inundation, land slips, flooding etc to be invested in, completed, spatially mapped, and made accessible to the decision makers. 	
74. 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?	Yes.
<p>Comments:</p> <ul style="list-style-type: none"> • There is a risk that this could become extremely litigious unless the information is provided regionally and supported at a national level. • Greater clarity is needed if Council determines a risk and the landowner/developer disputes the risks who is the final arbiter of the decisions? Will it be the Environment Court as it is now, or the Minister of the day? 	
75. How would the proposed provisions impact decision-making?	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • This depends on the information received and its assessment, but it could pose issues for councils to determine the level of risk and act on that given the implications on applicants. 	
76. Do you support the placement of very high, high, medium, and low on the matrix?	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • The high/medium/low matrix only succeeds if there is crucial information and guidance, nationally and regionally so that applicants cannot relitigate what is being restricted. 	
77. Do you support the definition of significant risk from natural hazards being defined as very high, high, medium risk, as depicted in the matrix?	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • As with Question 76, it will depend on the supporting information defining what these categories mean within the context of a site, district, region, and national, plus appropriate guidance. 	
78. Should the risks of natural hazards to new subdivision, land use and development be managed proportionately to the level of natural hazard risk?	Yes
<p>Comments:</p> <ul style="list-style-type: none"> • Given the fast-changing climate there should be a time element, that decisions made at any point in time are based on the best possible information. 	

<ul style="list-style-type: none"> Determining the risks needs to be supported by appropriate guidance from a National Spatial Plan. 	
79. How will the proposed proportionate management approach have influence in terms of existing practice?	Improve understanding and focus on high-risk areas and shortened time limits.
Comments: <ul style="list-style-type: none"> Overall regulation seeks to minimise landowner risk. 	
80. Should the proposed NPS-NH direct local authorities to use the best available information in planning and resource consent decision-making?	Yes
Comments: <ul style="list-style-type: none"> This information needs to be tied into regional and national information and clear guidance provided on resource consent decision-making. 	
81. What challenges, if any, would this approach generate?	
Comments: <ul style="list-style-type: none"> A major issue for local authorities can be the cost in time, money and resources developing, and maintaining up to date information relating to natural hazards in their area. Landowners and developers could dispute the information given the implications. Having national and regional data as the true source of information will help to mitigate the more litigious nature of decision making. 	
82. What additional support or guidance is needed to implement the proposed NPS-NH?	Spatial planning, coastal inundation research, flooding, landslide information and monitoring. Clear connections to insurance providers and funders like banks.
Comments: <ul style="list-style-type: none"> There is a need for a national Natural Hazards Framework (as part of a National Spatial Plan), with efficient and effective interactions between, science providers, the Natural Hazards Commission, MfE, local government, landowners, developers, insurance, and funding (banks and lenders) and working together to minimise risk. In relation to the definition of significant risk from natural hazards being defined and illustrated as very high, high, medium risk, on a matrix - The provision of examples of these definitions and what they look like in practice would help provide consistency of interpretation and application across the country. In relation to 'What additional support or guidance is needed to implement the proposed NPS-NH?' Council recommend that an assessment criterion requiring either subject matter expertise or professional accreditation to ensure risks are being understood and assessed accurately. 	
83. Should the NZCPS prevail over the proposed NPS-NH?	Yes
Comments:	

<ul style="list-style-type: none"> The NZCPS is more likely to change over time and coastlines adapt to climate change. 	
<p>Implementation of infrastructure and development instruments</p>	
Question	Yes, Yes with Changes, No, or Unsure
84. Does 'as soon as practicable' provide enough flexibility for implementing this suite of new national policy statements and amendments?	Yes
<p>Comments:</p> <ul style="list-style-type: none"> As soon as practicable provides for the different status of plans and implementation cycles. 	
85. Is providing a maximum time period for plan changes to fully implement national policy statements to be notified sufficient?	
a. If not, what would be better, and why?	<p>No, a timeframe is not a sufficient / appropriate tool to ensure effective implementation of changes to District Plans. Imposing a maximum time period does not sufficiently provide for the different status of plans and implementation cycles which may be years apart.</p> <p>It is in Councils, and their communities, best interest to implement required changes through Plan Changes as soon as possible. Using the direction of 'As soon as practicable' without imposing a time frame provides for a practical and comprehensive assessment of the changes required, and, and implementation of the changes through a Plan Change process.</p>
b. If yes, what time period would be reasonable (e.g., five years), and why?	
<p>Comments: No Response</p>	
86. Is it reasonable to require all plan changes to fully implement a national policy statement before or at plan review?	No
<p>Comments:</p> <ul style="list-style-type: none"> Deemed unreasonable from practicality and cost grounds. 	

87. Are there other statutory or non-statutory implementation provisions that should be considered?	
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Comments:

End of Package 1 Questions.

Package 2 – Primary Sector	
National Environmental Standards for Commercial Forestry	
Question	Yes, Yes with Changes, No, or Unsure
10. Does the proposed amendment to 6(1)(a) enable management of significant risks in your region?	Yes
Comments: No Response	
11. Does the proposal provide clarity and certainty for local authorities and forestry planning?	No
Comments: <ul style="list-style-type: none"> • Several provisions rely on guidance and non-statutory implementation (e.g., workshops, templates). • If the Government remove the statutory backing, councils may struggle to enforce or interpret new requirements consistently. • Opportunities for technology to fill the vacuum. Good baseline information and regular drone surveys (substantial risk catchments). • The forester to supply information into a national or regional database and pay for regular monitoring as and when it is required. 	
12. How would the removal of 6(4A) impact you, your local authority or business?	No
Comments: <ul style="list-style-type: none"> • Removal of 6(4A) may reduce Council’s flexibility to respond to local environmental conditions. • Council recommends 6(4A) remain through the updating of the NES-CF 	
13. Do you support amendments to regulations 69(5-7) to improve their workability?	No
Comments: <ul style="list-style-type: none"> • This is self-assessment/reporting which may lead to inconsistencies and difficult enforcement. • This should be templated and uploaded with georeferencing to spatial data into a central/regional or national database. • This will allow potential management of debris flow to be managed and avoid infrastructure, waterways, and communities. • Consider funding an annual drone/aerial monitoring regime (10%) per year to check sites, particularly substantial risk. 	
14. Do you support a site-specific risk-based assessment approach or a standard that sets size and/or volume dimensions for slash removal?	Unsure

Comments:	
<ul style="list-style-type: none"> As well as slash management, Council need to consider land stability and sediment mobilisation if the trees are not replanted, comes back to crucial information and monitoring. 	
15. 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?	No
Comments:	
16. 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 from the forest cutover that need to be managed in those zones?	Yes
Comments:	
<ul style="list-style-type: none"> All slash has the potential to cause damage under the right conditions as evidenced during large scale storm events. 	
17. If a risk-based approach is adopted which of the two proposed options for managing high-risk sites, do you prefer (i.e., requiring resource consent or allowing the removal of slash to a certain size threshold as a condition of a permitted activity)?	Requiring a user pays system of active and appropriate monitoring and maintenance of forestry areas and associated slash.
Comments: No Response	
18. For the alternative option of setting prescriptive regulations for slash management, is the suggested size and/or volume threshold appropriate?	No
Comments:	
<ul style="list-style-type: none"> A lot of this will depend on the location and climatic conditions. Appropriate management plans and monitoring is needed. 	
19. Do you support the proposed definition of cutover to read "cutover means the area of land that has been harvested"?	Unsure
Comments: No Response	
20. Do you support the proposed removal of the requirement to prepare afforestation and replanting plans?	No
Comments:	
<ul style="list-style-type: none"> Unless stability issues are considered. 	
21. Do you support the proposed minor text amendments?	No
Comments:	

- The proposed amendments to the NES-CF pose minor risks to Council by limiting local control over afforestation, increasing reliance on self-assessed slash risk management, and removing planning requirements that help mitigate environmental harm.
- Immediate concerns include reduced regulatory clarity, potential threats to community safety and infrastructure, and the need for government assurance on resourcing, enforcement, and local autonomy.

National Policy Statement for Highly Productive Land

Question	Yes, Yes with Changes, No, or Unsure
25. Should LUC 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?	
➤ Just urban development	Unsure
➤ Both urban development and rural lifestyle development	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • From an Urban Development lens we consider that rural lifestyle development is a less efficient use of land than urban development, therefore it is more appropriate to remove the LUC3 restriction from urban development to enable more efficient use of that land. However, this needs to be considered from a rural and provincial lens ensuring a balanced approach is taken. 	
26. If the proposal were to exempt LUC 3 land from NPS-HPL restrictions for urban development only, would it be better for it to be for local authorities led urban rezoning only, or should restrictions also be removed for private plan changes to rezone LUC 3 land for urban development?	<p>To provide certainty and consistency of approach, remove for both local authorities and private plan changes as the value of LUC 3 does not change dependant on who the applicant is.</p> <p>Removing it from only local authority plan changes would result in an increased number of developers approaching council to enable their private plan change and would result in inconsistent approaches, and a greater cost to all involved.</p>
<p>Comments:</p> <ul style="list-style-type: none"> • From an effects point of view, in terms of impact on the LUC3 land, there would be no difference in effect from a council lead rezoning vs a private plan change. 	
27. If LUC 3 land were to be removed from the criteria for mapping HPL, what, other consequential amendments will be needed? For example, would it be necessary to:	
a. amend 'large and geographically cohesive' in clause 3.4(5)(b)	No

b. amend whether small and discrete areas of LUC 3 land should be included in HPL mapping clauses 3.4(5)(c) and (d)	No
c. amends 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	No
d. remove discretion for councils to map additional land under clause 3.4(3).	No
e. use more detailed information about LUC data to better define HPL through more detailed mapping, including farm scale and/or more detailed analysis of LUC units and sub-classes.	Yes – the ability to provide more detailed analysis i.e. farm scale, rather than high level provides for more accuracy and therefore potentially better outcomes
Comments: No Further Response	
28. 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?	Yes
Comments:	
<ul style="list-style-type: none"> Relevant for Council with regard to the wider area around Pukekohe, areas of high production value should be preserved. 	
29. If so, what additional criteria could be used to ensure areas important for food and fibre production are still protected by NPS-HPL?	Unsure
Comments:	
30. What is appropriate process for identifying special agricultural areas should be? Should local government or central government lead this process?	Unsure
➤ Led by local government	Local governments are better placed to assess at greater detail with existing land qualifications. However, this will need to be funded to provide for efficient and effective assessments.
➤ Led by central government	
Comments:	

<ul style="list-style-type: none"> • It may be appropriate for councils (at a regional level) to undertake this work. • If the mapping is to be undertaken at a regional level, then this would be an acceptable position to assess the agricultural value of a given area. • It would be useful for a national framework that is set by the government to ensure a consistent approach. 	
31. What are the key considerations for the interaction of special agriculture areas with other national direction – for example, national direction for freshwater?	
<p>Comments:</p> <ul style="list-style-type: none"> • Other national direction would still apply to special agricultural areas as they currently do. 	
32. Should time frames 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	Unsure
<p>Comments:</p> <ul style="list-style-type: none"> • Different scenarios apply and are dependent on the status of mapping. If it is mostly complete, continue, however if not, Council mapping should be suspended until it is determined what the requirements are under the replacement resource management system, to avoid costs incurred undertaking the mapping if the system changes. • District Councils are relying on this data to be able to make informed decisions when considering applications for rezoning or consenting process, therefore this needs to be undertaken in a timely manner. The mapping also provides certainty for the communities. 	
<p>For Quarrying and mining provisions</p>	
<p>National Policy Statement for Indigenous Biodiversity</p>	
Question	Yes, Yes with Changes, No, or Unsure
33. Do you support the proposed amendments to align the terminology and improve the consistency of the consent pathways for quarrying and mining activities affecting protected natural environments in the NPS-FM, NES-F, NPSIB and NPS-HPL?	Yes, with changes
<p>Comments:</p>	

- Caution needs to be applied when replacing ‘mineral extraction’ with ‘the extraction of minerals and ancillary activities.’ Including ancillary activities has potential to significantly broaden the scope of development.
- Ancillary activities such as roading, buildings, waste storage, overburden, which are a part of a mining activity will increase the area being affected. This will have an adverse effect on ecosystems and biodiversity.
- Ancillary activities need to be managed appropriately to ensure the effects of such do not exacerbate the effects of a mining activity.

34. Are any other changes needed to align the approach for quarrying and mining across national direction and with the consent pathways provided for other activities?

The removal of ‘public’ is not appropriate. If there is a resource, the mining of such within indigenous vegetated areas should be required to be for public benefit.

Comments:

- The removal of ‘public’ is not appropriate.
- The term ‘public benefit’ indicates a wide social good and by removing ‘public’ from the NPS IB will mean that it will make it easier for private or industry gains.
- This will make it easier to justify mining/quarrying activities within indigenous vegetation that only benefit a few. This approach will have an adverse effect on biodiversity.
- The management hierarchy regime does not protect areas of value but provides for an ‘opportunity’ to mitigate/remedy adverse effects.
- The approach of removing “public” is not in the interest of biodiversity and its habitats and will weaken the intent of the NPS IB which is to achieve “at least no overall loss in indigenous biodiversity and enhance biodiversity.

End of Package 2 questions

End of Submission for Packages 1 and 2