SUBMISSION ON

Freshwater national direction – NPSFM 2025

25 July 2025

To: Ministry for the Environment
Name of Submitter: Horticulture New Zealand
Supported by: Hawke's Bay Fruitgrowers Association, Hawke's Bay Vegetable Growers Association, NZ Apples & Pears, NZ Kiwifruit Growers, Potatoes NZ, Summerfruit NZ, Tomatoes NZ, Vegetables NZ

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Horticulture™ New Zealand
Ahumāra Kai Aotearoa

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Our submission

Horticulture New Zealand (HortNZ) thanks the Ministry for the Environment for the opportunity to submit on freshwater national direction and welcomes any opportunity to continue to work with the Ministry for the Environment and to discuss our submission.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

PART 1

HortNZ's Role

Background to HortNZ

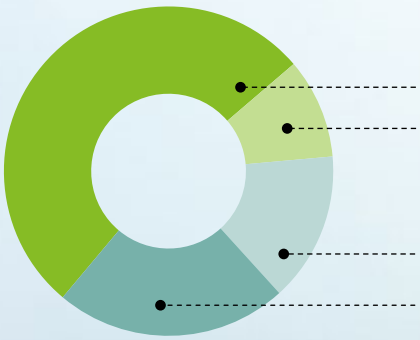
HortNZ represents the interests of approximately 4,500 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain, and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



Industry value $7.48bn

Total exports $4.67bn

Total domestic $2.81bn

Source: Stats NZ and MPI

HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

PART 2

Executive Summary

Support for new NPSFM

HortNZ supports the Government's efforts to replace the NPSFM. HortNZ seeks:

- A rephrasing of Te Mana o te Wai to be clearer about how to have regard to the hierarchy of obligations while using an overall broad judgment approach, so all obligations are met over time.
- An NPSFM objective and supporting policies to enable vegetable growing and crop rotation, as discussed in our NES Vegetables submission.
- An NPSFM objective and supporting policies to enable water storage, with the following drafting, as discussed in our NES Water Storage submission.
- An objective that is linked to Policy 11 of the NPSFM to provide direction to communities and decision makers that the efficient use of water should be enabled.
- No new drinking water supply requiring SWRMA mapping should be located where SWRMA zones 1 or 2 would overlap with identified highly productive land or Special Agricultural Areas.

PART 3

Submission

1. Horticulture and freshwater

Horticulture is the third largest primary industry sector, producing healthy food for New Zealanders and the world. The sector generates $7.48 billion of value between the domestic and export markets,[1] all on less than 0.1% of New Zealand's land area.[2]

HortNZ takes a particular interest in freshwater policy given the importance of water for growing. Growers rely on the ability to take water to irrigate their crops, wash produce, manage pest and disease and provide for frost protection. Growers also need the ability to discharge to freshwater as all outdoor growing involves the use of inputs and experiences some degree of nutrient loss.

1.1. Purpose of this general NPSFM submission

In writing HortNZ's submissions on changes to the National Policy Statement for Freshwater Management (NPSFM), we want to emphasise the points of most immediate importance to growers: national direction for vegetables and enabling water storage. Thus, these two topics are drawn out into their own submissions. However, we have a strong perspective on the future direction of the NPSFM, given HortNZ's participation in freshwater planning processes throughout New Zealand. This document captures those thoughts on the NPSFM as whole without diluting the information we provide about our particular areas of interest.

1.2. Working to reduce freshwater impacts

The horticulture industry is making a concerted effort to reduce our impacts on freshwater. Through the Growing Change[3] programme, a three-year partnership between HortNZ and the Ministry for the Environment (MfE), we have been working to prepare growers to meet freshwater farm plan requirements under Part 9a of the RMA. The project has facilitated free advisor time for growers to develop plans through the New Zealand Good Agricultural Practice (NZGAP) Environment Management System (EMS) industry assurance programme add-on.

HortNZ has also just updated grower Codes of Practice for Nutrient Management[4] and Erosion and Sediment Control[5]. The EMS is simultaneously going through a review in 2025/26 to reflect the new Codes of Practice and benchmark to Government's freshwater farm plan requirements.

The following sections respond directly to the sections of the MfE discussion document.

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[1] HortNZ. Annual Report to March 2024.
[2] StatsNZ. Agricultural and horticultural land use. 15 April 2021. Accessed 23/12/24.
[3] HortNZ. "Growing Change". Accessed 26/06/25.
[4] HortNZ. Nutrient Management Code of Practice. Version 2.0. July 2025.
[5] HortNZ. Erosion & Sediment Control Code of Practice. Version 2.0. July 2025.

2. Introduction: Options for changing national direction for freshwater

In the short window councils have had to implement the 2020 version of the NPSFM, some significant flaws and gaps in the policy have been exposed. This consultation's fresh look at the NPSFM provides the opportunity to rectify these deficiencies and build momentum to achieve freshwater outcomes while enabling a thriving primary sector.

Immediate changes are necessary to address issues impacting the ability of councils to develop plans in an efficient way and the ability of water users to operate. Other matters are better suited to resolution under the upcoming RMA replacement bills.

Q. 1.	What resource management changes should be made in the current system under the RMA (to have immediate impact now) or in the future system (to have impact longer term)? From the topics in this discussion document, which elements should lead to changes in the current system or the future system, and why?

2.1. Current system: NPSFM 2025

It is essential that the key changes we seek are made now. Current freshwater plans are not working, and lack of certainty is preventing necessary investment in freshwater improvements and business growth.

We think the following changes to the NPSFM should come into immediate effect:

- Multiple objectives
- In particular, objectives to enable vegetable production and water storage
- Detailed policies to support commercial vegetable growing and water storage
- Clarification of the effects process that supports freshwater visions and the National Objectives Framework (NOF)

We need resource management plans in place in 2027 that provide certainty that councils will progress and invest in national priorities and implement rules to drive achievable improvements.

2.2. Vision for the future Planning and Natural Environment Acts

The new system needs to provide:

- Integration across national direction, particularly for matters that are national priorities, along with clearer direction that national priorities should be provided for in local decision-making.
- The NPSFM action plan approach should be part of spatial planning.

- Frameworks and methods should support allocation decisions, so more flexible, efficient and sustainable resource use is enabled while safeguarding freshwater ecosystems.

- Approaches for monitoring, modelling and statistical analysis should be nationally standardised.

- Plan structures should have more national standardisation to implement the NPSFM.

- The concept of use values should be revisited and supported by analysis of the degree to which the limits meet health and safety needs and enable economic, social and cultural wellbeing's.

- There should be a greater focus on achievable, short-term methods that can be implemented in a plan, and clear policy support to drive longer term actions and investment, such as storage, through the use of action plans, spatial plans, and critically, a clear link to long-term plans under the Local Government Act.

- A simpler process is needed to develop and implement regional plans. Regional plans under the NPSFM are often taking more than 10 years to be developed and to work their way through the courts through a process that is far too complex and expensive, and in the end leads to plans that require further plan changes.

3. Rebalancing freshwater management through multiple objectives

The Government has committed to replace NPSFM to:

1. Better reflect interests of all water users

2. Allow councils more flexibility in how they meet environmental limits

The single objective of the NPSFM 2020 is the hierarchy of obligations under Te Mana o te Wai. Regional councils have interpreted this objective to require pristine water quality before freshwater can be used.

This consultation outlines a proposal for multiple objectives, with the aim to achieve a more balanced approach.

3.1. Multiple objectives to support a more balanced approach

HortNZ supports multiple objectives to balance the need to both safeguard and use freshwater. We have proposed some amendments and additional objectives.

We seek the inclusion of policies to enable vegetable growing and water storage. We need the NPSFM to provide national direction on these matters, so local decision-makers are supported to make decisions that are consistent with national priorities.

3.2. Safeguard the life-supporting capacity of freshwater and health of people while enabling communities to provide for social, cultural and economic well-being including productive economic opportunities

We support the proposed objective, which safeguards 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. The term "safeguard" is stronger than "enable", so the first part of the balanced objective carries greater weight.

We think the objective could be rephrased to better align to Section 5 of the RMA, so it is phrased as:

> Safeguard the life-supporting capacity of freshwater for **ecosystem health, and safeguard humans from risks associated with the quality of water while managing water use to meet the health and safety needs of people and enable** their social, cultural and economic well-being, including productive economic opportunities.

This objective better recognises that water use underpins societal, cultural and economic well-being, and therefore, policy needs to enable these uses while also safeguarding the life supporting capacity of water. The re-wording proposed by HortNZ does not seek to elevate human health needs to the same extent as safeguarding ecosystems, but seeks that health needs are prioritised above other uses in water resource management decision making.

Policy 15 of the NPSFM 2020 states that, "Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement", which would give effect to this new objective.

Other than Policy 15, the NPSFM does not provide direction on how to recognise the social, cultural, economic and health effects of setting limits and action plans to achieve visions and associated freshwater states. HortNZ recommends changes to the process of developing a vision and the National Objective Framework (NOF) to that effect in Section 5 of this submission.

3.3. Establish the pace and cost of change and who pays

We support an objective to establish the pace and cost of freshwater improvements, as well as who pays. Under the current NPSFM 2020, there is little direction outside of Policy 15 and the vision setting process that decisions on the visions, the freshwater state and associated limits should be supported by information on the cost of achieving of the freshwater states, over what timeframe and who pays.

We have proposed changes to the vision setting process and the NOF discussed in Section 5 of this submission.

3.4. Maintain or improve freshwater quality

We support the objective to maintain and improve freshwater quality. The "maintain and improve" concept is critical to safeguarding the life-supporting capacity of ecosystems. It is supported by the policies in the NOF.

We are concerned that the word "waterbody" in Policy 5 has led to an approach where planners seek to maintain discharge loads at the property scale only, without the ability to provide alternative options to maintain loads at a broader scale, such as the Freshwater Management Unit (FMU) or whole-of-river scale. A wider scale would better support crop rotation or global consents across multiple farms.

For example, a planner for Fish & Game argued in Waikato's Plan Change 1 (PC1) process that crop rotation at the FMU scale is inconsistent with Policy 5 of the NPSFM.[6] This planning assessment was undertaken without reference to water quality evidence. The expert water quality evidence demonstrated a negligible impact of crop rotation across an FMU or whole river, compared with the sub-catchment scale, on freshwater values.[7] Despite the water quality evidence, the interim decision on PC1 has rejected HortNZ's appeal to allow rotation at the FMU scale because of the plan's structure.[8]

We think Policy 5 of the NPSFM should be re-worded to make clear that the concepts of baselines and "maintain and improve" apply to the freshwater quality state, not the limits. It should be clear that there is flexibility in the scale at which freshwater is managed through limits and action plans, in order to ensure that the health of freshwater ecosystems and the health risk of contact recreation in degraded water bodies is improved.

3.5. Enable vegetable growing

HortNZ strongly supports the inclusion of an objective that enables vegetable growing as a national priority. Vegetable growing has national benefits and local effects. The NPSFM does not currently provide direction on how to provide for matters with national benefits within local limits. The consequence is that the ability of New Zealanders to access a reliable supply of vegetables at reasonable prices is threatened.

It is critical that the NPSFM 2025 provides direction to regional decision makers on how to provide for vegetable growing within regional decision making.

We seek an objective and policy support in the NPSFM and an NES for Commercial Vegetable Growing. This is discussed at length in our submission on national direction for vegetables.

3.6. Provide water security for climate change resilience and to support economic opportunity

HortNZ supports the inclusion of an objective to provide for water security for climate resilience and to support economic opportunity as a national priority.

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[6] Helen Marr for Fish and Game PC1 August 2023.
[7] Holmes, G. 28 July 2023. PC 1 Environment Court Evidence. Accessed online 30/07/24.
[8] Environment Court at Auckland. Interim Environment Court Decision PC1. 28 May 2025. Accessed online 15/07/25.

With a changing climate, flow regimes will change, and plants need for water will increase as droughts become more frequent and severe. We need to start developing plans that enable us to invest in climate change adaptation.

We seek an objective and policy support for water storage in the NPSFM, and we support an NES for off-line storage as discussed in our submission specifically on water storage.

3.7. Te Mana o Te Wai

With the structure of multiple objectives, we think it would make sense for the Te Mana o te Wai objective to be included alongside other objectives to provide guidance on how the concept will be used in the NPSFM. We discuss Te Mana o te Wai in Section 4 of this submission.

3.8. Enable efficient and sustainable use

Outcome sought: We seek the addition of a new objective that is linked to Policy 11 of the NPSFM to provide direction to communities and decision makers, that the efficient water should be enabled.

This is important to provide the necessary national signals to ensure scarce resources are provided for essential national priority uses and also pivot resource and land use towards efficient and sustainable resource use.

3.9. Discussion questions on multiple objectives

Q. 2a.	Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community?

Yes, but the objectives will need to be supported by changes to the policies and in particular the vision setting process and the NOF.

While the hierarchy of obligations could be interpreted to provide for all obligations, the concept of Te Mana o te Wai required regional plans to prioritise the health and well-being of freshwater without reference to other matters.

The policies and methods in the NPSFM did not support balanced decision making. They have directed communities to choose visions, and decision makers to propose freshwater states, that go beyond the minimum obligation to 'safeguard' the health of water, without providing the necessary information to make these trade-offs.

If the concept of Te Mana o te Wai is to be retained to support freshwater decision making, it will need to be clarified, to avoid the unintended interpretation we have seen in the regional planning process to date.

Q. 2b.	How can the NPS-FM ensure freshwater management objectives match community aspirations?

Changes to the policies, vision and the NOF are needed to provide greater clarity on the matters that should be considered for balanced decision making.

To enable vegetable production and water storage, local decision makers will require national policy support and National Environmental Standards to provide for these priorities in a streamlined and certain manner.

Q. 3.	What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?

We support clear timeframes for achieving the target states. We think these should be expressed in the long, medium and short term.

The long-term aspiration should be optional. This vision would not be explicitly linked to target states or cumulative limits, but it might be linked to action plans. A long-term vision would provide a long-term guide, particularly for catchments where achieving the minimum states to safeguard the life-supporting capacity of freshwater is expected to take longer than 30 years. In the new resource management system, we would like to see a greater link between freshwater visions, action plans and long-term planning under the Local Government Act.

The medium-term vision is more like what is proposed in the NPSFM now. However, councils have not been progressing this scale of vision because the NPSFM does not direct an effects assessment process to support communities when making trade-offs between water protection and use. The medium-term vision is essential to support investment in water storage and water quality improvements and should be aligned to medium term target states and medium target cumulative limits. Currently, the lack of clarity in the medium-term water abstraction limits is stifling investment in water storage.

The short-term vision is linked to the target states. The limits, action plans and policies in resource management plans should be designed to achieve or maintain these short-term target states. The short-term vision and target states must be achievable and enforceable in the lifetime of the regional plan.

When setting the achievable states at the long, medium and short time horizons, there are three timing considerations:

- The first is the rate at which change can be implemented, in a physical and economic sense. This requires a strengthened economic decision-making framework.

- The second is the rate at which changes that occur in water use will manifest in the receiving environments. For example, groundwater lags may mean the effects of actions taken now will only be seen in the long or medium term. This does not mean that action should not be taken now.

- The third is consideration that with climate change, baseline states are changing. In some cases, baselines will change faster than the changes directed by the NPSFM. When designing limits to offset the effects of climate change, if that is even possible, councils need to consider "who pays" when setting medium and long-term visions.

We have proposed changes to the vision setting process and the NOF in Section 5 of this submission.

Q. 4a.	Should there be more emphasis on considering the costs involved, when determining what freshwater outcomes councils and communities want to set?

YES

Freshwater visions that cannot be achieved without significant social and economic transformation should not be the driving force for resource use and take limits when communities have not considered the social and economic implications.

Costs of freshwater management do not just include the costs of compliance or putting mitigations in place like sediment traps. The costs of overly restrictive rules also include nationally important human health values, such as fruit and vegetables for New Zealanders, which may be compromised by local communities who are not appropriately placed to reconcile the trade-offs between local effects and national benefits.

We have proposed changes to the vision setting process and the NOF in Section 5 of this submission.

4. Rebalancing Te Mana o te Wai

The Government is proposing to rebalance Te Mana o te Wai and replace the NPSFM to "better reflect the interests of all water users". The discussion document puts three options out for consultation to change the role of Te Mana o te Wai:

- Option 1: Remove hierarchy of obligations and clarify how Te Mana o te Wai applies
- Option 2: Reinstate Te Mana o te Wai provisions from 2017
- Option 3: Remove Te Mana o te Wai provisions

Our comments are not specific to one of these options, although they draw on elements from the 2017 and 2020 version of the NPSFM.

4.1. Te Mana o te Wai in the NPSFM

The Sections 6, 7 and 8 of the RMA include specific requirements to provide for the relationship of Māori with decision-making, having regard for their culture and traditions, particularly their role as kaitiaki (guardians), taking into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).[9]

HortNZ sees value in the concept of Te Mana o te Wai as described in the 2014 and 2020 NPSFM. However, the interpretation of the concept, including the hierarchy of obligations, has progressed in a way that is inward looking to a particular region without regard for national priorities. The NPSFM has not provided enough guidance to support the achievement of all the obligations over time in a balanced way. The Expert Advisory Group report on an RMA replacement system provides a decision-making principle that

[9] Treaty of Waitangi Act 1975 No 114 (as at 22 May 2025), Public Act Schedule 1 The Treaty of Waitangi – New Zealand Legislation

is useful here, "Give preference to achieving compatibility between goals rather than achieving one at the expense of another."[10]

We recommend that the concept of Te Mana o te Wai is revised to be clearer about how to have regard to the hierarchy of obligations while using an overall broad judgment approach, so all the obligations are met over time.

The principles of Mana Whakahaere and Governance direct decisionmakers to prioritise the health and well-being of freshwater. We recommend the Governance principle is amended to reflect freshwater management as well as "safeguarding" freshwater. This should be worded more like Section 5 of the RMA, so freshwater decision making safeguards the life-supporting capacity water now and into the future, while managing the use of water in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

Mana whakahaere, the power, authority, and obligations of tangata whenua when making decisions, also includes the need to *maintain, protect, and sustain their relationship with freshwater*. We seek that this definition is retained, but we think a clarification in Clause 3.4 of the NPSFM is needed. When tangata whenua are involved in decision making about the local approach to give effect to Te Mana o te Wai, this process should include using an overall judgement approach to achieve all of the objectives in balance, including national priorities, such as the proposed objectives for vegetable growing and water security.

When taking an overall judgement approach to the objectives, the relationship of Māori and their culture and traditions should still be upheld. We recommend this matter is included within a new objective for Te Mana o te Wai. We recognise that Section 6 (e) of the RMA means that these matters are nationally important.

In the Waikato PC1 Environment Court hearing and the Proposed Otago Regional Policy Statement hearing, HortNZ argued that the following principles could be used to prioritise water use to support the production of fruit and vegetables for domestic supply within the second hierarchy of Te Mana o te Wai:

- The Care and Respect principle, which recognises collective responsibility to "*care for freshwater in providing for the health of the nation"*, and
- Manaakitanga, which recognises the process by which tangata whenua show"care for freshwater and for others".

It remains unclear how these principles would be interpreted, including how the meaning of the word 'care' would be interpreted. We have assumed that the 'maintain and improve' concept in the NPSFM is compatible with the concept of 'care'. Decision makers seemed reluctant to use the framework to support allocation decisions for resource use. Therefore, to provide more clarity on what is intended, we support multiple objectives that make vegetable growing and water storage national priorities. We think the NPSFM needs to set clear national priorities because Te Mana o Te Wai framework seemed to be inward

[10] Report from the Expert Advisory Group on Resource Management Reform. *Blueprint for resource management reform: A better planning and resource management system*. 2025. Accessed 21/07/25. (Table 8).

looking at the catchment scale without room to consider how to provide for matters of national benefit with local environmental effects.

HortNZ supports active engagement with tangata whenua to ensure their values and role as kaitiaki are understood and provided for in resource management plans. We recognise that section 7 of the RMA means that these matters must be afforded particular regard.[11]

Q. 5	What will a change in NPS-FM objectives mean for your region and regional plan process?

We expect a change in the NPSFM objectives will result in plans that are better suited to implementation and ultimately will result in faster improvement toward freshwater outcomes.

We support replacing the single Te Mana o te Wai objective with multiple objectives. The multiple objectives encompass all three hierarchies and provide greater direction about how all three hierarchies are to be achieved over time.

4.1.1. TE TURE WHAIMANA AND WAIKATO FRESHWATER PLANS

Section 12 of Te True Whaimana legislation means that a rule included in a regional or district plan for the purpose of giving effect to the vision and strategy prevails over a national environmental standard. Waikato PC1 was developed in part to achieve Te Ture Whaimana vision and strategy.

During the PC1 hearing, HortNZ provided evidence about why providing for existing vegetable growing and the expansion of vegetable growing is aligned with Te Ture Whaimana, and in particular Objective J, "The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing requires the restoration and protection of the health and wellbeing of the Waikato River."

HortNZ argued that water use to support vegetable growing is of strategic importance to New Zealand's social well-being. In the hearing decision version of PC1, Policy 3 includes wording to, "Recognise the positive contribution to people and communities from commercial vegetable production consistent with Te Ture Whaimana o Te Awa o Waikato".

In the interim decision, the Environment Court supported the removal of this 'special recognition', writing, "we acknowledge and accept the importance of [commercial vegetable production] activities and that PC1 needs to make appropriate provision for it to continue to meet New Zealand's needs, subject to appropriate controls. However, other farming activities are also important and need to continue subject to controls. We do not consider it appropriate for PC1 to differentiate between sectors on the grounds of relative importance and, if there is scope to do so, the reference should be removed"[12].

As discussed in HortNZ's National Direction for Vegetable submission, PC1 has created an unworkable framework for vegetable growing. This pathway is unworkable for a range

[11] Section 7 states that under the RMA, particular regard shall be had to kaitiakitanga.
[12] PC1 Interim Decision Environment Court (paragraph 690)

of reasons and would not be resolved by retaining the reference to the 'positive contribution to Te Ture Whaimana'.

The unworkable consenting arrangements in Waikato are not unique, and are not related to Te Ture Whaimana, but the solution we seek - an NES for commercial vegetable growing that prevails over regional rules - cannot be implemented because of Te Ture Whaimana. Instead, in the Waikato catchment, a plan change will be required to change these provisions.

The experience in Waikato PC1 highlights how important it is to make it clear there are national priorities that need to be provided for in local decision making.

Changes are required to the NPSFM to include an objective for enabling vegetable growing, because water use to support vegetable growing is strategically important for New Zealand. This objective will make it clear to decision makers that they should differentiate between sectors on the grounds of relative importance.

We also recommend a change to the definition of Governance in the Te Mana o te Wai and to Policy 3.4 to make it clear that when tangata whenua are making decisions about the 'local approach' to giving effect to Te Mana o te Wai, they must also provide for matters that are strategically important for New Zealand, including the proposed objectives in the NPSFM for vegetable growing and water security.

Q. 6	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?

We think the concept of Te Mana o te Wai should sit outside of the objectives as it does now, but within the NPSFM, so freshwater management occurs in a way that is consistent with sections 6, 7 and 8 of the RMA.

We recommend a new objective is added to direct how the concept is used in consultation and decision making. We recommend that this objective includes those matters identified in section 6 of the RMA.

Policies 3.2 and 3.4 of the NPSFM will need updating to refer to the multiple objectives, so engagement and decision making is directed to achieve all objectives in balance.

Q. 7	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?

The hierarchy of obligations does not provide enough clarity on how to make trade-offs. The process for setting freshwater visions and the NOF do not require that sufficient economic information is provided to communities, tangata whenua and other decision makers to make these decisions. We think that in order to make consistent decisions that are possible to implement, changes will need to be made to the vision setting process and the NOF, as discussed in the following section of this submission.

5. Providing flexibility in the National Objectives Framework

The discussion document explains that the Government wants to ensure that the scope of the NOF and national bottom lines are focused only on matters critical at the national level. Our comments relate to creating scope for flexibility, but we also explain why the the NOF as one part of the architecture of the NPSFM is leading to unbalanced resource management decisions. To achieve the intention of the multiple objectives, changes will need to be made to the NOF.

5.1. Vision Setting

The vision setting process requires that collective goals for freshwater are ambitious but reasonable and timebound. In order to set visions that meet these criteria, a community would need to know the social, economic, cultural and health impacts of aspiring to different outcomes, as well as the ecological and cultural effects. That is not how these provisions are being implemented at present.

Councils have undertaken this process in a linear way, so visions are set before the analysis that would allow a community to make an informed assessment has been completed. For example, Horizons Regional Council dismissed any community feedback that was related to use values. The vision set was aspirational, and when it was used to inform the NOF, it resulted in projections of very large decreases in contaminant load that would cause huge social and economic upheaval if they were implemented. However, the community was not provided with this social and economic information when they set the vision.[13]

We recommend that section 3.3 of the NPSFM is amended to clarify that the vision process must be supported by:

- analysis of the minimum and optimum state for all values, and including accounting for regionally outstanding water bodes where significant values must be maintained and
- The vision must provide for nationally significant water uses, matters of national importance and national priorities – identified in legislation, other national direction and as an objective in the NPSFM
- An effects assessment that considers the social, economic, cultural and health impacts of achieving states that provide for the compulsory values and nationally important outcomes to a lesser, similar or greater extent than currently provided for, and how TAS and target flow states and limits can be optimised to achieve the minimum requirements and optimal requirements across all objectives over time.

The effects assessment should consider how the design and timing of limits and action plans can manage these effects, such that the life supporting capacity of water is safeguarded while the social, economic, cultural and health of people and communities are enabled, and national priorities are provided for within local decision making. Councils are required to undertake Section 32 assessments, but we think the NPSFM

[13] Horizons Regional Council. "Scale of reduction required". Accessed 25/07/25.

needs to be clearer about how these assessments should support the visions and the national objectives framework.

5.2. Values

The values are limited because they are not designed to assess the effects of setting target attribute states, flows and water levels. No part of the NPSFM framework currently serves that purpose.

The way the values are described also creates implementation problems. The ecosystem health value seems to set the target for the value at pristine, and the use values include abstractions but not discharges.

The ecosystem health value describes a state in the absence of humans as "healthy". It states, "In a healthy freshwater ecosystem, all 5 biophysical components are suitable to sustain the indigenous aquatic life expected in the absence of human disturbance or alteration (before providing for other values)".

When the state in the absence of humans is described as "healthy" and the phrase "before providing for other values" is used, decision makers have combined this direction with the hierarchy of obligations to strive for a freshwater state impossible to achieve while people remain in the catchment and use water at all.

They strive to set the ecosystem health attribute state at this very ambitious level, without regard to achieving other values or considering the social, economic, cultural or health impacts of driving communities towards a freshwater state that relies on an "absence of human disturbance or alteration".

The description for all of the compulsory values which support the "safeguarding" objective should be clear that "safeguarding" is achieved at a minimum if the bottom lines (and equivalent concept for the flow regime) are met, or if the current state is maintained and better than that minimum state.

There is also an issue that some values direct policymaking about water abstraction but not discharge. The freshwater value for "Irrigation, cultivation, and production of food and beverages" directs consideration of the abstraction volume and timing required for irrigation or frost protection via the take limit, and the quality of water abstracted for washing produce via the attribute state. The value does not contemplate the assimilative capacity of receiving environments to receive discharges via the resource use limit as a value. It is unclear whether this assimilative capacity value is contemplated for commercial and industrial use.

Because values are only applied to uses of water in a limited way, they are only used to inform the design of take limits that meet section 3.17 but not discharge allocation. Values only provide direction when setting target attribute states with regard to the water quality of abstracted water not water quality as a result of discharge.

The way values are applied does not make sense for use values. For example, to support sufficient irrigation, it would suit irrigators if there is always sufficient water in streams and aquifers to abstract when they want. This might suggest the irrigation value is supported by stream flows where low-flows are reached rarely, however if low-flows being reached rarely is achieved by setting cease-take flow levels that reduce irrigation reliability, the irrigation value would not be supported. If however, the flow was reached by

augmentation from harvested water, then the irrigation value and ecosystem value might both be achieved.

The NPSFM does not focus on optimisation, it focuses on prioritisation and applying the most stringent value, with disregard for social, economic, cultural and health effects. To address this issue an explicit assessment of effects of limits is required, and policy direction that all objectives are to be achieved in balance, which includes optimisation to at a minimum achieve the state required to safeguard the life supporting capacity of freshwater, in a way or at a rate that also enables all other values - and indeed the wider social, economic, cultural and health impacts of setting limits on freshwater abstractions and discharges.

5.3. Nationally important activities and values

Nationally important activities have impacts on freshwater and need to be accounted in freshwater decision making. The NPSFM does not provide direction on how this is to be achieved. Many nationally important activities have national direction or legislation, and therefore the process of providing for these activities happens in the limit setting process separately from the NOF, but this is managed inconsistently.

We seek that there is greater policy direction that some activities that abstract water, discharge to water or requires diversions, dams or works in the beds of waterbodies are nationally important, and need to be planned for in an integrated way as part of the NOF. These uses and values would include: matters identified in national direction of legislation, including section 6 of the RMA, and the use values that are identified in the NPSFM as objectives – these are commercial vegetable growing, water storage and security.

It is important that these matters are identified. For example, an individual regional council may not recognise that the contribution of vegetable growing within their region is nationally significant, because they are not viewing how the national food system operates as a whole.

5.4. Bottom lines, limits and action plans

The NPSFM would be more credible if there was recognition that the state of freshwater health is complex in some catchments, particularly within the peri-urban and lowland catchments where significant, and likely irreversible, hydrological change has occurred due to urbanisation, flood protection and land drainage.

In these highly modified catchments, bottom lines may not be achievable using resource use and take limits alone, or that may be undesirable from a social and economic perspective. Some of these catchments may warrant a regional exemption to national bottom lines, with regionally specific bottom lines instead. In other places, it may still be possible to strive for national bottom lines, but these won't be achievable with limits alone, and an action plan approach will be required in addition to resource use and take limits to achieve bottom lines.

5.4.1. AN ACTION PLAN APPROACH

Action plans are a critical tool to drive improvements in water quality and water quantity. Non-regulatory action plans should be used to supplement water use limits and water take limits in catchments that supports nationally important activity, such as commercial

vegetable growing, and providing for that activity as a priority could potentially reduce the flexibility for other activities within the catchment.

The action plan approach we propose, can address concerns that other landowners within catchments that important for a nationally important value like commercial vegetable growing, that they would have stricter limits, they should not have less strict limits, that if they were not in a catchment with vegetable production, or another nationally important activity.

In our view all activities, including commercial vegetable production should implement good management practices, and continuous improvement and adopt new practices as innovation become available to make further progress.

Where complex decisions need to make about future land use and large-scale investment in water storage or catchment scale mitigations, then we think an action plan approach is required to allow considered decision making that is long-term and considers a range of values, and accounts for national, regional and local positive and adverse effects.

We see action plans as being a forerunner to future spatial planning. In a future spatial planning, we expect key growing areas to be identified as special agricultural areas and be planned for alongside other strategic planning priorities such as housing, infrastructure and energy.

5.5. Freshwater accounting

The process for freshwater accounting should include assessment of the progress towards to target attribute states and flow and water level states, and also the degree to which other values are being achieved. The freshwater accounting process needs to collect the information that will inform the next plan, including how limits should be designed to achieve efficient and sustainable allocation of limited resources.

Q. 8	Which values, if any, should be compulsory? Why?

All relevant values should be assessed and considered. Therefore, it may be confusing to differentiate between values, recognising that some values are to be "enabled" while other values are "safeguarded".

We note that all of the compulsory values under the NPSFM 2020 are associated with safeguarding ecosystem health and safeguarding humans from the risks water can present to human health associated with consumption of mahinga kai and contact recreation. None of the compulsory values are related to commercial use.

Outcome sought: We recommend a compulsory value for commercial vegetable growing is added, as discussed in our NES Vegetables submission.

Q. 9	What would be the practical effect of removing compulsory national values? Do you think this will make regional processes easier or harder?

Section 3.12 (4) of the NPSFM requires that where the same attribute provides for more than one value, it is the most stringent target attribute state applying to those values that must be achieved. In that case, councils are likely to focus on the values that require the most stringent state, which are most likely the compulsory values.

We recommend this policy be reviewed so it is clear that the most stringent state for ecosystem health is not the 'healthy' state, described as 'in the absence of humans', but rather the bottom line, or maintain state and the equivalent concept for flow regimes, and the process for setting target attribute states and flow and water level regimes is one of optimisation to achieve all objectives in balance.

Q. 10	Which attributes, if any, should be compulsory to manage? Which should be optional to manage?

HortNZ supports the concept of target attribute states and bottom lines for water quality. Consideration should be given to reducing the complexity of the suite of attributes to those that have the strongest link to methods within the NPSFM. Other attributes should still be monitored as part of State of Environment monitoring and used for plan monitoring and review.

Q. 11	Which attributes, if any, should have national bottom lines? Why?

"Safeguarding" ecosystem health is supported by the bottom-line concept. Therefore, bottom lines should apply to those values that are included within the safeguarding part of the objective. Our interpretation is that this would apply to ecosystem health, mahinga kai and contact recreation.

Q. 12	To what extent should action plans be relied upon, including to achieve targets for attributes?

Action plans are a critical tool to drive improvements in water quality and water quantity. Non-regulatory action plans should be used to supplement water use limits and water take limits in the following circumstances:

- The catchment is below the bottom line and unlikely to meet the bottom line even with the adoption of good management practices by all activities.
- The community seeks water quality or flow regime improvements that are unlikely to be achievable even with the adoption of good management practices by all activities; or
- The catchment supports a nationally important activity, such as commercial vegetable growing, and providing for that activity as a priority could potentially reduce the flexibility for other activities within the catchment.

Action plans may not be needed to support all the attributed in Appendix 2B, (and indeed the list of attributes in Appendix 2B should be rationalised), but in the cases described above, action plans should be required to support the achievement of target attribute state for attributes in Appendix 2A.

Q. 13	Should councils have flexibility to deviate from the default national thresholds (including bottom lines) and methods? Are there any other purposes which should be included?

We support bottom lines for ecosystem health. At a minimum, the outcomes should not be set lower than a "maintain" state above the bottom line or an "improve" state towards a bottom line.

We support an exemption to national bottom lines in some circumstances:

- Local conditions which make a threshold inappropriate, such as when phosphorus is naturally high in volcanic areas like the Waihi Estuary catchment in the Bay of Plenty, and

- Where it can be proved that the natural system is so irreversibly modified that bottom lines cannot be met. This would apply in some waterbodies that have been highly engineered for flood protection or urbanisation. In this case, we would support a cascading approach. If the national bottom line cannot be met, a catchment specific bottom line is set that accounts for the existing environment, including the concept of maintain or a step change towards improvement towards the catchment specific bottom line.

In cases where exceptions are made to national bottom lines, relevant regional bottom lines should be set that operate in the same manner.

6. Enable vegetable growing

HortNZ's support for national direction for vegetables is discussed in detail in our specific submission on that topic.

7. Addressing water security and water storage

HortNZ's support for national direction for water storage is discussed in detail in our specific submission on that topic.

8. Including mapping requirements for drinking water sources

The Government is consulting on whether to introduce a new requirement in the NPSFM to map source water risk management areas (SWRMAs). The purpose of this policy is to manage the risks of contamination to drinking water supply. HortNZ fully supports policy to protect public health.

HortNZ supports that the Government is taking a phased approach, to map SWRMAs before imposing activity controls within them. When HortNZ previously took part in targeted engagement with Government, we expressed concern that draft activity controls were not based in evidence or targeted to the risks the Government was trying to mitigate – namely water-borne disease.

HortNZ seeks that the Government ensures new provisions to protect drinking water supply do not duplicate the requirements of the Water Services Act or existing management of discharges under the RMA. SWRMAs should only apply to large water supplies to avoid the unintended consequence of mixed-use rural supplies needing to turn off their drinking water due to onerous requirements.

In terms of policy implementation timeframes, mapping SWRMAs would fit neatly with spatial planning under the incoming RMA replacement legislation. Given that officials have proposed five years for regional councils to map SWRMAs, this fits with the RM3 timeline.

Q. 31	Do you think that requiring regional councils to map SWRMAs for applicable drinking water supplies in their regions will improve drinking water safety? Should councils be required to publish SWRMAs?

Mapping SWRMAs alone will not improve drinking water safety. Drinking water safety will be improved under the Water Services Act, which requires drinking water risk management and treatment.

We are concerned that past drinking water policy proposals have not addressed how decisions should be made about where to locate drinking water sources. If establishing a new supply would impose land-use constraints on highly productive land or a Special Agricultural Area, alternative locations should be prioritised.

There is a risk that an approach of mapping SWRMAs and then restricting the activities within them will create a new kind of reverse sensitivity effect. New drinking water supplies need to be appropriately located, so they don't impact on the ability to use productive land for a productive purpose. This is where spatial planning could play a crucial role in determining new locations for drinking water supplies that do not put highly productive land under restrictive activity controls.

Previous proposals for changes to the NES Drinking Water have focused on managing activities within SWRMA, without requirements or responsibility associated with establishing new drinking water supplies. New SWRMA have the potential to affect lawfully established activities, and it is important that these effects are considered and assessed.

Outcome sought: HortNZ seeks that no new drinking water supply requiring SWRMA mapping should be located where SWRMA zones 1 or 2 would overlap with identified highly productive land or SAA's.

Q. 32	Do you think that three zones should be required for each SWRMA, or is one zone sufficient?

In principle, we support the approach of spatially defining risk areas. A single zone would be inefficient and pose challenges for developing a sensible activity control framework. Spatial zones are an effective policy tool because they can be clearly communicated using mapping.

Q. 33	What do you think the population threshold should be to require regional councils to map SWRMAs (eg, 100-person, 500-person, or some other threshold)?

The threshold should remain at 500 people. Depending on the chosen activity controls, SWRMA will potentially sterilise productive land and remove property rights. Without information about the controls that will be imposed or the analysis of how those controls will be proportionate to risk, mapping should take a conservative approach.

PART 4

Specific Amendments to the National Policy Statement for Freshwater Management

Without limiting the generality of the above, HortNZ seeks the following decisions on the National Policy Statement for Freshwater Management, as set out below, or alternative amendments to address the substance of the concerns raised in this submission and any consequential amendments required to address the concerns raised in this submission.

Additions are indicated by bolded underline, and deletions by strikethrough text.

Provision	Reason	Decision sought
Te Mana o Te Wai Concept	If the 2020 Te Mana o Te Wai concept is retained, it could be improved with some additional text that supports more balanced decision making. We have made changes to the definition of the governance responsibility to align it more with the purpose of the RMA, which requires more complex trade-offs to made than this principle suggests.	Fundamental concept – Te Mana o te Wai Concept means (1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community**, having regard to the hierarchy of obligations and using an overall judgment approach so all obligations are met over time.** **(4) (d)** *Governance*: the responsibility of those with authority for making decisions about freshwater to do so in a way **that safeguards the life-supporting capacity water now and into the future, while managing the use of water in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety** ~~prioritises the health and well-being of freshwater~~

New Objective related to Te Mana o te Wai	We have not drafted an objective, but we think an objective that explains how the Te Mana o te Wai framework will be used in the NPSFM is needed, including the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, to recognise that Mana Whakahaere is focused on the matters in section 6e of the RMA. Without elevation, this matter of national importance may become deprioritised alongside multiple objectives. Subsequent amendments will be needed to Policy 1 and Clauses 3.2 and 3.4 to clarify how the Te Mana o te Wai framework will be used to support achieving all the objectives in balance and providing for national priorities in local decision making.	New objective for Te Mana o te Wai Subsequent amendmnets to Policy 1, Clauses 3.2 and 3.4
Proposed Objective 1	We seek amendments to the balanced objective to align more closely with section 5 of the RMA. We support the elevation of health above the other water uses, but we think health matters should be treated in two parts – part related to health risks from in-stream water quality (i.e. swimming) and part related to the use of water to meet peoples and health and safety needs (i.e. flood protection, drinking, domestic food supply etc)	Safeguard the life-supporting capacity of freshwater for **ecosystem health, and safeguard humans from risks associated with the quality of water while managing water use to meet the health and safety needs of people and enable** their social, cultural and economic well-being, including productive economic opportunities.
New Objective Enable Commercial Vegetable Growing	This objective is needed to support regional councils to ensure national benefits are not disregarded in local decision making	**Recognise the national significance of commercial vegetable production by enabling new and existing commercial**

		vegetable production, such that New Zealand has a resilient supply of vegetables for current and future generations.
New Objective – Water Security and Storage	This objective is needed to support policy that will provide greater investment certainty for water storage.	**Water storage is enabled to address water security as part of climate change resilience and to support social, environmental and economic outcomes.**
New Objective - Sustainable and efficient	We seek the addition of a new objective that is linked to Policy 11 of the NPSFM to provide direction to communities and decision makers, that the efficient and sustainable use of water should be enabled. This is important to provide the necessary national signals to ensure resources are provided for essential national priority uses and also pivot resource and land use towards efficient and sustainable resource use.	**Enable efficient and sustainable use of freshwater.**

Policy 5	The policy has been reworded to help to differentiate between the limit and outcome. 'Maintain and improve' applies to the outcome. It has also been changed to clarify that the only values that relate to the maintain and improve concept are human health risks from water quality and ecosystem health.	**Policy 5:** Freshwater is managed **at the river, FMU and sub-catchment scale** (including through a National Objectives Framework) to ensure that the health of **freshwater ecosystems and the health risk of contact recreation** ~~and well-being of~~ **in** degraded water bodies ~~and freshwater ecosystems~~ is improved, and the health **freshwater ecosystems and the health risk of contact recreation** ~~and well-being of all~~ **in** other water bodies and freshwater ecosystems is maintained and (if communities choose) improved. **Small declines in attribute state at the tributary scale are acceptable provided, at the FMU scale, the overall health of ecosystems and health risks of contact recreation are 'maintained or improved'.**
Subpart 1 3.3 Long-term visions for freshwater	This section needs to be clear that visions and outcomes can only be set once the values and effects (including costs) can be assessed.	(1) Long-term visions: (a) may be set at FMU, part of an FMU, or catchment level; and (b) must set goals that are ambitious but reasonable (that is, difficult to achieve but ~~not impossible~~ **understood to be physically, economically and socially achievable)**; and (c) identify a timeframe to achieve those goals that is both ambitious and reasonable (for example, 30 years after the commencement date).

		(d) **May set a longer-term aspiration, that does not have to be achieved by Target Attribute States** (2) Every long-term vision must: (a) be developed through engagement with communities and tangata whenua about their long-term wishes for the water bodies and freshwater ecosystems in the region; and (b) be informed by an understanding of the history of, and environmental pressures on, the FMU, part of the FMU, or catchment; and (c) express what communities and tangata whenua want the FMU, part of the FMU, or catchment to be like in the future. (d) **Account for nationally significant water uses matters of national importance and national priorities – identified in legislation, other national direction and as an objective in the NPSFM** (e) **Be supported by analysis of the minimum and optimum state for all values, and an effects assessment that considers the social, economic, cultural and health impacts of achieving states that provide for the compulsory values to a lesser, similar or greater extent than is currently. The effects assessment should consider how the design and timing of limits and actions plans can manage these effects, such that life supporting capacity of water is safeguarded while social, economic,**

		cultural and health of people and communities are enabled.
3.5 Integrated Management	The values in the NOF don't differentiate between the significance of the water use. We support an action plan approach linked to spatial planning that better supports local decision making to account for nationally significant activities and activities such as commercial vegetable growing and water security, that are identified in the NPSFM as national priorities.	(1) Adopting an integrated approach, ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must: (a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to hāpua (lagoons), wahapū (estuaries) and to the sea; and (b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments; and (c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments; and (d) encourage the co-ordination and sequencing of regional or urban growth. (e) **Enable water use for matters of national significance identified in national direction and legislation in freshwater planning, including in the NOF.**

3.12 How to achieve target attribute states and environmental outcomes	We propose an exceptions framework so, in some instances, limits and action plans can be used to achieve target attribute states for attributes in Appendix 2A. We seek an effects assessment. We recognise the section 32 analysis required this, but we think greater clarity is needed in the NPSFM to direct this process.	1) In order to achieve target attribute states for the attributes in Appendix 2A, and the nutrient outcomes needed to achieve target attribute states (*see* clause 3.13), every regional council: (a) must identify limits on resource use that will achieve: (i) the target attribute states; and (ii) any nutrient outcomes needed to achieve target attribute states; and (b) must include those limits as rules in its regional plan; and (c) may prepare an action plan; and (d) may impose conditions on resource consents to achieve target attribute states or any nutrient outcomes needed to achieve target attribute states. (e) **An exception to (i) and (ii) can be provided so limit and actions plans together can the target attribute states; and any nutrient outcomes needed to achieve target attribute states in the following circumstances:** **(i) The catchment is below the bottom line and is unlikely to meet the bottom line with the application of good management practices from all activities.** **(ii) The community seeks water quality or flow regime improvements that are unlikely to be achieved with the**

		application of good management practices from all activities; or **(iii) The catchment supports a nationally important activity and providing for that activity as a priority could potentially reduce the flexibility for other activities within the catchment.** 4) Where the same attribute provides for more than one value, **the TAS must be optimised supported by an analysis that** ~~it is the most stringent target attribute state applying to those values that must be achieved~~ (a) **Water use supporting matters of national significance identified in national direction and legislation in freshwater planning, including in the NOF** (b) **Is supported by analysis of the minimum and optimum state for all values, and an effects assessment that considers the social, economic, cultural and health impacts of achieving states that provide for the compulsory values to a lesser, similar or greater extent than is currently. The effects assessment should consider how the design and timing of limits and actions plans can manage these effects, such that life supporting capacity of water is safeguarded while social, economic, cultural and health of people and communities are enabled**

3.14 Setting limits on resource use	We seek policy support to ensure limits are designed to provide for matters that are identified as nationally important and to safeguard the life supporting capacity of ecosystems while enabling the social, economic, cultural and health of people and communities. We recognise that Section 32 analysis requires this, but we think greater clarity is needed in the NPSFM to direct this process.	(1) In setting limits on resource use, every regional council must: (c) have regard to the following: (i) the long-term vision set under clause 3.3 (i) the foreseeable impacts of climate change; and b) take into account results or information from freshwater accounting systems c) **matters of national significance identified in national direction and legislation in freshwater planning, including in the NOF** **d) optimise the design of limits, supported by analysis that's consider how the design and timing of limits and actions plans can manage effects of limits and action plans, such that life supporting capacity of water is safeguarded while social, economic, cultural and health of people and communities are enabled**
3.17 Identifying take limits	A clause is added to ensure the design of limits is supported by an effects assessment. We recognise that Section 32 analysis requires this, but we think greater clarity is needed in the NPSFM to direct this process.	(3) Take limits must be identified that: (a) provide for flow or level variability that meets the needs of the relevant water body and connected water bodies, and their associated ecosystems; and

		(b) safeguard ecosystem health from the effects of the take limit on the frequency and duration of lowered flows or levels; and (c) provide for the life cycle needs of aquatic life; and (d) take into account the environmental outcomes applying to relevant water bodies and any connected water bodies (such as aquifers and downstream surface water bodies), whether in the same or another region (e) **be supported by analysis that considers how the design and timing of limits and actions plans and water allocation to achieve outcomes can manage effects of limits and action plans, such that life supporting capacity of water is safeguarded while social, economic, cultural and health of people and communities are enabled.**
3.33 Enable Vegetable Growing	In place of the quashed specified vegetable growing areas policy, develop a suite of polices to support enabling commercial vegetable growing.	**1. Commercial vegetable growing is enabled as a standalone activity and as part of diversified farming operations.** **2. Standalone commercial vegetable growing and associated crop rotation is authorised as a permitted activity with a**

		farm plan[14] that demonstrates that the diffuse discharge risk is managed. **3. Commercial vegetable growing as a standalone activity, and crop rotation are enabled and provided for when outcomes and limits are set. An action plan approach is used in catchments that support commercial vegetable production in addition to limits.**
New Section: Water Security and Storage	We recommend policies to support the design of water take limits and action plans, that are focused on enabling harvesting, storing (offline, in-line in aquifers), sharing and using water.	**The potential for natural storage and conveyance of water in aquifers is recognised and provided for.** **The potential for natural conveyance in surface water bodies is recognised and provided for.** **The potential for conveyance in artificial watercourses is recognised and provided for.** **Collective approaches are enabled to support the efficient and sustainable use of water at the FMU scale.** **Medium-term freshwater visions and actions plans are developed to enable and provide investment certainty for water storage.**

[14] This could be a certified freshwater farm plan or an industry assurance plan developed under the NES Vegetables.

New requirement to map SWRMAs	If establishing a new supply would impose land-use constraints on highly productive land or an SAA, alternative locations should be prioritised.	**No new drinking water supply requiring SWRMA mapping should be located where SWRMA zones 1 or 2 would overlap with identified highly productive land or Special Agricultural Areas.**
Freshwater Value Irrigation, cultivation, and production of food and beverages	Calculating the resource use limit for vegetable growing, is part of ensuring that the target attribute state is set at a level that can accommodate the commercial vegetable growing resource use limit – when considered a part of the overall cumulative load associated with the target attribute state.	The FMU or part of the FMU meets irrigation needs for any purpose. Water quality and quantity is suitable for irrigation needs, including supporting the cultivation of food crops, the production of food from farmed animals, non-food crops such as fibre and timber, pasture, sports fields and recreational areas. Attributes will need to be specific to irrigation and food production requirements. **The target attribute states provide sufficient assimilative capacity to provide the resource use limit needed to support commercial vegetable growing.**
3.28 Water Allocation	We propose changes to this section to support the objective for water security and storage and to support the proposed objective we have sought for efficiency and sustainability.	1) Every regional council must include methods in its regional plan to encourage the efficient **and sustainable** use of water.
3.29 Freshwater accounting	Freshwater accounting should be designed to support the next plan and how action plan elements as well as limits are being implemented to achieve the long-term vision.	5) The freshwater quality accounting system must (where practicable) record, aggregate, and regularly update, for each FMU, information on the measured, modelled, or estimated: (a) loads and concentrations of relevant contaminants; and

		(b) where a contaminant load has been set as part of a limit on resource use, or identified as necessary to achieve a target attribute state, the proportion of the contaminant load that has been allocated; and (c) sources of relevant contaminants; and (d) the amount of each contaminant attributable to each source. (e) **Analysis to support decision making in the next plan to support the changes that would achieve the long-term vision and associated long-term TAS, and to support scenario planning.** 6) The freshwater quantity accounting system must record, aggregate, and regularly update, for each FMU, information on the measured, modelled, or estimated: (a) amount of freshwater take; and (b) the proportion of freshwater taken by each major category of use; and (c) where a take limit has been set, the proportion of the take limit that has been allocated. (d) **Analysis to support decision making in the next plan to support the changes that would achieve the long-term vision and associated long-term flow regime and water level states, and to support scenario planning.**

Value for Commercial Vegetable growing	A value is needed to support decision making in catchments where vegetable growing is important.	**The target attribute states provide sufficient assimilative capacity to provide the resource use limit needed to support commercial vegetable growing.**