

Changes to Policy 3.A.2 of the Waikato Regional Plan, as required by the National Policy Statement for Freshwater Management 2020

The NPSFM 2020 directs councils to include a policy regarding natural inland wetlands in regional plans. This policy was incorporated into the Waikato Regional Plan in 2021 as Policy 3.A.2. The Minister for the Environment subsequently made changes to this policy of the NPSFM in 2022 and further changes were made in the Resource Management (Freshwater and Other Matters) Amendment Act 2024. The amended policy wording must now be included in the Waikato Regional Plan.

The required amendments to Policy 3.A.2 in Section 3A of the Waikato Regional Plan are set out below. Required insertions are shown in underline and deletions are shown in ~~strikethrough~~.

Section 3A National direction in accordance with the National Policy Statement for Freshwater Management 2020

.....

Policies

Policy 3.A.2: Natural inland wetlands

The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:

- a. the loss of extent or values arises from any of the following:
 - i. the customary harvest of food or resources undertaken in accordance with tikanga Māori
 - ii. wetland maintenance, restoration ~~activities~~, or biosecurity (as defined in the National Policy Statement for Freshwater Management)
 - iii. scientific research
 - iv. the sustainable harvest of sphagnum moss
 - v. the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
 - vi. the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
 - vii. natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or
- b. the regional council is satisfied that:
 - i. the activity is necessary for the purpose of the construction or upgrade of specified infrastructure; and
 - ii. the specified infrastructure will provide significant national or regional benefits; and
 - iii. there is a functional need for the specified infrastructure in that location; and
 - iv. the effects of the activity are managed through applying the effects management hierarchy; or
- c. the regional council is satisfied that:

- i. the activity is necessary for the purpose of urban development that contributes to a well-functioning urban environment (as defined in the National Policy Statement on Urban Development); and
- ii. the urban development will provide significant national, regional or district benefits; and
- iii. the activity occurs on land identified for urban development in operative provisions of a regional or district plan; and
- iv. the activity does not occur on land that is zoned in a district plan as general rural, rural production, or rural lifestyle; and
- v. there is either no practicable alternative location for the activity within the area of the development, or every other practicable location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and
- vi. the effects of the activity will be managed through applying the effects management hierarchy; or
- d. the regional council is satisfied that:
 - i. the activity is necessary for the purpose of quarrying activities; and
 - ii. the extraction of the aggregate will provide significant national or regional benefits; and
 - iii. there is a functional need for the activity to be done in that location; and
 - iv. the effects of the activity will be managed through applying the effects management hierarchy; or
- e. the regional council is satisfied that:
 - i. the activity is necessary for the purpose of the extraction of minerals and ancillary activities; and
 - ii. the extraction of the mineral will provide significant national or regional benefits; and
 - iii. there is a functional need for the activity to be done in that location; and
 - iv. the effects of the activity will be managed through applying the effects management hierarchy; or
- f. the regional council is satisfied that:
 - i. the activity is necessary for the purpose of constructing or operating a new or existing landfill or cleanfill area; and
 - ii. the landfill or cleanfill area:
 - (A) will provide significant national or regional benefits; or
 - (B) is required to support urban development as referred to in paragraph (c); or
 - (C) is required to support the extraction of aggregates as referred to in paragraph (d); or
 - (D) is required to support the extraction of minerals as referred to in paragraph (e); and
 - iii. there is either no practicable alternative location in the region, or every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland; and
 - iv. the effects of the activity will be managed through applying the effects management hierarchy.

For the purposes of this policy, functional need, effects management hierarchy, loss of value, natural inland wetland, specified infrastructure and restoration have the same meaning as defined in the National Policy Statement for Freshwater Management 2020.