



## Attachment 2.6

# Proposed provisions – Amendments to the National Policy Statement for Freshwater Management 2020 and to the Resource Management (National Environmental Standards for Freshwater) Regulations 2020

## National direction consultation – Package 2: Primary sector

### **Instrument topic: Proposed amendments to the National Policy Statement for Freshwater Management 2020 (NPS-FM) and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F)**

- The proposed provisions are for consultation purposes and do not represent the proposed National Policy Statement (NPS) or National Environmental Standard (NES) wording, which will be drafted after the consultation phase.
- The table below provides some illustrative wording (in italics or underlined text) to help you understand the scope and policy intent of the proposed amendments to the NPS-FM and NES-F relating to quarrying and mining issues.
- Terms used have the same meaning as in the Resource Management Act 1991 and National Planning Standards, unless otherwise specified.
- Changes to the existing NPS-FM are referenced using the existing policy or other clause number.

National Policy Statement for Freshwater Management		
Application of this policy statement	Proposed provisions	Reasons
Where would the NPS-FM apply?	The whole of New Zealand, consistent with the application of the NPS-FM. The amendment specifically relates to natural inland wetlands.	
Subpart 3: Specific requirements		
Clause	Proposed provisions	Reasons
3.22(1)(d)(iii) and (1)(e)(iii)	<p>Proposed changes to the consent pathways for mining and quarrying.</p> <ul style="list-style-type: none"> <li>Amended clause 3.22(1)(d)(iii) to add 'operational need' so it reads "there is a functional need <u>or operational need</u> for the activity to be done in that location; and".</li> <li>Amended clause 3.22(1)(e)(iii) to add 'operation need' so it reads "there is a functional need <u>or operational need</u> for the activity to be done in that location; and".</li> </ul>	<p>The NPS-FM provides consent pathways for the quarrying and mining activities where they impact on wetlands.</p> <p>The proposed changes would improve consistency and alignment across national direction (NPS-Indigenous Biodiversity, NPS-Highly Productive Land, NES-Freshwater and NPS-Freshwater Management).</p>
Resource Management (National Environmental Standards for Freshwater) Regulations 2020		
Application	Proposed provisions	Reasons
Where is the proposal intended to apply?	The whole of New Zealand, consistent with the application of the current NES-F. The amendment specifically relates to natural inland wetlands.	
Part 3 Subpart 1 – Natural inland wetlands		
Regulation	Proposed provisions	Reasons
<b>Quarrying activities</b> <b>Section 45A(6)(b)</b>	<p>New proposed changes to the discretionary activity status for quarrying affecting wetlands.</p> <ul style="list-style-type: none"> <li>Amend to add 'operational need' so it reads "satisfied itself that there is a functional need <u>or operational need</u> for the quarrying activity in that location; and".</li> </ul>	The alignment of gateways tests across national direction will help to improve consistency across national direction.
<b>Extraction of minerals and ancillary activities</b> <b>Section 45D(6)(b)</b>	New proposed changes to the discretionary activity status for extraction of minerals and ancillary activities affecting wetlands.	

### Part 3 Subpart 1 – Natural inland wetlands

Regulation	Proposed provisions	Reasons
	<ul style="list-style-type: none"><li>Amend to add 'operational need' so it reads “satisfied itself that there is a functional need <u>or operational need</u> for the extraction of minerals and ancillary activities in that location; and”.</li></ul>	

Published in May 2025 by the Ministry for the Environment | Manatū mō te Taiao  
Publication number: INFO 1308f



**Te Kāwanatanga o Aotearoa**  
New Zealand Government