



Submission on the Natural Environment and Planning Bills

The Advocates for the Tongariro River Inc. was established in 2002 in response to community concern about flooding and erosion in the Tongariro catchment. Since that time, the organisation's purpose has broadened to speaking out for the Tongariro River and its environs, and to promoting management strategies intended to preserve and enhance the values inherent in the river, its fishery, and associated recreational activities for the benefit of present and future generations.

While we recognise the need to reform the current resource management legislation, we are concerned that the Natural Environment Bill and the Planning Bill contain some important omissions that, if not addressed, risk undermining the protection and enjoyment of nationally significant freshwater environments.

1. Protection of trout and salmon habitat

New Zealand's freshwater fishery, primarily trout and salmon, is of great significance to a large number of New Zealanders for their recreation, health, and wellbeing. The fishery is also widely regarded internationally as one of the world's premier freshwater angling destinations, reflecting the quality of the fishery, the diversity and scenic character of angling environments, and the broad geographic spread and accessibility of fishing locations. As a result, the fishery attracts significant numbers of high-value international visitors. In 2020, the New Zealand Federation of Freshwater Anglers estimated the value of the freshwater fishery to the New Zealand economy to be well over \$1 billion per annum, based on earlier Department of Conservation and Cawthron Institute studies. This scale of value is further reflected in the continuing strength of participation, with approximately 140,000 freshwater fishing licence holders last season (including over 30,000 for the Taupo District), up 4% from the previous season.

While the Natural Environment Bill contains a general goal to safeguard the life-supporting capacity of air, water, soil, and ecosystems, and treats ecosystems as encompassing all living components of the natural environment, it gives specific operational priority only to indigenous biodiversity through express outcomes and mandatory limit-setting requirements. There is no equivalent, express protection framework for non-indigenous species. As a result, the protection of trout and salmon habitat is left to indirect mechanisms and discretionary planning choices, rather than being anchored in the core statutory architecture. This represents a retreat from section

7(h) of the Resource Management Act 1991 and from the late-stage amendments to the Natural and Built Environments Bill, which recognised the need for explicit statutory recognition of trout and salmon habitat. **We therefore submit that Part 2 of the Natural Environment Bill should be amended to include an express Goal that the habitat of trout and salmon is protected, so that nationally significant freshwater fisheries continue to receive clear and consistent statutory recognition.**

2. Recreational use and enjoyment of the natural environment

The Planning Bill includes a goal relating to “maintaining public access to and along the coastal marine area, lakes, and rivers”, but neither the Planning Bill nor the Natural Environment Bill expressly requires decision-makers to consider the effects of activities on recreational use or enjoyment of the natural environment. For example, as drafted, an application that materially alters river flows could preserve physical access while significantly degrading activities such as rafting, kayaking, or angling, without those impacts being a mandatory consideration. This represents a retreat from section 7(c) of the Resource Management Act 1991 (“the maintenance and enhancement of amenity values” which are defined to include “recreational attributes”), and the late-stage amendments to the Natural and Built Environments Bill which recognised the need to provide for recreational use and enjoyment of the natural environment. **We therefore submit that Part 2 of the Natural Environment Bill should be amended to include an express Goal that public recreational use and enjoyment of the natural environment, including lakes, rivers, and the coastal environment, be maintained and enhanced.**

Given the more tightly prescribed decision-making framework for natural resource permits, and the removal of section 104(1)(c) of the RMA which expressly allowed decision-makers to give weight to any other matter they considered relevant and reasonably necessary, it is critical that the protection of trout and salmon habitat and recreational amenity are anchored in the system’s foundation goals. Without that anchoring, there is no reliable pathway for those matters to influence consent decisions.

We acknowledge that the Natural Environment Bill retains Water Conservation Orders as a mechanism to protect outstanding water bodies, including for fisheries and recreational purposes. However, Water Conservation Orders are, by design, exceptional instruments. They can apply only to water bodies that are considered to be outstanding, require a separate application and tribunal process, and exist for only a small number of rivers and lakes. They do not operate as general system obligations across everyday planning and consenting decisions, and do not provide a protection mechanism capable of safeguarding the fresh-water fishery as a whole. Reliance on Water Conservation Orders therefore does not address the absence of express, system-level

recognition for the protection of trout and salmon habitat or for public recreational use and enjoyment of the natural environment.

3. Importance of early community consultation and getting plans right

The new planning framework is expressly designed to shift public participation upstream into plan development, rather than at the consenting stage. The explanatory notes for both Bills state that “community engagement is intended to primarily occur during ... plan development rather than at the consenting / permitting level” meaning that there will be fewer opportunities for communities to influence outcomes through project-level resource consents, and that the content of plans will largely determine future decisions. This makes it all the more important that overarching spatial, land use, and natural environment plans are developed through robust, accessible, and effective community consultation processes. For small community organisations, participation in independent panel hearings on complex, region-wide plans is often beyond practical reach. If meaningful opportunities to engage are not secured at the earlier consultation and drafting stages, local community values risk being excluded from the system altogether. Currently, the bills only require that the evaluation report for a proposed natural environment or land use plan must state “how, if at all, the draft has been influenced by (i) pre-notification consultation, and (ii) any other engagement with local communities”. The inclusion of the words “if at all” makes clear that such consultation is not mandatory. **We therefore submit that the Bills should include clear, mandatory requirements for early community consultation and engagement in plan development, to ensure that community perspectives are genuinely incorporated before draft plans are finalised.**