

31st October 2023

Ministry for the Environment

Wellington

Via email highlyproductiveland@mfe.govt.nz

Tēnā koutou katoa

Potential amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)

Water New Zealand (Water NZ) welcomes the opportunity to provide feedback on managing the use and development of highly productive land (HPL).

Water NZ is a national not-for-profit organisation which promotes the sustainable management and development of New Zealand's three waters (drinking water, wastewater and stormwater). Water NZ is the country's largest water industry body, providing leadership and support in the water sector through advocacy, collaboration and professional development. Its ~3,000 members are drawn from all areas of the water management industry including regional councils and territorial authorities, consultants, suppliers, government agencies, academia and scientists.

Noting our members' interests, our submission focuses on the impact from the amendments for future water service and infrastructure provision. We respond to the questions raised in the discussion document, along with comments to inform any amendments.

Water NZ's high-level comments are:

- Water services are considered a "specified infrastructure", as they are:
 - a lifeline utility
 - recognised as 'significant' infrastructure in national and regional policy statements
 - public flood control, flood protection, or drainage works.
- We **support** 'infrastructure that delivers a service operated by a lifeline utility' being considered a specified infrastructure.
- In response to issue 1, Water NZ **support** option 2: Amend clause 3.9(2)(j)(i) to include the word 'construction', to make the potential consent pathway for construction of new specified infrastructure on HPL. We consider the amendment necessary because:

- Construction is a major stage of an infrastructure's lifecycle. The other stages (e.g. maintenance, operation, renewal and upgrade) are all allowed for in the current NPS-HPL;
 - It provides certainty and a pathway for construction of new infrastructure, especially for infrastructure that cannot be designated or is needed at pace e.g. Cyclone Gabrielle recovery; and
 - Ensures cohesion and alignment between any future critical infrastructure resilience policy and regulation, including the National Resilience Strategy with (but not limited to) water services legislation, resource management reforms, emergency management, and climate change adaptation.
- Network utilities infrastructure do not, on the whole, exclude HPL from land-based primary production use once the infrastructure is constructed and being operated. Operation of network utilities infrastructure supports the objectives of the NPS-HPL.
 - For Issue 2 (developing and relocating intensive indoor primary production and greenhouses on HPL), we **support** Option 1, the status quo, retaining the NPS-HPL as currently worded.
 - HPL is often flat, fertile, flood plains which is prone to devastating flooding, as witnessed in the Hawke's Bay, Tairāwhiti and Tararua districts during Cyclone Gabrielle.
 - Climate change is increasing frequency and intensity of storm events. Recent storm events flooding and landslides have illustrated this increasing risk and the need for adaptation of the primary production activities.
 - To avoid climate induced food insecurity in Aotearoa New Zealand, and for a resilient food system that has capacity to withstand shocks or disruptions, it is imperative that primary production policy and operations are informed by and adaptive to climate hazards and risk exposure.
 - From a sustainable land use and hazard risk management perspective, we **recommend** restricting intensive indoor primary production and greenhouses on hazard prone land.
 - Land-based primary production, whilst still at high risk to natural hazards, being located on hazard prone land is more prudent, and less costly than the than the structural and financial implications to indoor production and glasshouses.
 - In the National Adaptation Plan published in 2022, the land-based primary sector was identified as one of the most vulnerable to the impacts of climate change. This includes

water scarcity, weather extremes, changes in productivity and output due to changes in mean rainfall and temperature.

- Water NZ strongly recommend objectives and policies are introduced to the NPS-HPL requiring the future viability of land-based primary production in light of water scarcity through drought or reduced allocation [through clauses in the NPS-Freshwater Management 2020].

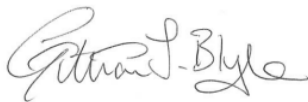
Conclusion

Water New Zealand recognise the importance to protect HPL for sustainable and resilient land-based primary production, both now and for future generations.

Water NZ thank the Ministry for the opportunity to provide comments on the discussion document.

If you have any queries in relation to this submission please contact
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Ngā mihi nui



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