

SUBMISSION ON

Fast Track Consents and Te Mana o Te Wai in consenting decisions.

12 February 2024

To:

Name of Submitter: Horticulture New Zealand

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OVERVIEW

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Our submission

Horticulture New Zealand (HortNZ) thanks Minister for the opportunity to submit on the proposed Fast Track consent bill and Te Mana o te Wai in consenting amendment and welcomes any opportunity to continue to work with MfE to discuss our submission.

HortNZ's Role

Background to HortNZ

HortNZ represents the interests of approximately 4,200 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.



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.



Executive Summary

1. Fast Track Consents

HortNZ supports the new Standalone Act that provides for a fast-track consenting process.

We consider it important that the Act has clear purpose, to ensure the process is not used to circumvent the usual consenting process for most consents, and the fast-track purpose can be accounted for in Regional and District planning frameworks.

We propose a purpose that promotes projects aligned to strategic objectives, including the health of the nation, climate change and economic development.

HortNZ supports the inclusions of a list of types of eligible projects and supports the list included within the NBA, seeking additions for inland ports, irrigation and infrastructure and facilities that support the supply of fresh fruit and vegetables.

HortNZ supports listing known projects that align to the purpose and are eligible. HortNZ seeks that irrigation projects already well scoped on relating to the Heretaunga and Waipaoa aquifers are included.

2. Te Mana o te Wai in Consenting

HortNZ considers Te Mana o te Wai is relevant to plan making and consenting decisions. We consider that activities that support the first or second hierarchy should be progressed either as:

- Fast track consents,
- Or permitted and controlled activities.

We do not think that activities within the second hierarchy should be publicly notified.

For discretionary and non-complying consents, we consider that Te Mana o te Wai should be assessed, but in assessing these consents applications these concepts should be viewed as integrated concept.

Gaining iwi approval for consents is an issue for the sector. This issue is related to a range of factors. We consider the best way for iwi values to be addressed is in the plan making stage and a more efficient process found for achieving iwi sign off for the consents is found.

Submission

3. Fast-track consenting process.

We understand the proposal is to develop a new Standalone Act that provides for a fast-track consenting process. The new proposal will draw on the existing provisions in the NBA and the Covid 19 fast track, and provide a one-stop

The NBA and Covid 19 fast tracking process are focused on nationally significant eligible projects. The new Act proposes to provide a fast-tracking consenting regime for projects with local, regional and national benefits.

In our view it is important that the new Act includes a purpose that eligible projects are aligned to. This is important to ensure, the process is transparent and is not used to circumvent the usual consenting process for most consents. It is also important, so local and regional planning frameworks for account for the purpose and type of projects that be prioritised through this process,

In our view the purpose should be about enabling eligible projects that use natural resources to supports the health of the nation, climate change mitigation, climate change adaption and support the development of local and regional economies.

We consider a definition of the health of the nation is required. In recent NPSFM processes there has been a lack of clarity in the importance of resource use, as well as resource protection for supporting the health of the nation. While the matters of national importance within the RMA speak to environmental protections that support human health such as sufficiently clean air and water. The matters of national significance within the RMA include the crowns health, welfare, security and safety obligations and functions. HortNZ agrees that the crown has an important role in using natural resources to provide for the health of the nation, but so to does the private sector including a dominant role in natural resource use to support housing and food supply, both of these activities are fundamental to the health of the nation.

One issue that HortNZ is alert to is the provision to "*enable the supply of fresh fruit and vegetables*" as a matter that the National Planning Framework must provide direction on was lost with the repeal of the NBA. Our expectation is that projects such as local irrigation projects that supported the supply of fresh fruit and vegetables, could have been deemed nationally significant, without having to meet a national economic threshold. Enabling the supply of fresh fruit and vegetables is a nationally significant, because New Zealand is a geographically isolated country. New Zealand cannot import sufficient fresh vegetables to meet demand. The health of New Zealanders is dependent on local growers for the resilient supply of fresh fruits and vegetables. This food supply operates as national network. An individual project supporting a business may not meet a national or regional economic significance test but the national resilience of the fresh supply of fruit and vegetable is dependent on having growers located across New Zealand. Due to New Zealand geographic isolation only some crops can be exported at scale. The domestic focus of most vegetable growers means, that many of the businesses are not significant from an economic perspective.

We support the list of eligible projects outline in the NBA Part 2 subpart 1, section 14. However we consider wording to make it clear that irrigation is eligible and to provide a fast track process for facilities and infrastructure that support the supply of fresh fruit and vegetables.

We support the Act identifying some projects that are aligned to the purpose and that are within the eligible scope. The following projects should be included within that list:

- Waipaoa water storage and groundwater augmentation and water distribution for irrigation and stream flow enhancement
- Heretaunga Plains water storage and groundwater augmentation and water distribution for irrigation and stream flow enhancement

It is important to also recognise capacity and resource issues and constraints. It is important that a fast-track consent provides more information to enable decision makers to grant consent. Part of this will include a cultural impact assessment or the applicant demonstrating how mana whenua concerns are being incorporated and addressed in a project.

HortNZ is concerned that there is a large expectation on Manawhenua to fulfil statutory obligations and feed into consent processes, but little support by way of resource or funding to enable this. Iwi and hapū are under pressure to responsibly manage Treaty settlement claim on behalf of their membership, practice Kaitiakitanga and provide feedback and guidance to the wider community on environmental expectations. This is a large burden which inevitably leads to resourcing and commitment challenges. Need to ensure a fast-tracked process enables mana whenua to be able to discharge their duties as kaitiaki and support applicants to provide the information Manawhenua need to be able to assess a consent fairly.

4. Te Mana o te Wai in Consenting RMA Amendment.

We understand the government intends to review the National Policy Statement for Freshwater later this year and had provided an extension to Regional Councils implementing the NPSFM in Regional Policy. In the meantime, the proposal is to introduce an amendment Bill to the RMA to provide direction on how the concept of the Te Mana o te Wai is applied to consenting decision, this amendment would have immediate effect on this direction. It also likely that the legislation direction on Te Mana o te Wai for consenting, would provide direction to the NPSFM use of this term.

4.1. The Six Principles of Te Mana o te Wai

4.1.1. KAITIAKITANGA AND STEWARDSHIP

Many standard horticultural practices have developed over thousands of years. Practices such as crop rotation, have been refined to ensure the land is appropriately cared for and can grow beyond a season. Māori

The principle of stewardship is particularly relevant to the horticulture sector where there is a wide acceptance that growers should operate, and good management practice and that industry should continue to invest in research and innovation to make further gains.

Tension arises in decision making where the limits set are not achievable for a given activity operating at GMP or BMP and offsetting and the scale at which offsetting can occur is too constrained, and transfer is not provided for.

One of the issues with the approval process at the consenting level, is iwi and hapu being asked to consider trade-offs, that may require consideration of local impacts and regional or national benefits. These trade-offs can be very hard to reconcile, in particular, in the context of Kaitiakitanga, where tangata whenua feel obligated to the waterbodies that they whakapapa to.

4.1.2. MANAAKITANGA AND CARE AND RESPECT

HortNZ has been particularly interested in the principles of Manaakitanga and Care and Respect, these principles include the concept of care for other people and resource use to provide for the health of the nation. This principle indicates that Te Mana o te Wai is applicable both to setting the flow regimes that support in stream value, and allocating sufficient water and discharges to “care for others” and “provide for the health of nation”

HortNZ has relied on these principles to argue that allocation to support a resilient supply of fresh fruit and vegetables should be planned for within the second hierarchy of obligations.

One of the tensions that arises is how activities with national benefits, but local effects are provided for and the degree to which is “fair” that communities and hapu for local ambitious freshwater values, may not be as achievable due to resource use that benefits the health of the nation. Another issue is related to how these activities can be provided for within “maintain” or “bottom line” limits, and the degree to which prioritising the health of the nation may impact on other resources users within the FMU achieving the productive potential that their activity could otherwise achieve, if it weren’t for the priority of the health of the nation.

In HortNZ’s industry evidence to the Otago Regional Council proposed Regional Policy Statement Freshwater hearings (pORPS Freshwater), we discuss how Otago as a region, is reliant on the manaaki from other areas of New Zealand to provide fresh produce such as vegetables, to support their population. As an example, The Otago region does not grow and supply enough fresh vegetables to support its local population. Otago is reliant on produce grown in other areas such as Canterbury and Tasman to support the local population. In this way Otago is reliant on planning and consent decisions that enable a supply of vegetables in other areas that can be transported into the region. Otago, in turn, supplies manaaki to those regions through other means¹.

4.1.3. GOVERNANCE AND MANA WHAKAHAERE

HortNZ’s position is that it is preferable for Māori values to be incorporated within the policy frameworks of plans, rather than to be considered in isolation in every consent process. We support an active role for Mana Whakahaere and Tangata Whenua in plan making.

HortNZ and PVGA has had a positive experience working alongside Ngāti Te Ata, Ngāti Tamaho, Ngāti Tiipa, Tainui, Auckland and Waikato Council, MPI and MfE to develop a kawenata and vision and long-term plan for Pukekohe. This vision is: *Te Ora o te Wai: a healthy freshwater environment flowing within and from Pukekohe where its wellbeing is*

¹ [2023-06-28 - Statement of Evidence - Industry Leanne Roberts Final \(orc.govt.nz\)](#)

protected and enhanced while supplying fresh vegetables for the health and wellbeing of the peoples of Aotearoa/New Zealand.

The process to develop this kawenata involved a lengthy process of conversations. In this context there was an agreement about both the importance of improving water quality and achieving that in way that doesn't undermine New Zealand's supply of fresh vegetables. What is clear from this project is that achieving this vision is not simple, and part of the project is seeking investment in innovation is required to achieve this vision².

One of the largest frustration of growers is uncertainty in the consent process, and the role of iwi approvals, and inability for these approvals to be progressed. The reasons for approvals being slow or impossible is for a number of reasons sometimes for strongly held cultural or environmental reasons, in other cases its related to conservative decisions due to capacity and capability constraints, and in some cases its related to creating pressure to resolve rights and interests.

HortNZ is concerned that there is a large expectation on Manawhenua to fulfil statutory obligations and feed into consent processes, but little support by way of resource or funding to enable this. Iwi and hapū are under pressure to responsibly manage Treaty settlement claim on behalf of their membership, practice Kaitiakitanga and provide feedback and guidance to the wider community on environmental expectations. This is a large burden which inevitably leads to resourcing and commitment challenges. There is a need to ensure a fast-tracked process enables mana whenua to be able to discharge their duties as kaitiaki and support applicants to provide the information Manawhenua need to be able to assess a consent fairly.

For example, one grower under section 215 of the RMA over 5 years, because their replacement water consents cannot be approved by iwi. They have spent years of conversations and negotiations and including agreeing to conditions set with advisors to iwi, but ultimately agreement within iwi cannot be progressed, and the consent cannot be granted.

In another case, a grower also operating under 215 of the RMA seeks a renewal that provides for crop survival water. The crop is vegetables for domestic supply, irrigated by a surface water depleting take. Iwi referred to the hierarchy of obligations, to reject this proposal, even though the impact of taking crop survival water in this case would have minimal impacts on the health of water, and not taking it creates risks to the resilience of the supply of fresh vegetables for New Zealanders with consequential health risks.

4.2. The hierarchy of obligations

From HortNZ position, we think the TMOTW concept must be viewed in an integrated way, rather than a strict binary hierarchy. We consider that Te Mana o Te Wai is achieved when all three elements of the hierarchy are in balance, achieving the balance is guided by the six principles. Fundamental to Te Mana o te Wai is understanding the relationship between the environment and people is inextricably linked. Communities are dependant on the environment and the environment is reliant on communities to keep it in a state that ensures it can continue to sustain people. An imbalance occurs when only one of these is considered and provided for without consideration of the other.

² Te Tautara - Pukekohe ICMP project HortNZ has been an active member of, with iwi, growers, local government and MfE (ICMP and Jobs for Nature funding)

The first hierarchy creates the limit of resources that are available to be used, this could be expressed as a load of contaminants that can be assimilated by the receiving environment, or as the volume and timing of abstractions. The main issue with this concept has been how the first hierarchy is satisfied. In our view the minimum obligation to the first hierarchy is satisfied if:

- a) maintain is achieved, or
- b) in places below the bottom-line (and where an exception is not provided) water is improved to at least the bottom lines.

This interpretation is consistent with “maintain and improve” concept within the RMA. However, many councils/communities/iwis are interpreting the obligation to the health of water to mean they must keep improving quality and flow regimes beyond these minimums without regard to the other matters. This undermines rather than supports sustainable management.

Another issue with limits set at the first hierarchy, is the degree to which the bottom lines are achievable. In HortNZ’s submission on the NPSFM we pointed out there are many catchments in NZ where it very likely impossible for bottom lines to be achieved with controls only on abstractions and discharges, this includes many urban streams, it also relates to some areas important for vegetable growing, where achieving bottom lines – depending on how limits were set – may threaten the supply of fresh vegetable for NZ.³ There also needs to be a spatial lens to the interpretation of Te Mana o te Wai. The NPSFM sets the default size of limit setting at the FMU, but contemplates outcomes and limits at a finer resolution, for example of support significant values, and at a national scale – as indicated in the principle of care and respect, and supporting justifications for the hydropower, and the now quashed SVGA, where bottom lines were set at maintain, to ensure nationally important second hierarchy values were not compromised. However, the concept is being interpreted in a very literal way, with a small spatial and temporal scale – which is limiting for flexibility and practicality. For example, in PC1 WRC concern about “localised effects” which HortNZ experts considers were best managed in FWFP, has prevented Council for recommending crop rotation be provided for at the FMU level.⁴

In our view human health in second hierarchy is not limited instream values such as drinking water or swimming, but also to resources uses and discharges associated with those. We have made some progress with our arguments that domestic food production is in the second hierarchy and have relied on the Care and Respect and Manaakitanga principles for that.

Importantly HortNZ does not believe that being in the second hierarchy reduces the responsibility for second hierarchy activities to reduce and manage their environmental effects. For vegetable production we support robust GMP and BMPO requirements and accepting in some catchments is may be appropriate for there to be less vegetable growing to support the achievement of freshwater outcomes, provided vegetable production could be provided for elsewhere. For municipal supplies, we do not think that being in the second hierarchy should reduce their contribution to the costs of providing water storage to meet future demand. However, for second hierarchy activities it is fundamental that the mitigations are achievable. One recent example in the Waikato is the consenting of vegetable wash water from a packhouse that in carrying soil from paddocks

³ Agchain 2023 Sensitivity Of Domestic Food Supply To Loss In Vegetable

⁴ WRC closing legal submissions on PC1, para 6.14

contains sediment and residual N and P. Despite this activity being discharges associated with fresh vegetables for domestic consumption, council deemed to be a third priority 'use' and required to achieve 'betterment' in terms of the existing water quality of the receiving stream, this is unachievable for the consent holder.

The third hierarchy is where most resource use is managed. This includes most primary sector food production, which is largely for export, and therefore its value associated with these activities primarily social, cultural and economic

4.3. Mana o te Wai and in Planning

While we are aware the hierarchy of obligations contained in TMotW has been a factor in resource consent decision making since gazettal of the NPSFM in 2020, the relevance will more particularly be expressed through implementation of Freshwater Planning Instruments currently being developed around the regions. Through these instruments, resource limits and allocation decisions are being made based on regional interpretations of TMotW and how the hierarchy of obligations should be applied.

In the Bay of Plenty⁵ for example, the Regional Council has expressed to the former Minister for the Environment that vegetable production for domestic consumption arguably fits within the second priority (providing for human health needs) under the Te Mana o te Wai hierarchy of obligations, as well as the third priorities (social, economic, and cultural well-being).

In other regions (e.g. Northland, Auckland, Horizons) domestic food supply, more broadly, has been expressed as a regional value in draft Freshwater Planning Instruments, but not in the context of fitting within the second priority of the hierarchy of obligations. For the Auckland and Horizons regions this has been particularly concerning given these areas formally contained the now quashed Clause 3.33 and Appendix 5 of the NPSFM 2020 - commonly referred to as the Specified Vegetable Growing Areas.

In other regions (e.g. Otago, Canterbury) the value of domestic food supply is yet to be clarified through the developing Freshwater Planning Instruments. However, Kai Tahu have expressed a clear position that the second priority is one relating only to activities of immersion and ingestion of freshwater.

With the NPSFM review more generally, our main areas of interest are: the lack of balance in the way TMotW hierarchy is being interpreted, resource use values (i.e. food production and enabling fruit and vegetables and including values related to discharges), a more honest process for setting values, outcome and limit setting where trade-offs are considered, the quashed Specified Vegetable Growing Areas policy and the need for policy support to enable an NES vegetables and the spatial scale of limits and outcomes.

No Freshwater Planning Committee nor Court has provided a clear decision on the hierarchy of obligations relative to domestic food supply. Some have avoided the decision (i.e. TANK). However, we believe that without changes, the hierarchy of obligations will be embedded in resource limit and allocation decisions in freshwater quantity and quality that will impact on future consenting.

⁵ Attached as Appendix 1 - BoPRC reply to Minsiter Parker 3 May 2023

For example, in a situation of overallocation and when considering reductions in actual resource use, a plan might prioritise reductions for all uses that are within the regionally determined third priority in the hierarchy of obligations.

Furthermore, in the context of managing freshwater on maintain and improve principles, everywhere, in all circumstances, by all activities⁶, there is no practical ability to add weighting to important values (like domestic food supply) or consider proportionality. This is already having a particular adverse outcome for horticultural production systems at a plan change level and in consenting.

For example, in the Canterbury Region, commercial vegetable production now has a bespoke consenting pathway to authorise (with conditions) the use of land and discharges associated with this nationally significant food production system. However, the regional area of commercial vegetable production is limited to a baseline period (2009-2013). Any proposal to exceed the baseline, and the lawful nitrogen loss rate applicable to the proposed location, is unlikely to be granted consent. In effect commercial vegetable production is now constrained to an historical footprint despite clear evidence of food production values and contaminant discharge proportionality.

In the Waikato Region, a similar land-based resource use limit is developing through the Plan Change 1 process. This would also effectivity lock commercial vegetable production into historical footprints with marginal areas for expansion. Again, there is a lack of recognition of food production values and contaminant discharge proportionality.

The hierarchy of obligations contained in TMotW and embedded as the single objective of the NPSFM 2020 drives these outcomes.

We have not seen the interpretation of TMotW, and the hierarchy of obligations applied in a manner that integrates with other planning instruments. The NPSHPL 2022 applies particular protections for Highly Productive Land (and supporting activities) for use in land-based primary production. Regional councils and territorial authorities must identify and manage the effects of subdivision, use, and development of highly productive land, in an integrated way, which means considering how land-based primary production, including supporting activities, interact with freshwater management at a catchment level⁷. That interaction consideration should extend to water quantity and quality inputs and outputs for land-based primary production and a priority to highly productive land to enable the productive capacity (for food production) anticipated. This has not been expressed in a freshwater planning instrument to date other than as a s42a

recommendation in the proposed Otago Regional Policy Statement⁸. Concerning is a potential drift away from established provisions in developing freshwater plans for root-stock survival water being water provided for the survival of permanent horticultural crops intended for human consumption. This is an established allocation in many plans (e.g. Northland, Auckland, Gisborne, Tasman). In other areas Frost Protection Water is also a specific allocation. These provisions recognise the food production value associated with

⁶ Policy 5 NPSFM 2020 [National-Policy-Statement-for-Freshwater-Management-2020.pdf \(environment.govt.nz\)](https://www.environment.govt.nz/nps/national-policy-statement-for-freshwater-management-2020.pdf)

⁷ NPS HPL 3.2 - Integrated Management [National Policy Statement For Highly Productive Land 2022 \(environment.govt.nz\)](https://www.environment.govt.nz/nps/national-policy-statement-for-highly-productive-land-2022)

⁸ [Section 42A Hearing Report \(orc.govt.nz\)](https://www.orc.govt.nz/section-42a-hearing-report)

key horticultural crops. In the hierarchy of obligations contained in TMotW, root-stock survival and frost protection water have no clear priority over any other end use of water and this is a significant threat to the horticultural sector.

4.4. Recommendations for how Te Mana o te Wai could operate in consenting

In our view most of the activities that would be eligible for fast-track consents would align to the first or second hierarchy.

Fast tacking consents are a form of priority, and we think this is appropriate for eligible activities that align to the first of second hierarchy to be prioritised through the fast track. These projects should still be subject to consent conditions that manage their environmental effects and including reverse sensitivity effects on other activities and including on private property rights.

There may be some activities that are within the second hierarchy that do not align with eligible activities in the Fast-Track Act, for example land use for commercial vegetable production, where HortNZ seeks a NES.

It is our view, that activities that are within the second hierarchy should be progressed either via the fast track or as permitted or controlled activities. For activities within the second hierarchy, we think there should generally be progressed on a non-notified basis and not be subject to sign-off from tangata whenua.

For activities that are in the third hierarchy we anticipate a range of activity status, from permitted to prohibited. We consider for discretionary and non-complying activities consideration of the Te Mana o te Wai is appropriate as is seeking cultural impact assessments.

4.5. Defining basic human health needs

One issue that we have seen rise in various plan processes across the country is the rigidity in the hierarchy system and the lack of clear understanding about what constitutes a human health need. The priorities hierarchy is helpful for brining awareness to what needs to be considered as part of sustainable management of freshwater resources. However, it would be helpful to have clarity on what is needed to support human health needs as a baseline to support consistent policy implementation across the board.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the World Health organisation (WHO) outline the following as the basic human health needs:

We frequently associate the right to health with access to health care and the building of hospitals. This is correct, but the right to health extends further. It includes a wide range of factors that can help us lead a healthy life. The Committee on Economic, Social and Cultural Rights, the body responsible for monitoring the International Covenant on Economic, Social and Cultural Rights,⁹ calls these the “underlying determinants of health”

- Safe drinking water and adequate sanitation
- Safe food

⁹ The Covenant was adopted by the United Nations General Assembly in its resolution 2200A (XXI) of 16 December 1966. It entered into force in 1976 and by 1 December 2007 had been ratified by 157 States.

- Adequate nutrition and housing
- Healthy working and environmental conditions
- Health related education and information
- Gender equality ¹⁰

This is a useful list of internationally accepted basic human health needs. The list is broader than where a consent may need to be focused, however, at best it provides an agreed set of criteria that should be considered as fundamental to human health needs when making plans. It provides a clear distinction which would be useful to apply to any hierarchy about what are the basic requirements a population needs to live and should be considered when allocation a resource such as freshwater to ensure human health needs are met.

It is important to also consider how an activity supports the domestic health needs of the population. In some instances certain areas of New Zealand are hubs of production that support access to healthy fresh produce for human consumption in other parts of the country.

¹⁰ <https://www.ohchr.org/sites/default/files/Documents/Publications/Factsheet31.pdf>

Submission on Fast track consent bill

Without limiting the generality of the above, HortNZ seeks the following decisions on the bill, 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
<p>New Definition:</p> <p>Resource Use to Support the health of the nation</p>	<p>One of the areas that has needed more legislative support is of activities might be included within the Second hierarchy of Te Mana o te Wai. HortNZ position is that the second hierarchy if Te Mana o te Wai includes resource essential for human health.</p> <p>In our view it is important to create clear boundaries around the type of projects that are appropriate to use the fast-track otherwise the legislation could circumvent the usual consenting process and be difficult for local and district council planning frameworks to account for.</p>	<p>Resource Use to Support Human Health</p> <p>Activities that support the following activities are considered to support human health:</p> <ul style="list-style-type: none"> • Drinking water • Fresh fruits and vegetables • Housing, • Wastewater and stormwater • Energy <p>Flood protection</p>

	<p>While in the RMA the national significance test emphasises the crowns obligations and functions, the private sector has an important role to play in supporting the health of the nation, and private projects that serve this purpose should be eligible</p>	
<p>Purpose</p>	<p>The purpose within the NBA is very narrow related to consenting eligible projects. In a stand-alone Act, we consider a more meaningful purpose is required, so that the type of the projects that can use the fast track can be accounted for in Regional and District Planning frameworks, and there is purposeful distinction between the type of projects that are desirable to consent through the fast track, compared with consenting via the usual process..</p> <p>All projects should either align to health, climate change adaptation or climate change mitigation and all projects should support the economy, although some may only have local scale economic benefits.</p>	<p>The purpose of this Act is to provide an alternative consenting process (the fast-track consenting process) for applications that use natural resources to support the health of the nation, climate change mitigation or climate change adaption, and support local and regional economies. Applications for the fast-track are either:</p> <p>4.5.1.1.</p> <p>4.5.1.2.(a) applications for resource consents for an eligible activity:</p> <p>4.5.1.3.(b) notices of requirement for, or to alter, designations for an eligible activity.</p>

4.5.1.4. Activities eligible for fast-track consenting process

In this subpart, -eligible activity means any activity that is, or is ancillary to, 1 or more of the following:

Communications

4.5.1.5. (a)

a broadcasting facility:

4.5.1.6. (b)

a telecommunications network:

Energy

4.5.1.7. (c)

an electricity or gas distribution or an electricity transmission network:

4.5.1.8. (d)

a renewal of a consent for renewable energy generation (including hydro-electricity):

4.5.1.9. (e)

wind or solar energy generation:

Housing

4.5.1.10. (f)

a housing development:

Transport

4.5.1.11. (g)

an airport operated by an airport authority as defined in section 2(1) of the Airport Authorities Act 1966, including any airport-related navigation infrastructure:

4.5.1.12. (h)

a port, **including inland ports**, operated by a port company (as defined in section 2(1) of the Port Companies Act 1988):

4.5.1.13. (i)

the New Zealand rail network (including light rail, local rail, and the inter-island ferry facilities):

4.5.1.14. (j)

the State highway network, local roads, or rapid transit services:

Water

4.5.1.15. (k)

flood control and protection, including drainage:

4.5.1.16. (l)

the distribution or treatment of water, wastewater, or stormwater:

(m)

		<p><u>Water storage, augmentation, recharge and distribution for the purpose of irrigation.</u></p> <p>Other central, local government, or private assets</p> <p>4.5.1.17. (n) corrections facilities (including rehabilitation and reintegration services):</p> <p>4.5.1.18. (o) defence facilities operated by the New Zealand Defence Force:</p> <p>4.5.1.19. (p) educational facilities:</p> <p>4.5.1.20. (q) fire and emergency services facilities:</p> <p>4.5.1.21. (r) health facilities.</p> <p><u>(s)</u></p> <p><u>Facilities and infrastructure that support the supply of fresh fruit and vegetables.</u></p>
Named projects	These projects have designs and significant science and assessment. They have multiple benefits for climate	<ul style="list-style-type: none"> • Waipaoa water storage and groundwater augmentation and

change adaption, food supply, climate mitigation.

- water distribution for irrigation and stream flow enhancement
- Heretaunga Plains water storage and groundwater augmentation and water distribution for irrigation and stream flow enhancement