



Submission: Managing our wetlands in the coastal marine area

1. Te Kokiringa Taumata | New Zealand Planning Institute (NZPI) welcomes the opportunity to respond to the consultation Ministry for the Environment (MfE) is undertaking on options to retain or amend the application of the National Environmental Standards for Freshwater (NES-F) to the coastal marine area (CMA). This is an issue NZPI addressed in its recent submission on changes to the NES-F and National Policy Statement for Freshwater Management (NPS-FM) (8 July submission). In that submission we supported the exclusion of wetlands in the CMA from the ambit of the NES-F. We are encouraged to see that MfE acknowledges the issues raised and that the preferred option put forward by MfE to exclude wetlands in the CMA from the NES-F is one of the options NZPI recommended in its submission.

2. The MfE consultation includes five questions, which we respond to below.

Do you agree that the current application of the NES-F to the CMA requires amendments?

3. Yes, we do agree with this. As stated in paragraphs 6 of our 8 July submission, there are significant implementation issues with the NES-F applying to wetlands within the CMA, particularly when the NPS-FM does not apply to wetlands within the CMA.

Do you agree with the proposal to amend the NES-F wetland provisions to no longer apply to the CMA?

4. Yes, we do agree with this. The reasons we consider that wetlands within the CMA should be excluded from the NES-F are summarised in paragraph 7 of our 8 July submission, and are repeated below for completeness:
 - a) No rationale has been provided for the inclusion of coastal wetlands in the NES-F
 - b) There is considerable uncertainty regarding how to delineate coastal wetlands
 - c) Coastal wetlands require a different management regime to inland wetlands
 - d) Including wetlands within the CMA in the NES-F is imposing unnecessary costs on Councils and applicants for coastal activities
 - e) The NES-F is inconsistent with the New Zealand Coastal Policy Statement and other national direction.

5. NZPI considers that it is most appropriate for regional coastal plans to continue to manage wetlands in the CMA, until such time as there is a bespoke framework in place that can specifically manage wetlands in the CMA.

Do you think the wording changes proposed in the preferred option make it clear that the NES-F would no longer apply in the CMA?

6. Yes, we do think the preferred option makes this clear. This is an option NZPI put forward in its 8 July submission. By removing the term 'natural wetland' and replacing it with the term 'natural inland wetland', wetlands within the CMA are clearly excluded. This is because the definition of 'natural inland wetland' explicitly excludes wetlands within the CMA.
7. As stated in paragraph 9(b) of our 8 July submission, there is a consequential amendment required to ensure the change to 'natural inland wetland' is as clear as possible. That is to

remove the definition of 'natural wetland' from the NES-F. It would cause confusion if there was a definition for a term that is not used in the NES-F.

Are there any reasons to prefer other options?

8. We do not consider that there are any reasons to consider other options, above what has been considered in the discussion document.

Is there any additional relevant information that you think the Ministry should consider?

9. We are not aware of any additional information that the Ministry should consider.

10. Thank you for the opportunity to provide feedback on this matter. We would be more than happy to further discuss anything in this submission.

Prepared for and on behalf of Te Kokiringa Taumata | New Zealand Planning Institute by David Curtis, CEO, Te Kokiringa Taumata | New Zealand Planning Institute.

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