

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Phill Reid – Planning Manager – Auckland-wide

**FROM** Alison Stilwell - Senior Policy Planner

**DATE** 03 December 2020

**SUBJECT** **Annotation to include an objective for fish passage, and a policy for natural inland wetlands and for rivers, required by the National Policy Statement for Freshwater Management 2020.**



This memorandum requests an update to Auckland Unitary Plan Operative in part

<b>Reason for update:</b> To add the objective relating to fish passage and policy for natural inland wetlands and for rivers required to be inserted into regional plans, (under s55 and without a schedule 1 process) under the National Policy Statement for Freshwater Management 2020.	
<b>Chapter</b>	Chapter E: Auckland-wide
<b>Section</b>	<ul style="list-style-type: none"> <li>• E3 Lakes, rivers, streams and wetlands             <ul style="list-style-type: none"> <li>○ E3.2 Objectives and E3.3 Policies</li> </ul> </li> </ul>
<b>Changes to text (shown in underline and strikethrough)</b>	Refer to <b>Attachment A.</b>
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	N/A
<b>Attachments</b>	<b>Attachment A:</b> Annotations to the AUP for 'Resource Management (National Policy Statement for Freshwater) Regulations 2020'

<b>Prepared by:</b> Alison Stilwell Senior Policy Planner	<b>Text Entered by:</b> Sophia Coulter Planning Technician
<b>Signature:</b> 	<b>Signature:</b> 
<b>Reviewed by:</b> Alison Stilwell Senior Policy Planner	<b>Signed off by:</b> Phill Reid Manager Planning – Auckland-wide
<b>Signature:</b> 	<b>Signature:</b> 

**Attachment A:** Annotations to the AUP for ‘Resource Management (National Policy Statement for Freshwater) Regulations 2020’

## **AUP annotation to give effect to directives of NPSFM 20 (take effect from 3 September) and required to be included in regional plans**

### **E3 Lakes, rivers, streams and wetlands**

#### **E3.2 Objectives [rp]**

Following objective (6);

*(6) Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.*

**Add**

#### ***National Policy Statement for Freshwater Management 2020***

The National Policy Statement for Freshwater Management 2020 requires the following objective to be inserted into regional plans under section 55 of the Resource Management Act 1991 without using the process in schedule 1 in the Resource Management Act 1991.

#### **Objective**

##### ***Fish passage***

*(7) The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.*

#### **E3.3. Policies [rp]**

Following policy (16)

*(16) Protect land alongside streams for public access through the use of esplanade reserves and esplanade strips, marginal strips, drainage reserves, easements or covenants where appropriate and for water quality, ecological and landscape protection purposes.*

**Add**

#### ***National Policy Statement for Freshwater Management 2020***

The National Policy Statement for Freshwater Management 2020 requires the following policies to be inserted into regional plans under section 55 of the Resource Management Act 1991 without using the process in schedule 1 in the Resource Management Act 1991.

#### **Policies**

##### ***Natural inland wetlands***

*(17) The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:*

(a) the loss of extent or values arises from any of the following:

- (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori
- (ii) restoration activities
- (iii) scientific research
- (iv) the sustainable harvest of sphagnum moss
- (v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
- (vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)
- (vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or

(b) the regional council is satisfied that:

- (i) the activity is necessary for the construction or upgrade of specified infrastructure; and
- (ii) the specified infrastructure will provide significant national or regional benefits; and
- (iii) there is a functional need for the specified infrastructure in that location; and
- (iv) the effects of the activity are managed through applying the effects management hierarchy.

### **Rivers**

(18) The loss of river extent and values is avoided, unless the council is satisfied:

- (a) that there is a functional need for the activity in that location; and
- (b) the effects of the activity are managed by applying the effects management hierarchy.