Interim Regulatory Impact Statement: Simplifying the fish passage regulations in the NES-F

Coversheet

Purpose of Document	
Decision sought:	*This interim analysis is to support the release of a public discussion document on freshwater national direction amendments relating to fish passage regulations in the National Environmental Standards for Freshwater*
Advising agencies:	*Ministry for the Environment (MFE)* *Ministry for Primary Industries (MPI)* *Department of Conservation (DOC)*
Proposing Ministers:	*Minister Responsible for RMA Reform* *Minister of Agriculture* *Minister for Conservation* *Associate Minister for the Environment*
Date finalised:	*12 March 2025*

Problem Definition

The placement, use, alteration, extension, or construction of specific structures in, on, over, or under the bed of any river or connected area are subject to the National Environmental Standards for Freshwater (NES-F) and related policies in the National Policy Statement for Freshwater Management (NPS-FM). However, these could be simplified to make implementation easier, reducing the burden on councils and land users while maintaining the policy objective to improve management of fish barriers.

In particular, we have heard that the information requirements, which apply to all instream structures constructed after 2 September 2020, are burdensome. Further, the permitted activity conditions for culverts are difficult to meet, particularly for temporary culverts.

Executive Summary

The changes proposed in this interim RIS form part of 'phase two' of the reform of the resource management system, which will make targeted changes to the existing system to address the most pressing issues. This includes amendments to the 2020 NPS-FM and supporting NES-F.

The options outlined in this interim RIS have benefited from initial targeted engagement with stakeholders (council representatives, industry representatives, and environmental non-government organisations (eNGOs)) and iwi/Māori. This RIS is intended to support Cabinet decisions on which proposals should be progressed to consultation. Further information is needed to inform final option development and cost-benefit analyses, which we intend to seek during public engagement.

The following Government priorities are relevant to these options:

- Reforming the resource management system, including making targeted legislative amendments by the end of 2025
- Replace the National Policy Statement for Freshwater Management 2020 and the National Environmental Standards for Freshwater to better reflect the interests of all

water users

- Deliver actions to cut red tape and supercharge the rural economy, including replacing one-size-fits-all rules with local decision-making

The NPS-FM and NES-F, collectively called the freshwater regulations, came into effect on 3 September 2020. Prior to their introduction, knowledge of in-stream structures was limited and the degree to which they presented a barrier to migratory freshwater fish was only estimated. The information collected and standards required of these structures varied between regional councils.

Information requirements

The NPS-FM requires regional councils to obtain information on the design and performance of instream structures, such as weirs, culverts, and dams, in relation to fish passage. These structures can delay or prevent fish movement, impacting their access to critical or otherwise suitable habitats.

The NES-F sets out what information should be provided to regional councils when building, maintaining or (in some cases) using an instream structure. The information requirements apply even when an activity is permitted (consent is not required) – in which case the information must be supplied to the regional council within 20 days of construction.[1]

Knowing where instream structures are, and the extent to which they impact fish passage, aids management of fish stocks, including those of recreational interest. The Government is seeking to simplify the information requirements for structures impacting the passage of fish. During targeted engagement, we have heard that the information requirements are creating unnecessary burden on councils (who collect the information and enforce compliance) and landowners/constructors (who must provide the information). We heard support for reducing the amount of information required, focusing on only what is necessary to identify whether a structure impedes fish passage.

The options explored are:

Status quo

- Retain the current information requirements set out in subpart 3 of the NES-F.

Option One – reduce and simplify information requirements (recommended option)

- Move repeated clauses which appear under each individual structure to r62 (information required for all structures).
- Remove clauses which are not critical in determining the likelihood of passage being impeded, such as the material that the structure is made of. Some of these may be useful towards the policy intent and we propose to encourage voluntary reporting of this information as part of best practice.

For example:

[1] The Fish Passage Assessment Tool (FPAT), developed by NIWA and DOC, aims to improve information available and make it freely accessible by anyone. The FPAT was designed to take 5 to 10 minutes to complete on a phone or tablet in the field (or from a desktop computer) and collects the same information as is required by the NES-F. All fields in the FPAT collect information which improves our understanding of fish passage barriers in New Zealand. The FPAT fields were, therefore, used as a basis for the 2020 NES-F information requirements.

- While the shape and/or material of a culvert can influence how quickly water moves through the structure, the length and diameter of the culvert are more critical to determining the likelihood that passage is impeded. Option One therefore proposes to remove culvert shape and material, as well as similar requirements for other structures.
- Some lower-priority information, such as the presence of wingwalls or screens, can be obtained through photos of the upstream and downstream perspectives of the structure. These photos are required by the regulations, and a field is provided in the FPAT.

  Appendix B presents the proposed changes to the information requirements, which we will seek feedback on during public engagement.

We expect that Option One will alleviate the burden on councils and land users while achieving similar environmental protection as under the status quo. We expect that this option will be supported by most groups.

Permitted activity pathways for instream structures

The NES-F sets out conditions for constructing culverts and weirs as a permitted activity. These conditions were based on best practice standards 2018 which were updated in 2024 (Franklin et al., 2024). We also heard of implementation issues from council representatives during targeted engagement, such as land users thinking that they could construct a culvert as a permitted activity where the culvert design was, in fact, non- complying. There is an opportunity to refine and update the permitted activity conditions for culverts to reflect updated best practice and improve implementation.

Further, the permitted activity conditions do not distinguish between a permanent and temporary structure. This may be causing an unnecessary consenting burden for land users and councils as temporary culverts, for example, are often necessary for works in riverbeds such as during gravel extraction.

It is worth noting for both of these issues, however, that constructing a culvert likely requires a resource consent under the Resource Management Act 1991 (RMA). Specifically, for works in a riverbed (section 13 of the Resource Management Act 1991 (RMA)) and diversion of water (s14 of RMA). While developing a national-level activity pathway is outside of the scope of this interim RIS, some councils are developing consenting pathways for temporary culverts ancillary to a broader activity, such as gravel extraction. Refining the permitted activity conditions or being more enabling of temporary structures within the NES-F may support more councils to take a similar approach.

The Government is seeking to refine the permitted activity conditions for culverts and is considering whether a separate pathway is necessary for temporary culverts/structures. The following options are explored:

Status quo

- Retain the current consenting requirements, including treating temporary structures as if the structure was permanent.

Option Two – simplify the permitted activity conditions for culverts in r70(2)

- Amend r70(2)(e) to better reflect updated best practice and provide for boxed culverts
- Remove conditions which will be satisfied by other conditions and don't need to be further demonstrated (e.g. water velocity).

Option Three – enabling temporary structures through regional plans

- Include proposals in Option Two.
- Add a clause to r6[2] to allow councils to be less stringent than the permitted activity conditions of the NES-F (ie r70 to 73) if the structure is temporary (≤60 days), ancillary to a consented activity, allows for the same fish passage up and down stream, and does not occur during periods critical to population success (e.g. peak īnanga migration and spawning).

Option Four – permitted activity pathway for temporary culverts in the NES-F

- Include proposals in Option Two.
- Add temporary structures to the permitted activity pathway for culverts in the NES-F (r70). We propose to test the following conditions during public consultation:
    - the culvert is in place for no more than 60 days.
    - the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert (ie r70(2)(a));
    - the culvert must be imbedded (ie r70(2)(e) incl. Option Two changes);
    - the culvert spans the minimum bank-full width (distance between top of the left and right banks of stream) or wetted width active channel, and
    - the activity does not occur in habitats or periods critical to population success (e.g. peak īnanga migration and spawning).
- Note – at this stage, we do not propose that this option override s13 (restriction on certain uses of beds of lakes and rivers) or s14 (restrictions relating to water) of the RMA. Land users would therefore require a resource consent for these activities, unless they are expressly allowed through a regional plan rule (per s13(1) and s14(3)(a)).

There is no recommended option at this stage due to the following outstanding questions which we intend to address through public consultation, specifically:

- Is there a need to enable temporary structures through the NES-F?
- Would this be best achieved through regional plans (ie Option Three) or a national-level activity pathway (Option Four), given that a resource consent may still be required under the RMA?
- Could these options have unintended impacts, including on land users, councils, or the environment?

The proposed options are not mutually exclusive, and feedback may indicate that a combination of options will be best – for example, when combined with simplified information requirements and simplifying the existing permitted activity conditions (Option Two), allowing councils to be less lenient (Option Three) may alleviate most of the consenting burden.

[2] regulation 6 currently states:

(1) A district rule, regional rule, or resource consent may be more stringent than these regulations.

(2) A district rule, regional rule, or resource consent may be more lenient than any of regulations 70 to 74 (culverts, weirs, and passive flap gates) if the rule is made, or the resource consent is granted, for the purpose of preventing the passage of fish in order to protect particular fish species, their life stages, or their habitats.

There is a risk that the proposed options could be perceived as weakening regulations. The policy intent of the fish passage regulations was supported by 90% of submissions in 2019 consultation. Councils and iwi (in particular) and industry representatives voiced support for the policy intent during targeted engagement in late 2024.

Limitations and Constraints on Analysis

- The development of this RIS has been subject to significant timeframe constraints.
- The options explored to address the policy problem were limited by the scope of change determined by Ministers.
- There is limited information available on how changes would impact current resource consent applications.
- There has been no opportunity for Treaty Partner engagement through option development, and very limited stakeholder testing.
- Many impacts and perspectives outlined in this RIS have been drawn from previous consultations on the NPS-FM and NES-F (2019/2020).
- Additional analysis of impacts will be obtained during consultation, including analysis of impacts on iwi rights and interests and wetlands of cultural significance.
- Feedback on these proposals is limited and is summarised in section 2. Targeted engagement on policy options was undertaken from November 2024 – February 2025. Public consultation will be important to ensure that stakeholder and iwi/Māori views are reflected in the development of policy options and recommendations in the final RIS.

This RIS reviews the proposed amendments in general terms as an environmental management technique – any specific wording changes to the NPS-FM and NES-F regulations will be developed following further consultation.

Responsible Managers

Nik Andic *Manager, Freshwater* *Ministry for the Environment* *11 March 2025*	*Claire McClintock* *Manager, Water Policy and Adaptive Farming* *Ministry for Primary Industries* *12 March 2025*

Quality Assurance (completed by QA panel)

Reviewing Agency:	*Ministry for the Environment Ministry for Primary industries*
Panel Assessment & Comment:	*A quality assurance panel with members from the Ministry for the Environment and the Ministry for Primary Industries has reviewed the interim Regulatory Impact Statement. The panel considers that it partially meets the Quality Assurance criteria. The interim RIS is clearly written, explains the objective well, and provides sufficient evidence for the problems and analysis of options under each, including their impacts. It is transparent about what information gaps will be filled from consultation.*

Section 1: Diagnosing the policy problem

What is the context behind the policy problem?

New Zealand's freshwater fish need access to habitats throughout the catchment

1. Around one third of New Zealand's native freshwater fish species need access to the sea. All freshwater fish, including whitebait, eels, trout, and salmon, as well as several of our instream invertebrates, frogs, shrimps and kōura, require access to, from, and within freshwater habitats to complete their lifecycle. These are often described as 'critical habitats' due to the vitally important role these habitats play in fish life cycles.

2. For example, adult īnanga (the most common of our whitebait species, Galaxias maculatus) lay eggs on bankside grasses in estuarine areas where the water is predominantly fresh, but with saltwater intrusions during high tide. Eggs develop on the riparian margins before being resubmerged weeks later when the larvae hatch from eggs and are carried out to sea where they grow to juveniles. After six months, these juveniles migrate back up into freshwater rivers and streams, as whitebait where they continue to grow into adults. The other whitebait species have a similar life cycle, but they migrate further inland, with some species, such as kōaro, going far up into alpine streams where they grow. Different species move varying distances at different times within waterways and between the sea and freshwater in relation to feeding, migrations and spawning to complete their lifecycles.

3. Preventing this movement means that the lifecycle can't be completed – if adults cannot move between fresh and coastal environments, or even within the catchment, the population will likely decline. Similarly, structures which make fish passage more difficult (though not impossible) require more energy to get past. International research has demonstrated that fish have finite energy reserves, so overcoming these obstacles can result in sublethal effects (e.g., slower growth rates (Williams et al., 2005)) or delayed mortality (Burnett et al., 2014; Roscoe et al., 2011).

4. As of 2017, 43% of New Zealand's indigenous freshwater fish species were classified as threatened with extinction, and 33% are at risk of becoming threatened (Statistics NZ, 2023). Further, 63% of indigenous freshwater fish populations were declining. DOC advises that more recent assessments (yet to be published) indicate that the status of some freshwater fish has declined further but others have improved. Instream fish passage barriers have been identified as a key threat to native fish. The need to improve fish passage management is crucial for improved conservation and security of our freshwater fish and fisheries.

Instream infrastructure can present a barrier to fish movement, but this can be mitigated

5. Instream infrastructure (such as culverts, weirs and dams) can delay or prevent fish movements, reducing the distribution and abundance of many of New Zealand's most iconic and valued freshwater species.

6. Disconnections between the water upstream and downstream of a structure can stop or slow down fish passage. This can be caused by culverts with a significant drop at the downstream end, extremely long structures, perched (undercut) structures, fast water flow through a structure, or weirs that are too high for fish to navigate. Fish can also be sucked into water intakes if they don't have suitable fish screens or are not designed to keep fish in the waterway.

7. Some fish species are more affected by instream structures than others. For example, inanga are weak swimmers, whereas kōaro whitebait and baby eels can climb wet surfaces very effectively.

8. Barriers can be more or less passable by fish, depending on the structure type, which direction the fish is moving in, and the climbing or swimming ability of the fish. For example, a fish moving downstream (i.e., from upper to lower catchment, with the flow of water) can be carried with the water over a weir, or through a fast-flowing culvert if the turbulence is not too great that it will cause damage. However, if the fish were moving upstream (i.e. from lower to upper catchment, against the flow of water) a weir or culvert may not be passable due to water velocities exceeding fish swimming speeds, a perch that native fish cannot navigate, or because a higher-than-average exertion of energy is required. Different freshwater species have different swimming abilities that result in different passage success within, over or through instream structures. When, as for whitebait species, it is the juveniles swimming upstream, this can impact population sizes in the future.

9. The design, installation, and maintenance of instream infrastructure can be done in a way which provides for fish passage. Fish passage friendly designs can have a higher upfront cost due to the materials used and work required, but there is evidence that these designs are more resilient to severe weather events (Gillespie et al. 2014; Franklin et al 2024).

The 2020 NPS-FM and NES-F aimed to improve fish passage, which requires knowing where barriers are

10. An important first step in managing impacts on fish migration is knowing where the barriers are (Franklin et al 2022; Franklin et al 2024). Even structures which, when built, do not impede fish passage may degrade over time or due to storm damage to the point where fish cannot pass or are impeded. It is, therefore, important to ensure ongoing maintenance of all instream structures in the long term.

11. Little information was available on the number or location of instream structures in New Zealand's waterways in 2019 when the NPS-FM and NES-F were developed. Rough estimates from DOC and NIWA suggested that at least 120,000 existed, and that up to half of these would present a barrier to fish passage. At that time, councils took varied approaches to surveying or recording instream structures, resulting in patchy to absent information.

12. Despite the 2020 NPS-FM requiring councils to maintain an inventory of instream structures, the legacy of previous approaches means that we still do not have a complete picture. The NES-F has required that all structures built since 3 September 2020 be reported to councils, supporting councils' ongoing efforts to build and maintain an inventory.

13. As information on structure location improves, the next priority is identifying which ones present a barrier to fish passage, and triaging mitigation/remediation efforts. A high proportion of New Zealand's known instream infrastructure hasn't been assessed for its effect on fish passage. Based on the available information, NIWA scientists estimate barrier density (i.e. infrastructure which presents a partial or complete barrier to fish passage) as 0.16 barriers/km (Franklin et al., 2022). The authors expect that this is an underestimation, due to lack of knowledge of instream structures on private land. While this is a fairly high estimate compared to barrier densities reported for other countries, the authors noted that the New Zealand data set captures smaller barriers that datasets of larger countries may not.

Tools and resources exist which support efforts to improve fish passage

14. The New Zealand Fish Passage Guidelines (the Guidelines) detail how to design, install, maintain, and remediate structures to enable fish passage. The Guidelines were initially published in 2018 by the National Institute for Water and Atmospheric Research (NIWA), Department of Conservation (DOC) and the New Zealand Fish Passage Advisory Group (FPAG) (Franklin et al., 2018). This version informed the 2020 NPS-FM and NES-F.

15. The Guidelines were updated in 2024 (Franklin et al., 2024) to reflect current best practices and improvements in our understanding of how to best provide for fish passage when constructing or remediating structures.

16. The FPAT is a free and simple way of submitting and viewing the information required by the NES-F fish passage regulations. Entering the information takes less than 10 minutes, and the most technical information – such as the width of river or number and size of barrels comprising the culvert – is relevant to whether a resource consent or DOC permit is required. More detail on the FPAT is provided in Appendix A.

17. As of 11 February 2025, approximately 155,000 instream structures have been identified in New Zealand's freshwater waterways within the Fish Passage Assessment Tool, though 64% of these structures have not yet been assessed for their impacts on fish passage. Based on this dataset, instream structures currently impede more than 210,000 km (49%) of our waterways.

18. The Barrier Assessment and Reporting Tool (BART) uses information from the FPAT to identify where remediation could be prioritised to improve habitat connectivity. Put simply, barriers (identified from FPAT database) cause 'breaks' in the habitat connectivity and the BART can identify stretches where the fewest remediations are needed to maximise habitat connectivity. For example, if a barrier existed near a point where three streams feed in.

The permitted activity conditions for culverts could be updated to reflect best practice

19. Culverts were the most common structure type in the FPAT in 2022 (22%) (Franklin et al., 2022) and can be built as a permitted activity if it can satisfy particular conditions, otherwise it is a discretionary activity. The conditions for the permitted activity pathway are based on best practice from the Guidelines which were updated in 2024.

20. Though not addressed in the updated Guidelines, temporary culverts are often ancillary to activities in riverbeds, eg enabling access for heavy machinery. The NES-F does not distinguish between temporary and permanent culverts, so all requirements apply to both.

Commercial gravel extraction is an example of an activity impacted by the lack of temporary vs permanent accommodation.

21. Gravels are an integral part of New Zealand's building and infrastructure industry, used in roading materials, foundations, concrete, etc. To keep costs and carbon emissions low, businesses aim to quarry and use gravels locally (i.e. within the region).

22. While gravels serve an important role in river systems (e.g., slowing water flow), gravel accumulation can, in some instances, increase flood risk following heavy rain. Regional councils are responsible for managing this flood risk and one of the preferred practices is to allow commercial gravel extraction as it reduces costs for the council and supplies an integral material for construction activities.

23. Aggregate quarries struggle to meet spikes in demand due to the lead in time for new consents and limitations placed on hours of operation or spatial extent (NZ Infrastructure

Commission, 2021). Aggregate supply shortages have been common for the last 20 years.

24. Further, many activities within the project require a consent – for example, placing a culvert to enable heavy machinery access to the gravel extraction site requires consents for works in the bed of a river, diversion of water and, if it does not conform with the conditions at r70(2) in the NES-F, for the construction and use of the culvert.

Key features and objectives of the regulations

The fish passage regulations were first introduced in the 2020 Essential Freshwater package

25. In June 2018, Cabinet approved the Essential Freshwater work programme to:

    a. stop further degradation of New Zealand's freshwater resources

    b. start making immediate improvements so that water quality is materially improving within five years

    c. reverse past damage to bring New Zealand's freshwater resources, waterways, and ecosystems to a healthy state within a generation.

26. The Essential Freshwater regulatory package was gazetted in August 2020. This package included:

    a. the National Policy Statement for Freshwater Management (NPS-FM) which regional councils are required to apply through their regional policy statements and plans

    b. the National Environmental Standards for Freshwater Management (NES-F) which regulates activities that pose risks to the health of freshwater and freshwater systems.

27. Overall, the fish passage regulations were intended to maintain or improve habitat connectivity for freshwater fish, particularly endemic migratory species, to their upstream and downstream habitats. These regulations include flexibility for local decision makers to identify which freshwater fish species (and relevant lifestages) are 'desirable'. This could, for example, include recreationally fished species such as trout or salmon.

28. As discussed above, knowing the location and number of potential barriers with a catchment is the first step to managing fish passage. Only a rough estimate of this information was available when the fish passage regulations were being developed.

29. The fish passage requirements of the NPS-FM aimed to encourage councils to:

    a. collect and maintain an inventory of existing (prior to 2 September 2020) and new (2 September 2020 onwards) instream infrastructure

    b. identify structures which could be remediated (replaced or modified) to be more enabling of fish passage for desirable species or less enabling of passage for undesirable species

    c. identify species (or life stages of species) for which passage should be provided, and where they occur within the catchment

    d. identify undesirable species for which passage should be prevented, and where their passage should be impeded within the catchment in order to manage adverse impacts on other species.

30. When planning works in relation to culverts, weirs, flap gates, dams or fords (built after 2 September 2020), regulations 61 to 68 of the NES-F require that certain information is provided to the regional council on:

    a. the design and location of structures in relation to the passage of fish

    b. whether the works are permitted

    c. whether the works require resource consent under the NES-F or a regional plan.

31. The NES-F also sets out design requirements for each type of instream infrastructure. Particular detail is provided for culverts and weirs (both have permitted and discretionary activity pathways) and passive flap gates (a non-complying activity). These design requirements are based on national fish passage guidance and were set to allow an opportunity for structure owners to have an easier pathway for approvals, than applying for a full resource consent. If they meet the minimum design criteria for weirs and culverts, they would provide unimpeded fish passage as long as they were installed and maintained per guidance.

32. Regional Councils are responsible for enforcing the NES-F fish passage regulations, regardless of whether the instream structure requires a resource consent, alongside responsibilities to control for environmental effects of activities under the RMA (1991).

The fish passage regulations received broad support during Essential Freshwater consultation (2019) and recent targeted engagement (2024)

33. The fish passage regulations received broad support during public consultation on the Essential Freshwater package (approx. 90% of submissions). Common themes raised in submissions were:

    a. General support that councils would be required to set objectives for fish and valued species.

    b. Remediation of existing structures is essential to improve fish passage, with a desire for this work to be undertaken quickly. Concerns around costs were raised by landowners and councils, however, due to the number of potential barriers requiring remediation.

    c. In general, iwi and hapū representatives and individuals opposed an exclusion of hydroelectricity from fish passage requirements; power companies and local government usually thought that there should be an exclusion.

    d. Providing fish passage for the foreseeable life of the structure is critical, and the monitoring and maintenance of the structures should be required to ensure this.

34. During targeted engagement in late 2024 with representatives from the primary sector, iwi/Māori, and local government, support was expressed for retaining the fish passage regulations in the next iteration of the NPS-FM and NES-F, though with amendments (discussed in subsequent sections).

There is overlap between the Freshwater Fisheries Regulations (1983) and the NES-F

35. Under Part 6 of the Freshwater Fisheries Regulations 1983 (FFR), DOC is responsible for managing fish passage in natural waterways. In short, these regulations require that:

a. culverts and fords may not be built in such a way as to impede (i.e., delay or prevent) fish passage

b. culverts and fords must be maintained to prevent barriers developing, unless they have been approved or exempted by DOC

c. apermit must be sought from the DOC Director General if the above cannot be satisfied, there is a reason for impeding passage at culvers and fords (e.g., to exclude undesirable species), or if a dam or diversion structure (incl. weir) is to be built

d. DOC may require that a 'fish facility' (structure or device to stope, permit, control, or enable the passage of fish or life stages as appropriate) is included in the instream structure, with conditions specified for design and performance

e. approval must be sought to make any structural change to a fish facility.

36. The information that should be provided to DOC under the FFR overlaps with some of the information required by the NES-F. Further, these regulations also apply to both temporary and permanent structures.

37. While all structures should provide and maintain fish passage, DOC's regulations focus on:

a. approving particular circumstances where passage should be prevented (e.g. preventing undesirable species moving into a native fish refuge which cannot compete with the undesirable species),

b. ensuring appropriate passage is provided at new dams and diversion structures where appropriate, as these structures have a large impact on the conservation of our freshwater fish.

The NES-Commercial Forestry (2023) includes activity pathways for permanent and temporary instream structures

38. The National Environmental Standards for Commercial Forestry (2023) (NES-CF) provide nationally consistent regulations to manage the environmental effects of commercial forestry, including carbon and plantation forests. The NES-CF manages eight core forestry activities, including the construction and use of river crossings.

39. The NES-CF includes permitted activity pathways for the construction and use of permanent and temporary instream structures. These pathways include a requirement to allow for fish passage. Regulation 7 of the NES-F says that the NES-F is subject to the NES-CF.

How is the status quo expected to develop if no action is taken?

Those planning to construct or alter instream infrastructure must provide particular information to the relevant regional council under the NES-F

40. The information requirements of the NES-F apply regardless of whether a resource consent is required to build the structure. This was intended to assist councils in developing and maintaining an inventory of potential barriers to fish passage and to aid management of instream structures across all structure owners. This information can be used to inform monitoring and maintenance of instream structures, as well as future policies and plans to protect and improve security of desirable fish species and their habitat connectivity.

41. The information requirements align with fields in the FPAT, providing a simple avenue for meeting reporting requirements. While guidance released alongside the 2020 NPS-FM and NES-F encouraged the use of the FPAT, councils are not required to use it. For example, Auckland Council has a paper/digital form to fill out; Bay of Plenty Regional Council currently encourages information on a permitted activity be reported through the FPAT but are developing their own web-application (the "Instream Structures (ISS) App").

42. A recent update to the FPAT has enabled data to be uploaded from other sources which is hoped to better enable councils and other organisations to provide their data to the national database, regardless of how the council prefers to receive the information. Prior to the FPAT, there was no national layer or database of instream structures that could be used to guide management decisions or monitor for impacts on fish passage.

The activity pathway conditions within the NES-F do not distinguish between temporary and permanent structures.

43. Culverts and weirs have permitted and discretionary activity pathways under the NES-F. Certain conditions must be met in order to access the permitted activity pathway for the placement, use, alteration, extension, or reconstruction of a culvert (r70(2)) or weir (r72(2)). If these conditions cannot be met, the activity is discretionary and requires a resource consent.

44. The permitted activity conditions are based on best practice standards developed in the 2018 version of the Guidelines and, if met, the structure is unlikely to impede fish passage. These structures are likely to be more resilient to storm events due to their ability to handle high flow rates (Gillespie et al., 2014).

45. Some activities require heavy machinery access to riverbeds, which is facilitated by a temporary culvert. The culvert diverts water and provides a dry surface for the machinery to cross on. Like any structure, a temporary culvert can delay or impede fish passage if poorly designed or installed but its effects will likely end once the structure is removed.

46. While there is no provision for greater lenience for temporary structures in the NES-F, some councils are working towards a simplified consenting process for temporary culverts. These temporary culverts are ancillary to a larger consented activity, such as river gravel extraction. It seems likely that this trend would continue under the status quo.

Building costs may be impacted by lack of commercial gravel supply

47. Between replacing ageing infrastructure and building new infrastructure as the population increases, New Zealand's need for basic materials, such as gravel, is expected to grow. Further, the Government plans to spend more than $68 billion on infrastructure projects between 2024 and 2029.[3]

48. A 2024 report by ME Consulting (prepared for the Aggregate and Quarrying Association (AQA)) predicts that the gap between demand and production will more than double in size by 2034 for Auckland alone. The report estimates the 2024 shortfall at 2.2 million tonnes, with projections suggesting this will increase to 4.6 to 10.2 million tonnes by 2034.

49. Regions with insufficient gravel supply are not necessarily limited by the availability of gravel, but by the inability of commercial extraction operations to respond to peaks in demand. This has been linked to the conditions placed on resource consents and long lead-in times for new consents (NZ Infrastructure Commission, 2021). The increased costs of obtaining gravel from neighbouring regions is passed on to

[3] Speech to The Post Infrastructure Panel Event | Beehive.govt.nz

consumers, inflating the cost to build, maintain, or repair roads and buildings.

Drivers for change

50. The Government has established its priorities for resource management, and is taking a phased approach to reforming the resource management system[4]

    a. **phase one**: repeal the Natural and Built Environment Act (NBA) and Spatial Planning Act (SPA) (completed in December 2023);

    b. **phase two**: targeted changes to the existing resource management system, to address the most pressing issues:

        i. **Fast-track Approvals Bill** – currently before the Environment Select Committee for their consideration

        ii. **two bills to amend the RMA and a package of national direction** – changes to the existing system that can address the most pressing issues in the short term.

    c. **phase three**: legislation to replace the RMA

51. The Government coalition agreements commit to replacing the NPS-FM and NES-F. In scope of the replacement of the NPS-FM are National Party policy plans to change rules for culverts.

52. The changes in this interim Regulatory Impact Statement (RIS) form part of 'phase two' of this approach and provide for targeted legislative amendments to national direction under the RMA. The changes deliver on the following Government priorities:

    a. Reforming the resource management system, including making targeted legislative amendments by the end of 2024

    b. Replace the National Policy Statement for Freshwater Management 2020 and the National Environmental Standards for Freshwater to better reflect the interests of all water users

    c. Deliver actions to cut red tape and supercharge the rural economy, including replacing one-size-fits-all rules with local decision-making

What is the policy problem or opportunity?

53. Refinements to the fish passage regulations are considered in line with the above Government priorities.

Onerous information requirements

54. Some councils and land users have expressed that the information requirements are too onerous, creating unnecessary burden on councils (who collect the information and enforce compliance) and landowners/constructors (who must provide the information).

55. The information requirements were intended to aid fish passage management of instream structures across all structure owners and to support councils in maintaining an inventory of instream structures, not to act as an enforcement tool. There is a risk that landowners may not report new structures on their property, or provide accurate information, for fear of having to redo the work as a discretionary activity.

56. There is an opportunity to simplify and clarify requirements and ease the application process for land users and councils, and make better use of existing tools (e.g., the

[4] RMA Reform Phase Three fact sheet.pdf

FPAT), while still ensuring provision of the information needed to achieve the policy intent.

57. During targeted engagement in late-2024, council staff and land users agreed that simplifying the information requirements would be useful, though expressed support for the underlying policy intent to assist councils in managing fish passage through catchments.

Permitted activity pathways for instream structures

58. The Guidelines provide best-practice standards for the design and restoration of instream structures to enable fish passage. The Guidelines were developed by NIWA in 2018 and informed the permitted activity conditions for culverts (r70) and weirs (r72) in the 2020 NES-F. The Guidelines were updated in 2024, including changes to culvert design which are expected to be easier to implement.

59. During targeted engagement with councils, we heard of landowners constructing a culvert as a permitted activity where the conditions are not met. The landowner must then rebuild the culvert or navigate a retrospective consent. There is an opportunity to refine and update the permitted activity conditions for culverts in r70 to reflect updated best practice, clarify the requirements, and improve implementation.

60. In response to the growing need for aggregates to support infrastructure projects, the AQA suggested ways to better enable commercial gravel extraction. Most suggestions are outside of the scope of this RIS (e.g., an NES for quarrying), but making it easier to use temporary culverts (in place for <60 days) is.

61. Temporary culverts are used to enable site access for heavy machinery within or across riverbeds – a critical need when extracting river gravel, undertaking other instream works, or accessing a forestry block across a waterway.

62. There is an opportunity to better enable temporary structures that are ancillary to a larger consented activity, while still actively protecting fish passage. It is important to note, however, that placing temporary structures usually requires additional consents under the RMA for working in a riverbed (s13) and diverting water (s14).

63. Some councils are working towards a simplified consenting process for quarrying river gravels. For example, Environment Canterbury (ECan) propose to implement a streamlined consent processes which accounts for gravel availability within rivers and aims to reduce consenting burden on businesses. This includes a permitted activity pathway for temporary culverts, but not for the diversion of water (an integral requirement when piping water).

64. We are also aware that ECan have gravel extraction activity pathways which limit temporary culvert placement to 28 days within a 12-month period, where AQA proposed a 60-day limit. Similarly, part of the NES-CF definition for temporary river crossings (which includes culverts) is that they are “in place for up to two months”.

65. Council and industry feedback during targeted engagement indicated support for enabling temporary culverts ancillary to other activities. It is unclear, however, whether this could be best enabled through a permitted activity pathway in the NES-F, or by allowing councils to be less stringent than the permitted activity conditions for temporary structures.

66. To better understand the policy problem, we intend use public consultation to test whether:

    a. Simplifying the information requirements and the existing permitted activity

conditions for culverts addresses the reported issue of consenting burden;

b. The most effective approach is a nationally consistent permitted activity for temporary culverts in the NES-F, or through regionally planning.

What objectives are sought in relation to the policy problem?

67. The policy proposals in this interim RIS are part of phase two of the reform of the resource management system which is guided by the following objectives:

    Making it easier to get things done by:

    a. unlocking development capacity for housing and business growth

    b. enabling delivery of high-quality infrastructure for the future, including doubling renewable energy

    c. enabling primary sector growth and development (including aquaculture, forestry, pastoral, horticulture, and mining);

    while also:

    a. safeguarding the environment and human health

    b. adapting to the effects of climate change and reducing the risks from natural hazards

    c. improving regulatory quality in the resource management system

    d. upholding Treaty of Waitangi settlements and other related arrangements [ECO-24-MIN-0022 refers]

68. The overarching objective of the proposals in this interim RIS is to reduce burden and simplify the consenting process for land users and councils. Specifically, these proposals aim to:

    a. only collect the information needed to achieve the policy intent

    b. simplify the application process for land users, particularly when the structure is temporary and ancillary to a larger consented activity.

Section 2: Deciding upon an option to address the policy problem

What criteria will be used to compare options to the status quo?

69. The criteria to assess policy proposals across the national direction package are detailed in the table below.

Criteria	Description
Effectiveness	• Does the option achieve the objectives? • Does it provide a solution to the identified problem?
Efficiency	• Is it providing enough flexibility to allow local circumstances to be adequately taken into account/addressed at the local level? • Is it cost-effective?
Alignment	• Does the option integrate well with other proposals and the wider statutory framework?
Implementation	• Is the option clear about what is required for implementation by local government/others and easily implemented?
Treaty of Waitangi	• Refer to the Interim Treaty Impact Analysis (prepared for the full freshwater policy package) attached (**Appendix C**)
Note the 'Description' column in this table has been updated 11 June 2025, after formatting resulted in the incorrect detail being included in the previous version published 29 May 2025.	

What scope will options be considered within?

70. The scope of this interim RIS is deliberately narrow, to deliver on the Government commitment to simplifying the existing freshwater regulations by mid-2025 as part of the integrated national direction work programme.

71. In March 2024, the Cabinet Economic Policy Committee (ECO) agreed that the second phase of resource management reform would include developing or amending national direction to unlock development and investment in infrastructure and primary industries while achieving good environmental outcomes [ECO-24-MIN-0022].

72. In June 2024, ECO agreed that the national direction work programme would be delivered as part of an integrated programme through three packages, one of which includes the primary sector by mid-2025 [ECO-24-MIN-0112 refers]. Freshwater national direction is part of the primary sector package.

73. In June 2024, Cabinet Economic Policy Committee (ECO) agreed that targeted engagement with key stakeholders and Māori should be undertaken ahead of final Cabinet decisions on proposals to be included in the national direction programme [ECO-24-MIN-0112].

74. On 29 October 2024, Cabinet agreed that the starting point for targeted engagement on replacing the NPS-FM should be the 2017 NPS-FM and that adjustments to the 2017 NPS-FM be explored for policies on fish passage (among other matters) that support the

NES-F [CAB-24-MIN-0413.01].

What options are being considered?

Information requirements

Status quo

- Retain the current information requirements set out in subpart 3 of the NES-F.

Option One – reduce and simplify information requirements (recommended option)

- Move repeated clauses which appear under each individual structure to r62 (information required for all structures).
- Remove clauses which are not critical in determining the likelihood of passage being impeded, such as the material that the structure is made of. Some of these may be useful towards the policy intent and we propose to encourage voluntary reporting of this information as part of best practice. For example:
    - While the shape and/or material of a culvert can influence how quickly water moves through the structure, the length and diameter of the culvert are more critical to determining the likelihood that passage is impeded. Option One therefore proposes to remove culvert shape and material, as well as similar requirements for other structures.
    - Some lower-priority information, such as the presence of wingwalls or screens, can be obtained through photos of the upstream and downstream perspectives of the structure. These photos are required by the regulations, and a field is provided in the FPAT.
- Appendix B presents the proposed changes to the information requirements, which we will seek feedback on during public engagement.

Permitted activity pathways for instream structures

Status quo

- Retain the current consenting requirements, including treating temporary structures as if the structure was permanent.

Option Two – simplify the permitted activity conditions for culverts in r70(2)

- Amend r70(2) (e) to better reflect updated best practice and provide for boxed culverts
- Remove conditions which will be satisfied by other conditions and don't need to be further demonstrated (e.g. water velocity).

Option Three – enabling temporary structures through regional plans

- Include proposals in Option Two.

  Add a clause to regulation 6[5] to allow councils to be less stringent than the regulations of the NES-F if the structure is temporary (≤60 days), ancillary to a consented activity, allows for the same fish passage up and down stream, and does not occur during periods critical to population success (e.g. peak īnanga migration and spawning).

Option Four – permitted activity pathway for temporary culverts in the NES-F

- Include proposals in Option Two.
- Add temporary structures to the permitted activity pathway for culverts in the NES-F (r70). We propose to test the following conditions during public consultation:
    - the culvert is in place for no more than 60 days
    - the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert (ie r70(2)(a))
    - the culvert must be embedded (ie r70(2)(e) incl. Option Two changes)
    - the culvert spans the minimum bank-full width (distance between top of the left and right banks of stream) or wetted width active channel
    - the activity does not occur during periods critical to population success (e.g. peak īnanga migration and spawning).
- Note – at this stage, we do not propose that this option override s13 (restriction on certain uses of beds of lakes and rivers) or s14 (restrictions relating to water) of the RMA. Land users would therefore require a resource consent for these activities, unless they are expressly allowed through a regional plan rule (per s13(1) and s14(3)(a)).
- Temporary culverts are in place for a short period of time and, due to their relationship to larger consented activities which require access to the riverbed, are unlikely to experience high flow events and consequently overflow or 'blow out'. Culvert width is therefore less crucial in temporary culverts. The intent behind r70(2)(d), to ensure adequate rates of waterflow, can be achieved by the culvert spanning either the minimum bank-full width or wetted width active channel. We do not expect this to be an issue for land users since the culvert is likely used to keep machinery out of the water.

Options considered out of scope

75. Apply information requirements only to activities which require consent, thus, requirements would only apply to passive flap gates (non-complying) and some culverts and weirs (discretionary).

76. Remove fish passage regulations from the NES-F and NPS-FM, leaving national direction on fish passage to the FFR and guidance within the 2024 Guidelines.

77. Create an activity pathway for activities within riverbeds which go beyond enabling ancillary, temporary instream structures. For example, a pathway for gravel extraction (which might include temporary culverts).

[2] regulation 6 currently states:

(1) A district rule, regional rule, or resource consent may be more stringent than these regulations.
(2) A district rule, regional rule, or resource consent may be more lenient than any of regulations 70 to 74 (culverts, weirs, and passive flap gates) if the rule is made, or the resource consent is granted, for the purpose of preventing the passage of fish in order to protect particular fish species, their life stages, or their habitats.

Reasons for judging out of scope

78. The 2020 regulations aimed to maintain or improve habitat connectivity for all freshwater fish, including access to critical habitats for migratory species. A database which captures all instream structures, regardless of the activity pathway used, is vital to achieving this policy intent. For example, storm damage can cause previously passable structures to become a barrier to fish passage, requiring remediation. The 2020 regulations, as well as options within scope, support councils in maintaining an inventory of structures.

79. The accessibility and connectivity of habitats is important to the survival and health of New Zealand's freshwater fish species, especially for migratory fish such as whitebait. Implementing either of the above options, and increasing habitat fragmentation, is likely to have poor environmental outcomes. Thus, the above options are unlikely to achieve the Government's commitment to making it easier to get things done while safeguarding environment and human health (see para 69).

80. Finally, we know from public consultation on the 2020 NPS-FM and NES-F that there is broad support across communities, iwi/Māori, councils, industry, and eNGOs for the protection of freshwater fish species and their habitat connectivity. This was echoed in targeted engagement in late-2024 with iwi/Māori, councils and industry. Councils and industry groups supported the proposed smaller small changes (e.g. simplifying the information requirements) to make the regulations more workable. We did not hear any indications that larger changes (such as those proposed above) are necessary or wanted.

How do the options compare to the status quo/ counterfactual?

Information requirements

	Status Quo	Option 1 – Simplify Information Requirements
Effectiveness	0	+ Less administrative input required by owner/builder of instream structure and council (ie. enforcement), similar level of environmental protection. Less data needs to be processed or stored by councils. Only data required to achieve policy intent is collected with minimal to no impact on benefits to the environment (relative to status quo)
Efficiency	0	++ Councils can require more information if relevant to the catchment. Costs are reduced for both owner/builder of instream structure and council. If using the FPAT, we expect that information can be input in less than ten minutes. We would expect the council-made apps to take a similar amount of time.
Alignment	0	++ Improved alignment with requirements in other national direction for activities with similar environmental effects.
Implementation	0	++ Readily implemented through FPAT/council equivalent. The FPAT is encouraged and maintained by MfE and DOC, and this option proposes to further encourage voluntary reporting of information removed from the NES-F. Councils already have material on what is required under status quo, so only minor changes need to be implemented.
Treaty of Waitangi	0	Refer to Treaty Impact Analysis (**Appendix C**).
Overall Assessment	0	++

Key for qualitative judgements	++ much better than doing nothing / the status quo / counterfactual	+ better than doing nothing / the status quo / counterfactual	**0** about the same as doing nothing / the status quo / counterfactual	- worse than doing nothing / the status quo / counterfactual	- - much worse than doing nothing / the status quo / counterfactual

Permitted activity pathways for instream structures

	Status Quo	Option Two – Simplify PA conditions in r70	Option Three – Allow Councils to be Less Stringent than the NES-F	Option Four – Permitted Activity Pathway
Effectiveness	0	+ Aims to improve usability and compliance Expected to be easier to meet the permitted activity criteria without increased risk to environment. Does not directly enable temporary structures but, in concert with Option One (simplifying information requirements), may reduce the barriers enough to address part of the problem. E.g. don't need to demonstrate continuity of geomorphic processes.	++ May result in simpler consenting process for temporary activities – degree of 'less stringent' will vary between councils. May best (of all options) allow for council to establish permitted activity pathways for the broader activity (ie gravel extraction, not just the temporary culvert), which would reduce consenting burden most effectively. i.e., it may be easier for councils to include provisions in a regional plan which negate the need for a resource consent to satisfy construction in a riverbed (s13) and take/diversion of water (s14)).	+ A potentially simpler consenting process, consistent across councils. Proposed conditions have fewer criteria than those for culverts under status quo or Option Two, so is expected to be easier to access. Operators will still need to obtain consent for works in bed of river (s13 RMA) and diverting water (s14 RMA), though this is likely necessary for broader consented activity too (ie gravel extraction, not just temporary culvert).
Efficiency	0	+ Fewer consents required for the most common instream structure type, reduced consenting burden for landowners/operators and councils. Similar flexibility for councils as under status quo, less flexibility than Option Three but more than Option Four.	++ Councils are enabled to identify risks specific to catchment/river network and manage these accordingly. For river gravel extraction, councils have flexibility to incentivise commercial collection in rivers/catchments with excess gravel while managing risks of environmental impacts relevant to that river system. Likely to reduce consent burden – degree depends on approach taken by regional council (ie greatest reduction if permitted activity for overall activity, rather than just for the temporary structure).	- A national-level activity pathway may not account for local conditions or priorities (i.e., could be under protective and impact the environment, or overprotective thereby adding unnecessary cost/effort). Unclear impact on consent burden – still need consents for broader works. Broader consented activity is likely to have similar timing restrictions placed on it (i.e. cannot occur during peak migration periods)
Alignment	0	0/+ Overall, alignment is much the same as under status quo. Aligns better with recent updates to the Guidelines.	+ Improves alignment with other NPS-FM regulations which provide for activities <u>but recognises that activity conditions</u> <u>are likely to be locally specific</u>. If assumption that this option better enables councils to create a permitted activity pathway for the broader activity, this option would best reduce consent burden for land users and councils relative to other options.	+ Improves alignment with other NPS-FM regulations which provide a pathway for activities such as gravel extraction. Reduces consent burden relative to Status Quo or Option Two.
Implementation	0	++ This option would apply upon gazettal of the NES-F. Likely requires minimal work to implement. Guidance is already available (the Guidelines) Changes also align with best practice for usability – e.g. an embedded culvert is less likely to form a perch/overhang; a perched culvert is not as stable to drive across.	+ This option would apply upon gazettal of NES-F *unless* an existing rule in the regional plan is more stringent (in which case, it would require a regional plan change to implement). This approach may allow councils more time/flexibility to consider implementation - e.g. prioritise identifying the degree of 'less stringent' in catchments/river segments where temporary activities are likely, such as gravel rich areas. Some councils are already working towards this (e.g. ECan) and others are likely to have an idea of how they might do it. The Guidelines provide best practice which councils can consider when developing regional plans, including for three different sizes/situations of culvert. DOC/NZFPAG have released guidance for installing temporary culverts (the temporary structure we are primarily aware of) which enable fish passage[5].	+ This option would apply upon gazettal of the NES-F *unless* an existing rule in the regional plan is more stringent. Likely requires minimal work to implement. DOC/NZFPAG have released guidance for installing temporary culverts which enable fish passage,[5] and there is updated guidance in the Guidelines that could support improved direction of installing temporary structures (though this is based on small streams). Temporary culverts would be ancillary to a broader activity, which will be subject to consent conditions, such as timing, location, etc.
Treaty of Waitangi	0	Refer to Treaty Impact Analysis (**Appendix C**).	Refer to Treaty Impact Analysis (**Appendix C**).	Refer to Treaty Impact Analysis (**Appendix C**).
Overall	0	+	+/++	+

Key for qualitative judgements	++ much better than doing nothing / the status quo / counterfactual	+ better than doing nothing / the status quo / counterfactual	0 about the same as doing nothing / the status quo / counterfactual	- worse than doing nothing / the status quo / counterfactual	- - much worse than doing nothing / the status quo / counterfactual

[5] Temporary culverts and fish passage; created by the New Zealand Fish Passage Advisory Group (NZFPAG) which is represented by multiple agencies managing fish passage and structure owners.

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

Information requirements

81. Option One (simplifying the information requirements) is the preferred option to improve the fish passage information requirements.

Effectiveness

82. The requirements that we propose to remove, or make optional, will have little impact on the policy intent (to maintain/improve fish passage). These changes are, however, expected to reduce the administrative input required by the owner of the instream structure, and reduce the burden on council consenting staff.

83. Most, if not all, data collected under the proposed changes will be readily used by councils. Councils will still receive the necessary information to assess whether a structure provides for the passage of desirable fish or prevents the passage of undesirable fish.

Efficiency

84. Reducing the information requirements will likely reduce costs, both for consent applicants and the councils, due to the simpler and more streamlined consenting process.

85. The catchment-level decision making (i.e. by the council, developed in collaboration with iwi, community members, and industry) is unlikely to be impacted by the proposed changes. Regional plans can require additional information for a catchment if it is needed to protect or maintain the community's values.

86. As under the status quo, encouraging and supporting the use of the FPAT helps to make the management of fish passage more effective and efficient for the various structure owners – who range from Crown Entities to individual landowners. The FPAT provides information on the status of structures up- and down-stream, which can aid decision making and management.

Alignment

87. Reducing the information requirements will have minimal impact on the policy intent, while improving alignment with other national direction.

Implementation

88. Implementation of the reduced information requirements is expected to be straightforward and simple since:

    a. the information requirements are unlikely to alter the policies that councils already have in place for fish passage, requiring only small edits to remove defunct questions

    b. for structures that don't require a consent, information can be provided through the FPAT which is easy to use, and councils, businesses, and communities are increasingly aware of

    c. many landowners and land users already have familiarity with the fish passage regulations.

89. Councils and land users already have familiarity with the FPAT. MfE, MPI and DOC would continue to encourage and support use of the FPAT, including voluntary reporting of information that isn't required by the NES-F but can be helpful for decision makers.

Permitted activity pathways for instream structures

90. This interim RIS is intended to inform decisions prior to the release of a discussion document. There is no preferred option at this stage for how to approach permitted activity pathways for instream structures. Feedback received through public consultation is expected to contribute to the final analysis and evidence base and will influence the final design of recommended options (for example, whether a pathway for temporary structures is necessary, and how best to achieve this).

91. Feedback will be critical to understanding the impact of the options on iwi/Māori, landowners, industry, and the environment. This will be important for assessing and refining these options and making final recommendations.

92. The proposed options are also not mutually exclusive, and feedback may indicate a combination of options will best – such as simplifying the existing culvert activity conditions (Option Two) and creating a temporary culvert permitted activity (Option Four).

What are the marginal costs and benefits of the option?

Information requirements

93. The proposed changes to the information requirements are expected to have no more than minor impacts, as the changes mostly relate to ease of implementation. Feedback received during public consultation may inform an estimate of monetised and non-monetised impacts for the final RIS.

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the preferred option compared to taking no action			
Environment	Existing and new structures will continue to impact on the accessibility of our waterways to our freshwater fish species.	Low	High
Regulated groups	Compliance costs remain. All in-stream structures will continue to be subject to the remaining information requirements.	Low	High
Regulators	Compliance costs remain. All in-stream structures will need to continue to be monitored and managed to adhere to the information requirements.	Low	High
Others (e.g., wider govt, consumers, etc.)	Ongoing monitoring to assess policy effectiveness of the new/amended regulations.	Low	Medium
Total monetised costs	Not perceived to be materially higher than under the status quo	Unknown	n/a
Non-monetised costs	Low level costs associated with policy changes.	Low	High
Additional benefits of the preferred option compared to taking no action			

Environment	Native species will continue to benefit from the improved understanding of in-stream structures providing for fish passage.	Low	Low
Regulated groups	There may be an increase in compliance/accurate information reporting.	High	Low
Regulators	Ongoing reduction of cost to collect and assess fish passage information.	Low	Medium
Others (e.g., wider govt, consumers, etc.)	Ongoing reduction of cost to meet the information requirements.	Low	Low
Total monetised benefits	Cost estimates are unknown but expected to be lower than under status quo.	Unknown	n/a
Non-monetised benefits	Simpler reporting may improve compliance. Less administrative effort required from councils.	Medium	Low

Permitted activity pathways for instream structures

94. As previously stated, there is no preferred option at this stage for how to approach this policy problem. A high-level, qualitative analysis is presented below which compares the Options Two through Four with the status quo. Public consultation will inform decisions and contribute to the final analysis and evidence base. The final RIS will focus on a preferred option and include further detail obtained during public consultation.

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the options compared to taking no action			
Environment	Temporary structures that are not enabling of fish passage will negatively impact on the accessibility of our waterways to our freshwater fish species, even if only for a short period of time. This is equally relevant to enforcement by councils – eased conditions for permitted activity (whether via Option 2 or Option 3) have a risk of poor outcomes	Medium	Low
Regulated groups	New conditions to navigate, though it is hoped that these will be simpler. Landowners who have already navigated existing activity conditions will have invested more resources than neighbours building under current conditions.	Low	High
Regulators	Any changes to consenting rules will require additional resource and time to educate staff and ratepayers about the changes.	Low	High

Others (e.g., wider govt, consumers, etc.)	Further production of guidance documents. Ongoing monitoring to assess policy effectiveness of the new/amended regulations.	Low	Medium
Total monetised costs	Monetised cost estimates are unknown but expected to be lower than under status quo overall. May be higher in the short term as regulations become imbedded.	Unknown	n/a
Non-monetised costs	Small risk of negative impacts to fish passage where compliance/enforcement fails.	Low	Medium
Additional benefits of the options compared to taking no action			
Environment	Native species will continue to benefit from the improvement of in-stream structures providing for fish passage.	High	Medium
Regulated groups	Overall, consenting burden is expected to ease for land users (ongoing) Activities reliant on temporary structures may have easier consenting pathway (Option 3 or Option 4)	High	High
Regulators	Ongoing reduction of cost for consenting requirements for instream structures.	Medium	Medium
Others (e.g., wider govt, consumers, etc.)	Improved health and abundance of freshwater fish (and other freshwater species, such as kōura) with flow on benefits to ecosystem health.	Medium	Medium
Total monetised benefits	Monetised benefits are unknown but expected to be higher than under status quo, overall, due to reduced consenting burden.	Unknown	n/a
Non-monetised benefits	Overall, no significant change from status quo is expected, as structures are already required to provide for fish passage, with benefits to environment and stakeholders.	Medium	Medium

Section 3: Delivering an option

How will the new arrangements be implemented?

95. All options considered (besides status quo) require an amendment to the NES-F. These changes would take immediate effect when gazetted unless otherwise provided for (e.g., through a commencement date in the future). National standards in the NES-F currently supersede regional council rules in plans unless they have more stringent rules, although under the RMA national standards could also allow regional council rules to be less stringent. Regional councils will be responsible for monitoring and enforcing these national standards. All options will include public notification and access to relevant documentation.
96. Local authorities with resource management responsibilities under section 30 of the RMA (e.g., regional councils and unitary authorities) will continue as the principal managers and enforcers for the fish passage regulations of the NES-F.
97. When introduced, MfE will support regional councils (including any unitary authority) and the industry sectors to implement the new regulations through the publication of updated guidance documents and advisory notes. For example, MfE, MPI and DOC will continue to encourage structure owners and councils to include information in the FPAT, including newly voluntary information (i.e., removed from the NES-F as part of Option One).

How will the new arrangements be monitored, evaluated, and reviewed?

98. Regional councils assess river health, including freshwater fish, as part of their state of the environment (SOE) monitoring, which is required under s35 of the RMA. We would expect councils to use this information to monitor the efficiency and effectiveness of their policies and rules per s35(2)(b).

99. As uptake and use of the FPAT continues to increase, it becomes easier to identify barriers to fish passage at the catchment scale. This aids decision making on which barriers to prioritise for remediation and makes ongoing management more efficient for councils, iwi/Māori, and other land users and stakeholders.

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Appendix A: Further information on the FPAT and the information requirements of the NES-F

The Fish Passage Assessment Tool (FPAT) was developed by the National Institute for Water and Atmospheric Research (NIWA) with support from the Department of Conservation (DOC) and members of the New Zealand Fish Passage Advisory Group (NZFPAG), that represent many organisations and groups involved in fish passage management in New Zealand. The initial development of the FPAT was funded by MBIE through an Envirolink contract and supported with funds from the European Commission through the Marie Sklodowska-Curie action, "Knowledge Exchange for Efficient Passage of Fish in the Southern Hemisphere" (RISE-2015-690857-KEEPFISH). The ongoing upkeep of the tool is funded by the Ministry for the Environment (MfE).

The tool was developed to identify, assess and record existing instream structures and potential barriers to fish passage. Based on the information provided, the tool assesses the likely impact of an in-stream structure (e.g. culvert, weir, or ford) on fish movements along a waterway. There are compulsory and supplementary fields when filling out the survey:

- **compulsory fields** provide specific data to aid assessment of risk to fish passage, such as fall height, width of stream, or structure type.
- **supplementary fields**, such as the material that the structure is made of and structure owner, are helpful when considering future remediation options, maintenance and monitoring requirements.

The FPAT survey takes approximately 10 minutes to complete, depending on the complexity of the structure. It provides a free and simple way of recording, reviewing and analysing information on potential fish barriers throughout New Zealand's waterways. Available through the NIWA Citizen Science app[6], information can be added from a smart phone or tablet while in the field. Information can also be added via a computer, either as an individual entry (just as for phones and tablets) or multiple entries uploaded as a dataset.

There are many organisations, from crown entities such as the New Zealand Transport Authority (NZTA), to local or regional councils, to private landowners, which have varying responsibilities for the management of instream structures. In providing a free, national database of instream structures, the FPAT supports more effective and efficient decision making by giving structure owners knowledge of what is up or down stream.

As demonstrated in Tables 1A and 1B, the NES-F information requirements (status quo) were based on the FPAT fields. The goal was to make implementation of the NES-F easier for councils and land users, as information provided for permitted activities (ie provided by land user to the relevant council within 20 days of construction) could be uploaded directly to the FPAT. The FPAT can provide data at site, regional and national scales, and allows for quick reporting on the risk of instream structures. This is intended to create efficiencies in progress reporting (whether at the river, catchment, region, or national scale) and also to avoid duplication of effort from different organisations involved in structure ownership and management.

MfE and DOC have endorsed this tool, encourage its use, and host and support its improvement and maintenance. The NES-F does not require councils to use the FPAT, however, and some councils have opted to develop their own system.

As shown in Table 1, there are 13 questions which apply to all structures (decreased to 11 under Option One). Depending on the structure type, a further 2 to 14 questions are posed

[6] https://fishpassage.niwa.co.nz/

under the status quo (Table 2). Except for dams, which have only two questions under the status quo, at least one question would be removed from each structure type under Option One.

*Table 1: Relevant fields in the Fish Passage Assessment Tool (FPAT) for **all** structure types, compared to the information required under the status quo and Option One.*

FPAT Feild	Present under status quo? (yes/no)	Present in Option One? (yes/no)
Location	Yes	Yes
What is the flow in the stream at the time of survey? (none / low / normal / high / unknown)	Yes (excl. 'unknown' option)	No
Is the water tidal where the structure is located? (yes / no / unknown)	Yes (excl. 'unknown' option)	No
What is the wetted width of the stream? (m)	Yes	Yes
What is the bankful width of the stream? (m)	Yes	Yes
Structure type (Culvert / ford with culvert / ford without culvert / weir / dam / flap gate with culvert / flap gate without culvert / pump station / natural / bridge / other / structure removed)	Yes	Yes
Asset ID number (if known)	Yes (repeated under each structure i.e., r63 to 67)	Yes (for all structures i.e., r62)
Asset Owner (NZTA / KiwiRail / DOC / regional council / territorial authority / private / other / unknown)	Yes (repeated under each structure i.e., r63 to 67) (**incl.** 'unknown' option)	Yes (for all structures i.e., r62)
Are there any structural addons to the upstream or downstream end of the main structure? (none observed / apron / headwall / wingwall / screen / other / unknown)	Yes (repeated under each structure i.e., r63 to 67)	No, except aprons
Upload upstream / downstream photos	Yes	Yes

Identify any attempts to enhance fish passage at the structure (none observed / back watering / rock ramp / artificial ramp / spat ropes / wier baffles / spoiler baffles / fish pass / fish friendly flap gate / trap and transfer / removed / other)	Yes (but only for ramps)	Yes (but only for ramps)
How likely is it that fish passage is restricted by this structure? (very low / low / medium / high / very high / not assessed)	Yes (excl. 'not assessed' option)	Yes (excl. 'not assessed' option)
Is the structure providing protection to a key species or ecosystem area or preventing access for exotic species?	Yes	Yes

*Table 2: Relevant fields in the Fish Passage Assessment Tool (FPAT) for **each specific** structure type, compared to the information required under the status quo and Option One. These fields do not appear unless the user selects the specific structure type.*

Culvert-specific information	**Status quo**	**Option One**
Number of culvert barrels	Yes	Yes
Culvert shape (pipe / box / arch / other)	Yes	Yes
Culvert material (concrete / metal / wood / plastic / other)	Yes	No
Culvert length (m)	Yes	Yes
Culvert width at widest point (m)	Yes	Yes
Culvert height measured from stream bed to highest point (m)	Yes	Yes
Culvert undercut length (m)	Yes	Yes
Culvert water velocity (m per s)	Yes	Yes
Mean water depth throughout culvert (m)	Yes	Yes
What substrate occurs through the majority of the culvert?	Yes	Yes
Are recirculating areas with low water velocities present in the stream below the culvert outlet (yes / no / unknown)	Yes	Yes
Are there wetted margins present suitable for climbing fish at the culvert outlet	Yes	Yes
Culvert slope (relative to stream: steeper / same / less than stream)?	Yes	Yes

Is the culvert aligned with the stream?	Yes	Yes
Ford-specific information	**Status quo**	**Option One**
Drop at the downstream end of the ford, measured from the surface of the ford to the downstream water surface level	Yes	Yes
What substrate occurs across the majority of the ford? (Bare / sand or silt / gravel / cobbles / boulders / bedrock / weir baffles / spoiler baffles / spat rope / other / not observed)	Yes	Yes
Ford width (m)	Yes	Yes
Ford length (m)	Yes	Yes
Ford material (concrete / metal / wood / plastic / other)	Yes	No
Weir-specific information	**Status quo**	**Option One**
Type of weir (broad crested / v-notch / crump / stepped / other / sharp crested)	Yes	Yes
What is the crest shape (cross-section shape) of the weir? (sharp/angular / rounded/smooth / overhanging/other)	Yes	Yes
Weir height (m)	Yes	Yes
Weir width (m)	Yes	No
What substrate occurs across the majority of the weir? (Bare / sand or silt / gravel / cobbles / boulders / bedrock / weir baffles / spoiler baffles / spat rope / other / not observed)	Yes	Yes
What is the slope of the downstream weir face? (degrees)	Yes	Yes
Are there wetted margins present suitable for climbing fish on the weir? (Yes / no / unknown)	Yes	Yes
Weir material (concrete / metal / wood / plastic / other)	Yes	No
Backwater distance (i.e., how far upstream does the weir influence the water level) (<10m / 10-50m / >50m)	Yes	Yes
Dam-specific information	**Status quo**	**Option One**

Dam height (m)	Yes	Yes
Is there a spillway present? (yes / no / unknown)	Yes	Yes
Flap gate-specific information	**Status quo**	**Option One**
Gate type (top hung / side hung / automatic / sluice / other)	Yes	Yes
Gate height (m)	Yes	Yes
Gate width (m)	Yes	Yes
Gate material (concrete / metal / wood / plastic / other)	Yes	No

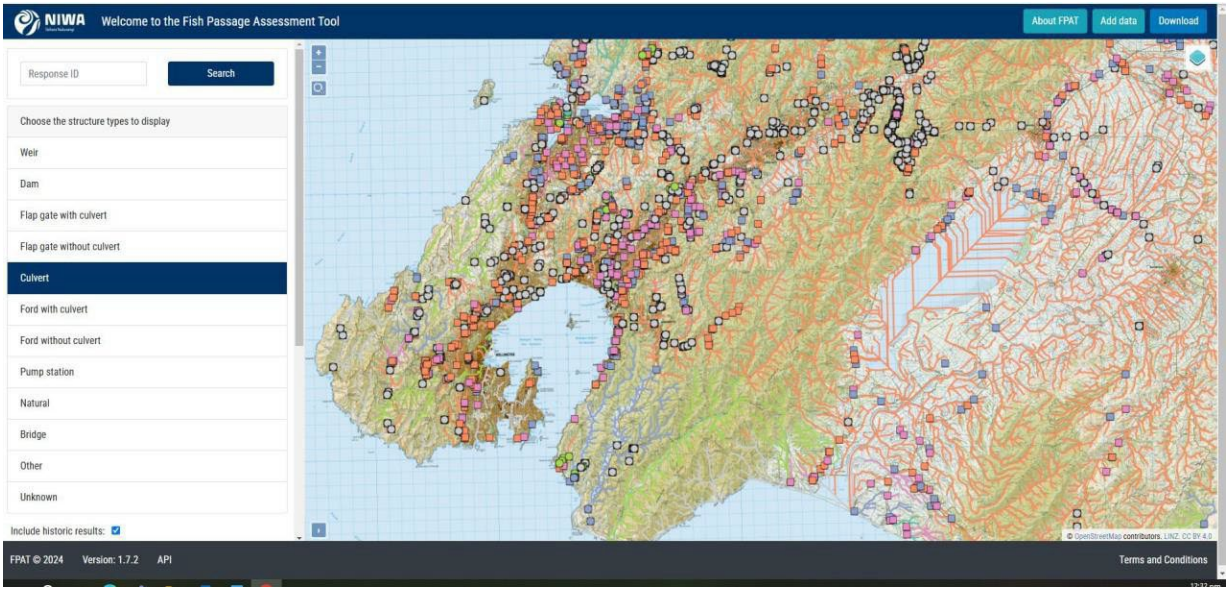
Data can be downloaded from the FPAT database by any user or displayed online as an interactive map (Figure 1), all for free. The map displays the location of structures and waterways, filterable by type, as a colour-coded shape:

- The **colour** represents the 'risk' posed to fish passage (i.e., not assessed, very low, low, medium, high, very high), and
- the **shape** represents whether it has been assessed via FPAT or translated from previous historic assessments or is a probable structure and not yet assessed (i.e., square is FPAT assessments, circles are historic).

Most structures are 'not assessed' as they pre-date the NES-F (2 September 2020 or prior), so do not have much information available. Previous historic structures were translated where possible. These structures are slowly being assessed by councils, community groups, and other organisations.

Prior to the FPAT, there was no national layer or database of instream structures that could be used to guide management decisions or monitor for impacts on fish passage. As more data is added to the FPAT, a clearer picture of the progress being made and the improvements needed will be identified. The national database reduces duplication of effort across organisations (e.g. community groups and councils seeking to survey barriers), and improves management efforts by providing a clearer picture of the barriers within each catchment.

Figure 1: Example of the FPAT interactive map looking at the southern end of the Wellington Region, displaying culverts. Colour represents the risk posed to fish passage from very low (light green) to very high (orange); shape represents whether data is from an FPAT assessment (square) or historic data (circles). Grey circles represent a probable instream structure which has not been assessed by the FPAT.



Appendix B: Illustrative changes to the information requirements (r62 – 68 of NES- F) under Option One

Option One proposes to simplify the information requirements. The following text has been produced by officials for illustrative purposes only and the Parliamentary Counsel Office is ultimately responsible for drafting all secondary legislation including the NES-F. This document is only intended to illustrate what options might look like for the purpose of interim impact analysis.

Key:

Purple text has been moved (~~strikethrough~~ where deleted, underlined at new position)

Green + underlined text is a proposed addition (wording subject to change by PCO)

~~Red + strikethrough~~ text is deleted

62 Requirement for all activities: information about structures and passage of fish

(1) This regulation applies to any activity that—
  (a) is the placement, alteration, extension, or reconstruction of any of the following structures in, on, over, or under the bed of any river or connected area:
    (i) a culvert:
    (ii) a weir:
    (iii) a flap gate (whether passive or non-passive): a dam:
    (iv) a ford; and
  (b) is a permitted activity, or a class of activity that requires a resource consent, whether under this subpart or otherwise.

(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—
  (a) for a permitted activity; or
  (b) as a condition of a resource consent granted for the activity, for another class of activity.

(3) The information is—
  (a) the type of structure;
  (b) the geographical co-ordinates of the structure;
  (c) the structure's asset identification number, if known;
  (d) whether the culvert's ownership is—
    (i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or
    (ii) held publicly by another person or organisation; or
    (iii) held privately; or
    (iv) unknown:
  (e) ~~the flow of the river or connected area (whether none, low, normal, or high);~~
  (f) ~~whether the water is tidal at the structure's location;~~
  (g) at the structure's location,—
    (i) the width of the river or connected area at the water's surface; and
    (ii) the width of the bed of the river or connected area;

(h) whether there are improvements to the structure to mitigate any effects the structure may have on the passage of fish;
(i) whether the structure protects particular species, or prevents access by particular species to protect other species;
(j) the likelihood that the structure will impede the passage of fish;
(k) visual evidence (for example, photographs) that shows both ends of the structure, viewed upstream and downstream.
(l) if there is any apron or ramp on the structure, the information required by regulation 68 for each of them.

63 Requirement for culvert activities: information about culverts

(1) This regulation applies to any activity that—
~~(a)~~ is the placement, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area; and
~~(b)~~ is a permitted activity, or a class of activity that requires a resource consent, whether under this subpart or otherwise.
(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—
~~(a)~~ for a permitted activity; or
~~(b)~~ as a condition of a resource consent granted for the activity, for another class of activity.
(3) The information is—
~~(a) the culvert's asset identification number, if known;~~
~~(b) whether the culvert's ownership is—~~
~~(i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or~~
~~(ii) held publicly by another person or organisation; or~~
~~(iii) held privately; or~~
~~(iv) unknown:~~
~~(c)~~ the number of barrels that make up the culvert;
~~(d) the culvert's shape;~~
~~(e)~~ the culvert's length;
~~(f)~~ the culvert's diameter or its width and height;
~~(g)~~ the height of the drop (if any) from the culvert's outlet;
~~(h)~~ the length of the undercut or erosion (if any) from the culvert's outlet;
~~(i) the material from which the culvert is made;~~
~~(j)~~ the mean depth of the water through the culvert;
~~(k)~~ the mean water velocity in the culvert;
~~(l)~~ whether there are low-velocity zones downstream of the culvert;
~~(m)~~ the type of bed substrate that is in most of the culvert;
~~(n)~~ whether there are any remediation features (for example, baffles or spat rope) in the culvert;
~~(o)~~ whether the culvert has wetted margins;
~~(p)~~ the slope of the culvert;
~~(q)~~ the alignment of the culvert;
~~(r) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the culvert;~~
~~(s) if there is any apron or ramp on the culvert, the information required by regulation 68 for each of them.~~

64 Requirement for weir activities: information about weirs

(1) This regulation applies to any activity that—
- ~~(a)~~ is the placement, alteration, extension, or reconstruction of a weir in, on, over, or under the bed of any river or connected area; and
- ~~(b)~~ is a permitted activity, or a class of activity that requires a resource consent, whether under this subpart or otherwise.

(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—
- ~~(a)~~ for a permitted activity; or
- ~~(b)~~ as a condition of a resource consent granted for the activity, for another class of activity.

(3) The information is—
- ~~(a) the weir's asset identification number, if known;~~
- ~~(b) whether the weir's ownership is—~~
  - ~~(i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or~~
  - ~~(ii) held publicly by another person or organisation; or held privately; or~~
  - ~~(iii) unknown:~~
- ~~(c)~~ the type of weir:
- ~~(d)~~ the weir's crest shape:
- ~~(e)~~ the weir's height:
- ~~(f) the weir's width:~~
- ~~(g) the material from which the weir is made:~~
- ~~(h)~~ the type of bed substrate that is present across most of the weir:
- ~~(i)~~ whether there are any remediation features (for example, baffles or spat rope) in the weir;
- ~~(j)~~ whether the weir has wetted margins:
- ~~(k)~~ the slope of the weir:
- ~~(l)~~ the backwater distance from the weir, meaning the distance furthest upstream where the water level is influenced by the weir:
- ~~(m) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the weir;~~
- ~~(n) if there is any apron or ramp on the weir, the information required by regulation 68 for each of them.~~

65 Requirement for flap gate activities: information about flap gates

(1) This regulation applies to any activity that—
- ~~(a)~~ is the placement, alteration, extension, or reconstruction of a flap gate (whether passive or non-passive) in, on, over, or under the bed of any river or connected area; and
- ~~(b)~~ is a permitted activity, or a class of activity that requires a resource consent, whether under this subpart or otherwise.

(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—
- ~~(a)~~ for a permitted activity; or

(b) as a condition of a resource consent granted for the activity, for another class of activity.

(3) The information is—

(a) the flap gate's asset identification number, if known;

(b) whether the flap gate's ownership is—

(i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or

(ii) held publicly by another person or organisation; or

(iii) held privately; or

(iv) unknown:

(c) the type of flap gate:

(d) the flap gate's height:

(e) the flap gate's width:

(f) the material from which the flap gate is made:

(g) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the flap gate:

(h) if there is any apron or ramp on the flap gate, the information required by regulation 68 for each of them.

66 Requirement for dam activities: information about dams

(1) This regulation applies to any activity that—

(a) is the placement, alteration, extension, or reconstruction of a dam in, on, over, or under the bed of any river or connected area; and

(b) is a permitted activity, or a class of activity that requires a resource consent.

(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—

(a) for a permitted activity; or

(b) as a condition of a resource consent granted for the activity, for another class of activity.

(3) The information is—

(a) the dam's asset identification number, if known:

(b) whether the dam's ownership is—

(i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or

(ii) held publicly by another person or organisation; or

(iii) held privately; or

(iv) unknown:

(c) the dam's height:

(d) whether the dam has a spillway, meaning a structure used to control the release of flows from the dam into a downstream area:

(e) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the dam:

(f) if there is any apron or ramp on the dam, the information required by regulation 68 for each of them.

67 Requirement for ford activities: information about fords

(1) This regulation applies to any activity that—

~~(a)~~ is the placement, alteration, extension, or reconstruction of a ford in, on, over, or under the bed of any river or connected area; and

~~(b)~~ is a permitted activity, or a class of activity that requires a resource consent.

(2) The information specified in this regulation must be collected and provided to the relevant regional council, together with the time and date of its collection, within 20 working days after the activity is finished,—

~~(a)~~ for a permitted activity; or

~~(b)~~ as a condition of a resource consent granted for the activity, for another class of activity.

(3) The information is—

~~(a) The ford's asset identification number, if known:~~

~~(b) whether the ford's ownership is—~~

~~(i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or~~

~~(ii) held publicly by another person or organisation; or~~

~~(iii) held privately; or~~

~~(iv) unknown:~~

~~(c)~~ the ford's length:

~~(d)~~ the ford's width:

~~(e)~~ the height of the drop (if any) from the ford's downstream end:

~~(f) the material from which the ford is made:~~

~~(g)~~ the type of bed substrate that is across most of the ford:

~~(h) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the ford:~~

~~(i) if there is any apron or ramp on the ford, the information required by regulation 68 for each of them.~~

68 Requirement for certain structure activities: information about aprons and ramps

Apron

(1) The following information relating to an apron is required:

(a) the apron's length:

(b) the height of the drop (if any) from the apron's downstream end:

(c) the material from which the apron is made:

(d) the mean depth of the water across the apron:

(e) the mean water velocity across the apron:

(f) the type of bed substrate that is across most of the apron.

Ramp

(2) The following information relating to a ramp is required:

(a) the ramp's length:

(b) the slope of the ramp:

(c) the type of surface that the ramp has:

(d) whether the ramp has wetted margins.

Appendix C: Replacement of National Policy Statement for Freshwater Management 2020: Interim Treaty Impact Analysis

The Interim Treaty Impact Analysis for the freshwater package can be accessed here.