

Sweeping changes to freshwater management announced

Ministers for the Environment and Primary Industries announced today Cabinet's decision approving a suite of reforms for the management of freshwater.

Changes to the RMA, a new National Policy Statement (NPS), a new National Environmental Standard (NES) and regulations for stock exclusion and mandatory freshwater modules in Farm Plans will make up the reforms announced today, however much of the detail is yet to be drafted.

This follows the consideration of over 17,500 submissions from the public, and extensive work by Government advisory groups and an independent panel, and represents a significant change from the status quo.

The work for regional councils and communities to implement the new NPS will be significant, with plan changes to give effect to the NPS required to be notified by 31 December 2024 and final decisions required by 2026/2027. Accordingly the RMA is also to be reformed with a new planning process designed to expedite the above.

The new NPS is not yet available to read, and will come into force at a date yet to be confirmed later this year.

Some of its new features will include:

- freshwater to be managed in a way that 'gives effect' to Te Mana o te Wai through tangata whenua involvement including in development of regional policy statements, and prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.
- improving degraded water bodies,
- maintaining or improving all other water bodies using baselines defined in the NPS.

- Expanding the national objectives framework by:
- Adding two additional values - threatened species and mahinga kai as compulsory values
- Requiring that plan objectives describe the environmental outcome sought for all values
- Adding new attributes, aimed specifically at providing for ecosystem health, include Fish (IBI), sediment, Macroinvertebrates (MCI and QMCI), and dissolved oxygen;
- Requiring councils to develop action plans and/or set limits on resource use to achieve these attributes.
- a more stringent national bottom line for the attribute Nitrate Toxicity to protect 95% of species from toxic effects (up from 80%)
- requiring management of dissolved inorganic nitrogen (DIN) or dissolved reactive phosphorus (DRP) as they relate to periphyton and other ecosystem health attributes, but no actual bottom lines set
- Avoiding any loss or degradation of wetlands and streams,
- mapping existing wetlands and encourage their restoration.
- Identifying and working towards target outcomes for fish abundance, diversity and passage and address in-stream barriers to fish passage over time.
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- Monitoring and reporting annually on freshwater (including the data used); publish a synthesis report every five years containing a single ecosystem health score and respond to any deterioration.

Sweeping changes to freshwater management announced (Continued)

The new NES is also still being drafted and will be published at a date yet to be confirmed later this year. Some of it will take effect within 28 working days, and other parts not till winter 2021. In summary the standard will be designed to:

- protect existing inland and coastal wetlands
- protect urban and rural streams from in-filling/reclamation
- ensure connectivity (fish passage)
- set minimum requirements for feedlots and stockholding areas (to take effect in winter of 2021)
- improve intensive winter grazing practices of forage crops (to take effect in winter of 2021)
- restrict further agricultural intensification until the end of 2024
- limit the discharge of synthetic nitrogen fertiliser to land, and require reporting of fertiliser use (to take effect in winter of 2021).

Regulations requiring exclusion of dairy and beef cattle, deer and pigs from low slope areas accessing water bodies will come into force on 1 July 2023. Stock must be restricted from grazing within 3 metres from the banks of waterways.

The RMA will also be amended to require mandatory freshwater modules in Farm Plans for pastoral and arable farms of 20ha or more, and horticultural farms of 5ha or more. This work stream will be undertaken over the next 12 months so the requirement to comply with this aspect of the package is some way off.

The full detail of the reforms and therefore the implications are yet to become available, but detail available to date can be found [here](#).

Want to know more?

If you have any questions about the freshwater reforms please contact our specialist [resource management](#) team.