

# Essential Freshwater

## *Translating the NPS-FM and putting it into action*

Webinar 1

Ministry for the Environment, 21 Oct 2020

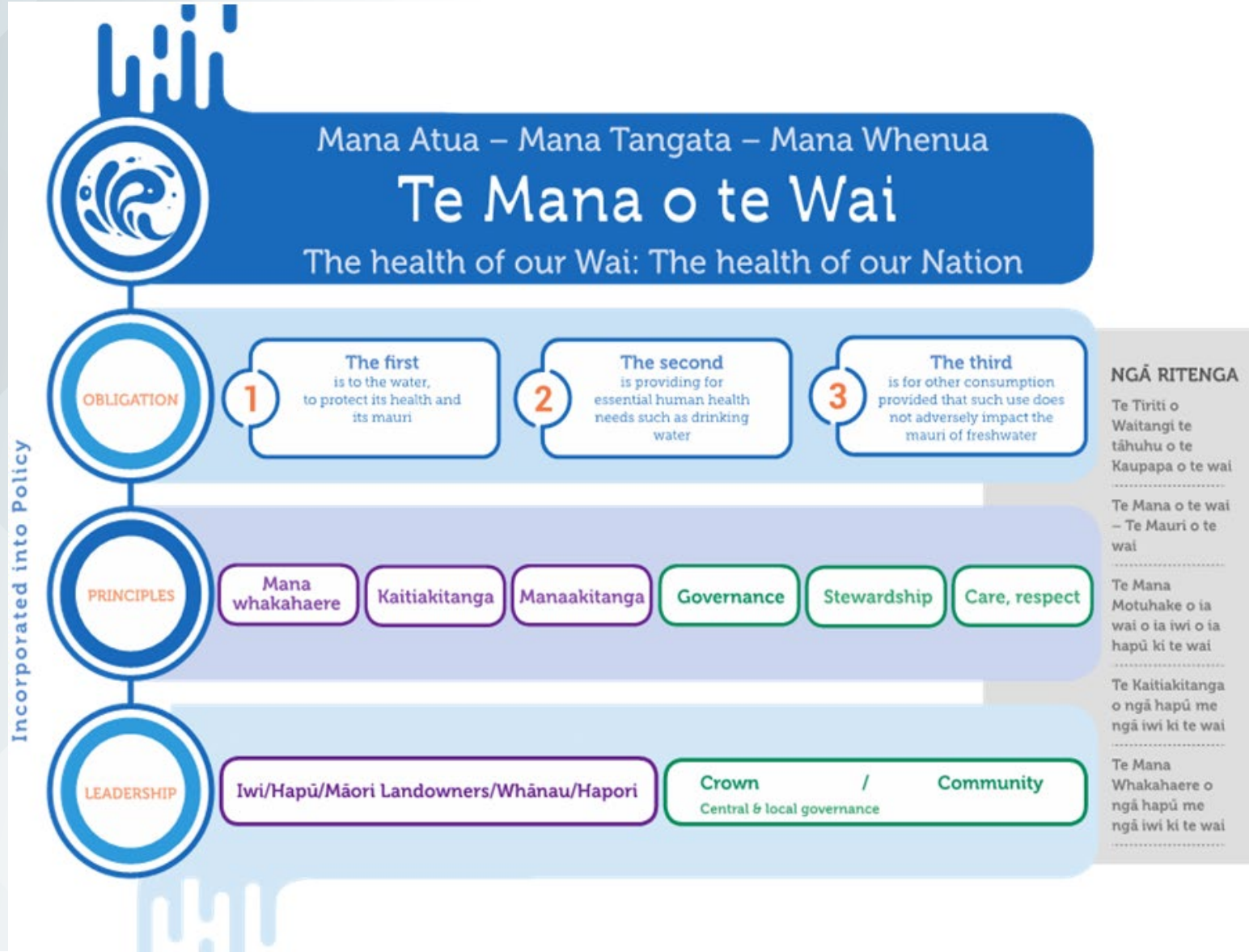


Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*

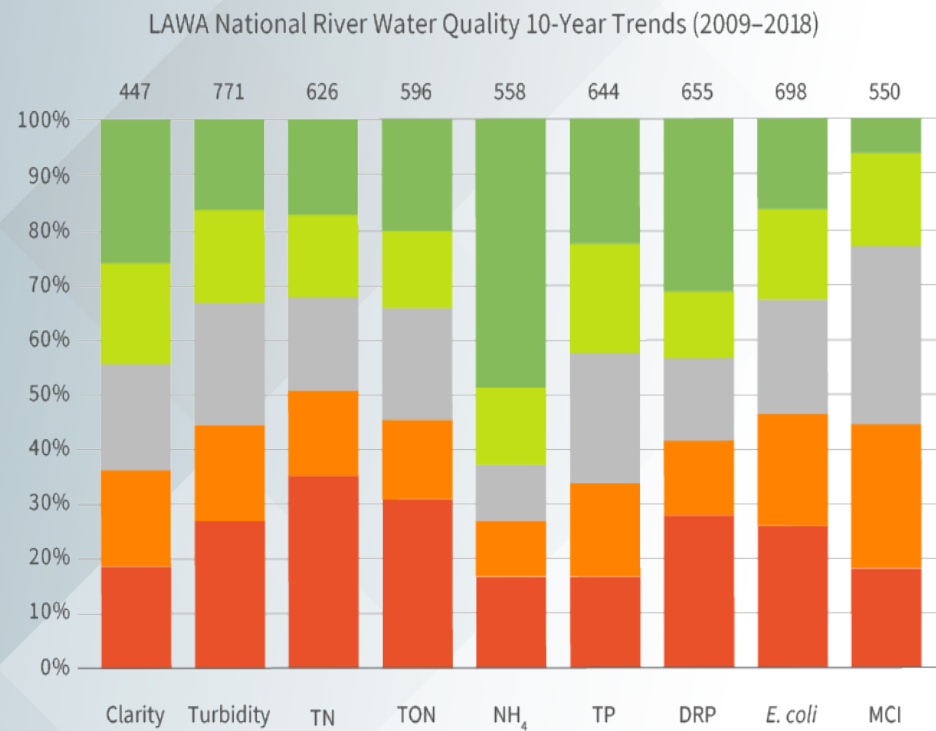


**Making Aotearoa New Zealand  
the most liveable place in the world**  
*Aotearoa - he whenua mana kura mō te tangata*

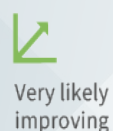
# Te Mana o Te Wai



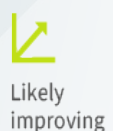
# Evidence of a problem



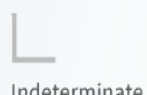
- A 2019 nationally representative survey found water degradation was the number one issue for New Zealanders
- Many New Zealand rivers are likely to be degrading
- Indigenous species are declining and threatened, notably freshwater fish



Very likely improving



Likely improving



Indeterminate



Likely degrading



Very likely degrading



Ministry for the  
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Ministry for Primary Industries  
Manatū Ahu Matua



ESSENTIAL  
FRESHWATER  
WAI MĀORI  
MĀTUATUA

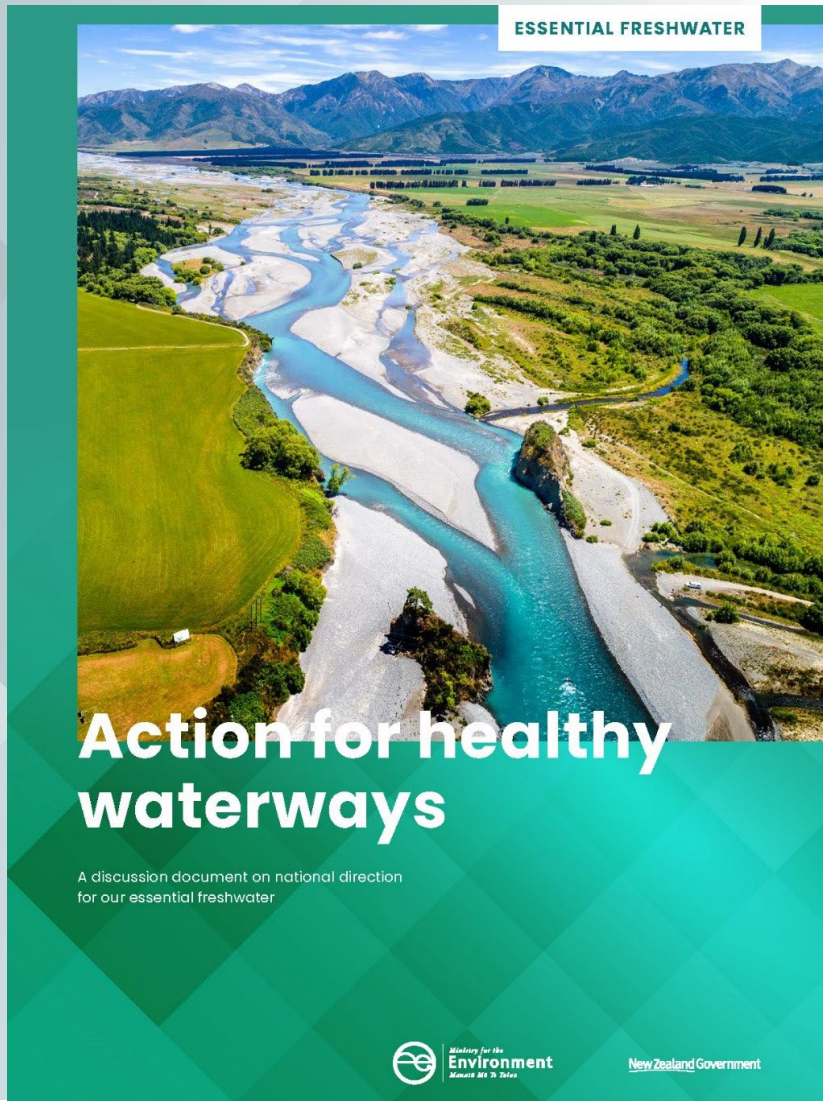


# Policy objectives

- Stop further degradation
- Show material improvements within five years
- Reverse past damage within a generation so that all of New Zealand's waterways are in a healthy state



# A package of reforms for fresh water



Changes to the RMA to speed up planning

A fully updated National Policy Statement to bring freshwater to a healthy state within a generation

New National Environmental Standards to introduce rules to protect wetlands and streams, and improve farming practices

A new regulation to exclude stock from water bodies, introduces regulations that apply to dairy and beef cattle, pigs and deer

Changes to the water measuring regulations

# The NPS-FM 2020

New Zealand Government

## National Policy Statement for Freshwater Management 2020

August 2020

- The NPS-FM has been redrafted so that it is clearer and more accessible
- Most existing policies have been carried over, others have had minor changes to be better integrated with the new proposals

### What's new

- Te Mana o Te Wai – now the “fundamental concept” of the NPS-FM
- 12 new attributes (e.g. suspended sediment)
- A new national bottom line for primary contact sites in the bathing season
- New requirements to better protect threatened species, wetlands and streams



# NPS-FM: national objectives framework



- Four compulsory values (ecosystem health, human contact, threatened species, mahinga kai) and nine other values that must be considered
- Regional plans must set objectives for the values, set flows and target attribute states to achieve those objectives, set limits to achieve those flows or target attribute states, and make rules and determine consents to achieve the limits
- For some new attributes, the council is required to prepare action plans instead of setting limits

# NPS-FM: wetlands and streams



## What does the NPS-FM say?

- It sets out the “effects management hierarchy” for managing activities in wetlands and rivers - avoid, minimise, remedy, offset, compensate

## Why?

- Around 90 percent of wetland habitats have been drained since human settlement
- Many existing wetlands are degraded and loss is continuing
- There is an ongoing loss of urban streams



# Urban streams and integrated management



- Territorial authorities must manage effects of urban development on the health and well-being of water bodies, freshwater ecosystems and receiving environments
- National bottom lines for sediment may have an impact on the way urban development is managed.

# The freshwater planning process



A compulsory planning process for all regional policy statements and regional plans (freshwater plans) that:

- Give effect to the NPS-FM 2020 or
- Otherwise relate to fresh water

These policy statements and regional plans must be:

- Notified by 31 December 2024
- Final decisions made by the end of 2026.

# The freshwater planning process

## REGIONAL COUNCIL



- PREPARES PROPOSED FRESHWATER PLAN
  - PUBLICLY NOTIFIES FRESHWATER PLAN
  - RECEIVES SUBMISSIONS AND FURTHER SUBMISSIONS
- STANDARD SCHEDULE 1 PROCESS*

## CHIEF FRESHWATER COMMISSIONER



- REGIONAL COUNCIL PROVIDES FRESHWATER HEARINGS PANEL NOMINATIONS TO CHIEF
- REGIONAL COUNCIL SUBMITS FRESHWATER PLAN AND OTHER DOCUMENTATION TO CHIEF
- CHIEF CONVENES FRESHWATER HEARINGS PANEL

## FRESHWATER HEARING PANEL



- HEARS SUBMISSIONS AND PROVIDES RECOMMENDATIONS TO REGIONAL COUNCIL

## REGIONAL COUNCIL



- ACCEPTS OR REJECTS PANEL'S RECOMMENDATIONS AND PUBLICLY NOTIFIES DECISIONS

## APPEALS



- APPEAL RIGHTS DEPEND ON WHETHER REGIONAL COUNCIL ACCEPTS OR REJECTS PANEL RECOMMENDATION

### **RECOMMENDATION ACCEPTED**

APPEAL ON POINT OF LAW TO HIGH COURT

### **RECOMMENDATION REJECTED**

MERIT APPEAL TO ENVIRONMENT COURT



# The freshwater planning process

Chief Freshwater Commissioner – Professor Peter Skelton CNZM

Deputy Chief Freshwater Commissioner – Judge Craig Thompson

## Freshwater commissioners

- Gina Sweetman
- Dr Greg Ryder
- Rauru Kirikiri
- Basil Morrison
- Sheena Tepania
- Rob van Voorthuysen
- Andrew Fenemor
- Ngaire Phillips
- Ron Crosby
- Alec Neill
- Dr Ian Boothroyd
- Sarah Ongley
- Kate McArthur
- Antoine Coffin
- Mark St Clair

Freshwater commissioners have a range of knowledge and expertise – eg, tikanga Māori and mātauranga Māori, judicial processes, freshwater science, the RMA.