

## Water quality improvements imminent

**Minister for the Environment David Parker has signalled that the Government will be taking action on freshwater following the latest Land and Water Forum Report, and will develop a National Environmental Standard under the Resource Management Act 1991 (RMA) in the next 12 months to align rules for water quality management across regional plans nationwide. Listen to the RNZ interview with the Minister [here](#).**

The [Report](#) was released this week and addresses the core water quality issues of nutrient management, sediment, and preventing further degradation. The Report makes a number of recommendations, including for amendments to the National Policy Statement for Freshwater Management and the establishment of a Land and Water Commission, although consensus could not be reached on all points. The Minister noted that as the Forum could not get consensus the mandate has passed to Central Government, and that there are some matters you can't reach agreement on through collaboration because of competing private interests. This is a particularly interesting comment in light of emphasis over the preceding years on collaborative processes, including the new process for "Collaborative Planning Processes" inserted into the RMA through the Resource Legislation Amendment Act 2017.

In responding to the Report, key issues for Government will be how to manage the conflicting views of affected parties including farmers and iwi groups while delivering improved water quality outcomes, and how to regulate

freshwater management on a national basis, rather than the current regions based approach.

### Nutrient management

The Report highlights deficiencies in the current nutrient management systems, and asks the Government to consider what the nutrient management cap should be and how discharges should be allocated. The current 'ad hoc' system employed by regional councils is described as inefficient and a cause of conflict between regulators and communities. While the Report suggests that national direction will need to have flexibility for region specific circumstances, the Minister has suggested that a single overarching NES framework is likely to apply, and has indicated that this will be produced within the year.

Introducing a more onerous nutrient management system and capping or reducing nutrient allocation could have significant impacts on farmers, but the Minister has indicated that no compensation will be paid on the basis that the Government should not pay people to stop polluting. However, a staggered approach will be introduced to aid the transition into the future landscape of lower nutrient limits and tighter allocations.

### Sediment

Sediment management was also raised as a significant water quality issue that still remains unregulated in some areas. The Report recommended development of a national policy instrument along with tools and guidance to support the implementation of good management practices. The Minister has indicated that this is an issue that can be addressed through changing land use practices and implementing good management practices.

### Iwi interests

The Report concluded that there is a critical gap in the current freshwater management framework for iwi rights and interests. Changing frameworks create uncertainties for these interests, and the Minister has acknowledged that in the context of issues like nutrient management there is the potential for under-developed land to be

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disproportionately disadvantaged. A core issue for Central Government will be how to manage this inequality, particularly given that a large proportion of under-developed land is iwi owned. The Minister has indicated that the Government will work with iwi groups to resolve this.

### **Land and Water Commission**

The Report referred back to the recommendation from its First Report for the establishment of a Land and Water Commission, as an operational policy and implementation agency. The Minister confirmed he will look at that particularly in light of what policy parameters are required to drive change, and therefore what assistance local councils and farmers need to implement practical changes on the ground. For the latter an intermediary body could assist.

### **Want to know more?**

For more information on the Land and Water Forum Report or the Government's response, please contact [Maree Baker-Galloway](#), [Sarah Eveleigh](#) or [Rachel Brooking](#).