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**Media release**

**Freshwater reforms delivered mostly as promised**

The Environmental Defence Society (EDS) has welcomed the announcement by Ministers David Parker, Damien O'Connor and James Shaw this morning of the much-awaited freshwater reforms.

“This package of changes to the present regulatory settings largely delivers on election promises to deal to pollution of our rivers, lakes, streams, estuaries and wetlands. Those commitments followed strong calls from the wider public for more integrity behind our clean, green brand,” said EDS CEO Gary Taylor.

“The changes build on and refine earlier reforms implemented by the National-led Government and are aimed at maintaining and improving freshwater management by providing more national direction and environmental bottom lines by prescribing a set of detailed attributes. Sound science and extensive consultation has informed the development of the package.

“Attention now needs to turn to implementation. That will be done by regional councils developing freshwater plans to drive improvements over time. But just how will we make sure that regional councils deliver?

“Part of the answer is the creation of independent hearing panels via the Resource Management Amendment Bill currently going through Parliament. That approach is strongly supported. It brings both expertise and consistency to the hearings process that will determine the final content of plans.

“The rest of the answer is to establish an independent Freshwater Commission. This could be set up initially within the Ministry for the Environment (like the Climate Commission was). It would be tasked with providing robust guidance and oversight of regional council implementation of the reforms. EDS cannot stress enough how important we think this point is (and support for the concept came from both the Freshwater Leaders Group and Kahui Wai Māori). Regional councils need a strong watchdog to keep them on track.

“Notwithstanding the comprehensiveness of the package, there are still some key issues that need resolution, either through detailed drafting of the instruments or by subsequent decisions.

“First, a key focus of the reforms was to complete the set of environmental bottom lines to improve ecological health. This is reflected in attribute tables in the proposed National Policy Statement. The cabinet paper reveals that two important attributes are missing and still to come: Nitrogen (DIN) and Phosphorus (DRP).

“Decisions on both have been deferred for 12 months pending more science. The interregnum needs addressing with some clear advice from the Ministry for the Environment. High DIN and DRP can cause algal blooms which can destroy aquatic life so getting clear attributes for them is important. EDS will be keeping active on those issues.

“Secondly, how so-called Action Plans, a tool proposed to be available for regional councils to use, will work in practice also needs some further attention, guidance and consideration at the detailed drafting stage. EDS is sceptical about their efficacy. One informed commentator has described them as “where potential attributes go to die.”

“There are two key elements in the package that are yet to be drafted. First, a National Environmental Standard and section 360 RMA Regulations that will have immediate effect and will stop things getting worse. These include a cap on fertiliser input and new requirements on stock exclusion from waterways. These elements are critical to ensure we don’t keep going backwards.

Secondly, a revised National Policy Statement – Freshwater Management that sets up a timeline and framework for revised regional council plans. These will need to be operative and take effect by 2024.

“There is more work for EDS and others to do to ensure that the detailed drafting of all of these instruments is fit for purpose

“But overall we are pleased with the package announced today. It represents a key point in the development of freshwater policy that began back in 2009 with the creation of the Land and Water Forum. It’s taken 11 years to get to this stage. Now the real work begins,” Mr Taylor concluded.