

Ngā mahere pāmu wai māori: Te neke ki te pūnaha hou

Freshwater farm plans: Moving to the new system

New laws are being phased in that aim to help Aotearoa New Zealand protect and manage the environment and its resources. The Spatial Planning Act 2023 (SPA) and the Natural and Built Environment Act 2023 (NBA) were enacted on 23 August 2023.¹

This fact sheet covers:

- what is a freshwater farm plan
- freshwater farm plans during the transition to the new system
- freshwater farm plans from a region's NBEA date.

What is a freshwater farm plan?

Freshwater farm plans aim to reduce the impact of farming on freshwater and freshwater ecosystems in specific districts, regions, or parts of Aotearoa.²

The Resource Management Act 1991 (RMA) specifies the areas where freshwater farm plans are required, using an Order in Council.³ If there's no Order in Council in place for your area, you don't need to have a freshwater farm plan.

¹ The Climate Adaptation Act is also planned, which will address managed retreat, and funding and financing of climate adaptation. A date for introduction of the Bill is not yet confirmed.

² Section 217A of the RMA and section 385 of the NBA.

³ Section 217C of the RMA.

Details such as the size of farms that must have a freshwater farm plan, plan contents, and auditing arrangements, are set out in the RMA⁴ and the NBA.⁵ The details are essentially the same in both Acts.

For more information about these details, see [Freshwater farm plans](#).

Freshwater farm plans during the transition to the new system

The RMA's provisions will continue to apply up until a region's NBEA date. This is the date 10 working days after a regional planning committee (RPC) has notified the decisions version of its first NBE plan.

From that date, the NBA provisions apply.

Freshwater farm plans from a region's NBEA date

Provisions to transition freshwater farm plans from the RMA into the new system are in Schedule 1 (subpart 13) of the NBA.

From each region's NBEA date:

- existing RMA Orders in Council will continue to apply⁶
- existing freshwater farm plans will still be valid (any plan certified under the RMA is treated as certified under the NBA⁷)
- freshwater farm plan certifiers and auditors appointed by regional councils under the RMA will be recognised as if they were appointed under the NBA.⁸

As under the RMA, under the NBA an Order in Council will be needed to require new freshwater farm plans in specific regions or in part of a region.⁹

The Part 9A RMA provisions relating to freshwater farm plans will be repealed at a future date through an Order in Council.

⁴ Part 9A, sections 217A–217M of the RMA.

⁵ Part 7, subpart 2, sections 385–398 of the NBA.

⁶ Schedule 1, clause 58 of the NBA.

⁷ Schedule 1, clause 59 of the NBA.

⁸ Schedule 1, clause 60 of the NBA.

⁹ An Order in Council may be made at the recommendation of the Minister subject to criteria; section 387 of the NBA.

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