



OIAD-113

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 17 August 2021 requesting the following under the Official Information Act 1982 (the Act):

*Please provide copies of staff or technical reports promoting and explaining the rationale for the drafting of the NPSFM 2020 policies 9 and 10 and any other documents explaining how these two policies are intended to interpreted and applied given:*

- *the NPSFM objective's first priority being ecosystem and waterbody health*
- *the qualification in Policy 10 ('insofar as this is consistent with Policy 9')*
- *the inclusive definition of 'aquatic life' in Appendix 1A of the NPSFM which doesn't differentiate between indigenous and introduced aquatic life*
- *the description of 'a healthy freshwater ecosystem' in the final paragraph under the heading 'Ecosystem Health' in Appendix 1A which sets a standard of being 'suitable to sustain the indigenous aquatic life expected in the absence of human disturbance or alteration before providing for other values'.*

The Ministry for the Environment (the Ministry) has refused your request under section 18(d) of the Act, as the information requested is publicly available.

The Regulatory Impact Analysis and section 32 Evaluation Report for the Essential Freshwater reforms are available at: [environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/](https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/).

The Freshwater biophysical ecosystem health framework was developed for the Ministry to support policies relating to ecosystem health, and can be accessed at: [environment.govt.nz/publications/freshwater-biophysical-ecosystem-health-framework/](https://environment.govt.nz/publications/freshwater-biophysical-ecosystem-health-framework/).

A range of implementation guidance, including the fish passage guidelines that underpin relevant policies on fish passage, are available on the Ministry's website at: [environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/](https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/). Please note that Ministry has a dedicated Policy Implementation Division, and new guidance documents will be developed over time and also made available on our website.

Finally, fact sheets describing policy intent and implementation are available here: [environment.govt.nz/what-government-is-doing/areas-of-work/freshwater/e/freshwater-reform/factsheets-on-policies-and-regulations-in-the-essential-freshwater-package/](https://environment.govt.nz/what-government-is-doing/areas-of-work/freshwater/e/freshwater-reform/factsheets-on-policies-and-regulations-in-the-essential-freshwater-package/).

If you are interested in more information regarding the NPS-FM and these policies, you are welcome to contact the Ministry's Team Leader - Water and Land Use Systems, Nik Andic, at [nik.andic@mfe.govt.nz](mailto:nik.andic@mfe.govt.nz).

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at:

[www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to public interest in our work, the Ministry for the Environment publishes responses to requests for official information on our website, at: [www.environment.govt.nz/about-us/official-information-act-requests](http://www.environment.govt.nz/about-us/official-information-act-requests). If you have any queries about this, please feel free to contact our Ministerial Services team at: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely

*Electronically approved by Hayden Johnston*

Hayden Johnston  
**Director - Water and Land Use Policy**