

Appendix 3: Assessment of the categorisation of provisions in the Freshwater Planning Instrument component of PC1

Provision in FPI	Process (as notified)	S32 report justification	S42A author assessment on categorisation of notified provision	S42A author recommendation
General ecological health and water quality				
Policies WH.P1, WH.P2, WH.P4, P.P1, P.P2, P.P4	P1S1	These policies set out the overarching policy direction. They relate to objectives that give effect to the NPS-FM. However, these provisions apply within the CMA and therefore form part of the Regional Coastal Plan.	I agree these provisions relate to the CMA and are part of the Regional Coastal Plan. Consistent with section 80A(8) of the RMA, they cannot be considered under the FPP.	Retain provisions in the P1S1 process.
Consequential changes to existing NRP policies (not applicable to whitua)				
Policy P30	P1S1	As part of Plan Change 1 some of the existing NRP provisions require consequential amendments. These objectives and policies have the coastal icon and form part of the Regional Coastal Plan.	I agree with the section 32 assessment that because this policy applies to the CMA as well as freshwater, it forms part of the Regional Coastal Plan and, consistent with Section 80A(8) of the RMA, cannot be considered under the FPP.	Retain the policy in the P1S1 process.
Policy P36	P1S1		Policy P36 applies to the CMA as well as freshwater and forms part of the Regional Coastal Plan. Consistent with Section 80A(8) of the RMA this policy cannot be considered under the FPP.	Retain the policy in the P1S1 process.
Policy P65,	FPP	Plan Change 1 proposes to delete Policy P65. Policy P65 was inserted into the NRP as required by the NPS-FM 2017. The NPS-FM 2020 no longer requires the insertion of this policy. This policy relates to freshwater and the Council has decided that it should form part of the FPI.	I agree with the section 32 assessment that Policy P65 relates to freshwater and therefore should form part of the FPI, consistent with Section 80A(2)(d),	Retain the policy in the FPP process.
Policy P77	P1S1		Policy P77 applies to the CMA as well as freshwater and forms part of the Regional Coastal Plan. Consistent with Section 80A(8) of the RMA this policy cannot be considered under the FPP.	Retain the policy in the P1S1 process.