

Appendix 3: Assessment of Categorisation of Provisions to the Freshwater Planning Instrument – Hearing Stream 5 – Freshwater and Te Mana o Te Wai

N.B. Rows shaded grey are those where I am recommending the provision is relocated to the P1S1 process.

Provision in FPI	S32 report justification	S42A assessment on notified provision
Freshwater chapter introduction	Text discusses matters directly related to freshwater quality and quantity and giving effect to the NPS-FM.	The introductory text to Chapter 3.4 sets out the importance of freshwater quality and quantity for the region. I agree that these matters relate directly to water quality and quantity.
Table 4	Table contains objectives directly related to freshwater quality and quantity.	Table 4 sets out the objective for freshwater management in the Region and which policies, methods and AERs give effect to that objective. I agree that the table relates directly to freshwater water quality and quantity management.
Objective 12	Te Mana o Te Wai directly relates to protecting and enhancing freshwater quality and quantity.	Objective 12 gives effect to the NPS-FM and Te Mana o te Wai. I agree that the objective relates directly to protecting and enhancing freshwater quality and quantity.
Statement of Rangitāne o Wairarapa Te Mana o te Wai expression	Expressions of Te Mana o Te Wai directly relate to protecting and enhancing freshwater quality and quantity.	The content of the Statement of Rangitāne o Wairarapa Te Mana o te Wai expression is part of the RPS giving effect to Te Mana o te Wai. I agree that the statement directly relates to protecting and enhancing freshwater quality and quantity.
Statement of Kahungunu ki Wairarapa Te Mana o te Wai expression	Expressions of Te Mana o Te Wai directly relate to protecting and enhancing freshwater quality and quantity.	The content of the Statement of Kahungunu ki Wairarapa Te Mana o te Wai expression is part of the RPS giving effect to Te Mana o te Wai. I agree that the statement directly relates to protecting and enhancing freshwater quality and quantity.

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Policy 12 - Management of water bodies – regional plans	Text discusses matters directly related to freshwater quality and quantity and giving effect to the NPS-FM.	Policy 12 is a key policy to give effect to the NPS-FM in the Wellington Region. It sets out the key steps in the NOF process that the regional plan must address. I agree that the policy directly relates to protecting and enhancing freshwater quality and quantity.
Policy 13 - Allocating water – regional plans	Directly related to protecting and enhancing freshwater quality and quantity.	Policy 13 is proposed to be deleted by Change 1. The operative policy relates to the allocation of water in the region. I agree that this policy is directly related to the protection and enhancement of freshwater quantity.
Policy 14 - Urban development effects on freshwater and the coastal marine area – Regional plans	Directly related to protecting and enhancing freshwater quality and quantity through urban development.	Policy 14 sets out requirements for regional plans relating to urban development effects on freshwater and the coastal marine area. As notified, this policy would apply to the coastal marine area in its entirety and is not directly related to the protection and enhancement of freshwater quality and quantity in the region. However, I am recommending amendments to Policy 14 to clarify its application, so that it applies directly to the protection and enhancement of freshwater quality and quantity.
Policy 15 - Managing the effects of earthworks and vegetation disturbance – district and regional plans	Directly related to protecting and enhancing freshwater quality.	Policy 15 addresses the effects of earthworks and vegetation disturbance activities on freshwater. However, this policy applies more broadly across the RPS and gives effect to Objective 29 as well as Objective 12. Objective 29 relates to soil erosion – a chapter that is not part of Change 1. As such, I disagree that Policy 15 directly relates to the

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		protection and enhancement of freshwater quality.
Policy 17 - Take and use of water for the health needs of people – regional plans	Directly related to protecting and enhancing freshwater quality and quantity.	Policy 17 implements Te Mana o te Wai and gives effect to the NPS-FM by setting out the priorities for the take and use of water and what constitutes the ‘health needs of people’. I agree that this policy directly relates to the protection and enhancement of freshwater quality.
Policy 18 – Protecting aquatic and restoring ecological function health of water bodies – regional plans	Directly related to protecting and enhancing freshwater quality and quantity.	Policy 18 is directly related to protecting and improving the ecological health of waterbodies which is dependent on freshwater quality and quantity. I agree that Policy 18 directly relates to the protection and enhancement of freshwater quality and quantity.
Policy FW.1 - Reducing water demand –regional plans	Directly related to protecting and enhancing freshwater quantity.	Policy FW.1 seeks to reduce demand for water. Increasing demand for water from water bodies effects the quantity of water in the waterbody and therefore can impact the ecological health of the waterbody. I agree that Policy FW.1 relates directly to the protection and enhancement of freshwater quantity.
Policy FW.2 – Reducing water demand – district plans	Directly related to protecting and enhancing freshwater quantity.	Policy FW.2 seeks to reduce demand for water. Increasing demand for water from water bodies effects the quantity of water in the waterbody and therefore can impact the ecological health of the waterbody. I agree that Policy FW.2 relates directly to the protection and enhancement of freshwater quantity.

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Policy FW.3 - Urban development effects on freshwater and the coastal marine area – district plans	Directly related to protecting and enhancing freshwater quality and quantity through urban development.	Policy FW.3 sets out requirements for district plans relating to urban development effects on freshwater and the coastal marine area. As notified, this policy would apply to the coastal marine area in its entirety and is not directly related to the protection and enhancement of freshwater quality and quantity in the region. However, I am recommending amendments to Policy FW.3 to clarify its application, so that it applies directly to the protection and enhancement of freshwater quality and quantity.
Policy FW.4 - Financial contributions for urban development – district plans	Directly related to protecting and enhancing freshwater quality and quantity through urban development.	Policy FW.4 requires district plans to require financial contributions as a condition of resource consent where off-site stormwater quality and quantity treatment are required. I agree that Policy FW.4 relates directly to the protection and enhancement of freshwater quality and quantity.
Policy 40 - Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems – consideration	Directly related to protecting and enhancing freshwater quality and quantity.	Policy 40 sets out matters that must be given particular regard when assessing an application for a regional resource consent in terms of protecting and enhancing the health and well-being of water bodies and freshwater ecosystems. I agree that this policy is directly related to the protection and enhancement of freshwater quality and quantity.
Policy 41 - Controlling the effects of earthworks and vegetation	Directly related to protecting and enhancing freshwater quality.	Policy 41 sets out the matters that must be given particular regard in the assessment of a resource consent in relation to earthworks and vegetation disturbance and the effects of these activities on waterbodies. This policy applies more broadly across the RPS

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disturbance – consideration		and gives effect to Objective 29 as well as Objective 12. Objective 29 relates to soil erosion – a chapter that is not part of Change 1. As such, I disagree that Policy 41 directly relates to the protection and enhancement of freshwater quality.
Policy 42 - Effects on freshwater and the coastal marine area from urban development – consideration	Directly related to protecting and enhancing freshwater quality and quantity through urban development.	Policy 42 sets out requirements for district plans relating to urban development effects on freshwater and the coastal marine area. As notified, this policy would apply to the coastal marine area in its entirety and is not directly related to the protection and enhancement of freshwater quality and quantity in the region. However, I am recommending amendments to Policy 42 to clarify its application, so that it applies directly to the protection and enhancement of freshwater quality and quantity.
Policy 43 - Protecting aquatic ecological function of water bodies – consideration	Freshwater ecosystem health is intrinsically and directly linked to freshwater quality and quantity.	Policy 43 is a policy in the operative RPS which Change 1 proposes deleting. The policy sets out matters to be given particular regard by decision-makers when assessing an application for resource consent, notice of requirement or review of a district or regional plan, in relation to protecting aquatic ecological function of water bodies. I agree that Policy 43 relates directly to the protection and enhancement of freshwater quantity and quality.
Policy 44 - Managing water takes and use to give effect to Te Mana o te Wai –	Directly related to protecting and enhancing freshwater quantity.	Policy 44 sets out the matters to be considered in giving effect to Te Mana o te Wai in relation to water takes and use. The matters in this policy relate to water quantity and impacts on freshwater ecosystem health. I agree

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consideration		that Policy 44 relates directly to the protection and enhancement of freshwater quantity.
Policy FW.5 - Water supply planning for climate change and urban development – consideration	Directly related to protecting and enhancing freshwater quantity.	Policy FW.5 sets out matters to be given particular regard when assessing changes or reviews of regional or district plans, in relation to water supply planning for climate change and urban development. I agree Policy FW.5 relates directly to freshwater quantity.
Policy FW.6 - Allocation of responsibilities for land use and development controls for freshwater	Policy is directly related to freshwater quality and quantity and giving effect to NPS-FM 3.5(4) by allocating freshwater responsibilities to territorial authorities to support freshwater improvements.	Policy FW.6 sets out the responsibilities of GWRC and territorial authorities in relation to development controls for freshwater. I agree that this policy relates directly to freshwater quality and quantity.
Policy FW.7 - Water attenuation and retention – non-regulatory	Directly related to protecting and enhancing freshwater quantity through both nature-based and built solutions.	Policy FW.7 sets out solutions for water attenuation and retention for the purposes of managing water quantity. I agree that Policy FW.7 is directly related to the protection and enhancement of freshwater quantity.
Method FW.1 - Freshwater Action Plans	Freshwater action plans are a key aspect of giving effect to the NPS-FM to protect and enhance freshwater quality and quantity using both regulatory and non-regulatory actions.	Method FW.1 sets out the process, content, and timeframes for developing Freshwater Action Plans for the region. Action Plans are required by the NPS-FM as a key tool for achieving target attribute states. I agree that Method FW.1 is directly related to the protection and enhancement of freshwater quality and quantity.
Method FW.2 - Joint processing urban	Method is key to achieving freshwater objectives which are giving effect to the NPS-FM, and directly contributes to implementing freshwater policies under	Method FW.2 directs the joint processing of notified resource consents that relate to urban development regionally significant

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development consents	Table 4. It therefore directly relates to protecting and enhancing freshwater quality and quantity.	infrastructure, where those applications are notified by both the regional council and territorial authorities. As notified, Method FW.2 applies to any notified resource consent, not just to those relating to freshwater. I therefore disagree that Method FW.2 is directly related to the protection and enhancement of freshwater quality and quantity.
Method 35 - Prepare a regional stormwater action plan	Directly related to protecting and enhancing freshwater quality and quantity.	Method 35 is proposed to be deleted by Change 1. The method in the operative RPS is a non-regulatory method to develop a regional stormwater action plan. I agree that this method is directly related to protecting and enhancing freshwater quality and quantity.
Method 48 - Water allocation policy review	Directly related to protecting and enhancing freshwater quantity and giving effect to the NPS-FM.	Method 48 directs the review of the water allocation policy in the NRP. The method is part of a suite of provisions that give effect to the NPS-FM, particularly Policy 11. I agree that Method 48 directly relates to the protection and enhancement of freshwater quantity.
Freshwater Objective 12 AER 1	Directly related to protecting and enhancing freshwater quality and quantity	Freshwater Objective AER 1 sets out the expected outcome that the region's freshwater resources are managed in accordance with Te Mana o te Wai and over-allocation is phased out. It gives effect to Objective 12. I agree that this AER relates directly to the protection and enhancement of freshwater quality and quantity.
Freshwater Objective 12 AER 2	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER is proposed to be deleted by Change 1. It relates to river flows and lake levels to support healthy freshwater ecosystems. I agree that it

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		relates directly to the protection and enhancement of freshwater quality and quantity.
Freshwater Objective 12 AER 3	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	AER 3 is proposed to be deleted by Change 1. It relates to the management of groundwater to support healthy aquatic ecosystems. I agree that this AER relates directly to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 12 AER 4	Directly related to protecting and enhancing freshwater quality and quantity.	AER 4 sets the expected outcome that erosion and sediment runoff have not adversely affected the healthy functioning of aquatic ecosystems. I agree that this AER relates directly to protecting and enhancing freshwater quantity and quality.
Freshwater Objective 12 AER 5	Directly related to protecting and enhancing freshwater quality and quantity.	AER 5 relates to protecting water catchments for public water supply so that public health is safeguarded. I agree this AER relates directly to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 12 AER 6	Directly related to protecting and enhancing freshwater quality and quantity.	This AER is proposed to be deleted by Change 1. It sets the anticipated result of 80% of residents perceiving that water pollution is not a problem. I disagree that this AER relates directly to protecting and enhancing freshwater quality and quantity as there are many factors that contribute to people's perceptions of pollution. The AER does not relate to a specific action in the RPS or subordinate documents for the management of water quality or quantity.
Freshwater Objective 12 AER 7	Freshwater ecosystem health is intrinsically linked to protecting and	This AER is proposed to be deleted by Change 1. The AER relates to regional plan provisions that require that water

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	enhancing freshwater quality and quantity.	quality, flows, and water levels are managed for the purposes of aquatic ecosystem health. I agree that this AER relates directly to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 12 AER 8	Directly related to protecting and enhancing freshwater quantity.	This AER is proposed to be deleted by Change 1. It relates to allocation limits for surface water and groundwater. I agree that this relates directly to protecting and enhancing freshwater quantity.
Freshwater Objective 12 AER 9	Directly related to protecting and enhancing freshwater quality.	Objective 12 AER 9 is proposed to be deleted by Change 1. It relates to regional plan provisions that reduce ecotoxic contaminants in stormwater that discharge into water, or onto or into land that may enter water from new subdivision and development. I agree that this AER relates directly to protecting and enhancing freshwater quality.
Freshwater Objective 12 AER 10	Directly related to protecting and enhancing freshwater quality and quantity.	This AER is proposed to be deleted by Change 1. It sets out the expected result that regional and district plans include provisions that control earthworks and vegetation disturbance. I agree that this AER directly relates to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 12 AER 11	Directly related to protecting and enhancing freshwater quality.	This AER is proposed to be deleted by Change 1. It sets the expected result that regional plan provisions promote discharges to land rather than water and promoting the use of collective sewage treatment systems that discharge to land. I agree that this AER

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		relates directly to protecting and enhancing freshwater quality.
Freshwater Objective 13 AER 1	Macro-invertebrate health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER relates to the improvement of macro-invertebrate diversity in rivers and lakes across the Region. Macro-invertebrate diversity is one of the key attributes that the NPS-FM requires limits for. I agree that this AER is directly related to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 13 AER 2	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER relates to freshwater ecosystem health as a result of flow regimes in, and discharges to, rivers and lakes. I agree that this AER relates directly to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 13 AER 3	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER relates to reducing impediments to fish passage which relates to freshwater ecosystem health. I agree that this AER relates directly to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 13 AER 4	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER sets the expected result that there is no loss of existing fish habitat, or reductions in fish populations and diversity. This relates directly to freshwater ecosystem health. I agree that the AER directly relates to protecting and enhancing freshwater quantity and quality.
Freshwater Objective 13 AER 5	The freshwater values in Appendix 1 are directly related to freshwater quality and quantity.	This AER sets the expected result that there is no significant loss of the significant amenity and recreational values or significant indigenous ecosystems associated with rivers and lakes with values requiring protection (set out in Appendix 1 of the Operative RPS). I agree that these

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		values are related to freshwater quality and quantity.
Freshwater Objective 13 AER 6	Wetland extent is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER sets the expected result that the condition and extent of wetlands is improving across the region. This AER is part of giving effect to Policy 6 of the NPS-FM. I agree that this AER is directly related to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 13 AER 7	Freshwater ecosystem health is intrinsically linked to protecting and enhancing freshwater quality and quantity.	This AER is proposed to be deleted by Change 1. It relates to regional plan provisions that protect aquatic ecological function. I agree that this AER is directly related to protecting and enhancing freshwater quality and quantity.
Freshwater Objective 13 AER 8	The freshwater values in Appendix 1 are directly related to freshwater quality and quantity.	This AER is proposed to be deleted by Change 1. It sets the expected result that regional plan provisions protect the significant amenity, recreational, and indigenous ecosystem values associated with rivers and lakes listed in Appendix 1 of the RPS. I agree that these values directly relate to freshwater quality and quantity.
Freshwater Objective 14 AER 1	Directly related to protecting and enhancing freshwater quality and quantity.	This AER relates to freshwater quality and quantity being managed in accordance with the principles of Te Mana o te Wai and phasing out over allocation over time. I agree that this AER relates directly to freshwater quality and quantity.
Freshwater Objective 14 AER 2	Directly related to protecting and enhancing freshwater quantity.	This AER is proposed to be deleted by Change 1. It relates to increasing water recycling and reuse and decreasing wastage. I agree that this

Provision in FPI	S32 report justification	S42A assessment on notified provision
		AER relates directly to protecting and enhancing freshwater quantity.
Freshwater Objective 14 AER 3	Directly related to protecting and enhancing freshwater quantity.	This AER is proposed to be deleted by Change 1. It sets the expected result of increasing water harvesting and water storage. I agree that this AER relates directly to protecting and enhancing freshwater quantity.
Freshwater Objective 14 AER 4	Directly related to protecting and enhancing freshwater quantity.	This AER is proposed to be deleted by Change 1. It relates to regional plan provisions giving priority to the abstraction of water for the health needs of people. I agree that this AER relates directly to protecting and enhancing freshwater quantity.
Definition – Hydrological Controls	Definition used in freshwater provisions, so it must also go through FPP for the provisions to have the correct meaning	The term hydrological controls is referred to in several provisions within the Freshwater topic. The definition sets out the requirements for managing stormwater runoff for the purposes of managing the effects of urban development on freshwater quality and quantity. I agree that this AER relates directly to protecting and enhancing freshwater quality and quantity.
Definition – Te Mana o te Wai	Definition used in freshwater provisions, so it must also go through FPP for the provisions to have the correct meaning.	Te Mana o te Wai is a term used throughout the freshwater provisions and this definition refers back to clause 1.3 of the NPS-FM. I agree that this definition relates directly to protecting and enhancing freshwater quality and quantity.