

### 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
<b>Forestry and vegetation clearance</b>				
<p>Policies WH.P28 and P.P26</p> <p>Rules WH.R17, WH.R18, WH.R19, P.R16, P.R17, P.R18</p> <p>WH.R20, WH.R21 and WH.R22, P.R19, P.R20, P.R21,</p> <p>Definitions: afforestation, erosion and sediment management plan, harvesting, highest erosion risk land (plantation forestry), highest erosion risk land (woody vegetation), mechanical land preparation, registered forestry advisor, replanting, vegetation clearance (for the purposes of WH.R20, WH.R21, P.R19, P.R20)</p> <p>Schedules 27, 33, 34</p> <p>Maps 91, 92, 94, 95</p>	<p>FPP</p>	<p>These policies, rules, method and supporting definitions, schedules and maps focus on the management of rural land use activities, forestry, and vegetation clearance. These provisions seek to manage the use of land to achieve freshwater outcomes. They relate to objectives that give effect to the NPS-FM.</p>	<p>I agree with the section 32 assessment that these provisions relate to freshwater and should be part of the FPP. In my opinion the primary focus of these provisions is to manage land use activities to protect freshwater to give effect to the NPSFM. Therefore, I consider they should form part of the FPI, consistent with Section 80A(2)(d),</p>	<p>Retain provisions in the FPP process.</p>

Section 42A Report – Hearing Stream 3 – Forestry and Vegetation Clearance – 15 April 2025

Provision in FPI	Process (as notified)	S32 report justification	S42A author assessment on categorisation of notified provision	S42A author recommendation
<b>Consequential changes to existing NRP objectives, policies, and rules</b>				
Rules R105, R107	P1S1	As part of Plan Change 1 some of the existing NRP provisions no longer apply in TAoP and/or TWT. Symbols have been inserted as part of the plan change to identify these provisions. These objectives, policies and rules have the coastal icon and form part of the Regional Coastal Plan	The only provisions related to this topic are rule R105 related to vegetation clearance where allowed in a Freshwater Farm Plan and rule R107 insofar as it applies where vegetation clearance cannot meet permitted standards of R104.	I recommend these provisions are retained as P1S1.
Rules, R104, R106	FPP	As part of Plan Change 1 some of the existing NRP provisions no longer apply in TAoP and/or TWT. Symbols have been inserted as part of the plan change to identify these provisions. These objective, policies and rules relate to freshwater and the Council has decided that they should form part of the FPP.	While noting there is no coastal icon, Rules R104 and R106 both refer to the coastal marine area in the standards of the rule and therefore in my opinion the rules are protecting more than just freshwater.	Retain provisions in FPP process