



Section 35 Evaluation Report One Plan Administration Provisions

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TABLE OF CONTENTS

1	Introduction.....	5
2	Purpose of this report	5
3	Statutory context	5
3.1	Resource Management Act.....	5
3.1.1	Resource Legislation Amendment Act 2017	6
3.2	Local Government Act	6
3.3	Other legislation	7
3.4	One Plan	7
4	Evaluation scope	7
5	Evaluation	8
5.1	Effectiveness Assessment	16
5.1.1	General objectives and policies	16
5.1.2	Overall effectiveness assessment of Chapter 12 policies	23
5.1.3	Chapter 19 Financial Contributions	25
5.1.4	Chapter 10 Administration	26
5.1.5	Introductory material – Chapter 1 and Chapter 11.....	29
5.1.6	Documents incorporated by reference, and other external documents.....	29
5.1.7	Structural issue noted through implementation	31
5.2	Efficiency assessment	32
6	Conclusions	32

SUMMARY OF FINDINGS

This report considers the parts of the One Plan that address the administration of the resource management system in the region, both formal provisions and supporting text. There is very little evidence readily available to support the evaluation of their effectiveness or efficiency of the provisions (primarily Chapters 12 and 19).

Most of the provisions in Chapter 12 do not appear to add value to processes and practice as they largely duplicate the requirements of the RMA; it is unclear whether Policies 12-1 to 12-4 and 12-6 to 12-8 are supporting the implementation of resource management in practice and they may be adding to process inefficiency and cost. The exception is Policy 12-5, which provides substantive guidance around setting consent durations and opportunities to review consent conditions at CCE and is a significant tool to support integrated resource management and allocation across catchment.

There is insufficient evidence to assess whether the Chapter 19 financial contributions policies are effective and efficient. It appears that the framework they establish would enable consideration of their application in consent decision-making in appropriate circumstances.

Of the supporting text, section 10.1 appears to meet the requirement of section 62(1)(h) of the Resource Management Act for a regional policy statement to include how it will address cross-boundary issues. However, its format and location create a risk that it could be overlooked, particularly when considering whether specific funding and resourcing will be required to ensure they can be effectively undertaken.

Therefore, a key finding is that the administrative provisions of the One Plan need to be reconsidered in light of what is actually necessary and useful to plan users, whether they are current, and whether their location and content is appropriate. Other parts of the One Plan that may be unnecessary or in an inappropriate form include Sections 1.5 and 1.6, parts of Chapter 10, and Chapter 11. In addition, the framework for evaluating progress towards anticipated environmental results has significant inadequacies and does not provide a robust evidence base for evaluation. The practice of incorporating documents by reference into regional plan provisions has significant resourcing implications associated with providing and maintaining access, as well as for ensuring regulation remains aligned with current practice.

1 Introduction

The One Plan is the consolidated resource management planning document for the Horizons Region. It combines the Regional Policy Statement (RPS), Regional Plan and Regional Coastal Plan. The One Plan defines how the natural and physical resources of the region will be cared for and managed by Horizons Regional Council (Horizons) in partnership with Territorial Authorities and the community. The Proposed One Plan was notified in 2007 and was made fully operative in December 2014.

The plan includes a range of provisions and supporting text throughout; these are intended to guide the administration of the resource management system in the region. Some have been included because they are a requirement of the Resource Management Act 1991 (RMA).

2 Purpose of this report

The purpose of this evaluation is to assess the effectiveness and efficiency of the One Plan administrative provisions contained within Chapters 1, 10, 11, 12 and 19. The evaluation has been initiated primarily to ensure Horizons Regional Council (Horizons) is meeting its statutory obligations under section 35 of the RMA.

In general, evaluation provides an essential check on the practicability of objectives and the capacity for stated methods and targets to be achieved subject to resourcing levels, budget constraints and other circumstances.

The following questions have been used to guide the evaluation process¹:

<i>Effectiveness</i>	<i>Efficiency</i>
<ul style="list-style-type: none">• Of policies and methods in achieving the objectives• Of other methods• Is there evidence that the policies and methods are being used/applied in an effective way?• Do the plan provisions have the support of users – is the plan perceived to work?<ul style="list-style-type: none">◦ Can the Plan be reasonably be implemented?	<ul style="list-style-type: none">• Are the regulatory, consenting and administrative transaction costs in line with what was anticipated?• What additional costs, risks and opportunity benefits or costs (resource use implications) are created for resource users?

3 Statutory context

3.1 Resource Management Act

The RMA is New Zealand's primary environmental management statute, and aims to promote the sustainable management of natural and physical resources. Its provisions range from the identification of overarching matters to be protected, through to describing the various functions of institutions and instruments within the resource management system, to setting out the requirements for processes and relationships between planning documents.

The RMA also provides a well-established framework for evaluation, monitoring and review of regional policy statements (RPS) and regional plans. As set out in s35(2)(b) RMA², every local

¹ While other section 35 RMA evaluations have considered questions around issues and anticipated environmental results (AER), the One Plan does not set down any issues or AER that the administration provisions are expected to directly address.

² Throughout this report, sections of legislation are generally referred to as 's' followed immediately by the number.

authority is required to monitor the effectiveness of the policies, rules and methods in its plan, and to prepare a report on the results of this monitoring every five years as per s35(2)(a). Monitoring the efficiency and effectiveness of policies, rules and other methods is an ongoing process from plan implementation to plan review. Plan monitoring closes the loop in the 'plan-do-monitor-review' cycle; such monitoring provides information on how well the One Plan is working 'on the ground', and helps determine whether changes to the One Plan need to be made if the objectives and anticipate environmental results have not been achieved.

Further, under s79 a local authority must commence a review of a provision of any of the following document it has, if the provision has not been a subject of a proposed policy statement or plan, a review, or a change by the local authority during the previous 10 years. The administration provisions have not been reviewed since the One Plan was made operative in December 2014, therefore a review of these provisions should commence by December 2024.

This evaluation and reporting is guided by s35 RMA. It will ensure Horizons Regional Council meets its obligations under the RMA.

The administration sections of the One Plan essentially provide a conduit between the higher-level framework of the RMA and its implementation through the RPS and regional plan provisions; the RMA provisions relevant to the specific One Plan provisions are noted in the discussion rather than listed here.

3.1.1 Resource Legislation Amendment Act 2017

There have been a number of amendments to the RMA since the One Plan was made operative in 2014. Of particular relevance to this evaluation is the Resource Legislation Amendment Act 2017, which had a general focus on the efficiency of the resource management system. This amendment included a new set of criteria and a process to consider activities as permitted rather than requiring resource consent in certain circumstances (s87BB). These matters are not covered by the existing One Plan policy framework.

This amendment also established the following high-level procedural principles for anyone exercising powers and performing functions under the RMA (s18A):

Every person exercising powers and performing functions under this Act must take all practicable steps to:

- (a) use timely, efficient, consistent, and cost-effective processes that are proportionate to the functions or powers being performed or exercised; and*
- (b) ensure that policy statement and plans–*
 - (i) include only those matters relevant to the purpose of this Act; and*
 - (ii) are worded in a way that is clear and concise; and*
- (c) Promote collaboration between or among local authorities on their common resource management issues.*

3.2 Local Government Act

The Local Government Act 2002 (LGA) establishes the purpose, functions and duties, principles and processes of local government. The relationship between the LGA and the RMA is not always well articulated but it is clear that there are overlapping requirements (such as LGA s82 Principles of consultation).

The requirements in relation to long-term plans (formerly known as long-term council community plans) and annual plans have obvious parallels with RMA requirements, and the administration sections of the One Plan have sought potential opportunities to achieve process efficiencies.

3.3 Other legislation

The One Plan references documents prepared under other legislation, including the Land Transport Management Act 2003 and the Biosecurity Act 1993. This has implications for the administrative requirements of the One Plan, particularly when amendments to these Acts result in changes that have the potential to disrupt the One Plan's clarity and legal certainty.

3.4 One Plan

One Plan RPS Chapter 10 (Administration) states that the Regional Council will regularly check the effectiveness of the policies and methods in this Plan in achieving anticipated environmental results. This will be done every three years at the same time as reporting progress made by the community in achieving community outcomes for the Region, being the Regional Council's Long-term Plan (LTP)³.

Monitoring and reporting on the effectiveness of the One Plan will be based on the following process:

- (a) Evaluation of the Regional Council's Annual Reports and the policies and methods in this Plan to assess which policies and methods have been implemented,*
- (b) Evaluation of the LTCCP [sic] and Annual Reports to assess actual work done to implement this Plan compared to the intended level of work each year, including consent, compliance and environmental incident response activity,*
- (c) Evaluation of the results of environmental monitoring carried out under the Regional Monitoring Strategy to assess the condition and trends of the Region's environment, with an emphasis on those parts of the environment where specific work has been done to make improvements, and*
- (d) Assessment of whether changes need to be made to policies and methods where there is slow or no progress toward achieving anticipated environmental results.*

Chapter 10 then continues that changes to the One Plan will be sought when:

- a) plan effectiveness monitoring identifies the need to enhance progress toward achieving anticipated environmental results, or
- b) major resource management developments arise such as significant amendments to the RMA or the adoption of national policy statements or national environmental standards by Government that have major implications for the contents of this Plan, or
- c) the results of new scientific work enhance this Plan and make plan provisions more certain for resource users.

Changes to the Regional Policy Statement may be requested by a Minister of the Crown, the Regional Council or any District Council within, or partly within, the region; any person can request a change to the Regional Plan. The process used to review and change the RPS is set out in Schedule 1 to the RMA.

The One Plan's evaluation framework forms part of the administrative provisions that are the subject of this s35 evaluation.

4 Evaluation scope

The scope of this evaluation encompasses the chapters, and sections within chapters, that set out the administrative approach and requirements within the One Plan. This includes a limited number of objectives and policies; however, there are methods and considerable supporting text across both the Regional Policy Statement (RPS) and Regional Plan which warrant examination within this report.

³ Chapter 10 refers to the Regional Council's Long-Term Council Community Plan (LTCCP). Note that changes in the Local Government Act 2002 have compromised the function of Chapter 10, this will be part of a different s35 review.

5 Evaluation

This section outlines the One Plan administrative provisions evaluated within this report.

One Plan Chapter to be reviewed:	Specific provisions subject to review
Chapter 1 Setting the Scene	Section 1.5 (Working towards a better future); and 1.6 (Codes of practice and other good practice initiatives)
Chapter 10 Administration	Whole chapter
Chapter 11 Introduction to Regional Plan	Whole chapter
Chapter 12 General Objectives and Policies	Whole chapter
Chapter 19 Financial Contributions	Whole chapter

Table 1: One Plan Administration provisions subject to this evaluation

The following table outlines the relationships between the One Plan administration provisions.

Objectives (Regional Plan)	Supporting Policy Framework
Objective 12-1: Resource management in the Region (a) The regulation of activities in a manner which maximises certainty and avoids unnecessary costs on resource users and other parties. The regulation of activities in a manner which gives effect to the provisions of Part I of this Plan, the Regional Policy Statement.	Policies 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8
Objective 12-2: Consent duration, review and enforcement (a) The provisions of the RMA dealing with the duration of resource consents, review of consent conditions, and enforcement procedures must be implemented in a manner that provides maximum reasonable certainty to resource users, affected parties and submitters. The Regional Council will provide user-friendly consents of appropriate duration and will carefully monitor and manage compliance.	Policies 12-5, 12-6, 12-7, 12-8
Chapter 19 Financial contributions <i>No objective</i>	Policies 19-1, 19-2, 19-3

Table 2: Relationship between the One Plan provisions.

There are no administrative objectives or policies in the RPS. Chapter 10 Administration includes section 10.4, which states:

The policies in Parts I and II of this Plan will be implemented through the exercising of the Regional Council's function as a consent authority, through Territorial Authorities giving effect to Part I of this Plan, and through the methods of Part I of this Plan.

The chapter then includes Methods 10-1 and 10-2, both entitled 'Regional Plans and District Plans'. There are no indicators or anticipated environmental results set out in the RPS that are specific to the administration provisions.

Chapter 1 and Chapter 11 do not contain any formal provisions (objectives, policies, rules or other methods). Their function is largely to introduce, respectively, the RPS and One Plan as a whole, and the Regional Plan.

The administration provisions in the Regional Plan do not address any identified resource management issues; nor are there any anticipated environmental results associated with them. Their focus is almost entirely procedural, with the exception of the financial contributions policies.

The objectives and policies that relate to administration of the One Plan and the resource management system are outlined as follows.

Objective 12-1 describes broad principles underpinning how resource management regulation will be applied and implemented in the region. Its assessment draws on both quantitative and qualitative data.

Objective 12-1: Resource management in the Region	<ul style="list-style-type: none"> (a) The regulation of activities in a manner which maximises certainty and avoids unnecessary costs on resource users and other parties. (b) The regulation of activities in a manner which gives effect to the provisions of Part 1 of this Plan, the Regional Policy Statement.
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Policies 12-1, 12-2 and 12-3 give effect to **Objective 12-1** by describing how the RMA requirements in relation to setting regulation and consenting will be applied to provide clarity and consistency for participants (consent applicants, affected parties, submitters and other interested parties).

Policy 12-1: Regional rules[^] for restricted activities	<p>For activities that are restricted under Part 3 of the RMA, pursuant to ss12(1), 12(2), 12(1), 13(2), 14(1), 14(2), 15(1 and (152A), <i>regional rules[^]</i> must be adopted which:</p> <ul style="list-style-type: none"> (a) classify as permitted those activities that are unlikely to have more than minor adverse <i>effects[^]</i> on the <i>environment[^]</i>, or are able to be managed through <i>permitted activity[^] conditions[^]</i> and do not require any <i>site*-specific</i> regulation by way of <i>resource consents[^]</i>; (b) classify as controlled those activities that can have more than minor adverse <i>effects[^]</i> on the <i>environment[^]</i>, but where the need for <i>site*-specific</i> management can be confined to a narrow list of matters that can be addressed by way of consent <i>conditions[^]</i> on a consent that must be granted; (c) classify as restricted discretionary those activities for which the Regional Council needs to retain its discretion to decline consent owing to the potentially significant level of adverse <i>effects[^]</i>, but it is possible to restrict the exercise of the Regional Council's discretion to a specified list of matters; (d) classify as discretionary those activities for which the Regional Council needs to retain its discretion to decline consent owing to the potentially significant level of adverse <i>effects[^]</i>, and it is not practicable to restrict the exercise of the Regional Council's discretion to a specified list of matters;
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	<p>(e) classify as non-complying those activities for which the Regional Council would generally not grant a <i>resource consent</i>^ owing to the potential for very significant adverse <i>effects</i>^ on the <i>environment</i>^;</p> <p>(f) classify as prohibited those activities for which there is clear evidence that the activity is likely to have adverse <i>effects</i>^ that are so significant that they could not be adequately avoided, remedied or mitigated under any circumstances.</p>
Policy 12-2: Regional rules^ for unrestricted activities	<p>For activities that are allowed under Part 3 of the RMA, pursuant to ss9(3), 12(3) and 14(2) the Regional Council will intervene by way of <i>regional rules</i>^ only where:</p> <p>(a) any such activity is likely to cause significant adverse <i>effects</i>^ on the <i>environment</i>^; and</p> <p>(b) <i>regional rules</i>^ are the best means of addressing those adverse <i>effects</i>^.</p> <p>For any <i>rules</i>^ adopted for these activities, activities will be classified in the same manner as that set out under Policy 12-1.</p>
Policy 12-3: Conditions^, standards and terms in regional rules^	<p><i>Regional rules</i>^ must contain measurable and enforceable <i>conditions</i>^, standards and terms so that there is certainty for both resource users and other interested parties.</p>

Objective 12-2 establishes an expectation that One Plan regulation will be implemented to provide clarity and certainty for consent applicants, process participants, and the wider community. Its assessment also relies on both qualitative and quantitative data sources.

Objective 12-2: Consent duration, review and enforcement	<p>(a) The provisions of the RMA dealing with the duration of resource consents, review of consent conditions, and enforcement procedures must be implemented in a manner that provides the maximum reasonable certainty to resource users, affected parties and submitters.</p> <p>(b) The Regional Council will provide user-friendly consents of appropriate duration and will carefully monitor and manage compliance.</p>
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Policies 12-4, 12-5, 12-6, 12-7 and 12-8 give effect to **Objective 12-2**. They expand on the high-level principles of clarity and certainty to provide for consistency of regulatory process and implementation practice.

Policy 12-4: Consent conditions^	<p>(a) The Regional Council will grant consents with <i>conditions</i>^ identified as necessary during the <i>resource consent</i>^ process, including <i>conditions</i>^ proposed by the applicant as a result of pre-application consultation agreements.</p> <p>(b) In respect of (a) above, the Regional Council will draft consent <i>conditions</i>^ that ensure:</p> <ul style="list-style-type: none"> (i) the applicant is certain how compliance will be achieved and monitored; (ii) the <i>conditions</i>^ are specific to the activity being undertaken; (iii) the <i>conditions</i>^ are fair, reasonable and practical; (iv) the <i>conditions</i>^ are in plain English; and (v) the <i>conditions</i>^ are enforceable.
Policy 12-5: Consent durations	<p>(a) Other than as provided for under (b), the Regional Council will generally grant <i>resource consents</i>^ for the term sought by the applicant unless</p>

	<p>reasons are identified during the consent process that make this inappropriate.</p> <p>(b) Resource <i>consent</i>^ durations for applications required under ss13, 14 and 15 of the RMA will generally be set to the next common catchment expiry date listed in Table 12.1. The dates listed in Table 12.1 show the initial expiry or review dates for consents within the catchment. Future dates for expiry or review of consents within that catchment must occur again every 10 years thereafter. Consents granted within three years prior to the relevant common catchment expiry date may be granted with a duration to align with the second common expiry date (that is the number of years up to the next expiry date plus 10 years). Dates may also be extended in 10 year increments where a term longer than 10 years can be granted after considering the following criteria:</p> <ul style="list-style-type: none"> (i) the extent to which an activity is carried out in accordance with a recognised code of practice, environmental standard or good practice guideline; (ii) the most appropriate balance between environmental protection and investment by the applicant; (iii) the provision of s128 review opportunities to enable matters of contention to be periodically reviewed in light of monitoring and compliance information; and (iv) whether the activity is <i>infrastructure</i>^; <i>water</i>^, sewage or stormwater treatment plants and facilities; or publicly accessible <i>solid waste</i>* facilities including <i>landfills</i>*, transfer stations and resource recovery facilities. <p>For a consent which is granted for a duration longer than 10 years, review of the consent must occur, as a minimum, on the review date in Table 12.1 and every 10 years thereafter until consent expiry. Extra review dates may be set in accordance with Policy 12-6.</p> <p>(c) Matters to be considered in determining a shorter consent duration than that requested under (a):</p> <ul style="list-style-type: none"> (i) whether it is necessary for an activity to cease at a specified time; (ii) whether the activity has <i>effects</i>^ that are unpredictable and potentially serious for the locality where it is undertaken and a precautionary approach is needed; (iii) the risks of long-term allocation of a resource whose availability changes over time in an unpredictable manner, requiring a precautionary approach; and (iv) in the case of existing activities, whether the consent holder has a good or poor compliance history in relation to environmental <i>effects</i>^ for the same activity.
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Common expiry/review dates for consents in *Water Management Sub-zones**:

<i>Water Management Zone</i> *	<i>Water Management Sub-zone</i> *	Expiry / review (1 July)
Upper Manawatu	Upper Manawatu, Mangatewainui and Mangatoro	2011
Weber-Tamaki	Weber-Tamaki and Mangatera	2011
Upper Tamaki	Upper Tamaki	2011

Water Management Zone*	Water Management Sub-zone*	Expiry / review (1 July)
Upper Kumeti	Upper Kumeti	2011
Tamaki-Hopelands	Tamaki-Hopelands, Lower Tamaki, Lower Kumeti, Oruakeretaki and Raparapawai	2011
Hopelands-Tiraumea	Hopelands-Tiraumea	2011
Tiraumea	Upper and Lower Tiraumea, Mangaone, Makuri and Mangaramarama	2010
Mangatainoka	Upper, Middle and Lower Mangatainoka and Makakahi	2010
Upper Gorge	Upper Gorge, Mangapapa, Mangaatua, Upper and Lower Mangahao	2013
Middle Manawatu	Middle Manawatu, Upper, Middle and Lower Pohangina, and Aokautere	2013
Lower Manawatu	Lower Manawatu, Turitea, Kahuterawa, Upper and Lower Mangaone Stream and Main Drain	2013
Oroua	Upper, Middle and Lower Oroua, Kiwitea and Makino	2019
Coastal Manawatu	Coastal Manawatu, Upper and Lower Tokomaru, Mangaore, Koputaroa and Foxton Loop	2018
Upper Rangitikei	Upper Rangitikei	2017
Middle Rangitikei	Middle Rangitikei, Pukeokahu-Mangaweka, Upper, Middle and Lower Moawhango, Upper and Lower Hautapu	2017
Lower Rangitikei	Lower Rangitikei and Makohine	2017
Coastal Rangitikei	Coastal and Tidal Rangitikei, Porewa and Tutaenui	2017
Upper Whanganui	Upper Whanganui	2015
Cherry Grove	Cherry Grove, Upper and Lower Whakapapa, Piopotea, Pungapunga and Upper and Lower Ongarue	2015
Te Maire	Te Maire	2015
Middle Whanganui	Middle Whanganui, Upper and Lower Ohura and Retaruke	2015
Pipiriki	Pipiriki, Tangarakau, Whangamomona, Upper and Lower Manganui o te Ao, Oroutoha, Middle Manganui o te Ao, Waimarino, Makatote and Mangaturuturu	2015
Paetawa	Paetawa	2015
Lower Whanganui	Lower and Coastal Whanganui, Upokongaro and Matarawa	2015
Upper Whangaehu	Upper Whangaehu, Tokiahuru, Waitangi	2009
Middle Whangaehu	Middle Whangaehu	2009
Lower Whangaehu	Lower Whangaehu, Upper and Lower Makotuku, Upper and Lower Mangawhero and Makara	2009
Coastal Whangaehu	Coastal Whangaehu	2009
Turakina	Upper and Lower Turakina and Ratana	2014
Ohau	Upper and Lower Ohau	2012
Owahanga	Owahanga	2016
East Coast	East Coast	2016

Water Management Zone*	Water Management Sub-zone*	Expiry / review (1 July)
Akitio	Upper and Lower Akitio and Waihi	2016
Northern Coastal	Northern Coastal	2012
Kai Iwi	Kai Iwi	2012
Mowhanau	Mowhanau	2012
Kaitoke Lakes	Kaitoke Lakes	2014
Southern Whanganui Lakes	Southern Whanganui Lakes	2014
Northern Manawatu Lakes	Northern Manawatu Lakes	2014
Waitarere	Waitarere	2014
Lake Papaitonga	Lake Papaitonga	2014
Waikawa	Waikawa and Manakau	2014
Lake Horowhenua	Lake Horowhenua and Hokio	2014

Table 3: Common expiry/review dates for consents in *Water Management Sub-zones*

<p>Policy 12-6: Consent review</p>	<p>In addition to the reasons specified in s128(1)(a)(i) and (ii) RMA, the Regional Council will, under s128(1)(a)(iii) RMA, generally impose consent <i>conditions</i>[^] that specify a review of consent <i>conditions</i>[^] during the term of the consent for:</p> <ul style="list-style-type: none"> (a) reviewing the appropriateness of any <i>condition</i>[^] requiring the consent holder to supply the <i>consent authority</i>[^] with information relating to the exercise of the resource <i>consent</i>[^]; (b) reviewing any unknown or uncertain adverse <i>effects</i>[^] caused as a result of planned or required changes or <i>upgrades</i>[*] to the activity; (c) reviewing the <i>conditions</i>[^] of a consent at the same time as review of other consents within the same <i>Water Management Sub-zone</i>[*] - for example, at a <i>common catchment expiry or review date</i>[*]; and (d) reviewing the effectiveness of consent <i>conditions</i>[^] to avoid, remedy or mitigate any adverse <i>effects</i>[^] of the activity on the <i>environment</i>[^]. <p>The Regional Council will generally initiate reviews of <i>conditions</i>[^] when monitoring results or other evidence demonstrate a review is required.</p>
<p>Policy 12-7: Sites* with multiple activities, and activities covering multiple sites*</p>	<p>For applications made to the Regional Council for either:</p> <ul style="list-style-type: none"> (a) a <i>site</i>[*] with a number of different activities requiring consent; or (b) a particular type of activity that will be undertaken by the consent holder at a number of <i>sites</i>[*], <p>consent applicants may combine some or all activities or <i>sites</i>[*] under umbrella consents. If the Council considers that such an approach is appropriate then it must establish consent <i>conditions</i>[^], durations and review provisions which enable an integrated approach to be taken for managing environmental <i>effects</i>[^] from the <i>site</i>[*] or activity as a whole. There may be circumstances where individual activities are considered at their given classification rather than the most stringent activity classification. There may also be circumstances where specific <i>conditions</i>[^] are required to address <i>site</i>[*]-specific circumstances and <i>effects</i>[^].</p>
<p>Policy 12-8: Enforcement procedures</p>	<ul style="list-style-type: none"> (a) The Regional Council will generally use <i>abatement notices</i>[^], infringement notices, <i>enforcement orders</i>[^] or prosecution in response to non-

	<p>compliance with this Plan or the RMA, unless an alternative approach will achieve a better outcome.</p> <p>(b) In determining the type of enforcement tool to be used, the following factors will be taken into account:</p> <ul style="list-style-type: none"> (i) the environmental outcome or behaviour change required; (ii) the cause of non-compliance; (iii) the actual or potential scale of the adverse <i>effects</i>^; (iv) whether the non-compliance is due to an ongoing activity or an isolated incident; (v) any proactive response by the person who has committed the offence; (vi) the person's previous compliance history; (vii) whether urgent remedial action is required; (viii) which enforcement tool is most likely to produce the desired environmental outcome or change in behaviour; and (ix) any defences the person may rely upon.
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Chapter 19 Financial Contributions does not have its own objective; **Policies 19-1, 19-2** and **19-3** support consent decision-making for specific types of activities and purposes.

<p>Policy 19-1: Situations when financial contributions may be required and the purpose of financial contributions</p>	<p>A financial contribution may be imposed as a <i>condition</i>^ of consent for the following types of activities and for the following purposes:</p> <ul style="list-style-type: none"> (a) Infrastructure^ – A financial contribution may be imposed as a <i>condition</i>^ of consent for the establishment, <i>maintenance</i>*, alteration, <i>upgrading</i>*, or expansion of <i>infrastructure</i>^ and other physical resources of regional or national importance. The purpose must be to offset significant adverse <i>effects</i>^ on the <i>environment</i>^ by funding positive <i>effects</i>^ of an equivalent or similar character, nature and scale as the adverse <i>effects</i>^. (b) Aquatic ecosystems and rivers^ – A financial contribution may be imposed as a <i>condition</i>^ of consent for any type of activity that has significant adverse <i>effects</i>^ on aquatic ecosystems, fish passage, <i>river</i>^ bank erosion, flow regimes or riparian vegetation, in circumstances where such adverse <i>effects</i>^ will not be adequately avoided, remedied or mitigated. The purpose of the financial contribution must be to offset the adverse <i>effects</i>^ by providing for the restoration or enhancement of aquatic ecosystems, fish passage, <i>river</i>^ bank stability, flow regime or riparian vegetation in the general area affected by the activity or, where this is not practicable or desirable, in another location. (c) Indigenous Biological Diversity^ – A financial contribution may be imposed as a <i>condition</i>^ of consent for any type of activity that has significant adverse <i>effects</i>^ on indigenous <i>biological diversity</i>^ in circumstances where such adverse <i>effects</i>^ will not be adequately avoided, remedied or mitigated. The purpose of the financial contribution must be to offset the adverse <i>effects</i>^ by providing for the protection, restoration or enhancement of indigenous <i>biological diversity</i>^ in a location with similar indigenous <i>biological diversity</i>^ values. (d) Public access to and along the coastal marine area^ (CMA), lakes^ and rivers^ – A financial contribution may be imposed as a <i>condition</i>^ of consent for any type of activity that will restrict or prevent existing legal or lawful public access to or along the CMA, a <i>lake</i>^ or a
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	<p><i>river</i>^, except in circumstances where such restrictions are necessary for public safety or are in accordance with the Environmental Code of Practice for River Works (Horizons Regional Council, June 2010). The purpose of the financial contribution must be to provide for alternative public access in the vicinity of the activity or at another similar location.</p>
<p>Policy 19-2: Amount of contribution</p>	<p>The amount of contribution must be an amount determined on a case-by-case basis by the Regional Council to be fair and reasonable. The amount must not exceed the reasonable cost of funding positive environmental <i>effects</i>^ required to offset the net adverse <i>effects</i>^ caused directly by the activity. For the purposes of this policy and Policy 19-3, the “net adverse <i>effects</i>^” means a reasonable assessment of the level of adverse <i>effects</i>^ after taking into account:</p> <ul style="list-style-type: none"> (a) the extent to which significant adverse <i>effects</i>^ will be avoided, remedied or mitigated by other consent <i>conditions</i>^, (b) the extent to which there will be positive environmental <i>effects</i>^ of the activity which may offset any or all adverse <i>effects</i>^, and (c) the extent to which other environmental compensation is offered as part of the activity which may offset any or all adverse <i>effects</i>^.
<p>Policy 19-3: Matters to be considered for financial contributions</p>	<p>The Regional Council must take into account the following matters when making decisions about the imposition and use of financial contributions.</p> <ul style="list-style-type: none"> (a) The Council must place primary emphasis on requiring the adverse <i>effects</i>^ of an activity to be adequately avoided, remedied or mitigated by way of other types of consent <i>conditions</i>^. Financial contributions, designed to offset or compensate for adverse <i>effects</i>^, must for most applications only be considered as a secondary measure. (b) Financial contributions must not be used where the <i>effects</i>^ of activities are generally consistent with the purpose of the RMA and the resource management objectives and policies in this Plan. (c) Financial contributions must be used where granting a consent subject to a financial contribution would be more effective in achieving the purpose of the RMA (including recognition of the social, economic and cultural benefits of the activity) and the resource management objectives and policies of this Plan, as opposed to declining consent or granting a consent without requiring a financial contribution. (d) Financial contributions must not be used where a more suitable revenue collection power is available to the Regional Council. (e) The Council must take into account any financial contribution levied by a <i>Territorial Authority</i>^ for the activity requiring consent and the purposes to which that <i>Territorial Authority</i>^ contribution will be put, in order to avoid the Regional Council and the <i>Territorial Authority</i>^ collecting financial contributions for duplicate purposes. (f) The Council must take into account cumulative <i>effects</i>^ in the financial contribution assessments under Policies 19-1 and 19-2. (g) The Council must generally ensure that a financial contribution is used to fund measures as close as possible to the <i>site</i>* where the adverse <i>effects</i>^ occur, or at one or more <i>sites</i>* similar to that where the adverse <i>effects</i>^ occur, having regard to the location of any affected community.

	(h) The Council does not intend that all net adverse <i>effects</i> ^ as defined in Policy 19-2 above must be fully offset in every case by way of a financial contribution.
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5.1 Effectiveness Assessment

Staff have not identified any issues currently with the administration provisions in the course of their implementation.

5.1.1 General objectives and policies

No specific methods exist for Objectives 12-1 and 12-2

Objectives 12-1 and 12-2 are an articulation of the outcomes for participants in resource management in the Region during the setting and implementation of regulation. The focus of the objectives and their supporting policies includes:

- approaches to setting regulation at a level appropriate to the risk of adverse environmental effects that could result from an activity, and the degree of certainty about how those effects can be understood and managed;
- ensuring efficiency by providing certainty and avoiding unnecessary costs;
- providing clarity and certainty for participants (consent applicants, affected parties, submitters and other interested parties);
- seeking consistency in the implementation of the RMA through the regulatory framework for consent application, review and enforcement processes.

These provisions are, in essence, all requirements of the RMA repackaged in a single section, setting high level principles for implementation approaches with the aim of achieving consistency, clarity and efficiency within the region’s resource management system. They complement the introductory overview of Horizons’ intended approach to implementation set out in section 1.5 Working towards a better future.

The suite of policies to support the objectives was put in place well prior to the insertion of s18A (Procedural principles) into the RMA in 2017 and consequently there has been no formal test through a plan review of whether they give effect to that section, despite obvious overlaps.

Policy 12-1 Regional rules for restricted activities; **Policy 12-2** Regional rules for unrestricted activities

Policy 12-1 outlines the approach that will be taken to applying an activity status to regional rules for activities that are restricted by Part 3 RMA – that is, those activities that cannot be undertaken unless they are allowed by a national environmental standard or plan rule. It requires consideration of the potential environmental impact of activities and the level of certainty that can be achieved for managing those impacts. The rule status (permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited) then establishes the level of scrutiny to be given to activities. The intent of the policy is that regulation will be efficient, and set at a level which minimises process complexity and costs while providing for the environmental outcomes set through Part I: Regional Policy Statement.

Policy 12-2 considers when it is appropriate to restrict activities that could otherwise be carried out as of right by Part 3 RMA; in particular, this applies to land use and discharges of contaminants into air. It applies the framework established in Policy 12-1 for determining what activity status should be given to any otherwise unrestricted activity that would have significant adverse environmental effects, to ensure consistency and certainty across all regulation. These two policies are, along with Policies 12-3 to 12-8, referenced within regional plan policies related to unrestricted activities, including: Policy 13-1 Regional rules for vegetation clearance, land disturbance, forestry and cultivation; Policy 13-3 Regional rules for activities affecting indigenous biological diversity;

Policy 15-3 Regional rules for air; and Policy 18-1 Regional rules for the CMA – however, Policy 12-1 is not referred to in any other chapters dealing with restricted activities.

It is not the role of this evaluation to consider whether the activity status of individual rules have been set at the most appropriate level; that assessment will be made through the applicable s35 evaluation or implementation assessment for the topic the activity is related to. However, it should be noted that other completed reports have identified issues associated with rule activity status. In particular, the Te Ao Māori evaluation report (phase 1 desktop study) discusses the balance between allocating permitted or controlled activity status and providing for participation in consent decision-making by hapū or iwi, for example where there is a statutory acknowledgement in place that formally recognises their interest in any activity affecting the area. Policy 12-1 does not acknowledge or include any guidance on how regulation of activities in the regional plan will ensure appropriate access to participation will be achieved.

In considering Policies 12-1 and 12-2, there are two potential measures associated with their implementation that may provide some indications of whether the policies are effective.

The first is the number and status of One Plan rules compared to those in the first generation regional plans. The following table demonstrates that overall there are fewer rules⁴ in the One Plan, and regulation of more activities has been set at a level that provides greater certainty for resource users. For example, the majority of One Plan rules are permitted or controlled rules; this means that provided the conditions and standards specified in the rule can be met, the activity must be allowed to be undertaken. Also noteworthy is the increased number of restricted discretionary activities compared to the first generation plans. This activity status, which provides for limited scope on which to base a decision to impose consent conditions or decline an application and is intended to clarify which aspects of an activity must be addressed, was not used at all in several first generation plans⁵.

	One Plan ⁶		First generation regional plans	
Total number of rules	137		175	
Permitted	66	48 %	68	39 %
Controlled	19	14 %	21	12 %
Restricted discretionary	10	7 %	17	10%
Discretionary	26	19 %	34	19%
Non complying	10	7 %	22	13 %
Prohibited	6	4 %	13	7 %

Table 4: Number of One Plan rules by Activity Class

A more specific assessment of the number and activity status of regional rules for otherwise unrestricted activities does not provide a meaningful comparison because numerous One Plan rules include discharges to air or land use activities as ancillary activities, or (in the case of the nutrient management rules in Chapter 14) combine land use and discharge activities.

The second measure is whether Policies 12-1 and 12-2 have been considered in the setting of activity status during plan changes, as it is during these processes that the policies are most likely to be relevant. To date, Plan Change 3 is the only completed plan change process; however, as it

⁴ Based on a comparison with the One Plan PA2 2022 version.

⁵ Restricted Discretionary activity status is used only in the Regional Plan for Beds of Rivers and Lakes, and the Regional Land and Water Plan. There are no restricted discretionary rules in the Manawatū Catchment Water Quality Regional Plan, the Regional Air Plan or the Regional Coastal Plan.

⁶ As amended by Plan Amendment 1, 2018.

changes only the RPS these policies do not apply. Plan Change 2⁷ is the only other plan change to have progressed through notification and the hearing panel's recommendations adopted by Council; it is currently under appeal to the Environment Court. Neither policy is referred to in either the expert evidence of Horizons' reporting planner⁸, or hearing panel's recommendation report⁹.

While the approach that these policies articulate has resulted in an overall reduction in the number of rules and increased certainty for applicants compared to Horizons' suite of first generation resource management plans, there is insufficient evidence to assess whether they have been efficient and effective in practice since they became operative, as these policies have not yet been tested during a plan change process. However, it is noteworthy that they do not explicitly articulate support for the approach to regulation set out in Section 1.5 Working towards a better future and Section 1.6, both of which signal that plan rules and their conditions will recognise industry-developed codes of practice and good practice initiatives.

Policy 12-3 Conditions, standards and terms in regional rules

Policy 12-3 states:

Regional rules must contain measurable and enforceable conditions, standards and terms so that there is certainty for both resource users and other interested parties.

This is high-level direction, recognising the necessity of sound drafting in establishing unambiguous rules which have the same status as central government regulation (s68(2) RMA), and reducing the risk of legal challenge. It also contributes to s18A(b)(ii), the procedural principle introduced in 2017 that all policy statements and plans be worded in a way that is clear and concise.

As was the case with Policies 12-1 and 12-2, Policy 12-3 is only referenced in other regional plan policies relating to the regulation of unrestricted activities; there is no cross reference to Policy 12-3 in those regional plan objectives relating to the approach to regulation of restricted activities (Objective 16-1: Regulation of takes, uses and diversions of water and Objective 17-1: Regulation of structures and activities in artificial watercourses and in the beds of rivers and lakes, and damming)¹⁰. While it is reasonable that there would be greater policy direction around imposing regulation on otherwise unrestricted activities, Policy 12-3 in particular is arguably of equal importance to the effective and efficient regulation of restricted activities.

Also as with Policies 12-1 and 12-2, it is not the function of this evaluation to assess individual rule conditions, standards and terms. However, it should be noted that as a result of implementation challenges, officers have identified some provisions that may not give effect to Policy 12-3¹¹. These more specific examples will be addressed through each topic's evaluation and subsequent plan review.

A potential measure of the clarity of regulation could be the number of 'incidents', complaints unconsented activities that breach rule conditions, including permitted activity rules, reported and investigated by Consents Monitoring officers. However, because the recording of incidents does not yet include an ability to link to an applicable plan provision, this does not provide a meaningful measure. The majority of incidents relate to discharges to air (smoke and odour), which have a more immediate and inescapable effect on complainants than most other types of incident, and

⁷ 'Plan Change 1' was in fact an amendment, in accordance with s55 RMA.

⁸ Section 42a report of Christine Foster on behalf of Manawatū-Whanganui Regional Council: planning (4 September 2020). Retrieved from <https://www.horizons.govt.nz/CMSPages/GetFile.aspx?guid=89b65be8-d457-4192-a6de-a3ab7c251906&disposition=attachment>

⁹ Recommendation of Independent Hearing Panel: Plan Change 2 One Plan – existing intensive farming land uses (March 2021). Retrieved from <https://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/One%20Plan%20Reviews%20and%20Changes%20Documents/Horizons-Regional-Council-Plan-Change-2-Recommendations-of-the-Hearing-Panel.pdf?ext=.pdf>

¹⁰ Objective 14-1 is couched more broadly as 'Management of discharges to land and water and land uses affecting groundwater and surface water quality'.

¹¹ For example, land disturbance rules relying on the definition of 'upgrade' do not include a clearly articulated threshold.

although the number of reports has roughly doubled since 2014/15¹², this includes both confirmed and unconfirmed incidents and is likely to be the result of external factors (discussed in detail in Section 35 evaluation report: One Plan chapters 7 and 15: air¹³) rather than a reflection on how easy it is to understand the rules¹⁴.

Policy 12-4 Consent conditions

Resource consents invariably have conditions attached. While Policy 12-4 is generally considered to reflect good planning practice, in reality it likely adds little to the consideration of consent conditions as this will be guided by practice (including case law) rather than policy – there is a risk that evolving practice requirements will render the policy irrelevant¹⁵.

There is little data available to measure the effectiveness of this policy; in particular, there is no record of how many applicants have proposed conditions and how many of these have been included in the final resource consent. In practice, the wording of many consent conditions has been standardised – developed and tested to ensure consistency and enforceability.

It is reasonable to expect that this policy would be applicable to every consent granted. However, data obtained from IRIS, Horizons’ consent database, records that Policy 12-4 has been referred to in 335 decisions¹⁶, or 13.7 percent of the approximately 2,400 authorisations assessed against the operative versions of the One Plan recorded in IRIS. Although the following table breaking this down by plan version appears to show that over time this policy may be being referenced more frequently, it is important to note that policies are not thought to have been consistently recorded prior to 2018¹⁷ – therefore this cannot be viewed as a robust indicator of any increase in the policy’s application (and therefore effectiveness) over time.

Plan version ¹⁸	Consents granted	Policy 12-4	
One Plan 2014	626	49	7.8%
One Plan 2016	756	96	12.7%
One Plan 2018	1069	190	17.8%
Total	2451	335 ¹⁹	13.7%

Table 5: Comparison of number of consents granted with recorded references to Policy 12-4

Another potential source of data is the Horizons resource consent applicant survey, a short questionnaire made available when consent decisions are delivered. This has consistently asked whether consent holders understood their conditions or found them easy to understand; prior to mid-2019 a follow up question asked if not, the reason (too technical, not relevant, not clear, other). The following table shows that the very small number of respondents who said they did not understand their conditions indicated it was because they were too technical or not clear.

Year	Total number of respondents	Number who did not find conditions easy to understand	Reason(s)
2015-16	34	1	Too technical
2016-17	24	2	Too technical

¹² Bevin, G. & Daly, E. (2023). Regulatory management report – May to August 2023 (Report 23-112). Horizons Regional Council Strategy. <https://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Strategy-and-Policy-Committee-Folder/Strategy-Policy-Committee-2023-12-09/Full%20Agenda%20.pdf>

¹³ [https://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/S35-Evaluation-AIR-\(Final\).pdf](https://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/S35-Evaluation-AIR-(Final).pdf)

¹⁴ G. Bevin, personal communication, 8 April 2024

¹⁵ J. Mitchell, personal communication, 9 June, 2023

¹⁶ As at March 3, 2023

¹⁷ When the approach to and resourcing for implementation of IRIS changed (B. Pawson, personal communication, 3 July 2024)

¹⁸ One Plan 2022 has not been included as the numbers of consents granted against this version at the time of retrieving the data (March 2023) were negligible.

¹⁹ Note also that this total may include some duplicated authorisations where an application has been considered against more than one version of the policy.

2017-18	9	1	Too technical
2018-19	5	0	
2019-20	No data available		
2020-21 ²⁰	1	0	Question no longer asked
2021-22	8	1	
2022-23	4	0	
2023-24 ²¹	6	1	

Table 6: Consent applicant survey results

While this seems to suggest that Policy 12-4 is effective, the typically very few responses to this survey overall make the sample too small and inconsistent for any results to be considered a robust reflection of consent holder attitudes. It should be noted that draft consent conditions are usually circulated to applicants prior to granting, providing an opportunity for clarification or explanation.

Policy 12-5 Consent durations

Policy 12-5 establishes a catchment-based framework based on a 'common catchment expiry' (CCE) dates for the setting of consent durations (and reviews) for activities regulated by ss13, 14 and 15 RMA – that is, certain uses of beds of rivers and lakes and water, and discharges of contaminants²². Its intent is to enable cumulative effects to be assessed in an integrated manner and assist with resource allocation issues (such as over-allocation of water) by coordinating the expiry of, and reapplication for, consents in a water management sub-zone. An example of a successful outcome resulting from this approach was the collective processing of multiple consents to take water in the previously over-allocated Raparapawai sub-zone following their expiry in 2021²³.

The policy's wording also enables decision-makers to exercise their discretion in whether to apply the CCE date, and provides guidance for extending or curtailing the duration. Its first significant test was the hearing by the Environment Court of Horowhenua District Council's application for the Shannon wastewater system²⁴; the Court clearly focusing on Policy 12-5 in making its decision to set consent duration at 34 years (as sought by the applicant rather than the 24 years recommended by Horizons, and in line with the CCE date). Information to test whether Policy 12-5(b) has been consistently applied, particularly for complex proposals considered by independent commissioners or the Environment Court, cannot be readily accessed.

Other than certain specific land and coastal permits provided for by s123 RMA, all resource consents will be granted for a duration. Therefore, as with Policy 12-4, it is reasonable to expect that this policy would be applicable to almost every consent granted. Data obtained from IRIS records that Policy 12-5 has been referred to in 1191 decisions. The following table shows this broken down by plan version; as with Policy 12-4, the unreliability of data prior to 2018 means that it contributes little to our understanding of the policy's implementation and ongoing-effectiveness.

Plan version	Consents granted	Policy 12-5	
One Plan 2014	626	181	28.9%
One Plan 2016	756	280	37.0%

²⁰ No data available for this financial year prior to April 2021

²¹ To March 2024 only

²² For other activities, consent is generally to be granted for the term sought by the applicant (Policy 12-5(a)).

²³ J. Mitchell, personal communication, 9 June, 2023

²⁴ By direct referral. Decision No. [2015] NZENC 45

One Plan 2018	1069	730	68.3%
Total	2451	1191 ²⁵	48.6%

Table 7: Comparison of number of consents granted with recorded references to Policy 12-5

Some data comparing the duration of consents granted versus the duration requested (or the maximum available term under the RMA) can be extracted from the consents information database, IRIS. A list of 2680 consents granted between 2015 and March 2023 was examined; of these, 1323 (49 percent) recorded both the duration sought and granted. Nine (0.7 percent) showed a difference between what was sought and granted. This data appears to suggest that Policy 12-5(a), which encourages the granting of consents for the term sought by the applicant, is generally being applied; anecdotal evidence from the Consents team²⁶ is that this may be the case for activities that do not need to align with the CCE. However, there is no straightforward way to access and test this in the available datasets. It is also understood that the term applied for, where recorded, can be amended (increased or decreased) during processing to reflect discussions between the planner and applicant – particularly where Policy 125(b) will be applied – further limiting the value of this data to draw any conclusion²⁷.

This policy includes, in addition to the support for consent review conditions provided by Policy 12-6, a stronger direction that consents for activities granted under ss 13, 14 and 15 RMA for a duration beyond the next CCE must have a review set to coincide with every CCE. Again, while the data available from IRIS cannot readily be searched to test the application of this policy, information from the Consents team indicates that it is standard practice and that consistent wording will be used²⁸.

Policy 12-6 Consent review

This policy is intended to supplement s 128 RMA (“Circumstances when consent conditions can be reviewed”), adding reasons that a review conditions could include for initiating consent. These include implementation of Policy 12-5 and the opportunity to exercise adaptive management through the review of unknown or uncertain adverse effects.

In practice, consent reviews are initiated only when a consent’s conditions do not avoid, remedy or mitigate an activity’s environmental effects as anticipated; this would generally be identified as the result of monitoring. Of all consents granted since 2015, only one consent (for the Levin landfill) has been carried out. However, it is not the purpose of this review to assess whether reviews are being initiated in appropriate circumstances; the question to consider is whether Policy 12-6, in conjunction with Policy 12-5, is effective in supporting the inclusion of review conditions in resource consents. It is reasonable to expect that this policy would be referred to in all consents that include a review condition. However, data retrieved from IRIS shows that Policy 12-6 has been referred to in 821 consent decisions, compared to the approximately 1,380 with such a condition. As noted in relation to Policies 12-4 and 12-5, the following breakdown of references compared to the number of consents granted does not contribute to our understanding of the implementation and effectiveness of the policy over time because of the unreliability of the data prior to 2018.

Plan version ²⁹	Consents with review conditions	Policy 12-6	
One Plan 2014	408	59	14.5%
One Plan 2016	448	211	47.1%
One Plan 2018	527	551	104.6%

²⁵ As at March 3, 2023

²⁶ S. Westcott, personal communication, 4 April, 2024

²⁷ S. Westcott, personal communication, 1 July, 2024

²⁸ Ibid and April 5, 2024

²⁹ One Plan 2022 has not been included as the numbers of consents granted against this version at the time of retrieving the data (March 2023) were negligible.

Total	1383	821 ³⁰	59.4%
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Table 8: Comparison of consents with review conditions to references to Policy 12-6

Policy 12-7 Sites with multiple activities, and activities covering multiple sites

This policy provides for process efficiency, supporting the processing of multiple related consents through a single application process. The Reasons for the Decision [on submissions to the Proposed One Plan, August 2010] clarifies that its intent goes beyond the practice known as ‘bundling’ by allowing different activities to be considered against their own activity status when they can be separated, rather than against the most severe³¹. The policy wording is much less directive than the other policies in Chapter 12, using “may” rather than “will”.

There is no specific record of how many times this approach has been taken, but data retrieved from IRIS shows that Policy 12-7 has been referred to in 127 consent decisions, 114 of them against the One Plan 2018 version³². These include both activities that are carried out over multiple sites (for example a discharge of a contaminant from a single source to land areas over a number of properties), and consents for more than one activity at the same site (such as taking water and discharging dairy effluent) or the same project (such as land disturbance, vegetation clearance, bed disturbance and discharges all association with road construction).

As noted in relation to Policy 12-6, the use of the policy is unlikely to have been recorded comprehensively; however, this data does indicate that the policy is being applied appropriately in decisions. As with many of these administration policies, it is not clear whether it is the policy, rather than good practice, which is effective in influencing processing decisions.

Policy 12-8 Enforcement procedures

Enforcement is part of a suite of activities generally referred to together: compliance, monitoring and enforcement (CME). Together they are the phase of resource management practice that ensures regulation (including plan rules, national environmental standards and government regulations) and resource consent conditions are being adhered to by resource users so environmental outcomes will be achieved, and imposing consequences where they are not, in accordance with the requirement of s84 RMA that councils enforce the observance of their policy statements and plans. Policy 12-8 sets out a series of principles for enforcement practice.

The first part of the policy states that Horizons will use the available range of formal enforcement tools in response to non-compliance with the One Plan or the RMA, “unless an alternative approach will achieve a better outcome.” It goes on to list a set of principles to be considered in determining the type of enforcement tool that will be used. It is worth noting that there is no policy support for consents monitoring, despite this being part of Objective 12-2(b).

Horizons is undoubtedly carrying out CME activities, including a programme of consent monitoring based on the environmental risk associated with the activity) and responding to reports of breaches of permitted activities, as can be seen in reporting to Council on the Regulatory Activity³³. There is little evidence available to support an assessment of Policy 12-8’s effectiveness in supporting these activities. The principles articulated in the policy are routinely applied in enforcement practice through the use of a standardised incident assessment process (the Interim Enforcement Decision Checklist, supported by the Compliance Monitoring Policy 2019-2022³⁴, noting that neither of these documents specifically reference the One Plan). However, while the Consents Enforcement team may work with consent holders or industry sectors to support practice improvements when there is

³⁰ Note also that this total may include some duplicated authorisations where an application has been consider against more than one version of the policy.

³¹ See s 7.5.3.22 <https://www.horizons.govt.nz/HRC/media/Media/One%20Plan/Part-7.pdf?ext=.pdf>

³² As at 13 March 2023.

³³ See, for example, <https://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Strategy-and-Policy-Committee-Folder/Strategy-Policy-Committee-2023-12-09/Full%20Agenda%20.pdf>

³⁴ <https://www.horizons.govt.nz/HRC/media/Media/Compliance/HRC-Compliance-Monitoring-Policy-2019-2022.pdf?ext=.pdf>

sufficient capacity, this is separate from enforcement processes; 'alternative approaches' are not used in response to non-compliance. Also, best practice in RMA compliance, monitoring and enforcement has been articulated in a set of guidelines published by the Ministry for the Environment in July 2018³⁵; it is likely that these guidelines rather than the policy will drive consistent practice for CME activities.

5.1.2 Overall effectiveness assessment of Chapter 12 policies

There is little evidence available to conduct a robust assessment of the effectiveness of this suite of policies in supporting officers in implementing the RMA. Overall, they generally appear to reflect good practice. However, it is arguable that most of them are unnecessary or not effective in influencing decision-making much – current good practice will prevail, and there is a risk that it will overtake an approach articulated in these policies (for example, the reference to alternative approaches in Policy 12-8 Enforcement procedures). This may be, at least in part, because the s18A Procedural principles introduced into the RMA in 2017 directs much of this practice from a higher level. The degree to which the One Plan aligns with these principles will need to be formally tested through a plan review process.

The exception to this is Policy 12-5, which goes further than generally reinforcing RMA provisions by providing substantive guidance around setting consent durations and opportunities to review consent conditions at CCE. This is a significant tool to support integrated resource management and allocation across catchments.

These policies directly support Objective 12-1 and 12-2. In terms of whether these objectives are being achieved, evidence is scant:

Objective 12-1(a): The regulation of activities in a manner which maximises certainty and avoids unnecessary costs on resource users and other parties.

There is little data available to assess this. Evidence is limited to very small numbers of survey responses from consent applicants, and objections to consenting costs; these may be at least partially double counting.

The following table shows the survey responses to the question "Were the costs [of your consent] more than expected / less than expected / what was expected?"

Year	Total respondents	Costs more than expected	Costs less than expected	Costs what was expected	Did not answer
2015-16	34	11	0	21	2
2016-17	24	3	0	20	[1]
2017-18	9	1	3	5	0
2018-19	5	0	1	3	[1]

Table 9: Consent applicant survey responses to costs question (pre-2019)

In 2021/22 the question changed to "The costs for obtaining my consent were reasonable":

Year	Total	Strongly agree	Agree	Disagree	Strongly disagree
2020-21 ³⁶	1	0	1	0	0
2021-22	8	2	3	1	2

³⁵ Ministry for the Environment (2018). Best practice guidelines for compliance, monitoring and enforcement under the Resource Management Act 1991. Retrieved from <https://environment.govt.nz/assets/Publications/Files/best-practice-guidelines-cme.pdf>

³⁶ No data available for this financial year prior to April 2021

2022-23	4	1	3	0	0
2023-24 ³⁷	6	2	2	0	2

Table 10: Consent applicant survey responses to costs question (from 2019)

This appears to indicate that the majority of respondents consistently find the cost of obtaining their consent reasonable or what, or less than, they expected; however, the sample is too small for this to be considered in any way conclusive.

Applicants also have the right to object to decisions and the cost of obtaining a consent. The following table shows the number and outcome of costs objections.

Year	Total	Cost objections	Outcome of the objection
2015	3	1	Dismissed
2016	7	4	Withdrawn (2); upheld (1); no decision recorded (1)
2017	5	2	Partially upheld
2018	5	3	Dismissed (1); partially upheld (1); upheld (1)
2019	4	2	Dismissed
2020	10	9	Dismissed (6); partially upheld (2); upheld (1)
2021	3	1	Partially upheld
2022	4	4	Withdrawn (1); partially upheld (3)
2023	6	4	Dismissed (1); partially upheld (1); no decision recorded (2)
2024 (to May 2)	3	1	No decision recorded
Totals:	50	31	Withdrawn (3); dismissed (10); partially upheld (9); upheld (6); no decision recorded (3)

Table 11: Number and outcome of cost objections

Although this is a small dataset, that in itself may indicate that the vast majority of applicants are sufficiently content with the cost of processing their consent that they are not motivated to object. It is noteworthy, however, that 62 percent of objections were to the cost³⁸, and that of the 28 with a decision recorded, 15 or almost 54 percent were upheld fully or in part; the objective is demonstrably not fully achieved in a small number of cases.

Objective 12-1(b): The regulation of activities in a manner which gives effect to the provisions of Part I of this Plan, the Regional Policy Statement

This objective simply restates the fundamental requirement of s67(3)(c) RMA, that a regional plan must give effect to the regional policy statement. Part II of the One Plan, the combined Regional Plan and Regional Coastal Plan, has been tested through hearing of submissions, appeals of the decisions on submissions, declaratory proceedings and plan change processes. These, and any future plan change proceedings, ultimately determine whether s67 has, and continues to be, met.

Objective 12-2(a): The provisions of the RMA dealing with the duration of resource consents, review of consent conditions, and enforcement procedures must be implemented in a manner that provides the maximum reasonable certainty to resource users, affected parties and submitters.

³⁷ To March 2024 only

³⁸ Of the remainder, 12 were objections to the decision and the remainder for other reasons including the decision to reject an application as incomplete.

This objective is a statement of good practice. It appears from the available evidence relating to the implementation of Policies 12-5, 12-6 and 12-8 that this suite of provisions mainly influences practice around setting of consent durations and review dates as set out in Policy 12-5. It is noticeable that this objective reads more like a policy. In particular, CME is carried out in accordance with other Horizons policies and checklists that may well follow the principles of Policy 12-8 but do not refer to it.

Objective 12-2(b): The Regional Council will provide user-friendly consents of appropriate duration and will carefully monitor and manage compliance.

Survey results from a very limited number of respondents provide an indication that resource consent conditions can generally be understood; other questions are focused on the application process rather than the consents themselves. If it is assumed that 'appropriate duration' is in accordance with Policy 12-5, which is thought to be being applied consistently, then this aspect of the objective is likely to be generally achieved; objections or appeals of consent duration cannot be identified readily. However, monitoring and managing compliance is, as noted in relation Objective 12-2(a), undertaken in accordance with RMA requirements for CME and guided by policies and checklists outside the One Plan. There is no policy support for monitoring.

A comparison with the administrative policies in regional plans made, or close to, operative since 2020, Proposed Southland Water and Land Plan (partially operative), Northland Proposed Regional Plan (effectively operative as of February 2024) and Greater Wellington Natural Resources Plan (operative July 2023) shows that all include policies guiding consent duration. In Greater Wellington's case, this also encompasses synchronised expiry dates, and the plan also includes a policy focused on review of existing consents. Southland's plan includes a policy entitled "matching monitoring to risk". This suggests that a much more sparing use of policies to articulate approaches to practice can be taken when the One Plan is next reviewed, eliminating provisions which simply restate legislative requirements.

5.1.3 Chapter 19 Financial Contributions

Chapter 19 includes three policies to guide the use of financial contributions as a condition of resource consent

Financial contributions are defined in s108 RMA as a contribution of money, land or a combination of the two. Consent authorities may include a condition in a resource consent requiring a financial contribution for purposes and at the level specified in a plan; any monetary contribution must then be used for that purpose³⁹. They have had a chequered history in recent years; the Resource Legislation Amendment Act 2017 repealed all sections relating to financial contributions, with effect from 2022. This would have required all applicable plan provisions to be removed. However, these amendments were later overturned by the Resource Management Amendment Act 2020, reinstating the status quo.

The purpose of enabling a financial contribution to be imposed is generally to offset adverse environmental effects that cannot be avoided, mitigated or remedied. Chapter 19 of the One Plan is included to satisfy the requirements of the RMA in relation to setting out situations when financial contributions may be required, how the level of contribution will be determined and matters Horizons will consider when deciding whether to impose a financial contribution and how they would be used. The three policies that guide these decisions are:

Policy 19-1: Situations where financial contributions may be required and the purpose of financial contributions;

Policy 19-2: Amount of contribution; and

Policy 19-3: Matters to be considered for financial contributions.

³⁹ The applicable sections of the RMA are attached as ANNEX A

These policies also give effect to policy provisions in the One Plan Part I: Regional Policy Statement which contemplate the use of financial contributions as a mechanism to address adverse effects that cannot be avoided, remedied or mitigated by other means, for certain activities:

Infrastructure and other physical resources of regional or national importance (Policy 3-3);

Point source discharges to water (Policy 5-9);

Activities in rivers, lakes and their beds with Schedule B Value Flood Control and Drainage (Policy 5-24) or other Schedule B Values (Policy 5-25).

There are additional requirements under the LGA to adopt a financial contributions policy as part of the revenue and finance policies that form part of the Long Term Plan (LTP)⁴⁰. These requirements include providing quite detailed explanations of the level of financial contributions Council expects to receive and the capital expenditure it will be financing in each group of activities. This policy has previously set a rate (\$2 per cubic metre of gravel extracted) for the financial contribution that may be imposed through consent conditions to mitigate or offset the adverse effects on bank erosion, flow regimes and riparian vegetation, of gravel extraction activities on the Rangitīkei River which is not included in the 2024-2034 LTP.

In practice, however, the use of financial contributions has been extremely limited, as signalled in One Plan section 19.1 (Scope and background). This section also notes that, although Horizons' first generation plans also enabled financial contributions, none had ever been imposed. To date, it is understood that Horizons' only use of this mechanism has been in relation to gravel extraction on the Rangitīkei River⁴¹. While there have been proposals where the applicant has asked for their use to be considered, it appears that the effects they would have compensated for were able to be avoided, remedied or mitigated⁴².

There is insufficient evidence to fully assess whether the One Plan policies are effective and efficient. However, it appears that the framework they establish, alongside the complementary policy in the long-term plan, would enable consideration of their application in consent decision-making where adverse effects cannot be avoided, remedied or mitigated.

5.1.4 Chapter 10 Administration

Chapter 10 contains two non-regulatory methods and considerable descriptive material relating to cross-boundary issues, and plan monitoring and review.

Provisions: Methods 10-1 and 10-2

Method 10-1 is primarily a statement that a number of planning documents, including those prescribed by legislation other than the RMA, will give effect to the RPS.

Mahere Waka Whenua ā-rohe Regional Land Transport Plan 2021 – 2031, 2024 Review (RLTP) is a requirement of the Land Transport Management Act 2003. It is required to 'take into account' the RPS, and notes:

*Land use planning can have a significant influence on travel choice and transport network demand. Likewise, transport network investment can shape land use patterns within a region. The Manawatū-Whanganui Regional Transport Committee must take the One Plan Regional Policy Statement into account when developing the RLTP.*⁴³

The RLTP specifically takes into account the policies in Chapter 3 Infrastructure, Energy, Waste, Hazardous Substances and Contaminated Land, particularly in relation to setting priorities. Notably,

⁴⁰ Specifically sections 102, 103 and 106, included in ANNEX A

⁴¹ Noting that the application of Policies 19-1 to 19-3 to consents granted through the One Plan as amended in 2016 and 2018 is unavailable because the Horizons IRIS database does not enable this to be recorded. At the time this was being set up, the 2017 amendments signalled the end of financial contributions so it was considered unnecessary to include these policies.

⁴² L. Shirley, Personal communication, February 16, 2023

⁴³ Horizons Regional Council (2024). Mahere waka whenua ā rohe Regional land transport plan 2021-31 (2024 review), p. 48. https://www.horizons.govt.nz/HRC/media/Media/Transport/2021-31-Regional-Land-Transport-Plan_2024Review.pdf?ext=.pdf

the recent review of the current RLTP included amendments to reduce conflict with the One Plan's transport and natural hazard provisions, identified through implementation and evaluation⁴⁴.

The Regional Pest Management Plan 2017-37 (RPMP – a requirement of the Biosecurity Act 1993) recognises the strategic relationship of the RPMP with the One Plan, in particular its function in providing the regulatory framework for integrating the control of pests that affect the success of One Plan objectives for soil conservation, biodiversity and flood protection.

As noted in section 5.1.2 above, s67(3)(c) RMA states that a regional plan must give effect to the regional policy statement. Part II of the One Plan, the combined Regional Plan and Regional Coastal Plan, has been tested through hearing of submissions, appeals of the decisions on submissions, declaratory proceedings and plan change processes. These, and any future plan change proceedings, determine whether s67 has been met.

Similarly, section 75(3)(c) RMA requires district plans to give effect to the regional policy statement. **Method 10-2** sets a timeframe of five years for both regional plans (except Part II) and district plans to do this. However, other than by participating in district plan change processes through submissions, there has been little active implementation of this method by Horizons. Submissions to constituent territorial authority LTP on annual plans have supported district plan review funding with a view to achieving this but there has been no gap analysis of unreviewed district plan provisions to identify where the RPS is not given effect. There are some clear examples of parts of the RPS that have not yet been given full effect by all district plans; for example Policy 6-6 Regionally outstanding natural features and landscapes, which requires the identification (including mapping) of these areas in district plans, and supporting provisions for their protection, has not yet been given effect by all TAs.

Other matters covered in Chapter 10

Chapter 10 includes three sections which deal with Horizons' administrative responsibilities under the RMA, and are essentially also methods⁴⁵; they address implementation in relation to cross-boundary issues, plan monitoring and plan review.

10.1 Cross-boundary issues: s62(1)(h) RMA requires that "a regional policy statement must state the processes to be used to deal with issues that cross local authority boundaries, and issues between territorial authorities or between regions." Section 10.1 does this at both a general level as well as identifying specific approaches and participants. These matters had been set out more formally as an issue, an objective, and a suite of policies and methods in the former Regional Policy Statement (1998), with a focus on local and regional council participants.

Managing issues and processes across boundaries is of particular importance in this region where there are seven TAs that are entirely or predominantly within the regional boundary (two of which also with areas in other regions), and three more that are partly in the Horizons region. As an example, Taupō District spans the Bay of Plenty, Hawkes Bay and Waikato Regions as well as a relatively small area within in the Horizons Region; however, that small area includes regionally outstanding natural features and landscapes, and significant biodiversity habitats. In practical terms, this means the Taupō District Plan must give effect to four RPSs.

While this section is effectively a non-regulatory method, it is not described as such and does not follow the format for methods applied across the RPS, including Chapter 10. This creates a risk that the actions it signals could be overlooked, particularly when considering whether specific funding and resourcing will be required to ensure they can be effectively undertaken.

⁴⁴ L. Shirley, Personal communication, June 17, 2024

⁴⁵ As described by Clare Barton, Senior Consultant Planner, in her expert evidence to the One Plan General Hearing (Barton, C. (March 2009). Planning evidence and recommendations report. Retrieved from <https://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/Clare-Barton-Planning-Evi-Rec-Report-Admin-and-Fin.pdf?ext=.pdf> – see pp 11, 120 and 121, for example).

This section also does not distinguish between iwi and hapū and other stakeholder groups, despite these being distinctly different groups of participants with different roles and rights in resource management processes, and a different relationship with councils. It does not list a specific approach for involving iwi authorities, hapū and iwi or include any link to the provisions of Chapter 2 Te Ao Māori. It therefore does not reflect current requirements, expectations and practices.

10.2 Plan monitoring: the detail of this section is set out in section 3.4 above. The focus of the One Plan on plan monitoring was a shift from the RPS 1998, which discussed environmental monitoring (also a requirement of s35 RMA, and addressed through other provisions across the One Plan) rather than policy effectiveness and efficiency.

As with cross-boundary issues and plan review, this section is effectively a non-regulatory method but does not follow the format of other methods. It aimed to align plan effectiveness monitoring with the LGA requirements to monitor and report on progress towards the region's community outcomes, and relied on the One Plan AER and long-term plan community outcomes remaining very similar in future.

However, the LGA requirements were changed significantly by the Local Government Act 2002 Amendment Act 2010. These amendments changed both the focus and process requirements for community outcomes, tightening their scope from being the outcomes established by the community through a participatory process facilitated by the local authority, to the council's outcomes for its communities, confirmed through the long-term plan special consultative procedure. Reporting on progress towards community outcomes moved from requirements for a regular, specific monitoring report, to instead including information about any monitoring or reporting in annual reports. At the same time, the 'long-term council community plan' became the 'long-term plan'. Horizons' community outcomes have also changed significantly in their approach and focus since 2014, and they no longer mimic One Plan AERs.

As there were no appeals relating to these provisions, there was no opportunity to remedy this disconnection of the two previously approximately-parallel regimes through the appeals process; this means that section 10.2 no longer reflects either the requirement or the reality of plan effectiveness monitoring. In addition to simply being out of date, there are some substantive issues with it:

- the section refers only to effectiveness monitoring, not efficiency;
- the three-yearly interval described is more onerous than the requirement of five-yearly reporting in s35(2A) RMA;
- the reliance on the parallel requirements of the LGA means that their amendment has removed much of the expected structure and impetus to undertake this monitoring.

A further significant issue associated with this section / method is the difficulty in using the framework set up in the RPS to assess progress towards AERs. It is not within the scope of this evaluation to comment on the appropriateness of the AERs themselves; however, an assessment of the validity of the data sources and, in some cases the indicators they inform (attached as ANNEX B), shows that very few of these sources are readily available and accessible. Some no longer exist or were not set up as anticipated; some cannot be searched for the applicable data or do not use consistent and useful descriptors. The difficulties this has added to the s35 evaluation process is reflected throughout the completed topic reports, and include limiting the ability to make an informed assessment where suitable proxies cannot be identified⁴⁶.

10.3 Plan review: the detail of this section is summarised in section 3.4 above. It outlines the circumstances that would lead to Horizons seeking a change to the One Plan outside the 10 yearly review required by s79 RMA or requests received in accordance with Schedule 1 Part 2 RMA.

⁴⁶ See, for example, Air, section 5.1.4; and Infrastructure, Energy, Waste, Hazardous Substances and Contaminated Land, section 5.1.1.2.

The circumstances when it would be expected that a plan change would be initiated by Horizons are all to respond to substantive issues: failure to make anticipated progress towards an AER; in response to central government legislative or policy direction; and to implement new scientific findings. There is no acknowledgement in this section that less substantive 'maintenance' that could not be achieved by amendment would also be needed to keep the plan up to date – for example, to replace documents incorporated by reference that are no longer current, as discussed more fully in section 5.1.5 below.

In practice, this section reflects a lack of appetite and resourcing to prioritise plan review. To date, Plan Change 2, initiated in response to an Environment Court declaration on Horizons' implementation of the nutrient management provisions, and Plan Change 3, required to recognise the National Policy Standard on Urban Development 2020 are the only formal Schedule 1 processes to have been initiated⁴⁷.

The approach outlined in this section does not recognise the full range of reasons the One Plan may need to be reviewed, and does not support the maintenance of its provisions to ensure certainty and therefore efficiency. It fails to provide a rationale for allocating appropriate funding for this activity.

5.1.5 Introductory material – Chapter 1 and Chapter 11

Chapter 1 Setting the Scene includes two sections which are administrative in focus: 1.5 Working towards a better future; and 1.6 Codes of practice and other good practice initiatives. These are, in essence, a high-level indication of how it was intended the One Plan would be implemented and signal approaches to regulatory practice and plan-making. Section 1.6 in particular reads like a non-regulatory method, but neither require formal consideration in resource management processes. This evaluation does not consider whether the intended approaches were appropriate, but rather raises the question of whether it is appropriate or relevant to include such statements within a RPS given that practice must, in general, be driven by legislation and national direction. Their ongoing inclusion in the plan should be considered during plan review in light of the high-level principle from Quality Planning⁴⁸ to "Keep it simple:

Avoid the temptation to put 'everything' into the plan (thereby adding additional sections and chapters that most readers will never use). It can be helpful to ask the following when considering sections or chapters that are not related to core provisions:

- *Does this add value to the plan and make it easier to use?*
- *Would plan users actually need, or use, this information?"*

Chapter 11 Introduction to Part II has a purely supporting role, outlining the different functions of the One Plan's two parts (RPS and regional plan), describing how the rule tables are structured and listing the contents, including a full list of all the rules.

It is questionable how much of this chapter is actually useful to plan users, particularly with searchable pdf versions of the One Plan now available as a minimum. This should be tested through engagement with a range of plan users as part of any review of the administration provisions, bearing in mind the "Keep it simple" principle.

5.1.6 Documents incorporated by reference, and other external documents

⁴⁷ As at March 2024: Plan Change 2 was notified in 2019 and is currently under appeal. Plan Change 3 was notified October 2022 and submissions have been heard. Plan Change 1 is, in fact, an amendment to meet the requirement of the NPS FM 2014.

⁴⁸ <https://www.qualityplanning.org.nz/node/592>

'Documents incorporated by reference' is where a plan provision uses a specific document or part of a document as an extension of the plan provision. Taking this approach can avoid the need to repeat the content of the document within the provision, as well as making it obvious that the plan is relying on standards or conditions developed by an external organisation or group. The documents are often official standards (published by Standards New Zealand), or industry codes of practice or manuals. The process requirements for taking this approach are set out in Schedule 1 Part 3 RMA; it is applicable to plans only, not the RPS⁴⁹.

One Plan Part II: Regional Plan and Regional Coastal Plan incorporate a number of documents by reference; they are listed on the Horizons website: [https://www.horizons.govt.nz/publications-feedback/one-plan-supporting-documents/documents-incorporated-by-reference-\(1\)](https://www.horizons.govt.nz/publications-feedback/one-plan-supporting-documents/documents-incorporated-by-reference-(1)). Their use is not explicitly explained in the One Plan; however, Section 1.6 Codes of Practice and Other Good Practice Initiatives sets out support in principle for using standards developed by Standards New Zealand, industry-based codes of practice and other good practice initiatives in rule conditions (particularly for permitted activities and "preparing rules requiring resource consents that give favourable treatment to activities complying with codes of practice or other good practice initiatives"). This is explanation rather than policy direction; the Regional Plan includes a number of permissive (permitted and controlled activity) rules that take this approach, for example:

- for land disturbance where activities are carried out in accordance with an erosion and sediment control plan prepared in accordance with the *Erosion and Sediment Control Guidelines for the Wellington Region* (September 2002);
- for discharge of fertiliser to production land, in accordance with the *Code of Practice for Nutrient Management* (New Zealand Fertiliser Manufacturers' Research Association, 2007).

There are a number of benefits to incorporating material by reference including avoiding repetition (and potentially breaches of copyright), condensing the content of the rules, and making use of externally-developed good practice which may already be well supported by participants in those industries and activities.

However, there are also some significant disadvantages. The most problematic arises when an external document is updated or a new edition published; a full plan change process is required to update the reference to any new version. In the interim there can be confusion regarding which version should be referred to as well as difficulties accessing and making available the incorporated version once it has been superseded. For example, the Code of Practice for Nutrient Management – 2007 edition was superseded by the 2013 edition prior to the One Plan being made operative; however, there was no opportunity within the process to update the reference. Effectively, the operative fertiliser rule has always been out of date and the reference will not be updated until Plan Change 2 to the One Plan is resolved.

From a practice perspective, when documents have been revised the plan rule conditions may be set to a level of compliance that is considered to be well below current best practice. Regulatory Team staff do not have any legal basis to require consent holders to do anything more, creating the potential for poor environmental outcomes⁵⁰.

An audit⁵¹ of the 21 documents incorporated into Part II Regional Plan shows that 15 (67 percent) have been superseded, withdrawn or updated and reprinted.

There are also challenges to providing access to some documents that have been incorporated by reference into the One Plan, particularly New Zealand Standards. This arises from the strict copyright provisions Standards NZ holds over their publications; Horizons is able to provide access by making a physical copy available to view (as is required by the RMA), but cannot enable online access to, or allow copying of, these costly publications.

⁴⁹ See s67(6) RMA: A regional plan may incorporate material by reference under Part 3 of Schedule 1.

⁵⁰ L. Shirley, Personal communication, March 2022

⁵¹ As at 22 February 2023

The additional administrative burden associated with compliance with Schedule 1 RMA is not insignificant. There are legislative requirements around the separate public notification of documents at notification of a proposed plan change and when the change is made operative. This involves the creation of multiple sets in hard copy, one of which must be officially certified as correct by the local authority and retained as a formal record, and to provide public access on request. Staff in the Policy team have noted how difficult it is to maintain institutional knowledge across the organisation across multiple sites when requests to view are infrequent, including the importance of having copies retained in accessible locations and even knowledge of their availability. Maintaining a webpage to provide access can also be challenging; while carrying out the audit of incorporated documents it was found that 4 of the 19 hyperlinks to external links were broken.

The RPS also refers to external publications within its provisions, with varying degrees of weight. For example, Chapter 3 Policy 3-1 refers to a map in the Regional Land Transport Strategy to define which road and rail networks should be considered to be regionally or nationally important, while Policies 3-2 and 3-11 list external standards, regulations and guidelines as examples of good practice to be considered.

Horizons has not collated a list or set of the publications referred to in the RPS or made links available on its website. While there is no legal requirement to do so, good practice would suggest that doing so would ensure the correct version is identified and readily available during resource management processes⁵².

In summary, it is suggested that in future greater thought should be given to which documents are incorporated by reference in particular, and the risks and costs associated with avoiding obsolescence and maintaining legal compliance fully evaluated as part of any plan review. As previously noted in section 5.1.3, this type of maintenance is not currently supported in the approach to plan review set out in Chapter 10.

5.1.7 Structural issue noted through implementation

It is not the role of this evaluation to assess issues with the integration of and consistency between specific planning provisions; these will be identified and discussed in the relevant topic's s35 report. However, the Consents team⁵³ has noted a broad structural issue relating to the assessment of non-complying activities that has arisen during plan implementation, which has implications for consents processing efficiency and should be noted for future reviews.

Section 104D RMA requires that consent authorities may only move to the substantive s104 decision-making assessment for non-complying activities if the application can meet one of two 'gateway tests': the activity's effects are minor; or the proposal is not contrary to the objectives and policies of the relevant plan (defined as "a regional plan or a district plan"⁵⁴, and therefore not including the RPS).

The integration of the One Plan relies on cross-referencing from regional plan provisions to those in the RPS; this requires that decision-makers 'have regard to' those chapters⁵⁵. This relatively low bar means that a proposal that is inconsistent with the RPS objectives and policies could be considered consistent with the regional plan provisions. The potential consequence of this arrangement means that most applications for non-complying activities may be able to pass the objective/policy gateway, as the policies that would limit substantive consideration are located in the RPS.

⁵² Such as Horowhenua District Council Plan Change 4 Tara-Ika Growth Area, as discussed in Section 35 Evaluation: Infrastructure, Energy, Waste, Hazardous Substances and Contaminated Land (2023)

⁵³ Westcott, S. Personal communication, July 20, 2022.

⁵⁴ S43AA RMA.

⁵⁵ *Foodstuffs (South Island) Ltd v Christchurch CC* [1999] NZRMA 482 (HC) describes 'to have regard' as a requirement for the decision-maker to give genuine attention and thought to the matters, but not necessarily to accept them.

It should also be noted that the impact of this issue is primarily on process efficiency; it leads to additional time being spent assessing these applications, increased costs, and greater uncertainty. While it is unlikely to impact on the environmental outcome, as a substantive assessment under s 104 RMA would consider the RPS (and higher order instruments such as NPS) objectives and policies and the proposal can be declined if it has significant environmental effects and is inconsistent with those provisions, its implications should be considered during future plan reviews.

5.2 Efficiency assessment

This assessment considers the formal policy provisions in Chapters 12 only; general comments on efficiency are included as part of the commentary on other matters relating to administration, including financial contributions (sections 5.1.3 – 5.1.7). Consistent with other s35 evaluations, it uses the following questions as a starting point:

- Are the regulatory, consenting and administrative transaction costs in line with what was anticipated?
- What additional costs, risks and opportunity benefits or costs (resource use implications) are created for resource users?

In relation to Chapter 12, the effectiveness evaluation has found that all but Policy 12-5 Consent durations add little, if anything, to resource management practice over and above the requirements of the RMA. What data there is available is insufficient provide any conclusive evidence that the remaining policies are relied on or being applied consistently; in some cases this is because there has been very limited opportunities for a particular practice to occur (such as development of new regulation through plan change processes). Although in general these policies are thought to reflect current good practice, this is, and should be, occurring regardless.

In terms of efficiency, it is not possible to isolate costs that arise from the implementation of any of these provisions from broader regulatory functions, and nor is it necessarily appropriate to do so for what is essentially required by the RMA and good practice. The risk that unanticipated or additional costs will arise is more likely when these requirements are not followed; when participants have to demonstrate adherence to two sets of basically duplicate requirements; or when provisions are outstripped by changes to legislation and practice. From this perspective, Policies 12-1 to 12-4 and 12-6 to 12-8 can be considered inefficient.

Nor can the costs of implementing Policy 12-5 be identified. In the absence of readily accessible evidence to suggest that the duration of consents are being challenged by consent applicants, and given the very small proportion of decisions that are challenged, it is reasonable to conclude that the vast majority of consent durations set in accordance with Policy 12-5 have been acceptable to consent holders. It should also be noted that the policy enables process and resource allocation efficiencies by providing for consideration of numerous consents together.

6 Conclusions

This report has considered the parts of the One Plan that address the administration of the resource management system in the region, both formal provisions and supporting text. There is very little evidence readily available to support the evaluation of their effectiveness or efficiency. The key finding is that the administrative provisions of the One Plan need to be reconsidered in light of what is actually necessary and useful to plan users, and whether it is current. Most of the provisions in Chapter 12 do not appear to add value to processes and practice as they largely duplicate the requirements of the RMA. It is unclear whether Policies 12-1 to 12-4 and 12-6 to 12-8 are supporting the implementation of resource management in practice and they may be adding to process inefficiency and cost. However, Policy 12-5 provides substantive guidance around setting consent

durations and opportunities to review consent conditions at CCE and is a significant tool to support integrated resource management and allocation across catchment.

It is suggested that any future review should take the following into consideration:

- Policies 12-1 to 12-4 and 12-6 to 12-8 are unlikely to be supporting implementation of resource management in practice and may be adding to process inefficiency and cost.
- There are parts of the One Plan that are not well used but are still required, such as the Chapter 19 financial contributions policies and the statement of how cross-boundary issues will be managed; any review should consider not only their content but also their format and location.
- There are numerous other parts of the One Plan that may be unnecessary or in an inappropriate form, including Sections 1.5 and 1.6, and Chapters 10 and 11.
- The framework for evaluating progress towards anticipated environmental results has significant inadequacies and does not provide a robust evidence base.
- The implications of using and maintaining access to documents incorporated by reference, and ensuring they reflect current practice in regulation, needs careful consideration.

ANNEX A

Resource Management Act and Local Government Act provisions relating to the use of financial contributions by regional councils

Resource Management Act 1991

108 Conditions of resource consents

...

(2) A resource consent may include any one or more of the following conditions:

(a) Subject to subsection (10), a condition requiring that a financial contribution be made:

...

(9) In this section, **financial contribution** means a contribution of–

(a) money; or

(b) land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or

(c) a combination of money or land.

(10) A consent authority must not include a condition in a resource consent requiring a financial contribution unless–

(a) the condition is imposed in accordance with the purposes specified in the plan or proposed plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect); and

(b) the level of contribution is determined in the manner described in the plan or proposed plan.

111 Use of financial contributions

Where a consent authority has received a cash contribution under section 108(2)(a), the authority shall deal with that money in reasonable accordance with the purposes for which the money was received.

Local Government Act 2002

102 Funding and financial policies

(1) A local authority must, in order to provide predictability and certainty about sources and levels of funding, adopt the funding and financial policies listed in subsection (2).

(2) The policies are—

...

(d) a policy on development contributions or financial contributions; and

[[3A) The following policies must also support the principles set out in the Preamble to Te Ture Whenua Maori Act 1993:

(a) the revenue and financing policy, the policy on development contributions or financial contributions, and the policy on the remission and postponement of rates on Māori freehold land adopted under subsection (1):

...

[[4) A local authority—

(a) must consult on a draft policy in a manner that gives effect to the requirements of section 82 before adopting a policy under this section:

(b) may amend a policy adopted under this section at any time after consulting on the proposed amendments in a manner that gives effect to the requirements of section 82.]]

...

103 Revenue and financing policy

(1) A policy adopted under [section 102(1)] must state—

(a) the local authority's policies in respect of the funding of operating expenses from the sources listed in subsection (2); and

(b) the local authority's policies in respect of the funding of capital expenditure from the sources listed in subsection (2).

(2) The sources referred to in subsection (1) are as follows:

...

(h) financial contributions under the Resource Management Act 1991:

...

106 Policy on development contributions or financial contributions

(1) In this section, financial contributions has the meaning given to it by section 108(9) of the Resource Management Act 1991.

(2) A policy adopted under [section 102(1)] must, in relation to the purposes for which development contributions or financial contributions may be required,—

(a) summarise and explain the [total cost of capital expenditure] identified in the long-term ... plan[, or identified under clause 1(2) of Schedule 13] that the local authority expects to incur to meet the increased demand for community facilities resulting from growth; and

(b) state the proportion of that [total cost of capital expenditure] that will be funded by—

(i) development contributions:

(ii) financial contributions:

(iii) other sources of funding; and

(c) explain, in terms of the matters required to be considered under section 101(3), why the local authority has determined to use these funding sources to meet the expected [total cost of capital expenditure] referred to in paragraph (a); and

(d) identify separately each activity or group of activities for which a development contribution or a financial contribution will be required and, in relation to each activity or group of activities, specify the total amount of funding to be sought by development contributions or financial contributions; and

(e) if development contributions will be required, comply with the requirements set out in [sections 201 to 202A]; and

(f) if financial contributions will be required, summarise the provisions that relate to financial contributions in the district plan or regional plan prepared under the Resource Management Act 1991.

...

(4) If financial contributions are required, the local authority must keep available for public inspection the provisions of the district plan or regional plan prepared under the Resource Management Act 1991 that relate to financial contributions.

(5) The places within its district or region at which the local authority must keep the information specified in subsections (3) and (4) available for public inspection are—

(a) the principal public office of the local authority; and

(b) such other places within its district or region as the local authority considers necessary in order to provide members of the public with reasonable access to the methodology, provisions, or plan.

[(6) A policy adopted under section 102(1) must be reviewed at least once every 3 years using a consultation process that gives effect to the requirements of section 82.]

[(7) In this section, capital expenditure includes any funding provided by a responsible levy authority to contribute to the construction costs of eligible infrastructure that has been, or is intended to be, transferred to the authority under section 90 of the Infrastructure Funding and Financing Act 2020.]

ANNEX B

Status of data sources for evaluation framework indicators

	Anticipated environmental result	Indicator	Data source	Comment
Chapter 2 Te Ao Māori	Discoveries of <i>wāhi tapu</i> * and <i>wāhi tūpuna</i> * are dealt with appropriately in accordance with tikanga Māori.	Reduction in the number of <i>wāhi tapu</i> * and <i>wāhi tūpuna</i> * dealt with inappropriately (including when damaged by inappropriate subdivision, use or development).	Accidental <i>wāhi tapu</i> and <i>wāhi tūpuna</i> discoveries reported to the Regional Council and Heritage New Zealand.	This information is not currently stored by Horizons in a format that can be readily searched to identify incidents where <i>wāhi tapu</i> or <i>wāhi tūpuna</i> have been discovered and reported (prior to the compliance module of the IRIS database being activated). Records are unlikely to include any incidents where discovery occurred and was concealed or ignored, as these would not be reported.
			Hapū and iwi	There is no easily accessible record of iwi and hapū views on whether accidental discovery has been handled appropriately (i.e. in accordance with tikanga).
		Number of environmental projects developed, funded and implemented	Regional Iwi Environmental Projects Fund	A fund was not established as envisaged. Funding has been allocated through the Iwi Activity

Anticipated environmental result	Indicator	Data source	Comment
Increased involvement of Māori in achieving environmental outcomes across the Region.	with <i>hapū</i> *, <i>iwi</i> *, marae committees or other Māori organisations.		budgets; however, a record of the full number of environmental projects, monitoring programmes, seminars and research projects has not been maintained.
	Number of monitoring programmes developed with <i>hapū</i> * and <i>iwi</i> *		
	Number of seminars or research projects conducted with <i>hapū</i> * or <i>iwi</i> * catchment collectives.		
Improved wetland protection and restoration	Number of wetland projects developed with Māori landowners	He Tini Awa Trust	He Tini Awa Trust was wound up in 2016 ⁵⁶ .
	Research projects, seminars undertaken	Regional Iwi Environmental Projects Fund	See above.
Improved working relationships with <i>hapū</i> * and <i>iwi</i> * to achieve mutually acceptable environmental outcomes.	Number of environmental partnerships and agreements with <i>hapū</i> * and <i>iwi</i> *		
	Improved localised environmental results		

⁵⁶ Minutes of Regional Council – 31 May 2016. <https://www.horizons.govt.nz/HRC/media/Media/Minutes-Documents/Horizons-Regional-Council/Meeting%20Minutes%20May.pdf>. One alternative source is the Kanorau Koiora Taketake – Indigenous Biodiversity Contestable Fund. However, searching for applicable information is not a straightforward undertaking. (pers comm. R. Mountford-McAuley, October 26, 2022).

	Anticipated environmental result	Indicator	Data source	Comment
Chapter 3	Increased efficiency of the end use of energy and increased generation of energy from renewable resources in the Region.	Efficient end use of energy in the Region.	Energy Efficiency and Conservation Authority (EECA) and Territorial Authority monitoring of building and resource consent applications to improve energy efficiency.	While the Energy Efficiency and Conservation Authority collects energy end use data, this is not available at a regional level and is not a measure of efficiency. Horizons has not made any arrangements with territorial authorities (TAs) in the region to access this data, and does not know whether it exists in an accessible format.
		Amount of energy generated from renewable energy resources in the Region.	Monitoring of the quantity of installed generation capacity in the Region.	This data is available and can be accessed from regional consents.
	Urban growth occurs in a strategically planned manner.	Urban growth.	District plan variations and changes.	This data is available and can be accessed from records associated with TA plan changes held by the regional council.
	Class I and II versatile soils are retained, where appropriate for productive use.	Urban growth and rural residential subdivision.	District plan variations and changes.	This data is available and can be accessed from records associated with TA plan changes held by the regional council.

Anticipated environmental result	Indicator	Data source	Comment
			Existing One Plan provisions will be overtaken by the NPS-HPL 2022.
By 2017, the amount of residual <i>waste*</i> per capita generated in the Region will be less than prior to this Plan becoming operative.	Volume or weight of residual <i>waste*</i> per capita.	Territorial Authority monitoring of solid <i>waste*</i> strategies.	This assumes that TAs will be collecting this data as part of their monitoring of solid waste plans under the LGA. However, the legislative framework changed in 2008; there was no opportunity for Horizons to amend the waste provisions to reflect altered responsibilities and requirements. Horizons has not implemented or taken any role in the two Methods that contribute to this AER.
No “clean” <i>sites*</i> prior to this Plan becoming operative will become contaminated by 2017.	Number of clean sites becoming contaminated.	Regional register of contaminated land.	A regional register of contaminated land has not been implemented. Horizons’ register is now very out of date, with a high number of sites known to our TAs but not in the register.
		Regional Council’s incidents database	Horizons HAIL database has not been sufficiently maintained, and the sites that are on the database have not been

	Anticipated environmental result	Indicator	Data source	Comment
				recorded in such a way that the time of their contamination is known.
	Priority contaminated <i>sites</i> * are remediated appropriately prior to change in land use.	Number of remediated sites.	Regional register of contaminated land.	See above. Horizons does not collect this data; it is a function of TAs under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.
	<p>By 2017, there will be a net reduction in the adverse effects on water quality, people, buildings and infrastructure caused by accelerated erosion, and hill country and coastal foredune wind erosion in the Region.</p> <p>[Notes linkages from this AER to the AERs in Chapter 5 Water)</p>	<p>Water quality monitoring results, especially for “muddy waterways” in the Whanganui and Rangitīkei Rivers.</p> <p>Rate of deposition of sediment in coastal river reaches, focusing on the Whanganui, Rangitīkei and Manawatū Rivers.</p> <p>Costs of storm damage</p> <p>% of region’s land being used in accordance with sustainable use guidelines</p>	Regional Council’s state of environment water quality monitoring programme.	State of Environment water quality data is available and accessible. However, coastal and estuarine monitoring implementation has not delivered the anticipated data. Changes of long-term mean sediment discharges from rivers to the sea cannot be assessed from current monitoring because of the sampling method; nor is it possible to identify whether the sediment originates from the

Anticipated environmental result	Indicator	Data source	Comment
	<p>Level of achievement of deposited sediment, visual clarity and phosphorus water quality targets specified in Schedule E</p> <p>Changes to long-term mean sediment discharges of rivers to sea.</p> <p>% of farms with the SLUI priority catchments that have voluntary management plans in place and are being implemented.</p>		<p>river or has been released from the bed by surf. Likewise, the proportion of sediment loads in estuarine sampling that will settle in the estuary rather than being discharged into the sea cannot be determined.</p>
		<p>Regional Council's and Territorial Authorities' incidents database.</p>	<p>Horizons' information is not currently stored in a format that can be readily searched to identify applicable incidents. Also, the relevance of this data, which is focused on individual consents, projects or incidents rather than the higher-level outcomes focus of AER and many of the indicators, is questionable.</p>
		<p>Regional Council's river bed level survey results.</p>	<p>This data is available and accessible, noting that its coverage is focused on gravel resources and sedimentation; it</p>

	Anticipated environmental result	Indicator	Data source	Comment
				does not exist for all catchments.
			Regional Council's and Territorial Authorities' storm damage reports.	Trends in costs and impacts of storm damage are difficult to determine, primarily because of the variations between different storm events. While costs and impacts can be estimated or measured for specific events, comparisons between events are not like for like, with differences such as scale, extent, location and demography.
			Regional Council's Sustainable Land Use Initiative monitoring and implementation reports.	This data is available and accessible.
Chapter 5	During the life of this Plan, water quality and quantity maintain the Values set in this Plan. In Water Management Sub-zones:	Measured water quality compared to water quality targets, especially measures for "muddy waterways", "safe swimming", "safe food gathering", and "aquatic ecosystem health" in priority catchments	The Regional Council's State of Environment water quality and quantity monitoring programme.	This data is available and accessible.

Anticipated environmental result	Indicator	Data source	Comment
<ul style="list-style-type: none"> where water quality targets are met prior to this Plan becoming operative, they continue to be met; where water quality targets are not met prior to this Plan becoming operative, they are either met or improved from the current state where targeted for action or, where not targeted for action, they are no worse than prior to this Plan becoming operative 	Incidents where surface water quality is confirmed as unfit for use	The Regional Council's incidents database	See previous comments.
	Measured flows of surface water compared to the allocation and minimum flow regime outlined in this Plan	Ministry of Health raw water monitoring	It is understood that the format and source of this data has changed. Horizons relies on its own monitoring regime for State of Environment reporting purposes.
By 2017, the natural, physical and cultural qualities of the beds of rivers are suitable for specified Water Management Sub-zone Values	Confirmed incidents of damage to beds of rivers	The Regional Council's incidents database	See previous comments.
	Consents granted for activities in beds of rivers and lakes	The Regional Council's consents database	While consents data is available from IRIS, Horizons' consents database, there are some challenges associated with searching and analysing results.
The amount of groundwater used does not exceed replenishment rates and its quality is the same or better than that measured prior to this Plan	Groundwater levels Region-wide, but with a focus on Ōpiki and Himatangi areas	The Regional Council's State of Environment water groundwater monitoring programme	This data is accessible and available.

	Anticipated environmental result	Indicator	Data source	Comment
	becoming operative, other than where discharges to land are a permitted activity or are allowed by resource consent.	Groundwater quality Region-wide, but with a focus on nitrates in Horowhenua and Tararua districts and conductivity along the Foxton-Tangimoana coast.	The Regional Council's compliance monitoring programme.	See previous comments re accessibility/ ability to search compliance data.
		Confirmed incidents where groundwater sources become unavailable (ie., dry up) or water quality is unfit for use.	The Regional Council's incidents database.	See previous comments. While it would be possible to search incidents relating to water, it is less certain whether they could be narrowed to groundwater.
			Ministry of Health raw water monitoring.	See previous comments.
Chapter 6	Except for change because of natural processes, or change authorised by a resource consent, by 2017, the extent of rare habitat, threatened habitat or at-risk habitat is the same as (or better than) that estimated prior to this Plan becoming operative, and the number of at-risk habitats has not increased.	Extent of each habitat type compared to former extent.	Landcare Research: Land Environments NZ Tool, EcoSat tool and Land Cover Database 2 tool.	The Landcover Database is now at version 5 and is available to calculate comparative habitat extents.
		Number of rare habitats, threatened habitats and at-risk habitats damaged by unauthorised activities.	Regional Council's incidents database.	See previous comments. As for accidental discovery incidents, where damage to habitats is unreported and undetected it is unlikely to be recorded as an incident.

Anticipated environmental result	Indicator	Data source	Comment
By 2017, the Region's top 100 wetlands and top 200 bush remnants will be in better condition than that measured prior to this Plan becoming operative.	Number of top 100 wetlands and top 200 bush remnants under proactive management.	Regional Council's identification and assessment of significant indigenous aquatic, coastal and terrestrial habitat types.	This data is accessible and available (noting that the 'top 100 wetland and top 200 bush remnants' programme has been reframed as 'priority habitats', and the range of management categories more specifically defined).
	Habitat condition measure(s) which, where possible, will be consistent with those used by the Department of Conservation.	Regional Council's progress reports on results of proactive management of top wetland and bush remnant habitats.	
By 2017, the Region's known historic heritage will be recorded in district plans and in the Regional Coastal Plan for protection from inappropriate subdivision, use and development.	Level of protection from inappropriate subdivision, use and development afforded to scheduled historic heritage in territorial authority District Plans and the Regional Council Coastal Plan.	District Plans	District plan and the Regional Coastal Plan provisions are readily available and accessible. District plans are not in themselves a source of data to analyse the number of submission points accepted or rejected; this information would generally be retrieved from decisions on plan changes which do not always remain readily accessible and may require considerable analysis. Further, a strictly qualitative assessment fails to acknowledge the impact
	Portion of Regional Council submissions accepted versus total Regional Council submissions made on historic heritage to Territorial Authority consent planning processes.	Regional Coastal Plan	

Anticipated environmental result	Indicator	Data source	Comment
			pre-hearing discussions and evidence may have had on Horizons' experts' opinions and agreement with alternative outcomes.
	Except for change because of natural processes, or change authorised by a resource consent, at 2017 the characteristics and values of all outstanding landscapes and natural features identified in the Region (Schedule G Table G.1) will be in the same or a better state as assessed prior to this Plan becoming operative.	Number of Schedule G outstanding landscapes and natural features where identified characteristics and values have been damaged.	<p>Outstanding landscapes and natural features characteristics and values assessment survey.</p> <p>Regional Council's incidents database.</p> <p>To date, Horizons has not undertaken any survey of ONFL and would likely only do so to meet its responsibilities in the CMA. Surveys have been carried out by several of the territorial authorities in the region to inform plan change processes.</p> <p>Horizons does not link incidents to outstanding landscapes and features' characteristics and values, or areas identified by TAs in district plans, As Horizon has not yet implemented landscape protections in the coastal marine area (including mapping their extent), it is not possible to link incidents to damage to the characteristics and values of those areas.</p>

	Anticipated environmental result	Indicator	Data source	Comment
			Regional Council's Subdivisions Enquiry Database (SED)	Similarly, although a database records enquiries relating to subdivisions, it is not possible to link these records to areas identified as ONFL in district plans for the same reasons.
		Level of protection afforded to Schedule G outstanding landscapes and natural features in Territorial Authority district plans.	Territorial Authority district plans.	See previous comments in relation to submissions data; this also applies to submissions made to notified resource consent processes.
		Ratio of successful Regional Council submissions versus total Regional Council submissions made on outstanding landscapes and natural features to Territorial Authority consent planning processes	Territorial Authority consent decisions.	See previous comments in relation to submissions data; this also applies to submissions made to notified resource consent processes.
Chapter 7	By 2013 fine particle (PM ₁₀) levels in the Region meet the National Environmental Standards.	PM ₁₀ levels, especially in Taumarunui and Taihape.	Regional Council's state of environment water quality monitoring programme.	This data is available and accessible.

	Anticipated environmental result	Indicator	Data source	Comment
	The number of confirmed incidents of objectionable, offensive or noxious airborne substances causing adverse effects beyond property boundaries is reduced by 10% over the life of this Plan.	Number of confirmed incidents.	The Regional Council's incidents database. Consent compliance database.	Complaints are recorded regardless of whether the complaint is confirmed to be an objectionable or offensive breach in air quality. Therefore this data set contains both confirmed and unconfirmed incidents.
Chapter 8	By 2017, water quality in the open sea is generally suitable for the specified Values at all times. Water quality in estuary areas is no worse than it was prior to this Plan becoming operative.	Measured water quality compared to water quality targets in Schedule I, especially measures for "safe swimming", "safe food gathering" and "aquatic ecosystem health".	Regional Council's state of environment water quality monitoring programme	This data is available and accessible.
		Incidents where water quality in the CMA is confirmed as unfit for use.	Regional Council's incidents database.	See previous comments.
	Except for change because of natural processes, or as a result of activities authorised by this Plan or a resource consent, by 2017 the characteristics / values of outstanding landscapes and natural features identified in the CMA (Schedule F) will be in the same state as (or better than) before this Plan became operative.	Number of Schedule G outstanding landscapes and natural features in the CMA where identified characteristics / values have been damaged.	Outstanding landscapes and natural features characteristics / values assessment survey.	Regional Council's incidents database.
Regional Council's incidents database.			Regional Council's incidents database.	See previous comments relating to Chapter 6.
Regional Council's SED (Subdivision Enquiry Database).			Regional Council's incidents database.	See previous comments relating to Chapter 6. It is not possible to link these records to areas identified as ONFL in the CMA for the same reasons.

Anticipated environmental result	Indicator	Data source	Comment
		Territorial Authority district plans Territorial Authority consent decisions	TA's do not have functions or power in the CMA.
	Coastal erosion / accretion		
By 2017, there will be a net reduction in the damage to property or infrastructure as a result of coastal erosion, the effects of sandstorms or sea level rise in the coastal environment	Confirmed incidents of property or infrastructure damage	Regional Council's state of environment land monitoring programme.	Although SOE reporting mentions coastal erosion it does not provide any information or measure it.
		Regional Council and Territorial Authority incidents databases.	See previous comments.
		Land use mapping.	Mapping shows the location of coastal areas at high risk of erosion but cannot readily identify changes over time.
		Sustainable Land Use Initiative implementation reports (two-yearly).	SLUI does not address coastal erosion.

	Anticipated environmental result	Indicator	Data source	Comment
Chapter 9	By 2017, the risk to people, property and critical infrastructure will be the same as or less than before this Plan became operative.	Number of new dwelling houses in areas prone to flooding consistent with Policy 9-2.	Territorial Authorities.	Only 1 of the region's TAs has been able to provide information, however the mapping provided varies from the One Plan mapping and is based on their own district plan hazard areas. It is unclear when this mapping was undertaken.
		Number of incidents where activities are affecting schemes, especially stopbanks.	Regional Council's Operations Group maintenance records.	No information found.
		Natural hazard information shared with Territorial Authorities and interested parties	Regional Council's compliance database.	Compliance data does not record any of the information for these indicators.
		District plans incorporating hazardous areas on planning maps and associated regulation of land use in those areas	Regional Council's incidents database	See previous comments relating to accessibility / ability to search incidents data.
	By 2017, people will be more aware of the risks of natural hazards in the Region and how to cope with them	Public perception	Customer surveys.	Surveys were carried out in 2012-13 and 2019. Funding is being sought through the LTP to conduct another in 2024-25 ⁵⁷
	Number of requests for information.			

⁵⁷ There is also an annual National Disaster Preparedness Survey, conducted by the National Emergency Management Agency, which can be used to compare Horizons with other regions.

	Anticipated environmental result	Indicator	Data source	Comment
	than they were before this Plan became operative	District plans incorporating hazardous areas on planning maps and associated regulation of land use in those areas	Subdivision Enquiry Database (SED)	Although a database of subdivision enquiries exists, requests for information cannot be split up to determine the number specifically relating to hazards.



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